

11 DCNC2005/1075/O - SITE FOR RESIDENTIAL DEVELOPMENT DOWNS GARAGE AT 70A, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JF**For: Mr D Rowland Jones & Mrs A J Jones of Brookend, Kingsland, HR6 9SF****Date Received:**
31st March 2005**Ward:**
Leominster South**Grid Ref:**
49555, 58738
AJ/CR**Expiry Date:**
26th May 2005

Local Member: Councillors R Burke and J P Thomas

Introduction

This application was deferred at the last meeting of the Sub-Committee for a site visit.

1. Site Description and Proposal

- 1.1 The site is currently known as Downs Garage, 70A South Street, otherwise known as the B4361, accessed through a carriage archway.
- 1.2 This archway leads off South Street (B4361) and adjoins the Listed adjacent Public House, listing number 2/204. The application site is the historic outbuildings for this Listed Building and as such is curtilage listed.
- 1.3 The area of the application site is 0.135 hectares known as Downs Garage now used for lock-up garages.
- 1.4 The amended application has been accepted such that this is an outline proposal to establish the principle of residential development only.
- 1.5 Currently the only access to this site is from South Street through the above-mentioned archway. The rear of the property is bounded by residential dwellings all of which obtain access through separate sources, to include Hawthorne Place and Wrights Court.

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

- A.1 – Managing the District's Assets and Resources
- A.2 – Settlement Hierarchy
- A.18 – Listed Buildings and Their Settings
- A.19 – Other Buildings Worthy of Retention
- A.23 – Creating Identity and An Attractive Built Environment
- A.24 – Scale and Character of Development
- A.52 – Primarily Residential Areas
- A.54 – Protection of Residential Amenity

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S3 – Housing

H1 – Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas

H2 – Hereford and the Market Towns: Housing Land Allocations

H14 – Re-using Previously Developed Land and Buildings

HBA4 – Setting of Listed Buildings

2.3 Planning Policy Guidance Notes

PPG3 – Housing

PPG13 Transportation

PPG15 - Planning and Historic Environment

3. **Planning History**

- 3.1 Listed Building Consent reference 95/0010/L for 72 South Street, Leominster. This building fronts South Street and does not include the garage area behind. This was for a new window to the north ground floor wall.

4. **Consultation Summary**

Statutory Consultations

- 4.1 Water Authority, Hyder: No response

Internal Council Advice

- 4.2 Traffic Manager: Recommends condition H29 for one cycle space per bedroom to be required close to each dwelling. This can be included in any subsequent reserved Matters application. [No on site car parking need be provided in line with PPG13].
- 4.3 Conservation Manager: No objection in principle. Development here has the potential to affect the setting of three Listed Buildings close by, much will depend on detail design.
- 4.4 Landscape Officer: No objection

5. **Representations**

- 5.1 Leominster Town Council: 'Recommends refusal as this would be backland development and the access would be inadequate for the total number of houses proposed.'

- 5.2 3 letters of objection have been received from the following local residents:

R J Chance of Poppies

Mr and Mrs Rooke of Orchard End

Mrs L Barrington of 68 South Street

The main planning points raised are:

1. Design
2. Overlooking
3. Loss of privacy
4. Noise
5. Access

These points are dealt with in the Officers Appraisal below.

- 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 The application is purely for the principle of residential development and any details will be applied for in a Reserved Matters application.
- 6.2 The application raises a number of issues and each of these will be dealt with in turn.
- 6.3 Backland development - this is a description based on area arrangements in relation to existing properties. It is not in itself a reason to object to development, but requires consideration at the Reserved Matters stage if approved. The site has current use for lock-up garages in an area designated primarily as residential for the market town of Leominster. Policy A52 states that residential development will be permitted within these areas on small vacant or undeveloped sites not specifically identified for housing where the proposals can comply with criteria in Policy A1 and in particular Policies of A18, A21, A25, A29, A54, A55, A62, A63 as appropriate.
- 6.4 Overlooking - at present, land uses on site are of single storey. This is an outline application and this matter would be for review at the Reserved Matters stage, where this can be conditioned.
- 6.5 Privacy – again, this point is difficult to ascertain at this stage because the site is currently in a state where the present uses, (lock-up garages) include activities on site that would make this claim hard to substantiate – which is that that privacy loss would be greater with the proposed land use than with the existing permitted land use.
- 6.6 Noise – again, with reference to the previous or most recent uses, arguably the potential for noise from the present lock-up garages could be improved by change of use to residential.
- 6.7 In addition, it is considered that the proposal site could be suitably distant from any neighbouring dwellings to ensure that any future proposed reserved matters applications for specific dwellings need not cause any demonstrable loss of privacy, noise or overlooking. The scheme thus accords with the relevant policies in this respect.
- 6.8 Access – the Traffic Manager's response to this application recommends that any permission includes condition H29 for one cycle space per bedroom close to each dwelling. As this site is close to the town centre there is no requirement for onsite parking. Indeed it may prove necessary to limit on site parking for safety reasons.

Summary

- 6.9 This application requires a judgement on whether the site is appropriate for residential development only. Any view on the number of properties or transportation access that may or may not be applied for on this site are matters for a Reserved Matters application.
- 6.10 The property is within the curtilage of a Listed Building and adjacent to 2 further listed buildings. The current garaging use has ceased and lock-up garages remain in use. The site is therefore within the terms of Policies A52 primarily residential areas and Policy A30 redevelopment of employment sites to alternative uses.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - **A02 (Time limit for submission of reserved matters (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 - **A03 (Time limit for commencement (outline permission))**
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 - **A04 (Approval of reserved matters)**
Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 - **A05 (Plans and particulars of reserved matters)**
Reason: Required to be imposed by Section 92 of the Town and Country Planning 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.