

6 DCNW2004/1391/F - ERECTION OF DETACHED DWELLING AND ANCILLARY TWO BAY GARAGE ON LAND ADJ TO BARBERRY COTTAGE, WIGMORE, LEOMINSTER, HEREFORDSHIRE, HR6 9UB**For: Mr. & Mrs. Corder per Border Oak Design & Construction, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF****Date Received:
16th April, 2004****Ward:
Mortimer****Grid Ref:
41130, 69009****Expiry Date:
11th June, 2004**

Local Member: Councillor Mrs. L.O. Barnett

Introduction

Members will recall this application was originally presented to the Northern Area Planning Sub-Committee on the 14th July 2004. At this Committee this application was deferred for a Committee Site Inspection, which was carried out on the 26th July 2004. This application is now returned to the Committee for determination.

Since this application was originally presented to Committee a letter has been received from the principal objectors, R. & A. Davies. The comments raised in response to the applicant's comments are noted in the body of this revised report. However, of particular note was the fact that this letter politely advised that Barberry Cottage was in fact a Listed Building, not unlisted as the previous report, and indeed the previous historical application reports for this site, advise. This matter has been investigated and it would appear that the information relating to Listing available at the Development Control Section differs to that available to the Historic Buildings and Conservation Team in this instance. This matter has now been clarified and it is confirmed that Barberry Cottage is indeed, a Grade II Listed Building. The report has been amended to reflect this and the application advertised in accordance with the consultation requirements for applications potentially affecting the setting of a Listed Building.

1. Site Description and Proposal

- 1.1 This application seeks planning permission for the erection of a Border Oak, 4-bedroom property with a detached garage. The site comprises part of the gardens of Barberry Cottage, an unlisted, timber-framed property, and Lyndum, a modern, 1970's property. The site is located within the settlement boundary and Conservation Area of Wigmore.
- 1.2 This application is a revised re-submission for an enlarged dwelling with a detached garage, in place of an existing consent for a 3-bedroom dwelling with no garage facility. This revised proposal, which takes into account detail alterations requested from the withdrawn re-submission, seeks an enlarged dwelling, providing an extra bedroom, together with a sun room addition. The proposed dwelling now has no wing to the east, with a utility to the west and the entirety of the property moved to the eastern

boundary of the site. A detached, double garage is now proposed to the south of the main dwelling with an access drive running to the west of the dwelling, adjacent to the boundary with "Lyndum".

2. Policies

2.1 National

PPG1 – General Policy and Principles

2.2 Leominster District Local Plan (Herefordshire)

A1 – Managing the District's Assets and Resources

A2(C) – Settlement Hierarchy

A9 – Safeguarding the Rural Landscape

A10 – Trees and Woodlands

A18 – Listed Buildings

A21 – Development within conservation Areas

A24 – Scale and Character of Development

A54 – Protection of Residential Amenity

A70 – Accommodating Traffic from Development

2.3 Herefordshire Unitary Development Plan

DR1 – Design

DR2 – Land Use and Activity

DR4 – Environment

H4 – Main Villages – Settlement Boundaries

H13 – Sustainable Residential Design

T11 - Loss of Existing Offices

LA2 – Landscape Character and Areas least Resilient to Change

LA5 – Protection of Trees, Woodlands and hedgerows

HBA4 – Setting of Listed Buildings

HBA6 - New Development within Conservation Areas

3. Planning History

DCNW2003/3757/F - Erection of detached, single dwelling, with associated detached garage.

Withdrawn

DCNW2003/0059/F - Erection of detached single dwelling

Approved 3rd March, 2003.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water - Advised that not responsible for sewerage in this area.

4.2 Severn Trent – No objection subject to a condition relating to drainage

Internal Council Advice

- 4.3 Head of Engineering and Transportation - Raised no objections, subject to conditions
- 4.4 Head of Historic Buildings and Conservation - Raised no objections, subject to conditions

5. Representations

- 5.1 Parish Council: No objections
- 5.2 Representation has been received from the following source:-

Mr. & Mrs. Davies, Barberry Cottage, Wigmore

The objections to the proposed development can be summarised as follows:

- 1. The proposal is for a significantly larger dwelling than that previously proposed;
- 2. Revised position will have a serious impact upon Barberry Cottage, due to gradient of the site;
- 3. Revised proposal has a greater overbearing impact than approved scheme;
- 4. Privacy implications;
- 5. Impact of garage and access;
- 6. Excessive development for the site, which would be uncharacteristic in this locality;
- 7. Inappropriate design;
- 8. Standard "catalogue" design, not bespoke for location;
- 9. Unacceptable impact upon Barberry Cottage, a Listed property;
- 10. Dwelling could be set lower in the site.

- 5.3 A letter has been received from the applicant in response to the objection received.

- 1. The plot was purchased at auction, the only other serious bidder being Mr Davies, the objector to this scheme;
- 2. This revised design is more in keeping with the local vernacular;
- 3. Discussions with Mr. Davies have not proved productive.

- 5.4 In response to the letter of response from the applicant to the letter of objection received from the objector to this development, Mr and Mrs Davies comments are as follows:

- 1. Barberry Cottage is a Grade II Listed Building. This matter has been commented upon in the introduction but this error is kindly acknowledged and the information updated.
- 2. The building plot was bought at auction with detailed planning permission. We can assure all concerned that we did not place a single bid for it.
- 3. The design is of typical catalogue type and no more vernacular than the approved design
- 4. At no point has the applicant contacted us to discuss these plans.
- 5. No objection is raised to a dwelling being built, but we have serious concerns about the overwhelming effect of the new proposal.

- 5.4 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 areas for consideration are:

- 6.1.1 Principle of development
- 6.1.2 Design and scale
- 6.1.3 Residential and visual amenity
- 6.1.4 Transportation
- 6.1.5 Conservation Area issues
- 6.1.6 Site levels

6.2 Principle of Development

6.2. The application site is within the settlement boundary of Wigmore and the Leominster District local Plan accepts the principle of residential development in such locations, subject to the details of the proposal.

6.3 Design and Scale

6.3.1 The dwelling would be set back from the roadside boundary by some 11 metres. The design now proposed is a revision of the withdrawn re-submission. This application takes into account the detail amendments relating to materials. In relation to the approved scheme, the design concept is similar. This current scheme now proposes dormer windows in place of the full, two-storey appearance and gables are introduced to the rear. In addition, the balance is changed by virtue of the removal of a single-storey addition to the east. Notwithstanding these alterations, the design continues to utilise high quality materials as in the approved development and revisions from the previous re-submission have enhanced this proposal. It is considered that the design is appropriate for this site and will not appear uncharacteristic in an area characterised by design and architectural period variety. The site is undoubtedly sufficient to accommodate this dwelling. The design and scale are therefore considered acceptable.

6.4 Residential and Visual Amenity

6.4.1 It is recognised that the proposed development is now closer to the boundary with Barberrry Cottage than the approved scheme and, in addition, it is now a two-storey gable on the boundary, as opposed to the approved single-storey 'wing'. Notwithstanding this, the dwelling remains, at its closest point, 10 metres away from Barberrry Cottage, with the front elevation of the proposal two metres back from the rear elevation of Barberrry Cottage. It is considered that this distance is sufficient to ensure that Barberrry Cottage itself will not suffer from an overbearing impact beyond acceptable limits. No openings are proposed in the side elevations of the main dwelling and the side elevation of room on the boundary with Barberrry Cottage can be conditioned with obscure glazing and non-opening windows. This will ensure the privacy of the neighbouring dwellings. It is considered unreasonable to restrict the type and opening of the corner opening in the conservatory on the boundary with Barberrry Cottage on the basis that this will allow only for overlooking of the rear garden to a level that would be reasonably expected in an adjoining site, and which will be no greater than possible from the first floor rear openings. The principal alteration from the approved scheme in respect to 'Lyndum' is the detached garage

and access. The garage building itself will not have an overbearing impact and, while a degree of disturbance will result from vehicle movement, it is not considered that this will be unreasonable.

6.4.2 The local vernacular is somewhat varied, but the broad historical character is recognised. Although this is a substantial property, the set back position will continue to ensure that the property has limited visual impact in its own right and will not dominate the adjacent properties in views from the east and west along Castle Street. It is considered that the proposed dwelling will not appear incongruous within the street scene and it is suggested that the visual amenities of the locality will not be harmed by this development.

6.4.3 The impact upon residential and visual amenities is considered acceptable.

6.5 **Transportation**

6.5.1 Conditions relating to access details will be attached to the consent in the interests of highway safety. No objections to the development itself are raised by the transportation team.

6.6 **Conservation Area and Listed Building Issues**

6.6.1 The site is visible from the unclassified road to the south but, in this vantage point, the modern 1970's infill opposite and above the application site dominates the view. The proposal will not therefore have an adverse impact in this context. It is considered that the proposal will preserve the character and appearance of the Wigmore Conservation Area. The Listed status of Barberry Cottage is noted but it is not considered that the setting of this Listed building will be harmed by virtue of this proposed development.

6.7 **Site Levels**

6.7.1 The application site is on a relatively steep gradient and this is of relevance to the potential impact of this development the proposed development is set into the site to a degree, but it is accepted that elements of the scheme, most notably the sun room, will be raised to a relatively significant level from the site level. A further setting down of the dwelling into the site could reduce this difference. Clearly, however, this would have implications upon the relationship of the dwelling to the road and a balance needs to be struck. The application has been submitted on the basis of the desired siting of the applicant and, on the basis of the impact of the development, it is not considered reasonable for an insistence that the dwelling be set further into the site. The result of the difference in levels presents, as noted above, no unacceptable issues of overbearing impact or loss of privacy by virtue of the relationship and distances involved and restrictive conditions to be imposed on openings on this boundary. Level details, the lack of which was a reason for the withdrawal of the previous re-submission, have been provided. Notwithstanding this, further comprehensive level details will be requested to ensure the detailing of this scheme.

7. **Conclusions**

7.1 It is considered that the on-site situation from the approved scheme has not significantly changed and the impact of this development above and beyond that of the approved scheme is not considered sufficient to justify the refusal of this amended proposal.

Recommendation:

Subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the scheme of delegation be authorised to approve the application, subject to the following conditions and any further conditions considered necessary by officers:

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 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

4 - E18 (No new windows in specified elevation) (west or east elevations)

Reason: In order to protect the residential amenity of adjacent properties.

5 - E19 (Obscure glazing to windows)

Reason: Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the east facing openings in the sun room shall be glazed with obscure glass only and shall be non-opening.

Reason: In order to protect the residential amenity of adjacent properties.

6 - F48 (Details of slab levels)

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

7 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

8 - G04 (Landscaping scheme (general))

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

9 - G05 (Implementation of landscaping scheme (general))

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

10 - G06 (Scope of landscaping scheme)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

11 - H04 (Visibility over frontage) (2m)

Reason: In the interests of highway safety.

12 - H05 (Access gates) (5m)

Reason: In the interests of highway safety.

13 - H06 (Vehicular access construction)

Reason: In the interests of highway safety.

14 - H09 (Driveway gradient)

Reason: In the interests of highway safety.

15 - H12 (Parking and turning - single house) (2 cars)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

16 - H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

17 -F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided

Informatives:

- 1. N03 - Adjoining property rights
- 2. HN01 - Mud on highway
- 3. HN04 - Private apparatus within highway
- 4. HN05 - Works within the highway
- 5. N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.