

3 DCNC2003/3817/F - CONSTRUCTION OF TWO DETACHED COTTAGES AT PLOT 4, LAND TO THE REAR OF THE BALANCE INN, LUSTON, LEOMINSTER. HR6 OBE

**For: Mr S Bengree per Mr N La Barre 38 South Street
Leominster Herefordshire HR6 8JG**

Date Received:
4th September 2003

Ward:
Upton

Grid Ref:
48681, 63149

Expiry Date:
30th October 2003

Local Member: Councillor J Stone

Introduction

This application was deferred at the last meeting of the Northern Area Planning Sub-Committee on 25 February 2004 in order for a site visit to be carried. The site visit took place on 9 March 2004.

1. Site Description and Proposal

- 1.1 The site is located to the north-west of Oaklands and Novem House, two newly constructed dwellings, and to the rear of The Balance Inn. The site is located in the settlement boundary of Luston and within the Luston Conservation Area. Access to the dwellings will be off the access road to The Balance Inn and Oaklands.
- 1.2 This is a full application that proposes two detached 3-bedroomed dwellings each with single garages. Each house has a ground floor area of 52 square metres. The garages are 15 square metres in area. Plot has an approximate site area of 215 square metres and Plot B is some 152 square metres.

2. Policies

- 2.1 PPG1 General Policy and Principles
PPG3 Housing
PPG15: Planning and the Historic Environment

2.2 Leominster District Local Plan (Herefordshire)

- A1 – Managing the District's Assets and Resources
- A2 – Settlement Hierarchy
- A21 – Development within Conservation Areas
- A24 – Scale and Character of Development
- A54 – Protection of Residential Amenity
- A55 – Design and Layout of Housing Development

2.3 Herefordshire Unitary Development Plan (Deposit Draft)

HBA6 – New development within Conservation Areas
DR1 – Design
S3 – Housing
H4 – Main villages: Settlement Boundaries

3. Planning History

91 453 - Four houses with garages. Approved 18.9.91.
NC2002/1155/F - Two dwellings. Approved 12.6.02.
NC2003/2690/F – Two detached dwellings. Withdrawn.

4. Consultation Summary

Statutory Consultations

4.1 None

Internal Council Advice

4.2 Head of Engineering and Transport: No objection

4.3 Head of Conservation: No objection subject to conditions.

5. Representations

5.1 Luston Parish Council: 'The majority of the members object to this proposal. Land has been purchased from the neighbouring 'Laburnum House' to extend the plot. The view from the members is that this is backland development and will not enhance the village that is linear in characteristic. There is concern that the site is being over developed. Access to the plot is very restricted with very little splay onto the main road.'

5.2 Letters of objection received from:

B Bett, The Red House and the Old Post Office, Luston
Mrs E Jones, Laburnum House, Luston
S & H Hayday, Tudor House, Luston

The main points raised:

- a) It will impact on my privacy and daylight.
- b) The previous application for 5 houses on this site was refused.
- c) Access is unsuitable to serve the Balance Inn and this application.
- d) It will affect a site of archaeological interest.

5.3 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 This site is located in the settlement of Luston, as shown on Inset Map No. 6 in the Leominster District Local Plan where small-scale development will be permitted subject to criteria listed under Policy A1, scale and impact of the development on the character of the area and safe access.
- 6.2 Planning permission has been granted for a dwelling on this site as part of planning permission NC2002/1155/F, which was for 2 houses to be built on, plots 3 and 4. This application is for two houses to be built on plot 4.
- 6.3 The planning permission granted under NC2002/1155/F established the principle of development on this site. Therefore, the determining factors in this application are the impact these two houses would have on the character of the area, amenity and traffic implications.
- 6.4 The site is located in the Luston Conservation where special attention to the desirability of preserving or enhancing the characteristics of the area must be given. In this respect, the Chief Conservation Officer considers that normally there would be some resistance to this amorphous type of development in a Conservation Area – there is nothing here that acknowledges the character of Luston – but given the fact that the site is surrounded by similar development and is partly hidden from the road, there can be no objection. The siting of the dwellings achieves adequate separation distance from neighbours to protect levels of privacy and overlooking.
- 6.5 Access to the site is off a narrow unmade private road, which also provides access to the Balance Inn, Oaklands, Novem House and The Red House. While this application is to amend a previously approved scheme which proposed one house on this plot to two, it will have highway implications in that the number of dwellings off this private road will increase to six, including the outstanding planning permission on plot 3, seven if you include the residential element at the pub. However, the Transportation Manager comments that whilst it would be advantageous to restrict private drives to five dwellings only, it is not in itself a valid reason to oppose this application.
- 6.6 Accordingly, the proposal is considered to be acceptable in terms of policy contained in the Leominster District Local Plan and in the interests of highway safety.

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 - A12 (Implementation of one permission only) (NC2002/1155/F) (12 June 2002)**

Reason: To prevent over development of the site.

4 - F48 (slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

Informative:

1. N15 (Reasons for granting pp)
Leominster District Local Plan (Herefordshire)
A1 - Managing the District's Assets and Resources
A2 - Settlement Hierarchy
A21 - Development within Conservation Areas
A24 - Scale and Character of Development
A54 - Protection of Residential Amenity
A55 - Design and Layout of Housing Development

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.