

**6 DCNC2003/3388/F - ERECTION OF 21 APARTMENTS  
(ALTERATIONS TO PREVIOUS CONSENT  
NC2000/0051/F) AT LINTON COURT, LINTON,  
BROMYARD, HEREFORDSHIRE, HR7 4QJ**

**For: Draycott Developments per Mr D Scott,  
Dudbridge House, Selsley Hill, Stroud, Glos, GL5 5JS**

**Date Received:**  
11th November 2003

**Ward:**  
Bringsty

**Grid Ref:**  
66979, 54122

**Expiry Date:**  
6th January 2004

Local Member: Councillor T. Hunt

## **1. Site Description and Proposal**

- 1.1 Linton Court lies on the south side of the A44 Worcester Road to the east of Bromyard. The eastern boundary of the site lies adjacent to the unclassified 65212 road whilst the south-west boundary, completing the triangular shaped site, runs along the top of an old railway cutting. The site lies within an Area of Great Landscape Value.
- 1.2 The area to be developed lies to the south of the existing range of 3 storey apartments the area of ground is partly grassed and part is used as a temporary car park which was established after the demolition of the original building.
- 1.3 The current application is for the re-design of the building, the mix of sizes of apartments, access arrangements and landscaping. The main difference between the proposed building and the existing approved scheme is an increase of 1 metre in the width of the main body of the new building which runs east - west across the site. The distance between the proposed building and the new extension will remain unchanged as will the height of the proposed building.
- 1.4 The proposal provides for the erection of a 3-storey building linked to the existing building on site in much the same style and scale as the existing 3-storey element of the building. It comprises 21 apartments made up of 12 one bedroom and 9 two bedroom apartments.
- 1.5 The proposal also includes a landscaping scheme and rearrangement of the existing parking layout on the site and the opening up of a new access to the south of the existing opening. A total of 79 spaces is provided for the existing 32 flats made up of 26 one-bed and 6 two-bed properties and the proposed 21 new units.

## **2. Policies**

### **Malvern Hills District Local Plan**

Housing Policy 4 – Development in the Countryside  
Housing Policy 11 – Affordable Housing for Local People in Rural Areas  
Housing Policy 12 – Major Housing Development

Housing Policy 17 – Residential Standards  
Landscape Policy 1 – Development outside Settlement Boundaries  
Landscape Policy 3 – Development in Areas of Great Landscape Value  
Landscape Policy 8 – Landscape Standards  
Transport Policy 8 – Car parking and Servicing Requirements  
Recreation Policy 24 – Recreational Open Space Standards  
Recreation Policy 25 – Recreational Open Space Provision  
Recreation Policy 26 – Maintenance of Open Public Space and Children’s Play Areas

### **Herefordshire Unitary Development Plan (Deposit Draft)**

DR1 – Design  
H7 – Housing in the countryside outside settlements  
H16 – Car parking  
H19 – Open space requirements

PPG3 – Housing  
PPG7 – The Countryside – Environmental Quality and Economic and Social Development

### **3. Planning History**

MH3392/89 - Conversion of the former Bromyard Hospital into residential flats for rental and sale. Approved February 1990.

MH2157/90 - Extension of the former hospital to provide an additional 9 flats to bring the total to 50. Approved January 1991.

MH94/1653 - Demolition and rebuilding of existing 3-storey building to accommodate 21 apartments (Phase 3). Approved February 1995.

NC99/1808/F - Erection of 8 dwellings to replace planning permission for 21 flats. Application withdrawn September 1999.

NC2000/0051/F - Renewal of planning permission MH94/1653. Approved February 2000.

NC2000/2371/F - Erection of 18 no. 1-bed flats, 8 no. 2-bed flats and 14 no. 3-bed flats. Refused 10 January 2001. Appeal dismissed 4 October 2001.

### **4. Consultation Summary**

#### Statutory Consultations

- 4.1 Severn Trent: No objection subject to the imposition of conditions requiring satisfactory drainage provision.
- 4.2 Welsh Water: No objection subject to the imposition of conditions requiring satisfactory drainage provision

Internal Council Advice:

- 4.3 Head of Engineering and Transportation: Recommends that any permission be subject to conditions
- 4.4 Archaeology: no objection
- 4.5 Environmental health: no objection

**5. Representations**

- 5.1 Parish Council- No objection, but draw attention to the visibility of the proposed access.
- 5.2 In support of the revised scheme the applicants agents has submitted a design statement in which it is stated that the current application improves the aesthetics, the mix of sized of apartments, access and landscaping. It is said to be a development that achieves the most efficient use of land (in accordance with PPG 3 objectives).

It is considered that the alterations to the scheme bring a number of benefits as follows:

**Design:** improvements have been made to the south elevation of the building, giving a positive frontage rather than the flat face presented in the approved scheme. The positioning of the entrances give better access to the car parking and children's play area. the materials used will be render and natural slate.

**Housing Mix:** the inclusion of 2 bedroom units will give a better social mix.

**Access:** the access position is improved giving better visibility and reducing the number of trees being removed.

**Car Parking:** the car parking has been improved by making better use of existing hardstanding reducing the amount of open space being taken up.

**Landscaping:** will be enhanced by the retention of existing trees and the enhancement of landscape within the development.

- 5.3 Eleven standard letters of objection have been received from the occupiers of Flat nos. 6, 30, 29, Linton Court, and also from Rose House, Union Cottage, Rock Cottage, Fernhill, Cuppressus Cottage, Yew Tree Cottage, Hopcote Cottage and Southview Linton. Letters have also been received from the occupiers of Flat nos 21a, 34 Linton Court. Their objections are summarised as follows:

- Proposal further magnifies the negative effect of the existing building
- Will adversely affect 'rural' community
- Additional traffic movements will increase probability of further accidents
- Not clear from submitted plans the extent of changes
- Original planning permission justified in terms of providing accommodation for nearby school
- Proposal will result in loss of sunlight to existing flats
- Proposed addition will put courtyard into shadow
- Proposal will result in worse disabled access from the designated car park

- Existing residents won't be able to supervise children any more, whilst they are using grassed area.

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

## **6. Officers Appraisal**

- 6.1 The proposal clearly seeks to provide new residential development in, what is in policy terms, open countryside. Housing Policy 4 seeks to restrict such development in all but exceptional circumstances. These circumstances are set out in Housing Policy 11.
- 6.2 The existence of the extant planning permission, ref. NC2000/0051/F, is however clearly a material consideration.
- 6.3 In respect of the impact of the proposal in an Area of Great Landscape Value, regard must be had to Landscape Policies 1 and 3. The site is clearly visible when approaching from the east and from the unclassified road on Bromyard Downs and a judgement needs to be made of any additional harm compared to the existing approval.
- 6.4 The current scheme has been amended, as set out in in particular in paragraphs 1.3 and 5.1, from that originally permitted in 1994 and most recently renewed in 2000. A number of benefits have been identified in terms of the revised scheme to be set against the increased size of the building.
- 6.5 The opportunity is available through the current application to replace existing poor quality boundary hedging with native species and provide other structural landscaping around the site. This would be considered to further the aims of the Herefordshire Biodiversity Action Plan The revised siting of the access allows the retention of a number of mature trees previously shown for removal, and the revised car parking minimises the loss of existing open space around the buiding..
- 6.6 Given the mix of units on the site, it is likely that there will be a low occupancy rate by children in the proposed flats. There will be informal recreation space available within the site and The Downs, adjacent to the provides further accessible open space. As such it would be unreasonable to insist on the full standards being met for children play space provision. The layout and maintenance of the proposed and existing open space will however form part of a detailed landscaping scheme.
- 6.7 The proposed development will take place in a sensitive landscape setting, however it is not considered that the revised scheme will materially harm the character or appearance of the area when compared with the extant permission, which to date has not been implemented. A number of further minor revisions have been sought with the current application regarding position and size of windows and finish details to ensure suitable comparison with the approved scheme.
- 6.8 Subject to receipt of suitably amended plans, the recommendation is one of approval, subject to a time limit condition, reflecting the sensitive nature of the site.

**RECOMMENDATION**

That planning permission be granted subject to the following conditions:

- 1 - This permission shall expire on 17 February 2005.

Reason: The site is located in an area of open countryside where residential development is contrary to policy and not normally permitted. This permission is granted as an amendment to planning permission NC2000/0051/F.

- 2 - A09 (Amended plans)

Reason: To ensure the development is carried out strictly in accordance with the amended plans.

- 3 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

- 4 - G04 (Landscaping scheme) ('... shall include full details of open space provision, together with an indication of ...')

Reason: In order to protect the visual amenities of the area.

- 5 - G05 (Implementation of landscaping scheme)

Reason: In order to protect the visual amenities of the area.

- 6 - Prior to the commencement of the development hereby approved details of the siting and treatment of the drying area, bin storage and cycle storage shall be submitted to and approved in writing with the local planning authority. The works shall thereafter be carried out in accordance with the approved details prior to the first occupation of any of the units hereby approved.

Reason: To ensure a satisfactory and well planned development in the interest of amenity of the area.

- 7 - The future maintenance of the open space and landscaping shall be in accordance with a scheme and timetable to be submitted to and agreed in writing with the local planning authority prior to the occupation of any of the units hereby approved.

Reason: In order to ensure the satisfactory maintenance of the site and to protect the visual amenities of the area.

- 8 - F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

- 9 - There shall be no discharge of foul or contaminated surface water from the site into either the groundwater system or any surface waters. Foul water should be directed into the main sewerage system provided the adequate capacity for such additional flows is available.

**Reason: To minimise the risk of pollution of rivers and watercourses and other surface water.**

**10 - H03 (Visibility splays ) (4.5m x 60m) (add 'unless otherwise agreed in writing with the local planning authority')**

**Reason: In the interests of highway safety.**

**11 - H05 (Access gates ) (5m)**

**Reason: In the interests of highway safety.**

**12 - H06 (Vehicular access construction )**

**Reason: In the interests of highway safety.**

**13 - H08 (Access closure )**

**Reason: To ensure the safe and free flow of traffic using the adjoining County highway.**

**14 - H12 (Parking and turning - single house ) (within the site for 33 cars)**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

**15 - H21 (Wheel washing )**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.**

**16 - H27 (Parking for site operatives )**

**Reason: To prevent indiscriminate parking in the interests of highway safety.**

**17 - H29 (Secure cycle parking provision )**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**Notes to applicant:**

**1. N15**

**Malvern Hills District Plan  
Housing Policies 4 & 17  
Landscape Policies 1, 3 and 8  
Transport Policy 8  
Recreation Policies 24, 25 and 26**

**2 - HN05 - Works within the highway**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.