

22 DCNW2005/3638/F - PROPOSED ERECTION OF A DETACHED HOUSE AT LAND TO THE REAR OF CASTLE VIEW, HEREFORD ROAD, WEOBLEY, HEREFORD, HEREFORDSHIRE, HR4 8SW

For: Mr & Mrs Shaxted per Border Oak Design & Construction, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF

Date Received:

14th November 2005

Expiry Date:

9th January 2006

Local Member: Councillor J Goodwin

**Ward: Golden Cross
with Weobley**

Grid Ref:

40448, 51482

1. Site Description and Proposal

- 1.1 The application site is a 0.06 ha plot of land that lies within the settlement boundary of the historical village of Weobley. The plot is situated immediately to the rear (east) of Grade II listed Castle View that fronts Hereford Street and lies within the Conservation Area. The plot is a level site that was formally garden area. The site is screened on all sides by mature hedgerows. Access is via an existing track that runs to the South of the dwelling known as Little Orchard, and along through the garden / paddock area belonging to Castle Orchard.
- 1.2 The proposal is for the erection of a one and a half storey detached three bed 'border oak' cottage, including dormer windows, external tiered chimney and open gabled oak framed porch. The dwelling would have a rendered finish above a brick plinth, with plain reclaimed clay tiles. A single storey timber boarded element lies to south. The dwelling has an approximate footprint of 12.1m by 5.75m and a ridge height of 6.8m (eaves 3.6m) The dwelling is sited to the front (west) of the site with garden to the rear and a turning and parking area as well as using the existing single garage.

2. Policies

2.1 Leominster District Local Plan (Herefordshire)

Policy A1 – Managing the District's Assets and Resources

Policy A2 – Settlement Hierarchy

Policy A18 – Listed Building and their Setting

Policy A21 – Development within Conservation Areas

Policy A16 – Foul Drainage

Policy A23 – Creating Identity and an Attractive Built Environment

Policy A24 – Scale and Character of Development

Policy A70 – Accommodating Traffic from Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2 – Development Requirements
Policy S7 – Natural and Historic Heritage
HBA6 – New Development within Conservation Areas
Policy DR1 – Design
Policy DR2 – Land Use and Activity
Policy H4 – Main Villages: Settlement Boundaries

3. Planning History

3.1 None

4. Consultation Summary

Statutory Consultations

4.1 None

Internal Council Advice

4.2 Traffic Manager raises no objection and recommends that the hedge be trimmed to improve visibility to the left.

4.3 The Conservation Manager makes the following comments: The proposed site for this detached house is a former orchard. It is part of a section of back land which is historically significant as it illustrates the traditional settlement pattern of Weobley. There are objections to this proposal based on Policy A21: Development within Conservation Areas (C) Avoiding uncharacteristic backland development in order to 'preserve' the character of the Conservation Area.

4.4 The Councils Archaeologist raises no objection but the site is within the medieval urban core of Weobley, as defined by the Central Marches Historic Towns Survey of 1996. Accordingly the following condition is recommended:

“The applicants or their 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 Weobley Parish Council makes the following comments:

No objections to the development in principle but we uphold our previous reasons for objection to the limitations of the present access road and its entry into the Hereford Road and suggest that the developers should investigate an access through the Garbutts onto Burton Wood.

5.2 3 letters of objection have been received from the following:

- Rev David and Mrs Susan Whittaker, Wits End, Hereford Road, Weobley raise concern relating the site and potential overlooking from the new dwelling, despite the high hedgerow, causing loss of privacy to their garden which is a main asset of their property. Wish that it be re-located away from the hedge, which would make a difference.
- Brian and Elizabeth Holley, Little Orchard, Hereford Road, Weobley state:

We oppose the development in the application above solely because access to the site is through our garden. We are not willing to give permission for this because of the increased traffic and decreased privacy this would create. Currently six cars make use of the drive and we are unwilling to further fence off the drive as this would prevent our view, and therefore the security, of our garage and greenhouse.
the increased use of the drive by pedestrians - apparently there would be no other means of access to the proposed building other than by our drive, thus reducing our privacy and possible security.

We understand that further development in the area to the rear of the houses in Hereford Road, including our own, has previously been refused by your authority on the grounds that it would create too much traffic access to Hereford Road.

- Mr and Mrs D King of Castle Orchard, Hereford Road, Weobley make the following comment:

Mr and Mrs Shaxted of Castle View have access to their garage via a right of way across our garden. They also have a front of house access for callers from the Hereford Road.

Should the development to the rear of Castle View take place all traffic to it, both motor and pedestrian would have to cross our garden. We find this prospect alarming in terms of privacy and security. It would change a minor access route into a strut, therefore, we object to the proposed development.

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 main issues for consideration is the determination of this application are as follows:-

- a) The principle of residential development;
- b) The impact of the proposed building on the character and appearance of the Conservation Area and setting of the listed building
- c) Highway safety and parking
- d) Impact on amenities of neighbouring properties

6.2 Policy A2(C) of the Leominster District Local Plan (Herefordshire) and emerging Policy H4 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) broadly

support the principle of residential developments on windfall sites within the defined settlement boundaries of main villages such as Weobley. As such there are no objections in principle to the residential development of this site. In addition to this the site lies within the area designated under policy WEO1 – Housing Sites Weobley, for Housing.

- 6.3 The application site, lies within the Weobley Conservation Area, and designated historic core but is not visible from both the adjacent highways or from any public viewpoints along Hereford Road. Broad Street. The Conservation Manager raised the issue of backland development, and the subsequent failure to preserve the character of the Conservation Area. Having regard to the fact that the site has an existing separate access and nature and form of the surrounding area it is difficult to reasonably argue that this is backland development. The site is distinctly separate from the dwelling known as Castle View, and this view must have also been taken when allocating the site for residential development in the Leominster District Local Plan. The development would preserve the character of the historic road frontage along Hereford Road. It is therefore your Officer opinion that notwithstanding the Conservation Manager's comments the proposed development would comply with policy A21 of the Leominster District Local Plan.
- 6.4 The design of the dwelling is traditional and relatively simple and modest. The setting of the Grade II listed building would be not be compromised. It is therefore considered that the proposed development would conform with local plan policies A18 and A21 and National Guidance contained within Planning Policy Guidance 15 (Planning and the Historic Environment).
- 6.5 The Parish Council have raised the issues relating to the impact of the development on highway safety due to the limitations of the existing access. The Transportation Manager has raised no objection. There is an existing vehicular access onto the site and the development for one dwelling is relatively small scale and meets current standards as such it is considered that a reason for refusal on highway safety ground could not be sustained.
- 6.6 A couple of concerns have arisen with regards to the impact on the neighbouring properties. The first relates to the potential for overlooking from the dwelling to the property known as Wits End. This has been fully considered but due to the retention of the existing hedgerow and relatively low first floor window heights (4.5m to top of window) this is unlikely to cause such significant harm as to cause detriment to the living conditions currently enjoyed by the occupiers of the dwelling.
- 6.7 The existing access drive which currently serves the garage on the site is a right of way that crosses land, described as garden. Their concerns relate to the impact of the intensified use or the right of way and potential that this may have. This has been given careful consideration, however, having regard to the vegetation of site, the degree of separation and relatively fact that this will continue to serve only one dwelling, as it could potentially now, leads to the conclusion that the amenities of those dwellings would not be so significantly harmed as to justify a reason for refusal.
- 6.8 To conclude, the proposal is considered to comply with policies that allow residential development within village settlements. The dwelling by virtue of its scale, design and siting is considered to be acceptable and would preserve the character of the Conservation Area, the street scene and setting of the adjacent listed building. As such the proposal meets the criteria of the local plan polices and is therefore recommended for approval with the relevant conditions.

RECOMMENDATION

That planning permission be granted with 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 - C05 (Details of external joinery finishes)

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

4 - C10 (Details of rooflights)

Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.

5 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

6 - H13 (Access, turning area and parking)

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

7 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

8 - G04 (Landscaping scheme (general))

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

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

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

INFORMATIVES:

1 - N03 - Adjoining property rights

2 - N14 - Party Wall Act 1996

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

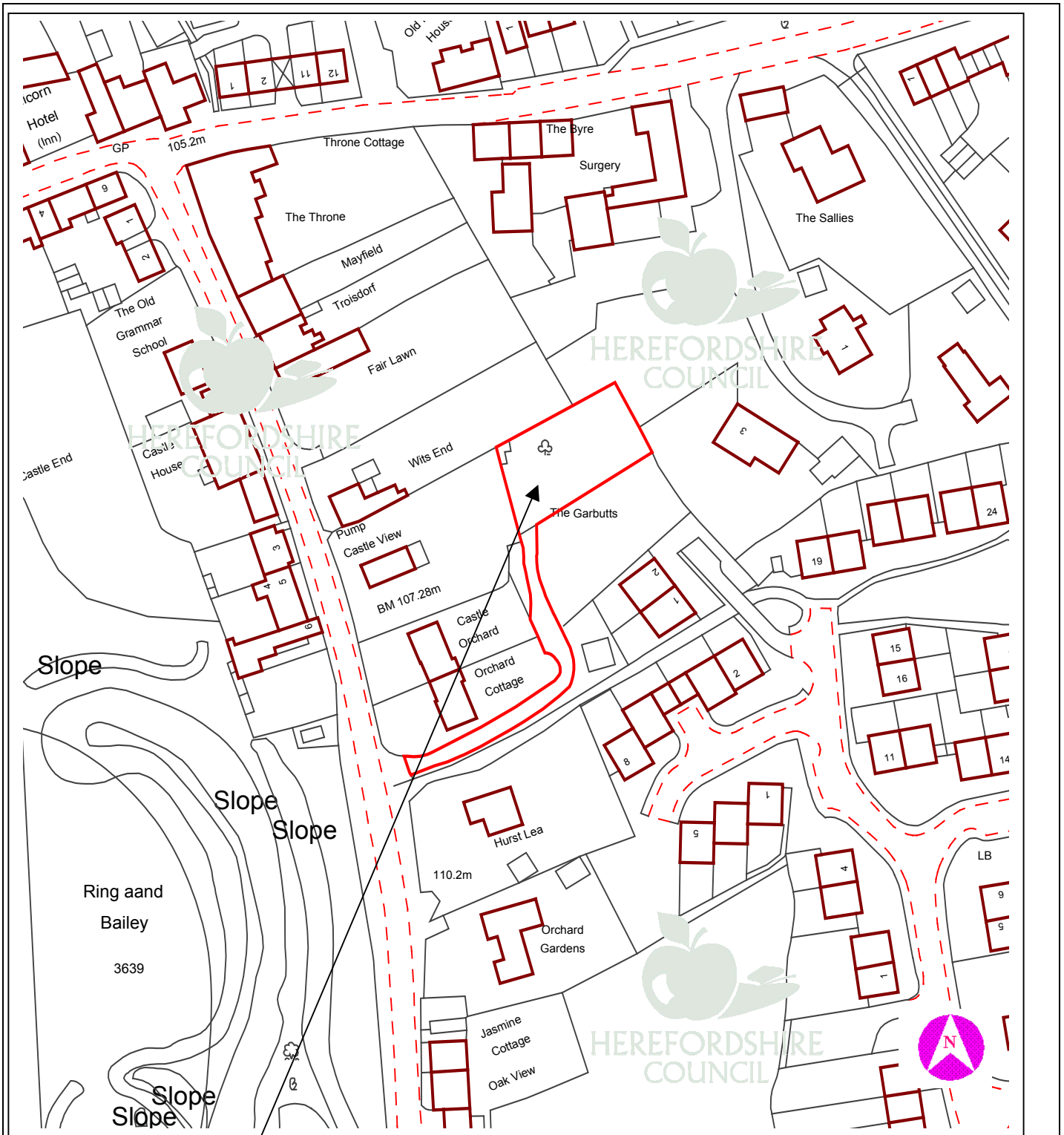
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2005/3638/F

SCALE : 1 : 1250

SITE ADDRESS : Land to the rear of Castle View, Hereford Road, Weobley, Hereford, Herefordshire, HR4 8SW

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