

24 DCNE2004/3988/F - PROPOSED EXTERIOR ACCESS TO REAR VIA STAIRWAY, TWO ROOF LIGHTS AND FLUE ON THE CIDER BARN AT CHURCH HOUSE, RECTORY LANE, CRADLEY, MALVERN, WR13 5LH**For: Mr Davies at above address.****Date Received:**
17th November 2004**Ward:**
Hope End**Grid Ref:**
73593, 47024**Expiry Date:**
12th January 2005

Local Member: Councillor R Mills and R Stockton

1. Site Description and Proposal

- 1.1 The site is located on the southern side of a private lane known as Rectory Lane off the C1162 within Cradley. This application relates specifically to a building known as the Cider Barn, and seeks retrospective consent for the installation of two rooflights and a steel chimney flue. The scheme also includes the provision of an external staircase to provide access to a first floor. The applicant advises that this is to be used for storage and occasional use as a bedroom.
- 1.2 The site falls within the Malvern Hills Area of Outstanding Natural Beauty and is also designated as an Area of Great Landscape Value. It also lies within Cradley Conservation Area.

2. Policies**2.1 Hereford and Worcester County Structure Plan**

CTC1 – Area of Outstanding Natural Beauty
CTC7 – Listed Buildings and their Settings
CTC14 – Conservation of Buildings in Rural Areas
CTC15 – Conservation Areas

2.2 Malvern Hills District Local Plan

Landscape Policy 2 – Areas of Outstanding Natural Beauty
Conservation Policy 11 – The Setting of Listed Buildings

2.3 Unitary Development Plan

LA1 – Areas of Outstanding Natural Beauty
HBA12 – Re-Use of Traditional Rural Buildings

3. Planning History

NE03/0233/F - Change of use and alterations to Cider Barn to half office half residential - Approved 2 April 2003. The applicant appealed against the imposition of two conditions; one to ensure that the resulting accommodation was not sold or let separately from Church House, the other to ensure that it be used for purposes ancillary to its enjoyment. The appeal was dismissed on both counts.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Transport Manager - No objections.

4.3 Conservation Manager - No objections subject to appropriate colouration of the file.

5. Representations

5.1 Cradley Parish Council - make the following comments:

Rooflights - No case for their inclusion.

Flue - Object to this. If minded to approve should be position closer to the ridge. Material should be less obtrusive than stainless steel.

Fire Escape - Scale and materials are inappropriate. It will be used as a primary access and will overlook neighbouring property. It may also compromise vehicular access.

5.2 One letter of objection has been received from S J Ramsden, The Old Rectory, Cradley. In summary, the points raised are as follows:

- There is no justification for the insertion of the rooflights.
- The inclusion of the stainless steel flue is detrimental to the aesthetics of the building.
- The fire escape and balcony are out of scale with the host building. Concern is expressed that it will give independent access and lead to its eventual use as a flat.

5.3 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 This proposal has three distinctive elements and each of these will be dealt with in turn.

6.2 The Council's Supplementary Planning Guidance on the conversion of rural buildings suggests that dark finished metal flues are worthy of consideration to serve closed stoves. At present the flue is a silver stainless steel fitting, but could be appropriately painted to minimise its visual prominence. A condition to this effect is recommended.

- 6.3 The rooflights are of a conservation style and are discretely positioned. They do not have any significant impact on the appearance of the building as a whole and are considered to be acceptable.
- 6.4 The proposed external staircase and balcony is to be of timber construction, although the application does not give precise details with regard to timber sizes and profiles. This could be the subject of an appropriately worded condition.
- 6.5 Concerns expressed by the parish council regarding overlooking are not raised by the neighbour, who has also objected to the application. The Old Rectory is set further back by some distance than the Cider Barn and it is your officer's opinion that a reason for refusal on these grounds could not be substantiated.
- 6.6 A suggestion is made that this element will ultimately result in the creation of an independent unit. The applicant appealed against conditions requiring that the Cider Barn should not be sold or let separately from Church House and that it be occupied for purposes ancillary to its enjoyment. The appeal was dismissed and it is recommended that they are re-imposed if permission is forthcoming in this instance to satisfy the concerns raised.
- 6.7 On this basis the proposal is considered to be acceptable and is 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 - Within one month of the date of this approval, the external flue shall be painted a dark matt black colour to the written satisfaction of the local planning authority.

Reason: In the interests of visual amenity.

3 - A06 (Development in accordance with approved plans)

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

4 - Prior to the commencement of the external staircase, sectional and elevational drawings at a minimum scale of 1:20 shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity.

5 - E15 (Restriction on separate sale) (ancillary accommodation) (Church House)

Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.

6 - E29 (Occupation ancillary to existing dwelling only (granny annexes))

Reason: It would be contrary to the policy of the local planning authority to grant planning permission for a separate dwelling in this location.

Informatives

1. Reason(s) for the grants of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.