

**14 DCSW2005/1170/F - STORAGE BARN, LAND ADJACENT TO ORCHARD COTTAGE, PENROSE GREEN, BROAD OAK, HEREFORDSHIRE, HR2 8QT**

**For: Mr. M.W. Colwell, Orchard Cottage, Penrose Green, Broad Oak, Herefordshire, HR2 8QT**

**Date Received: 13th April, 2005**

**Ward: Pontrilas**

**Grid Ref: 48854, 21891**

**Expiry Date: 8th June, 2005**

Local Member: Councillor G.W. Davis

**1. Site Description and Proposal**

- 1.1 The application site lies within open countryside as defined by the South Herefordshire District Local Plan. The property known, as Orchard Cottage is a two storey detached dwelling situated in rectangular grounds. The property and access has been built at right angles upon the common land known as Penrose Green. Access to the common is via the B4521 road to Skenfrith, which leads onto the unclassified 71410 road, a single track serving Penrose Green. The track is approximately 0.1 of a mile and then forms a loop around the common land serving Penrose Farmhouse to the north-west, Orchard Cottage to the north and 1 to 3 Penrose Cottage to the north-east.
- 1.2 The proposal is to erect a storage barn measuring 16m (l) x 9m (w) x 6.5m (h) to be constructed of green tin roof and sides of the building. The barn is to be positioned to the south-western corner of the parcel of land adjacent to Orchard Cottage.
- 1.3 Since the submission of the plans and through negotiations, amended plans have been received on the 17th May, 2005. The height of the barn has been reduced to 5 metres, all other measurements remain the same.

**2. Policies**

**2.1 Planning Policy Guidance**

PPS1 - Delivering Sustainable Development

**2.2 Hereford and Worcester County Structure Plan**

Policy CTC7 - Development and features of Historic and Architectural Importance

Policy CTC9 - Development Criteria

**2.3 South Herefordshire District Local Plan**

Policy GD1 - General Development Criteria

Policy C1 - Development within open countryside

Policy C10A - Common Land

Policy C29 - Setting of a Listed Building

Policy SH23 - Extensions to Dwellings

## 2.4 Unitary Development Plan

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S7	-	Natural and Historic Heritage
Policy LA2	-	Landscape character and areas least resilient to change
Policy HBA4	-	Setting of Listed Building

## 3. Planning History

- 3.1 SH921187PM One two-storey cottage style dwelling - Approved 11.11.92
- SW2005/0153/F Change of use from agricultural to garden land - Withdrawn 14.02.05

## 4. Consultation Summary

### Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

### Internal Council Advice

- 4.2 The Traffic Manager has no objections.
- 4.3 The Conservation Manager observations are as follows:-

"I would be guided by yourself regarding the planning issues involved. I would not wish to make architectural observations other than if you should consider this proposal to be acceptable then type of boundary demarcation should be confirmed and to be approved."

- 4.4 The County Land Agent's observations are as follows:-

- Part of the site for the proposed storage barn is on common land, as per plan.
- A fence has been erected across the common land.
- The field access for some years is as per the plan, not as per the application.
- Part of the area and track has been stoned.
- If it is to be garden why the very large shed, stoned area and need for double gates.
- Various items of storage have been placed on the common

## 5. Representations

- 5.1 St. Weonards Parish Council has no objections.
- 5.2 Two letters of objection have been received from:

A. Newland & S. Rainbow, 3 Penrose Cottages, St. Weonards, Hereford. HR2 8QT  
Mr. R. Robinson, 2 Penrose Cottage, St. Weonards, Hereford. HR2 8QT, also signed by Belinda Scadding, Property Trust Representative, C/O Old School House, Scottleton Street, Presteigne, Powys. LD8 2BL

The grounds of objection can be summarized as follows:-

- Barn is next to our home and will be within our immediate view.
- Concerned that the land is used for business.
- The amount of traffic, machinery and noise next to our home.
- Not happy that the common land has a road over it where our children have played in.
- Barn will be an ugly utility building, a continuation of plant machinery traffic and maintenance near to our home.
- Noise and disturbance associated with Mr. Colwells Plant Hire business.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

6.1 The key issues in the consideration of the application are:-

Affect of the proposal upon Orchard Cottage  
Impact upon the common land and surrounding landscape  
Setting of the Listed Building  
Amenity of nearby residents

- 6.2 The position of the storage barn will lie at right angles to Orchard Cottage, separated by part of the common, approximately 10 metres from the garage element of the dwelling. Mature hedging divides the area of land to its north, which is to remain. The land slopes northerly from the dwellinghouse and it is intended to site the barn at lower ground level and behind the mature hedging. The concerns regarding the height of the building have been addressed and amended plans have subsequently reduced the overall height from 6.5 metres to 5 metres. It is considered that the size and scale of the building would not compete with the dwellinghouse and would remain subservient.
- 6.3 The Council's draft Supplementary Planning Guidance "Landscape Character Assessment" defines the area as sandstone farmlands, landscape types that are resilient to change. These are open agricultural landscapes with a moderate to gently undulating landform. Tree cover is limited, being restricted to sparsely scattered hedgerow trees. The proposed parcel of land provides scattered hedgerow trees to its western boundary and the land slopes gradually northerly to lower ground. Visually the land is viewed westerly from the B4251 approximately ½ mile past the crossroad junction of the A466.
- 6.4 The land to the south-western corner has been cleared and leveled to position the storage barn and a large area of land to the east covered in stone for parking and turning area. From a visual point of view, the pitch of the roof would be seen approaching Penrose Common from the east and the existing hedging and trees would visually screen the form of the building. The land slopes northerly to lower fields and is open to views from the junction of the A465 and B4251, where the group of dwellings can also be seen. Having considered that the area is resilient to change, the SPG seeks to encourage new hedgerow planting and tree planting should development be allowed. Thus with appropriate conditions to control the use of the building for domestic purposes and landscape conservation, the barn would not have a harmful effect upon the character and appearance of the common and its rural surroundings.

- 6.5 The proposal lies to the north-east of Penrose Farmhouse, a grade II Listed Building. Policy C29 seeks to ensure that proposals would not adversely affect the setting of a Listed Building. In terms of the location of Penrose Farmhouse, it is visually screened from view and Orchard Cottage lies between the proposed site. It is considered that the application would not harm the setting of the Listed Building.
- 6.6 The concerns of the neighbouring residents regarding the proposed use for business and the amount of traffic, noise and disturbance that may be generated are noted. The applicant does run a plant hire business and certain items were evident on the land, however, the application seeks a storage barn for domestic purposes for the enjoyment of the dwellinghouse and would need to be considered on its own merits. The barn is situated to the south-western corner of the agricultural field and the neighbouring property known as 3 Penrose Cottages is approximately 48 metres from the end elevation of the barn. The Cottage has a small window to its gable serving the attic space and the ground floor element is visually screened having mature trees and hedging to its boundary. The reduction of the roof height and proposed materials is considered acceptable in its location and would therefore not harm the amenity of the neighbouring residents. To ensure the future use of the building appropriate conditions can be attached to the decision.
- 6.7 Consultations of the amended plan were considered unnecessary due to the concerns relating to its proposed use and furthermore, the internal Council advice raised no objections to the submitted drawings.
- 6.8 Having regard to the above and with appropriate conditions it is considered that the proposal would accord with the relevant local plan policies.

## 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. A06 (Development in accordance with approved plans)**

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

**3. A09 (Amended plans)**

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

**4. B01 (Samples of external materials)**

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

**5. G04 (Landscaping scheme (general))**

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

- 6. G05 (Implementation of landscaping scheme (general))

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

- 7. G12 (Planting of hedgerows which comply with Hedgerow Regulations)

Reason: To ensure that hedges planted are ecologically and environmentally rich and to assist their permanent retention in the landscape.

- 8. E08 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

- 9. E16 (Removal of permitted development rights)

Reason: To safeguard the character and amenities of the locality.

- 10. The storage barn and associated land and dwellinghouse known as Orchard Cottage shall not be sold separately from each other.

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

**Informative(s):**

- 1. N15 - Reason(s) for the Grant of Planning Permission

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.