

11 DCNC2004/2407/F - CHANGE OF USE OF REDUNDANT OUTBUILDING TO FORM A SINGLE DWELLING AT REAR OF FORMER MAGISTRATES COURT, 15-17 BURGESS STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8DE

DCNC2004/2408/L – AS ABOVE

**For: P Shock, The Old School House, Eyton,
Leominster, Herefordshire, HR6 0AG**

Date Received:

1st July 2004

Expiry Date:

26th August 2004

Local Member: Councillor R Burke & Councillor J Thomas

Ward:

Leominster South

Grid Ref:

49510, 59074

1. Site Description and Proposal

- 1.1 The applications for both planning permission and listed building consent relate to the conversion of redundant outbuilding to the former magistrates courts to a single residential unit at number 15-17 Burgess Street, a Grade II listed building. The proposal indicates a single room on ground and first floor providing kitchen/dining/living area and single bedroom and shower room respectively.
- 1.2 Parking is provided in front of the building, and is accessed via Burgess Street, along the side of the former magistrates building.

2. Policies

Leominster District Local Plan

A1 – Managing the Districts Assets and Resources

A2 – Settlement Hierarchy

A18 – Listed Buildings and their Settings

A21 – Development within Conservation Areas

A24 – Scale and Character of Development

A32 – Development within Towns and Shopping and Commercial Areas

A47 – Targets for Housing Land

A54 – Protection of Residential Amenity

Herefordshire Unitary Development Plan (Revised Deposit Draft)

S3 – Housing

S5 – Town Centres and Retail

S6 – Transport

DR1 – Design

H1 – Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
H14 – Revising Previously Developed Land and Buildings
H15 – Density
H16 – Car-parking
H18 – Alterations and Extensions
TCR1 – Central Shopping and Commercial Areas
TCR2 – Vitality and Viability
T11 – Parking Provision
HBA1 – Alterations and Extensions to Listed Buildings
HBA4 – Setting of Listed Buildings
HBA6 – New Development within Conservation Areas
HBA8 – Locally Important Buildings

3. Planning History

- 3.1 DCNC2004/0407/F – Full planning application for a change of use and minor alterations to form 2 no. dwellings with the adjacent former magistrates court – Permitted 31 March 2004. this included a condition preventing off-street parking in the interests of highway safety. However, this condition was recently the subject of a successful appeal and has been removed.
- 3.2 DCNC2004/04 – Listed Building Consent for change of use and minor alterations to form 2 no. dwellings with the adjacent former magistrates court – Permitted 31 March 2004.

4. Consultation Summary

Internal Council Advice

- 4.1 Head of Highways and Transportation recommend that any permission be subject to the following condition:
- No dedicated off street parking for the proposed dwelling.
Reason: In the interests of the promotion of the sustainable modes of travel and also highway safety with respect to the sub-standard access from Burgess Street.
- 4.2 Head of Historic Buildings and Conservation - no objections. The application accords with pre-application consultations with the Historic Buildings Officer. Requests conditions for joinery details.

5. Representations

- 5.1 Town Council recommend refusal as it is felt that the proposal would change the character of the adjacent listed building and that this would contribute over development of the site.
- 5.2 No representations have been received in response to the statutory publicity procedure.
- 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 Policy A18 sets out criteria for consideration of such proposals. The proposal has been received following pre-application discussion, and accords with the advice offered. It is considered that the proposal complies with this policy.
- 6.2 In terms of Policy A21 of the Leominster District Local Plan, it is considered that the proposal enhances the character and appearance of the area, and also retains the important open space to the fore of the site which will be paved as currently.
- 6.3 The Head of Highways and Transportation suggests a similar condition to that recently removed on appeal for the adjacent building. Consequently, it is considered inappropriate to impose this condition on this occasion.
- 6.4 In conclusion, it is considered that the proposal complies with relevant policies and can be supported accordingly.

RECOMMENDATION

DCNC2004/2407/F

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 - C02 (approval of details) (a) joinery details b) meter boxes positions)**

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

- 3 - C03 (external elevations)**

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

Informatives:

- 1 - NC01 - Alterations to submitted/approved plans**
- 2 - N14 - Party Wall Act 1996**
- 3 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision:

Notes:

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DCNC2004/2408/L

That Listed Building Consent is granted subject to the following conditions:

1 - C01 (time limit for commencement (Listed Building))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 - C02 (Approval of details) (a) joinery details) (b) meter boxes positions

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

3 - C03 (external elevations)

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

Informatives:

- 1 - NC01 - Alterations to submitted/approved plans**
- 2 - N14 - Party Wall Act 1996**
- 3 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.