

**7 DCNC2007/0807/F - NEW DWELLING AND GARAGES  
AT SITE ADJACENT TO LUSTON COURT, LUSTON,  
LEOMINSTER, HEREFORDSHIRE, HR6 0DU****For: Mr W Beaumont per Mr T Margrett, Green Cottage,  
Hope Mansel, Ross-on-Wye, Herefordshire HR9 5TJ****Date Received:**  
12th March 2007**Ward:** Upton**Grid Ref:**  
48686, 63477**Expiry Date:**  
7th May 2007

Local Member: Councillor J Stone

The application was deferred at the meeting on 29<sup>th</sup> May 2007 for a Committee site visit. The site visit took place on 14<sup>th</sup> June 2007. The report below has been updated.

**1. Site Description and Proposal**

- 1.1 The application site lies to the east of a range of converted barns at the eastern fringe of the village of Luston. It occupies a raised position in relation to the road and is set back from it, originally behind a brick and stone retaining wall that has now been removed. An existing access is positioned to the south-east corner. Agricultural land lies immediately to the north and east of the site.
- 1.2 The proposal is for the erection of an alternative single detached dwelling to that previously approved, positioned to the rear of the site and for two garage blocks to be located along the southern and eastern boundaries. The dwelling has a simple appearance to reflect that of the converted barns adjacent. It provides three bedroom accommodation in a building constructed in brick with the details of the roofing materials to be agreed. An open fronted double garage is attached to the west elevation and it is to be weatherboarded. The two detached garage block are to be of a similar design and will serve the completed barn conversions. The application has been amended since its original submission. The intention to retain the roadside wall in situ has now been omitted and it will be demolished and replaced as per the originally approved scheme.

**2. Policies**

- 2.1 Herefordshire Unitary Development Plan  
DR1 – Design  
H4 – Main villages: settlement boundaries  
H13 – Sustainable residential design  
HBA4 – Setting of listed buildings  
HBA6 – New development within conservation areas

**3. Planning History**

NC2007/0107F – Proposed new dwelling – Withdrawn  
NC2007/0105/F – Proposed new dwelling – Withdrawn

NC2005/3626/F – Conversion of redundant farm buildings to four houses and erection of one house – Approved 04/01/06

NC2005/2514/L - Conversion of redundant farm buildings to four houses and erection of one house – Approved 23/09/05

NC2005/2513/F - Conversion of redundant farm buildings to four houses and erection of one house –Refused 23/09/05 on highway safety grounds.

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

##### Statutory Consultations

4.1 None required

##### Internal Council Advice

4.2 Transportation Manager – No objection subject to conditions

4.3 Conservation Manager – No objection subject to conditions

#### **5. Representations**

5.1 Luston Parish Council – Object to the application on the following grounds:

1. Over-development
2. Poor access to the site
3. Concern about materials
4. North boundary hedge has been removed

5.2 Four letters of objection have been received from the following:

J.M. Chilvers, Hillside, Eye Lane  
Mr A. Shepherd, Luston Court, Eye Lane  
Mrs J Shepherd, Luston Court, Eye Lane  
Miss E. Gentle, Court Cottage, Eye Lane

5.3 In summary the points raised are:

1. The proposal will be higher than the adjacent barn, unduly dominant and detrimental to the setting of it as a listed building and the conservation area.
2. The removal of hedgerows along the northern and eastern boundaries is detrimental to the setting of the conservation area.
3. The proposal will be detrimental to the privacy and amenity of Luston Court.
4. The proposal represents over-development.
5. The proposal will create further traffic problems.

5.4 Four letters of support have been received from the following:

J Morris, Five Oaks, Eye Lane, Luston  
Mr P Jones, 20 Townsend Park, Luston  
Mrs S F Fower, 4 Lilac Grove, Luston  
B J Price, 15 Sunningdale, Leominster

In summary all of the letters suggest that the current proposal is a significant improvement in terms of its design over the approved scheme.

5.5 The application is also accompanied by a design and access statement in which the applicant's agent provides some further justification for the development. This advises that the proposal is a replacement for the previously approved 'Gatehouse' style dwelling and not in addition to it. It suggests that the proposal is more in keeping as a gate house would never have been part of this range of traditional buildings. The two garage blocks are of a traditional open fronted design and will provide a screen to the development.

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

## **6. Officer's Appraisal**

6.1 Planning permission exists and has been implemented through the conversion of the barn for a new dwelling on this site. Objections relating to matters of over-development and increased traffic problems cannot be substantiated as the proposal does not actually result in circumstances any different to those that would result if the site is developed as approved. It is therefore necessary to consider the current application solely in terms of its design and its impact on its surroundings in comparison to the scheme as approved.

6.2 The current proposal for a dwelling is smaller in terms of its floor area and ridge height and is positioned to the rear of the site as opposed to the approved gate house which sits at the road frontage. It is acknowledged that the current proposal does occupy a more elevated position and that it includes garaging that will sit on the frontage. However, it is a far more considered response to its surroundings than the approved scheme. The dwelling does have a more 'barn-like' appearance and both it and the garaging pay greater regard to the former agricultural use of the site and the barn than the previously approved gate house, appearing as subservient buildings to the barn. The gate house would undoubtedly have a more dominant effect than this proposal due to its height, bulk and position at the front of the site. Although the position of this proposal is more elevated, its impact will be limited as it is to the rear of the site and by virtue of the garaging that will appear in the foreground.

6.3 It is therefore your officer's opinion that the proposal is acceptable in terms of its design and its relationship to the adjacent listed building and the conservation area. Consequently it accords to policies HBA 4 and HBA6 of the UDP.

6.4 The proposal is orientated to face in a north/south direction. An existing building falls between it and Luston Court and it is not considered that there will be any demonstrable impact on the privacy of the latter as a result of this proposal.

6.5 Finally, concerns raised about the removal of hedgerows along the northern and eastern boundaries can be addressed by a condition requiring an appropriate replacement. Similarly the details of materials can be satisfied by condition.

6.6 On this basis the proposal is considered to accord with the UDP and the application is therefore recommended for approval.

**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 )**

**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 - C04 (Details of window sections, eaves, verges and barge boards )**

**Reason: To safeguard the character and appearance of the conservation area and the adjacent listed building.**

**5 - C05 (Details of external joinery finishes )**

**Reason: To safeguard the character and appearance of the conservation area and the adjacent listed building.**

**6 - C11 (Specification of guttering and downpipes )**

**Reason: To safeguard the character and appearance of the conservation area and the adjacent listed building.**

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

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

**8 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no works other than those expressly authorised by this permission shall be undertaken within the site that would fall within Classes A, B, C, D, E or G of Part 1 or Class A of Part 2 of that Order without the further written consent of the local planning authority.**

**Reason: In order that the local planning authority can consider the impact of any further development in respect of its surroundings.**

**9 - G01 (Details of boundary treatments )**

**Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.**

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

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

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

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

**12 - This permission is in lieu of, and not as well of, the new dwelling approved under application reference NC05/3626/F.**

**Reason:** To prevent over development of the site.

**Informative(s):**

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

**2 - N19 - Avoidance of doubt**

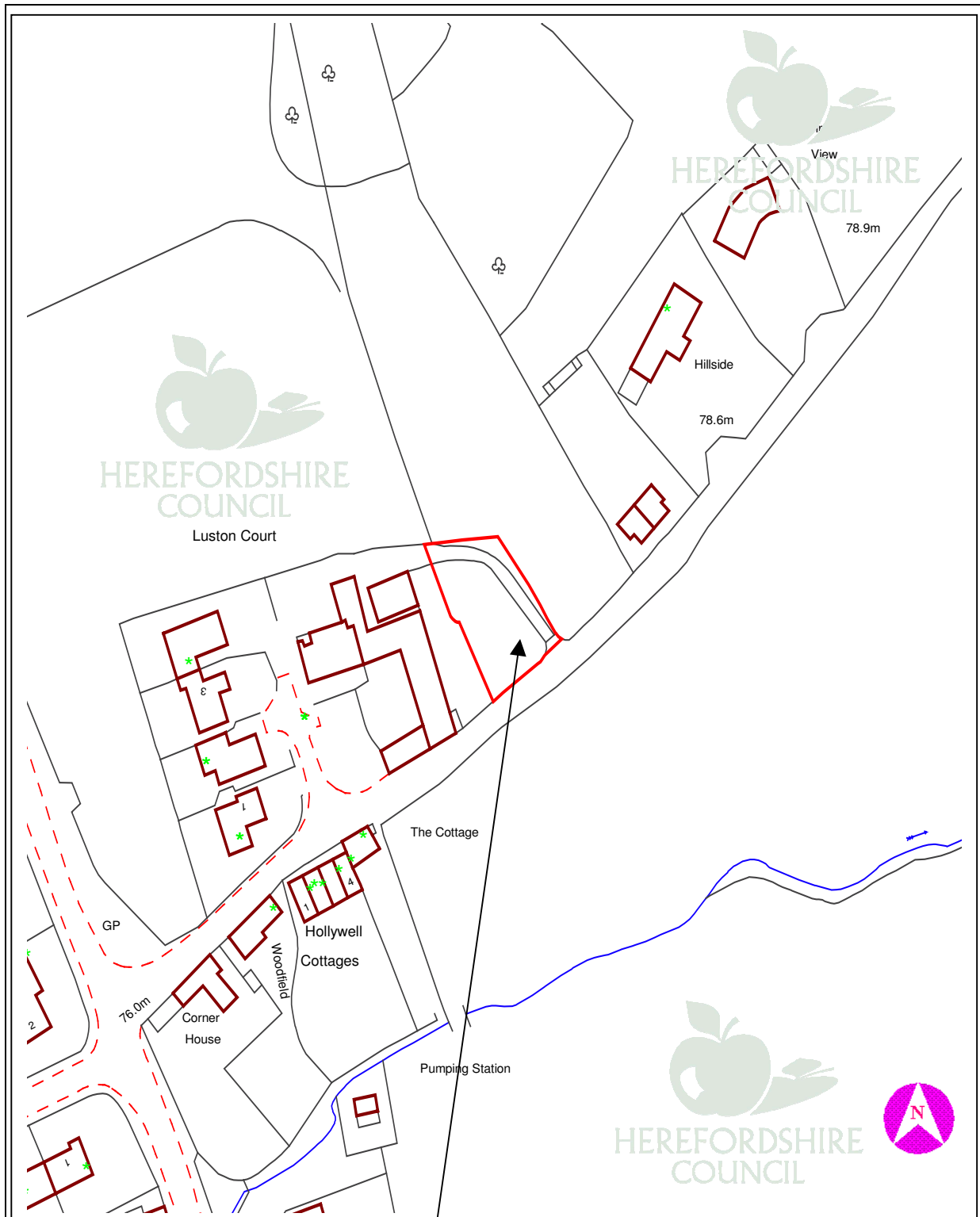
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNC2007/0807/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Site adjacent to Luston Court, Luston, Leominster, Herefordshire, HR6 0DU

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