

**DCNE2007/1224/F - PROPOSED TWO STOREY  
DWELLING FOR ANCILLARY ACCOMMODATION AT  
BLACK HILL, BRITISH CAMP, MALVERN,  
HEREFORDSHIRE, WR13 6DW**

**For: Mr & Mrs Potts per Mrs V Greenhouse, Vanessa  
Greenhouse, 54 Doctors Hill, Bournheath,  
Bromsgrove, B61 9JE**

**Date Received:  
20th April 2007**

**Ward: Hope End**

**Grid Ref:  
76546, 40572**

**Expiry Date:  
15th June 2007**

Local Members: Councillor RV Stockton and Councillor R Mills

This application was considered at the Northern Area Planning Sub-Committee at its meeting on 25 July 2007 when Members resolved to grant planning permission contrary to the recommendation of the report. This decision was accordingly referred to the Head of Planning Services to determine if it should be reported to the Planning Committee for further consideration.

At its meeting on 25 July 2007 the Northern Area Planning Sub-Committee was recommended to refuse this application for the following reason:

1. The proposed development, by virtue of its scale and visual prominence would fail to either protect or enhance the natural beauty and amenity of the area. The development is thus contrary to policies LA1 and S7 of Herefordshire Unitary Development Plan.
2. The development is tantamount to the erection of a new dwelling in open countryside. The application does not accord with any of the exception criteria set out in policy H7 of the Unitary Development Plan and there are considered to be no other material considerations to justify the setting aside of adopted rural restraint policies.

In the debate the quality of the existing dwelling was discussed there being no point of dispute upon this. Furthermore it was generally agreed that the most appropriate way to provide ancillary accommodation was by way of a detached building rather than extension to the existing dwelling.

Members commented that the new build was on the footprint of an existing building to be replaced. This appeared to constitute the justification for the development. There was little or no debate upon the impact of the development upon the visual amenity or quality of the AONB.

The proposal raises the following issues:

1. The accommodation sought is clearly somewhat greater than what would normally be regarded as ancillary accommodation, it provides a fully functional 2 bedroom dwelling, with no reliance at all on (nor physical attachment to) the main house.

Consequently the proposal is tantamount to a new dwelling in open countryside. Policy H7 refers to such dwellings, however the proposal does not satisfy any of the acceptable exceptions thereto.

Having reviewed the facts of the application I am clear that this proposal would present a clear conflict with established UDP policies intended to protect the AONB from unnecessary development.

In light of the above it can be seen that there is a clear conflict with policy H7 in terms of the principle of the development in open countryside. Furthermore the issue of the impact of the development upon the AONB does not appear to have been addressed.

The report to the meeting of 25 July follows:

## **1. Site Description and Proposal**

- 1.1 The application seeks planning permission for the erection of a two-storey building comprising living accommodation and garaging at Blackhill, British Camp, Colwall. The existing dwelling is believed to date from 1917 and does not appear to have been extended historically. Faced predominantly in stone, with brick quoins, window surrounds and some brick noggin in the gables, the dwelling appears to be a very good quality example of its type. Fenestration and chimney detail are also of interest.
- 1.2 The dwelling occupies an elevated position within the Area of Outstanding Beauty, accessed via a track taken from the Blackhill visitor car park. It is isolated and set in the lea of the Shire Ditch Schedules Ancient Monument. Overall, the setting is extremely attractive and characterised by common ground, large mature trees and a network of undulating footpaths.
- 1.3 This application follows two unsuccessful attempts to secure planning permission for the extension of the dwelling. The previous applications to build a two storey extension from the north facing elevation have been withdrawn on the advice of officers owing to the perceived adverse impact that this approach would have upon the form of the existing dwelling. Although not listed, it is thought that Blackhill may be worthy of listing in the future. English Heritage has been asked to advise in this regard.
- 1.4 In the absence of an obvious means of extending the existing dwelling, the current application to create additional accommodation within a new building is put forward as an alternative
- 1.5 The scheme involves the retention and conversion to a kitchen of a small brick built outbuilding located 2.5m from the north elevation of the dwelling. This building appears contemporaneous with the dwelling. From the rear of this it is proposed to create a glazed link containing a staircase to the new two-storey building, which would house two garage spaces and a living room at ground floor and two bedrooms with a bathroom at first floor. The building would be sited upon the footprint of existing dilapidated garaging and it is understood that the replacement garaging incorporated within the scheme would be for use of the occupants of both the main dwelling and the annex.
- 1.6 The building would have a simple rectangular form and a footprint measuring 6.6m x 9.7m. Height to the ridge would be 8m. The design mimics some of the architectural traits exhibited by the existing dwelling, including exposed rafter feet, but is deliberately understated so as not to compete with the dwelling.

## 2. Policies

### 2.1 Herefordshire Unitary Development Plan

- S1 – Sustainable development
- S2 – Development requirements
- S7 – Natural and historic heritage
- DR1 – Design
- H7 – Housing in the countryside outside settlements
- LA1 – Areas of outstanding natural beauty

## 3. Planning History

- 3.1 NE06/3627/F – Proposed two-storey extension. Withdrawn 7<sup>th</sup> February 2007
- 3.2 NE06/2923/F – Proposed two-storey extension. Withdrawn 6<sup>th</sup> November 2006
- 3.3 NE06/0752/F – Proposed granny annex. Refused 5<sup>th</sup> May 2006

## 4. Consultation Summary

### Statutory Consultations

- 4.1 English Heritage (Consulted owing to the proximity to the Shireditch Scheduled Ancient Monument): No objection

### Internal Council Advice

- 4.1 Traffic Manager: No objection
- 4.2 Conservation Manager (Landscapes): Recommends refusal on the basis that the development would be visually intrusive and does not meet the exception criteria for development within the AONB as described by policy LA1. Reference is made to the unique setting, which must be preserved.
- 4.3 Conservation Manager (Building Conservation): No objection subject to the agreement of and finish to external materials. The officer is satisfied that the proposal provides a more acceptable solution to the protection of the main house than the earlier proposed extensions.
- 4.4 Conservation Manager (Archaeology): No objection

## 5. Representations

- 5.1 Colwall Parish Council: “Council objects to this application as it is Council’s policy to do so if new dwellings are outside of the settlement boundary. If Herefordshire Council is mindful to grate this application then the new dwelling should remain as a Coach House to the main dwelling and should not be sold separately to it.”
- 5.2 Malvern Hills Area of Outstanding Natural Beauty (AONB): Objection on the basis that the development would be prominent within and detrimental to the Area of Outstanding

Natural Beauty. The building would compete with the main dwelling and has not been justified as rural exception housing.

- 5.3 Campaign to Protect Rural England: Objection. The development is essentially a two-storey dwelling in sensitive open countryside. It would detract from both the wider landscape and the setting of the dwelling. Concern is also raised at car parking arrangements.
- 5.4 Natural England: No objection. The development would not appear to affect the Malvern Hills Site of Special Scientific Interest.
- 5.5 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. Officer's Appraisal

- 6.1 The key issues in the determination of this application can be summarised as follows:
- The principle of development within the open countryside and AONB;
  - The impact of the proposed scheme upon the setting of the existing dwelling and the wider landscape.
- 6.2 The application seeks permission for what is intended as ancillary accommodation to the main dwelling. However, notwithstanding the close proximity of the building to the property the building is of a scale that would enable occupation entirely independent of Blackhill. In short, there is an absence of co-dependence that one would expect to find between principal dwelling and ancillary, or incidental accommodation.
- 6.3 It is acknowledged that the application results from pre-application discussion and that the approach is taken in preference to a traditional extension, discounted in order to preserve the dwelling in its current form. However, in this context it is considered that the harm to the wider landscape would outweigh the benefit of maintaining the house as existing.
- 6.4 The application is also considered contrary to Unitary Development Plan policy LA1 in that it is considered that the development would fail to either protect or enhance the natural beauty and amenity of the area in the national interest and would prove detrimental to the intrinsic natural beauty of the area.

## RECOMMENDATION

**That planning permission be refused for the following reasons:**

- 1. The proposed development, by virtue of its scale and visual prominence would fail to either protect or enhance the natural beauty and amenity of the area. The development is thus contrary to policies LA1 and S7 of Herefordshire Unitary Development Plan.**
- 2. The development is tantamount to the erection of a new dwelling in open countryside. The application does not accord with any of the exception criteria set out in policy H7 of the Unitary Development Plan and there are considered to be no other material considerations to justify the setting aside of adopted rural restraint policies.**

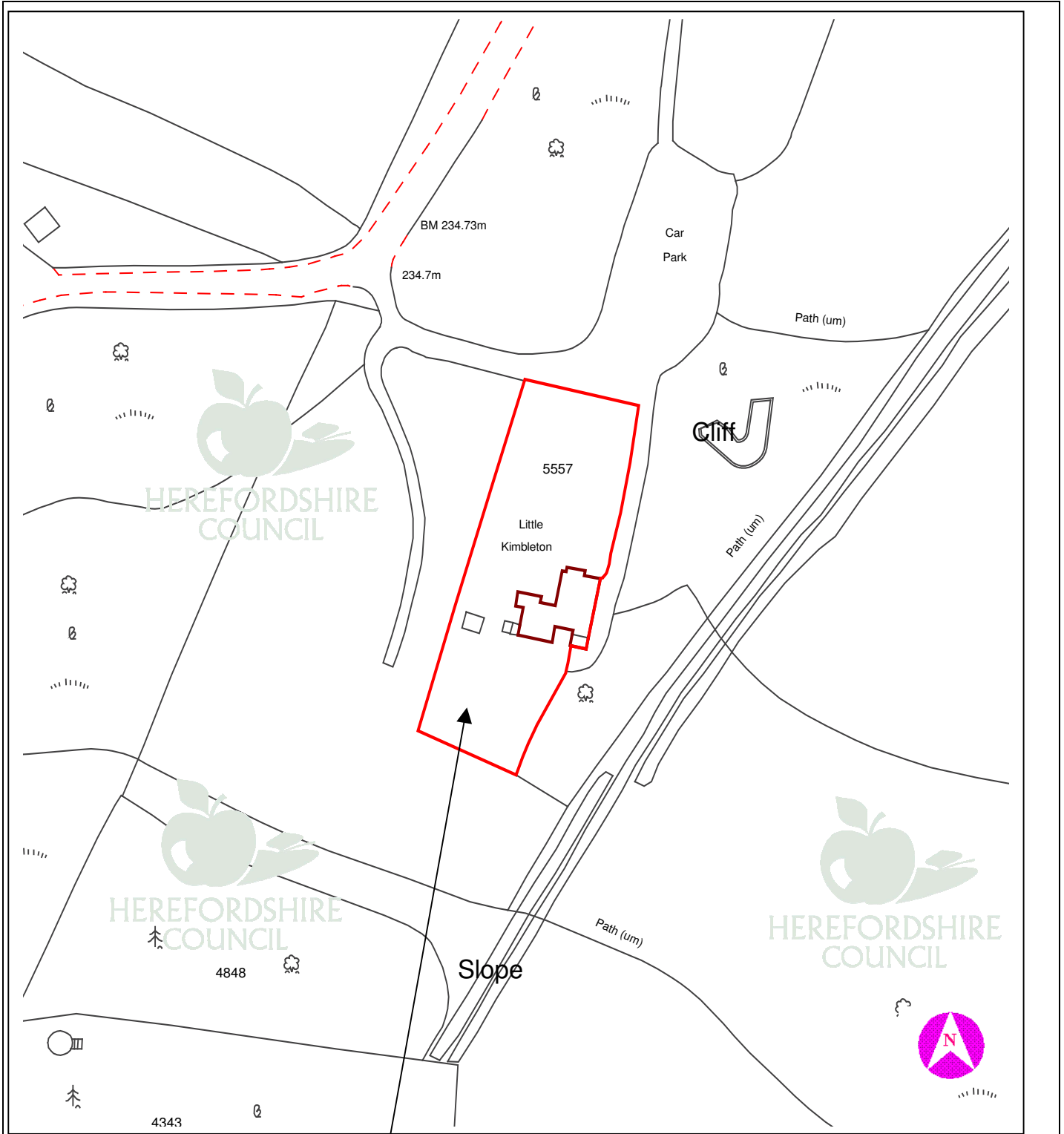
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNE2007/1224/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Black Hill, British Camp, Malvern, Worcestershire, WR13 6DW

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