

22 DCNW2005/2945/F - RETROSPECTIVE APPLICATION FOR TEMPORARY SITING OF STORAGE CONTAINER FOR HOBBYIST USE AT THE BANK, LEINTWARDINE, CRAVEN ARMS. SY7 0LD**For: Mr N P Williams at the same address****Date Received:**
9th September 2005**Ward: Mortimer****Grid Ref:**
40412, 74007**Expiry Date:**
4th November 2005**MT/CR**

Local Member: Councillor Mrs Barnett

1. Site Description and Proposal

- 1.1 This retrospective planning application relates to a storage container situated within the garden of a property known as The Bank at Leintwardine. The container, which is located just within the gates of the property lies very close to the rear wall of a property called Bank House a Grade II Listed building. The site also lies within the Leintwardine Conservation Area.
- 1.2 The container is used as a workshop for the repair of fairground organs and has electricity connected for that purpose.

2. PoliciesLeominster District Local Plan (Herefordshire):

A.18: Listed Buildings and their Settings
A.21: Development Within Conservation Areas
A.24: Scale and Character of Development

Hereford and Worcester County Structure Plan:

CTC9: Development Requirements

Herefordshire Unitary Development Plan (Revised Deposit Draft):

HBA4: Setting of Listed Buildings
HBA6: New Development Within Conservation Areas

3. Planning History

- 3.1 There is no planning history on this site although an enforcement notice has been served requiring removal of this container. The enforcement notice is subject of appeal which is to be determined at Public Inquiry, no date as yet has been set for this.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Conservation Manager: Advises the storage container does not enhance the conservation area or the setting of the listed building, however, I have no objections if it is temporary. I would only have concerns if any necessary maintenance work to the wall associated with listed building are prevented due to the location of this temporary container.

4.3 Transportation Manager: Has no objection

5. Representations

5.1 Leintwardine Parish Council: 'Objections. This container has been there a long time and should be removed. Obtrusive to neighbours.'

5.2 Objections have been received from Mr Lester of Bank House, High Street, and Mr & Mrs Griffiths of Fernleigh, 4 Church Street, Leintwardine. The objections are summarised as follows:

1) The use is described as hobbyist use we consider this to be misleading, information available from the website suggests that this is a business and the activities are on a scale which indicate it to be a business.

2) The container is placed so close to the back wall of our house that it's impossible to gain access to clear the gutters or carry out essential maintenance work. There is vegetation between the container unit and the back wall of our house and large panes of glass between the container and the wall of our front garden which are unsightly and could be hazardous.

3) Proposed activities are inappropriate for the centre of a country village particularly if it is to be carried out in close proximity to our own house a Listed building.

4) It is considered that the container has a negative effect on the character of the conservation area and if approved will send out the wrong signals encouraging other unsuitable developments.

5.3 In support of the proposal the applicant advises "enclosed completed paperwork for submission of a retrospective temporary planning permission on the storage container used for housing some of my historic mechanical organ collections. If successfully granted for a future term of three years I will withdraw my appeal against the erroneous enforcement notice at the end of this period the container will be removed, once time for more suitable accommodation for its precious contents has been found."

Submitted with the supporting statement is a sketch plan which is not to scale but indicates a gap of 2ft 6ins between the rear wall of Bank House and the container and a gap of 2ft 9ins between the end of the container and the barn which adjoins Bank House. The container is shown to be 21ft long.

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 This retrospective application has been submitted, without prejudice, by the applicant following a lengthy enforcement investigation and subsequent service of an enforcement notice. The reasons stated for the service of the notice relate to Leominster District Local Plan Policies A.18, A.21 and A.24 and Hereford and Worcester County Structure Plan Policy CTC9. These concern issues relating to the character and setting of a listed building and conservation areas. The notice was not served in reference to any difficulties in maintenance of the adjoining property, which is a civil matter, not one for the Local Planning Authority (LPA).

6.2 The enforcement notice was served as the only means available to the LPA of controlling this development. Had this particular application been submitted earlier in the process it is anticipated that such a service would have been unnecessary. Whilst the LPA would not wish to see this container situated on a permanent basis it is considered that as a temporary expedient to enable the applicant to complete a course of study away from the area and to find alternative premises that the temporary permission is acceptable.

RECOMMENDATION

That planning permission be granted subject to the following condition:

1 - E20 (Temporary permission) (2 November 2008)

Reason: The Local Planning Authority are prepared to accept this as a temporary expedient only.

2 - E21 (Temporary permission and reinstatement of land) (insert 'container')

Reason: to ensure appropriate reinstatement of this land within the Conservation area.

3 - The container shall only be used for purposes ancillary to the enjoyment of the dwelling known as The Bank, and for no other purpose.

Reason: In the interest of amenity of adjacent residents.

Informative:

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

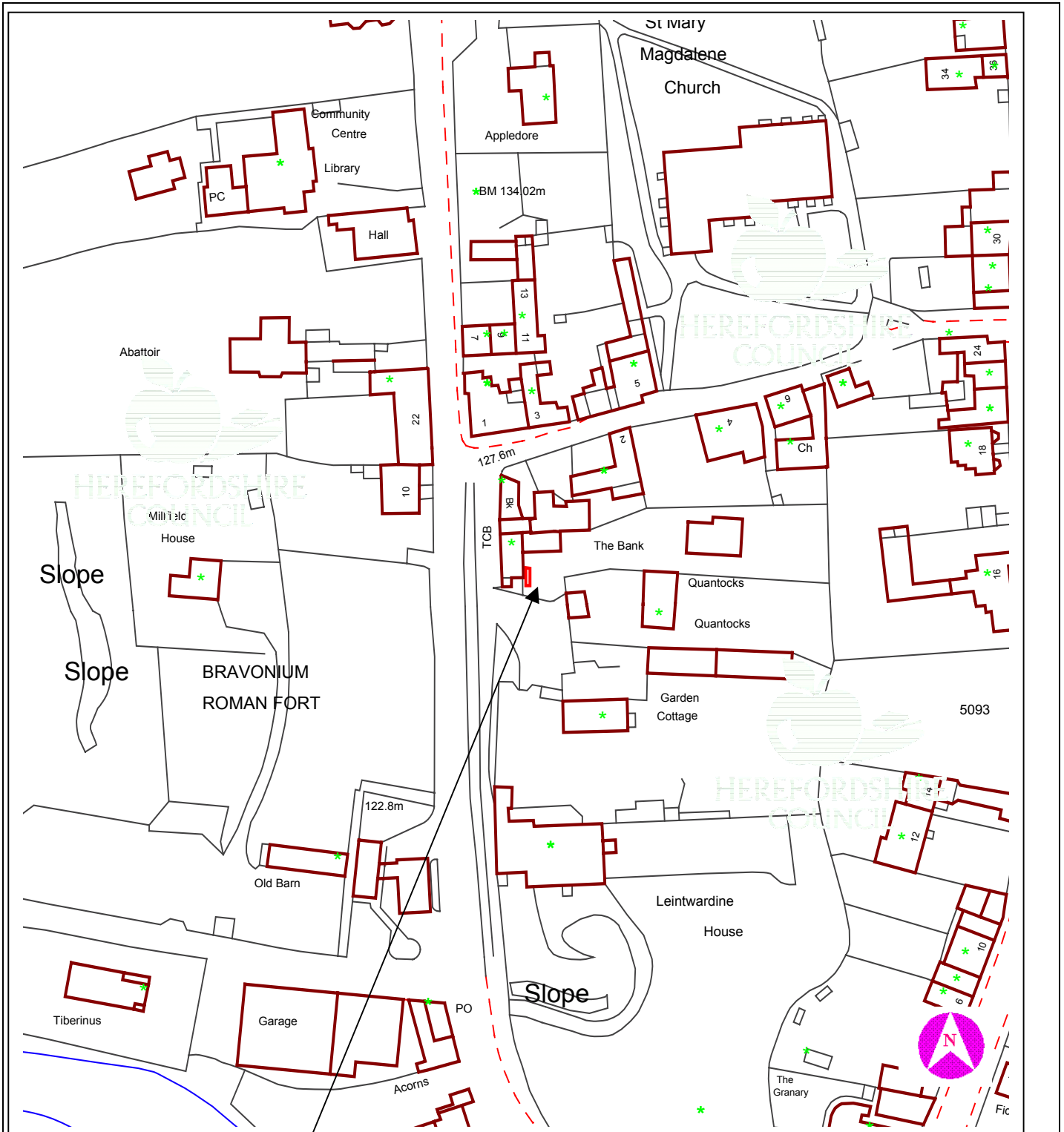
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNW2005/2945/F

SCALE : 1 : 1250

SITE ADDRESS : The Bank, Leintwardine, Craven Arms. SY7 0LD

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005