

11 DCSE2005/2475/F - REMOVAL OF CONDITION 2 FROM PLANNING PERMISSION SE2004/4117/F DATED 16/2/05, THE GRANGE, ASTON CREWS, ROSS-ON-WYE, HEREFORDSHIRE**For: Mr Jamieson per Jamieson Associates, 30 Eign Gate, Hereford, HR4 OAB****Date Received: 27th July 2005****Ward: Penyard****Grid Ref: 67065, 23320****Expiry Date: 21st September 2005**

Local Member: Councillor H. Bramer

Introduction

This application was reported to the Southern Area Planning Sub-Committee on 28th September, 2005 where it was recommended for approval. Notwithstanding the recommendation, the Sub-Committee resolved that it was minded to refuse permission on the grounds that the creation of a separate dwelling on the site would be detrimental to the setting of the listed building, i.e. the principal building at The Grange.

The Head of Planning Services has considered the proposal and refers the application on the grounds that the reason given for the refusal of planning permission does not provide a substantive basis on which to mount a robust defence of the decision in the event that it is the subject of an appeal.

1. Site Description and Proposal

1.1 The Grange is a substantial detached house within the small settlement of Aston Crews. It is listed Grade II. Planning permission for the demolition of agricultural buildings close to the house and the erection of an indoor swimming pool with first floor games/entertainment room was granted in April 2003. This was intended as ancillary accommodation to the main house. A subsequent application (DCSE2004/4117/F) was submitted in November 2004 to form a residential unit in the first floor of the ancillary building, which by then was nearing completion. This was granted permission subject to a condition (no. 2) that the residential unit and dwelling should not be sold separately from each other. This was imposed to ensure adequate physical separation, car parking and garden for each residential unit, as these matters had not been included in the submitted application.

1.2 The current application is for removal of this condition. It is proposed to provide vehicular access off the existing rear entrance to The Grange from Cut Throat Lane. A car parking and turning area would be provided to the west of the new building. A separate curtilage is delineated on the submitted drawing, mainly to the south-west of the building.

2. Policies**2.1 Planning Policy Guidance**

PPG.1 - General Policy and Principles

PPG.15	-	Planning and the Historic Environment
PPS.7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy CTC.2	-	Area of Great Landscape Value
Policy CTC.9	-	Development Criteria
Policy A.1	-	Development on Agricultural Land
Policy H.18	-	Residential Development in Rural Settlements
Policy H.20	-	Residential Development in Open Countryside

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.8	-	Development within Area of Great Landscape Value
Policy C.11	-	Protection of Best Agricultural Land
Policy C.27B	-	Alterations or Additions to Listed Buildings
Policy C.29	-	Setting of a Listed Building
Policy SH.10	-	Housing in Smaller Settlements
Policy SH.11	-	Housing in the Countryside
Policy SH.23	-	Extensions to Dwellings

2.4 Unitary Development Plan (Revised Deposit Draft)

Policy H.16	-	Car Parking
Policy H.17	-	Sub-division of Existing Housing

3. Planning History

3.1	SH810844PF	Demolition of part of rear hallway and re-erection of hallway with laundry room extension	-	Granted 22.10.81
	SH830937PF	Change of use of redundant farm buildings to craft workshops together with associated alterations and rebuilding	-	Refused 01.02.84
	SH830981PF	Change of use of domestic garage and store to holiday accommodation	-	Granted 15.10.84
	SH871720SZ	Use of farm store for butchery and packaging of pork produced on the farm	-	Planning Permission Required 15.02.88
	SH930007PF	Conservatory	-	Granted 11.02.93
	SH930008LA	Conservatory	-	Granted 11.02.93
	SH930704LA	Alterations to existing window into double doors	-	Granted 20.07.93
	SH970112LA	Provision of a bay window on the front of the north wing of existing building	-	Granted 24.06.97

SE2000/3245/L	Replacement first floor window	-	Granted 23.02.01
SE2003/0594/F	Demolition of agricultural buildings and erection of indoor exercise pool and first floor games/entertainment room	-	Approved 23.04.03
SE2003/0593/L	Demolition of agricultural buildings and erection of indoor exercise pool and first floor games/entertainment room	-	Approved 23.04.03
SE2003/0622/F	Change of use of farmyard and buildings to domestic garden with access drive	-	Approved 22.04.03
SE2004/4117/F	Change of use of first floor games and entertainment room to residential unit	-	Approved 16.02.05

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager has no objection to the grant of permission

4.3 Conservation Manager has no observations from an architectural point of view.

5. Representations

5.1 The applicant's agent writes in support of the proposal as follows:

1. The Grange is a three storey Grade II Listed dwelling in the centre of the village of Aston Crews and is located within the notional village envelope.
2. The pool/games room building is a self-contained unit, separated from the principal dwelling by an existing stone wall, some 4.5 metres high at its eastern end, stepping down to 3.6 metres and again to 2.0 metres, where it encloses the main rear gardens to The Grange. The pool house therefore has a private open outlook to the west and south-west with no overlooking of the principal gardens of the main dwelling.
3. There would be an appropriate private garden area, some 0.13 hectares, shielded by both the building and the stone wall to The Grange, affording therefore complete privacy.

5.2 Linton Parish Council state:

"The Parish Council did not support the previous permission to change this building into a residential unit. It was a departure from planning policy for no obvious material

planning considerations. Therefore we do not support this application; to give permission would give further cause for concern at the inconsistencies in the planning system.”

- 5.3 Aston Ingham Parish Council objects most strongly to this proposal on the grounds that if granted it could lead to the eventual splitting of this substantial listed property to the detriment of the area and possible visual implications.

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. Officer's Appraisal

- 6.1 Aston Crews is a smaller settlement named in Policy SH.10 (South Herefordshire District Local Plan). There is no settlement boundary defined in the Local Plan. However as The Grange is clearly part of the settlement and the new building is only a few metres from it, with permitted use as a domestic outbuilding, it was concluded in the report on the original application that the new building was now visually and functionally part of the residential curtilage. It is therefore within the settlement of Aston Crews, and the relevant Local Plan Policy is SH.10. On this basis the principle of a separate dwelling was acceptable and the only concerns were that there was no separate curtilage, access and parking area.
- 6.2 These matters have been addressed in the current application. The garden would be of adequate size and the main windows of the new residential unit would look towards it. There would be no windows, except for windows lighting the staircase, in the south-east elevation which directly abuts the rear garden of The Grange but there are windows in the north-east elevation lighting living room and bedrooms. The latter look over the access drive of The Grange, the front garden and also, but at a sharp angle, the main house itself. In these circumstances I consider that the privacy of the occupiers of the main house would not be unacceptably harmed. There would be a car parking and turning area commensurate with the size of the new residential unit.

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. G01 (Details of boundary treatments)**

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

- 3. H10 (Parking - single house)**

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

Informative(s):

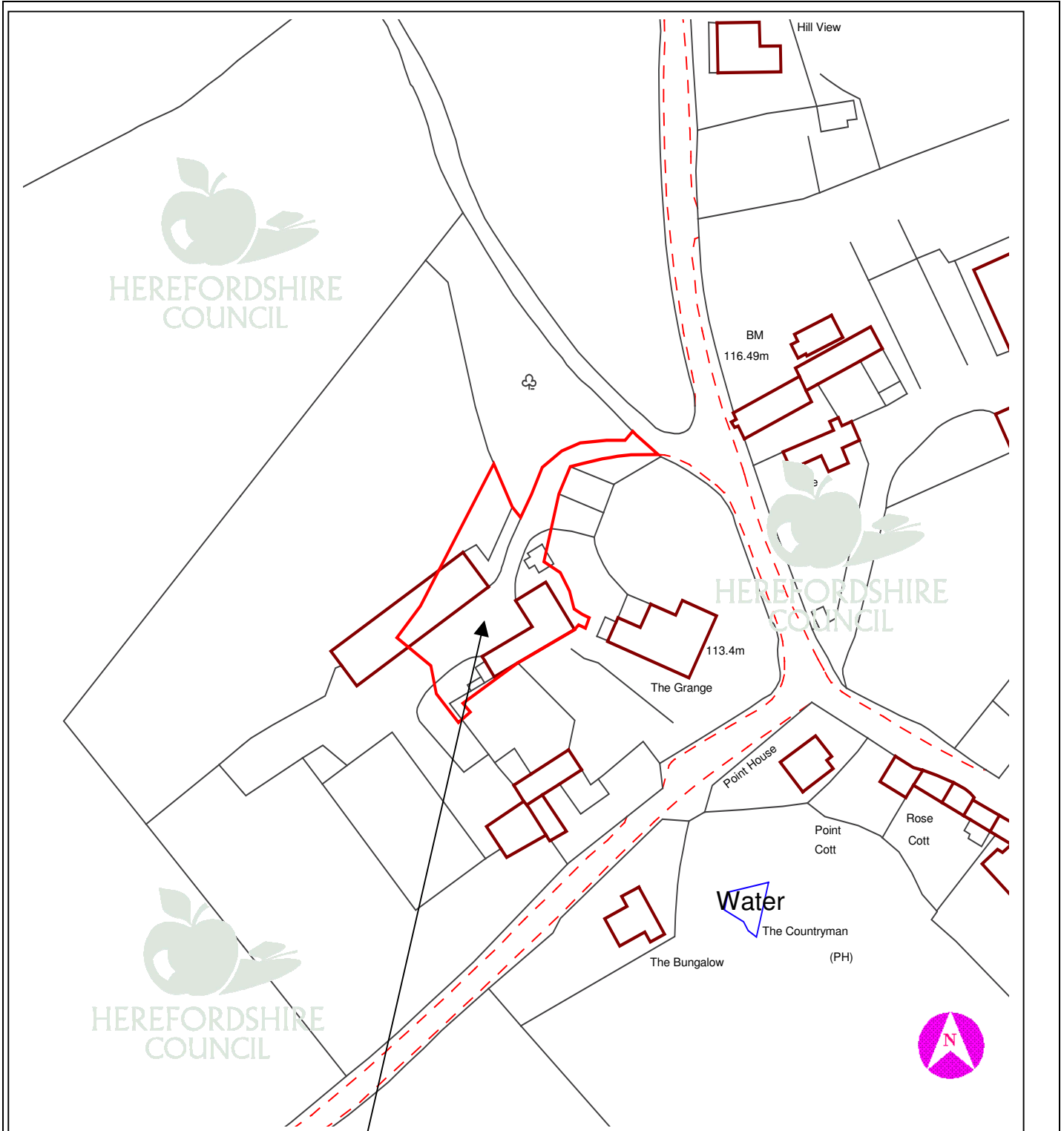
1. N15 - Reason(s) for the Grant of Planning Permission

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/2475/F

SCALE : 1 : 1250

SITE ADDRESS : The Grange, Aston Crews, Ross-on-Wye, Herefordshire

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