

**13 DCNW2004/4118/F - PROPOSED REMOVAL/
A DEMOLITION OF 2 INDUSTRIAL UNITS AND THE
ERECTION OF HOUSE AND GARAGE ON LAND
BEHIND WALCOTE BUNGALOW, HIGH STREET,
PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE,
HR6 9DT**

**13 DCNW2004/4119/C – AS ABOVE
B**

**For: Mr J A Price per Mr D Walters, 27 Elizabeth Road,
Kington, Herefordshire, HR5 3DB**

**Date Received:
30th November 2004**

**Ward:
Pembridge &
Lyonshall with Titley**

**Grid Ref:
38990, 58175**

**Expiry Date:
25th January 2005**

Local Member: Councillor Roger Phillips

1. Site Description and Proposal

- 1.1 The application site is occupied by two industrial buildings and a log store all of external tin construction, the site being located in a mainly residential area and within the Pembridge Conservation Area.
- 1.2 To the south of the application site is the dwelling known as 'Walcote bungalow and annexe', this is also in the applicant's ownership, a two-storey 'dormer type' dwelling of external brick construction painted white, under a tiled roof.
- 1.3 Alongside the western boundary of the application site is a coniferous hedge, this acts as a good screen to the proposed development site. Access to the site is obtained via a shared access, this is in the applicant's ownership, and accessed from the A44, (High Street), and shared with that of the adjacent property to the application site that is not in the applicant's ownership known as 'Walcote House'.
- 1.4 The application proposes demolition of the two existing industrial buildings and timber store and erection of a detached two-storey four bedroomed dwelling and detached two bay garage, both of external brick construction under a slate roof. The proposed dwelling measures 7.5 metres at it's highest point and covers a floor area of approx. 9 x 9.5 metres. The industrial buildings on site exceed 115 cubic metres and therefore Conservation Area consent is required for their demolition.
- 1.5 The application has been submitted following the withdrawal of a previous application for the erection of a dwelling of similar proportions and design, on August 23rd 2004, to which the officer had concerns about the orientation, roof height and pitch.

2. Policies

2.1 Planning Policy Guidance 3 – Housing.

2.2 Hereford and Worcester County Structure Plan

CTC9 – Development Requirements.

CTC11 – Trees and Woodlands.

CTC18 – Development in Urban Areas.

2.3 Leominster and District Local Plan (Herefordshire)

A1 – Managing the District's Assets and Resources.

A2(C) – Settlements Hierarchy.

A9 – Safeguarding the Rural Landscape.

A10 – Trees and Woodland.

A18 – Listed Buildings and their Settings.

A21 – Development within Conservation Areas.

A23 – Creating Identify and an Attractive Built Environment.

A24 – Scale and Character of Development.

A28 – Development Control Criteria for Employment Sites.

A54 – Protection of Residential Amenity.

A55 – Design and Layout of Housing Development.

A70 – Accommodating Traffic from Development.

2.4 Unitary Development Plan – Revised Deposit Draft

S1 – Sustainable Development.

S2 – Development Requirements.

S3 – Housing.

S7 – Natural and Historic Heritage.

DR1 – Design.

DR2 – Land Use and Activity.

DR3 – Movement.

DR4 – Environment.

H4 – Main Villages: Settlement Boundaries.

H13 – Sustainable Residential Development.

H14 – Re-Using Previously Developed land and Buildings.

H15 – Density.

H16 – Parking.

HBA4 – Setting of Listed Buildings.

HBA6 – New Development within Conservation Areas.

3. Planning History

3.1 NW04/2440/F – Removal of 2 industrial units and erection of house and double garage
– Withdrawn 23 August 2004

NW04/2441/C – Demolition of storage buildings – Withdrawn 26 August 2004

NW04/4119/C – Removal/demolition of 2 industrial units and erection of double garage
– Current application

4. Consultation Summary

Statutory Consultations

4.1 Hyder have no objections subject to conditions.

Internal Council advice

4.2 Head of Environmental Health has no comment,

4.3 Traffic Manager has no objection however does comment that the existing access does not meet current standards, but considering it already exists and is unlikely to carry more traffic than the industrial units it replaces, it would be unreasonable to refuse on highway grounds.

4.4 Conservation Manager has no objection but advises that materials should be traditional to safeguard the character and appearance of the Conservation Area.

4.5 Archaeological Advisor has no objection to the proposed development but is concerned about ground disturbance in a sensitive location, that is likely to occur. Walcote Bungalow is located within the historic core of Pembridge and therefore advises that Herefordshire Council attach the standard archaeological 'site investigation' condition D01 to any planning permission.

5. Representations

5.1 Pembridge Parish Council objects to the proposed development for the following reasons:

Access on and off the site may cause a hazard to pedestrians; also visibility when exiting the site is poor.

As it has been pointed out with the previous application, the proposed plot is about a metre higher than that of neighbouring properties, and there are concerns about loss of amenity to them because of the height of the proposed new house. The Parish Council would have preferred to have seen any re-submitted plans being for a lower residence such as a bungalow to help alleviate this problem.

5.2 The application has generated five letters of objections from members of the public. These letters are from M/s Gwenda Hames, The Old Bike Shop, Bridge Street, Pembridge. Mrs. E. Wall, Walcote House, Pembridge, (address located adjacent to Walcote Bungalow). Mr. Duncan James, Combe House, Combe, Presteigne, Powys. Mrs. E. Fothergill, Rose Cottage, Market Square, Pembridge. T. R. & J. M. McGown, Hillview, Bridge Street, Pembridge., (address adjacent to Walcote Bungalow).

5.3 The objections can be summarised as follows:

Impact of proposed development on privacy of adjoining dwellings and their gardens.

Character of proposal in relationship to the built form of the surrounding built environment and concerns about the impact of the proposed development on the medieval settlement and its conservation area.

Loss of sunlight on adjacent properties.

Public highway access serving the application site is a concern on highway safety grounds.

Concerns about sewer drainage and inadequacies.

Concerns about noise disturbance.

- 5.4 One letter of support has been received from the applicant stating this current application has been submitted as a result of withdrawing a previous application on Officer's advice due to concerns about height and style of the proposed development. The letter also makes comment about the industrial buildings being registered for business use, the plot being relatively large enabling the proposed dwelling to be located well away from the boundaries, the adjacent dwelling known as Walcote bungalow being a four bedroomed dormer bungalow with its own private driveway/access and that there is existing mains sewage, electricity and water connection available on site.
- 5.5 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 application site is within the defined settlement boundary for Pembridge. There is a presumption in favour of development provided that all the relevant planning issues with regards to the proposal can be resolved satisfactorily.
- 6.2 The main issues of concern with regards to this particular application revolve around loss of the employment use of the land, amenity and privacy of the surrounding vicinity, impact on the Conservation Area, and public highway access issues.
- 6.3 Loss of employment use of the land. – Presently on site are two industrial buildings that were formally associated with a builders yard. The site is located to the rear of an existing dwelling that is also in the ownership of the applicant and surrounded by other residential dwellings and their domestic curtilages. Therefore the location can be considered as a 'Brownfield' windfall development site in accordance with Planning Policy Guidance Note 3 on Housing. Policy A28 on Employment Sites in the Local Plan states that employment uses adjacent to residential areas should be limited to uses within Classes B1 and B8, the present use is a 'Sui Generis', (no specific planning class), and therefore any change of use requires planning permission. Considering that the surrounding land uses are all residential, the proposal is considered acceptable in this instance.
- 6.4 Amenity and Privacy. Other residential dwellings surround the application site; therefore residential development at this location is considered compatible with the surrounding land uses. All surrounding dwellings are located in excess of 20 metres from the proposed residential construction, except for the dwelling to the rear of the application site known as 'Pinecroft,' which is located 11 metres from the nearest external wall of the proposed development, however the wall facing towards the proposed development site of this dwelling has no windows within its external wall and therefore privacy is not an issue from this aspect. The site is surrounded on its western and northern boundaries by vegetation that acts as a screen to the site and if Committee are mindful to grant approval to the application then a condition can be attached to the approval notice to further strengthen screening the boundaries of the site.

The proposed dwelling is of a size and built form that will blend in satisfactorily with the surrounding built environment and Conservation Area. The location is not alongside the street frontage of High Street but on land to the rear of an existing dwelling that has its frontage adjacent to the street. This street has other modern dwellings alongside its frontage in external construction materials similar to those of the proposal. To the rear of the application site is the property known as 'Pinecroft' the external construction materials of this property are similar to that of the proposed development. Therefore the proposed development is considered acceptable with regards to impact on the Conservation Area. The Council's Conservation Manager has responded to the application with no objections.

- 6.5 Public highway access. The proposed development site is accessed via an existing access from the public highway to which no proposals have been submitted with regards to changes or improvement to its existing layout. The Council's Highways Engineer responded to the application stating that there are no objections to the proposed development and comments that whilst existing access does not meet current standards, it is unlikely to carry more traffic than the industrial units it replaces, consequently it would be unreasonable to refuse on highway grounds.
- 6.6 Other issues raised in representations relate to concerns about potential noise and sewage drainage. The noise issue is not of any relevance in relationship to the proposal and Welsh Water have been consulted and raise no objections recommending conditions to be attached to any permission that the Council are mindful to grant.
- 6.7 **In conclusion** the proposed development is compatible with the relevant policies criteria in the Leominster District Local Plan and national planning policy guidance in that the proposed development is considered acceptable in scale and character and will have no detrimental impact on the Conservation Area, privacy of adjoining dwellings and less impact on the public highway than the existing planning use of the site. The proposal is also considered compatible with that of the relevant policy on the existing employment use of the application site.

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 - A08 (Development in accordance with approved plans and materials)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area.

- 3 - B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

- 4 - Prior to any development on site details will be submitted and approved in writing by the Local Planning Authority with regards to details of window**

sections and construction, external doors, barge boards and mortar mix to be used in the external construction of the development.

Reason: To safeguard the character and appearance of the surrounding vicinity of the development site.

5 - D01 (Site investigation - archaeology)

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

6 - E08 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

7 - Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the Public Sewerage System.

8 - No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

9 - No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

10 - G01 (Details of boundary treatments)

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

11 - G09 (Retention of hedgerows)

Reason: To safeguard the amenity of the area.

Informatives:

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

Decision:

Notes:

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RECOMMENDATION

That conservation area consent be granted subject to the following condition:

1 – C01 Time limit for commencement (Listed Building Consent)

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

Informatives:

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.