

29 DCNW2005/1552/F - PROPOSED DWELLING TO REPLACE PREVIOUSLY APPROVED DWELLING AT HOUSE PLOT ADJACENT TO STORES AND YEW TREE HOUSE, SHOBDON, HEREFORDSHIRE, HR6 9LX

For: Mr & Mrs M Lovell per Mr C Goldsworthy, 85 St Owen Street, Hereford, HR1 2JW

Date Received:
9th May 2005

Ward:
Pembridge &
Lyonsall with Titley

Grid Ref:
39813, 61774

Expiry Date:
4th July 2005

Local Member: Councillor R Phillips

KG/KO

1. Site Description and Proposal

- 1.1 The application site lies immediately to the east of the Shobdon Stores building on the southern side of the B4326 which runs through the village of Shobdon. The site is currently used informally for parking for the shop and is hardsurfaced.
- 1.2 Shobdon Stores received planning permission in 1992 for a new post office, store and detached house. The dwelling has not been constructed although the permission remains extant. This application seeks to amend the design of the approved dwelling through the increase in ridge height from 8.1m to 8.5m and the introduction of two dormers to the rear elevation to allow for two attic bedrooms. In addition to this a single storey lean to type addition is proposed to the rear elevation that would extend 2.2m to the rear. The siting of the dwelling has also been altered to move 1m back away from the highway. It should also be noted that the approved layout included the living accommodation (living room, kitchen and dining room) at first floor level with a first floor balcony. The proposed dwelling has reverted to a more traditional layout with the living accommodation on the ground floor to comprise a kitchen/dining room, study, and living room. The first floor would have 3 bedrooms with one bathroom and 1 en-suite with the attic providing a further two bedrooms and a bathroom. The balcony has been omitted from the scheme.
- 1.3 Access to the dwelling would be via the lane/private drive which runs to the west of the shop and along the rear of the gardens and already serves a number of residential dwellings that front the B4326.

2. Policies

Leominster District Local Plan

Policy A2 (Diii) – Settlement Hierarchy
Policy A9 – Safeguarding the Rural Landscape
Policy A24 – Scale and Character of Development
Policy A54 – Protection of Residential Amenity

Herefordshire Unitary Development Plan (Deposit Draft)

Policy DR1 – Design
H13 – Sustainable Residential Design
Policy H7 – Housing in the Countryside Outside Settlements
Policy H18 – Alterations and Extensions

3. Planning History

92/755 - New post office and store with detached house on south side of road and west of existing store - approved with conditions 29th March 1993.

4. Consultation SummaryStatutory Consultations

4.1 None Required

Internal Council Advice

4.2 The Transportation Manager raises no objection but requests further information regarding off road parking provision for the dwelling. Minimum of three spaces including turning area.

4.3 The Public Right Of Way Manager comments that the proposed development would not appear to affect public footpath SO17a. However the following point should be noted. The applicants should ensure that they hold lawful authority to drive over the public footpath.

5. Representations

5.1 Shobdon Parish Council has no objection to the application subject to suitable vehicle access to rear of the property adjacent to the shop.

5.2 In response to concerns raised regarding deliveries parking and access to the shop, the applicant has submitted the following letter:-

1. Deliveries to the Shop

- We have on average less than 10 deliveries per week.
- They are in the main in vans and delivery is through the front of the shop. This does not cause a problem for customer parking.
- We have one major delivery per week from Booker in Hereford. This comes on a Thursday, is delivered by 7.5t lorry, to the rear of the shop.
- We have discussed with the driver the building of the house and he is happy with access down the lane. To aid manoeuvring we propose to change the entrance at the rear. The existing Gas cage and shed would be moved. This will allow for turning and parking at the rear of the shop without blocking the lane.

2. & 3. Parking to Front of the Shop and Landscaping

- I will deal with these points together as they are linked.
- Since the shop was established in it's present location, parking has developed in a way that utilises a natural flow one way through the parking area. The parking area is large and accomodates cars, lorries and tractors.

- I spoke with the previous owner regarding the landscaping, and parking arrangements.
- Mrs Carmichael advised me that 2 years ago she had a meeting with representatives of the Parish Council and the Highways Department, the result of which, was positive support for the parking arrangements as they exist.
- The natural flow of traffic on and off the car park created a one way system. Vehicles tend to enter the car park from Mortimers Cross end and leave at the opposite.
- I believe parking bays were considered, however, it was felt this would not aid the flow of traffic and in fact restrict parking, especially for the lorries. Current arrangements mean lorries come onto the car park and do not park on the road.
- Landscaping as proposed in the existing plans equally, would not aid traffic flow, and would restrict parking. Our planning application keeps the car park open and optimises space for parking.

5.3 Two letters of representation have been received from M W Lane of Yew Tree House, Shobdon and Joanna and Paul Griffiths, April Cottage, Shobdon who raise the following issues:

- Landscaped area to front of Yew Tree House to be levelled and used for car parking which would cause inconvenience and impact on living conditions of dwellings. Area of landscaping should be retained.
- Concern about where staff will park and where the deliveries would be made.
- Concern about Public Rights Of Way would be blocked by delivery vehicles and would prevent neighbours accessing their properties by car.
- Impact of dwelling as being overbearing and causing a loss of light.
- Privacy and overlooking.

5.4 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 main issues in the consideration of the development are:

- a) The principle of the development
- b) The impact of the alterations to the design, size and scale of the development
- c) Landscape
- d) Highway safety and parking

6.2 As a dwelling this site has previously been approved and could be constructed at any point in accordance with the existing plans, the principle of residential development on this site has already been accepted. As such the only issues for consideration relate to the amended detail now submitted.

6.3 The design and scale of the dwelling is of particular importance in assessing the acceptability of the replacement in accordance with the policies of the Leominster District Local Plan. The footprint of the proposed dwelling is only marginally larger, due to the lean to area at the rear and this is deemed acceptable. However the building is to be moved by 1m back to allow more landscaping to the front of the property causing additional overlap with the property at Yew Tree House. There is also a slight increase in height. However, there is a 2.5m gap between the dwelling and boundary with Yew Tree House which would reduce any impact on the property.

Having regard to the former approval it is not considered that the proposed dwelling in its current form would not be any more overbearing or cause any additional loss of light to Yew Tree Cottage. Conditioning the removal of Permitted Development Rights to ensure no further increase without planning permission is also recommended and will ensure no windows are placed in this side elevation.

- 6.4 It is also noted that by making the living accommodation at ground floor level and removing the balcony, this would improve the overlooking and privacy impact from the new dwelling onto Yew Tree Cottage despite the introduction to two-second floor dormer windows. As such this proposal is considered to conform with Policy A54 of the Leominster District Local Plan.
- 6.5 There are no highway objections subject to the provision of off road car parking for three cars and a suitable condition is recommended. However there is some concern locally regarding impact on car parking and deliveries. This issue was raised with the applicant and his response is detailed above. Regard is also had to the fact that the dwelling was previously approved on the same application as the shop and these issues addressed. If the dwelling had been erected at the same time as the shop then the shop would never have benefited from the additional space it currently uses. As such a plan is requested showing the car parking and delivery areas to the front and rear of the shop to clarify the situation but it is felt to be unreasonable to suggest that the car park is demarcated. As such there are no highway safety concerns.
- 6.6 On the originally approved plan, landscaping was shown in front of Yew Tree Cottage. In light of the neighbours concerns about potential parking directly in front of the property, and having regard to the fact that this was part of the approved scheme it is considered reasonable to impose a condition which relates to the operation of the shop or demarcation of spaces.
- 6.7 To conclude, the principle of developing the site has already been accepted. The revised internal and external design and appearance of the dwelling would be a minor modification that would have minimal increase in impact on the neighbouring property. There are no highway safety concerns. As such the development is considered to be acceptable and officers are minded to recommend approval subject to the appropriate conditions.

RECOMMENDATION

That, subject to the comments of the Water Authority, 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 - A07 (Development in accordance with approved plans)**

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

3 - B01 (Samples of external materials)

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

4 - G01 (Details of boundary treatments)

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

5 - G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

6 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

7 - E16 (Removal of permitted development rights)

Reason: To safeguard the character and amenities of the neighbouring property.

8 - H12 (Parking and turning - single house)

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

Informatives

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

Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.