

**12 DCNW2006/4007/F - ERECTION OF 2 NO. DWELLINGS WITH DETACHED GARAGES AT SUNNYMEADE, BACK LANE, WEOBLEY, HEREFORD, HR4 8SG****For: Mr & Mrs I C & F K Dyer per Mr L B Ray, Waterloo, Ledgemoor, Weobley, Herefordshire, HR4 8RJ****Date Received:****Ward: Golden Cross  
with Weobley****Grid Ref:****21st December 2006****40121, 51606****Expiry Date:****15th February 2007**

Local Member: Councillor JR Goodwin

**1. Site Description and Proposal**

- 1.1 The site is located on an elevated site overlooking the adjacent B4230 public highway known as 'Back Lane', Weobley, this roadway is alongside the eastern boundary of the application site.
- 1.2 Presently located to the rear of the application site is a timber built structure, last used as a 'gallery/pottery' workshop.
- 1.3 The site is located within the 'Weobley development limits' this is adjacent to the site's western and southern boundaries.
- 1.4 The site is situated within the Conservation Area in a predominantly residential area, that is surrounded by a mixture of types of dwellings, of various architectural and historic character.
- 1.5 The application proposes the erection of two detached two-storey dwellings. On an application site of approximately 0.14 hectares, house no. 1 will have a sitting room, dining room, hallway, kitchen and utility on the ground floor and 4 bedrooms and bathroom on the first floor and measures approximately 216.25 metres floor spaces measured externally.
- 1.6 House no. 2 will have 2 sitting rooms, kitchen, hall and utility on the ground floor and three bedrooms and bathrooms on the first floor and has a floorspace when measured externally of approximately 164.5 square metres.
- 1.7 The application also proposes a two bay detached garage to the rear of each property. Proposed construction materials for the development is brick, render, and weather boarding for the external walls under clay tile roofs.
- 1.8 As the site is located within the Conservation Area, a separate application has been submitted (ref. NW2006/3068/C), for the demolition of the existing structures on site, as they exceed 115 cubic metres. No adverse comments were received to this application and it was subsequently granted planning approval under the Council's scheme of delegation.

## 2. Policies

### 2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development  
S2 – Development Requirements  
S7 – Natural and Historic Heritage  
DR1 – Design  
DR2 – Land Use and Activity  
DR3 – Movement  
DR4 – Environment  
H4 – Main Villages – Settlement Boundaries  
H13 – Sustainable Residential Design  
H14 – Re-using Previously Developed Land and Buildings  
H15 – Density  
H16 – Car Parking  
LA2 – Landscape Character and Areas Least Resilient to Change  
ARCH1 – Archaeological Assessments and Field Evaluations  
ARCH3 – Scheduled Ancient Monuments  
HBA4 – Setting of Listed Buildings  
HBA6 – New Development within Conservation Areas  
HBA7 – Demolition of Unlisted Buildings within Conservation Areas  
CF2 – Foul Drainage  
TCR14 – Village Commercial Facilities

### 2.2 Leominster District Local Plan

A1 – Managing the District's Assets and Resources  
  
A2(D) – Settlement Hierarchy  
  
A6 – Sites of Local Importance for Nature Conservation  
  
A9 – Safeguarding the Rural Landscape  
A18 – Listed Buildings and their Settings  
A21 – Development within Conservation Areas  
A22 – Ancient Monuments and Archaeological Sites  
A23 – Creating Identity and an Attractive Built Environment  
A24 – Scale and Character of Development  
A54 – Protection of Residential Amenity  
A55 – Design and Layout of Housing Development  
A70 – Accommodating Traffic from Development

### 2.3 **Supplementary Planning Guidance Weobley Parish Plan**

### 2.4 **National Planning Policy Statement 7 – Sustainable Development in Rural Areas (PPS 7)**

**Planning Policy Guidance 16 – Archaeology (PPG 16)**

## 3. Planning History

- 3.1 93/0120/N – Conversion and extension of existing building to form 2 bedroom dwelling and erection of a 3 bedroom dwelling and creation of a 3 bedroom dwelling. Refused 5<sup>th</sup> May 1993.
- 3.2 NW2006/ 3068/C – Proposed demolition of the Willow Gallery and adjacent sheds. Approved 6<sup>th</sup> November 2006.
- 3.3 NW2006/3067/F - Proposed erection of 2 dwellings - Withdrawn 26th October 2006.

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

##### Statutory Consultations

- 4.1 Welsh Water (Hyder) - No objections subject to inclusion of conditions with regards to foul and surface water discharge.
- 4.2 English Heritage - No objections.

##### Internal Council Advice

- 4.3 Transportation Manager has no objection to the grant of permission.
- 4.4 The County Archaeologist raises no objections to the proposal stating the results of the recent archaeological evaluation were largely negative.
- 4.5 The Conservation Manager considers the proposal to be appropriate to this part of the Conservation Area.
- 4.6 The Landscape Manager has responded to the application recommending that the ornamental willow tree on the site is not pollarded but reduced in overall size by means of a crown reduction. The tree is considered not to be worthy of a Tree Preservation Order. Alternatively dwelling no. 2 will need to be sited further back from the tree.

#### **5. Representations**

- 5.1 Weobley Parish Council raise no objections to the proposed development in principle but do raise concerns about entrance visibility to the site and further state in their response:-

'The Parish Council feels that some 'planning gain' should be requested from the developers to provide some form of traffic calming along Back Lane and to provide a passing bay at a convenient point along this narrow road.'

- 5.2 Letters of objection/comment have been received from the following members of the public:-

- Beryl Bradbury, Cleevview, Weobley
- Bryan Bradbury, Cleevview, Weobley

Issues raised can be summarised as follows:-

- Access from site onto adjacent public highway.
- Density of proposed development is high.

- Existing Willow Tree and gently sloping lawns on site are a cherished part of the settlement.
- Proximity of proposed development in relationship to the northern boundary of the application site.
- Impact of proposal on residential amenity of dwelling known as 'Clee View'.

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

## 6. Officers Appraisal

6.1 The key issues of concern in relationship to this application are:-

- The existing use of the site
- Impact of proposal on surrounding area.

### Existing use of the site

6.2 The site's last use was a gallery/pottery shop. The Design and Access statement submitted in support of the application indicates that the structure on site is unused, despite efforts to keep it open. The site having been redundant/empty for a number of years. Formally it formed part of a nursery to the adjoining dwelling, situated to the west of the application site, known as 'Sunnymead', (applicant's dwelling). In accordance with one of the letters of objection/comment from a member of the public to a previous application for the site it has also been used for the housing of chickens.

6.3 In accordance with Policy TLR14 – Village Commercial Facilities in the Herefordshire Unitary Development Plan (Revised Deposit Draft) to which the Inspector in his report recommended no changes to this Policy. A local commercial facility such as the 'Willow Gallery' has an opportunity for an economic and social function on site.

6.4 The site is elevated and has substantial views over the surrounding area of Weobley Village. The site having had no business use for a number of years. The last business use on site did not provide an essential service to the district, the site is not located in the centre of the Settlement, where other services are provided, ie. village shop, Post Office, public house etc. The village also has an existing pottery business, located further along 'Back Lane'. The Transportation Manager has responded to the application with no objections in consideration of the existing use of the site. The site is served by the adjacent B4230 public highway known as 'Back Lane' to which there are public concerns about vehicle movements along this stretch of road. The proposal subject to this application refers to a use of the site that should lead to far less vehicular movement in and out of the site than the existing planning use of the site.

6.5 It is considered that the proposal represents an overall planning gain with regards use of the site, being as it is within the Settlement's historic core and designated Conservation Area.

### Impact of proposal on surrounding area

6.6 The site has an area of approximately 0.15 hectares and proposes two separate dwellings. This is below recommended national guidelines on density per hectare. However the site is located within a Conservation Area and at a higher level than

properties and the opposite side of the road. To increase the amenity on site would have implications for the character of the area and amenity of local residents.

- 6.7 The application proposes two detached garages, one for each of the proposed dwellings – due to the land topography, it is essential that any garaging or residential structural paraphernalia is located to the rear of any residential development on site.
- 6.8 To the north west of the application site is the property known as ‘Clee View’ . This property is located in excess of 20 metres from the nearest proposed dwelling, on the application site. The plans indicated house no 2 to be nearest to Clee View, it has no proposed windows on its first floor gable elevation and only two small secondary windows in its ground floor elevations facing towards Clee View, frontal cartilage, within which are situated a garage and garden shed. Therefore it is considered that the proposal does not represent a detrimental impact on either the amenity or privacy of this property.
- 6.9 The front section of the site, facing the adjoining public highway has formal lawned gardens and a significant weeping Willow tree towards its northern boundary, it is proposed to pollardise the existing willow tree.
- 7.0 The Willow tree is ornamental in variety and represents a species of no significant native value. The occupants of Clee View, Mr Bryan and Mrs Beryl Bradbury have welcomed proposals to pollardise this tree. The Landscape Manager advises that the tree is not pollardised because it will spoil the appearance of the tree. An alternative solution would be to reduce the crown of the tree. Therefore as the tree is not considered worthy of a Tree Preservation Order it is recommended that a condition be attached to permission with regards to any proposed pruning works prior to development on site.
- 7.1 The layout of the site is proposed in order to retain the existing access road into the site from the public highway and frontal formal lawned gardens. The Parish Council’s suggestions of public highway improvements are not shared by the Transportation Manager and would have a detrimental impact on this part of the Conservation Area of the Settlement.

## **RECOMMENDATION**

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

- 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 - B01 (Samples of external materials )**

**Reason: To ensure that the materials harmonise with the surroundings.**

- 3 - All external joinery will be of timber construction.**

**Reason: In the interests of the surrounding Conservation Area.**

- 4 - Foul water and surface water discharges must be drained separately from the site.**

**Reason: To protect the integrity of the public sewerage system.**

- 5 - **No surface water shall be allowed to connect (either directly or indirectly), to the public sewerage system.**

**Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.**

- 6 - **No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.**

**Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.**

- 7 - **E01 (Restriction on hours of working )**

**Reason: To safeguard the amenities of the locality.**

- 8 - **E09 (No conversion of garage to habitable accommodation )**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

- 9 - **E16 (Removal of permitted development rights )**

**Reason: In order to protect the character of the surrounding Conservation Area.**

- 10 - **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.**

- 11 - **G04 (Landscaping scheme (general) )**

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

- 12 - **G05 (Implementation of landscaping scheme (general) )**

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

**Informatives:-**

- 1 - **N15 - Reason(s) for the Grant of PP/LBC/CAC**

- 2 - **N19 - Avoidance of doubt**

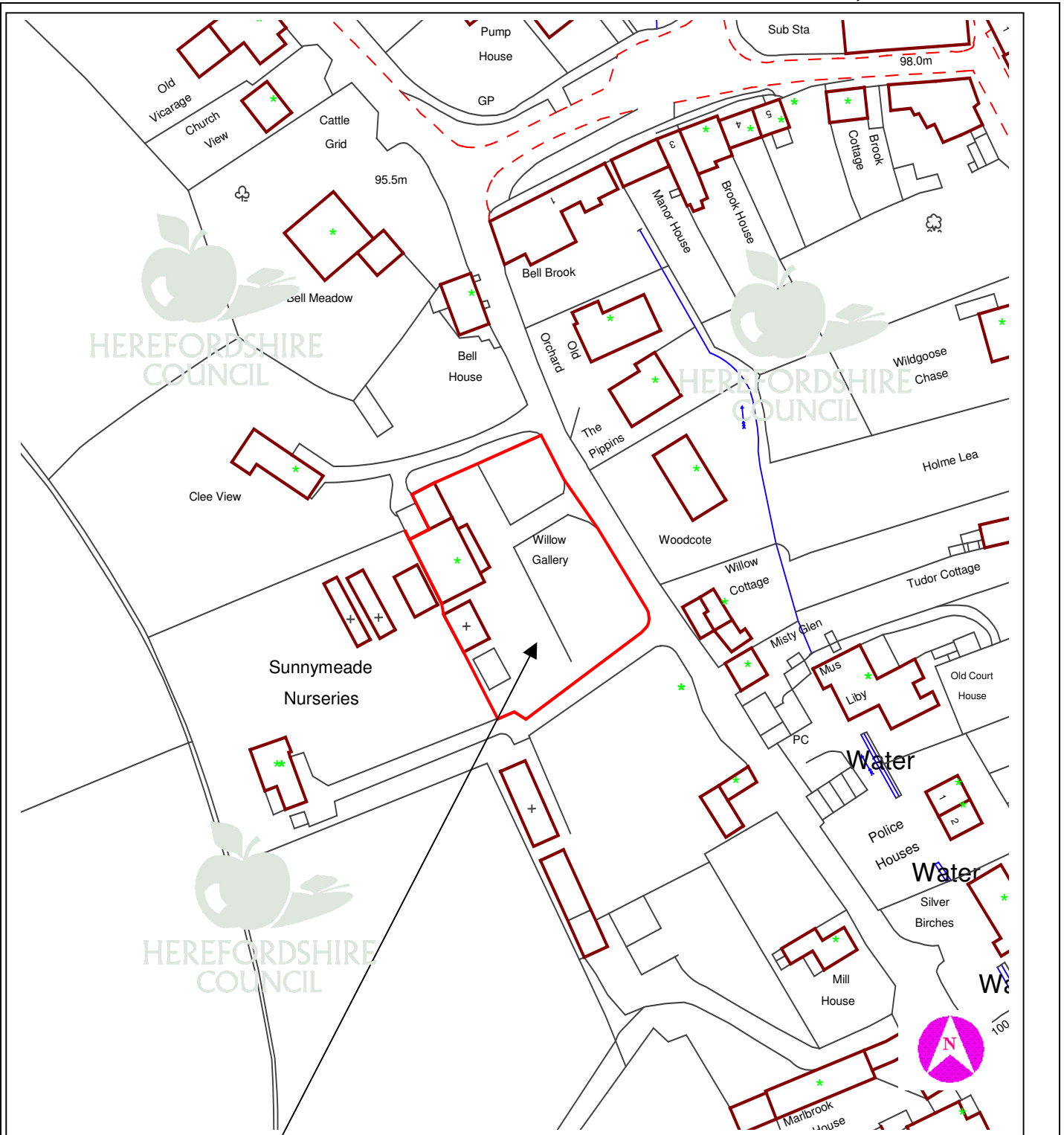
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCNW2006/4007/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Sunnymeade, Back Lane, Weobley, Hereford, Herefordshire, HR4 8SG

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005