

14 DCNW2005/1813/O - SITE FOR THE ERECTION OF A DETACHED DWELLING. OLD SCHOOL HOUSE, SHOBDON, LEOMINSTER, HEREFORDSHIRE, HR6 9ND**For: Mr King, Nick Carroll Architect, Orchard Studios,
Union Place, Worcester, WR3 7DX****Date Received:
2nd June 2005****Ward:
Pembridge &
Lyonshall with Titley****Grid Ref:
39961, 61927****Expiry Date:
28th July 2005**

Local Member: Councillor R Phillips

1. Site Description and Proposal

- 1.1 The application site comprises a 0.137 hectare plot of land that forms part of the garden of the dwelling known as Old School House. The site lies to the north of the dwelling on the north side of the B4362 that runs through Shobdon village. The site is clearly overgrown and in a elevated position above the highway and dwelling. The site lies within the defined Shobdon settlement boundary.
- 1.2 The application requests outline consent for the erection of a single residential dwelling and reserves all matters for future consideration. An indicative site plan has been submitted with the application that shows the position of a dwelling in the central position towards the rear of the site. Access would be via an existing driveway which serves No's 1 and 2 Sunny View and also Old School House. The access is single width and is also a Public Right of Way. Land beyond the application site to the rear is agricultural land that lies outside of the Settlement Boundary.

2. Policies

Government Guidance: PPS7

Hereford and Worcester County Structure PlanCTC9 – Development Criteria
A4 – Development Considerations
H20 – Residential Development in Open Countryside**Leominster District Local Plan**A1 – Managing the District's Assets and Resources
A2(D) – Settlement Hierarchy
A9 – Safeguarding the Rural Landscape
A24 – Scale and Character of Development
A54 – Protection of Residential Amenity
A56 – Alterations, Extensions and Improvements to Dwellings

A70 – Accommodating Traffic from Development

Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development
S2 – Development Requirements
S7 – Natural and Historic Heritage
DR1 - Design
DR2 – Land Use and Activity
H4 – Main Villages: Settlement Boundaries
H13 – Sustainable Residential Design
H16 – Car Parking

3. Planning History

- 3.1 DCNW2005/1983/F - Sub-division and extension of existing building into three individual residences – Withdrawn (Old School House)
- 3.2 91/0223 - Improvement of access by creation of a splay at Old School House and 1 Sunnyview, Shobdon - Approved 10-Sep-1991
- 3.3 92/0032 - Proposed car port - Approved 20-May-1992

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water raises no objection but recommends conditions relating to the submission of foul and surface water drainage details.

Internal Council Advice

- 4.2 The Transportation Manager has no objections to the granting of permission. Subject to conditions but notes that visibility is below standard, but one dwelling would not be an over intensification of the access. Ensure that sufficient parking remains for flats on Old School House.
- 4.3 The Public Right of Way Manager states that the proposed development would not appear to affect public footpath S01. The Right of Way should remain at its historic width and suffer no encroachment or obstruction during the works or at any time after completion. The applicants should ensure that they hold lawful authority to drive over the public footpath. The applicants should note that the Right of Way has footpath status and will only be maintained by the Highway Authority as such.
- 4.4 The Conservation Manager (landscape) makes the following comments:
 - The Old School House is located in the centre of Shobdon, on an elevated site to the north of the B4352. The site falls within an Area of Great Landscape Value. The proposed site for the dwelling is a garden area to the rear of the Old School House. This backs onto open countryside. There is a narrow lane that runs along the south-west site boundary and this is a Public Right of Way.
 - I have no objection to this development. It would not have an adverse impact on the countryside to the north of the site, because the site is well screened by the

hedgerow trees on the back boundary. It is important that these trees are retained. I have no objection to the removal of the four trees indicated in the central part of the site.

- If permission is granted for this development, Conditions G02: Landscaping scheme, G03: Landscaping scheme - implementation, Condition G09: Retention of trees/hedgerows and G18: Protection of trees, should be attached.

4.5 The Conservation Manager (Archaeology) makes the following comments:

- Having considered the currently available details of this new proposal, and the currently available archaeological information relating to the site, including the county Sites and Monuments Record (SMR), my current views can be summarised as follows. Although having no objection to the development, I am concerned by the disturbance - in a sensitive location - that is likely to occur. The application site is within the scope of the recorded medieval settlement of Shobdon (SMR ref HSM 25817).
- Accordingly I consider that the development as proposed is likely to cause some damage to archaeological deposits and features, and needs to be mitigated by an appropriate archaeological condition, allowing the site to be recorded during development (PPG 16 Section 29). With regard to the proposal above, therefore, I would advise that Herefordshire Council attach the following normally recommended archaeological condition to any forthcoming planning permission.
- "The applicant or his agents 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.

5. Representations

5.1 Shobdon Parish Council resolved to make the following comments:

The visibility of the access from the site onto the B4362 is already deemed to be a serious hazard, substantial improvement to the access need to be made before any outline planning is granted.

The Parish Councils need to know what improvements are planned before a final decision can be reached.

5.2 Two letters of objection/concern have been received from Mrs C A Jones of Rose Cottage, Nicholas Common, Winforton and Martin Foster of 24 Hanbury Garden, Shobdon. These letters raise the following points:

- Application incorrect as applicant does not own lane (no known owner) and a Public Right of Way is affected.
- The Public Right of Way should be retained in its current state for continued enjoyment.
- Concern over any alterations to the frontage.
- Would the removal of the wall and increase in traffic make it a more dangerous place to walk.

- Concern over treacherous stretch of road and lack of visibility.
- Although 30mph road, vehicles travel in excess of this.
- Volume of traffic using this road, including lorries is increasing.
- Application suggests removal of trees but gives no details.
- Erection of a two storey dwelling will over shadow Old School House and alter the skyline.

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 is for outline consent only and as such the principle of development on the site is the primary concern. Policy A2 (c) of the Leominster District Local Plan and Policy H4 of the Unitary Development Plan (revised deposit draft) make allowance for small scale development within the defined Settlement Boundaries as long as development is in accordance with Policy A1 of the Leominster District Local Plan. The site clearly lies within the Settlement Boundary and as such the principle of residential development of the site for one dwelling is considered acceptable.

6.2 Although this application reserves all matters for future consideration, placing focus on the principle of development. I would raise the issues of access, landscape impact and neighbour amenities at this point.

6.3 Access to the site has been shown to be along the existing driveway. It is acknowledged that traffic through the village is an ongoing problem. However, the Transportation Manager has advised that there would be no objection to one additional dwelling. This matter has been carefully considered and it is felt that a reason for refusal on this basis could not be sustained for one dwelling only.

6.4 The application site is overgrown but does retain a mature boundary hedge, clearly demarcating the Settlement Boundary. The site is not visible from the highway and although elevated in position would not have an overbearing impact on the street scene. The reserved matters application will provide further explicit detail on the landscaping to be retained and there is ample opportunity to retain some of the mature trees and hedgerows that form part of the site.

6.5 The two dwellings which could be affected by development are the flat in Old School House and the dwelling known as Sunny View. Given the size of the plot, there are sufficient distances and mature landscaping between these dwellings to dispel any cause for concern. The reserved matters application will control the siting, design and external appearance of the proposed dwelling and any explicit concerns could be expressed at this stage.

6.6 To conclude, the application site falls within the Settlement Boundary of the village of Shobdon and the principle of residential development is acceptable. The Transportation Manager has raised no objection to development of one dwelling. The site is well screened and is capable of being developed for one dwelling without being cramped or impeding on the amenities of the neighbouring properties. As such the proposed dwelling accords with the policies of the Leominster District Local Plan and members are respectfully requested to approve this application.

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.

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

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

- 6 - G04 (Landscaping scheme (general))**

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

- 7 - G05 (Implementation of landscaping scheme (general))**

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

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

Reason: To safeguard the amenity of the area.

- 9 - G18 (Protection of trees)**

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

- 10 - The applicant or his agents 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.**

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

Informative:

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

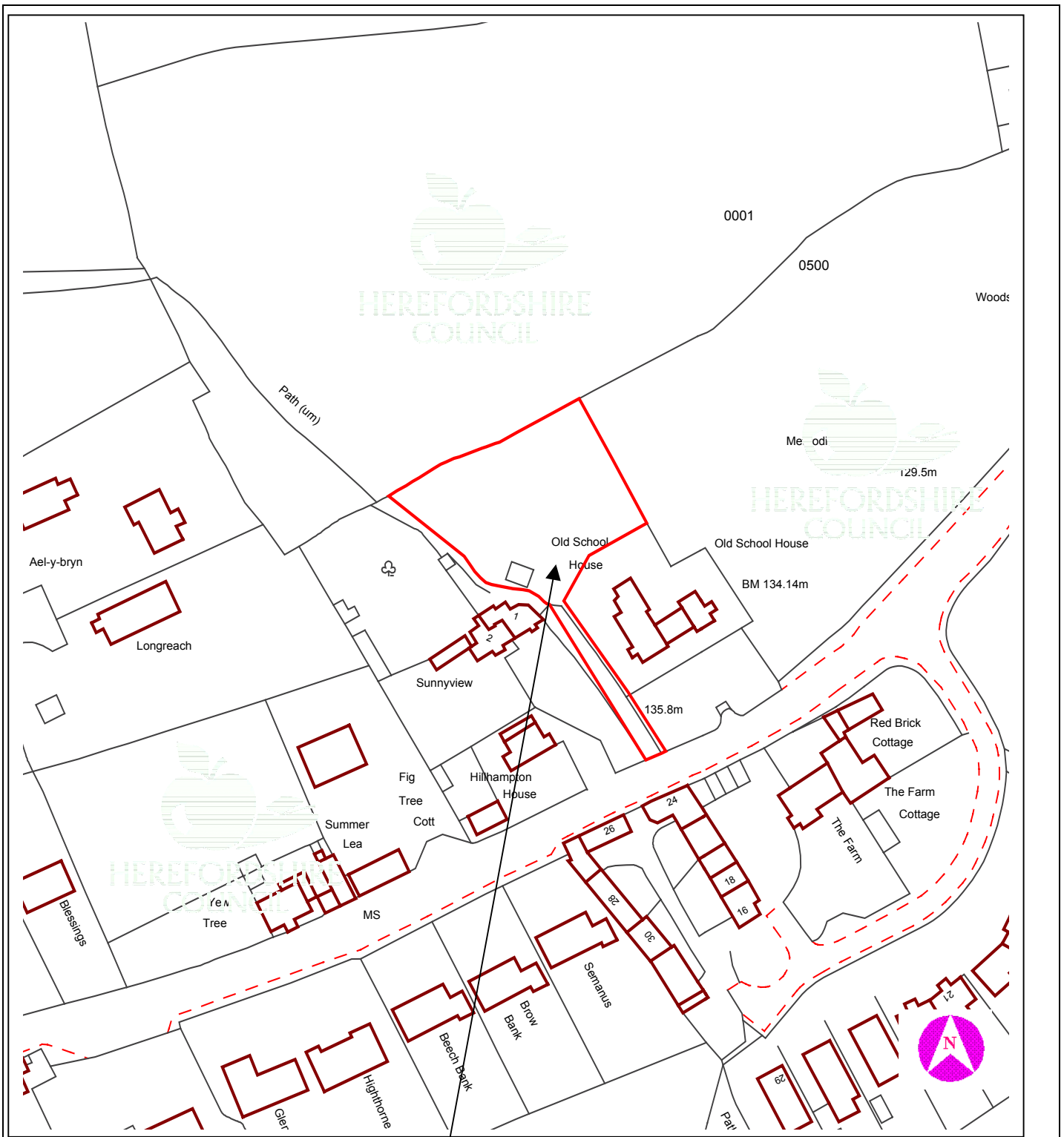
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2005/1813/O

SCALE : 1 : 1250

SITE ADDRESS : Old School House, Shobdon, Leominster, Herefordshire, HR6 9ND

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