

12 DCNW2006/2991/F - PROPOSED DEMOLITION OF EXISTING HOUSE AND GARAGE AND ERECTION OF TWO HOUSES AND ANCILLARY GARAGES AT WOODCOTE, BACK LANE, WEOBLEY, HEREFORD, HEREFORDSHIRE, HR4 8SG

For: Border Oak Design & Construction LTD.

Date Received:

**Ward: Golden Cross
with Weobley**

Grid Ref:

14th September 2006

40156, 51627

Expiry Date:

9th November 2006

Local Member: Councillor J Goodwin

1. Site Description and Proposal

- 1.1 The application site is located on the eastern side of the B4230 public highway known as 'Back Lane', Weobley and is surrounded on either side and to the rear by other dwellings of various architectural design and historical interest.
- 1.2 The site itself contains a detached single-storey dwelling of external render and stone detail construction, under a tiled roof. The property appears to be of the 1960's era, and is of no specific architectural merit in relationship to the Weobley Conservation Area, to which, in accordance with the Weobley Parish Plan, Weobley has a mix of housing stock from its 15th-17th century historical core. The site is located on the periphery of this historic core.
- 1.3 The application site is an area of 0.12 hectares, relatively flat and contains an abundance of ornamental plantings and a natural boundary hedge around its rear and side boundaries. Alongside the front elevation is a stone wall that is of architectural interest in relationship to the surrounding Conservation Area.
- 1.4 The application proposes demolition of the existing dwelling on site and construction of two detached two-storey dwellings of timber frame construction under clay tile roofs. The proposed dwelling for plot no 1 has an externally measured floorspace of approximately 118 square metres plot no 2 dwelling measures approximately 156 square metres.
- 1.5 The application proposes to retain the existing entrance and access off the adjoining public highway into the site and erect two detached 'two-bay' cart shed garages located to the rear of each of the proposed properties. These will be in external construction materials to match the proposed dwellings.
- 1.6 The application site is located within a Conservation Area and therefore separate Conservation Area Consent is required for demolition of the existing dwelling on site as their volume is in excess of 115 cubic metres. This was granted subject to application ref NW06/1791/C dated 27th June 2006. This planning approval does not prejudice the present application under planning consideration.

2. Policies

2.1 Leominster District Local Plan

A1 – Managing the District's Assets and Resources
A2(B) – Settlement Hierarchy
A6 – Sites of Local Importance for Nature Conservation
A9 – Safeguarding the Rural Landscape
A18 – Listed Buildings and their Settings
A21 – Development within Conservation Areas
A23 – Creating Identity and an Attractive Built Environment
A24 – Scale and Character of Development
A54 – Protection of Residential Amenity
A55 – Design and Layout of Residential Development
A70 – Accommodating Traffic from Development

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development
S2 – Development Requirements
S7 – Natural and Historic Heritage
DR1 – Design
DR2 – Land Use and Activity
DR3 – Movement
DR4 – Environment
H4 – Main Villages: Settlement Boundaries
H13 – Sustainable Residential Design
H14 – Re-using previously Development Land and Buildings
H15 – Density
H16 – Car Parking
LA2 – Landcape Character and Areas Least Resilient to Change
HBA4 – Setting of Listed Building
HBA6 – New Development within Conservation Areas
HBA7 – Demolition of Unlisted Buildings within Conservation Areas
CF2 – Foul Drainage

2.3 Weobley Parish Plan Supplementary Planning Guidance

3. Planning History

- 3.1 NW2006/1790/F - Proposed demolition of existing house and garage and erection of two houses and ancillary garages - Withdrawn 18th July 2006.
- 3.2 NW2006/0721/F - Demolition of existing dwelling and erection of two houses and detached garage of plot 2 - Withdrawn 10th April 2006.
- 3.3 NW2006/1791/C - Demolition of existing bungalow, partial demolition and re-instatement of stone boundary wall. Erection of two dwellings and ancillary garage. Approved 27th June 2005.

- 3.4 NW2006/0883/L - Demolition of existing bungalow and partial demolition and re-instatement of stone boundary wall. Erection of two dwellings - Refused 10th April 2006.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water (Hyder) - No objections subject to conditions attached to any approval notice issued with regards to foul and surface water discharges being drained separately from the site.

Internal Council Advice

- 4.2 Conservation Manager - Considers that following several changes the proposed two dwellings compliment the character of the Weobley Conservation Area and therefore no objections to this proposal.
- 4.3 Transportation Manager considers that the proposal is acceptable, although has some reservation about the access. It has reduced visibility, but as it is existing, it is unlikely that a refusal would be robust enough to stand up at appeal.
- 4.4 Archaeological Manager raises no objections subject to attachment of a condition with regards to an archaeological watching brief during development.

5. Representations

- 5.1 Weobley Parish Council - No response to amended plans at time of writing report.
- 5.2 Letters of objection/comment have been received from the following:

- Beatrice Dennis, Bell House, Weobley
- Mrs C B Havard, Bell Meadow, Weobley
- D B Swinfen, Old Orchard, Back Lane, Weobley
- L C Rhodes, Bell Brook, Bell Square, Weobley
- Bryan Bradbury, Clee View, Weobley
- Beryl Bradbury, Clee View, Weobley
- Mrs G P Amos, Misty Glen, Back Lane, Weobley
- Andrew and Jane Parsons, The Old Shop Limited, 6 Portland Street, Weobley
- G P and I M Williams, Church View, Weobley
- P W Lippitt, 4 Broad Street, Weobley
- Mrs Ellis-Jones, 2 The Cornmills, Weobley on behalf of Campaign to Protect Rural England

The issues raised can be summarised as follows:-

- Concern about impact on adjoining public highway.
- Density of proposed development.
- Concerns about demolition of existing dwelling on site, which is considered a satisfactory dwelling.
- Proposed dwellings have no specific quality in relationship to Weobley Conservation Area.

- Proposal subject to this application differs very little from previous proposals for the site.
- Impact on adjoining dwelling known as 'The Pippins'.
- If proposal is allowed the property on plot no 1 needs to be moved further back into the site and the garages behind each of the two proposed dwellings rather than behind the one property.
- Lack of suitable amenity garden area in relationship to 2 four bedroomed houses.
- Dangerous precedent will be created with regards to similar dwellings in Weobley if planning approval is granted.
- Overlooking onto adjacent properties.

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 Re-development of this specific site has caused much controversy amongst members of the public within Weobley generating 11 letters of objection to the proposal.

6.2 The key issues of concern raised are:

- Impact on adjoining public highway.
- Density of proposed development and impact on surrounding Conservation Area.
- Loss of a dwelling on site that is of interest.
- Impact on amenity and privacy of adjoining neighbouring dwellings.

Impact on adjoining public highway

6.3 The proposal is for two detached dwellings, containing three bedrooms each. Therefore in accordance with Herefordshire Council car parking spaces per unit, the proposal subject to this application will not significantly generate additional traffic movements to the detriment of the adjoining public highway. The Transportation Manager has stated in the response to the application that the proposal is acceptable and that the proposal would not be robust enough to defend on appeal. The proposal contains acceptable internal vehicle car parking provision and access and therefore your Officer is of the opinion that the proposal on highway grounds is acceptable.

Density of proposed development and impact on surrounding Conservation Area

6.4 The application size measures approximately 0.12 hectare. The proposal is for two detached dwellings measuring approximately 118 and 156 square metres respectively. This proposal is much less than original proposals subject to previous applications for development on site, the applicant having scaled back the proposed development and in particular the proposal for Plot 1. This latest proposal is considered acceptable on density.

6.5 The Conservation Manager raises no objections to the proposal stating: "The proposed two dwellings compliment the character of the Weobley Conservation Area".

Loss of a dwelling on site that is of interest

6.6 The existing dwelling on site is a single-storey detached dwelling of the 1960's era, of render construction under a shallow pitched roof of interlocking concrete files. The

property features a chimney stack constructed of Forest of Dean stone to which the Design and Access Statement submitted by the applicants in support of the application states the property requires extensive improvement and refurbishment. The dwelling is of no architectural or historic interest in relationship to the Weobley Conservation Area and is not a listed building. The Conservation Manager raised no objection to its demolition. Therefore its demolition is considered acceptable as the property does not have any specific protection with regards to its preservation, other than it is located within a Conservation Area.

Impact on amenity and privacy of adjoining neighbouring properties

- 6.7 The nearest dwellings to the site are located on either side of the site and are known as 'Willow Cottage' and 'The Pippins'. Willow Cottage is located 6 metres from that of the proposal for Plot 2. There are no proposals for windows in the southern gable elevation of the proposed property nearest to this dwelling and there is adequate land available for screening between both properties if necessary.

'The Pippins' is located 6.5 metres from the nearest wall of the property subject to Plot 1.

It is this property (The Pippins), that development on site will have the most impact upon, due to an existing primary window (lounge) in its side elevation facing into the site. However, as a result of extensive negotiation and revised plans, the applicant has reduced the size of the proposal for Plot 1 and set it further back into the site to such an extent that it is considered that the proposal subject to this application will on visual, amenity and privacy issues be a significant improvement in relationship to the existing dwelling on site. A letter in support of the amended plans from the applicants states: 'The building on Plot 1 is located 600 mm behind the front line of 'The Pippins' and a further 1.5 metres from the west side of The Pippins. The gable has a smaller area than the previously proposed, and in fact, is smaller than the existing bungalow'.

This appears to be in accordance with the revised amended plans submitted and the result of extensive dialogue between the applicant, Case Officer and occupiers of 'The Pippins'. It is noted that neither occupiers of the properties on either side of the application site have objected to the proposal.

Other properties located to the east of the application site (rear) are considered to be sufficiently far enough away in that no detrimental impact will be created as a result of the proposal in 'planning terms'.

Conclusion

- 6.8 As a result of extensive negotiation the applicant, as a result of this application (the third for development on site), has submitted proposals that are considered acceptable, having generated no adverse comments from the statutory consultees. On balance the proposal will enhance the surrounding Conservation Area and with no adverse effect on privacy and amenity issues, or public highway issues, despite the numerous concerns raised by members of the public, this application is recommended for approval.

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 - B01 (Samples of external materials)

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

- 3 - All external joinery will be of timber construction.

Reason: In the interests of the surrounding Conservation Area.

- 4 - 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 - Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

- 6 - No surface water shall be allowed to connect (either directly or indirectly), to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 7 - No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

- 8 - E01 (Restriction on hours of working)

Reason: To safeguard the amenities of the locality.

- 9 - E09 (No conversion of garage to habitable accommodation)

Reason: To ensure adequate off street parking arrangements remain available at all times.

10 - E16 (Removal of permitted development rights)

Reason: In order to protect the character of the surrounding Conservation Area and amenity of surrounding dwellings.

11 - G09 (Retention of hedgerows/boundary walls)

Reason: To safeguard the amenity of the area.

12 – 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.

Informatives:

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

2 - N19 - Avoidance of doubt

Notes

1 - The proposed development site is crossed by a public sewer with the approximate position being marked on the statutory public sewer record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

2 - If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.

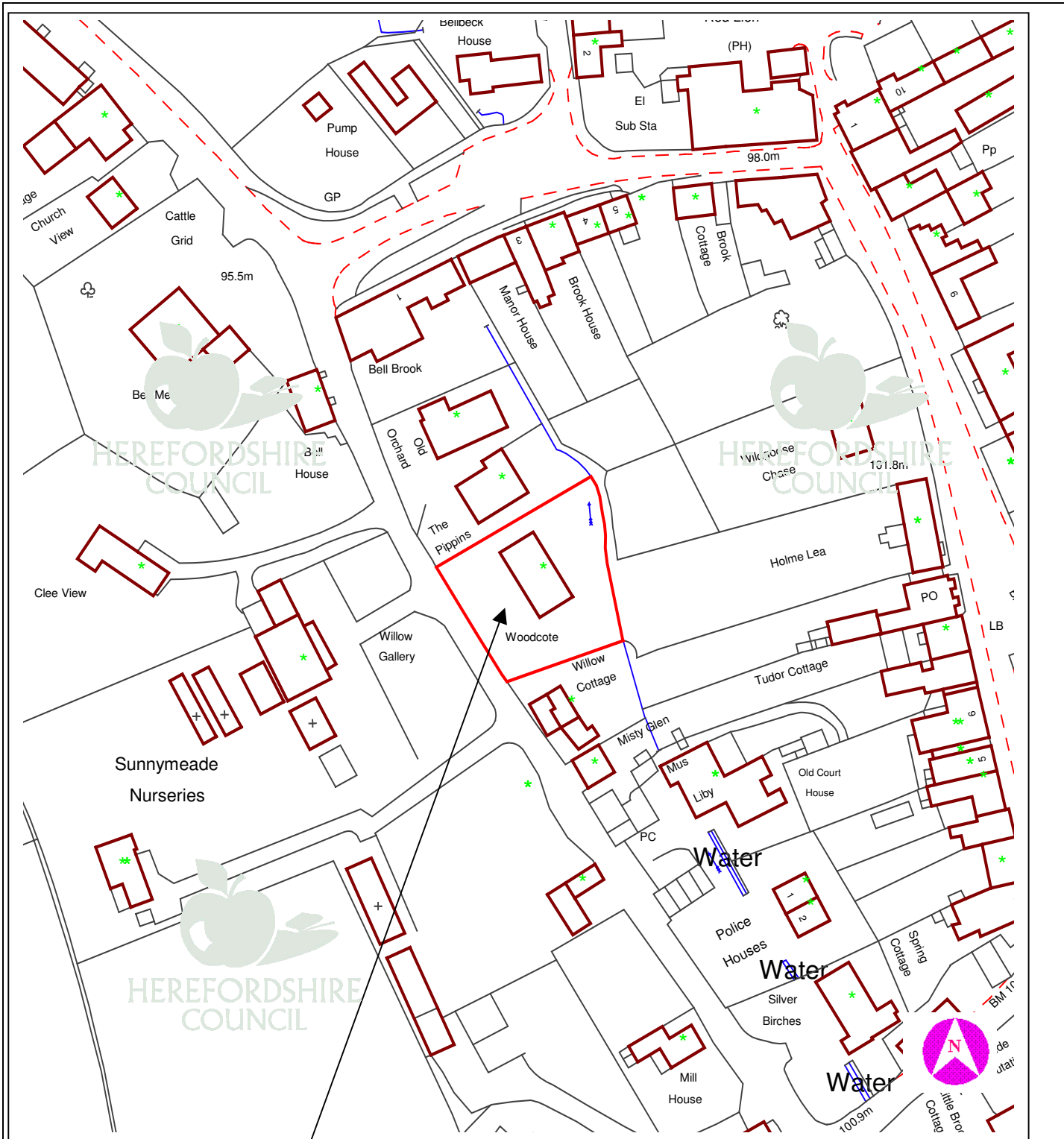
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/2991/F

SCALE : 1 : 1250

SITE ADDRESS : Woodcote, Back Lane, Weobley, Hereford, Herefordshire, HR4 8SG

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