

**14 DCNC2005/0547/F - ERECTION OF 2 COTTAGES WITH GARAGES AND ENTRANCE DRIVES AT SUNNYHILL, LUSTON, LEOMINSTER, HEREFORDSHIRE, HR6 0DY****For: G P Thomas & Son Ltd per David Taylor  
Consultants The Wheelwright's Shop Pudleston  
Leominster Herefordshire HR6 0RE****Date Received:  
21st February 2005****Ward:  
Upton****Grid Ref:  
48532, 63457****Expiry Date:  
18th April 2005**

Local Member: Councillor J Stone

**1. Site Description and Proposal**

- 1.1 Sunny Hill, a Grade II Listed building, is an exposed timber-framed cottage under a thatched roof located on the west side of the B4361, in the Luston Conservation Area and within the settlement boundary of Luston as shown in the Leominster District Local Plan (Herefordshire). Townsend Park is to the west and Bank Cottage is to the north-east.
- 1.2 This application is for the construction of 2 dwellings, within an orchard area on the north side of Sunny Hill, with each dwelling accommodating sitting room, dining room, kitchen, utility and garage on the ground floor with 3 bedrooms above. Access to the dwellings will be off Townsend Park.

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

A1 – Managing the district's assets and resources  
A2 – Settlement hierarchy  
A10 – Trees and woodlands  
A21 – Development within Conservation Areas  
A24 – Scale and character of development  
A54 – Protection of residential amenity  
A55 – Design and layout of housing development

**2.2 Hereford and Worcester County Structure Plan**

CTC7 – Development and features of historic and architectural importance  
CTC 9 – Development criteria

**2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

HBA4 – Setting of Listed Buildings  
HBA6 – New development within Conservation Areas

- 2.4 PPS1 – Delivering Sustainable Development
- PPS3 – Housing
- PPG15 – Planning and the Historic Environment
- PPG16 – Archaeology and Planning

### **3. Planning History**

- 3.1 None

### **4. Consultation Summary**

#### Statutory Consultations

- 4.1 Hyder: No objection.

#### Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Conservation Manager: No in principle objection.

### **5. Representations**

- 5.1 Luston Parish Council: 'We object. Sunny Hill is the only thatched property left in the village that retains its original character. This will be spoilt by overdevelopment of the orchard. There are a number of mature trees that will have to be cut down, for the development to take place, these do not appear to be noted on the plans. We have made this decision with regard to policies A21, A24, A9 of the Leominster District Local Plan.'

- 5.2 9 letters of objection have been received:

- a) The development will increase the housing on this site;
- b) The term cottage is misleading as these are full-scale urban houses;
- c) Increase in traffic onto the B4361;
- d) The houses will cause direct overlooking of our living rooms;
- e) We would lose privacy if the walnut tree is removed; and
- f) The hedgerow along the frontage to Townsend Park should be retained other than required to construct the entrances.

- 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 A2(C) of the Leominster District Local Plan (Herefordshire) recognises the acceptability of housing development within the established settlement boundary of Luston. The site lies wholly within the defined settlement boundary and is in an area that is characterised by existing residential development. In the light of this, it is not considered that there are any grounds for objection to the principle of housing development on this site.

- 6.2 The design of the two dwellings is fairly plain and relatively small in plan form, which is good for this site, and the linked garages give the properties an attractive variation form, which, in some ways, reflects the shape of Sunny Hill. As the land rises up towards the north, there is a likelihood the dwellings could dominate in height and scale the adjoining Listed building. A longitudinal drawing has been submitted showing how the proposed dwellings will be cut into the bank. The cut and fill allows the houses to sit comfortably with the Listed building, Sunny Hill.
- 6.3 Also, the cut and fill of the dwellings will also reduce the effect of the dwellings on the amenity of Bank Cottage, which is to the north-east. It is considered that there will be sufficient distance between the proposal and Bank Cottage to avoid overshadowing and overlooking that would give rise to unreasonable loss of residential amenity.

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

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

- 3 - E08 (Domestic use only of garage )**

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

- 4 - 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.**

- 5 - G09 (Retention of trees/hedgerows )**

**Reason: To safeguard the amenity of the area.**

- 6 - H01 (Single access - not footway ) (5m)**

**Reason: In the interests of highway safety.**

- 7 - H05 (Access gates ) (5m)**

**Reason: In the interests of highway safety.**

- 8 - H12 (Parking and turning - single house ) (each house) (2)**

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

**9 - The applicant or successors in title shall ensure that a professional archaeological contractor undertakes an archaeological watching brief during any development to the current archaeological standards of and to the satisfaction of the local planning authority.**

**Reason: To ensure that the archaeological interest of the site is investigated.**

**10 - F16 (Restriction on hours during construction) 8.00am – 5.30pm Monday – Friday)**

**Reason: To protect the amenity of local residents.**

**Informative:**

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

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.