

**12A DCNW2006/0588/F - NEW VEHICULAR ACCESS AT
RUSCOTE, EARDISLAND, LEOMINSTER,
HEREFORDSHIRE, HR6 9BE**

12B DCNW2006/0589/L – AS ABOVE

**For: Mr & Mrs JM Gittoes per Mr J Needham, John
Needham Associates, 22 Broad Street, Ludlow,
Shropshire, SY8 1NG**

Date Received:

**Ward: Golden Cross
with Weobley**

Grid Ref:

28th February 2006

41829, 58403

Expiry Date:

25th April 2006

Local Member: Councillor J Goodwin

1. Site Description and Proposal

- 1.1 The application site lies on the main road that runs through the historic village of Eardisland. The site lies within the curtilage of a Grade II Listed Building that is bounded along the roadside elevation by a small stone retaining wall, raised grass bank with a mature leylandii hedge set back marginally behind the white painted railings which runs along the entire frontage of the property and beyond the fence. The site lies opposite a pull-in bay used for the parking of vehicles.
- 1.2 The proposal is for the construction of a vehicular access involving the removal and replanting of the hedgerow, removal of stone wall and the excavation of the land running alongside the boundary hedge that projects rearward towards the dwelling to form the driveway. The proposal would retain the railings (where not required to be removed for access) and shows a visibility splay 33m in each direction from a point 2.4m back from the edge of the highway. In order to achieve the visibility splay the height of the stone piers adjacent to the pedestrian gate would be reduced to 900mm.
- 1.3 The application includes photographs of existing accesses within the village from the C1035.

2. Policies

2.1 Herefordshire & Worcester Council Structure Plan

Policy H16A – Development Criteria

Policy CTC13 – Buildings of Special Architectural or Historic Interest

2.2 Leominster District Local Plan (Herefordshire)

Policy S2 – Development Requirements

Policy S7 – Natural and Historic Heritage

Policy DR1 – Design

HBA4 – Setting of Listed Buildings
HBA6 – New Development within Conservation Areas

3. Planning History

3.1 NW2005/2310/F and NW2005/2313/L - New Vehicular Access - refused on 6th September 2005 for the following reasons:

1. The proposed access by virtue of its siting and proximity to the adjacent listed buildings would fail to preserve or enhance the setting of the listed buildings contrary to Policies A1 and A18 of the Leominster District Local Plan and advice contained within PPG 15 - Planning and the Historic Environment.

2. The proposed access would have a detrimental impact on the street frontage which forms a historic and important part of Eardisland Conservation Area. As such, the proposal fails to preserve or enhance the Conservation Area contrary to Policy A21 of the Leominster District Local Plan and advice contained within PPG 15 - Planning and the Historic Environment.

4. Consultation Summary

4.1 Statutory Consultations

None

Internal Council Advice

4.2 Transportation Manager has no objection to the grant of permission.

4.3 The Conservation Manager responded as follows:

"Ruscote is a Grade II listed house dating back to the early C17th. It is a timber framed building with painted brick and rendered infill on a coursed rubble plinth under a thatched roof. Ruscote is located next to another Grade II listed property, The Latchetts.

Ruscote and The Latchetts are the first historic houses seen after entering the Conservation Area of Eardisland from the south. They create a picturesque entrance to the village. Located on a bend in the road one is swept towards the centre of the village.

As stated in the previous application, I feel that an access to Ruscote from the main road would detract from the listed building itself and would create an unwanted break in the organic entrance to the village. Whilst there are other breaks allowing vehicular access to dwellings in the village none have quite the visual impact that this one would.

This proposal does not enhance the setting of the listed building or the Conservation Area and therefore I would recommend refusal."

5. Representations

5.1 Eardisland Parish Council - no response received at time of writing.

5.2 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 The main issues for consideration is the determination of this application are as follows:

- Impact on the setting of the listed building.
- Impact on the character and appearance of the Conservation Area.
- Highway safety.

6.2 The siting of the proposed access lies in a prominent position within the historic village of Eardisland. The Ruscote and The Latchetts are the first historic houses seen after entering the Conservation area of Eardisland from the south. They create a picturesque entrèe to the village and are located on a bend in the road. The intrusion of a break in this vista, with the partial loss of stone wall and excavation of land to create the access would be visually obtrusive to the detriment of the setting of the listed buildings and to the Conservation Area. Guidance contained in PPG15 relates to matters of historic heritage, Listed Buildings and Conservation Areas and notes that the buildings setting and its contribution to the local scene may be of importance. This proposal would impact on the setting of the listed building, failing to preserve its important character and appearance contrary to guidance contained in PPG15 as well as Policy A18 of the Leominster District Local Plan and Policy HBA4 of the Unitary Development Plan (Revised Deposit Draft).

6.3 Having particular reference to the application site, the historic buildings and its setting contributes positively to the character of the Conservation Area. This proposed access would adversely affect the character of the area. Policy A21 of the Leominster District Local Plan and Policy HBA6 of the Unitary Development Plan all state that proposals within the Conservation Area should help to preserve and enhance the Conservation Area. The proposal fails to preserve or enhance the Conservation Area and as such fails to comply with these policies and guidance.

6.4 The applicants' agent has provided photographs of various accesses in the village, many of which are historic and did not have the benefit of planning permission. Whilst these have also been taken into account, they would not provide a basis to allow this further intrusion into this historic and organic entrance to the village.

6.5 The matter of highway safety has been carefully considered due to the position of the proposed access on the sweeping bend. The plans show that the required visibility can be achieved albeit reaching minimal standards only. The Highway Officer has raised no objection and as such there are no highway reasons for refusal. This advice is based on the assumption that the vehicles would be able to turn and exit the site in a forward gear.

RECOMMENDATION

That planning permission and listed building consent be refused for the following reasons:

- 1 - The proposed access by virtue of its siting and proximity to the adjacent listed buildings would fail to preserve or enhance the setting of the listed buildings contrary to Policies A1 and A18 of the Leominster District Local Plan and advice contained within PPG 15 - Planning and the Historic Environment.

- 2 - The proposed access would have a detrimental impact on the street frontage which forms a historic and important part of Eardisland Conservation Area. As such, the proposal fails to preserve or enhance the Conservation Area contrary to Policy A21 of the Leominster District Local Plan and advice contained within PPG 15 - Planning and the Historic Environment.

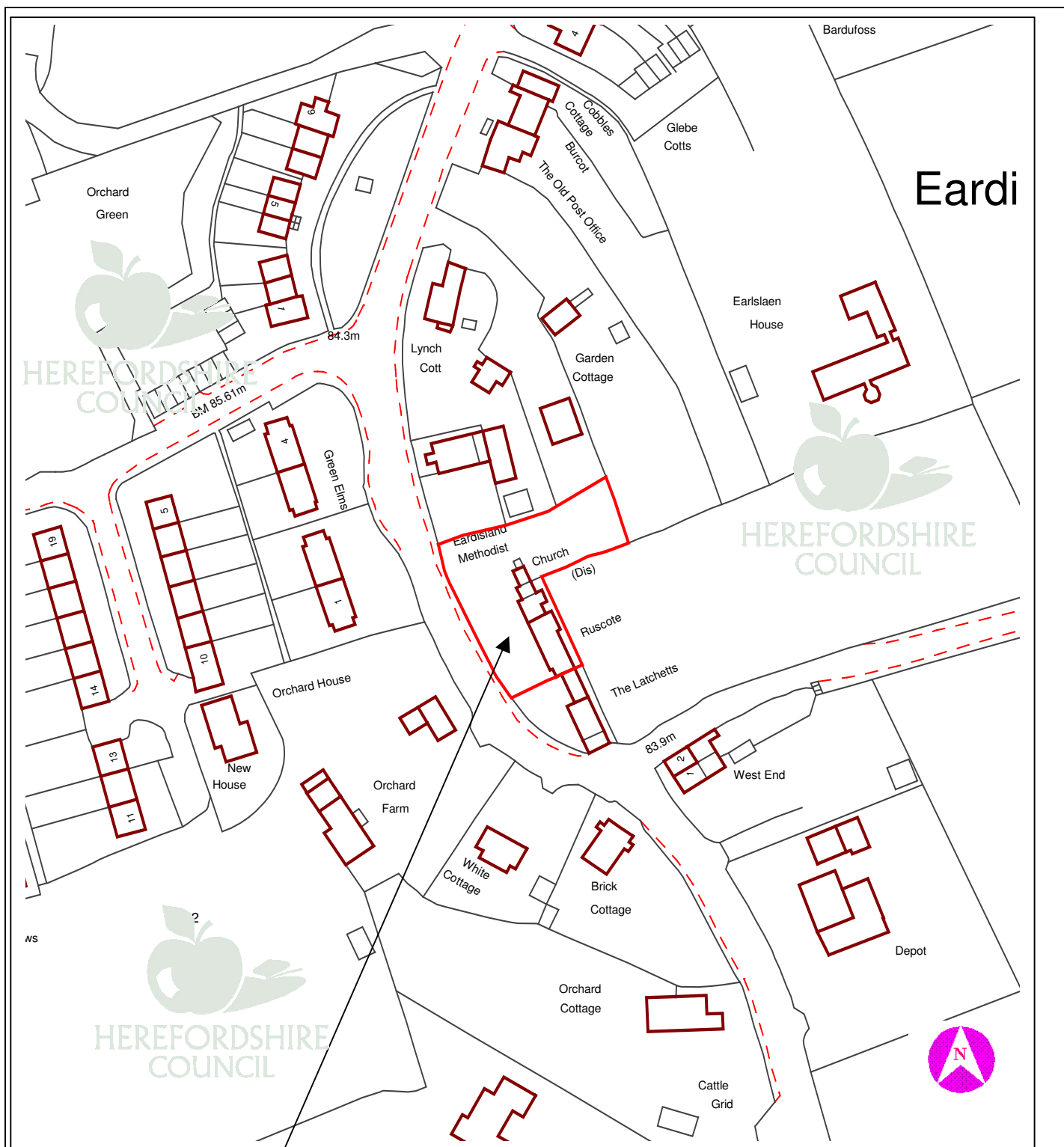
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/0588/F

SCALE : 1 : 1250

SITE ADDRESS : Ruscote, Eardisland, Leominster, Herefordshire, HR6 9BE

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