

9 DCCE2004/3601/F - CONVERSION OF OUTBUILDING TO DETACHED DWELLING NEW RENTS, LUGWARDINE**For: Mr & Mrs Patternson, RRA Architects, Packers House, 25 West Street, Hereford, HR4 0BX****Date Received: 1st October 2004****Ward: Hagley****Grid Ref: 54989, 41059****Expiry Date: 26th November 2004**

Local Member: Councillor R.M. Wilson

1. Site Description and Proposal

1.1 This application seeks permission for the conversion of an existing outbuilding into a dwelling at New Rents, Lugwardine. The proposal relates to a building currently utilised as a stable block located to the rear of the main dwelling house which fronts the main A438 through Lugwardine. The application also involves a new access way to be associated with this proposal, New Rents, and the new dwelling proposed on the plot adjacent to New Rents, currently the subject of planning application DCCE2004/3595/F. The site is within both the settlement boundary and Conservation Area of Lugwardine.

1.2 The site falls between St Peter's Close and Traherne Close, to the west of St Peter's Church, on the northern side of the roadway. The existing site is home to the New Rents dwelling, served by an access point to the west, adjacent to the property. To the rear is found an area of hardstanding, beyond which is the stable building subject to this application. To the east is found garden area containing a summer house, green house, and a variety of flora and fauna. The proposed access is intended to run to the east of New Rents. A paddock area is found to the rear of the site.

2. Policies**2.1 Planning Policy Guidance:**

- PPG1 - General Policy and Principles
- PPG3 - Housing
- PPS7 - Sustainable Development in Rural Areas
- PPG15 - Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan:

- CTC13 - Buildings of Special Architectural or Historic Interest
- CTC15 - Preservation, Enhancement and Extension of Conservation Areas

2.3 South Herefordshire District Local Plan:

- GD1 - General Development Criteria
- C23 - New Development affecting Conservation Areas

- C36 - Re-use and Adaptation of Rural Buildings of Special Architectural or Historic Interest
- SH6 - Housing Development in Larger Settlements
- SH8 - New Housing Development in Larger Villages
- SH24 - Conversion of Rural Buildings
- C37 - Conversion of Rural Buildings to Residential Use
- T3 - Highway Safety Requirements
- T4 - Highway and Car Parking Standards

2.4 Herefordshire Unitary Development Plan

- S1 - Sustainable Development
- S2 - Development Requirements
- S6 - Transport
- DR1 - Design
- T11 - Parking Provision
- HBA12 - Re-use of Traditional Rural Buildings
- HBA13 - Re-use of Traditional Rural Buildings for Residential Purposes

3. Planning History

- 3.1 SH98/0029/LE: Site clearance of barn – Conservation Area Consent, 27th February 1998
- 3.2 SH94/0440/PF: Restoration of outbuilding to form dwelling – Undecided, 10th May 1995
- 3.3 SH93/0922/PF: Replacement boundary wall – Approved, 10th September 1993
- 3.4 SH93/0564/PF: Replacement boundary wall – Approved, 30th June 1993
- 3.5 SH91/0084/DX: Remove two trees – No objection, 26th February 1991

4. Consultation Summary

Statutory Consultations

- 4.1 No response has been received from the Water Authority thus far.

Internal Council Advice

- 4.2 Head of Highways and Transportation raised no objections subject to conditions and it is confirmed that there will be no impact upon the adjacent Public Right of Way as a result of this development.
- 4.3 The Conservation Manager raised no objection
- 4.4 The Forward Planning Manager raised no objection to the proposal

5. Representations

- 5.1 Lugwardine Parish Council objected to this application on the following grounds:

- Safety implications of new access;
- Location in Conservation Area and proximity to neighbouring dwellings

5.2 Three letters of objection have been received in relation to this application from the following sources:

- C.W. & H.W. Jones, 35 Traherne Close, Lugwardine
- R.A.C. Wallis, Bromfield, Traherne Close, Lugwardine
- Mr. & Mrs. Baldwin, 8 St Peters Close, Lugwardine

The comments made can be summarised as follows:

- Privacy to west
- Safety implications of new access;
- Undesirable site layout;
- Concern over access opening up of the paddock to the rear for future development;
- Development will seal of the paddock, making it unworkable.

5.3 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

Principle

6.1 South Herefordshire District Local Plan policies C36 and C37 consider the re-use and adaptation of rural buildings. While not strictly a 'rural' building, in the absence of a more directly attributable policy it is considered that it is against this policy that this application is best assessed against. This policy is clearly geared to applications for the re-use of traditional buildings such as this. In relation to these policies, the building appears sound, capable of conversion, and suitable for the proposed re-use, extensive reconstruction is not required and the design is sympathetic to the character and appearance of the existing structure. The submitted details demonstrate that a reasonably sized dwelling can be formed from this building.

6.2 Policy C37 does state that assurances will be required to demonstrate that the building cannot be better employed for an alternate employment, tourism, or recreational use. This application does not make such an assurance but it is considered that this element of the policy is intended to be applied in the open countryside to genuine 'rural' buildings. The Herefordshire Unitary Development Plan, and indeed PPS7, bears this out, outlining how within settlement boundaries such a demonstration is not required.

6.3 The site is located inside the Lugwardine Settlement Boundary and as such the development is, in principle, in accordance with planning policy for new dwellings. The issues in this application therefore relate to the details of the scheme.

Design

6.4 The proposal has been revised slightly to accommodate the wishes of the Conservation Manager. This involved a minor alteration to fenestration. The alterations were otherwise considered sympathetic and appropriate. The design retains the character and appearance of the existing built form.

Residential Amenities

6.5 The proposal involves no habitable openings of concern with the 'faces' of the property looking to the north and south. The property is single storey and therefore no overlooking or significant loss of privacy will result. It is considered that no unacceptable loss of amenities will result to neighbouring properties.

Conservation Area and Visual Amenity

6.6 The building is already in situ and as outlined above the proposals are considered sympathetic. The creation of the access through the additional wall fronting the highway is a little unfortunate but is not considered to be of harm or concern. It is therefore considered that the proposal preserves the Conservation Area and that no harm will be caused to the visual amenities of the locality.

Access

6.7 The access proposals are undoubtedly the most contentious element of this scheme. The Head of Highway and Transportation has examined the proposal and considers that, subject to appropriate conditions in relation to visibility splays, access gates, parking provisions, and driveway gradient, the proposal is in accordance with development plan policy and will not be detrimental to highway safety. On the basis of this advice it is considered that the proposed access arrangements are acceptable.

Other Issues

6.8 Comment was received from local residents in respect of the use of the paddock to the rear of the site. It is stressed that this area of land does not form part of the application site and is not a consideration in this application. That said, it is advised that this land falls outside of the Lugwardine settlement boundary and as such any proposal relating to it would be assessed on the basis of it being a site in the open countryside adjacent to a settlement, with the policy implications associated with this.

RECOMMENDATION

That, subject to there being no objection from the Water Authority, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by Officers.

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. A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3. B01 (Samples of external material)

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

4. C04 (Details of window sections, eaves, verges and barge boards)

Reason: To safeguard the character and appearance of this building of architectural or historical interest.

5. C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of architectural or historical interest.

6. E16 (Removal of permitted development rights)

Reason: [Special Reason].

7. E17 (No windows in side elevation of extension)

Reason: In order to protect the residential amenity of adjacent properties.

8. G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

9. G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

10. G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

11. G17 (Protection of trees in a Conservation Area)

Reason: To ensure the proper care and maintenance of the trees.

12. H03 (Visibility splays)

Reason: In the interests of highway safety.

13. H05 (Access gates)

Reason: In the interests of highway safety

14. H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

15. H09 (Driveway gradient)

Reason: In the interests of highway safety.

16. H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 17. Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the Public Sewerage System.

- 18. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 19. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Informatives:

- 1. N03 - Adjoining property rights
- 2. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on tel: 01443 331155.
- 3. HN1 - Mud on highway
- 4. HN5 - Works within the highway
- 5. HN10 - No drainage to discharge to highway
- 6. N15 - Reasons for the Grant of PP

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.