

7 DCNE2004/0323/F - USE OF LAND FOR STORAGE OF EQUIPMENT AND MATERIALS IN ASSOCIATION WITH THE APPLICANTS LANDSCAPE BUSINESS. REMAINDER OF THE LAND, CHANGE OF USE FROM AGRICULTURAL TO DOMESTIC CURTILAGE AND RETENTION OF DEWPOND AT THE OLD BAKEHOUSE, PARKWAY, LEDBURY, HEREFORDSHIRE, HR8 2JG

**For: Mr & Mrs R Higgins per Mr V C Arnold Mount
Ottawa Upleadon Newent GLOS GL18 1HN**

Date Received:
29th January 2004

Ward:
Ledbury

Grid Ref:
71895, 35753

Expiry Date:
25th March 2004

Local Members: Councillor P Harling, Councillor D Rule and Councillor B Ashton

1. Site Description and Proposal

- 1.1 The Old Bakehouse is located on the western side of the A417 Ledbury to Gloucester Road at Parkway between Hilltop and The Pitch.
- 1.2 Planning permission is sought to continue the use of the land for the storage of equipment and materials in association with the applicants landscape business and to change the use of the remainder of the land from agricultural to domestic curtilage.
- 1.3 The application has been submitted following investigations by the Council's Enforcement Team.
- 1.4 The Dewpond, which has been created and originally formed part of this application, has been removed from the planning application.

2. Policies

Planning Policy Guidance Note 7 – The Countryside Environmental Quality and Economic and Social Development

Hereford and Worcester County Structure Plan

CTC2 - Areas of Great Landscape Value

CTC9 - Development Requirements

A01 - Development of Agricultural Land

Malvern Hills District Local Plan

Landscape Policy 5 - The Conservation of Agricultural Land to Domestic Garden

Landscape Policy 6 - Small Scale Development Associated with Domestic Gardens

Employment Policy 14 - Home Based Businesses

Herefordshire Unitary Development Plan (Deposit Draft)

E9 – Home Based Industries

E11 – Employment in the Countryside

3. Planning History

MH88/2467 – Erection of a bungalow – Refused 17 October 1988 – Appeal dismissed 22 March 1989

MH88/2763 – Erection of a house – Refused 21 November 1988

4. Consultation SummaryStatutory Consultations

4.1 None.

Internal Council Advice

4.2 Head of Engineering and Transportation raises no objections.

4.3 Chief Conservation Officer confirms that there are no objections on landscape or ecological grounds.

5. Representations

5.1 Ledbury Town Council recommend approval provided hours of work do not inconvenience neighbouring properties.

5.2 The Area of Outstanding Natural Beauty Planning Group raise no objection.

5.3 The Campaign to Protect Rural England comment as follows:

We see no objection to what is proposed provided the area to be used for storage is adequately screened to avoid a visual nuisance, and the land to be converted to domestic use is marked off by a boundary hedge or fence. We ask the Council to lay down conditions along those lines in any grant of approval.'

5.4 Two letters of objection have been received from:

Roger Parker, Hilltop, Parkway, Ledbury
Masefield Solicitors acting for 4 The Pitch , Parkway, Ledbury and Masefield Cottage,
Ledbury

The main planning points raised are:

- a) The site is in an Area of Outstanding Natural Beauty.
- b) The applicants have two flatbed trucks, land rover, jeep and a boat therefore the proposal is in fact for a yard for light industrial vehicles on site from time to time.
- c) Heavy goods vehicles deliver to the site and then the applicant and his staff take materials away to the sites where they work. These deliveries and the materials leftover detract from the natural beauty of the area.

- d) Parkway is a well known accident black spot where these vehicle movements would be a traffic hazard.
- e) Views have been impacted upon by the construction of the pond with high banks being created around the pond over what previously was open land.
- f) Concerns are raised over potential flooding from the pond.
- g) The development will impact upon the neighbourhood which apart from the filling station is essentially residential.

The applicants have submitted the following information:

- a) Business use, the applicant is a landscape gardener, stores his tools in a secure metal container, and parks his trailer, mini digger and motorised wheel barrow within the area indicated.
- b) Occasionally, stone and paving slabs left over from a job are stored at the site until used on the next job. There are no deliveries or materials to the application site, all go direct to the work site.
- c) There is no employee parking, the applicant and his workmen meet at the work site, and the applicant parks his truck within the residential area.
- d) Residential Use, the original residential area is very restrictive, and with a garage with its turning area already on site leaves little room for garden or extension.
- e) It can be seen from the site plan, that the proposed area follows the natural line from Mayfield Cottage to The Forge House curtilages, and the proposed area for change of use is too small to be used for agricultural purposes.
- f) As the applicant is a landscape gardener, I am sure the resultant garden will complement the locality, and a landscaping scheme will be produced if you so wish.

5.5 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 site lies on the western side of the A417 Gloucester Road at Parkway, Ledbury.
- 6.2 The proposal is to extend the domestic curtilage into the adjoining paddock and for the applicant to use part of the land to store machinery and tools.
- 6.3 The extension of the domestic curtilage is considered acceptable and to comply with Landscape Policy 5 of the Malvern Hills District Local Plan. Its addition would not detract from the landscape quality of the area which is not designated as either an Area of Outstanding Natural Beauty or and Area of Great Landscape Value. The only aspect to address is the planting of a native hedge on the western boundary and this will be recommended as a condition.
- 6.4 Regarding the use of the part of the land for storage in association with the applicants landscape business this is relatively small and again subject to adequate screening is considered acceptable and complies with Employment Policy 14 of the Malvern Hills District Local Plan.
- 6.5 The local residents concerns relating to access are noted however, the Council's Head of Engineering confirms that following his site inspection there are no objections.

- 6.6 The main concern of the objectors has been the Dewpond formed by the applicant. This has been removed from the planning application as concerns have been raised to its acceptability. Further discussions with the applicants will continue to resolve this situation.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - E16 (Removal of permitted development rights)**

Reason: In order to protect the visual amenity of the application.

- 2 - G01 (Details of boundary treatments)**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

- 3 - Details of boundary treatments to the business storage area shall be submitted for approval within one month of the date of this permission and constructed within 2 months. The boundary treatment so approved shall be maintained thereafter.**

Reason: In order to protect the visual amenity of the application.

- 4 - No materials or equipment associated with the applicants landscape business shall be stored outside of the land identified on the approved scheme.**

Reason: In order to protect the visual amenity of the application.

- 5 - No materials or equipment associated with the landscape business shall be stored above a height of 2.5 metres above ground level unless otherwise agreed in writing with the Local Planning Authority.**

Reason: In order to protect the visual amenity of the application.

- 6 - H14 (Turning and parking: change of use - domestic)**

Within one month of the date of this permission an area for the parking of vehicles shall be laid out, consolidated, surfaced and drained within the application site in accordance with the approved plans for vehicles to turn so that they may enter and leave the site in a forward gear. These areas shall thereafter be retained and kept available for those uses at all times.

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

Informative:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.