

11 DCNW2009/0293/F - CHANGE OF USE FROM NURSING HOME TO RESIDENTIAL DWELLING AT LEMORE MANOR, EARDISLEY, HEREFORD, HEREFORDSHIRE, HR3 6LR.

**For: Mr & Mrs B Owen per James Spreckley MRICS
FAAV, Brinsop House, Brinsop, Hereford,
Herefordshire, HR4 7AS.**

Date Received: 11th February 2009 Ward: Castle Grid Ref: 30982, 51662

Expiry Date: 8th April 2009

Local Member: Councillor JW Hope MBE

1. Site Description and Proposal

- 1.1 Lemore Manor lies in open countryside, approximately 2 miles north of Eardisley, on the east side of the A4111. It is a large detached property, with converted coach house just to the west.
- 1.2 Immediately to the west of the coach house is a dwelling, Kimberley, outside of the control of the applicant. Furthermore there is another property, Lemore Bungalow approximately 70m back along the drive. New House Farm lies approximately 540m north of Lemore Manor. Holywell Cottage lies approximately 400m to the south. Properties at Questmore Cottage, Farm lies approximately 560m to the north. After this the next nearest properties lie in excess of 600m away.
- 1.3 The proposal is for the change so use on the former nursing home to a single dwelling, and follows the withdrawal of an application, ref NW2008/2075/F, presented to this committee on 14th January. That application was withdrawn prior to a committee site visit.
- 1.4 Public footpath EE13 passes along the access drive from the junction onto the A4111, and has been advertised accordingly.
- 1.5 Within 190m to the south of the house lies a special wildlife site, Holywell Dingle.

2. Policies

2.1 Herefordshire Unitary Development Plan Policies

HBA12 – Re-use of rural buildings

HBA13 – Re-use of rural buildings for residential purposes

3. Planning History

- 3.1 NW08/2075/F. Withdrawn 19th January 2009.
- 3.2 NW03/1344/F, conversion of stable building to management accommodation (subject to occupancy condition required to be varied). Approved 18th June 2003.

- 3.3 NW03/1344/F, removal of condition 2 attached to P.P 93-524A. Approved 17th July 2003. Kimberley, Eardisley.
- 3.4 98/033/N, removal of condition 2 of permission 93/524 (new dwelling and Lemore Manor not to be sold separately). Refused 10th March 1998.
- 3.5 93/524, barn conversion to dwelling. Approved 23rd November 1993 (this dwelling now known as Kimberley).
- 3.6 89/628, change of use to nursing home, Lemore Manor. Approved 27th November 1989.

4. Consultation Summary

Statutory Consultations

- 4.1 The Ramblers Association - no objection

Internal Council Advice

- 4.2 Transportation Manger - no highway implications

5. Representations

- 5.1 Eardisley PC:

No objections provided that it is for domestic use only.

- 5.2 Objections have been received from:

- R Woodbridge and R Peace, Holywell Cottage
- B Whittle, 2 New House Farm
- Mrs C M Glyn-Jones, New House Farm
- Mrs A Sayce, Kimberley

- 5.3 The objections are summarised as follows:

- This is an attempt to circumvent the process, still propose uses which were part of the withdrawn proposal, with attendant problems previously reported.
- Should be refused unless clear undertaking to cease commercial activities.
- Not being used as a house, nor can it reasonably be called one.
- Aware that B&B and other small scale enterprises can operate from a dwelling but operations there are on a different scale.
- Activities advertised on website not compatible with private residence.
- Consider that uses that take place fall within Class C1, hotels, not C3, Dwelling house.

5.4 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 current authorised use, albeit not carried out for a number of years is as a nursing homes. This application seeks to regularise that situation.

6.2 In terms of HBA12 and HBA13 the reversion to its original use is an acceptable option. As one of the objectors has pointed out there a number of additional uses of the dwelling which do not amount to a material change of use. For example hiring out a dwelling for holidays, be they full weeks or weekends does not amount to a change of use requiring planning permission.

6.3 Any remaining activities which the applicants propose to continue with will need to be subject to further applications and will be determined upon their merits accordingly.

6.4 As far as this application is concerned there are no policy objection nor other reasonable objections to the use of the property for its original purpose. The nature of the application is such that the coach house and manor will be regarded as a single dwelling, not two separate ones.

RECOMMENDATION

That planning permission be granted subject to the following condition:

1 A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

Informatives:

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

2 N19 - Avoidance of doubt - Approved Plans

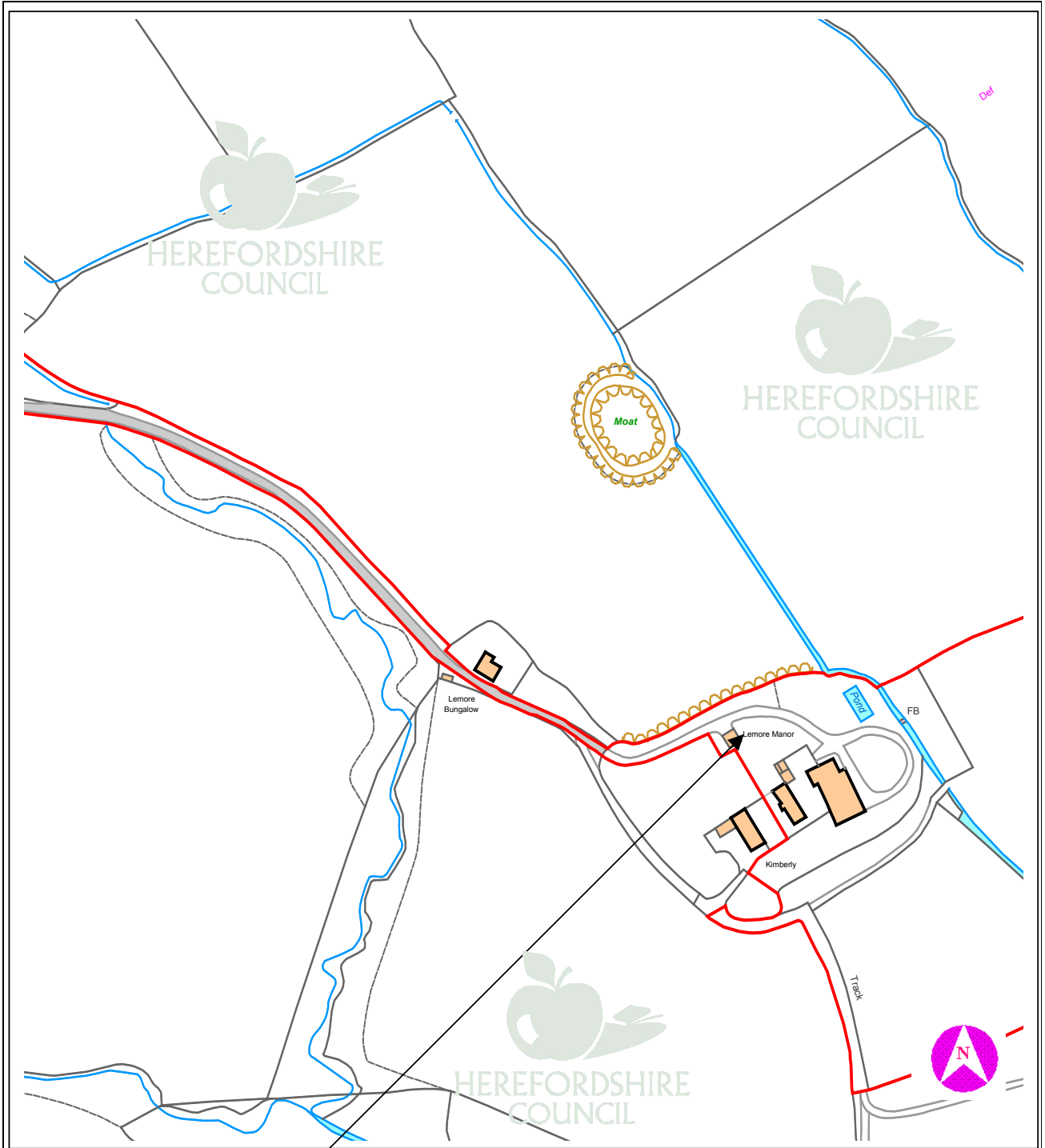
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2009/0293/F

SCALE : 1 : 2500

SITE ADDRESS : Lemore Manor, Eardisley, Hereford, Herefordshire, HR3 6LR

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