

11 DCSE2004/1796/F - CHANGE OF USE OF OFFICES TO ONE DWELLING, BARN ADJOINING PETERSTOW HOUSE, PETERSTOW, ROSS-ON-WYE, HR9 6LB

For: Mr. R. Gardiner per Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye, Herefordshire, HR9 5JX

Date Received: 17th May, 2004 Ward: Llangarron Grid Ref: 56437, 24870

Expiry Date: 12th July, 2004

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 This site, just outside the settlement boundary of Peterstow, is located within the grounds of Peterstow House (a Grade II Listed building) and is adjacent to St. Peters Church. The building in question is a stone/red brick barn which has been converted into an office (planning permission granted in October 1997 - reference no. SH970907PF). There is an existing orchard to the north of the site and fields to the east.

1.2 The building has been used as an office, however, it is now vacant. The proposal is to change the use of the building into a dwelling with only minor internal alterations proposed. It is proposed to utilise the existing vehicular access onto the unclassified road to the east.

2. Policies

2.1 Planning Policy Guidance and Statements

PPG.1	-	General Principles
PPS.7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Development Criteria
Policy H.20	-	Residential Development in Open Countryside
Policy CTC.1	-	Development in Areas of Outstanding Natural Beauty
Policy CTC.9	-	Development Criteria
Policy CTC.13	-	Buildings of Special Architectural or Historic Interest
Policy CTC.14	-	Criteria for the Conversion of Buildings in Rural Areas

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.5	-	Development within Area of Outstanding Natural Beauty
Policy C.23	-	New Development affecting Conservation Areas
Policy C.29	-	Setting of a Listed Building

Policy C.36	-	Re-use and Adaptation of Rural Buildings
Policy C.37	-	Conversion of Rural Buildings to Residential Use
Policy SH.24	-	Conversion of Rural Buildings
Policy T.3	-	Highway Safety Requirements
Policy T.4	-	Highway and Car Parking Standards
Policy ED.4	-	Safeguarding Existing Employment Premises

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.2	-	Development Requirements
Policy DR.1	-	Design
Policy H.7	-	Housing in the Countryside Outside Settlements
Policy HBA.4	-	Setting of a Listed Building
Policy HBA.13	-	Re-use of Rural Buildings for Residential Purposes
Policy LA.1	-	Areas of Outstanding Natural Beauty
Policy E.5	-	Safeguarding Employment Land and Buildings
Policy HBA.6	-	New Development within Conservation Areas

2.5 Herefordshire Council Supplementary Planning Guidance

Re-use and Adaptation of Traditional Rural Buildings

3. Planning History

3.1	SH970242PF	Additional hotel accommodation and unit for manager	- Refused 21.05.97
	SH970907PF	Extension to existing coach house, demolition of existing store/shed and replacement to form offices	- Planning Permission 22.10.97
	SH970908LA	Reconstruction of part of existing coach house also demolition of existing store and rebuild to form offices	- Listed Building Consent 22.10.97

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Head of Engineering and Transportation has no objection.

4.3 The Chief Conservation Officer has no objection but has recommended that a condition be imposed on any planning permission relating to bat and barn owl roosting opportunities/provision.

4.4 The Chief Environmental Health Officer has no comment to make.

4.5 Private Sector Housing recommend smoke detectors to ground floor and first floor.

5. Representations

5.1 The applicant's agent observes:

"The proposal accords with the Development Plan. This building was used as a commercial office by the applicant whilst he resided in Peterstow House. Change of use only, no external changes proposed. Proposed dwelling would have its own vehicular access, parking and garden. The commercial use entailed up to 15 people commuting to these offices which is more than would be generated by a single dwelling. The property has been advertised as commercial floor space and has been included in the Council's Register of Floor Space since December 2003. No response was received from a potential occupier. This shows that this building is neither suitable nor desirable as a commercial premises. The proposal is in accordance with PPS.7 which accepts that some buildings in reasonable proximity of a settlement may lend themselves only to a residential use. The Council has previously judged that only a commercial use associated with the occupation of the main house is acceptable. It follows that a commercial use of this building not associated with the occupier of the house will be resisted by the Council."

5.2 A letter has been received from an estate agent confirming that since marketing the property as offices since December 2003 no interest in the property for office use has been received. The rural office market is very slow at the present time.

5.3 The Parish Council observe:

"Objection. We refer to the Planning Conditions of 22.10.97.

1. Building to be used only as office for owners of Peterstow House.
2. The building must not be sold separately.

Our views are those expressed previously under SH970907PF 31.07.97, i.e. close proximity to Church and Graveyard and drainage problems."

The full text of this letter can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The main issues relate to the use of the building as a dwelling and its effect on the existing adjacent dwelling, the loss of a commercial use and also highway safety. The most relevant policies are GD.1, C.36, C.37, SH.24, ED.4 and T.3 of the South Herefordshire District Local Plan and policies CTC.9 and CTC.14 of the Hereford and Worcester County Structure Plan.

6.2 The proposed use of this building as a dwelling is considered to be acceptable and will not adversely affect the residential amenities of the adjacent dwelling. The building has been advertised by an Estate Agent for commercial use but there has been no interest shown and as such the principle of changing the use from a commercial use is considered to be acceptable.

6.3 The other main issue relates to highway safety. When planning permission was granted for the use of the building as office accommodation, the main house had

ceased to be used as a hotel. Conditions 2 to 4 imposed on this planning permission (reference no. SH970907PF) were as follows:

2. The building and the extensions hereby permitted shall be used only for office accommodation by the owners of the adjacent property, the former Peterstow House Hotel.
3. The building and the extensions hereby permitted shall not be sold separately as offices from the former Peterstow House Hotel.
4. The building and the extensions hereby permitted shall not be used as offices if the Hotel use is resumed without the prior approval of the planning authority in writing.

The reason for these conditions is:

To define the use in accordance with the terms of the application which relies on the fact that the former Hotel has ceased reducing traffic impact upon the means of access and lanes leading to the premises.

It was considered at the time that it would be acceptable for the use of the building as office accommodation provided it remained in the ownership of the main house, i.e. Peterstow House.

- 6.4 However, it is considered that the proposed use of the building as a dwelling will not generate as much traffic as the commercial office did. Also the proposed dwelling will use the existing vehicular access to the rear of the property onto the unclassified road and not the vehicular access to the north at the front of the property (onto the lane serving the church) which is the main entrance to Peterstow House. Consequently, it is considered that from a highway point of view the proposal is considered to be acceptable. The Council's Head of Engineering and Transportation has no objections to the proposal.
- 6.5 The proposed use of the building as a dwelling should not have any more implications with respect to drainage as its last use as an office building. Also the proposed use will not have any adverse effect on the character and setting of the nearby church.
- 6.6 The proposed use of the building as a dwelling is therefore considered to be acceptable. The residential amenities of the adjacent dwelling will be unaffected and from a highway safety point of view the proposal is considered to be acceptable and will be no worse than the current situation. Also it should be noted that Peterstow House was previously used as a hotel but is now used as a single dwelling. Also Peterstow House and the proposed new dwelling will use separate vehicular accesses onto separate roads.

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 A07 (Development in accordance with approved plans)

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

3 E16 (Removal of permitted development rights)

Reason: To ensure the character of the original conversion scheme is maintained.

4 The whole of the splayed entrance (to serve the new dwelling) shall have a sealed surface and which shall be completed before the development is first brought into use.

Reason: In the interests of highway safety.

5 The existing driveway connecting the site and Peterstow House shall be permanently sealed before the new development is first brought into use in accordance with details to be first submitted to and subject to the prior written approval of the local planning authority unless otherwise first agreed in writing by the local planning authority.

Reason: To define the terms to which this planning permission relates and in the interests of highway safety.

Informatives:

- 1 N03 - Adjoining property rights**
- 2 N14 - Party Wall Act 1996**
- 3 N15 - Reason(s) for the Grant of Planning Permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.