

DCSW2006/2417/F - PROPOSED REPLACEMENT DWELLING INCLUDING REMOVAL OF EXISTING UNOCCUPIED HOUSE WITH NEW DWELLING, TO HAVE RE-ARRANGED VEHICULAR ACCESS FROM LYSTON LANE, BRYNFIELD, LYSTON LANE, WORMELOW (NEAR ORCOP), HEREFORDSHIRE, HR2 8EW

For: Mr & Mrs A Ing per Derrick Whittaker Architects, 1 Farjeon Close, New Mills, Ledbury, Herefordshire, HR8 2FU

Date Received: 25th July 2006

Ward: Pontrilas

Grid Ref: 48639, 28526

Expiry Date: 19th September 2006

Local Member: Councillor G. W. Davis

This application was considered by the Southern Area Planning Sub-Committee at its meeting on 27th September, 2006, when it was resolved to grant planning permission, contrary to the recommendation of the report. This decision was accordingly referred to the Head of Planning Services to determine if it should be reported to the Planning Committee for further consideration.

In the debate Members of the Area Sub-Committee gave weight to the fact that the existing house on the site was both small and not an attractive feature in the landscape, and felt that the proposed dwelling would, in these circumstances, be a reasonable development of the site. In addition, they heard representations to the effect that the applicants are a local family. It was resolved to grant planning permission, delegating any appropriate conditions to the Head of Planning Services.

The relevant development policies are listed in the recommended reasons for refusal. In particular:

1. Unitary Development Plan Policy H.7 requires that a replacement dwelling in the open countryside must be 'comparable in size and scale' with the dwelling it is intended to replace. In this case the proposed house would be nearly three times the size of the existing building in floor area (150 sq. m. proposed compared to 68 sq. m. existing), and have a ridge height of 6.8m compared to 4.6m existing. In these circumstances there is a clear conflict with planning policy.
2. This is a relatively isolated site and the significant increase in size and scale of the building will be likely to be conspicuous in the landscape. As such, there would be conflict with Policy LA.2 of the Unitary Development Plan and the purpose of Policy H.7 as expressed in paragraph 5.4.72 of the Plan.
3. There is an unresolved highway issue in that it has not been demonstrated that there is sufficient space for vehicles to park, manoeuvre and turn such that they can enter and leave the site in a forward gear.

Having regard to the above, whilst the desire of Members to support the application is understood, there are substantive policy concerns. The proposal is in conflict with the established policies intended to protect the open countryside. The application is therefore referred as the decision of Southern Area Planning Sub-Committee to approve raises crucial policy issues. The original report to Southern Area Planning Sub-Committee of 27th September, 2006 is set out below.

1. Site Description and Proposal

- 1.1 Brynfield, Lyston Lane is a detached bungalow with single storey detached annexe located to the northwest of the bungalow. It is located in a large garden within the open countryside and Area of Great Landscape Value. The site is flat and slightly elevated above the adjacent Class III road (C1235) to the north. The site is surrounded to the east, west and south by agricultural land.
- 1.2 The application proposes to demolish the existing corrugated iron clad bungalow and annexe and replace it with a 3-bedroom, 1½ storey dwelling. The dwelling will be constructed from stone with timber horizontal boarding to the southern elevation under a reformed slate roof. A new access and turning area will be created from the adjacent classified road to the north-east of the dwelling.

2. Policies

2.1 Planning Policy Statement

PPS.1	-	Delivering Sustainable Development
PPS.7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Housing Development in Rural Areas Development Criteria
Policy H.20	-	Housing in the Open Countryside
Policy CTC.2	-	Development within Areas of Great Landscape Value
Policy CTC.9	-	Development Criteria

2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.1	-	Development within Open Countryside
Policy C.8	-	Development within Areas of Great Landscape Value
Policy SH.21	-	Replacement Dwellings

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S.1	-	Sustainable Development
Policy S.2	-	Development Requirements
Policy DR.1	-	Design
Policy H.7	-	Housing in the Countryside Outside Settlements

3. Planning History

- 3.1 SH891395PF Demolition of existing bungalow and outbuilding and erection of detached chalet bungalow and garage - Approved 07.03.90

DCSW2006/0728/F Proposed replacement dwelling including removal of existing unoccupied house with oak framed house and garage. New vehicular access - Withdrawn 02.05.06

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager recommends that permission be refused as the proposed parking area appears to have insufficient turning and manoeuvring space to ensure that vehicles may enter and leave in a forward gear and would not therefore be in the interests of highway safety.

5. Representations

5.1 The applicant's agent has made the following submission:

'The existing bungalow was built as an emergency temporary accommodation following the Second World War and is now in a considerable state of disrepair that it is uninhabitable. Given the temporary nature of the build, the inappropriate use of materials employed and the inadequate accommodation contained within the existing dwelling we consider that it is appropriate that the building should be replaced.

Our proposals incorporate a single dwelling comprising the primary accommodation at ground floor level with rooms in the roof space above in order to minimise the visual mass of the new dwelling whilst respecting the topography of the site as well as the general landscape surrounding the plot. We consider the proposal satisfies many of the development criteria set out within the Unitary Development Plan in particular with regard to quality of design and respecting the size and character of the local settlement as well as the character and appearance of the site.

The proposed dwelling will allow for greatly improved site access and visual amenity given the low quality of design and poor condition of the existing dwelling.

The proposed dwelling is designed to offer a single storey facade to the roadside whilst opening to the views to the south where the building is visible only to a small number of properties located at a higher elevation to the site. The envelope materials comprise a mix of fair-faced stone and timber boarding reflecting the rural nature of the site.

The redevelopment of this site to provide a new viable family home will obviously benefit the local community. The expansion of the local population in a sustainable way, by utilising an existing site benefiting from existing infrastructure will also help to increase the social diversity of the village population. Also we believe that this proposal represents a considerable improvement aesthetically over the previously approved application, your Ref: SH891395F'

5.2 Llanwarne Parish Council has no objection to the proposal.

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 The site lies in open countryside, in planning policy terms. With regards to proposals for new residential development policy H.20 of the Structure Plan, policy C.1 of the South Herefordshire District Local Plan and policy H.7 of the Herefordshire Unitary Development Plan (revised deposit draft) are applicable. As an exception to the normal presumption against new residential development in the open countryside, H.20(e) of the Structure Plan, policy SH.21 of the South Hereford Local Plan and policy H.7 of the emerging Unitary Development Plan allow the replacement of an existing building with established residential use rights with a new building of comparable size and scale.
- 6.2 The existing dwelling has established residential use rights and therefore the main issue is whether the replacement is comparable in size and scale to the existing. The submitted drawings indicate that the existing bungalow has a floor area of approximately 67.74m², including the annexe. It is 2.6m to the eaves and 4.6m high to the ridge of the roof. The floor area of the proposed dwelling is approximately 150.63m². The proposed dwelling has an eaves height of 2.9m and 6.8m to the ridge of the roof. The replacement dwelling would be partially on the footprint of the existing bungalow.
- 6.3 In floor area alone the proposal would represent an increase. The policies state that the scale and mass of the replacement dwelling, not just the floor area, should be comparable in size with the existing. The proposed replacement would be significantly taller than the existing and by reason of the scale and mass of the building it would appear more bulky. As such the proposal fails to accord with the relevant policies.
- 6.4 There are and would be views of the dwelling from the proposed access, the adjacent highway and adjacent agricultural land. The proposed replacement dwelling would be taller than the existing and of a larger scale and mass. As such the resulting dwelling would be more prominent in the landscape. Whilst it may be argued that the existing bungalow is not of architectural or historic interest and the replacement provides a better design it is considered that any benefit would be outweighed by the increase in size of the building. Therefore the proposal would have a harmful impact upon the landscape.
- 6.5 The proposed parking area provides insufficient turning and manoeuvring space to ensure that vehicles may enter and leave in a forward gear and would not therefore be in the interests of highway safety.

RECOMMENDATION

That planning permission be refused for the following reasons:

- 1. The proposed replacement dwelling would not be comparable in size and scale with the existing therefore the proposal is contrary to policy H20(e) of the Hereford and Worcester County Structure Plan, policy GD1, C1 and SH21 of the South Herefordshire District Local Plan and policy DR1 and H7 of the Herefordshire Unitary Development Plan.**

2. The site is located in an area of open countryside designated as being of Great Landscape Value. The proposed replacement dwelling by reason of its scale and bulk will appear visually intrusive and unduly prominent in the landscape so as to have a detrimental effect. As such, the proposal conflicts with Policy CTC2 of the Hereford and Worcester County Structure Plan and Policy C.8 of the South Herefordshire District Local Plan and Policy LA.2 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).

3. The proposed parking area provides insufficient turning and manoeuvring space to ensure that vehicles may enter and leave in a forward gear and would not therefore be in the interests of highway safety contrary to policy T.3 of the South Herefordshire District Local Plan and policy S.6 of the Herefordshire Unitary Development Plan (revised deposit draft).

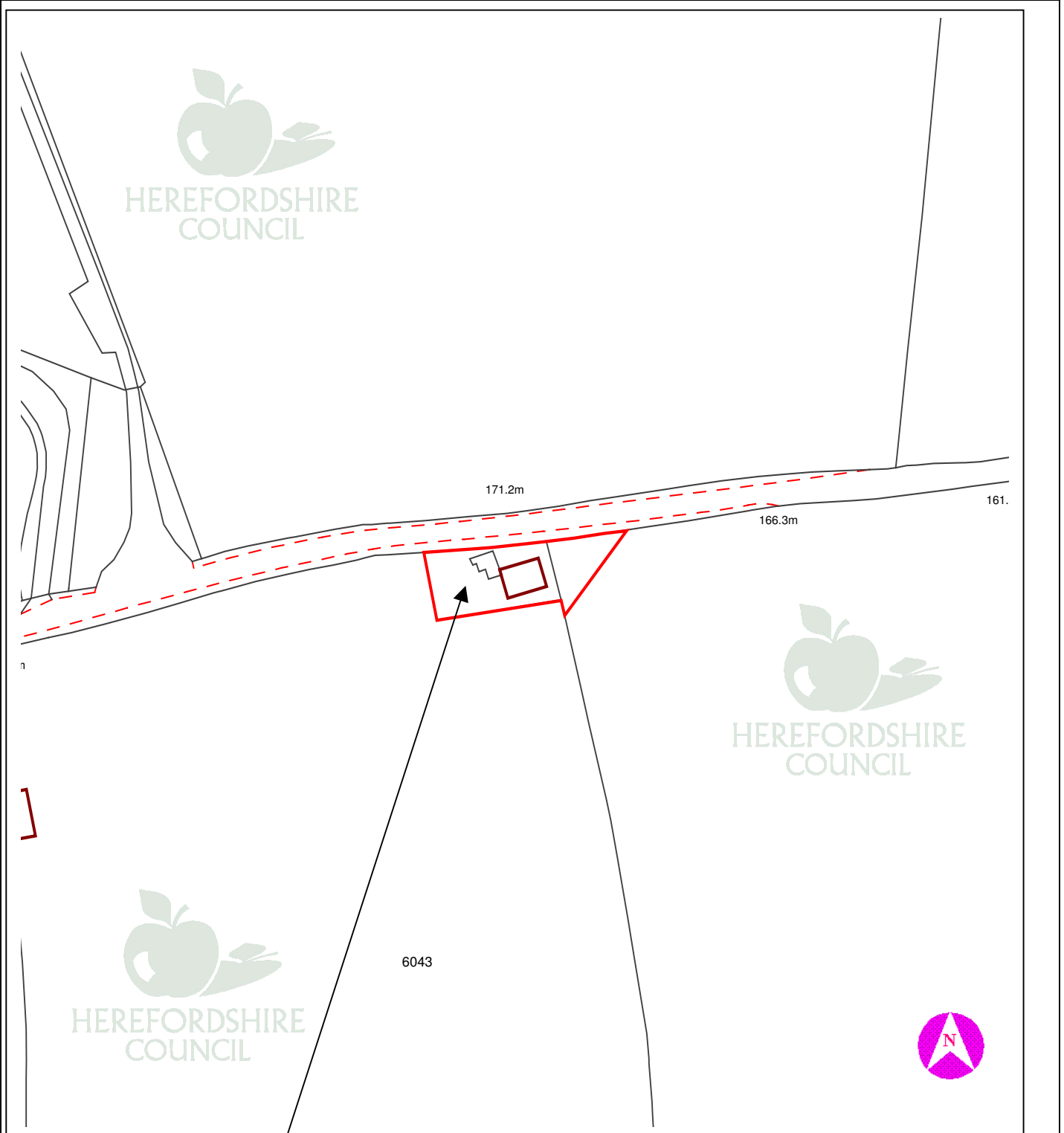
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2006/2417/F

SCALE : 1 : 1250

SITE ADDRESS : Brynfield, Lyston Lane, Wormelow (near Orcop), Herefordshire, HR2 8EW

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