

13 DCNE2003/2387/F - DETACHED DWELLING ON LAND ADJACENT TO 47 THE GREEN, ASHPERTON, HEREFORDSHIRE. HR8 2RY**For: Mr & Mrs P Barnes per Mr R Pritchard, The Mill, Kenchester, Hereford HR4 7QJ****Date Received:****21st July 2003****Ward:****Frome****Grid Ref:****64305, 41856****Expiry Date:****15th September 2003**

Local Member: Councillor R Manning

Introduction

This application was first reported to the Northern Area Planning Sub-Committee on 15 October 2003 and was deferred for a site meeting, which took place on 30 October 2003. Members, at the meeting of 12 November 2003, were minded to support the application contrary to the officer recommendation on the basis that the site for the proposed dwelling formed part of the settlement and consequently was acceptable in policy terms. In addition, Members supported the proposal on grounds of meeting a local housing need for a key worker.

The Head of Planning Services has examined the proposal and referred the application to the Planning Committee on the basis that the decision entails conflict with key Development Plan policies.

The original report and recommendation remain unchanged and are set out in full below.

1. Site Description and Proposal

- 1.1 The site is located to the rear of 45/46 The Chandlers and 47 The Green, Ashperton, all listed buildings, with access off the western side of the A417 road.
- 1.2 The proposal is to construct a 4 bedroom timber frame cottage with brick infill panels under a clay tile roof. The elevated plot measures approximately 28m x 16m and presently contains a mature hedge on the boundaries with a lawned area and hardstanding.
- 1.3 The site lies outside of the village envelope defined on the Malvern Hills District Local Plan.

2. Policies

PPG7 – The Countryside – Environmental Quality and Economic and Social Development

PPG15 – The Historic Environment

Hereford and Worcester County Structure Plan

H16A – Housing in Rural Areas
H20 – Housing in Rural Areas
CTC9 – Development Requirements
CTC7 – Listed Buildings

Malvern Hills Development Local Plan

Housing Policy 4 – Development in the Countryside
Conservation Policy 11 – The Setting of Listed Buildings

Unitary Development Plan

H6 – Housing in Smaller Settlements
DR1 – Design
DR4 – Environment
HBA4 – Setting of Listed Buildings

3. Planning History

3.1 No recent history.

4. Consultation SummaryStatutory Consultees

4.1 The Environment Agency raise no objections subject to appropriate drainage.

Internal Consultation Advice

4.2 The Head of Engineering and Transportation recommends conditions relating to vehicular access, but has no objection in relation to the public right of way.

4.3 Chief Conservations Officer raises no objection on the impact of the setting of the listed buildings but raises concerns on the character of the village.

5. Representations

5.1 The applicant's agent has submitted the following details in support of the application.

1. My client's have long family connections with Ashperton.
2. They presently live in a two-bedroom dwelling with their baby in Ashperton. It is a listed building and they have been told it cannot be extended to meet their requirements.
3. The new build is a traditional style timber frame building indigenous to Herefordshire.
4. The applicant is a plumber and a key worker in the area having a large local base, therefore he will be working within a short distance of his home.
5. The site lies on the edge of the village envelope and forms a natural extension and it appears to be without logic why it was ommitted.
6. It will retain the tight knit pattern of deverlopment without impact on the boundary of the settlement.
7. The design would enhance and not detract from the traditional scene in the locality.
8. Historically the site had a dwelling on it identified on a Tithe map 1841.
9. This would round off development in this area.

10. The applicant's are active members of the local community.
 11. The applicant's have looked at other properties in the area but all fall outside their price range.
- 5.2 Ashperton Parish Council have no objection to this application. Councillors take the view that this sort of development is vital if Ashperton's younger residents are to be encouraged to remain in the Village.
- 5.3 The Ramblers Association confirm that a public footpath runs along the southern boundary and does not cross the site.
- 5.4 CPRE think the site is rather close to other dwellings, but our main concern is that the building proposed - a large, 4-bedroom house - would be out of scale with the other dwellings in the vicinity. We therefore ask the Council to refuse this application unless the size is significantly reduced.
- 5.5 Three letters of objection have been received from:
- C G Vertue, Chandlers, 45/46 The Green, Ashperton.
 - Miss P M Jackson, Martindale, 5 The Ryders, Ashperton.
 - J B Haslett, 2 The Ryders, Ashperton.

The main points raised are:

1. The site is outside the Village Settlement Boundary.
 2. Backland development being behind the building line and immediately behind 45-47.
 3. Because of its elevated position the house will be prominent in an area of old houses and cottages.
 4. It will overlook and dominate No. 45/46 which is a lovely listed house.
 5. It will also overlook bungalows to the south at The Ryders.
 6. Drainage details needs to be resolved.
 7. Vehicular access is onto a busy and dangerous road.
 8. All modern development in the village have been bungalows and this should continued.
 9. If this development proceeds No. 47 will have no parking.
 10. This could set a precedent for further development in the village.
- 5.6 The full text of these letters can be inspected at Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 This elevated and backland site clearly lies outside of the village envelope as defined by the Malvern Hills District Local Plan and is therefore contrary to Housing Policy 4.
- 6.2 The impact on the setting of the listed building has been considered by the Historic Buildings Officer who opinions that the proposal will not have a direct conflict with the setting of the listed building. However, he is concerned that the development of the site would lead to a visual spread of the village and potential loss of its linear form at this point.

- 6.3 The local residents concerns regarding overlooking are noted however there is a 60m separation distance between dwellings and even though elevated this distance is considered acceptable. Furthermore, the design also compliments the character of the buildings in the village.
- 6.4 However, the principle of developing this site is contrary to the main thrust of planning policies that seeks to prevent the spread of urban development into the open countryside.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. The site is located outside of the settlement boundary as defined in the Malvern Hills District Local Plan and is accordingly contrary to Housing Policy 4 and Policy H20 of the Hereford and Worcester County Structure Plan.**
- 2. The development of this site would detract from the character of the village at this point which is linear in form and therefore contrary to Policy CTC 9 of the Hereford and Worcester County Structure Plan.**

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.