

**6A DCCE2006/1978/F - ERECTION OF A TERRACE OF 3 COTTAGES AND PROVISION OF ADDITIONAL PARKING AREA BARTESTREE CONVENT, BARTESTREE, HEREFORDSHIRE, HR1 4DU.**

**For: Strand Homes Ltd, per Mr. P.H. Tufnell, Tufnell Town & Country Planning, Waverley Studio, Gloucester Road, Hartpury, Gloucester, GL19 3BG.**

**6B DCCE2006/1980/L - ERECTION OF A TERRACE OF 3 COTTAGES AND FORMATION OF ADDITIONAL PARKING AREAS INCLUDING OVERSPILL PARKING, BARTESTREE CONVENT, BARTESTREE, HEREFORDSHIRE, HR1 4DU.**

**For: Strand Homes Ltd, per Mr. P.H. Tufnell, Tufnell Town & Country Planning, Waverley Studio, Gloucester Road, Hartpury, Gloucester, GL19 3BG.**

**Date Received: 20th June, 2006**    **Ward: Hagley**

**Grid Ref: 56843, 40632**

**Expiry Date: 15th August, 2006**

Local Member: Councillor R.M. Wilson

**1. Site Description and Proposal**

- 1.1 This application seeks permission for the erection of a terrace of three cottages at Bartestree Convent, Bartestree.
- 1.2 Bartestree Convent itself comprises a part Grade II, part Grade II\* building currently in the process of being converted into flats. To the west of the main convent building is found a new courtyard terraced development, with a further new terraced development to the north of the main building. To the north west of the Convent are found two burial areas, between which is found an open area originally designated for parking in the current arrangements. This application seeks permission for the introduction of a terraced row of three dwellings in this location, with the associated loss of parking spaces. The parking arrangements on site have evolved over the course of the complex history of this site but essentially unit numbers on site increase from 63 dwellings to 66, while 15 parking spaces are lost in this corner position. Overall, parking ratios drop to 1.469 spaces per unit from the 1.55 level as originally approved for this site. The application also seeks to regularise the parking arrangements on site, specifically the area to the south where 12 additional spaces have been formed.

## 2. Policies

### 2.1 National Policy Guidelines:

PPS1	-	Delivering sustainable development
PPG3	-	Housing
PPG13	-	Transport
PPG15	-	Planning and the historic environment
PPG16	-	Archaeology and planning

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

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing

### 2.2 South Herefordshire District Local Plan:

GD1	-	General development criteria
C1	-	Development within open countryside
C3	-	Criteria for exceptional development outside settlement boundaries
C20	-	Protection of historic heritage
C29	-	Setting of a listed building
C32	-	Archaeological information
SH11	-	Housing in the countryside
SH14	-	Siting and design of buildings
SH15	-	Criteria for new housing schemes
T3	-	Highway safety requirements
T4	-	Highway and car parking standards

## 3. Planning History

- 3.1 SH770422PF - South west wing Bartestree Convent change of use to single person residential accommodation. Approved 8th August, 1977.
- 3.2 SH891076PO - New convent. Approved 24th January, 1991.
- 3.3 SH891077PO - Sheltered housing. Approved 23rd April, 1991.
- 3.4 SH891078PO - Sheltered flats with social and recreational facilities. Approved 23rd April, 1991.
- 3.5 SH931577PF - Refurbishment and conversion of existing buildings to student accommodation and new build dwelling houses. Approved 13th June, 1994.
- 3.6 SH940016LD - Repairs, partial demolition of ground floor extension and change of use to form student accommodation. Not determined.
- 3.7 SH960193PF - Tennis Court Site - residential development. Refused 12th June, 1996.
- 3.8 CE2000/1143/F - Restoration, conservation and conversion of convent buildings to provide 23 dwellings. Demolition of incongruous alterations, additions and curtilage

- buildings. Erection of 17 mews cottages. Diversion of internal access road, landscaping and ancillary site works. Approved 2nd November, 2001.
- 3.9 CE2000/1146/L - Restoration, conservation and conversion of convent buildings to provide 23 dwellings. Demolition of incongruous alterations, additions and curtilage buildings. Erection of 17 mews cottages. Diversion of internal access road, landscaping and ancillary site works. Approved 2nd November, 2001.
- 3.10 CE2001/3244/F - Amendments to approved scheme for residential development, conversion to provide two additional lower ground floor apartments. Units 42 and 47. Approved 21st March, 2002.
- 3.11 CE2001/3245/L - Amendments to approved scheme for residential development, conversion to provide two additional lower ground floor apartments Units 42 and 47. Listed Building Consent 21st March, 2002.
- 3.12 CE2001/3246/F - Amendment to approved scheme for residential development for conversion to provide one additional second floor apartment (Unit 33). Withdrawn 11th February, 2002.
- 3.13 CE2001/3251/L - Amendment to approved scheme for residential development for conversion to provide one additional second floor apartment (Unit 33). Withdrawn 11th February, 2002.
- 3.14 CE2002/1750/F - Amended scheme for the conversion of convent and chapel - including new build development. (Scheme providing 17 additional dwellings comprising: 7 new conversions in Chapel/Hall, 8 additional remodelled conversions, 2 additional remodelled new build). Amended access arrangements and site layout. Approved 24th December, 2002=2.
- 3.15 CE2002/1754/L - Amended scheme for the conversion of convent and chapel - including new build development. (Scheme providing 17 additional dwellings comprising: 7 new conversions in Chapel/Hall, 8 additional remodelled conversions, 2 additional remodelled new build). Amended access arrangements and site layout. Approved 24th December, 2002.
- 3.16 CE2003/1283/F - Redesign of units 44, 45, 46 and 47 and 2 no. new units 45a and 47a. Undetermined.
- 3.17 CE2003/1285/F - Redesign of units 44, 45, 46 and 47 and 2 no. new units 45a and 47a. Undetermined.
- 3.18 CE2003/1537/F - Redesign of units 44, 45, 46 and 47 and creation of 1 no. new units 45a. Approved 26th January, 2004.
- 3.19 DCCE2003/1538/L - Redesign of units 44, 45, 46 and 47 and creation of 1 no. new units 45a. Approved 26th January, 2004.
- 3.20 DCCE2003/2390/G - Discharge of planning obligations under S106 dated 10th April, 1991 and 28th June, 1994. Approved 16th July, 2004.
- 3.21 DCCE2004/1266/F - Remodelling of approved apartment no. 43 to provide 2 single bedroom apartments. Approved 15th June, 2004.

- 3.22 DCCE2004/1297/L - Remodelling of approved apartment no. 43 to provide 2 single bedroom apartments. Approved 15th June, 2004.
- 3.23 DCCE2004/4097/L - Conversion of attic space into a studio apartment. Approved 5th January, 2005.
- 3.24 DCCE2004/1492/F - Conversion of attic space into a studio apartment. Approved 5th January, 2005.
- 3.25 DCCE2004/4272/L - Subdivision of apartment to provide two studio apartments. Approved 28th January, 2005.
- 3.26 DCCE2004/4270/F - Subdivision of apartment to provide two studio apartments. Approved 28th January, 2005.

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 English Heritage: No comment.

##### Internal Council Advice

- 4.2 Conservation Manager: No objection as revised. Conditions required as specified by the Council's Archaeological Advisor.
- 4.3 Environmental Health Manager: Hours of working condition.
- 4.4 Traffic Manager: *'Although the proposal results in a loss of parking spaces for the approved development, the level of parking (1.469 per dwelling) which remains is still very close to the Government guidelines of a maximum of 1.5 spaces per dwelling as set out in PPG3. As stated in the submitted supporting text there is a predominance of 1 and 2 bed apartments within the development, and all dwellings are allocated at least one parking space. As the proposed levels are within both the maximum set out in our Design Guide for new developments and Government guidelines, I have no objections to the proposal.'*

#### **5. Representations**

- 5.1 Bartestree Parish Council: Raised an objection to the parking area originally proposed to the front of the Presbytery. Also commented...*'The properties will be an over intensification of the site and will take up space currently allocated for the existing properties. Further houses will be an extra load to an already overloaded sewage system. The Parish Council does therefore not support the application'*.
- 5.2 Local Residents: 14 letters of objection from 9 sources have been received following the consultation associated with this application. The objections raised can be summarised as follows:
- This site was developed on the basis that it would not be further developed;
  - The proposal will extend the building operations on site which continue to cause noise and disturbance;
  - Over development of the site;

- Adverse impact upon visual amenities and landscape quality;
- The development will detract from the setting of the Listed Building;
- As revised the proposal will result in totally inadequate parking provision for this site;
- The access, parking and manoeuvring arrangements on site are already inadequate, this will further degrade the situation of site;
- Loss of privacy.

In addition to the comments above, strong objection to the now removed parking area to the front of the Presbytery were received. Comments not relevant to this application were also made, specifically in relation to a burial area adjacent to the site of the three new dwellings. These matters are being investigated independently of this application.

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

## 6. Officers Appraisal

- 6.1 It is considered that the following matters are relevant to this application:

- Principle of Development;
- Highways;
- Visual Amenities and Setting of Listed Buildings;
- Design and Scale
- Residential Amenities.

### Principle

- 6.2 The Convent and surrounding area is, in the adopted South Herefordshire District Local Plan, outside of any identified settlement boundary. The area is therefore open countryside for the purposes of planning policy. Turning to the emerging Herefordshire Unitary Development Plan (Revised Deposit Draft), it is of note that a sub area of the Bartestree Settlement Boundary now surrounds the Convent and the adjacent modern residential development known as Frome Park. The Public Inquiry into the Revised Deposit Draft closed on June 2005 and the Inspector's Report published in March 2006. The proposed Modifications have now been published and on this basis it is considered that the Herefordshire Unitary Development Plan now takes primacy. The revised settlement boundaries in the Herefordshire Unitary Development Plan have regard for the evolution of this area. It is considered that on this basis the application site falls within an identified Settlement Boundary and the principle of new residential development is accepted.

### Highways

- 6.3 The parking situation on site is the most controversial aspect of this development. The original permission on this site was on the basis of 40 dwellings served by 62 parking spaces, a ratio of 1.55 spaces per unit. The most recent application on this site (DCCE2004/1492/F) identified 100 car parking spaces to serve 63 units, a ratio of 1.59 spaces. The Agent advised that the parking as proposed in this application now provides 97 spaces to serve 66 units, a ratio of 1.469 spaces per dwelling unit. Compared to the situation as approved in DCCE2004/1492/F, 15 spaces are directly lost as a result of the three new dwellings, with 12 created in the parking regularisation. Herefordshire Unitary Development Plan policy advises that housing developments will

be subject to a maximum parking provision of 1.5 spaces per dwelling. It is of note that the policy also states that off street parking provision should reflect the site location, the type of housing to be provided, and the availability of public transport. In this case public transport is available with a bus stop on the main A438 at the entrance to the Convent/Priors Frome, and the units are principally one and two bedroom properties, though some three bed units are found. Against this however, one must recognise the rural/urban fringe location of this site and the relative limitations of the public transport provision and lack of amenities/facilities. In this context it is suggested that a figure on or around the 1.5 spaces per unit level should be provided and in this case 1.449 spaces are proposed.

- 6.4 The objections of local residents on the grounds of a lack of parking resulting from this development are understandable having regard to the relatively low level parking provision already on site and the relatively limited public transport and amenities/facilities availability. Ultimately, however, this scheme is in accordance with emerging planning policy and on this basis it is considered that this application cannot be resisted on the basis of the lack of parking provision issue.

#### Visual Amenities and Setting of Listed Buildings

- 6.5 The originally proposed parking area to the front of the Presbytery was of significant concern in the context of the visual amenities of the locality and the setting of the Convent. This aspect of the proposal has now been removed however, and with it the main concerns over the visual impact. The regularisation of the car parking is not considered to raise any issues in this regard and the Conservation Manager has liaised on these changes. The new dwellings are sited appropriately having regard to the Convent; its setting, and the development pattern approach on this site. The design is reflective of the other new build on site and as such the new development will integrate effectively into the development. The removal of Permitted Development Rights will ensure that the evolution of these dwellings is tightly controlled in the interests of the visual amenities of the locality and the setting of the Convent.

#### Design and Scale

- 6.6 The new dwellings are designed to reflect the existing new build dwellings on site with design features, materials, scale, and appearance all to match. The dwellings will therefore relate effectively to the existing new build on site.

#### Residential Amenities

- 6.7 The siting and arrangement of the three new dwellings are such that no over bearing impact or light loss will result. The distances between these properties and the properties to the north, south and east, together with the internal arrangement, are such that privacy will not be compromised unacceptably. To ensure the continued privacy of the neighbours to the north and south a condition will prevent the introduction of new openings in the side elevations.
- 6.8 The construction process involved in the construction of the three new dwellings will clearly cause some disturbance to neighbouring properties, however, restricting this beyond the hours of operation is unreasonable. The standard planning condition relating to hours of work is therefore proposed in accordance with the advice of the Environmental Health Manager. In the interests of clarification it is confirmed that

Environmental Health legislation exists to provide additional control over noise and nuisance during construction.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**DCCE2006/1978/F**

- 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. C05 (Details of external joinery finishes).**

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

- 5. C11 (Specification of guttering and downpipes).**

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

- 6. D06 (Protective fencing).**

**Reason: In order to protect [name of monument] during development.**

- 7. D01 (Site investigation - archaeology).**

**Reason: To ensure the archaeological interest of the site is recorded.**

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

**Reason: [Special Reason].**

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

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

- 10. F18 (Scheme of foul drainage disposal).**

**Reason: In order to ensure that satisfactory drainage arrangements are provided.**

11. **F39 (Scheme of refuse storage).**

**Reason: In the interests of amenity.**

12. **F48 (Details of slab levels).**

**Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.**

13. **G01 (Details of boundary treatments).**

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

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

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

15. **G05 (Implementation of landscaping scheme (general)).**

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

16. **G08 (Retention of trees/hedgerows (outline applications)).**

**Reason: To safeguard the amenity of the area.**

17. **H13 (Access, turning area and parking).**

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

**Informatives:**

1. **N01 - Access for all.**
2. **N03 - Adjoining property rights.**
3. **N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.**
4. **N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 – Bats.**
5. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
6. **N19 - Avoidance of doubt.**

**DCCE2006/1980/L**

1. **C01 (Time limit for commencement (Listed Building Consent)).**



**Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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. **C04 (Details of window sections, eaves, verges and barge boards).**

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

**Informatives:**

- 1. **N01 - Access for all.**
- 2. **NC1 – Alterations to submitted/approved plans.**
- 3. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**
- 4. **N19 - Avoidance of doubt.**

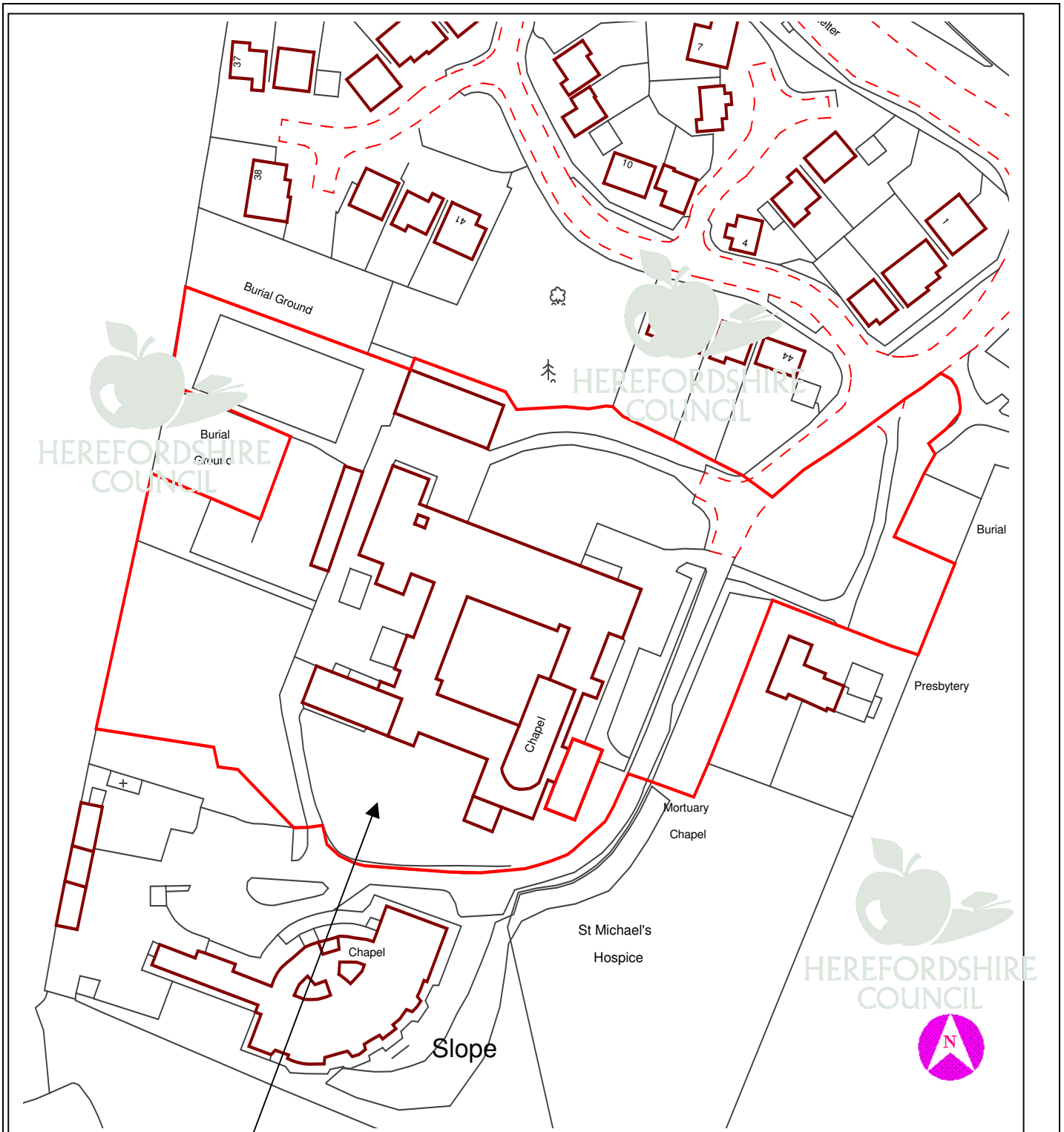
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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2006/1978/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Bartestree Convent, Bartestree, Herefordshire, HR1 4DU

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