

6 DCSE2003/2432/F - CHANGE OF USE OF LAND TO RESIDENTIAL GARDEN LAND TO THE REAR OF 9 CHURCH CLOSE/DECEMBER HOUSE, COPSE CROSS STREET, ROSS-ON-WYE, HEREFORDSHIRE,

For: Ms D L Evans, 9 Church Close, Ross-on-Wye, Herefordshire, HR9 5HS

Date Received: 8th August 2003 Ward: Ross-on-Wye West Grid Ref: 5991 2399

Expiry Date: 3rd October 2003

Local Members: Councillor M R Cunningham and Councillor G Lucas

1. Site Description and Proposal

1.1 The application land is an irregularly shaped area of about 0.01ha. It is currently part of the rear garden of December House, the former Magistrates Court (until recently known as Foundation House) which has been converted into bed-sitting room accommodation. This area of garden is at a higher level from the main courtyard and appears to be little used and uncultivated.

1.2 It is proposed to add this area to the rear garden of 9 Church Close, a semi-detached house. The two garden areas are contiguous and with similar ground levels.

2. Policies

2.1 Planning Policy Guidance

PPG15 Planning and the Historic Environment

2.2 South Herefordshire District Local Plan

Policy C27A Change of use to a Listed Building

Policy C29 Setting of a Listed Building

Policy GD1 General Development Criteria

2.3 Hereford Unitary Development Plan – Deposit Draft

Policy HBA4 Setting of Listed Buildings

3. Planning History

3.1	SH961092PF	Conversion to supported accommodation. 9 bedspaces with warden's flat.	-	Permitted 6.11.96
	SH961093LA	Conversion to supported accommodation. 9 bedspaces with warden's flat.	-	Consent 6.11.96

4. Consultation Summary

4.1 No statutory or non-statutory consultations required.

Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

5. Representations

5.1 Town Council has no objections to the proposal.

5.2 No representations have been received in response to public consultation.

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

6. Officers Appraisal

6.1 The application site, on plan, appears to be a 'bite' out of the corner of the garden of 9 Church Close, leaving the existing garden of limited use. The proposed transfer of the land would therefore add to the amenities of this property. The land is detached from the remainder of the curtilage of December House by a private path (which appears to be used as a pedestrian route between Copse Cross Street and Church Close). The remaining courtyard and garden area of December House is considered to be sufficient (about 300m²). The severance of this small area would not harm the setting of the listed December House nor the Conservation Area. In these circumstances it is considered that there are no grounds to refuse permission.

6.2 Under 'permitted development' only small outbuildings ((up to 10m³) can be erected on this land or a swimming pool and enclosure. Provided a suitable boundary fence or wall is erected it is not considered that it is necessary to remove 'permitted development' rights.

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 No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before use as a residential garden commences.

Reason: To protect the setting of the listed building.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.