

**14 DCNW2006/2123/F - REMOVAL OF EXISTING AND CONSTRUCTION OF NEW BOUNDARY FENCE AT MILL COTTAGE, PAYTOE, LEINTWARDINE, CRAVEN ARMS, SHROPSHIRE, SY7 0NB****For: D J & M Parry Ltd. per McCartneys 7 Broad Street  
Leominster Herefordshire HR6 8BT****Date Received:****30th June 2006****Expiry Date:****25th August 2006**

Local Member: Councillor Mrs O Barnett

**Ward: Mortimer****Grid Ref:****40975, 71336****1. Site Description and Proposal**

- 1.1 The location for the proposed development is a former farmhouse known as 'Mill Cottage', a grade II listed building, situated in open countryside, the property's curtilage is adjacent to the C1017 public highway. The property currently has planning use as a C2 residential institution for the care of four children and accommodation for seven residents carers. This approval was granted by Committee on 5th October 2005.
- 1.2 To the rear on the south easterly side of the site lie the remains of Wigmore Abbey, this is a Schedule Ancient Monument. A property known as 'The Grange' sits between the agricultural buildings and this ancient monument. These are both Grade I Listed.
- 1.3 The development subject to this application is for a new boundary fence and hedge nearer to Mill Cottage than the existing unauthorised fence and hence this will create a smaller amenity and car parking area to the cottage itself.
- 1.4 The application proposes removal of the existing unauthorised boundary fence and construction of a new fence on the southern side of Mill Cottage itself. The proposed fence is of timber construction and the application requests planning approval for removal of existing concrete posts and timber panels and replacement with a vertical boarded fence measuring 1.80 metres high.
- 1.4 Alongside the remainder of the southern section and the western boundary it is proposed to plant a new hedgerow using native species along with a livestock proof fence on the outer side of the hedgerow. It is also proposed to erect a similar timber fence to that on the southern side along a small section of the northern section of the site.

**2. Policies****2.1 Leominster District Local Plan**

A1 – Managing the District's Assets and Resource

A9 – Safeguarding the Rural Landscape

A18 – Listed Buildings and their Settings

A22 – Ancient Monuments and Archaeological sites

A24 – Scale and Character of Development  
A54 – Protection of Residential Amenity  
A61 – Community, Social and Recreational Facilities  
A73 – Parking Standards and Conservation

## 2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development  
S2 – Development Requirements  
DR2 – Land Use and Activity  
H16 – Car Parking  
T11 – Parking Provision  
HBA1 – Alterations and Extensions to Listed Buildings  
HBA4 – Setting of Listed Buildings  
ARCH3 – Scheduled Ancient Monuments

## 3. Planning History

- 3.1 NW06/0543/F - Retrospective application for a lower ground floor store - Approved 14th June 2006.
- 3.2 NW06/0546/L - Retrospective application for works carried out both internally and externally - Approved 14th June 2006.
- 3.3 NW05/3408/F- Retrospective application for a boundary fence and lower ground floor store - Refused 12th December 2005.
- 3.4 NW05/2608/F - Retrospective application for change of use to C2 residential institution at Mill Cottage - Approved 5th October 2005.
- 3.5 NW05/1741/L - Retrospective application for works carried out to include replacement windows, partition walls, cladding to rear and mill workings, permitted fence and concrete store - Withdrawn 14th July 2005.
- 3.6 NW05/1736/F - Retrospective application for a boundary fence and lower ground floor store - Withdrawn 14th July 2005.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 English Heritage - State in their response:-

The impact of the revised proposal is much lower than the existing'. The proposal in drawing no. LSV222/02A may be accepted.

- 4.2 Traffic Manager - Has no objection to the grant of permission in accordance with the revised car parking arrangements as stated on plan no. LSV222/02B.
- 4.3 Conservation Manager - No objections to the proposal as outlined in the application.
- 4.4 Archaeology Manager has no comment to make.

## 5. Representations

5.1 Adforton Parish Council states that they support the application providing that the wooden fence to be not less than 2.0 metres high to protect the visual effect on Wigmore Abbey - that the pedestrian gate to be kept locked at all times and that any vehicles are parked within the compound.

5.2 Three letters of objections/comment to the development have been received from:-

- John and Carol Challis, Wigmore Abbey, Leintwardine, Shropshire
- Julie W Laybourn, Paytoe Hall Cottage, Paytoe, Leintwardine, Shropshire
- John S. Grove, 9, Preston Brook Close, Ledbury.

These comments can be summarised as follows:-

- Concern raised about maintenance of proposed hedgerow.
- Concerns about car parking facilities for Mill Cottage.
- Increased road usage in relationship to the business conducted on site, and size of car parking area on site.
- Proposed fence should be at least 2.10 metres high to protect privacy of Wigmore Abbey.
- Impact of proposal on privacy and security of Wigmore Abbey.
- Concerns that local residents views have not been taken into account in relationship to the planning history of the site.
- Cottage dwellings within the vicinity in the same ownership as that of Mill Cottage being used in connection to the care home.
- Proposed pedestrian access gate not a good idea except for gardener to clip hedge.

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 The main issues with regards to this application are:-

- Height of proposed timber fencing.
- Car parking within the application site.
- Proposed hedgerow maintenance and pedestrian access gate.

### Height of proposed timber fencing

6.2 The plans submitted for planning determination indicated complete removal of the existing unauthorised timber fencing and construction of a new vertical boarded fence on the southern side alongside Mill Cottage itself. This fence is to measure 1.8 metres in height.

6.3 English Heritage have responded to the application stating that the proposed height is much more acceptable than the existing fence height as it is much lower.

- 6.4 In consideration of the historic significance of the application site and the adjoining Wigmore Abbey and its surroundings, Officers are of the opinion that a fence with the least visual impact is the most appropriate and therefore the public objection to the proposed fence height and the Local Parish Councils request for a fence of greater height cannot gain Officer support in this instance, as a fence of the height suggested will have a detrimental impact on the setting of the historic site, similar to the existing unauthorised fence on site.

#### **Car Parking within the application site**

- 6.5 The proposed plans indicate a smaller garden/car parking area to the cottage than that of the existing in order to minimise the detrimental impact on the character of the historic site in the immediate area of Mill Cottage as well as the wider historic area in general.
- 6.6 In order to overcome car parking issues of concern the applicant proposes car parking during staff changes (once a fortnight) on land outside the proposed immediate domestic curtilage of Mill Cottage.
- 6.7 The Transportation Manger raises no objection to these revised plans, as the original plan submitted for planning determination indicated insufficient car parking spaces within the revised domestic curtilage of the site.
- 6.8 It is considered that the proposed car parking arrangements are acceptable, being the least detrimental to the historic significance of the site.

#### **Proposed hedgerow maintenance and pedestrian access gate**

- 6.9 The application proposes a native mixed hedgerow alongside the western boundary of the application site and pedestrian gate in the north-western corner. Details are indicated on the proposed plan of hedgerow planting varieties, as well as details of maintenance over a period of five years in order to ensure adequate establishment.
- 6.10 The proposal is considered acceptable and will form part of the approved plans and therefore if not adequately maintained as indicated, the applicant or successors in title will be liable if Members are mindful to support the application.
- 6.11 The proposed pedestrian access gate is considered necessary and acceptable in relationship to car parking during staff shift changes at the site. If Members are mindful to approve the application a condition can be attached to the decision notice on details of its construction and security issues.

**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 - C02 (Approval of details )

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

- 4 - The pedestrian access gate shall be kept locked so that only members of staff have access through it during times of staff changes at the premises. Details will be submitted and approved in writing to the local planning authority prior to any development on site subject to this approval.

Reason: In there interests of surrounding dwellings, amenity and safety.

- 5 - All vehicles shall be parked within the immediate area surrounding Mill Cottage, as indicated on the apporved plan, except when a staff change over at the premises is taking place in relationship to the childrens care home, when vehicles will be allowed to park in the area designated for 'additional car parking space during staff shift changes' on drawing no. LSU222/02B.

Reason: In the interests of the amenity of the surrounding area.

**INFORMATIVES:**

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

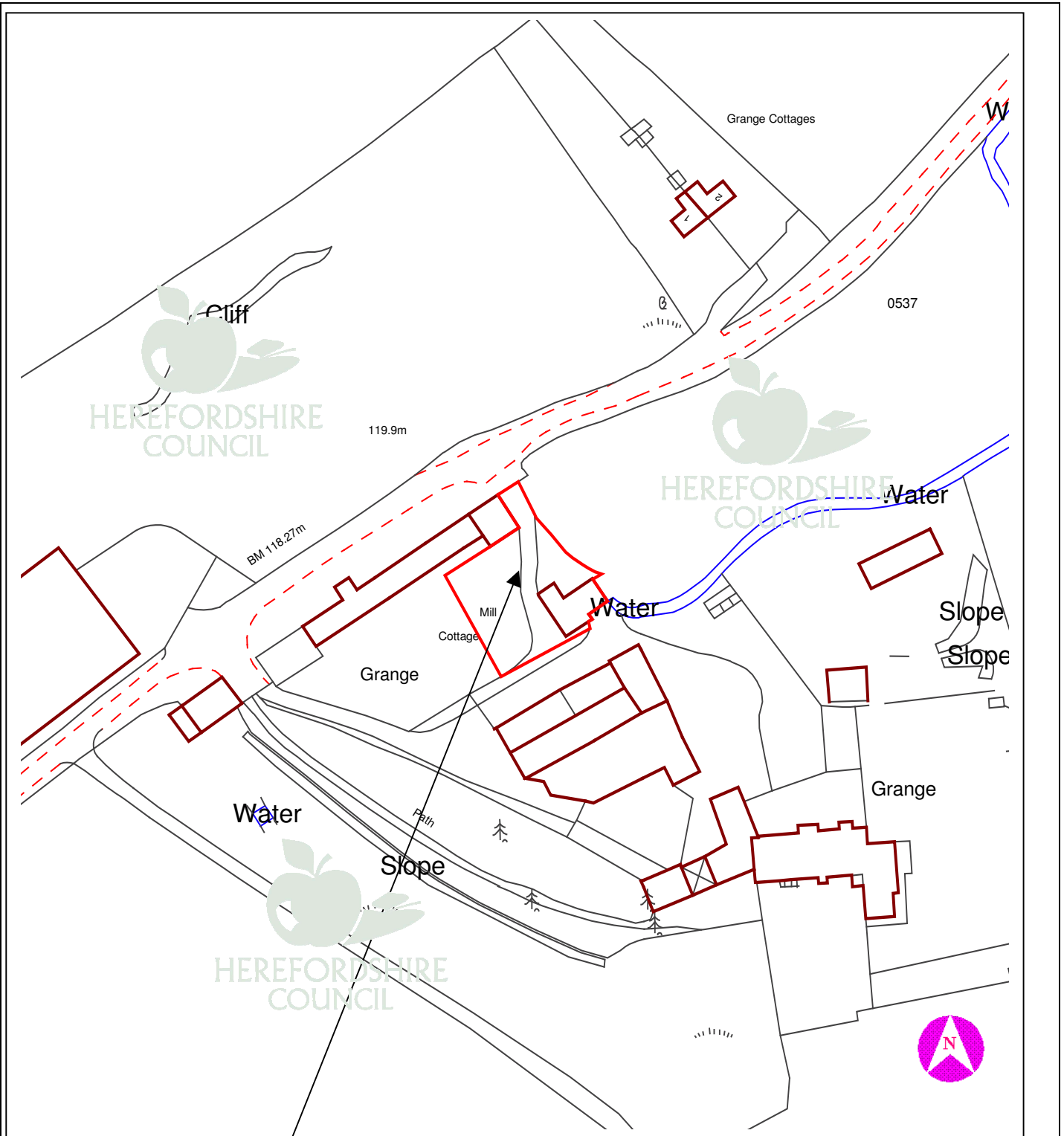
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNW2006/2123/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Mill Cottage, Paytoe, Leintwardine, Craven Arms, Herefordshire, SY7 0NB

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