

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>23 NOVEMBER 2011</b>
<b>TITLE OF REPORT:</b>	<p><b>DMN/112363/F AND DMN/112365/L - PROPOSED RENOVATIONS AND EXTENSIONS TO OAKWOOD AND DEMOLITION OF EXISTING GARAGE AND ERECTION OF REPLACEMENT GARAGE, ERECTION OF TWO DETACHED DWELLINGS AND ANCILLARY GARAGES FORMATION OF NEW VEHICULAR ACCESS ON LAND REAR OF OAKWOOD AND BRIDGE HOUSE, DEMOLITION OF GARAGE AT BRIDGE HOUSE AND ERECTION OF REPLACEMENT GARAGE AT OAKWOOD, EARDISLEY, HEREFORD, HR3 6NH</b></p> <p><b>For: Mr And Mrs Hawes per Mr Ewart Hutton, Kingsland Sawmills, Knighton Road, Kingsland, Leominster, Herefordshire, HR6 9SF</b></p>

**Date Received: 24 August 2011**

**Ward: Castle**

**Grid Ref: 331122,249442**

**Expiry Date: 10 November 2011**

Local Members: Councillor JW Hope MBE

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

- 1.1 The application site is located centrally in Eardisley, on the western side of the A4111 which dissects the village. The properties of Bridge House and Oakwood are both positioned hard against the road frontage with gardens and open land behind. Separate vehicular accesses for both are positioned between the buildings with a brick wall currently dividing the two. Each is served by its own garage, both being modern additions over the last 30-40 years. Both buildings are Grade II listed and the whole site is located within Eardisley Conservation Area. The site also falls within an area identified on the Environment Agency's flood maps as falling within Zones 2 and 3.
- 1.2 The southern boundary of the site is defined by outbuildings that form part of a neighbouring property known as Dairy House Farm. It is understood that the buildings are used to house livestock. The boundary to the north comprises a 2 metres high stone wall with dwellings beyond.
- 1.3 While Bridge House is a well maintained stone faced dwelling with brick corbelling, and later additions to the rear, Oakwood is a partially renovated timber framed building. It has been completely gutted by a previous owner, parts of the original timber frame replaced and an

extension added to the rear. The original building is largely watertight, but is open to the elements in some parts where panelling has been removed. The extension has yet to be tiled.

- 1.4 The proposal has a number of distinct elements and these can be identified as follows:
- The renovation and extension of Oakwood to bring it back into residential use
  - The erection of two new dwellings and garages on land to the rear of Oakwood and Bridge House
  - The demolition of the two existing garages to be replaced with new ones for Oakwood and Bridge House
  - The closure of the existing access serving Oakwood and Bridge House
  - The creation of a new access to serve all four resultant dwellings to the south of Oakwood
- 1.5 The renovation of Oakwood will see a number of inappropriate alterations that have been made reversed, and a further single storey lean-to extension added to the northern elevation.
- 1.6 The two new dwellings that are proposed are both timber framed buildings. The first is positioned along the southern boundary of the site to the rear of Oakwood. It has been designed to have the appearance of a barn. Its main element is two storey, with a single storey attached double garage to the eastern gable end and a single storey wing projecting from the northern elevation. The whole building is entirely weather boarded with a plain clay tile roof.
- 1.7 The second dwelling lies to the rear of Bridge House on land that currently forms part of the garden. It is an L shaped property. Part of the timber frame is to be exposed with lime rendered infill panels, and part is to be brick faced, again with a plain clay tile roof. It has a more typically residential appearance and includes a large external brick chimney stack on the southern elevation and a first floor balcony to the west.
- 1.8 A new access is to be constructed to the south of Oakwood. A new drive will run along the southern boundary before cutting into the site behind Oakwood and between two Yew trees in order to give access to the two new dwellings and Bridge House. Existing accesses will be closed to vehicular traffic with independent pedestrian accesses in their place for Oakwood and Bridge House. The new garages for all four properties are simple timber framed structures, all clad with weather boards and plain clay tile roofs.
- 1.9 The application is accompanied by a Design and Access Statement, Ecological Survey and a Flood Risk Assessment. The applicant's agent has confirmed that, should planning permission be granted, his client's would be prepared to accept a one year commencement condition in lieu of making a contribution as required by the Council's Planning Obligations supplementary planning document. This accords with the Cabinet decision of 1 April 2009 to suspend contributions for residential developments of five dwellings or less.

## **2. Site History**

- 2.1 DCNW2003/0605/F & 0606/L – Extension of dwelling, demolition of garage and erection of new outbuilding at Oakwood – Approved 20 May 2003.
- 2.2 DCNW2006/3951/F & 3952/L – Proposed dismantling and re-assembly of Oakwood – Withdrawn.
- 2.3 DCNW2007/3914/F – Proposed house and garage with new access on land to the rear of Oakwood – Approved 10 March 2008.

- 2.4 DCNW2008/1693/F & 1694/L – Amendment to planning permission and listed building consent DCNW2003/0605/F & 0606/L for the repair and renovation of Oakwood – Approved 20 August 2008.

### 3. Policies

#### Herefordshire Unitary Development Plan

- 3.1
- |      |   |                                                            |
|------|---|------------------------------------------------------------|
| S1   | – | Sustainable development                                    |
| DR1  | – | Design                                                     |
| DR2  | – | Land use and activity                                      |
| DR3  | – | Movement                                                   |
| DR5  | – | Planning obligations                                       |
| DR7  | – | Flood risk                                                 |
| H4   | – | Main villages: settlement boundaries                       |
| H13  | – | Sustainable residential design                             |
| T8   | – | Road hierarchy                                             |
| NC1  | – | Biodiversity and development                               |
| NC7  | – | Compensation for loss of biodiversity                      |
| HBA1 | – | Alterations and extensions to listed buildings             |
| HBA4 | – | Setting of listed buildings                                |
| HBA6 | – | New development within conservation areas                  |
| HBA7 | – | Demolition of unlisted buildings within conservation areas |

#### National Guidance

- 3.2
- |       |   |                                       |
|-------|---|---------------------------------------|
| PPS3  | – | Housing                               |
| PPS5  | – | Planning for the Historic Environment |
| PPS25 | – | Development and Flood Risk            |

### 4. Consultation Summary

#### External Consultees

- 4.1 Environment Agency – Comments awaited
- 4.2 Welsh Water – No objections subject to conditions

#### Internal Consultees

- 4.3 Traffic Manager – Given the very poor visibility at Bridge House, the better visibility available at the proposed access to the south of Oakwood and emerging guidance from ‘Manual For Streets 2’, it is considered that the proposal to use a new access to serve a total of four properties is acceptable.

#### Conservation Section

- 4.4 Historic Buildings Officer – The new work proposed for the renovation and extension of Oakwood is acceptable. The priority must be to conserve as much of the original timber frame as possible and a condition is recommended to agree any further timber removal before such work is commenced.
- 4.5 The principle of development to the rear of Oakwood has been established by an earlier permission and this proposal is a considerable improvement given its barn-like appearance, materials and proportioning. The building to the rear of Bridge House is also of a simple, well

proportioned form. The principle of double-depth development has been established by other permissions in the village and this part of the proposal fits with the pattern of development.

- 4.6 The garages that are to be demolished are of no historic interest and the new proposals are of a scale commensurate to the buildings that they serve.
- 4.7 Archaeological Advisor – The application site does have some archaeological interest as the Eardisley is a settlement that dates back to the Medieval period. No objection subject to a ‘watching brief’ style condition.
- 4.8 Ecologist – Comments awaited
- 4.9 Public Rights of Way Officer – No objection

## **5. Representations**

- 5.1 Eardisley Parish Council – No objections are raised to the proposed new dwellings but concerns raised about the proposed new access, particularly as it appears to be at the narrowest part of the road.
- 5.2 Nine letters of objection have been received from local residents. In summary the points raised are as follows:
- The position of the new access is unacceptable. It is at the narrowest point in the road and will compromise highway safety.
  - Access to the whole site should be from the existing accesses between Oakwood and Bridge House.
  - The proposal will be detrimental to residential amenity as it will cause headlights to shine through the windows of the properties opposite the access.
  - The new dwelling to the rear of Oakwood is in close proximity to a building used to house cattle and this is likely to cause a nuisance.
  - The dwelling and garage to the rear of Bridge House will cause a loss of privacy and daylight to the properties that it bounds to the north.
- 5.3 The full text of these letters can be inspected at Hereford Customer Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB and prior to the Committee meeting.

## **6. Officer’s Appraisal**

- 6.1 The two main facets of this application relate to the renovation and extension of Oakwood and, more significantly, the new development and access that are also proposed.
- 6.2 The Historic Buildings Officer has confirmed that the proposals for Oakwood are acceptable subject to the imposition of conditions. No objections have been received from local residents to this aspect of the proposal and the completion of works to bring it back into residential use will be beneficial, not only to it as a Grade II listed building, but also in terms of the improvement to the character and appearance of the conservation area given its prominence at the heart of the village. This part of the application accords entirely with policies HBA1, 4 and 6 of the Unitary Development Plan, and also with the guiding principles of PPS5.
- 6.3 The key part of this proposal is the two new dwellings that are proposed and the access that will serve all four dwellings. The site falls within the settlement boundary for Eardisley where the basic principle of some infill development is accepted, subject to other material planning considerations. Of these access is clearly a matter to be considered, as is the impact of development upon the residential amenity – the two main points raised by the parish council

and local residents. Matters relating to flood risk and the scale, design and layout of the new buildings are also material to the determination of this application and will be considered.

### Access

- 6.4 The new access to serve the two new dwellings as well as the existing properties lies to the south of Oakwood. The existing accesses between Oakwood and Bridge House will be permanently closed to vehicular traffic but pedestrian access to each will be retained. The basis for this is that visibility is very poor here, but is better to the south of Oakwood.
- 6.5 Representations from local residents have suggested that the existing access to Oakwood should be used to serve the development as a whole, rather than that proposed. However, the point of access to the south of Oakwood was previously accepted to serve it and a new dwelling, with the existing access to be closed under application reference NW2007/3914/F. Although it does not appear that this permission was ever implemented and has since lapsed, there has not been any significant material change in policy to suggest that an access at this point would be less acceptable now. The point to be considered is whether intensification in use from two to four dwellings can be justified if the existing accesses are to be closed.
- 6.6 The visibility has been assessed through a site visit conducted by the Council's Highway Engineer and the case officer and the findings are as follows:
- The visibility achievable from the existing access to Bridge House at a position 2 metres back from the edge of the carriageway is 2.7 metres to the north and 20 metres to the south.
  - The visibility achievable from the existing access to Oakwood at a position 2 metres back from the edge of the carriageway is 9.9 metres to the north and 6.3 metres to the south.
  - The visibility achievable from the proposed access to the south of Oakwood at a position 2 metres back from the edge of the carriageway is 12 metres to the north and 32 metres to the south.
- 6.7 Visibility from the access to Bridge House is severely restricted in a northerly direction and on-coming traffic is virtually unsighted to vehicles wishing to turn right. Vision is better to the south but splays are still well below the standards that would ordinarily be required. Although visibility is slightly better to the north from the Oakwood access, its proximity to the building impairs vision significantly to the south.
- 6.8 There would be no justification for the refusal of a repeat application of that approved under NW2007/3914/F and, whilst the access to Oakwood would be closed the one to Bridge House would not. It is your officer's opinion that this is the more dangerous of the existing accesses due to the very limited visibility to the north. Although the proposed new access would not meet standards for new development, visibility is better at this point and it is considered that the permanent closure of both accesses to vehicular traffic represents a significant improvement to highway safety. The proposal is therefore considered to accord with policy in this respect.
- 6.9 Should planning permission be granted it is however recommended that the new access should be completed first. The two existing accesses should be closed before the two new dwellings are occupied to ensure that the highway safety benefits are secured.

### Impact on residential amenity

- 6.10 One local resident has raised the issue of headlights causing glare into their property when vehicles are emerging from the proposed new access, while others to the north of the site are

concerned that the proposed dwelling behind Bridge House will result in a loss of privacy and daylight.

- 6.11 The properties opposite the proposed access are positioned hard against the edge of the highway, as are the majority of the buildings in the village. The A4111 is a through route for traffic and is well used for large parts of the day. It is accepted that is likely to give rise to nuisance as vehicles frequently pass by residential dwellings at close proximity. However, by comparison, the addition of a small number of vehicles turning into and out of a new access serving a residential development is unlikely to cause any demonstrable increase in detriment to residential amenity.
- 6.12 The proposed dwelling to the rear of Bridge House is designed with its habitable rooms lit by windows in its east and west elevations. The north elevation that opposes Ashcroft, the dwelling to the north, contains two first floor windows serving a dressing room and one which is a secondary window to a bedroom. The plans submitted with the application show the distance between the two dwellings to be approximately 20 metres. In light of the orientation of the principal elevations the relationship between the two is considered to be acceptable and unlikely to give rise to any demonstrable loss of privacy.
- 6.13 Part of the boundary between Ashcroft and Bridge House currently comprises a high hedge. This is to be removed and a double garage erected. It is orientated with its gable end on to the shared boundary with Ashcroft and will measure 2 metres to the eaves and 4.8 metres to its ridge. On balance, this is considered to be acceptable as submitted.
- 6.14 The proximity of the proposed new dwelling to the rear of Oakwood to a cattle building to the south has been raised by a neighbour who is concerned that this may give rise to a conflict of uses. The area is predominantly residential and there are already a number of dwellings in close proximity to the cattle building. Although this particular dwelling would be the closest, it is not considered that the relationship between the two will be so harmful to warrant the refusal of this application. It is also noted that this was not raised as an issue when the earlier scheme was approved in 2008 and the proximity of this proposal is exactly the same.

#### Flood risk

- 6.15 The application is accompanied by a detailed flood risk assessment. The site does fall within flood zones 2 and 3 as identified on the Environment Agency's flood maps. The assessment highlights a number of localised points at which flooding is exacerbated during periods of heavy rainfall. These tend to be areas where brooks and open ditches have been culverted. Historical testimonies suggest that culvert entrances surcharge and flood waters flow along the road. The applicant's have also confirmed that during the most recent flood event of 2007 flood water was contained within the highway and did not exceed the kerb height. Flood modelling completed as part of the assessment confirms that there is a low probability of flood risk to the site.
- 6.16 A detailed response has yet to be received from the Environment Agency. However, they did comment on the original application for the dwelling to the rear of Oakwood and did not object. These comments were made after the 2007 flood event and make specific reference to it, and it seems reasonable to conclude that this proposal is acceptable on the basis of the evidence provided.

#### Scale, design and layout of the development

- 6.17 The scale and design of the two new dwellings is considered to be acceptable. They are both timber framed in construction and their proportions are reflective of the local vernacular. The proposal to the rear of Oakwood is considered to represent an improvement in terms of its

design over the previously approved scheme. Its barn-like appearance gives a sense of an outbuilding to Oakwood itself.

- 6.18 There is also a depth to development in this part of the village with dwellings set behind those that are hard against the road frontage. The proposal reflects this while ensuring that properties are well spaced from each other. The two new dwellings are orientated to ensure that they do not overlook each other or either Bridge House or Oakwood. The relationship between them and neighbouring dwellings is also considered appropriate, and this has been assessed earlier in this report.
- 6.19 It is therefore concluded that the scale, design, layout and appearance of the development as a whole is acceptable. The relationship between dwellings will not give rise to unacceptable detriment to residential amenity. The layout reflects the pattern of development in the locality and is therefore acceptable in respect of the status of the village as a conservation area. It is therefore concluded that the proposal accords with policies DR1, H13 and HBA6 of the Herefordshire Unitary Development Plan.

#### Other Issues

- 6.20 The applicant's have expressed the need to generate finances through new development to secure the renovation of Oakwood and have provided some financial information to substantiate this. The proposal is not, however, considered to be enabling development as the new elements of development are not fundamentally contrary to policy – the Council is not being asked to approve development as an exception to policy that it would ordinarily have refused. However, it is appropriate to secure the renovation of Oakwood before the two new dwellings are occupied. This ensures the long-term viability of the listed building, the improvement to the conservation area, and allows funds to be generated through the course of the development to achieve this.
- 6.21 An ecological report has been submitted to consider the potential impact of the demolition of the two existing garage buildings on protected species, particularly bats. It also assesses whether Oakwood provides a potential habitat as part of the building are open-sided and easily accessible. The report does note some activity in the area but concludes that none of the buildings are being used as roosts for bats.

#### Conclusion

- 6.22 The proposed access to serve the whole of the site has been shown to represent an improvement to highway safety if the existing accesses to Oakwood and Bridge House are permanently closed to vehicular traffic. The scheme will not result in unacceptable detriment to the residential amenity of surrounding dwellings and the relationship between the dwellings on the site itself is also considered to be acceptable in this respect. The layout and pattern of development reflects that of the village and will not cause harm to the setting or appearance of the conservation area, or Bridge House and Oakwood as individual listed buildings.
- 6.23 The proposed development is therefore considered to accord with the relevant policies of the Unitary Development Plan and is accordingly recommended for approval.

### **RECOMMENDATION**

**In respect of DMN/112363/F that planning permission be granted subject to the following conditions:**

- 1. The development hereby permitted shall be begun before the expiration of one year from the date of this permission**

**Reason: To comply with the provisions of Section 91(1) (b) of the Town and Country Planning Act 1990 (as amended) and to reflect the decision of the Local Planning Authority on 4th March 2009 to suspend (effective from 1st April 2009) the requirements of the Authority's 'Planning Obligations' Supplementary Planning Document (February 2008) in relation to residential developments of five dwellings or less.**

- 2. Before any other development hereby approved is commenced, the construction of the new vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.**

- 3. Prior to the first occupation of the two new dwellings hereby approved, the existing vehicular accesses to Oakwood and Bridge House shall be permanently closed to vehicular traffic, the details of which shall be submitted to and approved in writing by the local planning authority.**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan.**

- 4. Prior to the first occupation of the two new dwellings hereby approved, the renovation of Oakwood shall be completed to the written satisfaction of the local planning authority.**

**Reason: To ensure the safeguarding of a building of architectural or historic interest, to ensure the character and appearance of the conservation area is maintained and to comply with the requirements of Policies HBA1, HBA4 and HBA6 of the Herefordshire Unitary Development Plan.**

- 5. B01 Development in accordance with the approved plans**
- 6. C01 Samples of external materials**
- 7. D04 Details of window sections, eaves, verges and barge boards**
- 8. D05 Details of external joinery finishes**
- 9. E03 Site observation - archaeology**
- 10. F08 No conversion of garage to habitable accommodation**
- 11. G04 Protection of trees/hedgerows that are to be retained**
- 12. G10 Landscaping scheme**
- 13. G11 Landscaping scheme - implementation**
- 14. I16 Restriction of hours during construction**
- 15. L01 Foul/surface water drainage**
- 16. L02 No surface water to connect to public system**



17. L03 No drainage run-off to public system

**INFORMATIVES:**

- 1. HN04 Private apparatus within highway
- 2. HN28 Highways Design Guide and Specification
- 3. HN05 Works within the highway
- 4. N11B Wildlife & Countryside Act 1981 (as amended) & Cons (Nat. HaB Bat

In respect of DMN/112365/L that listed building consent be granted subject to the following conditions:

- 1. D01 Time limit for commencement (Listed Building Consent)
- 2. D09 Details of rooflights
- 3. Prior to the commencement of any work to repair or replace parts of the timber frame of Oakwood, a detailed schedule shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the replacement of original parts of the timber frame are kept to a minimum to safeguard the special architectural and historic interest of the building and to comply with the requirements of Policy HBA1 of the Herefordshire Unitary Development Plan.

- 4. D04 Details of window sections, eaves, verges and barge boards
- 5. D05 Details of external joinery finishes

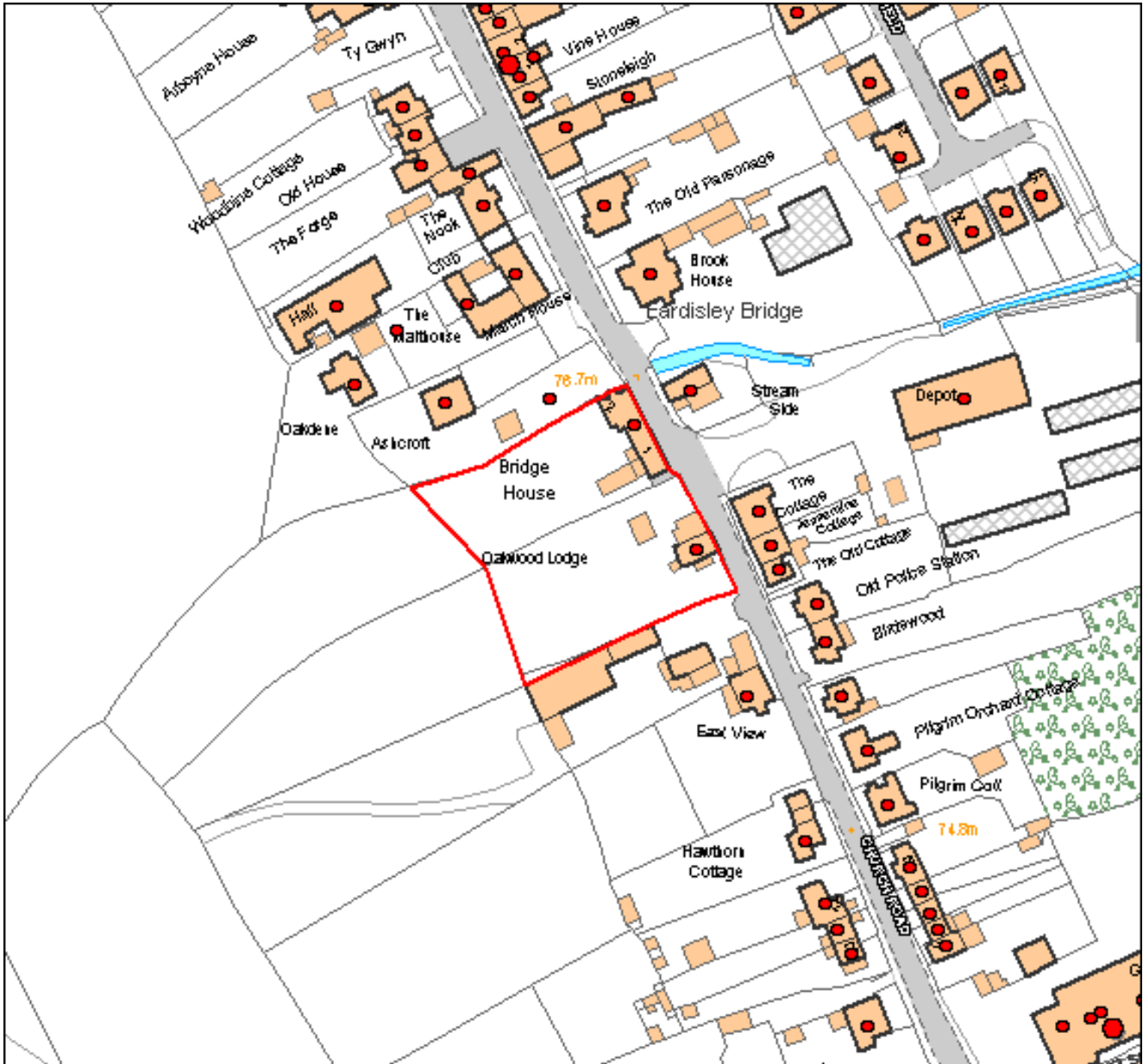
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DMN/112363/F

**SITE ADDRESS :** OAKWOOD, EARDISLEY, HEREFORD, HR3 6NH

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