

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>9 JANUARY 2013</b>
<b>TITLE OF REPORT:</b>	<p><b>S122498/F - PROPOSED REMOVAL OF CONDITION 8 OF PLANNING PERMISSION DCSE2008/2536/F (CONVERSION OF OUTBUILDINGS TO AN ATTACHED ANNEXE AND PROPOSED LINK.) - AS SEPARATE RESIDENTIAL DWELLING AT CHEVENHALL, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ.</b></p> <p><b>For: Mr Warwick per Mr David Warwick, Chevenhall, Walford Road, Ross-On-Wye, Herefordshire, HR9 5PQ.</b></p>
<b>WEBSITE LINK:</b>	<a href="http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122498&amp;NoSearch=True">http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=122498&amp;NoSearch=True</a>

**Date Received: 6 September 2012    Ward: Ross-on-Wye East    Grid Ref: 359813,223469**

**Expiry Date: 9 November 2012**

Local Members: Councillors AM Atkinson and PGH Cutter

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

- 1.1 Chevenhall is a large and imposing detached house on the east side of Walford Road, opposite its junction with Palmerston Road. White Keys is to the south and Lawford House is to the north. A wooden panel fence runs along the boundary with White Keys. There is access off Walford Road serving a parking area. The site is in the Ross-on-Wye conservation area and within the Wye Valley Area of Outstanding Natural Beauty.
- 1.2 In the southeast corner of the site is a rubble stone building under a slate roof that has been altered and extended to provide an annexe. The annexe is subject to the following condition which this application proposes to remove. Condition 8 of DCSE2008/2536/F, which was for the annexe conversion reads as follows:

*The ancillary accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Chevenhall.*

*Reason: It would be contrary to Policy H18 of the Herefordshire Unitary Development Plan to grant planning permission for a separate dwelling in this location.*

- 1.3 The removal of the condition would allow for the independent occupation of the building.

## **2. Policies**

- 2.1 Herefordshire Unitary Development Plan:

S2	-	Development Requirements
S7	-	Natural and Historic Heritage
DR1	-	Design

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Further information on the subject of this report is available from Mr D Thomas on 01432 261974

DR2	-	Land Use and Activity
DR3	-	Movement
H13	-	Sustainable Residential Design
H16	-	Car Parking
HBA6	-	New Development within Conservation Areas
LA1	-	Areas of Outstanding Natural Beauty

2.2 National Planning Policy Framework: Paragraph 50 gives consideration to the delivery of a wide choice of high quality homes, wider opportunities for home ownership and creation of sustainable communities.

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

### 3. Planning History

3.1 SE2001/1703/F Conversion of outbuilding to an annexe. Approved 12.12.2001;

3.2 DCSE2004/1971/F Extension. Approved 23.7.2004;

3.3 DCSE2008/2536/F Conversion of outbuilding to an attached annexe and proposed link. Approved 4.12.2008; and

3.4 DCSE0009/0983/F Conservatory to annexe. Approved 8.7.2009

### 4. Consultation Summary

#### Statutory Consultees

4.1 None

#### Internal Council Advice

4.2 Traffic Manager has no objection subject to suitable car parking for the 2 properties.

4.3 Conservation Manager – Historic Buildings Officer has no objection.

### 5. Representations

5.1 An objection has been received from Mrs J Hayes, White Keys, Walford Road, Ross-on-Wye. It is said:

- It is contrary to policy H18 of the Herefordshire Unitary Development Plan to grant planning permission for a separate dwelling in this location;
- Permission was granted for the barn to be renovated and used solely as an annexe for purposes incidental to the residential use of Chevenhall
- This means the renovated barn cannot be sold as a separate unit or used for any business purpose;
- The barn is directly behind my house and right next to the boundary fence. It is currently occupied by the applicant's elderly relative. If the barn is sold I could find a considerable deterioration to the enjoyment of my property;
- The new owner would have to share access and car park with Chevenhall.

- 5.2 Ross Town Council has no objection.
- 5.3 The consultation responses can be viewed on the Council's website by using the following link:-  
[www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx](http://www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx)

Internet access is available at the Council's Customer Service Centres:-  
[www.herefordshire.gov.uk/community\\_and\\_living/consumer\\_advice/41840.asp](http://www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp)

## **6. Officer's Appraisal**

- 6.1 Chevenhall comprises a large detached villa within substantial grounds and the subject building has an approved use as an annexe. The site lies within the identified settlement boundary of Ross-on-Wye within which there is a presumption in favour of sustainable development and in particular where residential development would be acceptable in principle, subject in particular to their impact upon the character of the area and effect on neighbouring properties.
- 6.2 In this case it is not considered that the independent use of the building would have any impact upon the character of the area which is within a Conservation Area and the Wye Valley Area of Outstanding Natural Beauty and as such the key issue is the effect that this proposal would have upon the residential amenities of the immediate neighbour. The key concern of the neighbour is a potential deterioration of the enjoyment of her property and that the removal of the condition would therefore be contrary to Policy H18. Policy H18 deals specifically with extensions and ancillary buildings so in this sense is not relevant to the consideration of this application which seeks approval for the use of the building as a detached dwelling that would be independently occupied. It does however require consideration of character and amenity issues which are considered against other more relevant policies below.
- 6.3 In reconsidering the reason for this condition it is necessary to examine what harm would result from the independent occupation of the approved annexe. It is established that the broad principle of this is supported by the NPPF and the HUDP and there are no alterations associated with the proposal that would result in any adverse effect upon the character and the appearance of the area. The subdivision of the curtilage and the provision of a separate parking area would have no discernible impact and no objection is raised by the Conservation Manager. It is therefore considered that the proposal would not conflict with Policies HBA6 and LA1 of the HUDP.
- 6.4 Having regard to the neighbours' concerns and the reason for the imposition of the condition, it is considered that there would be no change in the relationship of the building to the neighbouring property such that there would be any loss of privacy. There is a 1.8 metre close boarded fence together with established and new planting that provide adequate levels of screening. It is acknowledged that the separate occupation may lead to a modest increase in human activity and car movements within the curtilage but these would be consistent with the residential environment within which the site is located. It is considered that this activity associated with the small one bedroom unit would therefore not lead to any adverse impact upon residential amenity and as such would accord with Policies DR2 and H13 of the HUDP.
- 6.5 With regard to parking, there is a large parking area in the southeast corner of Chevenhall used by both Chevenhall and the annexe. The parking area is not formally laid out. However to ensure adequate space is available for both properties a condition is recommended that will require the submission of parking details for both properties.

## **RECOMMENDATION**

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Further information on the subject of this report is available from Mr D Thomas on 01432 261974

That planning permission be granted subject to the following conditions:

- 1. C01 Time limit for commencement (full permission)(1 year)
- 2. B01 Development in accordance with the approved plans
- 3. Within 3 months of the date of this permission details of the proposed parking for, and the delineation of the boundary treatment of the dwelling hereby permitted and Chevenhall shall be submitted to the local planning authority for approval in writing. The submitted details shall show the consolidation of the parking spaces, drainage and demarcation of the spaces identifying the dwellings to which the parking spaces relate and the parking spaces shall be retained and kept for the parking of vehicles at all times.

Reason: To ensure adequate off street parking arrangements remain at all times and that appropriate levels of amenity are provided for both properties so as to comply with policies DR2, DR3, H13 and H16 of the Herefordshire Unitary Development Plan.

- 4. F16 No new windows in specified elevation
- 5. F14 Removal of permitted development rights

**Reason for Approval**

- 1. In reaching this decision the local planning authority has had particular regard to effect of the proposal upon the residential amenities of the neighbouring property and it was concluded that there would be no adverse impact having particular regard to the character of the area, the limited size of the unit and the presence of screen fencing and planting. Furthermore the independent occupation of the building would have no discernible impact upon the character of the Ross-on-Wye Conservation Area and the Wye Valley Area of Outstanding Natural Beauty and subject to conditional approval would be provided with an acceptable curtilage and off-road parking. The proposal was considered to accord with Policies S2, S7, DR1, DR2, DR3, H13, H16, HBA6 and LA1 of the Herefordshire Unitary Development Plan and the National Planning Policy Framework.

**INFORMATIVES:**

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Decision: .....

Notes: .....

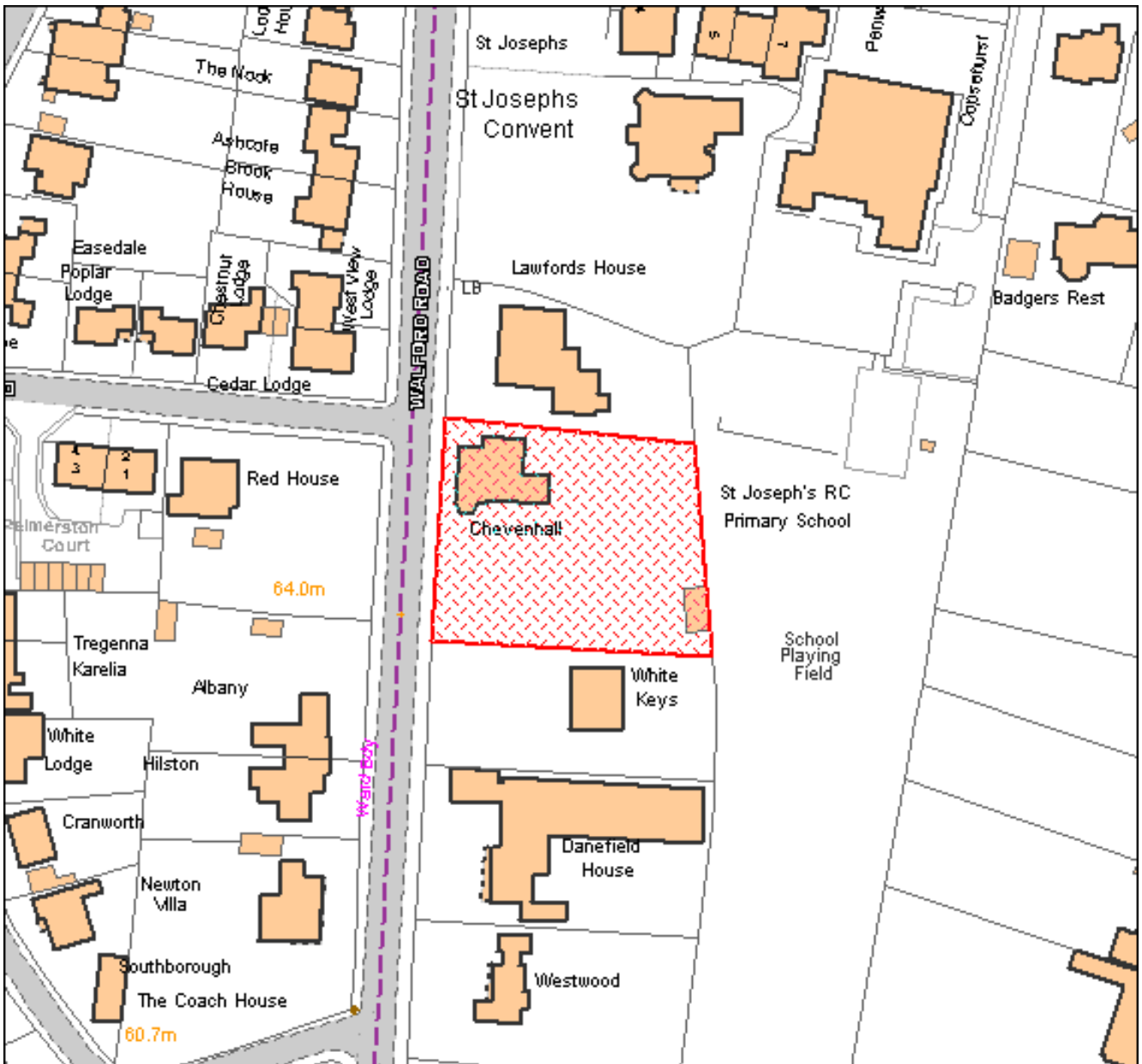
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**Background Papers**

Internal departmental consultation replies.

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Further information on the subject of this report is available from Mr D Thomas on 01432 261974



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**APPLICATION NO:** S/122498/F

**SITE ADDRESS :** CHEVENHALL, WALFORD ROAD, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5PQ

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