

DELEGATED DECISION REPORT

APPLICATION NUMBER

203575

Littledean, 6 St Michaels Avenue, Kingsland, Leominster, HR6 9QR

CASE OFFICER: Miss Amber Morris

DATE OF SITE VISIT: 12/11/2020

**Relevant Development
Plan Policies:**

Herefordshire Local Plan – Core Strategy (CS) Policies:

SS1 Presumption in favour of sustainable development

SS6 Environmental quality and local distinctiveness

MT1 Traffic management, highway safety and promoting active travel

LD1 Landscape and townscape

LD4 Historic environment and heritage assets

SD1 Sustainable design and energy efficiency

SD3 Sustainable water management and water resources

SD4 Waste water treatment and river water quality

Kingsland Neighbourhood Development Plan (NDP):

NDP made 16th October 2017

KNDP3 Sustainable design

KNDP6 Kingsland village and Conservation Area

National Planning Policy Framework 2019 (NPPF):

Chapter 2 Achieving sustainable development

Chapter 11 Making effective use of land

Chapter 12 Achieving well-designed places

Chapter 16 Conserving and enhancing the historic environment

Relevant Site History: **None**

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X		
Buildings Conservation	X	X			
Press/ Site Notice	X				X
Ward Councillor	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

Littledean is a detached, two-storey dwelling 1970's design with low pitch and flat roof elements. The dwelling occupies a corner plot at the end of a cul-de-sac directly to the north of the Angel Pub in the Kingsland conservation area.

The proposal is for the demolition of the existing flat roofed, single storey kitchen extension and replace it with a larger lean-to styled single storey extension with a matching pitch to the host dwelling. A flat roofed first floor extension is also proposed above the snug. Both will be clad in vertical timber cladding. I refer one to the existing and proposed drawings below.



Representations:

Parish Council – Support the application

Buildings Conservation – No response

Site Notice – One letter of objection:

1. Building Design. The existing property is an 1970/80s house of modest simple design. The proposed single-storey (though tall) kitchen extension is roughly 3 times the floor area of the current side extension and projects rearwards, with a large expanse of glass directly facing the rear of our property. During Autumn and Winter months we would feel very exposed (see photos attached). The additional floor over the previously converted garage and adjoining roof terrace would not be in our field of vision fortunately, as it does have a somewhat industrial appearance in stark contrast to its neighbouring properties built at the same time.
2. Noise and disturbance. We have a particular concern with regard to noise and disturbance. For a sustained period from April 2020 and during the first lockdown substantial refurbishment and conversion works were carried out on the original house

by the owner and a team of builders both internally and externally. We, our adjacent neighbours and other residents of St Michael's Avenue (who are all quite elderly) were plagued by near continuous noise from the works with all the windows of the property wide open, which meant we were not able to enjoy our garden or open the windows of our home from morning till night (with work continuing well into the late evening on occasions). These works sometimes continued all through the weekends, and during the hot weather made it quite intolerable especially as we were unable to escape the noise. No notice was given prior to the commencement of the works nor apologies for the subsequent long-term disturbance caused. If approved, we would expect a greater consideration for those surrounding the property and a reasonable observation of 'normal' working hours, particularly if there are further lockdowns.

Ward Councillor – Updated via telephone on 11th January 2021. Cllr has no objection to the proposal and has not made a redirection request.

Pre-application discussion:

None sought

Constraints:

U93020
Grade II listed building adjacent
Conservation area
SSSI impact zone
TPO on edge of site
KNDP2 and KNDP14

Appraisal:

Policy context and Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the 'made' Kingsland Neighbourhood Development Plan (NDP). At this time the policies in the NDP can be afforded weight as set out in paragraph 48 of the National Planning Policy Framework 2019, which itself is a significant material consideration

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be

updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application.

When considering the proposal and the amount of built development as a result of the proposal, it is not considered to be at a scale that would be unacceptable or constitute over development. The size and scale of the proposal is considered acceptable in terms of mass, size and scale. The single storey kitchen extension is to be situated in the same location as the existing extension albeit with a larger footprint. The second extension relates to a first floor extension above the converted garage. This will have a flat roof with a ridge line lower than that of the host dwelling. Both these extensions will be clad in vertical Cedar cladding to allow them to be clearly read as new elements. Furthermore, the proposed fenestration reflects the modern design approach taken.

Due to kitchen extensions single storey nature and high level proposed in this and the first floor extension, the proposal is not considered to impact upon the amenity of the adjacent neighbouring residents, with regard to overshadowing and overlooking with sufficient distance to alleviate any concerns. Therefore, the proposal is considered to adhere to the requirements of both SD1 of the CS and NPPF Chapter 12.

The modern design of the proposal is not considered to be distinctively out of character with the buildings context, even though the site is situated within the Kingsland Conservation Area. This is because the cul-de-sac in which this proposal is located consists of dwellings with a more modern 1970's design. Therefore the proposal is not considered to conflict with CS policy LD4 and NDP policy KNDP14.

Although this application is within the River Lugg catchment and proposes foul water outputs, it is considered that the proposal will not demonstrably increase the intensification in the use of the property. As the competent authority for ensuring water quality in the River Lugg catchment and River Wye SAC, the local planning authority concludes that this proposal should be screened out of the HRA process. The development will not have a likely significant effect on water quality and therefore accords with the requirements of CS Policy SD4.

There are no other matters pertinent to the proposal which requires discussion or assessment and taking the above into account, it is considered that the proposal generally accords with the provisions of the Herefordshire Local Plan – Core Strategy and the Kingsland Neighbourhood Development Plan together with the overarching aims and objectives of the National Planning Policy Framework. The application is accordingly recommended for approval subject to the conditions as set out below.

RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:
(please note any variations to standard conditions)


1. C01
2. C07 (drawing numbers 1682 001 rev. A, 1682 004 rev. A, 1682 005 rev. A and 1682 006 rev. A)
3. CBK

Informatives

1. IP1

Signed:  Dated: 12/01/2021

TEAM LEADER'S COMMENTS:**DECISION:****PERMIT** ☒**REFUSE** ☐

Signed:  Dated: 13/01/2021