

DELEGATED DECISION REPORT

APPLICATION NUMBER

151090

Land at The Walled Garden, Bodenham Manor, Bodenham, Hereford, HR1 3JS

CASE OFFICER: Mr A Prior
DATE OF SITE VISIT:30 April 2015

Relevant Development HUDP :S2, DR1, DR2, DR4, H13, HBA6, NC1, NC6, NC7
Plan Policies: Herefordshire Local Plan – Core Strategy : SD1, SS6, H1-4,
 LD1, LD2, LD5
 NPPF

Relevant Site History: P142850/CE

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	Y		Y		
Transportation	Y		Y	Y	
Ecologist	Y		Y	Y	
Landscape Officer	Y	Y			
EHO	Y	Y			
Garden Hist Society	Y	Y			
Hfds & Worcs Garden Trust	Y	Y			
Hfds NT	Y	Y			
Site Notice	Y	Y			
Local Member	Y		Y		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The proposal constitutes part of a sloping site on which stands a derelict school building. This site comprises part of Bodenham Manor. The roadside comprises stone rubble wall which is just under 2 metres in height in places. This site is on the western fringe of Bodenham, it is within the Conservation Area and the 30mph speed limit. There are two modern bungalows on the eastern side of the proposal site.

The proposal entails erecting 2, two-storey dwellings with detached garages. The dwellings will be served by a single access point providing 2m by 60 m visibility splays. Each dwelling will be finished in horizontal Oak cladding at first floor level with local sandstone rubble beneath. The roofs of the traditional pitch roofs will be covered by natural slates. Details are also provided for bat access via raised ridge tiles and bat tubes. Also, as part of biodiversity enhancements details for fruit and small broad leaved trees are detailed particularly between the roadside boundary and the two elevated properties as well as above and alongside each of the detached properties.

Bat lofts will be created in roof spaces of the dwellings and garages and a range of fruit trees proposed in order to enhance the habitat for wild life.

Representations:

Parish Council has no objections

Traffic Manager conditional support i.e turning /area & parking

Landscape Officer has not responded

Ecologist recommends that a habitat enhancement condition be attached to any planning approval granted

Garden Historical Society has not responded

Hfds & Worcs Garden Trust has not responded

Hereford NT has not responded

Ward Member has no objections

Pre-application discussion:

Yes , P142850/CE

Constraints:

Conservation Area

Unregistered Park/ Garden

SWS adjoining

Appraisal:

The main issues relate to the principle of erecting two dwellings on this site, in part of the Conservation Area, the impact that the dwellings will have in the locality and upon the amenity of residents living in the vicinity of this sloping site. There are also issues relating to foul and surface water drainage and biodiversity. Therefore, the proposal needs to be determined in accordance with policies S2, DR1, DR2, DR3, H13, HBA6, NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan (HUDP) together with the provisions of the National Planning Policy Framework (NPPF).

This is an elevated area of ground well defined by stone walling that continues along the class II road from which access will be taken. It is also a site that has been previously developed and had a modern school building sited on it. Therefore, this site notwithstanding it is within the Conservation Area constitutes a previously developed site that is therefore one that should ideally, in the right circumstances, in accordance with the provisions of Paragraph 17 the NPPF be developed over a greenfield site. The approach adopted is sensitive in terms of the massing of the two dwellings and the external materials used that will assist in assimilating the two detached properties into the sloping site. This proposal will with the pallet of materials proposed, the design of the dwellings, the extensive landscaping and retention of stone boundary walling assist in assimilating the new development into this part of the Conservation Area, a heritage asset, such that the contribution made will not be an adverse one.

The means of dealing with foul and surface water has also been satisfactorily addressed within this application such that any run-off will be no more than for the former school building. Therefore, the proposal accords with Policy DR4 of HUDP, in this respect.

The biodiversity interests of the site have been addressed by the provision of bat loft areas in both new dwellings and garages and habitat enhancement with new trees, including cherry, apple and damson trees in order to enhance the habitat for bats and wildlife generally in accordance with the provisions of Policies NC1, NC7 and NC8 of HUDP.

The siting of the two dwellings will not have an adverse impact on the amenity of adjoining residents down slope and the east. Therefore, the proposal accords with Policy DR2 of HUDP.

This is a sustainable proposal relating to a brownfield site in a Conservation Area that accords with policies in the HUDP, the Herefordshire Local Plan – Core Strategy and in turn the provisions of the National Planning Policy Framework.



RECOMMENDATION: PERMIT REFUSE

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

1. C01
2. C06 (E001, P003 Rev.C, P100 Rev.B, P101 Rev.B, P102 Rev.A, P300 Rev.A)
3. C13
4. CAL
5. The recommendations set out in the ecologist's report from Star ecology dated march 2014 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a habitat protection and enhancement scheme integrated with the landscape scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of Herefordshire Unitary Development Plan.

To comply with Herefordshire Council's Policy NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework
2. I 05
3. I 35
4. I 48

AP

Signed:

. Dated: ...8 June 2015.

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT ☒

REFUSE ☐

M. J. T. C.

Signed:

..... Dated: 8/6/15