

**9 DCSE2005/1488/F - PROPOSED REPLACEMENT DWELLING FROM BUNGALOW TO TWO-STOREY DWELLING AT BAYSHAM ORCHARD, BAYSHAM, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6QR**

**For: Mr. & Mrs. S. Fisher per Patrica Smart Designs, Stone End Farm, Churcham, Gloucester, GL2 8AA**

Date Received: 9th May 2005

Ward: Llangarron

Grid Ref: 57524, 27896

Expiry Date: 4th July 2005

Local Member: Councillor Mrs. J.A. Hyde

## 1. Site Description and Proposal

- 1.1 Baysham Orchard is a large, modern, detached bungalow which is part of a cluster of buildings in this relatively isolated location about 1 km. east of Sellack church. It adjoins Baysham Court to the west, with the extensive Baysham Farm complex on the opposite side of the road and Baysham farmhouse about 100 m. to the east. The bungalow is set well back from the road on its spacious plot.
- 1.2 Planning permission (SE1999/3221/F) was granted in March 2000 for replacement of flat roof with pitched gable ended roof with integral bedroom and bathroom accommodation. Subsequently permission (SE2002/3195/F) was granted for a revised scheme which allowed a full second storey partly within the roof slope. None of these permissions have been implemented. The current proposal is to re-build the house rather than alter the roof on the same footprint and the same design and massing as the later permission.

## 2. Policies

### 2.1 Planning Policy Guidance

PPS7 - Sustainable Development in Rural Areas

### 2.2 Hereford and Worcester County Structure Plan

Policy CTC1 - Area of Outstanding Natural Beauty  
 Policy CTC2 - Area of Great Landscape Value  
 Policy H20 - Residential Development in Open Countryside

### 2.3 South Herefordshire District Local Plan

Policy C1 - Development Within Open Countryside  
 Policy C5 - Development within AONB  
 Policy C8 - Development Within Area of Great Landscape Value  
 Policy SH21 - Replacement Dwellings  
 Policy SH23 - Extensions to Dwellings

**2.4 Herefordshire UDP ( Revised Deposit Draft)**

Policy H7 - Housing in the Countryside outside Settlements

**3. Planning History**

3.1	SS980425PF	Roof extension, pump house and non-covered swimming pool.	-	Approved 10.11.98
	SE1999/3221/F	Replacement of flat roof with pitched gable ended roof with integral bedroom and bathroom accommodation.	-	Approved 1.3.00
	SE2002/3195/F	Provision of first floor rooms and pitched roof to existing flat roof bungalow. Render over existing brickwork.	-	Approved 16.12.02
	SE2003/0800/F	First floor rear balcony	-	Approved 1.5.03

**4. Consultation Summary**Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager recommends that a condition be included requiring parking accommodation.

**5. Representations**

5.1 The applicants' agent has submitted the following information:

- (1) This application is for the erection of a replacement dwelling with the same plans as the existing.
- (2) If the existing property were to be built on, not much of the existing structure would remain and all existing brickwork would also be rendered.
- (3) My client feels that a superior build finish would be achieved by starting from fresh.
- (4) The house would then have to meet all current Building Regulations standards and thermal insulation would be much improved throughout the structure; footings etc. would also be substantially sounder and a far more pleasing level of finish would be achieved.

5.2 Sellack Parish Council has no objections to the proposal.

5.3 Five letters have been received objecting to the proposal or expressing concern, in summary, for the following reasons:

- (1) Major concerns are drainage and water supply,

- (2) it is queried whether septic tank is of sufficient capacity or even has any soakaways - emptied very regularly (according to one letter) or every Summer (according to another),
- (3) proposal would require bigger system - spreaders will not be allowed on farmland to rear as this could pollute water supply from valuable private borehole which supplies both houses and livestock (1000 head of stock) at Baysham. Pollution may occur without new drainage system. this should be at front of house rather than as at present at rear as this cannot be accessed for emptying except from adjoining farmland,
- (4) pipe from borehole to farm cross Baysham Orchard and not prepared to move to facilitate development,
- (5) unless this is resolved risk that Water Framework Directive may not be met and could make it difficult for nearby farm.
- (6) serious implications on access to agricultural land,
- (7) adversely affect lighting to Baysham Court and on physical views from Baysham Farm House, grounds and gardens,
- (8) drastic alteration given that house appears to be in good condition,
- (9) do not wish new house to be developed into a guest house or other business venture.
- (10) do not want lorries accessing site from track used each day for crossing cattle to fields.

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 Under the Council's current policies replacement dwellings are allowed as an exception to the restriction on new rural housing provided they are of comparable/similar size and scale and on the same site (Policy H20 HWCSP and Policy SH21 SHDLP). The current proposal is for a house on an identical site. It is significantly larger however and different in scale: a two-storey rather than single-storey, flat roofed, dwelling. However the principle of a ridge roof with second floor as an extension has been accepted by the previous planning decisions and these permissions remain extant. The current scheme would be no larger than the most recent planning permission; indeed except for fenestration of the ground floor would be the same in all respects. The existing bungalow is not considered to be of particular architectural or historical interest and in these circumstances there seems to be no benefit, from a planning perspective, in refusing permission.
- 6.2 The existing/proposed dwelling is some 8 m. from the Baysham Court property boundary and about 30 m. from the house itself. The only first floor windows would light a shower room plus a rooflight to a bedroom. These windows could be glazed with obscure glass. In these circumstances it is not considered that the amenities of neighbours would be adversely affected.

6.3 The concerns regarding drainage and the potential for pollution of water supplies are appreciated. It is considered that this could be covered by a planning conditions requiring submission of a foul drainage scheme prior to any other works taking place.

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

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

- 4. E16 (Removal of permitted development rights)**

**Reason: To protect the visual amenities and natural beauty of the area.**

- 5. E19 (Obscure glazing to windows)**

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

- 6. E18 (No new windows in specified elevation)**

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

**Informative(s):**

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

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.