

13 DCNE2005/2359/F - ERECTION OF SINGLE DWELLING HOUSE AT LAND ADJACENT TO 41 BYE STREET, LEDBURY, HEREFORDSHIRE.**For: Mr & Mrs D Jones per Mr J Bladen, CSJ Planning Consultants Ltd, 32 Frogmore Steet, Bristol, S1 5NA****Date Received:**
15th July 2005**Ward:**
Ledbury**Grid Ref:**
70955, 37703**Expiry Date:**
9th September 2005

Local Members: Councillor P Harling, Councillor D Rule and Councillor B Ashton

1. Site Description and Proposal

- 1.1 The site lies centrally within Ledbury and its Conservation Area boundary. It is a small site lying between two existing buildings, Foley House to the east and 41 Bye Street to the west. The plot has a frontage of 7.7 metres and is 73 metres square in total size.
- 1.2 The proposal seeks to erect a two storey dwelling on site. It represents a graduated step in height between 41 Bye Street, a cottage of approximately 5.5 metres in height, and Foley House at approximately 11.6 metres. The dwelling measures 7.3 metres in height and is shown to be faced in brick with a 'slate appearance' roof. It has a footprint of 40 metres square and provides 2 bed accommodation. The application does not include off street parking but does indicate the provision of a structure for bicycle parking. No details have been provided of this.

2. Policies**Hereford and Worcester County Structure Plan**Housing Policy 16A – Housing in Rural Areas
CTC15 – Conservation Areas**Malvern Hills District Local Plan**Housing Policy 2 - Development in Main Towns
Housing Policy 3 - Settlement Boundaries
Housing Policy 17 - Residential Standards (Criteria C & D)
Conservation Policy 1 - Preserving or Enhancing Conservation Areas
Conservation Policy 2 - New Development in Conservation Areas**Herefordshire Unitary Development Plan (Revised Deposit Draft)**DR1 – Design
S1 – Sustainable Development
S2 – Development Requirements
H1 – Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas

H13 – Sustainable Housing Design
H15 – Density
H16 – Car Parking
HBA6 – New Development within Conservation Areas

3. Planning History

NE2005/4166/F - Proposed new house - Refused 19th January 2005 for the following reasons:

1. It is considered that the proposal would result in a cramped form of development contrary to Housing Policies 3 and 17 of the Malvern Hills District Local Plan.
2. Furthermore the cramped nature of the development will be detrimental to the character and appearance of the Ledbury Conservation Areas, contrary to Conservation Policy 2 of the Malvern Hills District Local Plan.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Transportation Manager - No objection subject to the inclusion of a condition to provide secure bicycle parking.
- 4.3 Conservation Manager - No objection subject to conditions relating to materials and joinery details. In particular he finds the descriptive 'slate appearance' roof on the submitted plans to be unacceptable. If approved the permission should require a natural slate roof.

5. Representations

- 5.1 Ledbury Town Council - Recommend refusal. The size of the site is insufficient for the scale of the proposed dwelling and is therefore contrary to Housing Policy 3 and 17 of the Malvern Hills District Local Plan.
- 5.2 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 key considerations of this application are whether the design of the proposal is acceptable and makes a positive contribution to the character and setting of the conservation area, and whether or not it results in a cramped form of development.

- 6.2 The design of this proposal is superior to the previously refused scheme. It pays regard to the scale and massing of adjacent buildings and in particular provides some relief in heights between a modest cottage and the dominant Foley House. It respects the building line and takes its lead from Foley House in terms of its appearance with a central gabled two-storey projection and similar materials. It will fill a gap in the frontage and this is considered to be positive enhancement to the conservation area. Subject to the recommendations of the Conservation Manager the scheme is acceptable in this respect.
- 6.3 The previous scheme was refused as it would have created a cramped form of development. The current scheme sits further forward in the plot and has a more comfortable relationship with the adjacent buildings. In particular, policies in the emerging Unitary Development Plan encourage higher density development and accept greater flexibility in car parking requirements, especially in town centre locations. However, the proposal creates a town centre house with virtually no private garden and itself occupies the space that would otherwise be the garden to 41 Bye Street. The determining factor in this case is that, historically, there was a house on this site and, therefore, the conservation benefit outweighs the cramped nature of the development with its lack of private garden.

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 - C04 (Details of window sections, eaves, verges and barge boards)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

4 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

6 - G01 (Details of boundary treatments)

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

7 - H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informative:

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

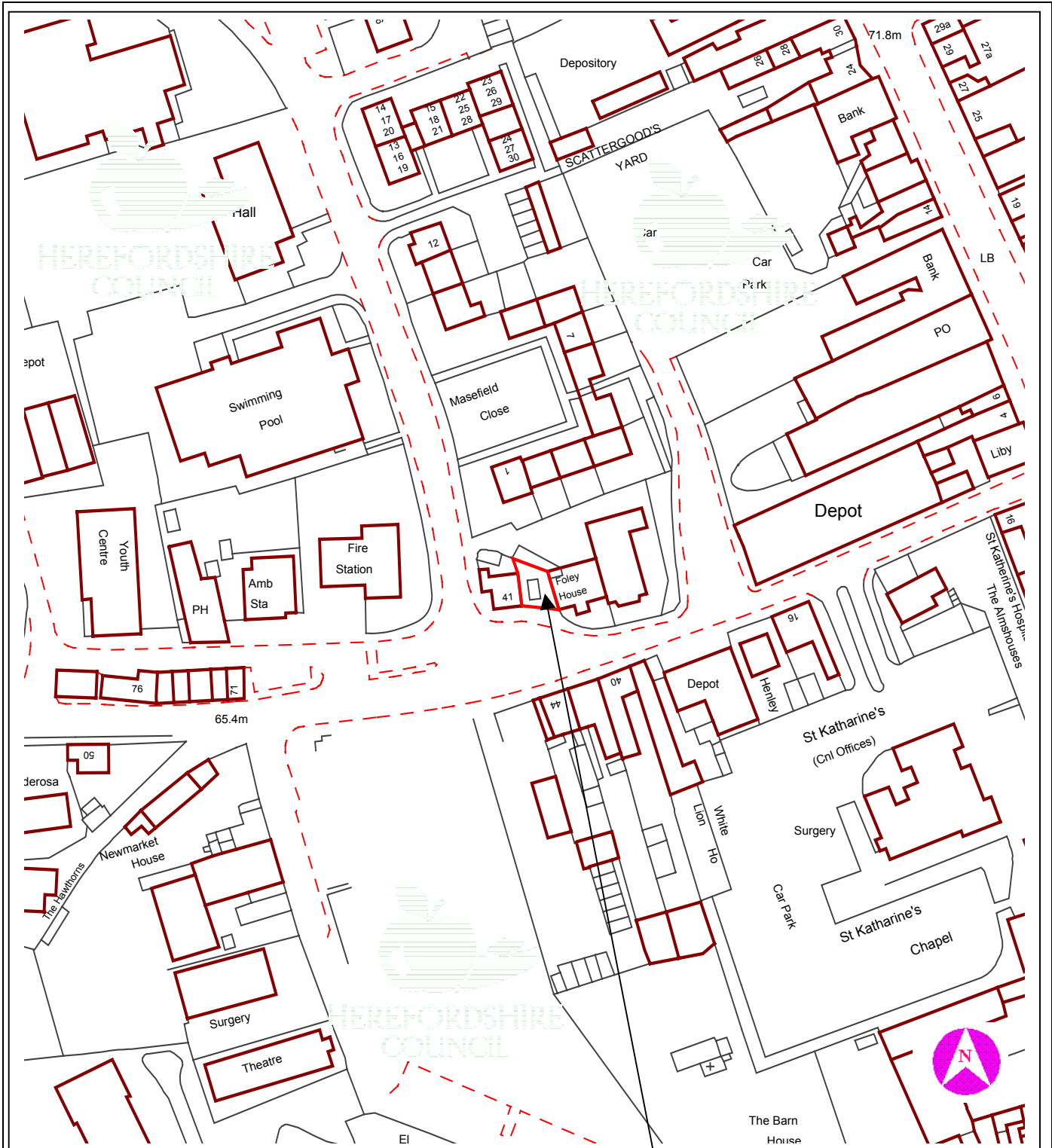
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2005/2359/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to 41 Bye Street, Ledbury, Herefordshire.

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