

13 DCSW2008/0430/F - ALTERATION TO GARDEN BUILDING (RETROSPECTIVE), BRYNMELYN, CUSOP, HAY-ON-WYE, HEREFORDSHIRE, HR3 5RQ.

For: Mr & Mrs R Booth per Mr I Jardin, Burnside, Cusop, Hay-on-Wye, Herefordshire, HR3 5RQ.

Date Received: 20 February 2008

Ward: Golden Valley North

Grid Ref: 24086, 41193

Expiry Date: 16 April 2008

Local Member: Councillor PD Price

1. Site Description and Proposal

- 1.1 Brynmelin is a large detached dwelling located in an elevated position on the eastern side of the classified road (C1203), within the open countryside and parish of Cusop. The dwelling stands in extensive grounds with a range of outbuildings located some 40m to the north of the dwelling. The outbuildings are 1½ storey and constructed from stone with fibre cement panels to the front elevation under part corrugated steel and clay pantile roof. A dwelling 'The Old Stables' is located some 10m from the front elevation of the outbuildings.
- 1.2 The application is retrospective for alterations to the outbuilding. The eaves height of the front elevation has been raised by 0.6m, the first floor windows have been repositioned, the fibre cement panels have been replaced with wooden cladding and the corrugated steel roof panels have been replaced.

2. Policies

2.1 Planning Policy Guidance

PPS1	-	Delivering Sustainable Development
PPS7	-	Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H18	-	Alterations and Extensions
Policy HBA8	-	Locally Important Buildings

3. Planning History

- 3.1 No planning history.

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 The Traffic Manager has no objection to the proposal.
- 4.3 The Conservation Manager has no objection to the proposal but requests that conditions be attached requiring the external timbers be painted or stained and that the pantiles from the southern half of the roof be reinstated in order to retain the view from the main house.

5. Representations

- 5.1 Cusop Parish Council has no objection to the proposal.
- 5.2 One letter of representation and objection has been received from:

Richard and Anne Greaves, The Old Stables, Cusop, HR3 5RQ

In which the following main points are raised:

- The increased height of the front elevation results in a much more domineering effect.
 - The revised openings give the building the appearance of a small cottage, the previous structure was a storage stable type of structure.
 - The changes are likely to lead to an intensification of usage that could be highly detrimental to the amenity and privacy of our property. The enlarged upper storey opens up the possibility of other uses.
 - The two windows in the upper storey are both larger and higher than before. They are now at eye level of anyone in the upper storey and afford a view directly across into our bedroom window opposite. This is a serious intrusion into our privacy.
 - No clear indication of the future use of the building.
 - Roof gutters and pipes allow water to drain across the drive
 - Mismatch of materials and raising of eaves does not achieve a high quality of design that this setting requires
 - Proposal will have a significant detrimental impact on the amenity of our property which is the neighbouring dwelling and does not respect the context of its surroundings through its scale, mass, detailed design and materials
 - In the event of permission being granted ask that approval is subject to the removal of the upper storey windows or they are required to have frosted glass and also subject to the use being agricultural and/or storage only.
- 5.3 The applicants have provided the following response to these representations:
- Building used for domestic purposes ancillary to the main house. Wish to continue to use the building as a flexible domestic ancillary space.
 - Intended that gutters and downpipes will connect to an existing private drain that already serves the building

- Conscious of the amenity and privacy needs of neighbours, but feel these have to be balanced against their own need to make reasonable use of property.
- Front elevation of 'The Old Stables' was already visible from the upper floor of the building and roadway outside. The degree of privacy for the front of the 'Old Stables' is therefore little different from many private houses facing a public highway.
- Although the eaves height has been slightly raised, the ridge height, and therefore the total height of the elevation, remains unchanged.
- Only design question is what is appropriate to its immediate setting and function - which is of a range of practical buildings in a small country estate. Metal sheeting and lapped wooden cladding are common and by now traditional materials for such buildings, and an improvement on what was there before. Anything more 'polite' would be inappropriate for such a function and setting.

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

6. Officer's Appraisal

- 6.1 The main issues for consideration of the application are:
- Whether the proposal is in keeping with the character of the existing dwelling and its surroundings in terms of scale, mass, siting detailed design and materials.
 - Whether the proposal would adversely impact on the privacy and amenity of occupiers of neighbouring residential property.
- 6.2 Policy DR1 sets out a general requirement for all new development, including redevelopment, to be designed and built to a high standard in order that the resultant scheme contributes to the quality of the wider built environment.
- 6.3 Policy H18 makes provision for the alteration, extension and improvements of dwellings and/or erection of ancillary domestic outbuildings, subject to the proposal being in keeping with the character of the existing dwelling in terms of mass, scale, design and materials, as well as having proper regard for the environmental quality of the surrounding area including the amenity of neighbouring dwellings.
- 6.4 The proposal is retrospective for work to an existing outbuilding that is used for domestic purposes ancillary to the main house. No change of use is proposed. The outbuilding was in a poor state of repair and required urgent work to make the building safe. In the process of undertaking this work the applicants raised the front elevation of the building and altered the position of the first floor windows to make a more practicable space at first floor level.
- 6.5 The outbuilding is of little historical or architectural interest. Whilst it is unfortunate that the design and distribution of the windows has been altered, the resultant design and appearance is not sufficiently harmful to warrant refusal of the application. The use of lapped wooden cladding and corrugated sheeting are traditional materials for ancillary outbuildings. A condition can be attached to ensure that the building is dark stained within one month of the date of permission.
- 6.6 Concern has been expressed about the impact of the increase in height of the building and the repositioning of the windows on the neighbouring dwelling. The overall height of the building has not been increased. The eaves of the front elevation have been raised by 0.6m. It is considered that there is sufficient distance between the outbuilding and the neighbouring dwelling for there to be no overbearing impact. The front

elevation of the 'The Old Stables' was already visible from the upper floor of the outbuilding. Therefore the repositioning of the windows is not considered to have a harmful impact on the amenity of the neighbouring dwelling to warrant refusal of the application.

- 6.7 Concern has been expressed about the proposed use of the building. The applicant intends to continue to use the building for domestic purposes ancillary to the main dwelling. Due to the proximity of the building to 'The Old Stables' it is proposed to apply a condition to remove the right to use the building for habitable accommodation ancillary to the main dwelling.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. **F08 (No conversion of outbuilding to habitable accommodation)**

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy H18 of Herefordshire Unitary Development Plan.

- 3. **C08 (Colour of cladding)**

Reason: To protect the visual amenities of the area and to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

Informative(s):

- 1. **N19 - Avoidance of doubt - Approved Plans**
- 2. **N15 - Reason(s) for the Grant of Planning Permission**

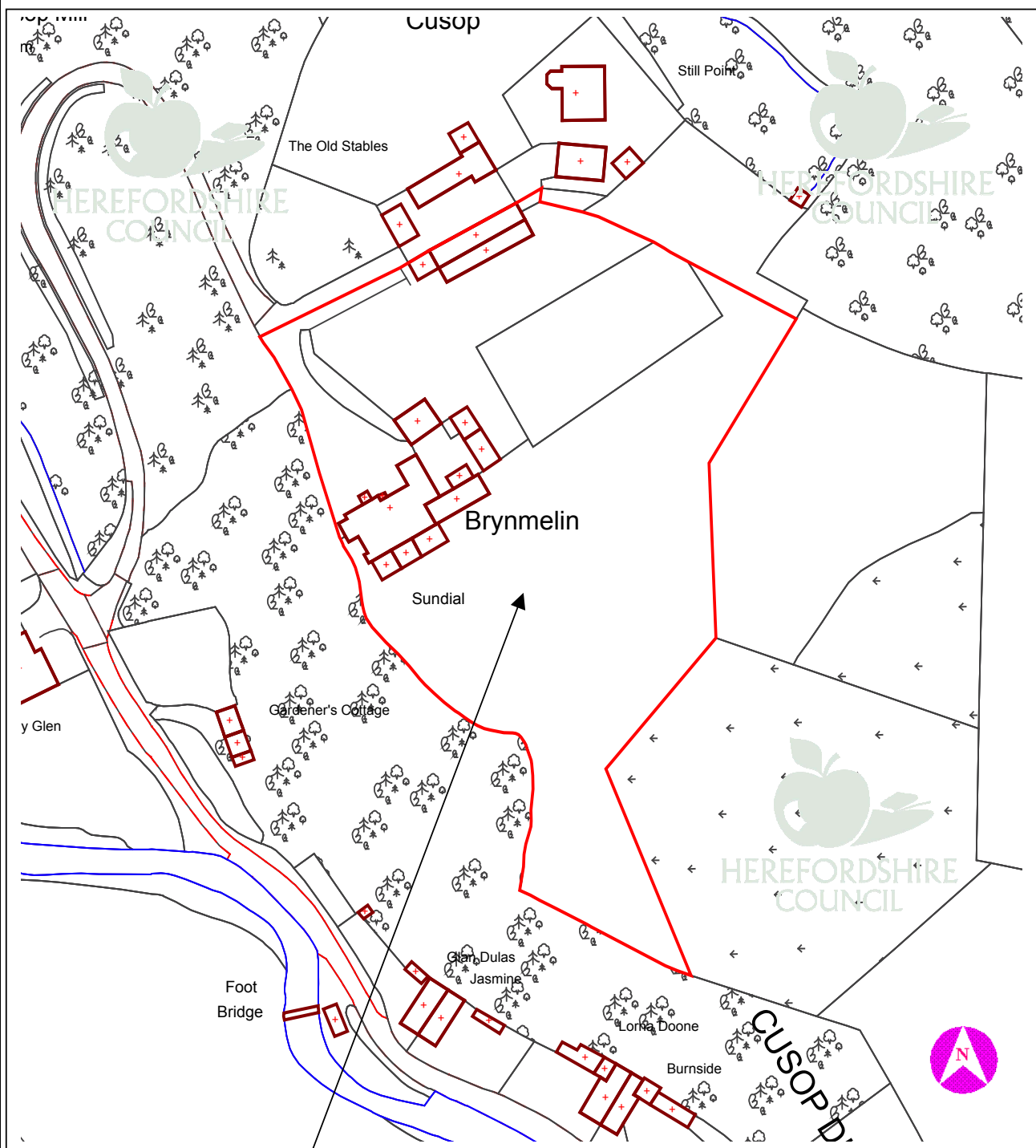
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCSW2008/0430/F

SCALE : 1 : 1250

SITE ADDRESS : Brynmelyn, Cusop, Hay-on-Wye, Hereford, Herefordshire, HR3 5RQ

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005