

**6 NW2003/1681/F - ERECTION OF RESIDENTIAL GARAGE/WORKSHOP WITH CHANGE OF USE FOR PARTIAL COMMERCIAL USAGE AT BRYNCURL, LYONSHALL, KINGTON, HEREFORDSHIRE, HR5 3LT****For: Mr & Mrs RPR Sutherland & Mr & Mrs PR Sutherland at above****Date Received:**  
5th June 2003**Ward:**  
Pembridge  
Lyonshall with Titley**Grid Ref:**  
& 33915, 55725**Expiry Date:**  
31st July 2003

Local Member: Councillor R Phillips

**1. Site Description and Proposal**

- 1.1 Bryncurl is an attractive unlisted property located on the south side of the C1031 close to but just outside the settlement boundary of Lyonshall.
- 1.2 The property lies within a spacious plot, the roadside boundary being defined by a low stone wall behind which the proposed garage/workshop would be located. The nearest neighbouring dwelling is some 20 metres to the east of the application site. To the north and east are a range of predominantly modern agricultural buildings.
- 1.3 Planning permission is sought for the construction of a garage/workshop building within the existing garden and positioned immediately adjacent to the roadside boundary. It therefore projects in front of the principal elevation of the main house. The building would be weatherboarded under a slate roof and has a floor area of 10.2 metres by 6 metres, a height to the eaves of 2.53 metres and an overall height of 6.12 metres. The proposal also involves an external staircase to a first floor studio.
- 1.4 The intention is to provide garaging for the applicants private car and domestic paraphernalia as well as to function as a store for his commercial vehicle and its contents and other materials relating to the applicants business such as timber and loft ladders. The building would also house some woodworking equipment including a small table saw, planer, cross cut saw and pillar drill. These would be used partly in connection with the applicants home improvement business but also in connection with his DIY requirements and furniture making hobby. The applicant advises that business related activity would be limited since this primarily takes place off site.

**2. Policies****Hereford & Worcester County Structure Plan**Policy E6 Industrial Development in Rural Areas  
Policy CTC 9 Development Requirements

**Leominster District Local Plan (Herefordshire)**

Policy A1	Managing the Districts Assets & Resources
Policy A2 (d)	Settlement Hierarchy
Policy A9	Safeguarding the Rural Landscape
Policy A10	Trees and Woodlands
Policy A13	Pollution Control
Policy A24	Scale and Character of Development
Policy A35	Small Scale New Development for Rural Businesses within or around Settlements
Policy A54	Protection of Residential Amenity
Policy A56	Alterations, Extensions and Improvements to Dwellings
Policy A70	Accommodating Traffic from Development

**3. Planning History**

- 3.1 NW03/1680/F - Erection of Kitchen/Bedroom and Conservatory - Approved 10 July 2003.

**4. Consultation Summary**

- 4.1 Responses by internal consultees that raise material planning issues are summarised and considered in the Officer's Appraisal.

**5. Representations**

- 5.1 Lyonshall Parish Council state :

'The Parish Council object to this application on the grounds that this is a change of use to semi-industrial in a residential area. The woodworking equipment outlined with this application for use in the proposed workshop is of a nature very noisy and would have a detrimental affect to the enjoyment of the surrounding residents. In addition the gable end is visually unacceptable and would have too great an impact on its neighbours.'

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

**6. Officers Appraisal**

- 6.1 The key issues for consideration in the determination of this application are as follows :
- The impact of the proposed workshop upon the amenities of local residents.
  - The impact of the building on the character and appearance of the site and its surroundings.

**Residential Amenity**

- 6.2 The application has been described in terms of being for 'partial commercial use' and it is on the basis of limited commercial activity alongside domestic garaging and storage requirements that the proposal is considered generally acceptable in this residential locality.

- 6.3 In making this assessment, the scale of activities taking place from the site has been confirmed as being very light with woodworking equipment having a dual-use for the applicants DIY and woodworking hobby. These activities could legitimately take place from the existing garage/workshop on the site and this application does offer the opportunity to restrict/control activities to an appropriate level.
- 6.4 No specific objections have been raised by the Head of Environmental Health and Trading Standards and in the light of this and the manner in which the building would be used by the applicant, it is not considered that the refusal of permission on the grounds of neighbouring amenities could be justified. A range of conditions aimed at safeguarding from inappropriate use is set out in the recommendation below.

#### Character and Appearance of the Area

- 6.5 The site lies within open countryside just beyond the established settlement boundary for Lyonshall. In this respect the design of the garage/workshop has taken the form of a more agricultural looking building utilising weatherboarding and slate. Its scale has been reduced and its appearance simplified to address the concerns raised by Lyonshall Parish Council with the roadside gable now being fully weatherboarded.
- 6.6 The siting, whilst projecting forward of the main house reflects the location of the historic barn immediately to the north of the application site and it is not therefore considered that the building, which would butt behind the existing stone boundary wall would appear out of keeping with the grain of development on this approach road to the village.

#### **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 - A09 (Amended plans ) (received 1 July 2003)**  
**Reason: To ensure the development is carried out in accordance with the amended plans.**
- 3 - B01 (Samples of external materials )**  
**Reason: To ensure that the materials harmonise with the surroundings.**
- 4 - C10 (Details of rooflights )**  
**Reason: To ensure the rooflights do not break the plane of the roof slope.**
- 5 - The garage/workshop shall enure for the benefit of Mr RPR Sutherland & Mr & Mrs PR Sutherland and shall not be sold, leased or let separately from the dwelling known as Bryncurl.**  
**Reason : In recognition of the applicants specific circumstances and to avoid the creation of an independent workshop in this rural location.**
- 6 - F02 (Scheme of measures for controlling noise )(use)**  
**Reason: In order to protect the amenity of occupiers of nearby properties.**

- 7 - **F04 (No open air operation of plant/machinery/equipment )(within the application site)**  
**Reason: To protect the amenities of nearby properties.**
  
- 8 - **F42 (Restriction of open storage )**  
**Reason: To protect the appearance of the locality.**
  
- 9 - **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.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.