

**14 DCNE2006/2724/F - TEMPORARY CHANGE OF USE FROM RESIDENTIAL TO B1 USE (MAKING OF HAND SEWN CURTAINS AND BLINDS) AT FLAT-1, 37 NEW STREET, LEDBURY, HEREFORDSHIRE, HR8 2EA**

**For: Mrs Robinson at same address.**

**Date Received:**  
18th August 2006

**Ward: Ledbury**

**Grid Ref:**  
70942, 37533

**Expiry Date:**  
13th October 2006

Local Members: Councillor BF Ashton, Councillor PE Harling & Councillor DW Rule MBE

## **1. Site Description and Proposal**

- 1.1 The application site lies on the north-western side of New Street in Ledbury. The building in question is a three storey late eighteenth century / early nineteenth century painted brick building with a slate roof. It is Grade 2 listed. Whilst originally it would have been a single dwelling, in the past it has been divided into three flats, one on each floor. The flats upon the first floor and the second floor are accessed via an external staircase to the rear, whilst the ground floor flat is accessed via the front door. The site lies within a Conservation Area.
- 1.2 This application relates to the ground floor flat. The proposal is to change the use of this flat to a B1 business use. The applicant (and owner of the property) provides a local service making hand-sewn bespoke curtains, blinds and other soft furnishing accessories. Client's largely provide their own fabrics and may visit the premises to discuss their requirements. The finished product(s) can then be collected or delivered by the applicant at close of business. Courier's may on occasions deliver some rolls of fabric direct. Similarly larger deliveries of workroom supplies would probably take place on average once a month. The applicant intends to relocate her existing business from Eastnor. As an indication as to the intensity of the activity, last year the applicant's business attracted 32 clients. The applicant does not employ any other persons.
- 1.3 The applicant has one industrial sewing machine and an overlocker. The proposed hours of use are 8.30am - 5.30pm Mondays to Fridays and 8.30am to 2.30pm on Saturdays.

## **2. Policies**

### **Central Government Advice**

Planning Policy Statement 1 – 'Delivering Sustainable Development'

Planning Policy Guidance Note 4 – 'Industrial and Commercial Development and Small Firms'

Planning Policy Guidance Note 15 – 'Planning and the Historic Environment'

**Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004)**

H1 – 'Established Residential Areas'  
E8 – Design Standards for employment sites  
HBA3 – Change of use of listed buildings  
HBA6 – New development within conservation areas

**3. Planning History**

3.1 None directly relevant.

**4. Consultation Summary**Statutory Consultations

4.1 None

Internal Council advice

4.2 The Environmental Health section state: -

"I have visited 37 New Street as requested, it is impossible to determine the internal floor/ceiling construction without making exploratory holes, or lifting flooring and floorboards to the flat above, this is clearly impracticable. However, this is a listed building converted to flats in relatively recent times...it is likely that a new plasterboard ceiling has been applied over the original lath and plaster to improve fire resistance and sound insulation. Building Control may be able to confirm this for you. I understand that plywood has been applied to the floor above and, presumably, carpet.

Mrs Robinson has an industrial sewing machine, which is relatively quiet in operation, probably quieter than a domestic machine as there is very little motor noise. The machine produces 48.7 dBA at 1 metre (motor running no sewing) and 65.0 dBA at 1 metre (sewing material). The overlocker is quieter, no measurements were taken. Measurements were taken in a small room, not in free field conditions, so the levels measured will be somewhat exaggerated. I carried out a subjective assessment from the bedroom over the applicants current machine room. The construction of the machine room ceiling appeared to be standard plasterboard with exposed floorboards above providing a lower standard of insulation than that which appears to exist at 37 New st, sewing machine noise was not audible in the bedroom. In any case, Mrs Robinson advises that she will be mostly hand sewing and that the machine will be used at most for ten percent of the time.

I have carried out a simple experiment and found that 65 dBA is about the same sound level that you would perceive from a TV played at moderate volume.

The only potential nuisance that I can envisage from this business would be from customers and deliveries at unsocial hours, however, the nature and scale of the business is such that I do not consider that it would be reasonable to place restrictions on hours of operation."

4.3 The Transportation has no objection to the grant of planning permission.

## 5. Representations

5.1 The occupiers of two neighbouring properties object to the proposed development upon the following summarised grounds: -

There would be a loss in the housing stock;  
Concern regarding adequacy of parking / servicing facilities;  
There are more appropriate units available in the locality; and  
The street from the junction with Market Street is predominantly residential.

5.2 The Ledbury Town Council recommends approval of the application.

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 to be considered in relation to this application are: -

- The loss of an existing dwelling;
- The impact of the proposed use upon the amenities of occupiers of neighbouring dwellings;
- The adequacy of parking / servicing;
- The impact of the proposed use upon the listed building;
- The impact of the proposed use upon the character and appearance of the Conservation Area.

6.2 With regard the first issue this Council does not have a policy in its Development Plan safeguarding the existing housing stock. Whilst the site is in a residential use at present, paragraph 6.5.2 of the Herefordshire unitary Development Plan Revised Deposit Draft (May 2004) states that not all businesses "...need to be located within employment areas, and can offer a viable use for previously developed land and buildings within urban areas. For instance, proposals of an appropriate scale and which do not adversely affect residential amenity can be acceptable in areas which are primarily residential".

6.3 In terms of the impact of the use upon the amenities of the occupiers of neighbouring dwellings (including the first floor flat) it must be recognized that the proposal is for a B1 business use (i.e. office, research and development or light industrial use) that is defined as one that "...can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit". Furthermore the aforementioned advice of the Environmental Health Section suggests that the proposed use is unlikely to cause any harm to the amenities of occupiers of neighbouring dwellings.

6.4 The existing flat has no on-site parking provision although there is on-street parking available. The nature of the use is so low in scale and would generate so few vehicle movements that it is not considered that a highway safety problem would arise. In fact, the level of vehicle movements is likely to be less than those likely to be generated by a flat.

6.5 No external or internal changes are proposed to the fabric of the listed building. In terms of the character of the building, whilst the original use as a single-family dwellinghouse

is the optimum use, this has already been compromised in the past by sub-dividing the building into three flats with the changes that involved.

6.6 Without any external changes there would be no change to the appearance of the Conservation Area. It is the Conservation Section's view that the character of the Conservation Area would not be adversely affected. Whilst there are residential properties in the vicinity number 39 to the south-west accommodates a Veterinary Surgery and to the north-east is a Public House. Opposite the site is a Supermarket. In my mind it is only from number 41 that the north-western side of the New Street becomes predominantly residential in character.

6.7 Therefore I am recommending that a temporary planning permission be granted.

**RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**1 - The use hereby permitted shall cease on or before 1st November 2009.**

**Reason: To enable the full impact of the use to be assessed.**

**Informatives:**

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

**2 - For the avoidance of any doubt the plan to which this decision relates is:**

**- Application Site Plan received 18th August 2006.**

**3 - The applicant is advised to contact Mr Chris Massey (01432-260061) of the Council's Building Control Section to establish whether Building Regulations approval will be required. If any physical works were required as a result of the requirement of the building regulations an application for Listed Building Consent may be required.**

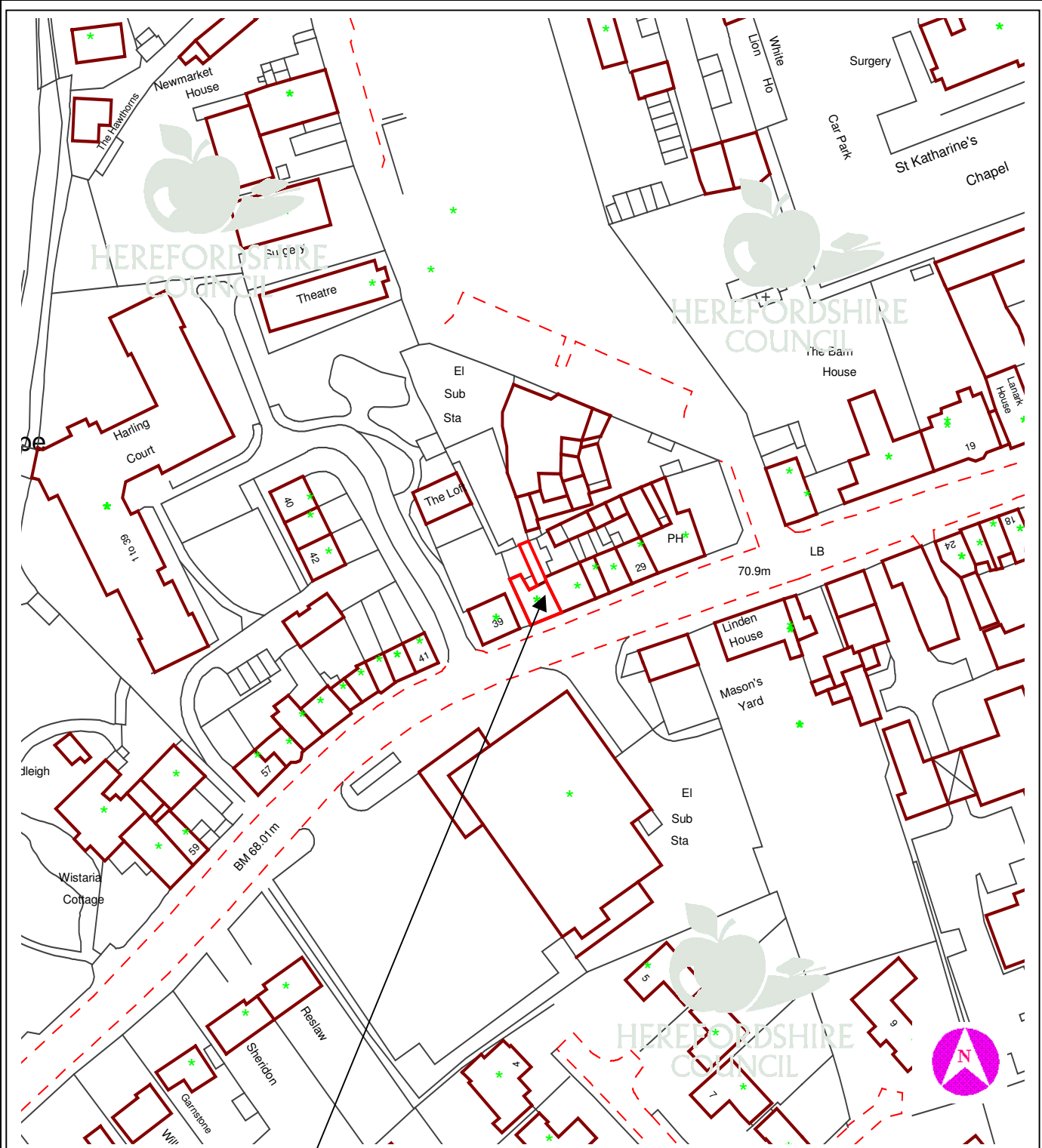
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNE2006/2724/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Flat-1, 37 New Street, Ledbury, Herefordshire, HR8 2EA

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