

14 DCNC2004/3095/F - PROPOSED DETACHED BUNGALOW AND GARAGE ON LAND ADJOINING 85A SOUTH ST, LEOMINSTER, HR6 8JH**For: Mr S Charles of Ninewells Farmhouse, Marden, Hereford, HR1 3EP****Date Received:**
20th August 2004**Ward:**
Leominster South**Grid Ref:**
49634, 58359**Expiry Date:**
15th October 2004

Local Member: Councillors R Burke and J P Thomas

1. Site Description and Proposal

- 1.1 The site is located to the rear of properties fronting onto South Street and has an existing private vehicular access. The site lies within the settlement boundary of Leominster and is currently occupied by a commercial timber-framed building, used for many years as a dance school. To the east of the site lies the Minster College playing fields.
- 1.2 The proposal is for the erection of an L-shaped bungalow, the longest dimensions of which measure 14.5m x 10m. The design includes split level roof, the highest element of which measures 4.8m to ridge. The proposal requires the demolition of the timber-clad building and includes the erection of a single garage to the north-east corner of the site.

2. Policies**2.1 Leominster District Local Plan (Herefordshire)**

A1 – Managing the district's assets and resources
A2 – Settlement hierarchy
A24 – Scale and character of development
A54 – Protection of residential amenity
A55 – Design and layout of housing development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

DR1 – Design
S3 – Housing
H1 - Housing

3. Planning History

NC2003/3068/O - Outline application for 2 dwellings. Refused 11.12.03.

NC2004/0280/O - Site for one single-storey dwelling. Outline planning permission granted 24.3.04.

NC2004/2249/F - Two detached bungalows with garages. Refused 5.8.04.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: 'The proposed development would overload the existing public sewerage system. No improvements are planned within Welsh Water's Capital Investment Programme. We consider any development prior to improvements being undertaken to be premature and therefore object to the development. It may be possible for the developer to fund the accelerated provision of replacement infrastructure or to requisition a new sewer under Sections 98-101 of the Water Industry Act 1991.'

Internal Council Advice

- 4.2 Head of Engineering and Transport: Has no objection subject to a condition about on-site parking and manoeuvring.

5. Representations

- 5.1 Leominster Town Council: 'Recommend refusal as this is considered to be backland development. Council also feels that the access/egress for the site is inappropriate and already overused, considering its location.'

(In response to the previously approved outline application the Town Council recommended approval but did express concern about the access.)

- 5.2 Letters of objection/representation have been received from:

Mark Pugh, 85 South Street
Mrs Heather Simpson, 93 South Street
G Rees, South Dean, Hereford Terrace
E J Fairbanks, 99 South Street
Mr S A Morgan, 95 South Street

The main points raised are as follows:

- 1) Concern about the narrowness of the access lane
- 2) Concern for loss of privacy should dormer windows be inserted
- 3) Concern about construction traffic and a request that conditions imposed on the outline be repeated
- 4) Concern is also expressed that once the existing garage is demolished the party wall should be made good

- 5.3 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 Following the grant of outline planning permission, it would have been anticipated that an application for reserved matters would have been submitted. However, in this instance, the application site has been extended by approximately 10m to the north. As a consequence, this procedure could not be followed and a full application was required as a result.
- 6.2 As the proposal replaces a form of commercial use, a dance studio, it is not considered that there are sufficient grounds to refuse the application on traffic access issues. Furthermore, concerns raised by local residents were considered at the outline stage and, as then, are not considered to warrant refusal of the application. Again, given the former use, it is anticipated that the objection from Welsh Water will be withdrawn.
- 6.3 It is considered that the proposal complies with relevant Development Plan policies and subject to conditions set out below, the proposal is acceptable.

RECOMMENDATION

That subject to Welsh Water withdrawing their objection 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 - H26 (Access location)

Reason: In the interests of highway safety.

4 - H12 (Parking and turning - single house)

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

5 - G01 (Details of boundary treatments)

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

6 - G04 (Landscaping scheme (general))

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

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

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

8 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

9 - E16 (Removal of permitted development rights)

Reason: To control further development in the interests of amenity.

Informative:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.