

11 DCCE0009/1751/F - PROPOSED GARAGES AND WORKSHOP TOGETHER WITH UTILITY AND LOG STORE, FOR THE STORAGE OF VINTAGE CARS LINKING WEST LYDIATT DWELLING WITH THE DISUSED BARN. AT WEST LYDIATT DWELLING, WEST LYDIATT, WITHINGTON, HEREFORD, HR1 3PM

For: Mr. Snadden Per Mr. Hall, New Bungalow, Nunnington, Hereford, HR1 3NJ

Date Received: 13 July 2009

Ward: Hagley

Grid Ref: 355713,242968

Expiry Date: 8 October 2009

Local Member: Councillor DW Greenow

1. Site Description and Proposal

- 1.1 West Lydiatt dwelling is located at the end of the un-adopted track which serves the several houses in the area known as West Lydiatt immediately north west of the village of Withington. The dwelling is a two storey dwelling set in a relatively large curtilage. Vehicle access arrives at the rear of the dwelling where there is a two storey flat roofed extension. The south elevation of the property is still in its original format and provides a formal frontage to the cottage style dwelling. There is one outbuilding to the rear, which consists of a two storey timber framed building, with a single storey barn attached. In total the outbuildings measure 11 x 4.5m.
- 1.2 This application proposes a double garage with workshop linked to the existing outbuilding. The building will measure 11.6 x 5.9m, with a height of 4.6m. The applicant's hobby is restoring and repairing vintage cars, and the proposed building will be used for the storage of them as well as providing an area to work on them during the winter months. The proposed building is constructed from rendered walls painted off white with vertical boarded and ledged braced doors under a tiled roof. The building also provides a utility and log store for the main dwelling.
- 1.3 The applicant has provided evidence in the form of registration certificates for all the vehicles which are in his or his wife's ownership which amounts to 4. The neighbouring dwelling and land is in the ownership of the applicant's father-in-law, who also shares the same hobby as the applicant in vintage cars. The father-in-law has his own facilities in which to keep his cars, and in the supporting statement from the applicant it is stated that there are no cars stored on the application site which are owned by the father-in-law.

2. Policies

- 2.1 S1 - Sustainable Development
 DR1 - Design
 H18 - Alterations and Extensions

3. Planning History

- 3.1 None on the application site.

4. Consultation SummaryStatutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager: I am concerned that there is already a disused buildings on the site and presumably the conversion of the existing disused barns has been considered and discounted. In view of the narrowness of the unmade track accessing the property and the number of properties the track already serves, this would not be suitable for trade/commercial use of the garage/workshop and therefore a condition limiting the use should be applied.

5. Representations

- 5.1 Withington Parish Council object to the proposed development on the following grounds:

1. An inadequate access to the site being only 2 metres wide and having inadequate sight lines.
2. The proposed building will be excessive in size.
3. As the existing barn is disused there is no proved requirements for the additional building.
4. The proposed use as a workshop, is incompatible with the rural nature of West Lydiatt.
5. The adjoining lane through to Withies Road is inadequate for additional vehicle access.
6. Vintage cars are already garaged and 'worked on' in the adjoining premises owned by the father-in-law.
7. There are no sound attenuation measures indicated with residential properties in close proximity.

- 5.2 Four letters of objection have been received from:

Jim and Carol Bendle, New Drive, West Lydiatt, Withington.
Mr. and Mrs. E. Jones, No.1 West Lydiatt, Withington
Mr. and Mrs. C.R. Mullis, Ivy Cottage, West Lydiatt, Withington
Mr. and Mrs. Richard Perks, West Lydiatt Farm, Withington.

The main points raised are:

1. The proposed development would generate considerable loud noise from the cutting and grinding of metal, hammering and welding etc.
2. Concerns with regards to the protection of the environment.
3. As it is a hobby pursuit means that it would take place after hours in the evening.
4. Concern that if permission were granted it would turn into a business.
5. Concerns over an increase in vehicle activity i.e. delivery vehicles.
6. Building too large for a domestic dwelling.
7. The existing outbuilding should be used for the activity.

8. The applicant works with his farther-in-law restoring vintage cars as a hobby. This hobby has no place is a rural hamlet.
- 5.3 A letter has been received from the applicant in response to the concerns raised by the Parish Council and the neighbours. The main points raised are as follows:
1. The access to the property is adequate; however there is not to be any increase in vehicle movement anyhow to that which already exists.
 2. The existing barn is not suitable for storing vehicles as it is only 4.3m deep and the design also does not lend itself to be used as a garage without major reconstruction.
 3. The existing barn is not disused but used for domestic storage which includes tools used in the restoration of the vintage car.
 4. The proposed development is for a garage, to store vehicles owned by the applicant and his wife (to which registration documents have been submitted to prove ownership). There has never been and will not be any intention to utilize the building for anything other than the pursuit of a hobby.
 5. No increase in vehicular movement is anticipated.
 6. Vehicles stored on the property are all in the ownership of the applicant or his wife, and are not his father-in-law's as suggested.
 7. The building has been designed with double breeze blocks and a cavity wall to mitigate against the possibility of noise when working on the vehicles.
- 5.4 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 The application proposes a building to be used for garaging and as workshop in association with West Lydiatt dwelling. Therefore it falls to be considered against policy H18 of the Herefordshire Unitary Development Plan, which sets the provision for alterations and extensions to dwellings or for buildings incidental to the enjoyment of a dwelling.
- 6.2 The first criterion of the policy requires proposals to allow the original building to remain the dominant feature. The dwelling itself has had a two storey flat roofed extension to the north elevation (rear), which is not visible from the south elevation (front). When viewed from the rear, which is the elevation you first arrive at, the original building is no longer visible and has been lost to the later flat roofed extension. The existing outbuilding is likely to date back to the 1960s and is still in its original form. The original use of the building is unknown, however to the applicant's knowledge it has always been used as storage for the main dwelling.
- 6.3 The second criteria of policy H18 requires proposals to be in keeping with the character of the existing dwelling and its surroundings in terms of scale, mass, siting, detailed design and materials. The proposal is considered to have been designed with a specific use in mind, that of vintage cars, which has been a hobby of the applicants for many years and is clearly evident when visiting the site. The existing outbuilding is clearly used for domestic storage and is not of a size or design that would enable cars to be garaged. The proposed outbuilding is considered to be of a large scale, however given the proposed use and the existing activity at the application site it is considered acceptable.
- 6.4 The siting of the proposed development is considered acceptable and relates well to the existing dwelling and outbuilding on site. To the east of the site is a number of

mature high conifer trees, which would screen the development from view other than when immediately viewed from West Lydiatt Lane which ends outside the property and from within the site itself. The siting of the proposed development is considered to be acceptable with the detailed design and materials reflecting the character of both the existing dwelling and outbuilding. The proposed development on balance, although of a large scale is not considered to detract from the original dwelling or the existing outbuilding, and is overall in keeping with character of the existing dwelling and its surroundings.

- 6.5 The neighbours and the Parish Councils primary concern appears to be the use of the proposed building as a workshop in connection with the applicant's hobby, vintage cars, and the impact of this on the amenity of neighbouring residential dwellings. The third criteria of policy H18 requires proposals not to appear cramped on its plot and not to adversely impact on the privacy and amenity of occupiers of neighbouring residential amenity. The proposed development is to be used as a garage to store the applicant's vintage cars, which he is in the process of restoring one to a road worthy condition.
- 6.6 According to the applicant this has been a hobby of his for many years, which he works on in his spare time. It is also a hobby enjoyed and shared by his father-in-law who lives in the adjoining property. From the neighbours letters it is clear that the noise from the work carried out on the cars is already causing a problem. Having a workshop building, where the cars can be worked on under cover, is considered to minimise the noise experienced by neighbours. The building has been designed with a double breeze block wall in an attempt to minimize the noise that may occur whilst performing maintenance or restorative work on the vehicles. With regards to privacy and amenity, the proposed development is not considered to have an adverse impact above that which currently exists, and will hopefully improve the situation by allowing the applicant to work on his vehicles undercover.
- 6.7 Another concern expressed from the neighbours and the Parish Council is the possibility of the hobby turning into a business and the impact of the associated vehicle movement associated with this. This has also been highlighted as a concern from the highways officer. The applicant has stated that there has never been any intention for the hobby turning into a business, with the proposed building being used for the applicant's personal use only. The use can be controlled through conditions attached to the decision notice ensuring that the garage is used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwelling house and not for the carrying out of any trade or business. It is also recommended that conditions are attached to the decision notice ensuring that the garage is not converted into habitable accommodation as well as permitted development rights being removed in relation to additional outbuildings and garages to ensure the character and amenity of the locality is maintained.
- 6.8 With regard to concerns with additional traffic and the inadequate access and track leading into the site, the development if approved is not considered to generate an increase in traffic above that which already exists.
- 6.9 Having considered all the information submitted from the applicant and from the neighbouring residential properties, the proposed development, its scale, siting, design and use are considered to be acceptable and will improve the existing situation on site for both the applicant and the neighbours. The application is in accordance with policy H18 of the Herefordshire Unitary Development Plan and is recommended for approval subject to the conditions set out below.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. **A01 Time limit for commencement (full permission).**
2. **C03 Matching external materials (general).**
3. **F07 Domestic use only of garage.**
4. **F08 No conversion of garage to habitable accommodation.**
5. **F14 Removal of permitted development rights.**

Informatives:

1. **N15 Reason(s) for the Grant of PP/LBC/CAC.**
2. **N19 Avoidance of doubt - Approved Plans.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

