

13 DCNW2005/3811/F - ERECTION OF SINGLE STOREY EXTENSIONS AND INSTALLATION OF LPG STORAGE TANK (RETROSPECTIVE) AT THE OLD VICARAGE, AYMESTRY, LEOMINSTER, HEREFORDSHIRE, HR6 9SU

**For: Mr. & Mrs P. Leedham-Smith, per Bryan Thomas
Architectural Design Ltd, The Malt House, Shobdon,
Leominster, Herefordshire, HR6 9NL**

Date Received:
28th November 2005

Ward: Mortimer

Grid Ref:
42614, 65252

Expiry Date:
23rd January 2006

Local Member: Councillor Mrs. L.O. Barnett

1. Site Description and Proposal

- 1.1 The application site comprises a detached dwelling within a large garden. The dwelling is not visible from the highway and currently has the benefit of two accesses onto the A4110. The first runs between the dwelling known as Porch House and the Listed Church and the second lies to the north of the Grade II Listed Vicarage Cottage.
- 1.2 Planning permission is sought for the extension of the property and retention of an LPG tank. The extensions to the property would consist of a single storey garden, room store and cloak room to the rear (west) elevation of the property and a small single storey extension to the front of the building which would provide a utility room. The application also includes the retention of an LPG gas tank to the north west of the dwelling. This is screened on three sides by a close board fence.

2. Policies

2.1 Herefordshire & Worcester Council Structure Plan

Policy H16A – Development Criteria

Policy CTC13 – Buildings of Special Architectural or Historic Interest

2.2 Leominster District Local Plan (Herefordshire)

Policy A1 – Managing the District's Assets and Resources

Policy A2(D) – Settlement Hierarchy

Policy A9 – Safeguarding the Rural Landscape

Policy A18 – Listed Building and their Setting

Policy A24 – Scale and Character of Development

Policy A54 – Protection of Residential Amenity

Policy A56 – Alterations, Extensions and Improvements to Dwellings

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy S2 – Development Requirements
Policy S7 – Natural and Historic Heritage
Policy DR1 – Design
Policy LA2 – Landscape Character
Policy H18 – Alterations and Extensions

3. Planning History

3.1 NW2005/0287/F - Proposed 2 no. single storey extensions and change of use of ground floor to restaurant - Withdrawn

3.2 NW2005/1288/F - Proposed two single storey extension and change of use of ground floor to restaurant and new vehicular access - Refused 10th August 2005 for the following reason:-

1. The use of the proposed access for commercial purposes in such close proximity to the dwelling house known as Porch House would have a detrimental impact on the character of Porch House and on the amenities currently enjoyed by the occupiers of the dwelling. As such the proposal would conflict with Policies A1 and A54 of the Leominster District Local Plan.

2. At the time of making this decision, the dwelling known as Porch House was the subject of an application for listing. As such the dwelling has been considered as Listed at this time.

3. The proposed access drive by reason of its close proximity and relationship to Porch House would have a detrimental impact on the setting of the potentially Listed Building. As such it would be contrary to Policy A18 of the Leominster District Local Plan.

4. Consultation Summary

Statutory Consultations

4.1 None

Internal Council Advice

4.2 Transportation Manager raises no objection to the grant of permission.

4.3 The Conservation Manager responded as follows:

- The Old Vicarage is already a large building compared to the Vicarage Cottages and this proposed extension adds to the footprint substantially. The proposed extension on the south east of the building will have some impact on the Vicarage Cottages however it appears that this could be minimised particularly if foliage is used as a 'screen'.
- The LPG Storage Tank - is located very close to the rear of 1 Vicarage Cottages. There is a lightweight panel boundary fence dividing Vicarage Cottages from the Old Vicarage. This type of fencing has also been used on two sides of the LPG tank. The location of this LPG storage tank does not enhance the setting of the

Listed Building therefore I would like to see more screening here in the form of appropriate planting rather than more fencing. Recommend landscaping.

5. Representations

5.1 Aymestrey Parish Council makes the following comments:

“The Council has no objection to the proposed works on the main building, there is concern that the LPG tank may be too close to the neighbouring properties. Building Control to check.”

5.2 A letter was received from W A and P J Cartwright, Vicarage Cottage, Aymestrey, Leominster, Herefordshire who makes the following comments:

- “The proposed extension(s) which are situated on opposite sides of the existing building are identical to the previous proposals which formed part of an application for a restaurant to be operated from the property. We have no objection to the current proposals as described but would request that a covenant be applied to restrict the use to that of a private dwelling and not for use as public restaurant business type facility.
- The location of the LPG tank is we feel situated unnecessarily close to our property. It is observed that the application here is 'retrospective' in that the LPG tank already is in position at the Applicant's property and is we believe in operation. From the plan submitted we are given to understand that the LPG tank will be moved some distant further away from our property but that an oil tank will in fact be placed immediately next to the boundary between our two properties? In any event the Applicant's plan is we feel not consistent with the site conditions, with the fuel tanks being much closer than are indicated on the plans.

Given that our property is a Listed Building and that the Applicant has a very large area of ground surrounding his building, we feel it is not necessary to place the tanks so close to our property and request the Planning Officer directs that the fuel tanks be located to a more distant, safer location.

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:-

The impact of the proposed LPG Tank and extensions on the character the property and setting of the Listed Building.

6.2 The proposed extensions are in scale and keeping with the character of the dwelling and would have no direct impact on any of the neighbouring dwellings. The existing foliage and landscaping that forms the boundary with Vicarage Cottages offers significant screening and this could be enhanced. The proposed extensions do not detract from the character of the dwelling nor do they impinge on the setting of the adjacent Listed Buildings.

6.3 The siting of the LPG tank has raised more concern, the tank is shown to be sited some 9m from the boundary with Vicarage Cottages and has only been screened to three sides. Advice contained within Part J of the Building Regulations shows that the minimum separation distance (for tank exceeding 1.1 tonnes) is 3m and this tank sited in excess of 3m to the boundary with the adjacent listed cottages. As the tank is only screened on three sides it would not be unreasonable to expect some landscaping to the west to provide additional screening to Vicarage Cottages and to protect the setting of the Listed Building.

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 - A06 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3 - B02 (Matching external materials (extension))**

Reason: To ensure the external materials harmonise with the existing building.

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

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

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

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

Informative:

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

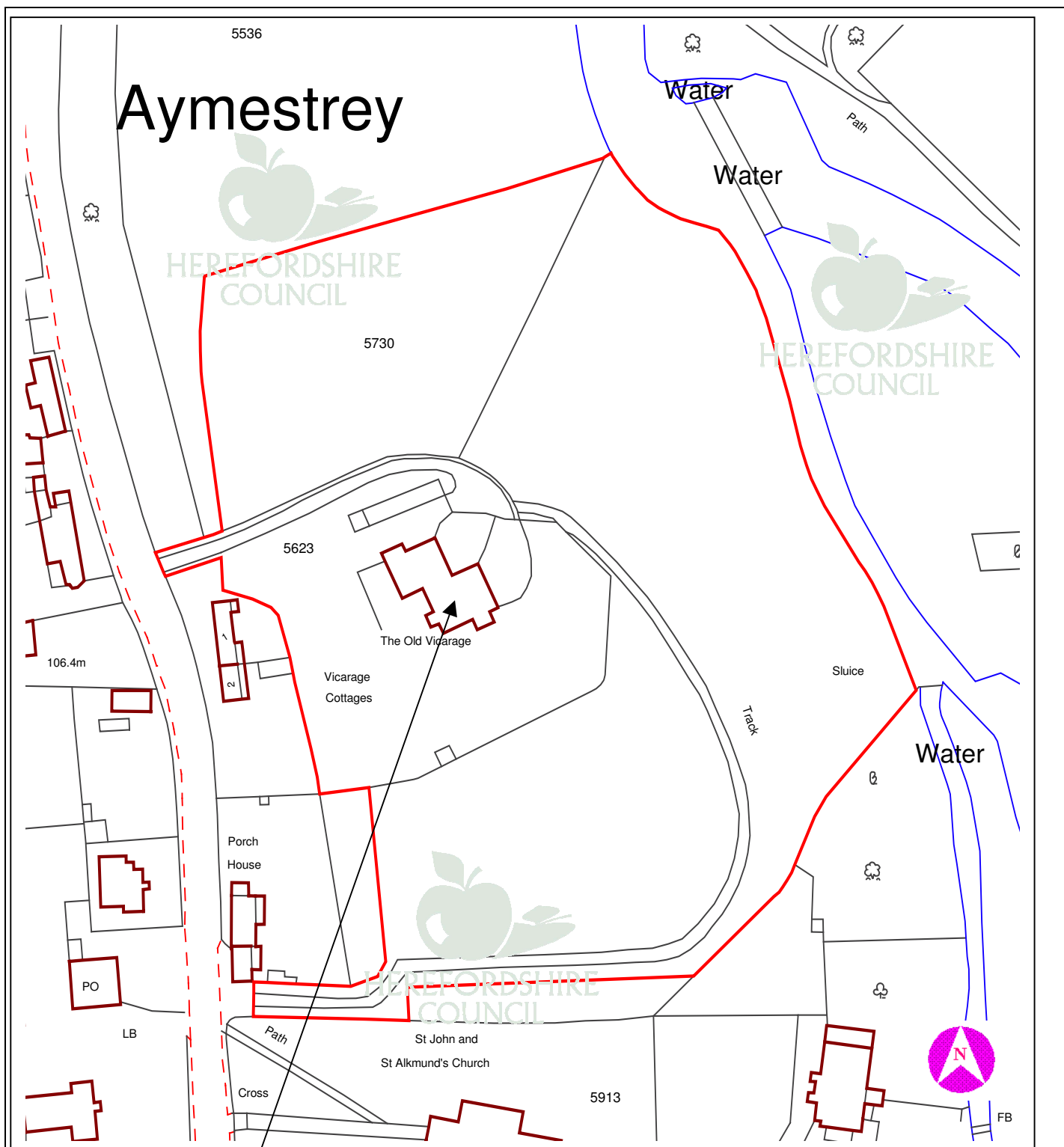
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2005/3811/F

SCALE : 1 : 1250

SITE ADDRESS : The Old Vicarage, Aymestry, Leominster, Herefordshire, HR6 9SU

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