

5 DCCE2004/1858/F - PROPOSED STABLE BLOCK AND HARDSTANDING, RETENTION OF GATES AT PAGETS SPRING, HAWKERS LANE, FOWNHOPE, HEREFORDSHIRE, HR1 4PZ**For: Veronica F. Scully of the same address****Date Received: 20th May 2004****Ward: Backbury****Grid Ref: 59523, 34477****Expiry Date: 15th July 2004**

Local Member: Councillor Mrs. J.E. Pemberton

This application was deferred by Members at the Sub-Committee meeting on the 28th July 2004 for a Committee site visit. The site visit took place on the 9th August 2004.

Members are aware a verbal update was given at Committee consisting of a letter from the applicant detailing the wattage of the lamps to the gates and timer currently set at 4 minutes and Country Land & Business Association supporting the application. A further letter has also been received since the drafting of the original report from Mr. S. Laughton, Queens Road, London on behalf of Ramblers, supporting the scheme.

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

1. Site Description and Proposal

- 1.1 The site lies on the southern side of the unclassified road 72215 road known as Hawkens Lane leading to Woolhope. The property known as 'Pagets Spring' is approximately 140 metres from the unclassified road via a steep drive though fenced paddocks. The property is a large detached dwelling situated in irregular grounds and against the backdrop of Paget's Wood. To the south-east, north and north-west lies Lea and Pagets Wood Site of Special Scientific Interest (SSSI). Public Footpaths FWA4 and FWA6A cross the parcel of land parallel to the driveway from north-west to north-east known as the Wye Valley Walk. In planning policy terms the site is in open countryside and designated Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- 1.2 The application is to retain the structure of the gates situated midway along the long drive of double stone pillars measuring 2.62 metres at its highest and electronic green copper gates designed with curved shapes and long stems measuring 3 metres at its highest.
- 1.3 The application also proposes to provide a small hardstanding adjacent to the field gate parallel to the driveway and a stable block to the north-east of the land adjacent Lea Wood. The stable block measures 9.6 metres x 8.5 metres comprises four stables, which will be constructed of weatherboarding and tiled roof.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Principles
- PPG7 - The Countryside – Environmental Quality and Economic and Social Development

2.2 Hereford and Worcester County Structure Plan:

- Policy CTC1 - Development in Areas of Outstanding Natural Beauty
- Policy CTC2 - Development in Areas of Great Landscape Value
- Policy CTC9 - Development Criteria

2.3 South Herefordshire District Local Plan:

- Policy GD1 - General Development Criteria
- Policy C1 - Housing in the Open Countryside
- Policy C5 - Development within Areas of Outstanding Natural Beauty
- Policy C8 - Development within Areas of Great Landscape Value
- Policy C12 - Statutory Protection of Nature Conservation Sites
- Policy SH23 - Extensions to Dwellings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy S2 - Development Requirements
- Policy S7 - Natural and Historic Heritage
- Policy DR1 - Design
- Policy DR14 - Lighting
- Policy LA1 - Areas of Outstanding Natural Beauty
- Policy LA6 - Landscaping Schemes
- Policy NC4 - Sites of Local Importance

3. Planning History

- 3.1 SH970688PF Retention of buildings, previously to be demolished for use as outbuildings/storage to main building - Approved 23.07.97.

4. Consultation Summary

Statutory Consultations

4.1 Open spaces Society observe:-

"Registered Footpath FAW4 runs approximately north then west from Pagets Wood, the existing gate or other physical works must not form an obstruction over the registered way."

4.2 Environment Agency - has no objections.

4.3 Forestry Commission - no comment to make upon the application.

4.4 The Ramblers' Association observe:-

"The development does not appear to have any impact upon the adjacent public right of way FAW. The gates are unsuitable in such an unspoilt rural setting."

- 4.5 English Nature - would have no objection to this planning application provided there are conditions stating that all animal waste materials from the stable block are contained and not allowed to pollute the pond and stream.
- 4.6 Hereford Nature Trust - no response received.

Internal Council Advice

- 4.7 The Chief Conservation Officer - has no objections to the proposed stables and hardstanding. The retention of the gates would have a harmful effect on the character of the Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- 4.8 Head of Engineering and Transportation - has no objection. The development would affect the public footpath, however, the hardstanding is to tidy the area and recommends an informative to the decision of the application.

5. Representations

- 5.1 The applicants have submitted a further letter of support from the metal sculptor of the gates. It states the importance of the design to ensure that the gates would be a unique and have a sympathetic benefit to the environment. The 'verdigris' green copper panel has been especially chosen to complement the natural greenery of the surrounding trees and leaves. The angle iron is heated and forged to give the gentle curves and copper panels are then riveted in between using large copper domed head rivets. Mr. & Mrs. Scully support local 'Arts & Crafts' and are fully aware of their responsibilities of the community.

- 5.2 Fownhope Parish Council observe:-

"The Parish Council would like to express its concern at the retrospective nature of the application, but supports the retention of the gates. The proposed stable block and hardstanding is also supported."

- 5.3 Fownhope Residents' Association observe: "We are writing to inform you that we object to the applicant's construction of the gate and pillars. Their design is such that they are totally inappropriate in the chosen location, a particular beautiful valley within an Area of Outstanding Natural Beauty. We also have been informed that they are lit at night. We understand that there is significant support for the view expressed above. We have no objection to the other two aspects of the application.

- 5.4 Two letters of objection have been received:-

Malcolm Harrison Architectural Design Ltd. representing Mr. Watts of Stone Cottage, Common Hill, Hawkers Lane, Fownhope and Mrs. J. Edmondson, Common Hill Farm, Fownhope. The main points being:-

- ° Piece of land at Pagets Spring is very visible and the landscaping and gates impact significantly on the area.
- ° No objection to the stable block.

- ° Visual intrusion of the size and nature of the gates.
- ° These gates and the surrounding stonework are not of a sensitive construction and bear no relationship to their surroundings, which looks out of place.
- ° The gates are lit up if something triggers them.
- ° The siting of the hardstanding and gates can be visually seen from the rear of the cottage and lane.
- ° To lessen the impact mixed hedging should be planted down the edge of the drive, reduce the lighting significantly and area for hardstanding be restored to its original state.

5.5 One letter of support has been received from Mrs. W. Jackson, Stonehouse, Hawkers Lane, Fownhope. The main points being:-

- ° The stable block of wooden construction will blend in with the environment.
- ° The gates are exciting and intriguing.
- ° Their design reflects the wildness of nature and when the stone has mellowed and weathered may well become a local landmark.

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

6. Officers Appraisal

6.1 The main issues in the consideration of this proposal are the effect on the visual appearance upon the landscape quality and the amenities of the neighbouring properties.

6.2 The site is in the open countryside and designated Areas of Outstanding Natural Beauty and Area of Great Landscape Value having Lea and Paget Wood to its south, north and east. Visually, the woods screen Pagets Spring from the top of Hawkers Lane, however, the access drive and parcel of land to the north-east of the driveway is predominantly open to view at this point. The existing gates and proposed hardstanding are visible against the backdrop of the surrounding woodlands and concerns raised by neighbouring properties relate to this issue.

6.3 Policies C5 and C8 of the South Herefordshire District Local Plan seeks to ensure that proposals within these designated areas are small in scale and are of a high standard of design to either enhance or have minimal adverse effect upon the scenic quality of the landscape. The application seeks to retain the gates as built and whilst concerns have been raised by the Head of Conservation regarding the scale and design within the designated areas, it is considered that due to their sculpture abstract they create a different feature set amongst the rural landscape of this area. They are small in scale and are of a high standard of design, which prominently announces the entrance to Pagets Spring, which is visually screened from the roadside.

- 6.4 The concerns raised by neighbouring properties relating to the lighting of the gates are noted, however, the light intrusion into the night skies can be reduced through the use of appropriate conditions.
- 6.5 With regard to the area of hardstanding proposed lying parallel to the existing driveway, the area at present has little grass showing signs of dilapidation and whilst the applicants have stated its purpose is to tidy the area and reduce the muddiness during the winter months, it will not be used for parking purposes. It is considered that through the use of appropriate conditions, the area would be enhanced without significantly harming the surrounding landscape.
- 6.6 The proposed stable block to the north-eastern boundary of Lea Wood would not be visually intrusive nor would it have an adverse effect upon the Site of Special Scientific Interest.
- 6.7 In conclusion, it is considered that the proposal would not adversely affect the special scenic quality of the area nor would it affect the amenities of the neighbouring properties.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 (Time limit for commencement (full permission)).**

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

- 2 The development shall be carried out in all respects strictly in accordance with the approved plans date stamped 20th May 2004.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3. B01 (Samples of external materials).**

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

- 4. Notwithstanding the submitted application, details of the external lighting to be installed at the entrance gates shall be submitted to and approved in writing by the local planning authority within one month of the date of this decision. This shall include light positions, light wattage and time periods of operation. Only the approved details shall be installed and operated on site. The approved scheme shall be implemented on site within three months from the date the scheme is approved.**

Reason: To minimise the light overspill and to protect the amenity of neighbouring properties.

- 5. Notwithstanding the submitted drawings, ground levels and drainage of the hardsurfacing area shall be submitted to and approved in writing by the local planning authority.**

Reason: To ensure that the development is of a scale and height appropriate to the area.

- 6. Notwithstanding the submitted drawings, details of any materials surfacing the hardstanding including technical engineering specification of the area shall be submitted to and approved in writing by the local planning authority.**

Reason: To protect the visual amenities of the area.

- 7. E11 (Private use of stables only).**

Reason: In order to safeguard the residential amenity of the area.

- 8. The waste material from the development is to be disposed of on site, none of the material should be disposed of inside the SSSI boundary and neither spread across the meadow.**

Reason: To protect the natural environment.

Informatives:

- 1. Referring to Conditions 5 and 6, the local planning authority in the absence of the information requested has concerns regarding the surface of the area and request discussions with the local planning authority prior to commencement of the submitted application.**
- 2. The right of way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion and should remain open at all times. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for from the Public Rights of Way Department, preferably 6 weeks in advance of work starting.**
- 3. All washwaters, manures and stable waste should be collected, stored and disposed of in accordance with DEFRA "Code of Good Agricultural Practice for the Protection of Water".**
- 4. Developments on this scale in these lower risks locations outside zone 3 fall outside the scope of formal standing advice. The following is offered to aid local planning authorities and developers in managing the surface water runoff issues for information purposes only as a pointer towards best practice for surface water disposal.**

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of Building Regulations 2000 sets out a hierarchy for surface water disposal which encourage a SUDs approach.

In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

- 5. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environment Protection Act 1990.
- 6. N15 - Reason(s) for the Grant of Planning Permission.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.