

**7 DCNW2006/1476/F - GARDEN CAFE AND TEA ROOM
AT WALFORD COURT, WALFORD, LEINTWARDINE,
CRAVEN ARMS, SHROPSHIRE, SY7 0JT****For: Mrs Fraser at above address.****Date Received:
12th May 2006****Ward: Mortimer****Grid Ref:
39062, 72337****Expiry Date:
7th July 2006**

Local Member: Councillor Mrs O Barnett

INTRODUCTION

Further to this application being deferred for site inspection, which took place on 25th July 2006, the following correspondences have been received in respect of the application:-

- Border Group Parish Council support the application subject to conditions being attached to any approval notice issued with regards to direction signs to the property, limit on opening hours, number of tables available and car parking within the application site.
- A letter has been received from Bill Wiggin MP requesting that members of the public objections be given consideration when determining the application. The letter was accompanied by copies of the letters of objections sent to the local planning authority in respect of the application.
- A letter has also been received from Mrs Jenny Maxwell, Court Cottage, Walford with concerns that are of direct relevance to the Council's Environment Health Section and not a planning issue with regards to this application.

The local Parish Council's response has been given careful consideration and Officers are of the opinion that all planning issues of concern raised have been addressed adequately in conditions attached to this report for inclusion to the approval notice if members are mindful to approve the application.

1. Site Description and Proposal

- 1.1 The dwelling subject of this application is a two-storey Grade II listed building and of timber frame and render painted white external construction under a slate roof.
- 1.2 The property has a large domestic curtilage with driveway and parking area. The curtilage is mainly laid down to lawn with informal planting of mature trees and shrubs.

- 1.3 The property is one of a small cluster of dwellings located in open countryside. Access to the site is obtained via the unclassified 92004 public highway, from the A4113 public highway. The unclassified public highway also serves the surrounding neighbouring dwellings four of which have boundaries neighbouring the dwelling subject to this application.
- 1.4 The development subject to this application proposes a garden cafe and tea room.
- 1.5 As part of the application, the applicant has submitted a supporting statement which includes an impact analysis for the proposed garden cafe. This impact analysis concludes that no detrimental impact will be created as a result of the proposal on the amenity and privacy of the surrounding environment.
- 1.6 The site commenced trading in 2005 and has since ceased trading due to concerns raised by members of the public and the need for planning approval for this form of business from the local planning authority.

2. Policies

2.1 Leominster District Local Plan

A1 – Managing the Districts Assets and Resources
A2 – Settlement Hierarchy
A9 – Safeguarding the Rural Landscape
A16 – Foul Drainage
A18 – Listed Buildings and their Settings
A24 – Scale and Character of Development
A38 – Rural Tourism and Recreational
A34 – Protection of Residential Amenity
A77 – Traffic Manager

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development
S2 – Development Requirements
DR1 – Design
DR2 – Land Use and Activity
DR3 – Movement
DR4 – Environment
DR13 – Noise
T8 – Road Hierarchy
T11 – Parking Provision
NC1 – Biodiversity and Development
HBA4 – Setting of Listed Buildings
RST12 – Visitor Accommodation
RST13 – Rural and Town Tourism Development
CR2 – Foul Drainage

3. Planning History

NW04/2919/L - Removal of 3 no. ground floor and 3 no. first floor windows - Approved 20th October 2004.

NW04/0721/L - External weatherproofing and external alterations - Withdrawn 7th September 2004.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager - Has no objection to the grant of permission.

4.3 Conservation Manager - No objections subject to details of new window sections.

4.4 Environmental Health Manager – No response received.

5. Representations

5.1 Walford Parish Council have made no comments on their response to the application.

5.2 Letters of objection have been received from six separate householders to the application. They are as follows:

- Jenny Maxwell, Court Cottage, Walford, Leintwardine.
- Mr G C Macfarquhar, Walford Grange, Walford, Leintwardine.
- Allan Grimley, Maplecroft, Walford, Leintwardine.
- K F & J Davison, Motte House, Walford, Leintwardine.
- Colin Brady, Walford Farm, Leintwardine.
- Lucy Clothier, Fold Cottage, Walford, Leintwardine.

The objections can be summarised as follows:

- Impact on neighbours privacy
- Impact of proposal on public highway leading to the site
- Impact on sewerage system
- Impact on the character of the surrounding environment
- Concerns about accuracy of applicants submission

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 planning consideration are:

- a) Impact of proposal on neighbouring dwellings.
- b) Impact of the proposal on the public highway leading to the site.
- c) Sustainability.

6.2 The application proposes a garden café and tea room at a dwelling house used as a family home, that also provides bed and breakfast accommodation. The applicant as

part of her submission has submitted a supporting statement which states that the garden café and tea room was open from 10.30 am until 4.30 pm and that visitor numbers to these facilities during the summer of 2005 did not exceed more than 6 persons per day.

- 6.3 The detached dwelling subject to this application has a large domestic curtilage which consists mainly of lawned areas and plantings of mature shrubs and trees. The application indicates that a section of the lawned area is available for members of the public to use as the proposed 'garden café'. This site is located directly in front of the dwelling and is surrounded by mature shrubs/trees alongside its boundaries.
- 6.4 The proposed 'tea room' is on the ground floor adjacent to the dwellings kitchen on the western side of the house.
- 6.5 The Council's Highways Manager raises no objections to the proposed development.
- 6.6 It is noted that some of the letters of objections received do not object to the proposal in principal on the basis of past numbers of visitors using the premises for the garden café and tea room. However they do raise concerns about future growth of the business if planning approval is granted.
- 6.7 The issue with regards to the sewerage system is not considered directly problematic provided number restrictions are attached to the decision notice if Members are mindful to approve this application.
- 6.8 The development is considered acceptable on sustainability grounds as the business proposal is aimed at tourism and passing motorists within the vicinity of the application site. It is unlikely to become a destination in its own right, with the possible exception of local residents.

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 - The premises shall provide facilities for no more than 24 table top covers at any one particular time.**

Reason: In the interests of the amenity of the surrounding area.

- 4 - E03 (Restriction on hours of opening) 10.30 a.m. – 4.30 p.m.**

Reason: In the interests of the amenities of existing residential property in the locality.

- 5. The use hereby permitted shall be carried on only by Mrs. Deborah Fraser and shall be for the period during which the premises are occupied by Mrs. Deborah Fraser.

Reason: The nature of the development is such that it is only considered acceptable in this location having regard to the applicant's special circumstances.

- 6 . C04 (Details of window sections, eaves, verges and barge boards)

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

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - The applicant is reminded that Listed Building Consent is required from the Local Planning Authority for new window sections before development commences.

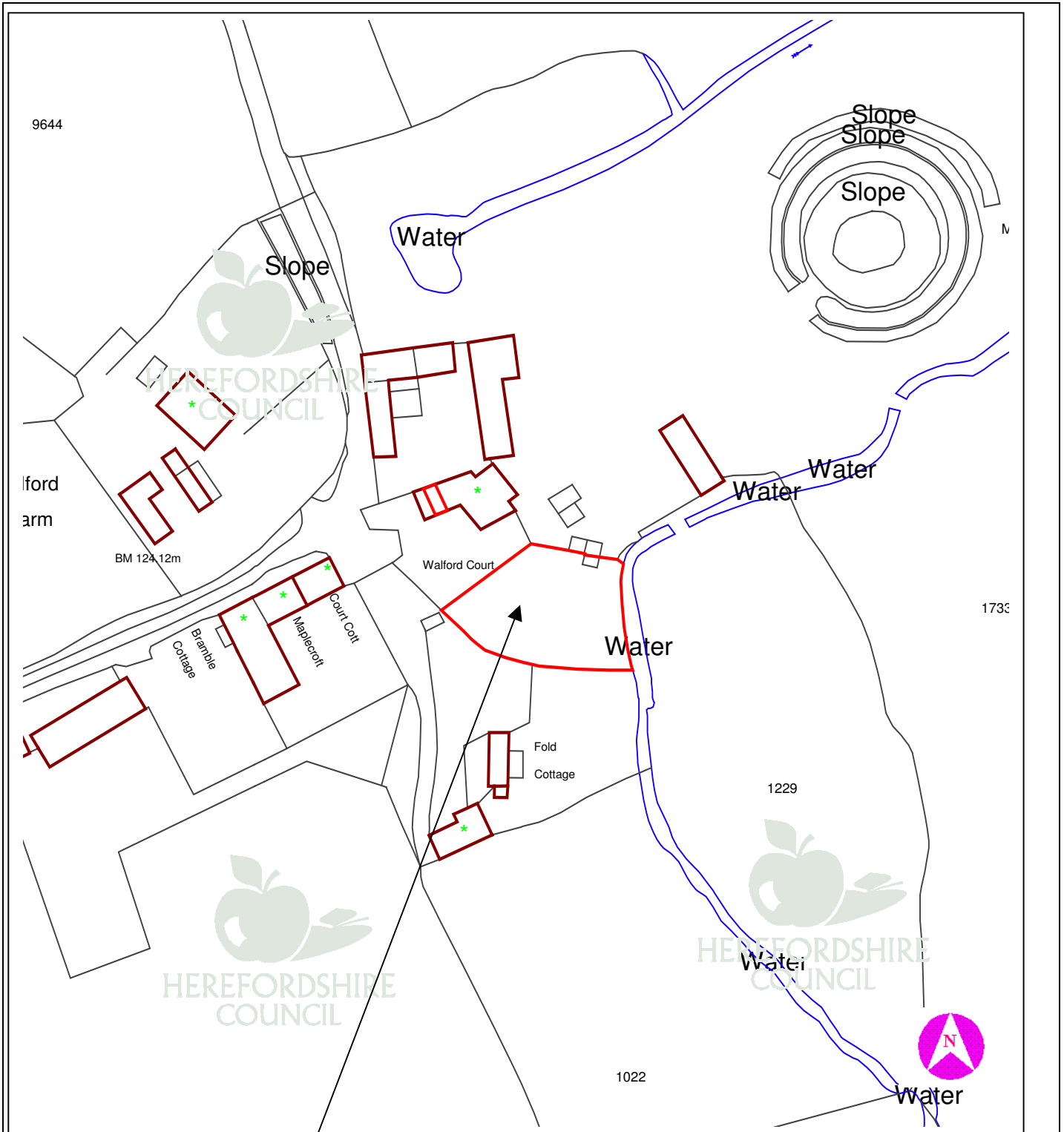
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/1476/F

SCALE : 1 : 1250

SITE ADDRESS : WALFORD COURT, Walford, Leintwardine, Craven Arms, Herefordshire, SY7 0JT

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