

11 DCSW2009/0822/F - CONVERSION OF REDUNDANT VILLAGE HALL TO ONE DWELLING, CUSOP VILLAGE HALL, CUSOP, HEREFORDSHIRE, HR3 5RW.**For: Mrs G Window per Mr A Bevan, A B Planning, 2a High Street, Crickhowell, Powys, NP8 1BW.****Date Received: 17 April 2009 Ward: Golden Valley North Grid Ref: 23347, 42279****Expiry Date: 12 June 2009**

Local Member: Councillor PD Price

1. Site Description and Proposal

- 1.1 Cusop Village Hall is on the northern side of the B4348 road nearly opposite the junction with the C1203 road that leads southwards to Cusop Dingle. There is no vehicular access off the B4348 road, access is only available by foot from a footpath on the B4348, or alternatively from the east from Lower Mead.
- 1.2 The hall is a single-storey red brick building with a red brick porch on the front gable elevation. There are sash windows down both east and west flank elevations. The hall is fringed by trees and hedges on the western boundary and on the front elevation by metal railings and hedgerow.
- 1.3 The site declines to the west towards the Dulas Brook which is crossed by a bridge, which defines the boundary between Cusop and Hay-on-Wye.
- 1.4 It is proposed to provide two floors of accommodation in the single-storey building. Two bedrooms will be created over what is presently the hall area of the building. The ground floor area will provide a living room, kitchen/dining room and to the rear a bedroom and en-suite shower room. The new floor will not cover the existing hall as there will be an open bay between the two first floor bedrooms only interrupted by a staircase. Windows will be extended downwards on the west and east elevations and rooflights installed. The front elevation will be glazed at first floor level. The existing porch will be demolished and replaced with a red brick one which will project out one metre instead of two metres, as presently. This is necessitated by the need to provide a driveway where two parking spaces are proposed.
- 1.5 The proposal also entails the creation of a new driveway on land in the ownership of Herefordshire Housing. The strip of land in question is between the red brick building and Lower Mead. This enables the applicant to provide an access point further up slope and away from the road bridge.
- 1.6 This application is made following submission of an earlier scheme which was refused and then dismissed on Appeal. The appointed Inspector considered that the means of access, given the limited visibility westwards into Hay-on-Wye over the bridge, was not sufficient and that the treatment of the front or south elevation of the parish hall was not sympathetic and detracted from the character of the building.

2. Policies**2.1 Planning Policy Statements**

PPS1	-	Delivering Sustainable Development
PPG13	-	Transport

2.2 Herefordshire Unitary Development Plan

Policy S2	-	Development Requirements
Policy DR1	-	Design
Policy DR3	-	Movement
Policy HBA8	-	Locally Important Buildings
Policy CF6	-	Retention of Existing Facilities

3. Planning History

3.1	SW2000/2712/F	Extension and alterations to village hall. Provision of bus and car parking bay	-	Approved 20.12.00
	DCSW2006/1811/F	Conversion of disused Church Hall into a dwelling and proposed new vehicular access	-	Refused 03.08.06 Dismissed on Appeal 24.01.08

4. Consultation SummaryStatutory Consultations

4.1 Welsh Water recommend that conditions be attached to any grant of planning permission.

Internal Council Advice

4.2 The Traffic Manager states that visibility splay dimensions are achievable but are partly reliant on neighbouring land.

5. Representations

5.1 In the Design and Access statement that accompanied the application the following main points are made:

- re-use of redundant building
- other than reduction in size of porch and minor alterations to some window openings, there is no alteration to form or design of building
- porch retained though reduced in size to overcome design shortfalls of previous scheme
- window openings lowered slightly to improve lighting, two new door openings to rear, rooflights will be flush fitting
- all new windows will be hardwood painted double glazed sash or equivalent in uPVC
- rainwater goods, soil and vent pipes will be cast iron painted black
- brickwork to be made good, re-pointed as required
- scheme complies with Policy DR1. Sensitive approach adopted given status as building of local value in Cusop Village Plan. Changes are the minimum necessary and should be balanced against need to establish a new and sustainable use

Highways

- main reason for refusal were highway considerations, clear visibility of 70m to west achievable now land has been acquired to east of site
- the proposal has been the subject of a speed survey carried out by Council (Network Management Team)
- most of footpath and gateway will be retained although a section of stone walling will need to be lowered in order to achieve acceptable visibility

Community Facilities

- appointed Inspector did not consider this to be an issue given existence of community facilities nearby
- Policy CF6 satisfied. New hall is also under construction

Accessibility and Inclusive Design

- principle of access for all as required, however scope limited given character of building site though will be accessible via new access and driveway
- driveway close to entrance; driveway suitably surfaced
- door widths suitable for all visitors

Planning Obligations

- given suspension for developments of less than 6 dwellings, no heads of terms are proposed nor is payment required

Energy Conservation and Sustainability

- heating via air source heating compressor and exchange unit
- solar panels in south-west plane of roof
- all windows double glazed
- rainwater harvesting for use in garden
- low flush toilets, design taken into account requirement of Lifetime Homes
- meets requirements of Policy DR1 in relation to energy and water consumption
- building identified as being of local importance, protected by long term use as a dwelling
- use of car will be minimal given access to nearby local facilities
- re-used building avoids need for environmentally costly new build
- scheme satisfies requirements of Policy DR1 and DR4 as regards energy conservation and sustainability
- also Policy DR14 is addressed by scheme
- national guidance encourages use of brownfield locations and near to existing facilities, i.e. in PPS1 and PPS3

5.2 Cusop Parish Council makes the following observations:

- “(i) strongly supports the principle of residential conversion in order to secure the future of the building in accordance with the Parish Plan, but
- (ii) objects to the unspecified and seemingly inadequate traffic sightlines to the west in view of the Parish Council's awareness of speeding problems on that bend, and
- (iii) objects to the extensive and visible fenestration changes to the side elevations and the radical alterations to the front elevation which are clearly due to an attempt to squeeze excessive floorspace out of a modest single-storey building; this also increases likely parking needs and traffic movements onto the main road.

For your information the Parish Council has long been concerned about excessive traffic speeds on this stretch of road and has repeatedly raised this with Herefordshire's highways department and with the police. It would not wish to see safety compromises, but it is not clear from the application whether the proposed sightlines meet highways design guidelines or can be achieved within the land controlled by the applicant.

With regard to design, members were particularly concerned about the impact on the building's character of replacing the south-facing pebbledash-and-timber gables of both the main building and the porch with new glazed gables, replacing the solid porch doors with glazed units, and the

extensive alterations to the windows of the side elevations where these are visible from the road.

I would draw your attention to the Cusop Parish Plan of which the planning elements have been adopted by Herefordshire Council. Page 27 of the Plan states that 'the most valued unlisted building in the parish is the old Parish Room which should be retained even if its use changes.'

I would also draw your attention to an apparent error on the fourth page of the applicant's Design and Access Statement. Under Highways it states that 'an area of land has been acquired by the applicant to the west of the site in order to increase the vision splay to the west.' No land to the west is shown on the Location Plan and, so far as the Council is aware, the applicant has not acquired any.

There is also an error in the application form where Certificate A has been completed, although part of the site within the red line on the Location Plan is owned by Herefordshire Housing. This is the projection to the south east corner through which it is proposed to run the access to the B4348. Mr Phillips, Surveyor at Herefordshire Housing, has confirmed that they still own this land, although they are willing to negotiate a licence in the event that the applicant obtains planning permission."

5.3 Two letters of representation have been received from:

Mr W Price, Danygarth, Cusop, HR3 5QX
Mr P Harries, Toll House, Cusop, HR3 5QZ

The following main points are made:

- to achieve visibility, sight is necessary over third party land
- need to look backward around bend at the bridge
- 85% of traffic leaving Hay at 38-39mph, 70m splay therefore is inadequate
- vehicle approaching from Hay and turning into site would cross the road. This is close to Cusop Dingle turning
- visibility mirror would need to be moved. Relocation is bound to reduce benefit
- new access will increase chances of accident at Cusop Dingle turning
- no intrinsic objection to conversion
- excessive speed of traffic at junction, my property could be hit
- need traffic calming measures.

5.4 A letter has been received from Herefordshire Housing who own land that forms part of the application site and is required to form the new access. The letter confirms agreement in principle to grant access rights which will be negotiated in detail subject to the granting of planning permission.

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 It is considered that the main issues for consideration in the determination of this application are the principle of development, the treatment of the building and its setting and the means of access to the proposed dwelling.

6.2 The previously submitted scheme was refused on grounds that the change of use of the parish hall would result in the loss of a community facility. However, the appointed Inspector considered that there were alternative facilities in Hay-on-Wye, a short distance away from the site which could provide the community facility. Cusop Parish Council has implemented the planning permission for a new village hall to the north of Lower Mead. The building is nearing

completion and therefore it is not considered that a stance of resisting development of the site on the basis that it would result in the loss of a community facility could be sustained. Indeed, the Parish Council strongly supports the principle of re-using the existing building.

- 6.3 The second issue relates to the conversion of the red brick building into a two-storey dwelling in terms of the impact on its character and appearance. The previously submitted and refused scheme provided for external alterations which entailed the enlargement of windows and doors on the two flank elevations and to the rear. This element of the currently submitted scheme was the subject of deliberation during the appeal process for the refused scheme. The appointed Inspector did not consider that the alterations proposed in respect of the east, north and west elevations were such that they would detract from the amenity and character of the building. However, the appointed Inspector agreed with the local planning authority that the treatment of the south or roadside elevation was detrimental to the character and appearance of the building in accordance with Policy HBA8 of the Herefordshire Unitary Development Plan.
- 6.4 The current scheme retains the alteration to the north, east and west elevations but adopts a different approach to the roadside elevation. The existing red brick porch will be demolished but it will be replaced by a porch that projects less and is of the same height and roof pitch as the replaced porch. The rebuilding of the porch would facilitate the provision of a driveway across the front of the property. The front elevation will also retain the vertical slatted element at first floor level in the roadside elevation. The earlier refused scheme proposed more glazing and altered the character and appearance of the building to a detrimental degree. The new approach notwithstanding the representations received from the Parish Council is considered to be sympathetic to this prominently sited building. Therefore it is considered that the character and appearance of the building following conversion has addressed the requirements of Policy HBA8 of the Herefordshire Unitary Development Plan.
- 6.5 The final issue relates to the means of access. This is an issue which has generated most of the representations received. The current scheme differs from the earlier one given that the access point has moved further east. This has been achieved by incorporating an area of land that belongs to Herefordshire Housing and would be occupied under lease by the applicant in the event that permission is granted. This has resulted in the access being positioned a further 16 metres up slope. This revision increases the visibility achievable in the westerly direction. The visibility to the east is not reduced in any way by the current proposal.
- 6.6 The existing hedge at the front of the property will need to be removed. The plans submitted detail a relocation of hedgerow into the site. There is also an existing hedgerow which is on the western boundary of the site which will need to be trimmed back. There is a field gate which provides access to third party land and then further on immediately to the west of the site the stone wall of the bridge. The Traffic Manager is concerned by the fact that visibility to the west is across land in third party ownership. However it is considered that the applicant can, with the removal of roadside hedging on the north and western boundaries, materially improve the visibility. This combined with the fact that the site is elevated in relation to the bridge provides for good forward visibility.
- 6.7 The Inspector when determining the earlier scheme considered that 41m was achievable. Under this revised scheme it is considered that the visibility west is markedly improved and although the Council's Design Guide requires 90 metres visibility on roads with 30mph speed limits such as the Hardwick Road, visibility of approximately 60 metres in the westerly direction can be achieved which is a material improvement on the visibility of the previously refused proposal. This reduced visibility is considered acceptable given the slower eastbound traffic which is slowed as it negotiates the bend immediately before the Dulas bridge and by reason of the elevated position of the site which affords good forward visibility. Therefore it is considered that on balance the proposal provides for visibility which, with the new access position, can achieve a satisfactory level of visibility across the site towards Hay-on-Wye. The proposal satisfies the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.

- 6.8 The proposal was previously refused on three separate grounds. Two grounds were confirmed on Appeal to the Planning Inspectorate and one ground of refusal relating to the loss of a community facility was discounted by the Inspector. The current scheme addresses issues relating to the external treatment of the building. The remaining issue relates to the visibility achievable in a westerly direction over the Dulas bridge into Hay-on-Wye. The application now includes more land to the east which has enabled the access point to be located to the optimum position. This new position has increased the visibility achievable in the western direction such that with the removal of hedgerow a satisfactory level of visibility can be achieved in the interests of highway safety. The application can be supported as complying with Policies DR1, DR3 and HBA8 of the Herefordshire Unitary Development Plan.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of one year from the date of this permission.**

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

- 2 B01 (Development in accordance with the approved plans)**

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

- 3 C05 (Alterations made good)**

Reason: To maintain the appearance of the building so as to ensure that the development complies with the requirements of Policy DR1 of the Herefordshire Unitary Development Plan.

- 4 Notwithstanding the approved details included in the application, additional drawings and specifications in respect of the following matters shall be submitted to the local planning authority before the commencement of any works. The works to which they relate shall subsequently only be carried out in accordance with the details which have been approved by the local planning authority in writing beforehand:**

(a) details of windows and doors and their external finishes.

Reason: In the interests of maintaining the appearance of the development in accordance with the requirements of Policies DR1 and HBA8 of the Herefordshire Unitary Development Plan.

- 5 G09 (Details of boundary treatments)**

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policy DR1 of Herefordshire Unitary Development Plan.

- 6 G10 (Landscaping scheme)**

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of the Herefordshire Unitary Development Plan.

- 7 G11 (Landscaping scheme – implementation)**

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of the Herefordshire Unitary Development Plan.

- 8** Prior to the commencement of development, unless otherwise agreed in writing, visibility splays shall be provided in accordance with the plan received on 26 June 2009. Nothing shall be planted, erected and/or allowed to grow on the area of land so formed that would obstruct the visibility of the area.

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.

- 9** H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of the Herefordshire Unitary Development Plan.

- 10** H05 (Access gates) (5 metres)

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.

- 11** H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.

Informatives:

- 1** HN04 - Private apparatus within highway
- 2** HN05 - Works within the highway
- 3** HN13 - Protection of visibility splays on private land
- 4** N19 - Avoidance of doubt - Approved Plans
- 5** N15 - Reason(s) for the Grant of Planning Permission

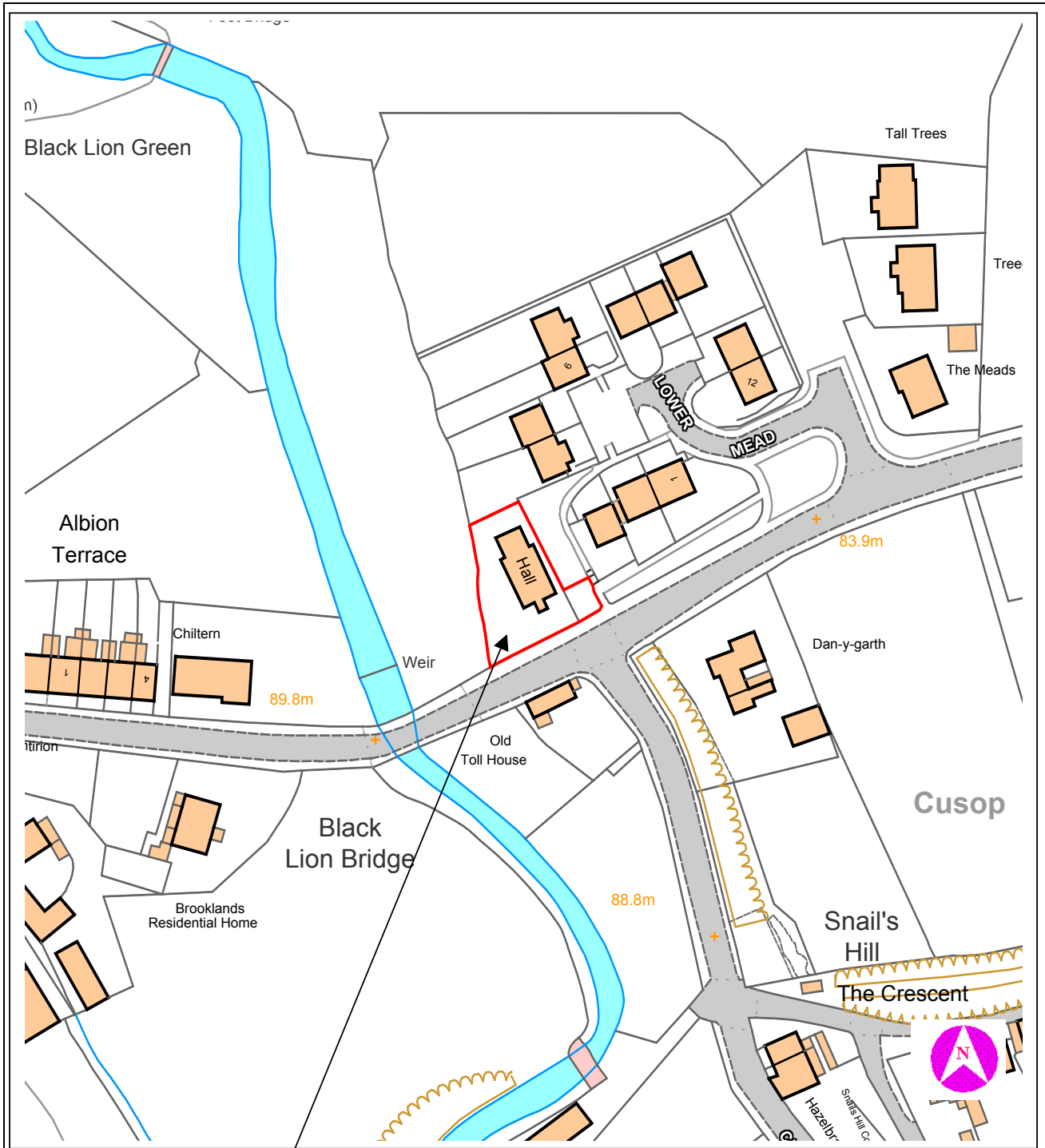
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2009/0822/F

SCALE : 1 : 1250

SITE ADDRESS : Cusop Village Hall, Cusop, Herefordshire, HR3 5RW

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