

12 DCNC2005/3626/F - CONVERSION OF REDUNDANT FARM BUILDINGS TO FOUR HOUSES AND ERECTION OF ONE HOUSE AT SITE ADJACENT TO LUSTON COURT, LUSTON, LEOMINSTER, HEREFORDSHIRE**For: Mrs M Jones per Burton & Co Lydiatt Place
Brimfield Ludlow Shropshire SY8 4NP****Date Received:
11th November 2005****Ward: Upton****Grid Ref:
48677, 63472
AJ/MM****Expiry Date:
6th January 2006**

Local Member: Councillor J Stone

1. Site Description and Proposal

- 1.1 The site is located within the settlement boundary of the village of Luston, to the north of the market town of Leominster.
- 1.2 The site consists of two existing agricultural barns on 0.11 ha (approximately) of land.
- 1.3 The proposal is for the conversion of redundant farm buildings to four houses and the erection of one additional dwelling. This is a resubmission of the former full application DCNC2005/2513/F which was refused 27 September 2005 solely on highway safety.
- 1.4 The additional dwelling is located within the settlement boundary and is appropriate in transportation policy terms bringing the total dwellings using the private drive to five, the maximum number for private drives. The applicant has an extant permission to erect one dwelling on this site. The prior permission will not be implemented should this application receive approval.
- 1.5 The Agent has proposed ensuring no gable end windows are required for later Building Regulation requirements by adding a window to the first floor east elevation, and a timber shutter within the existing threshing bay opening on the first floor west elevation. This sensitive proposal removes any overlooking concerns to the east elevation and improves lighting to the west elevation.

2. Policies**2.1 Leominster District Local Plan (Herefordshire)**

- A1 – Managing the District's Assets and Resources
- A2 – Settlement Hierarchy
- A18 – Listed Buildings and their Settings
- A21 – Development within Conservation Areas
- A24 – Scale and Character of Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S3 – Housing

DR3 – Movement

H1 – Hereford and the market towns: settlement boundaries and established residential areas

H4 – Main Villages: settlement boundaries

H14 – Re-using previously developed land and buildings

H15 – Density

H18 – Alterations and extensions

NC8 – Habitat creation, restoration and enhancement

HBA1 – Alterations and extensions to listed buildings

HBA3 – Change of use of listed buildings

HBA4 – Setting of listed buildings

HBA6 – New development within Conservation Areas

HBA12 – Re-use of rural buildings

HBA13 – Re-use of rural buildings for residential purposes

2.3 PPG3 - Housing

PPG13 - Transport

PPG15 – Planning and the Historic Environment

3. Planning History

NC2005/2514/L - Listed Building application for conversion of redundant barns to four houses. Approved 22.9.05.

NC2005/2513/F - Full application for the conversion of redundant barns to four houses and erection of one house. Refused 22.9.05.

79/487 – Erection of one dwelling to include improved access. Approved 1979. Works commenced on the access confirmed the implementation of the proposal.

4. Consultation SummaryStatutory Consultations

4.1 Welsh Water: Have no objection and request conditions.

4.2 Herefordshire Nature Trust - No response.

Internal Council Advice

4.3 Conservation Manager: No objection.

4.4 Traffic Manager: Objects to the proposal - the visibility splays are below the absolute minimum acceptable level.

5. Representations

5.1 Luston Parish Council: Objection due to:

1) overdevelopment

2) smaller car park

- 3) restricted access
- 4) loss of amenity to local residents
- 5) overlooking of Luston Court

5.2 Representations have been received from:

Mr and Mrs Shepherd, Luston Court, Eye Lane, Luston, HR6 0DU
F M Norman, The Folly, Yarpole Lane, Luston, HR6 0BX
Ms M Percy, 3 Manor Way, Eye Lane, Luston, HR6 0DS
Miss Emma Gentle, Littlebrook Cottage, Eye Lane, Luston, HR6 0DU

The first respondent makes a number of comments though including no objection to development of the barns where sensible and not overdeveloped. Valid planning considerations are raised concerning the design of the proposed new building; traffic levels on the B4361; existing windows of the barns overlooking their garden.

The comments are dealt with in the Officer's Appraisal below.

The latter three respondents support the application and comment on the need to use the barns before they deteriorate beyond repair.

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 The relevant issues for this proposal include:

- Transportation – visibility splays, parking, access
- Overdevelopment
- Loss of amenity and overlooking
- Character of buildings

Transportation

6.2 The new application improves on the earlier proposal with sufficient visibility splays on the village side. The splay on the Eye Lane side measure 14.5 rather than the required minimum of 30 metres. However, in your officer's view, the visibility splay is now sufficiently improved to override this objection.

6.3 The parking provision remains exactly the same as for the previous application and as there is no objection to either parking provision or access from the Conservation or Transportation Managers, these concerns are mitigated.

Over development

6.4 The additional dwelling is in principle permitted due to the prior approval. The current proposal is for 5 dwellings on a 0.11 ha site, which is less than 50 dwellings per hectare within the settlement boundary, which is in accord with PPG3. There is therefore no sustainable objection to the proposal on the grounds of overdevelopment.

Amenity and overlooking

- 6.5 In principle the site is acceptable for conversion to residential use, being within the settlement boundary, furthermore there are no objections from the Conservation Manager.
- 6.6 The comments regarding traffic and street parking are noted but are not considered sufficient to warrant refusing this application.
- 6.7 The concerns over overlooking from the existing openings in the barns are also noted. There are a number of existing openings that are not being used on the west elevation, and only those for bathrooms and utility are being retained, though obscure glazed. The neighbours' concerns are relevant, however the proposal to obscure glaze them is considered sufficient to mitigate neighbours' concerns, given that these are not living or bed rooms.

Character of buildings

- 6.8 It is considered that the manner of conversion respects the traditional character of the buildings, and therefore complies with relevant policies. Members are reminded that Listed Building Consent for the conversion already exists. Furthermore it is not considered that the erection of the new dwelling is detrimental to the setting of these buildings, and enhances the setting of the Conservation Area.

Visibility splays

- 6.9 The only objection that remains extant is for visibility splays, and this, in your officer's opinion in this instance, is sufficiently mitigated when balanced with the proposed re-use of currently deteriorating historic rural property.

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 - A09 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans.

- 3 - This permission should be implemented only in lieu of, and not in addition to, the extant planning permission 79/487 dated 1979.**

Reason: To prevent overdevelopment of the site.

Informative:

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

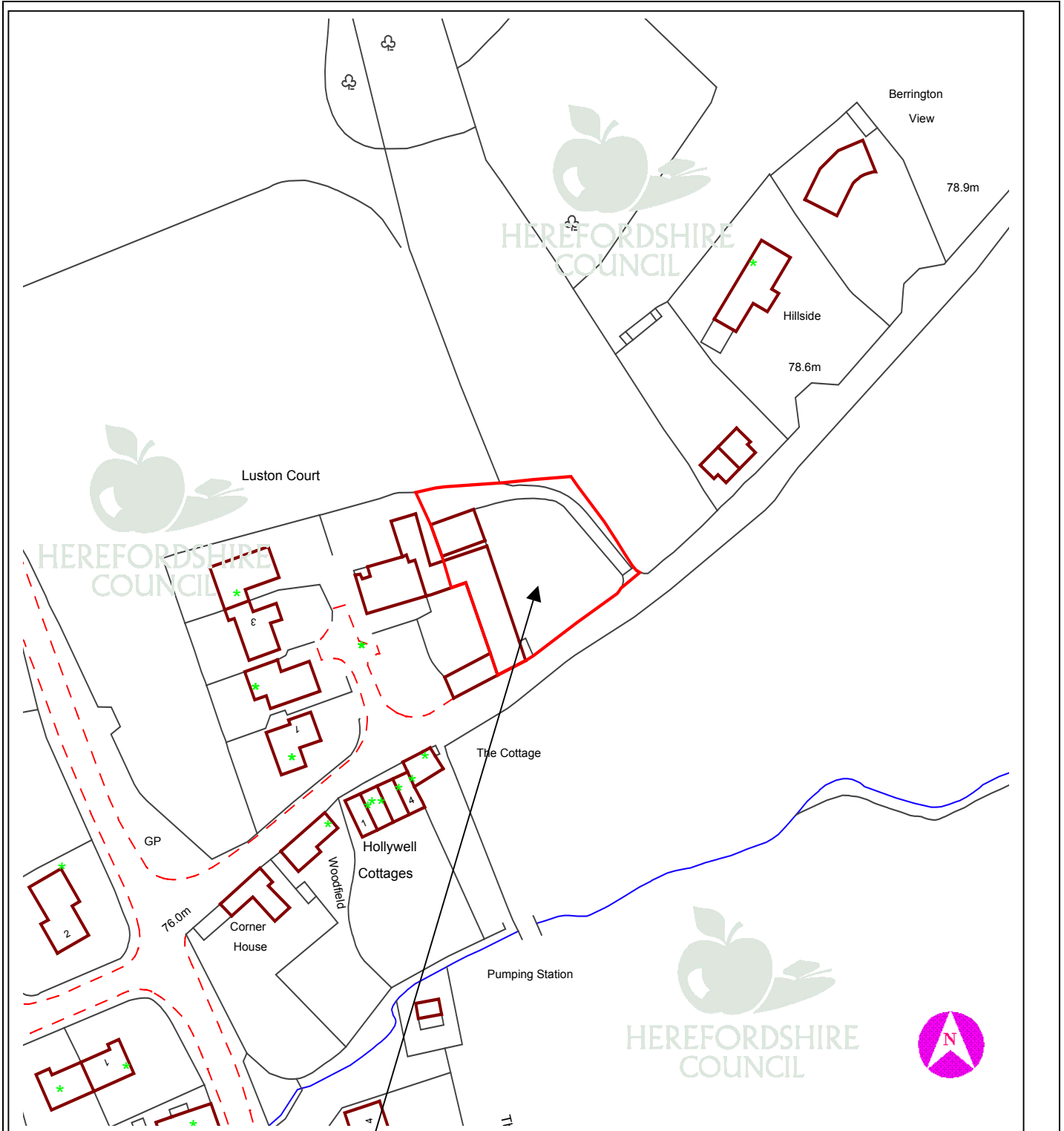
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2005/3626/F

SCALE : 1 : 1250

SITE ADDRESS : Site adjacent to Luston Court, Luston, Leominster, Herefordshire

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