

**15 DCNW2006/0224/F - PROPOSED REAR
CONSERVATORY AND NEW WINDOW TO STAIRWELL
AT THUNDERBOX COTTAGE, WEST STREET,
PEMBRIDGE, LEOMINSTER, HEREFORDSHIRE, HR6
9DY**

**For: Mr N Ball per Mr D Walters, 27 Elizabeth Road,
Kington, Herefordshire, HR5 3DB**

Date Received:

24th January 2006

Expiry Date:

21st March 2006

Local Member: Councillor R Phillips

**Ward: Pembridge &
Lyonshall with Tittley**

Grid Ref:

38724, 58113

1. Site Description and Proposal

- 1.1 The dwelling that is the subject of this application is a Grade II listed timber framed semi detached dwelling that lies within the Settlement Boundary and Conservation Area of the village of Pembridge. The rear of the dwelling has an offset boundary with the adjoining property and the ground level steps down approximately 0.3 in comparison to the adjoining property.
- 1.2 The proposal is for the erection of a single storey conservatory to the rear of the dwelling. The conservatory is an irregular shape following the boundary with the adjoining property. It will extend 3m from the rear of the existing dwelling, and have an eaves height of 2.2m and ridge height of 3m. The roof is shown to be hipped where this adjoins the neighbouring property.
- 1.3 Listed Building Consent was granted in December 2000 for an identical conservatory and this has been implemented. An oversight by the local planning authority at this time meant that an application for planning permission was not requested. This matter was recently brought to our attention and this application is a result of this. This is not however a retrospective application. The window to the stairwell does not require planning permission.

2. Policies

2.1 Leominster District Local Plan

Policy A2 – Settlement Hierarchy

Policy A18 – Listed Building and their Setting

Policy A21 – Development within Conservation Areas

Policy A24 – Scale and Character of Development

Policy A54 – Protection of Residential Amenity

Policy A56 – Alterations, Extensions and Improvements to Dwellings

2.2 Herefordshire Unitary Development Plan

Policy S2 – Development Requirements
Policy S7 – Natural and Historic Heritage
HBA1 – Alterations and Extensions to Listed Buildings
HBA6 – New Development within Conservation Areas
Policy DR1 – Design

3. Planning History

- 3.1 NW2000/2867/L - Proposed conservatory and new window - Approved with conditions 5th December 2000.

4. Consultation Summary

Statutory Consultations

- 4.1 None

Internal Council Advice

- 4.2 The Transportation Manager raises no objection to the grant of planning permission.
- 4.3 The Conservation Manager comments:

"Further to the above and our recent discussions I understand that listed building consent has already been given for this current proposal. As such I would not wish to make adverse comments from an architectural point of view this stage. Superstructure of the conservatory should be timber. Materials and finishes to be approved."

5. Representations

- 5.1 Pembridge Parish Council has no objections to this application.
- 5.2 Two letters of objections have been received from the two immediate neighbours, Mr A D Ryan, Buttermere, West Street, Pembridge and Yasmin Strube Wildsmith, 1 West End Cottage, West Street, Pembridge. These letters raise the following issues:
- Permission is not given for the removal of the fence and replacement with the new boundary wall.
 - Drains from 1 Westend Cottage run under the proposed conservatory.
 - This is more like an extension than a conservatory.
 - The conservatory would be out of keeping and place of the cottage because of the size.
 - The proposed hipped roof cannot be constructed without being unsafe to the weather.
- 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 in this application are:

- The impact of the extension on the character and appearance of the Listed Building.
- The impact of the proposed extension on the amenities of the neighbouring properties.

6.2 The Listed Building Consent in 2000 considered the design and impact of the proposed conservatory on the Listed Building. This was approved and has been implemented with the insertion of the proposed new window (planning permission is not required for the window). As such this issue has already been dealt with and no objection can be raised at this stage. This therefore conforms with Policy A18 of the Leominster District Local Plan.

6.3 The proposed conservatory extension does follow an irregular shape and form, and the roof of this will be visible from the neighbouring property. Notwithstanding this, the minimal projection of the conservatory and hipped roof form will reduce the impact on the neighbouring property and if constructed in this form then the harm to the amenities of this neighbouring property would not be significant. As such this complies with Policies A54 and A65 of the Leominster District Local Plan.

6.4 With regards to the implication relating to the ownership of the fence and boundary issues, the permission does not override any legal rights or matters which are a matter between the two parties. Likewise the drains which allegedly run under the proposed conservatory and their redirection and/or maintenance is a matter which is not material in the granting of permission for this proposal. A informative note is suggested bringing this to the attention of the applicant.

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 - BO1 (Samples of external materials)

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

INFORMATIVES:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - N03 - Adjoining property rights
- 3 - N14 - Party Wall Act 1996

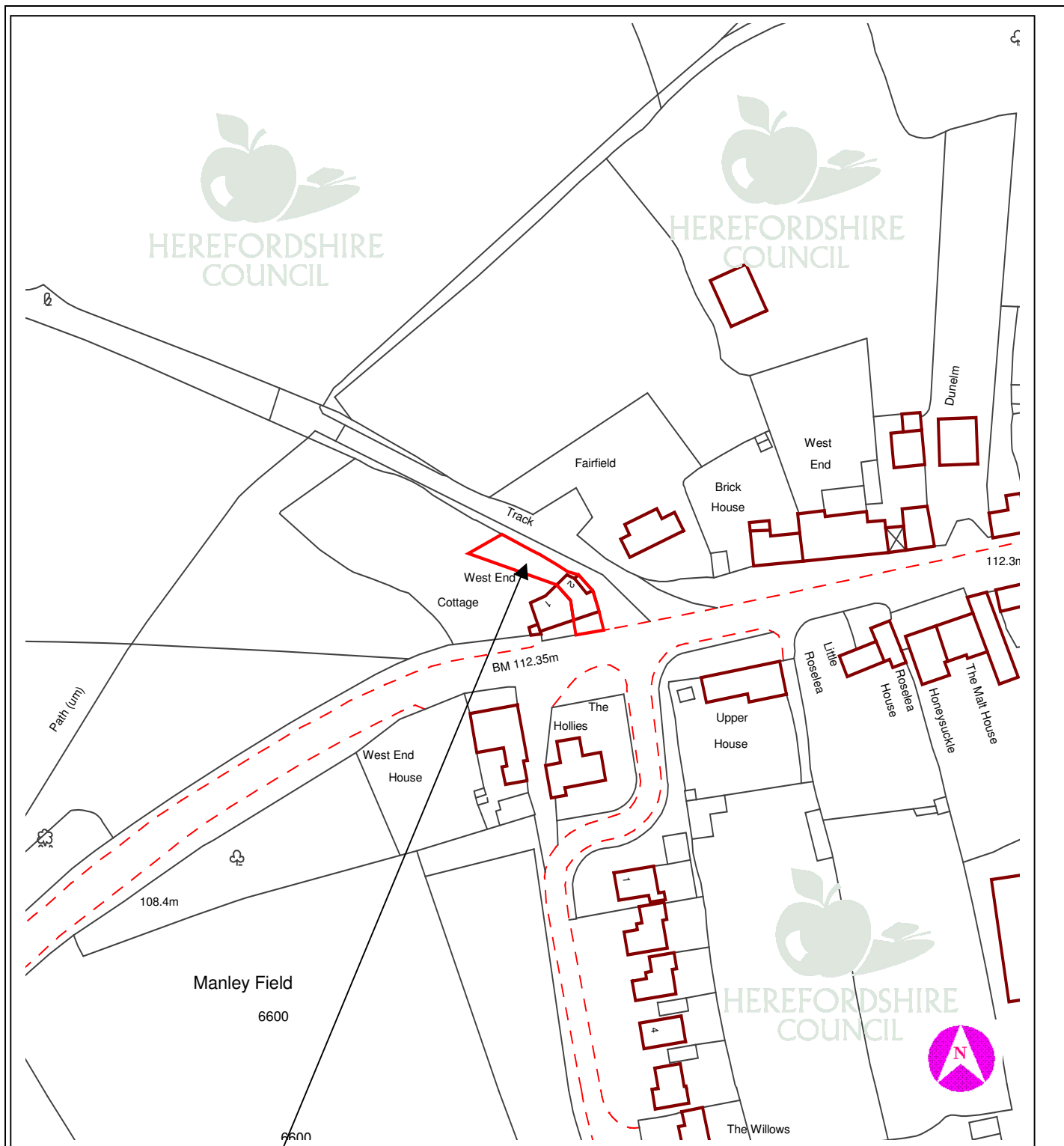
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/0224/F

SCALE : 1 : 1250

SITE ADDRESS : THUNDERBOX COTTAGE, West Street, Pembridge, Leominster, Herefordshire, HR6 9DY

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