

14 DCSE2008/0613/F - CHANGE OF USE FROM AGRICULTURAL LAND TO DOMESTIC AT LAND TO THE REAR OF PYECROFT, FRIMBLE HOUSE AND EGATTOC, MONK'S MEADOW & DYMOCK ROAD, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2NF.

For: C & V Cottage, D & B Cowell, D & A Farnell per Mr DWJ Cowell, Pyecroft, 6 Monk's Meadow, Much Marcle, Ledbury, Herefordshire, HR8 2NF.

Date Received: 7 March 2008

Ward: Old Gore

Grid Ref: 65886, 33014

Expiry Date: 2 May 2008

Local Member: Councillor RH Smith

1. Site Description and Proposal

- 1.1 Pyecroft, Frimble House and Egattoc are detached dwellings that lie on the eastern side of the B4024, backing onto an open agricultural field, within the settlement of Much Marcle and the Much Marcle Conservation Area. The historic house complex of Hellens and associated unregistered gardens are located some 300m to the north east of the site. The unregistered gardens extend out towards the east, away from the village. One of the original approaches to Hellens, Monk's Walk, remains and this passes along the south-eastern edge of the agricultural field. A public right of way passes along this driveway.
- 1.2 The application proposes the change of use of agricultural land to domestic curtilage to the rear of Pyecroft, Frimble House and Egattoc. The area measures 97m x 36m and is subdivided between the three dwellings. The area has been fenced, with post and wire fencing, and grassed. A selection of fruit trees have been planted on the land belonging to Pyecroft. In excess of 1,000 hawthorn transplants have been planted to form a double row hedge within the confines of each parcel of land.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Herefordshire Unitary Development Plan 2007

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|------------|---|---|
| Policy S1 | - | Sustainable Development |
| Policy S2 | - | Development Requirements |
| Policy S7 | - | Natural and Historic Heritage |
| Policy DR1 | - | Design |
| Policy DR2 | - | Land Use and Activity |
| Policy LA2 | - | Landscape Character and Areas Least Resilient to Change |

Policy LA4	-	Protection of Historic Parks and Gardens
Policy LA5	-	Protection of Trees, Woodlands and Hedgerows
Policy LA6	-	Landscaping Schemes
Policy HBA4	-	Setting of Listed Buildings
Policy HBA6	-	New Development within Conservation Areas
Policy T6	-	Walking

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 does not consider that the change of use has an unduly detrimental impact on the Much Marcle Conservation Area or on the unregistered garden. Recommends that conditions be attached removing permitted development rights and ensuring that all of the existing fencing, hedging and newly planted trees is maintained. A landscape plan should be submitted and recommends the planting of additional fruit trees along the external boundary of the application site.

5. Representations

5.1 Much Marcle Parish Council has no objection to the proposal.

5.2 1 letter of objection has been received from Mr and Mrs KR Jowett, October House, Monk's Meadow, Much Marcle, HR8 2NF in which the following main points are raised:

- Application would have a substantial effect on the character of the rural landscape in Much Marcle
- The ribbon of domestic intrusion will be clearly visible from a public footpath
- A precedent would be set encouraging a similar development of the rest of that boundary and an even bigger impact on the rural landscape in the Conservation Area
- This intrusion would be very apparent to the visitors to the village who call on Hellens Historic House
- Loss of agricultural land is the depletion of a non renewable resource
- Development would not meet the definition of sustainability
- Development would adversely impact on the landscape, biodiversity and agricultural value

5.3 The applicants have provided the following response to these representations:

- Visitors to Hellens House aware of the so-called 'intrusion' for the past 6 months. No objection to application received from owner or curator of Hellens House.

- Do not see how development would impact adversely on Conservation Area. Everything has been done to ensure that in a few years time the hedging and fruit trees will have grown sufficiently.
- Not hoping to dramatically change the ground conditions. It has been seeded with meadow grass.

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:

- the impact on the landscape and Much Marcle Conservation Area
- the loss of agricultural land
- the effect on the public right of way

6.2 The strip of land proposed for the change of use aligns approximately with the rear boundary of Monk Walk Cottage, which lies to the north of the site, so the extension of the domestic curtilages does not stand out, in this context. The agricultural style fencing, hedging and planting of fruit trees are all appropriate to the rural character of the site. Although the piecemeal encroachment of domestic curtilages on agricultural land may sometimes be undesirable in landscape terms, given its position, it is considered that this proposal will not have a detrimental impact on the landscape or Much Marcle Conservation Area.

6.3 There is concern about possible changes to the extended domestic curtilages in the future. The removal of the hedging, fruit trees, the erection of close board fencing or other inappropriate boundary materials, the erection of garden structures or other buildings within the compartments would potentially be detrimental to the setting of Much Marcle and to the amenity of Monk's' Walk (PROW MM7). Therefore it is recommended that a condition be attached to remove permitted development rights. Should permitted development rights be removed, the applicants would be required to apply for planning permission for any form of development on this parcel of land. In addition, a condition will be attached to ensure that a landscaping plan showing the existing post and wire fencing and hedging with additional planting is submitted and retained in perpetuity.

6.4 The land was formerly in agricultural production. Owing to the remaining land available it is not considered that the change of use will affect the agricultural viability of the remaining part of the field.

6.5 In conclusion, the land in question relates well to the adjacent residential dwellings and the area is not considered to be excessive. By incorporating a condition removing permitted development rights, the land would be protected from development. It is therefore considered that the change of use of this land from agricultural to domestic curtilage should be supported. As such approval is recommended subject to the following conditions.

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 F14 (Removal of permitted development rights)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR1 and HBA6.

3 G02 (Retention of trees and hedgerows)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan

4 Within 3 months of the date of this permission a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

- a) A plan(s) showing details of all existing trees and hedges on the application site
- b) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and grass areas
- c) The position, design and materials of all site enclosures (e.g fences)

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR1 and HBA6.

5 The landscaping scheme approved under condition 4 (as shown on the approved plan no.) shall be maintained for a period of 5 years. During this time , any trees, hedges or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the LPA gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period.

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR.1 and HBA.6

INFORMATIVES:

1 N19 - Avoidance of doubt - Approved Plans

2 N15 - Reason(s) for the Grant of Planning Permission

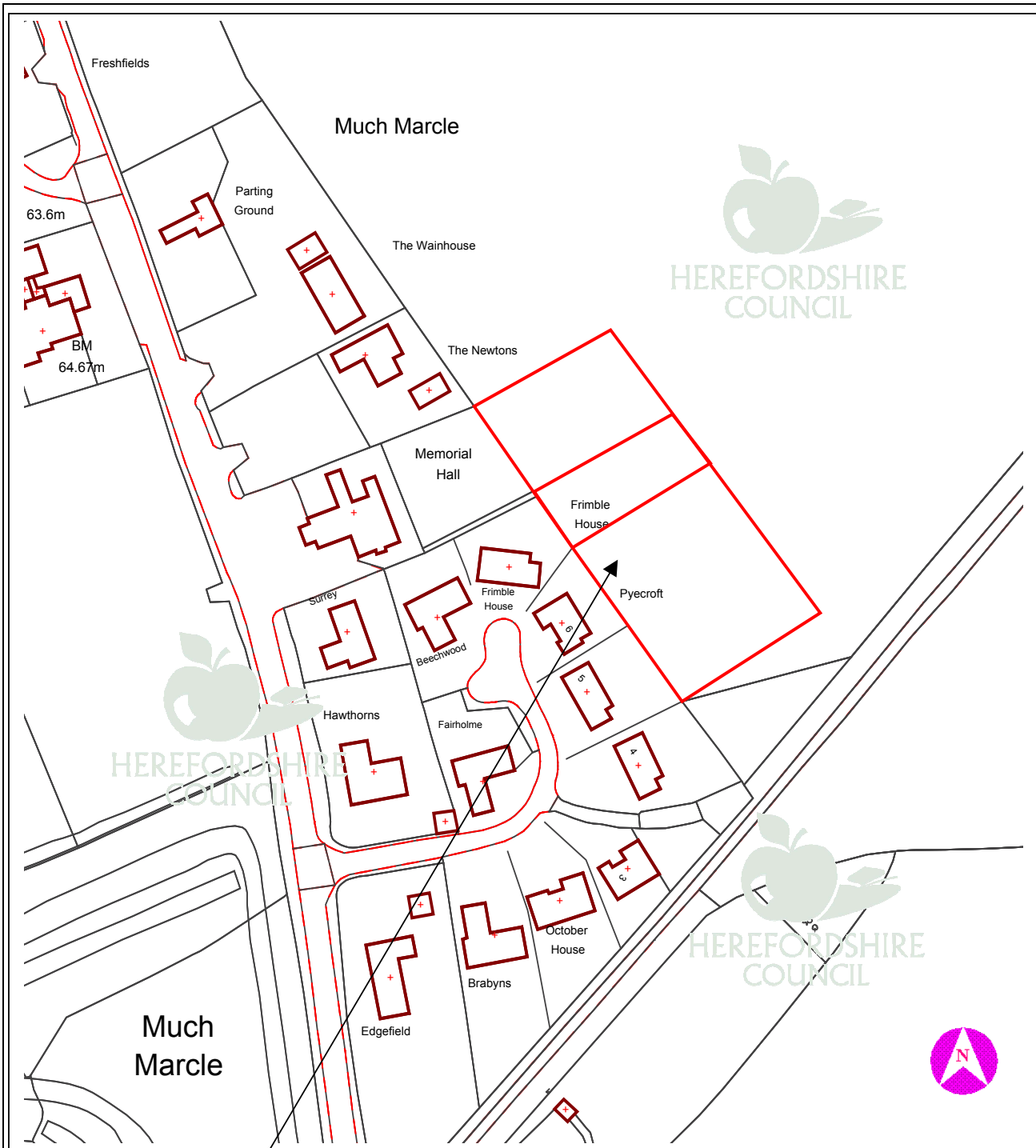
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2008/0613/F

SCALE : 1 : 1417

SITE ADDRESS : Land to the rear of Pyecroft, Frimble House and Egattoc, Monk's Meadow & Dymock Road, Much Marcle, Ledbury, Herefordshire, HR8 2NF

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