

10 DCNW2008/1206/F - CHANGE OF USE OF LAND TO RESIDENTIAL WITH THE RETENTION OF OPEN FRONTED CARPORT AT WITHYSTONE COURT, HOPLEYS GREEN, ALMELEY, HEREFORDSHIRE, HR3 6QX

For: Mr & Mrs P. Sennett at the above address

Date Received: 29th April 2008

Ward: Castle

Grid Ref: 34231, 52434

Expiry Date: 24th June 2008

Local Member: Councillor J W Hope MBE

1. Site Description and Proposal

- 1.1 Withystone Court is a detached barn conversion located within the open countryside, formerly part of a farmyard. The former farmhouse is in separate ownership and located alongside the eastern boundary of the application site. Two holiday units granted permission reference DCNW2005/4059/F which are also in the ownership of the applicant are located directly to the north of Withystone Court within the former farmyard.
- 1.2 This application is retrospective and it seeks to regularise the change of use of land immediately to the south west of Withystone Court to residential with the retention of an open fronted building constructed out of timber boarding.

2. Policies

Herefordshire Unitary Development Plan

- 2.1 Policy S1 – Sustainable Development
Policy S2 - Development Requirements
Policy DR1 – Design
Policy DR2 – Land use and activity
Policy DR3 – Movement
Policy H18 – Alterations and Extensions

Planning Policy Guidance/Statements

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

3. Planning History

- 3.1 DCNW2005/4059/F - Demolition of existing steel framed agricultural building and conversion of traditional agricultural building and conversion of traditional agricultural buildings into two holiday units. Approved 1st February 2006.

DCNW2005/0970/F - Conversion of agricultural buildings into two dwelling. Withdrawn 26th April 2005.

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Transportation Manager - has no objection to granting permission.

4.3 Public Rights of Way - No objection on the basis that the proposed change of use of land to residential with retention of car port would not appear to affect public footpath AM13, which passes along the outside of the north west boundary of the site.

4.4 County Land Agent - "The proposal does not infringe upon the common, but extra traffic will have an effect because there is only a stone track across the common which the owners of Withystone Court do little to keep in repair".

5. Representations

5.1 Almeley Parish Council raised no objections to the application.

5.2 One letter of objection has been received from David & Susan Harris, Brick House Farm, Hopleys Green, Almeley, Herefordshire, HR3 6QX. In summary the points raised are as follows:

1. Concerns over the increase in traffic across the unadopted common lane beyond its modest capability.
2. Land should be retained as agricultural in order to retain this 'visual amenity' and to help protect what is a small and fragile common.

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

6. Officer's Appraisal

6.1 The proposal gives rise to three key issues to be assessed as material planning considerations and these are as follows:

1. Impact on the landscape.
2. Loss of Agricultural land.
3. The effect on the common land.

6.2 The strip of land proposed for the change of use aligns with the rear of Withystone Court, which lies immediately to the north-east. Therefore the extension of the domestic curtilages does not stand out, in this context. The timber boarded carport and fence are both considered to be designed appropriately in respect of the rural character of the site. Although the progressive 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 the common land.

- 6.3 The site was previously occupied by a large steel framed agricultural building which was demolished as part of application DCNW2005/4059/F. The concrete plinth of the building remains in place with two thirds of it now accommodating parking for the holiday units. The site although in agricultural use did not previously form part of a field. It is not therefore considered that the change of use will affect the agricultural viability of the surrounding area.
- 6.4 There is concern regarding the access onto the application site and the increase in traffic on the common. This application is for the change of use of the land immediately to the south-west of Withystone Court and the retention of an open fronted building. The applicants have indicated that it is not their intention to access the site with a vehicle. Vehicle access to Withystone Court will remain as it is. Although the building does have the appearance of a carport it will be used for storage purposes only. It should be noted that vehicle access off the common land into the site was approved under application DCNW2005/4059/F. Although the neighbours concerns regarding the increase in traffic are noted it would appear that no increase will occur.
- 6.5 In conclusion, the land in question relates well to the adjacent residential dwelling known as Withystone Court and the area is not considered to be excessive. It is considered that the change of use of this land to residential with the retention the open fronted carport is acceptable. By incorporating a condition removing permitted development rights, the land would be protected from ancillary residential development. As such approval is recommended subject to the following conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. F14 (Removal of permitted development rights)

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy H13 of Herefordshire Unitary Development Plan.

2. The building hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwelling house known as Withystone Court and not for the carrying out of any trade or business.

Reason: To ensure that the building is used only for the purpose ancillary to the dwelling and to comply with policy H18 of Herefordshire Unitary Development Plan.

Informatives

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

2 . N19 - Avoidance of doubt - Approved Plans

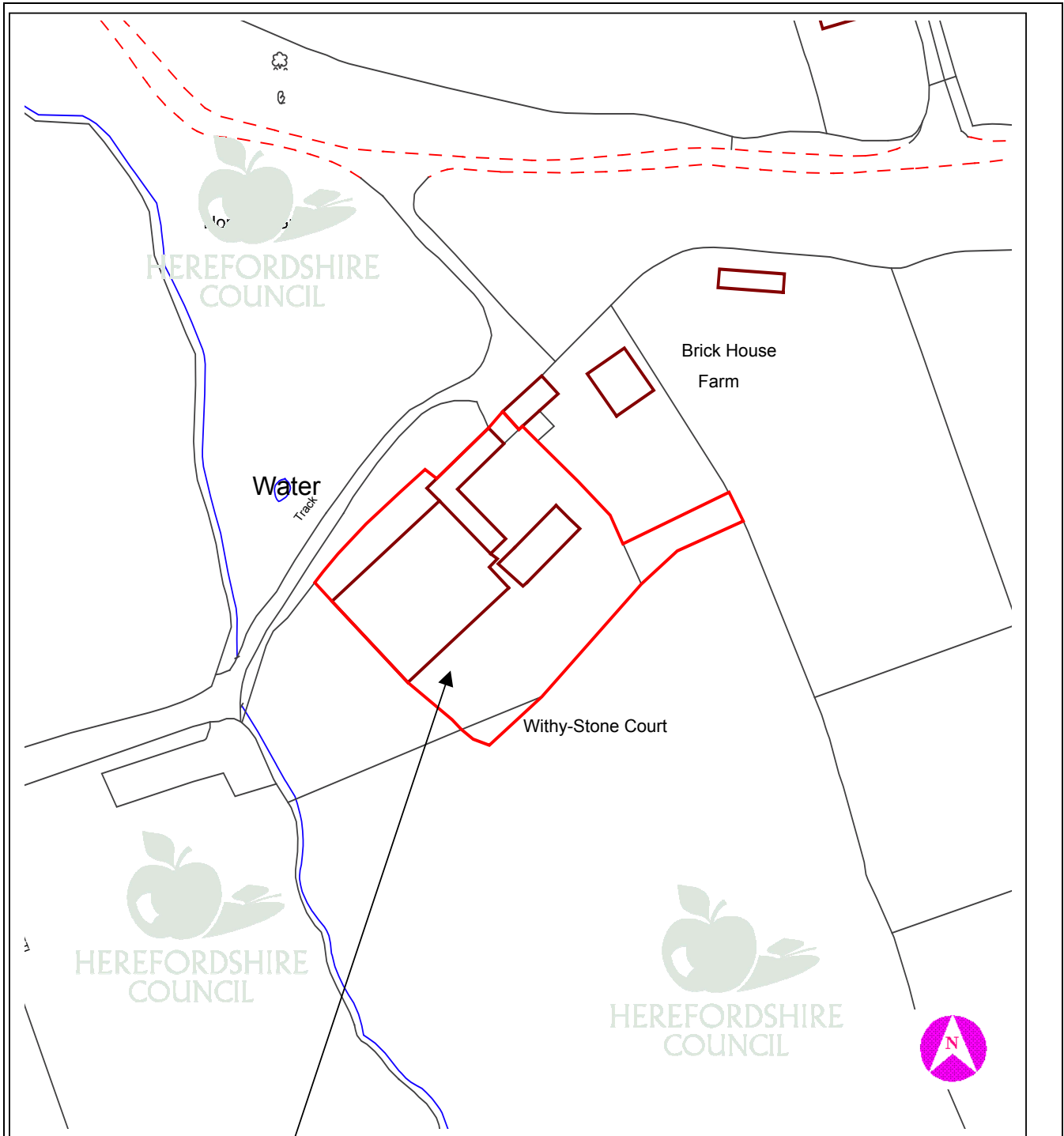
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2008/1206/F

SCALE : 1 : 1250

SITE ADDRESS : Withystone Court Hopleys Green, Hopleys Green, Almeley, Herefordshire, HR3 6QX

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