

6 DCNE0009/1137/F - DEMOLITION OF VARIOUS BUILDINGS AND ERECTION OF A ONE STOREY 'GREEN' OFFICE BUILDING AND R & D FACILITY. CHANGE OF USE FROM BUILDERS YARD AND WORKSHOPS TO BUSINESS USE FACILITY (B1), LITTLE RUNDLE END, MATHON, MALVERN, WORCESTERSHIRE, WR13 5PW.

For: Mr M McCullough per Meredith Architectural Design, The M.A.D. House, 24 Montpelier Road, West Malvern, Worcestershire, WR14 4BP.

Date Received: 22 May 2009

Ward: Hope End

Grid Ref: 73564, 45777

Expiry Date: 17 July 2009

Local Members: Councillor R Mills and RV Stockton

1. Site Description and Proposal

- 1.1 The application site lies within the Parish of Mathon within the hamlet of Mathon itself. The vast majority of the site that is located immediately to the rear of the dwelling houses at 1-3 Rundlemead was formerly used as a builder's yard. The lawful use of that area was formerly determined by the issuing of a Certificate of Lawful Development on 10th January 2001.
- 1.2 Upon the site at present are a range of single storey buildings with a combined floorspace of approximately 442 square metres. A substantial part of the site is currently hardsurfaced. The land slopes gradually from north up to south.
- 1.3 The existing vehicular means of access to the site is via an existing driveway to the west of number 1 Rundlemead. It is this same access that was used by the builders yard use. Visibility to the east is good; visibility to the west is sub-standard.
- 1.4 There are two public footpaths that cross the site. The first one that is orientated in a north-south direction has historically been obstructed by one of the existing buildings erected by a previous owner. The proposal is to divert this footpath so that it follows a logical north-south route. The other footpath that crosses the site in an east-west direction would not be affected.
- 1.5 The proposal is to demolish the existing buildings upon the site, remove a substantial area of hardsurfacing and erect a single storey building to be used for business purposes. The building with a net total floorspace of some 304 square metres would be curved with its principal elevation with substantial glazing facing south. The elevations would be a mix of lime render, stone and cedar cladding. The roof would be a sedum, roof. The building has been designed to embrace sustainability principles.
- 1.6 The occupiers of the building would be proposed to be a company known as Forma Design (www.formadesign.com) who design retail spaces primarily internal displays. They are basically an office based company who on occasions may create a range of retail displays for their client's perusal. The user certainly falls within the definition of a B1 business use being "... a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, fumes, smoke, soot, ash, dust or grit."

- 1.7 Nine car parking bays are to be provided including two spaces for disabled persons. A secure cycle parking facility is shown to be provided.
- 1.8 The foul water is to be connected to a private system through number 2 Rundlemead. It is apparent that the applicant has rights to do so. Alternatively a separate on-site treatment plant could be installed.
- 1.9 Surface water is to be managed by way of a sustainable drainage system and via soakaway. It should be noted that it is proposed to substantially reduce the amount of hardsurfacing on the site and increase the amount of soft landscaping.

2. Policies

2.1 Central Government Guidance

Planning Policy Statement 1 – Delivering Sustainable Development
 Planning Policy Guidance Note 4 – Industrial and Commercial Development & Small Firms
 Planning Policy Statement 7 – Sustainable Development in Rural Areas

2.2 Herefordshire Unitary Development Plan 2007

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S4	-	Employment
Policy S6	-	Transport
Policy S7	-	Natural and Historic Heritage
Policy E5	-	Safeguarding Employment Land and Buildings
Policy E8	-	Design Standards for Employment Sites
Policy E11	-	Employment in Smaller Settlements and Open Countryside
Policy LA1	-	Area of Outstanding Natural Beauty
Policy T11	-	Parking Provision

3. Planning History

- 3.1 NE2000/3252/U Certificate of lawful development for erection of building, its use as a builder's workshop and store, use of land for parking, manoeuvring and circulation of vehicles. - Granted 10.01.2001.

4. Consultation Summary

Statutory Consultations

- 4.1 Severn Trent Water has no objection to the proposed development.

Internal Council Advice

- 4.2 The Public Rights of Way Officer has no objection to the proposed development subject to the imposition of a condition.
- 4.3 Amey Consulting state: -

“Further to the additional detail submit by the applicant dated 5 August 2009, we now have an understanding of the existing drainage arrangement and the proposed drainage system. These are in the form of green roof, grasscrete, excess rainwater to be harvested in storage tank for the toilets and feed into proposed pond. We understand the improvement to the existing

drainage system from the proposed development and are satisfied with the proposed sustainable drainage solution.”

5. Representations

5.1 Mathon Parish Council object to the proposed development on the following summarised grounds:

- The proposed development brings no benefits to this rural community;
- The proposed building is out of character with the area and lends itself to use as a dwelling;
- Sub-standard vehicular access;
- Inadequacy of local highway network;

5.2 The AONB unit do not object to the principle of the development but have made detailed comment.

5.3 The occupiers of four dwellings in the vicinity object on the following summarised grounds:

- Inappropriate design of building;
- Hazards to pedestrian and highway safety;
- An inappropriate use causing noise & disturbance; and
- Inappropriate existing foul and surface water drainage arrangements;

5.4 The Ramblers' Association do not raise objection but have provided comment.

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 vast majority of the site has a lawful use as a builders store / yard. Whilst in the past this area was used by a past occupier of 2 Rundlemead, the area can legally be used as a builder's yard / store by any person / company. In effect the site is an existing employment site, even if it is not actively used as such at the moment.

6.2 Development Plan policies safeguard existing employment sites. Clearly employment sites have economic benefits associated with them and if sustainable communities, including villages / hamlets, are to thrive it is important that they have employment facilities. It is generally inappropriate for villages / hamlets to be purely residential with no employment opportunities afforded.

6.3 Whilst the Planning Authority cannot control who any business employs, if employment facilities are provided in rural areas there is always the possibility that some of those employed are from the immediate locality.

6.4 Clearly it would be inappropriate to allow an employment related development in Mathon that was disproportionate in scale to the hamlet. However, the proposal under consideration relates to a genuinely small scale business development employing some 6 full-time staff and 4 part-time staff.

6.5 Whilst the floorspace upon the site would be less than existing, the employment opportunities would be greater.

6.6 Therefore it is considered that the principle of the development is acceptable. However, the detailed environmental impact still needs to be assessed.

Siting, Design and external appearance of the building

- 6.7 The building has been very carefully sited and orientated in such a manner that its principal facade faces away from the neighbouring dwellings to the north. The southern aspect of the principal façade allows for natural light and solar gain. Given the fact that the land rises gently to the south, to safeguard the outlook of numbers 1, 2 and 3 Rundlemead and to safeguard the visual impact within the landscape, a driving principal in the design process has been to keep the building low. Being single storey with a sedum roof it is considered that this has been achieved.
- 6.8 The proposed palette of materials is of a high quality that would integrate into the landscape.

Transportation Matters

- 6.9 The vehicular means of access exists and serves the lawful builders yard / store.
- 6.10 Whilst that part of the access driveway parallel to number 1 Rundlemead is narrow, its length is only some 46 metres prior to it widening out, Inter-visibility between the bottom of the driveway and the top is good. This means in the event of a vehicle wishing to enter the site whilst another is leaving, there should be no problems presented as one driver will see the other vehicle and wait accordingly.
- 6.11 The existing vehicular access has goods visibility in an easterly direction but visibility in the westerly direction is sub-standard. However, it is the easterly splay that is the most critical as it relates to the nearside carriageway. Given that the vehicular means of access exists and serves a site with a lawful use as a builder's yard / store, it is considered that on balance the proposal would not exacerbate the existing situation. Indeed the type of vehicle entering and leaving the site should be of a smaller scale than those normally associated with a builder's yard / store.
- 6.12 It is considered that the local highway network has sufficient capacity to cope with the traffic generated by this small-scale business unit.

Impact Upon Residential Amenity

- 6.13 It needs to be stressed that the proposed use of the premises is a B1 business use that by definition is acceptable in any residential area. A general industrial use that could create amenity problems is not proposed.
- 6.14 The proposal will generate vehicular movements along the access road and within the parking / manoeuvring areas. These will be limited in number and would not create an undue problem by way of noise and disturbance to the occupiers of adjoining residential properties.

Drainage Issues

- 6.15 It is understood that the applicant has rights to connect and discharge via the existing drain through number 2 Rundlemead. The applicant will need to resolve the precise nature of this drainage system and its adequacy. If it were found not to be suitable an alternative foul sewage disposal system would be feasible. This matter would be dealt with under Building Regulations.
- 6.16 The existing site has no genuine surface water drainage arrangements. The proposal results in less building and less hardstanding. Furthermore the proposed surface water drainage arrangements are acceptable to the Building Regulations Section and Amey Consulting. As a consequence the proposal would represent an improvement over the existing scenario.

Landscaping

- 6.17 The removal of a substantial amount of existing hardsurfacing and building floorspace from the site, affords the opportunity to secure extensive landscaping. This would provide screening of the site from the residential properties to the north and provide a quality setting to the proposed building. Indeed in terms of the wider landscape, it is considered that the proposed development would enhance the landscape.

Other Issues

- 6.18 No street lighting is proposed.

Summary

- 6.19 In conclusion, the proposal involves the re-development of an existing commercial site with another small-scale form of development that would afford greater employment opportunities. This would assist in creating a genuinely sustainable rural community. The detail of the proposal would be of a high quality and would enhance the appearance of the site.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 A01 (Time limit for commencement (full permission)) – 12 months**

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

- 2 Prior to commencement of the development hereby permitted the following matters shall be submitted to the Local Planning Authority for their written approval:-**

- A written schedule and samples of all external materials to be used in the construction of the building

The development shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in strict accordance with the approved details and thereafter maintained as such.

Reason: To ensure a satisfactory appearance to the development.

- 3 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping using indigenous species. The submitted scheme of landscaping must include details as to the location of All planting, the species, size and density of planting.**

Reason: To ensure that the development hereby permitted is satisfactorily integrated into the landscape.

- 4 All planting, seeding and turfing in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building hereby permitted or the completion of the development (whichever is the sooner). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.**

Reason: To ensure that the development is satisfactorily integrated into the landscape.

- 5** No development shall begin until an Order has been confirmed to allow the existing public footpath crossing the site (MA18) to be diverted.

Reason: To ensure that the public right of way is not obstructed.

- 6** No external lighting shall be installed on the site (including upon the building) without the prior written consent of the Local Planning Authority.

Reason: To ensure that the character and appearance of the landscape is not compromised by light pollution.

- 7** Prior to commencement of the development hereby permitted full written details of the proposed boundary treatments (if any) shall be submitted to the Local Planning Authority for their written approval. The development hereby permitted shall not commence until the Local Planning Authority has given such written approval. The approved boundary treatments shall be fully implemented prior to the first use of the building hereby permitted and thereafter maintained as such.

Reason: To secure boundary treatments/means of enclosure appropriate in appearance to this rural area.

- 8** Prior to the first use of the building hereby permitted all of the existing on-site buildings shown upon the approved plans to be demolished shall be demolished and all resultant materials removed from the site.

Reason: To safeguard the character and appearance of the locality.

- 9** Prior to the first use of the building hereby permitted the vehicular means of access, car parking, turning / manoeuvring area(s) for vehicles and cycle parking shall be fully implemented. Thereafter these areas shall be kept available for such use.

Reason: In the interests of highway safety and to encourage use of modes of transport other than the private motor vehicle.

- 10** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development normally permitted by Class B, Part 2, Schedule 2, Article 3 shall be carried out without the express consent of the Local Planning Authority.

Reason: To ensure that the use of the entirety of the building is restricted to a business use (i.e. B1 use as defined in the Town and Country Planning Use Classes Order 1987 as amended), to safeguard the amenities of the occupiers of neighbouring dwellings and in the interests of highway safety.

- 11** No deliveries shall be taken at or despatched from the site outside the hours of:

- 0.800 hours to 18.00 hours Mondays to Fridays
- 08.00 hours to 13.00 hours Saturdays

nor at any time on Sundays, Bank or Public Holidays

Reason: To safeguard the amenities of the occupiers of numbers 1-3 Rundlemead (inclusive).

INFORMATIVES:

1 Because development works, in particular demolition of An existing structure, will endanger members of the public using public footpath MA18, a temporary closure order must be applied for from the Public rights of way Manager, Herefordshire council, Queenswood Country Park, Dinmore Hill, Leominster HR6 0PY (Tel:- 01432-260572), at least 6 weeks in advance of work starting.

2 For the avoidance of any doubt the plans for the development hereby approved are as follows:

For the avoidance of any doubt the plans to which this decision relates are:

- Application Site Plan (Scale 1:1250) received 20 May 2009;
- Topographical Survey of Existing - Drawing number MSM0697A Rev. C (Scale 1:200) received 21 April 2009;
- Plan of Existing Arrangements / Current Finishes - Drawing number MSM0697B Rev. DC received 21 April 2009;
- Site of Proposed Arrangement / Layout - Drawing number MSM0697C Rev. D received 6 August 2009;
- Proposed Floor Plan - Drawing number MSM0697D Rev. C received 20 May 2009;
- Sections and Plan for Layout Proposal - drawing number MSM0697H Rev. C received 21 April 2009;
- Elevations - Drawing number MSM0697F Rev. C received 21 April 2009;
- Perspective views - Drawing number MSM0697E Rev. c received 21 April 2009;
- Elevation Sections in Landscape - drawing number MSM0697G Rev. C received 21 April 2009.

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

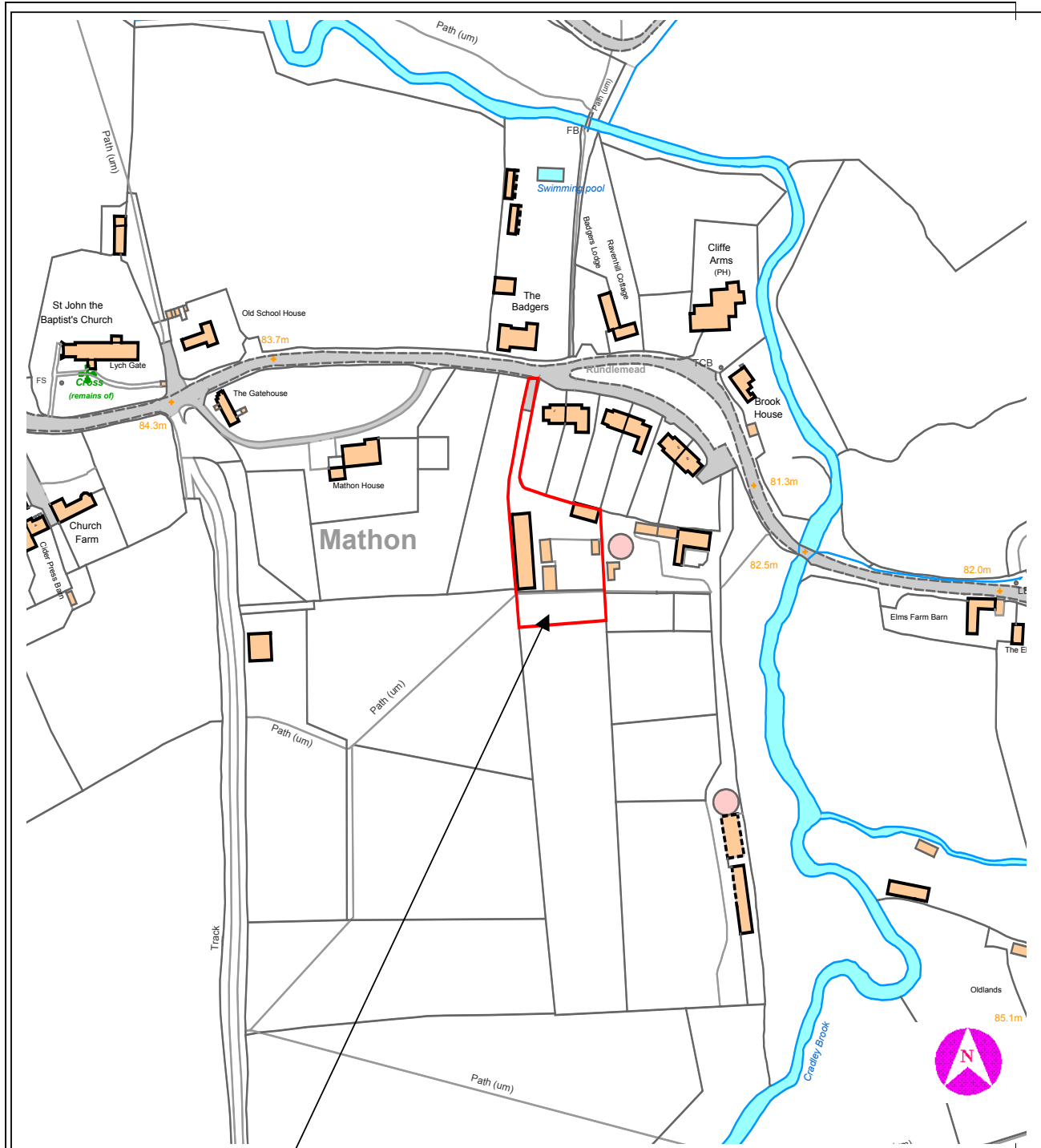
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNE0009/1137/F

SCALE : 1 : 2500

SITE ADDRESS : Little Rundle End, Mathon, Malvern, Herefordshire, WR13 5PW

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005