

**10 DCNE2004/3866/F – CHANGE OF USE TO FORM
ADDITIONAL CAR PARKING AT LAND ADJACENT TO
THE KETTLE SINGS, JUBILEE DRIVE, UPPER
COLWALL, MALVERN, WORCESTERSHIRE WR14 4DX**

**For: Malvern Hills Conservation per Aubrey Roper,
Dolefield Cottage, Bank Farm, Mathon, West Malvern,
Worcestershire WR13 6DN**

Date Received:
9th November 2004

Ward:
Hope End

Grid Ref:
7648, 4210

Expiry Date:
4th January 2005

Local Members: Councillor R Stockton and Councillor R Mills

1. Site Description and Proposal

- 1.1 This application is for the creation of an additional parking area adjacent to The Kettle Sings, Jubilee Drive, Colwall. The site measures 19 metres by 5 metres and designed to provide parking for 8 vehicles. It will be surfaced with dressed stone and bays demarcated with gravel boards. This will match an existing parking area immediately to the front of the café.
- 1.2 The parking area will be dug into the land due to the rising slope to the east. The cross-sectional plans show the excavation to be approximately 0.5 metres with excavation spoil used to create a graded bank into the common land beyond.
- 1.3 The site is within the Malvern Hills Area of Outstanding Natural Beauty. It lies in close proximity to two 'Pay and Display' car parks accessed off Jubilee Drive, but is intended to specifically serve the café.

2. Policies

Hereford and Worcester County Structure Plan

CTC1 – Areas of Outstanding Natural Beauty

LR3 – Low Key Recreational Facilities

Malvern Hills District Local Plan

Landscape Policy 2 – Areas of Outstanding Natural Beauty

Tourism Policy 1 – Tourism and the Areas of Outstanding Natural Beauty

Herefordshire Unitary Development Plan (Revised Deposit Draft)

LA1 - Areas of Outstanding Natural Beauty

NC1 – Biodiversity and Development

3. Planning History

None identified.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Head of Highways and Transportation has no objection.

5. Representations

5.1 Colwall Parish Council have no objection.

5.2 Areas of Outstanding Natural Beauty Officer objects to the application on the following grounds:

- a) The car park will intrude in the landscape.
- b) Visitors will use the car park to avoid paying fees on the adjacent Conservators car parks.
- c) The proposal does not accord with the Conservators own parking strategy, or the Malvern Hills Management Plan 2004 – 2009.

5.3 Herefordshire Nature trust object to the application on the basis that it will be detrimental to the Area of Outstanding Natural Beauty and is contrary to policies seeking to promote nature conservation.

5.4 One letter of objection has been received from Mr and Mrs Robinson, Baxhill, Chase Road, Upper Colwall. It questions the need for additional car parking and suggests that the proposal will not address problems of illegal/antisocial car parking in the area more generally.

5.5 One letter of support has been received from Mr and Mrs Crowther, 38 West Road, Bromsgrove who suggest that the restaurant provides a good service and patrons would benefit from a closer alighting point.

5.6 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 It is acknowledged that two parking areas exist in close proximity to the café. These are both pay and display and are available to visitors to the area. The café has a small dedicated area of parking and wishes to enlarge this for its patrons.

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- 6.2 It has been suggested that there is adequate car parking available and that this proposal does not accord with the Conservators own parking strategy. However, this is not adopted policy of Herefordshire Council and therefore is not material to this application. The scheme does not imply that it seeks to resolve parking problems in the wider area, it simply seeks to provide free parking to the cafes patrons.
- 6.3 The principal issue to consider is the potential impact of this proposal on the landscape. This may be considered cumulatively with the existing parking areas, with the assessment being made as to whether the addition of this area causes sufficient harm to the character and appearance of the Area of Outstanding Natural Beauty to warrant the refusal of this application.
- 6.4 The surfaced area of this proposal equates to 95m². Some further intervention into the landscape will also result through the grading of land immediately to the east. The application form advises that the total area of the application is 130m². This allows a further two metre strip to be graded.
- 6.5 The area is to be set into the land by 0.5 metres. It then continues to rise quite steeply to the east to Jubilee Drive. This is the most immediate vantage point from which to view the site, with views taken through a copse of trees with the café itself as a backdrop.
- 6.6 The application involves a small area of land and it is your officer's opinion that the proposal would not cause any demonstrable harm to the visual amenity of the area, either individually or cumulatively with other parking areas. It is not considered that it is sufficiently harmful to warrant a recommendation for refusal, and the application is therefore recommended for approval.

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 - G07 (Details of earth works)**

Reason: To protect the character and appearance of the Malvern Hills Area of Outstanding Natural Beauty.

- 3 - A08 (Development in accordance with approved plans and materials) (04/2169/1)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.