

**22 DCNC2005/1800/F - ALTERATIONS AND AMENDMENTS TO PREVIOUS PLANNING APPROVAL NC2004/2934/F AT 4 MAPPENORS LANE, LEOMINSTER, HEREFORDSHIRE, HR6 8TG**

**For: Mr S Perry at same address**

**Date Received:**

**27th May 2005**

**Expiry Date:**

**22nd July 2005**

**Ward:**

**Leominster North**

**Grid Ref:**

**48986, 59207**

**DT/CR**

Local Member: Councillors Mrs J French and Brig. P Jones CBE

**1. Site Description and Proposal**

- 1.1 Detached house on the south side of Mappenors Lane, just to the east of its junction with The Rugg. It is located within a primarily residential area as shown in the Leominster District Local Plan (Herefordshire).
- 1.2 This application proposes an amendment to planning permission DCNC2004/2934/F which was to demolish and replace a garage with a two-storey extension providing garage, utility and WC on the ground floor with bedroom and en suite bathroom above. A single storey conservatory with half-hipped roof was also proposed to the rear of the building. The amendments included in this application propose a window to the entrance hall, planted timber to the side elevation so as to match the front elevation and alterations to the roof of the conservatory extension with a full gabled roof that will be roofed in tiles to match the house.

**2. Policies**

2.1 Leominster District Local Plan (Herefordshire)

- A.1 – Managing the Districts Assets and Resources
- A.2 – Settlement Hierarchy
- A.25 – Scale and Character of the Development
- A.54 – Protection of Residential Amenity
- A.56 – Alterations, Extensions and Improvements to Dwellings

2.2 Hereford and Worcester County Structure Plan

CTC9 – Development Criteria

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

H18 – Alterations and Extensions

2.4 PPS1 – Delivering Sustainable Development

**3. Planning History**

DCNC2004/2934/F - Extension and conservatory Approved 1st December 2004.

**4. Consultation Summary**Statutory Consultations

No Statutory Consultations required

Internal Council Advice

Traffic Manager - no objection

**5. Representations**

5.1 Leominster Town Council recommend approval.

5.2 Letter of objection has been received from Mr. K.A. Ryan, 6 Mappenors Lane, Leominster:

(a) I originally objected to the proposal for a two-storey extension and conservatory on the grounds that the whole structure will be cramped on its plot and overshadowing and overbearing on my property. Since building work has commenced this has proven to be the case.

(b) To allow the alterations in roofing material and design to be changed from glass to tile is completely unnecessary, this will create further overshadowing of my property and garden and will lead to severe lost of light to my dining room, this is a habitable room.

(c) The proposal is contrary to policies A.54 and A.56 of the Leominster District Local Plan.

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 This application seeks an amendment to planning permission DCNC2004/2934/F. The alterations proposed are:

(a) Mock timber frame to the east elevation so as to match the front elevation of the dwelling.

(b) Additional window to entrance hall, which will be in the front elevation – now constructed

(c) Alteration to the shape of the conservatory roof from half-hip to full gable roof. The roof is to be tiled to match those of the dwelling.

- 6.2 Planning permission DCNC2004/2934/F has been implemented, the construction of two-storey side extension is well under way, and the conservatory extension to the rear is part-built. Work on the conservatory has stopped until the determination of this application.
- 6.3 The determining factor of this application is the impact the amended roof shape will have on the amenity of the neighbour through overshadowing and light loss to the rear garden, patio and dining room. There is no objection to the planted timber to the side elevation or to the additional window in the front elevation.
- 6.4 The application site is on the west side of 6 Mappenors Lane. In terms of overshadowing an assessment of the orientation of the buildings in relation to the path of the sun is required. The orientation and southern aspect of the dwellings is that the rear gardens enjoy the benefit of full sun. However; the path of the sun from mid afternoon onwards sets behind the front of these dwellings. While, there will be some light loss to the rear garden, patio and dining room it is not considered this will be significant so as to give rise to overshadowing and light loss to the dining room to justify a refusal of planning permission. In terms of the alteration to the shape of the roof concerned, it is not considered that this will cause detrimental harm to the character of the dwelling. While, mention is made to the meaning of a conservatory the definition given refers to the Building Regulations. The Planning Act does not define a conservatory other than being an extension. The roof of the conservatory extension is to be covered in matching tiles (as did the previous planning application) to which there is no objection.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions:**

**1 - A01 (Time limit for commencement (full permission) )**

**The development hereby permitted shall be begun before the expiration of five years from the date of this permission.**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2 - A06 (Development in accordance with approved plans )**

**The development shall be carried out in all respects strictly in accordance with the approved plans [(drawing nos. )].**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

### Informative:

**1. N15 - Reason for the Grant of Planning Permission**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.