

5g 3/11/0334/FP – New access and driveway at Wyddial Bury Farm, Wyddial Road, Wyddial for Mr Charles Lee

Date of Receipt: 17.03.2011

Type: Full – Minor

Parish: WYDDIAL

Ward: BUNTINGFORD

RECOMMENDATION

That planning permission be **REFUSED** for the reason:-

The proposed access and driveway will create a harmful opening onto an attractive rural road frontage which will be disruptive to the alignment, character and appearance of the street scene, contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.

The proposed access and associated extension of the residential curtilage will dissect the existing open field within the site to the detriment of the character and appearance of the local landscape and the setting of the listed building, contrary to policy ENV7 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 5: Planning and the Historic Environment.

_____ (033411.MP)

1.0 Background

- 1.1 This application has been brought to the committee at the request of Councillor Bull.
- 1.2 The application site is shown on the attached OS extract. The site is located on the edge of the village of Wyddial, and forms a significant plot of land which formerly consisted of the complex of farm buildings associated with Wyddial Bury Farm. Within the application site is the property known as Wyddial Bury Farm, which is a grade II listed building. This is a highly articulated, multifaceted building which has a number of appendages and variation in materials of construction which provides the character to the building and warrants its listed status.
- 1.3 Access to the property is currently gained via an archway which links Wyddial Bury Farm to the Wyddial Bury Mews buildings (also listed) which are sited to the east of the application site. To the south and west of the existing building are open meadows which are in the ownership of the applicant. That space is enclosed by a post and rail fence with a mix of attractive native hedgerows, trees and other landscape features.

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- 1.4 To the west of the application site the boundary follows a south-east to north-west axis with a 130 metre frontage onto the road. The boundary treatment along this proportion of the site consists of a steep grassed verge, some 1.5 – 2 metres higher than the road. On top of the verge is an attractive native hedge and trees interspaced at regular intervals. The application proposes an access located centrally on the western boundary. The plans propose to manipulate the levels and gradient between the road and the land within the application site and curve the hedge into the site. No trees are proposed to be removed. Within the application site the proposed drive crosses centrally across the site with a post and rail fence either side of the drive. A gravel finish is proposed for the drive.

2.0 Site History

- 2.1 Planning permission has been granted for the removal of an agricultural occupancy condition within LPA reference 3/07/1413/FO.
- 2.2 Planning permission has been granted for the erection of a garage building, car port and stable building within LPA reference 3/08/1865/FP.
- 2.3 Listed building consent has more recently been granted for the provision of a rooflight and the provision of ground floor doors within LPA reference 3/11/0337/LB

3.0 Consultation Responses

- 3.1 County Highways comment that they do not wish to restrict the grant of planning permission.
- 3.2 The Conservation Officer recommends refusal of planning permission. The Conservation Officer (CO) comments that to the west of the listed building is an open landscape which includes a tennis court which is enclosed by a mature hedge boundary denoting the immediate setting of the historic farmhouse. The collection of that open landscape together with the surrounding open rural countryside makes a significant contribution to the immediate and wider historic and architectural character and appearance of the historic asset and its setting. The provision of an access which subdivides the open landscape with a formal gravel driveway and post and rail fence is considered to be harmful to the immediate and wider character of the setting of the listed building.

The CO notes that there is an alternative access point to the south -east boundary of the site and the applicant or agent have indicated that utilising this particular access point would result in a diagonal route across the site.

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The CO comments that such an access may be less intrusive if it followed the boundary.

- 3.3 The County Archaeologist comments that the proposed development is in Area of Archaeological Significance No 7, which includes the medieval settlement of Wyddial, its 14th century parish church of St Giles, Wyddial Hall, and Wyddial Bury Farm. The present buildings at Wyddial Bury Farm, which comprise a 16th century house with an attached range of ornamental Victorian brick built farm buildings, probably lie on, or close to an earlier manorial centre [Historic Environment Record No. 240]. In 2002-3 archaeological evaluation and monitoring of the groundworks associated with the conversion of the brick barns did not record any trace of medieval activity so the site of this earlier manorial centre remains uncertain.

The position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological and historic interest. A planning condition requiring the submission of a scheme of archaeological monitoring in accordance with a written scheme of investigation is therefore considered to be necessary and reasonable by the County Archeologist.

4.0 Parish Council Representations

- 4.1 No comments have been received from Wyddial Parish Council

5.0 Other Representations

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

6.0 Policy

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:-

ENV1	Environment and Design
ENV7	Extension of Curtilage of a Residential Property

- 6.2 In addition, the following National policy guidance is relevant:-

Planning Policy Guidance 1, Delivering Sustainable Development
Planning Policy Statement 5: Planning for the Historic Environment

7.0 Considerations

7.1 The main planning considerations in respect of the planning application relate to the following:-

- The extension of the residential curtilage of the dwellinghouse;
- The impact of the development on the character and appearance of the street scene and rural area;
- The impact on the setting of the listed building.

Extension of residential curtilage

7.2 The planning application includes the provision of a driveway within the existing meadow space, which involves a material change of use of that space into ancillary residential use. A consideration of the impact of such a change of use on the residential curtilage is required.

7.3 Policy ENV7 sets out the planning policy considerations of such a matter. The policy states that the extension of the curtilage of a residential dwelling may be permitted if the proposal a) includes the provision for appropriate landscape and boundary treatment b) is not likely to result in an adverse effect on the character or appearance of the local landscape and c) does not involve areas of existing archaeological or ecological significance.

7.4 With regards to criteria a) landscaping – there is limited information submitted with the application in respect of landscape treatment. However, Officers are of the opinion that such a requirement can be addressed through the provision of an appropriately worded planning condition.

7.5 With regards to criteria c), Officers note the comments from the County Archaeologist. It is considered that, having regard to those comments and, taking into account the requirements of policy ENV7, BH1, BH2 and BH3 that an appropriately worded planning condition would address any such impact on significant archaeological remains.

7.6 Turning to the impact on the character and appearance of the landscape this, in Officers opinion, is of concern. As has been set out above, the site represents an open area of land which is enclosed with the provision of soft landscaping and soft landscape features. The provision of a formal gravelled driveway and related fencing will subdivide the plot to the detriment of the openness and rural character of the site and immediate local landscape of the site, contrary to policy ENV7 b).

Impact on setting of listed building

- 7.7 The above considerations relating to the impact on the character and appearance of the landscape also relate to the impact on setting of the listed building, as is set out in the consultation response from the CO. The CO sets out that the land to the west of the dwelling forms part of the setting of the listed building and the provision of a driveway to subdivide that space would be harmful to the setting of the listed building. Having regard to that consideration and, taking into account the open nature of the space and relationship and siting of the proposed access with the listed building, Officers consider that the proposal will result in harm to the setting of the listed building. The proposed development will neither preserve nor enhance the setting of the listed building, contrary to PPS5.

Impact on street scene

- 7.8 The proposed access is located within part of the existing eastern boundary which, in Officers opinion represents a typical attractive highway verge and landscape feature. There are other accesses off the road at this point within the street scene – notably accesses into Wyddial Park and The Old Rectory. Those accesses are however on the opposite side of the road to the proposed access. In Officers opinion, the provision of an access at this point in the road frontage will cause harm to the existing uninterrupted alignment of the road. The proposal will provide a domesticated infringement into the road which will disrupt the rural, verdant character of the verge and other landscape features.
- 7.9 In this respect, the proposal does not represent a development which represents a high quality of design or layout and fails to demonstrate compatibility with the layout of the surrounding area. The proposed development therefore fails to meet the requirements of policy ENV1 of the Local Plan.

Highway safety

- 7.10 The applicant has submitted a planning statement which sets out that the existing access to the property is through a narrow arch which has difficulties with access in terms of headroom and visibility. The degree of impact of that access is compounded by the applicant's equestrian interests and the associated requirements in manoeuvring horse boxes and such like into and out of the site.
- 7.11 Matters of highway safety and access into the site are planning matters to which appropriate weight should be attached. Whilst Officers recognise the constraints of the existing access, this access would appear to have served

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the property adequately for some period of time. It should be noted that the Highways Officer makes no comments with regards to the inadequacies of that access, in terms of highway safety or visibility.

- 7.12 In Officers opinion the inadequacies of the access should be balanced against the harm identified above with the proposed access. Officers are of the opinion that the impact on highway safety is not to such an extent that warrants the provision of a harmful opening onto a rural road which creates harm to the local rural landscape and the setting of a listed building.
- 7.13 There would, in Officers opinion, appear to be alternatives for an access into the site which could make use of existing accesses. The applicant suggests that consideration has been given to making use of the existing access to the south west of the field. This has been dismissed by the applicant as it would involve a 'diagonal route' across the field. However, in Officers opinion, there could be scope for following the existing boundary of the field, which would reduce the degree of impact on the openness of the site. Officers also recognise that there could be scope for using an existing access to the north of the site which currently serves adjoining dwellings. This, however, is not mentioned within any supporting information submitted with the application.

8.0 Conclusion

- 8.1 Having regard to the above considerations, it is considered that, whilst some weight should be attached to the existing constraints of the access serving the property, this is not outweighed by the harm to the road frontage, open landscape of the field or setting of the listed building. There are alternative accesses into the site which would not, in Officers opinion, result in such harm.
- 8.2 Officers therefore recommend that planning permission be refused for the reasons set out at the commencement of this report.