

**DCNW2004/1391/F - ERECTION OF DETACHED DWELLING AND 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 14<sup>th</sup> July 2004. At this Committee the application was deferred for a Committee Site Inspection, which was carried out on the 26<sup>th</sup> July 2004. This application was returned to the Committee for determination on the 11<sup>th</sup> August 2004 where it was determined that the application should be deferred for further revisions to address concerns associated with the proposal. This application is now returned to Committee further to revisions being secured.

### **1. Site Description and Proposal**

- 1.1 This application originally sought planning permission for the erection of a Border Oak, 4-bedroom property with a rear conservatory and a detached garage. The recent revisions, discussed in more detail in the main body of this report, have resulted in a revised proposal for a detached dwelling with an attached garage and no conservatory.
- 1.2 The site comprises part of the gardens of Barberrry Cottage, a Grade II Listed timber-framed property, and Lyndum, a modern, 1970's property. The site is located within the settlement boundary and Conservation Area of Wigmore.
- 1.3 This application is a revised re-submission for an enlarged dwelling with attached single garage, in place of an existing consent for a 3-bedroom dwelling with a car port. This revised proposal, which takes into account detail alterations requested from the previous withdrawn re-submission (DCNW2003/3757/F), together with revisions sought further to the last deferral from Committee, seeks an enlarged dwelling, providing an extra bedroom. The proposed dwelling now has no wing to the east, with a utility and single garage to the west and the principle two storey element of the dwelling moved to the east.

## **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 Representations have been received through the assessment of this application from the following sources:-

Mr & Mrs Davies, Barberrry Cottage, Wigmore  
Mr & Mrs Workman, Lyndum, 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 Barberrry Cottage, due to gradient of the site;
3. Revised proposal has a greater overbearing impact than approved scheme;
4. Privacy implications (referring to pre-revised scheme);
5. Impact of garage and access (referring to pre-revised scheme);
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 Barberrry Cottage, a Listed property;
10. Dwelling could be set lower in the site;
11. Concern over vehicles passing through garage into rear garden area (revised scheme);
12. Deleted conservatory could be re-introduced at a later date (revised scheme);
13. Reduced slab level is inadequate (revised scheme).

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 This revised application takes into account the detail amendments relating to materials, together with the concerns raised at the previous Northern Area Sub-Committee in relation to the garaging, conservatory, and slab level issues. In relation to the approved scheme, the design concept remains 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. By virtue of the removal of the detached garaging and rear conservatory, this application now more closely resembles the original approved scheme, the only significant differences being the extended western projection, removed eastern projection, and relocation of the main dwelling element closer to the boundary with Barberry Cottage than the approved scheme. 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. The dwelling would be set back from the roadside boundary by approximately 11 metres. 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 Barberry Cottage than the original 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 Barberry Cottage, with the front elevation of the proposal two metres back from the rear elevation of Barberry Cottage. It is considered that this distance is sufficient to ensure that Barberry Cottage itself will not suffer from an overbearing impact beyond acceptable limits. The applicant has however, as a result of these concerns, agreed to lower the slab level by 150mm. No openings are proposed in the side elevations of the main dwelling. The conservatory element of this proposal has now been removed and as such it is considered that no unacceptable privacy impact will result from this development.
- 6.4.2 The detached garage has now been removed from this scheme. It is considered that the proposed attached garage is appropriate to this site and locality and will not have undesirable residential or visual amenity implications.
- 6.4.3 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.
- 6.4.4 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 will be raised 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 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. Notwithstanding this, the site level has been lowered by 150 mm by the applicant in an attempt to allay the fears of the neighbouring residents. Further comprehensive level details will be requested to ensure the detailing of this scheme.

**6.8 Other Issues**

- 6.8.1 This application was deferred from the August meeting, due to concerns relating to the slab level, the conservatory, and the detached garaging. The objections received in relation to this scheme were especially concerned in relation to privacy, vehicular movement on site, design, and overbearing impact.
- 6.8.2 It is the Officers opinion that negotiations over this application have achieved all that they will achieve. The applicant has made significant moves to address the concerns raised and has agreed to restrictive conditions removing Permitted Development Rights and restricting new openings. It is further suggested that this revised scheme now relates closely to the approved scheme to an extent that the only difference considered valid for consideration is the overbearing impact. This, as noted above, is considered acceptable.

**Recommendation:**

**That the application be approved 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 - C05 (Details of external joinery finishes )**

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

**4 - E18 (No new openings in specified elevation ) (any elevations)**

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

**5. - D01 (Site investigation – archaeology)**

**Reason: To ensure the archaeological interest of the site is recorded**

**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**

**18 -E16 (Removal of Permitted Development Rights)**

**Reason: In order to protect the residential amenity of adjacent propoerties and to preserve the visual amenities of the locality**

**Informatives:**

- 1. N03 - Adjoining property rights**
- 2. HN01 - Mud on highway**
- 3. HN04 - Private apparatus within highway**
- 4. HN05 - Works within the highway**
- 5. Attention is drawn to the fact that trees on this site are covered by a Tree Preservation Order. It is an offence to contravene the provisions of a Tree Preservation Order, by pruning or felling without consent from the Local Planning Authority. It is stressed that this consent does not allow any works to any such protected tree.**
- 6. N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision: .....

Notes: .....

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**Background Papers**

**NORTHERN AREA PLANNING SUB-COMMITTEE**

**6<sup>th</sup> October, 2004**

Internal departmental consultation replies.