

9 DMNE/092018/F - CONSTRUCTION OF DETACHED SINGLE STOREY DWELLING AT PLOT ADJACENT, 4 THE CRESCENT, COLWALL, HEREFORDSHIRE, WR13 6QN.

For: TRINITY GATE DEVELOPMENTS LTD per C PETCH, 3 TEBBIT MEWS, WINCHCOMBE STREET, CHELTENHAM GLOS, GL52 2NF.

Date Received: 20 August 2009 Ward: Hope End Grid Ref: 375463,242567

Expiry Date: 11 November 2009

Local Members: Councillors R Mills and RV Stockton

1. Site Description and Proposal

- 1.1 The application site lies on the northern side of The Crescent within the village of Colwall. The Crescent is a street with a mixture of housing types and design, including many Victorian dwellings. The application site is effectively the side garden of number 4 The Crescent, a two storey Victorian semi-detached house. To the east is a bungalow at number 2 The Crescent. Number 2 The Crescent has a conservatory on its western side. To the north are the dwellings in Stone Drive.
- 1.2 The proposal is to erect a single storey one bedroomed bungalow. The bungalow would be orientated with its ridge running in a south-north direction, with half-hips at both ends. A physical gap of 3 metres minimum would be maintained with the retained house at 4 The Crescent and a physical gap of in excess of 4 metres would be maintained with the conservatory at number 2 The Crescent. The gross floorspace of the proposed dwelling, including the attached bicycle store, would be some 70 square metres only. The bungalow would have a height to eaves of 2.3 metres and a height to ridge of 4.6 metres.
- 1.3 Historically there has only been one off-street car parking space serving 4 The Crescent. It is now proposed to provide two off-street car parking spaces for the occupiers of the retained dwelling at 4 The Crescent and one off-street car parking space for the proposed one-bedroomed bungalow together with a secure bicycle store.
- 1.4 The retained dwelling at 4 The Crescent would have a retained rear garden with minimum length in excess of 10 metres and a total area of some 87 square metres whilst the one bedroomed bungalow would have a rear garden area with a minimum length of some 7.8 metres and a total area of some 104 square metres.
- 1.5 The site lies within the Malvern Hills Area of Outstanding Natural Beauty.

2. Policies

S1	–	Sustainable Development
S2	–	Development Requirements
S3	–	Housing
S7	–	Natural and historic heritage
DR1	–	Design
DR2	–	Land use and activity
H14	–	Main Villages : settlement boundaries
H13	–	Sustainable Residential Design

- H15 – Density
- H16 – Car Parking
- LA1 – Area of Outstanding Natural Beauty

3. Planning History

- 3.1 DCNE2003/2089/F – Erection of detached dwelling and new vehicular access to Melrose – WITHDRAWN
- 3.2 DCNE2004/1171/ F – Erection of a detached dwelling and new vehicular access – Refused – Appeal Dismissed.
- 3.3 DCNE2004/3191/F – Erection of a detached bungalow – Refused – Appeal Dismissed - That dwelling had a floorspace of some 87 square metres and only had a rear garden with a depth of 3.6 - 4.6 metres.

4. Consultation Summary

Statutory Consultations

Internal Council advice

- 4.1 The Transportation Section has no objection to the proposed development.

5. Representations

- 5.1 The Colwall Parish Council state:-

“Colwall Parish Council raises strong objections to this development. The following comments are to be submitted to Herefordshire Council for consideration.-

Planning permission has previously been refused for a similar application on the same plot. This application does not address the issue previously raised in that refusal regarding off-road parking. The off road parking has not been addressed as the proposed parking space for the new property is currently the parking space for no 4 The Crescent, therefore there is no net gain for parking. The Crescent is a very narrow road where on street parking is a constant issue for the residents who struggle to access their properties.

The proposal contravenes DR1 of the UDP in that the new property is causing over development on of the existing plot no 4 The Crescent and is detrimental to the curtilage of no 4.

The proposed property is out of character with the Victorian properties in this part of The Crescent.”

- 5.2 The occupiers of one neighbouring dwelling state that the height of the roof and its inter-relationship with 2 The Crescent is critical.
- 5.3 The occupiers of four dwellings in the vicinity object on the following summarised grounds:-
 - Potential on-street car parking issues;
 - Overlooking of 17 Stone Drive & 7 Stone Drive;
 - Loss of sunlight and/or daylight to 17 Stone Drive;
 - Inadequate garden area for 4 The Crescent;
 - Demographic impact upon the village; and

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- The precedent that would be set for further infilling.
- 5.4 The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Committee meeting.
- 6. Officer's Appraisal**
- 6.1 The application site lies within the village settlement of Colwall. As such policy H14 of the Herefordshire Unitary Development Plan 2007 allows for housing development subject to the detail being acceptable in environmental terms. It must be recognised that both the Central Government advice contained within Planning Policy Statement 3 and the Herefordshire Unitary Development Plan that was adopted in 2007 place emphasis upon making the most efficient use of land within existing built-up areas. In the long-term this does not only result in less land having to be released from the open countryside but also creates a more sustainable pattern of development where residential development is well related to existing facilities and services (e.g. railway station, shops).
- 6.2 It is considered that the proposal has been thoroughly considered. The proposed bungalow would maintain a minimum gap of 3 metres with the southern flank wall of 4 The Crescent and a minimum gap of 4 metres with the northern flank wall of 2 The Crescent. This will ensure that visually important gaps between buildings are maintained.
- 6.3 The proposed dwelling is genuinely single storey and low in height such that there would be no loss of privacy, sunlight and/or daylight to the occupiers of neighbouring properties. To address the concerns of local residents as to potential overdevelopment of the site and potential changes to the dwelling, it is recommended that permitted development rights be removed.
- 6.4 Whilst there are many Victorian houses on the eastern side of The Crescent, the street has a mixture of designs including the existing bungalow at 2 The Crescent. It is considered that the proposed design reflects some of the architectural detailing of the area whilst keeping the proposed bungalow both low and modest in scale to respect the neighbouring properties.
- 6.5 The garden area is considered to be sufficient as is the retained garden area proposed to be retained for the occupiers of 4 The Crescent.
- 6.6 The parking provision of two off-street car parking spaces for the retained dwelling at number 4 the Crescent represents a gain of one space over the historic scenario and accords with adopted standards. Similarly the one car parking space for the proposed one bedroomed bungalow would comply with the Council's standards. The on-street parking concern expressed locally did not form part of the Inspectors reason for refusal.
- 6.7 It must be recognised that the proposed bungalow is smaller than the two bedroomed bungalow previously refused and dismissed on appeal and has a larger garden area. Furthermore its design is considered to be more sympathetic.
- 6.8 Whilst the proposed bungalow is modest, household sizes are decreasing and as such the proposed dwelling would meet a need.
- 6.9 It is not considered that a precedent would be set and furthermore each application needs to be considered on its individual merits. In this particular case although the plot is relatively narrow the gap between the buildings (i.e. northern flank elevation of 2 The Crescent and southern flank elevation of 4 The Crescent) is some 14.4 metres at the narrowest point.

6.10 It is therefore recommended that full conditional planning permission be granted.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun within one year from the date of this decision notice.

Reason: To comply with the provisions of Section 91 (1) (b) of the Town and Country Planning Act 1990 (as amended) and to reflect the decision of the Local Planning Authority on 4 March 2009 to suspend (effective from 1 April 2009) the requirements of the Local Planning Authority's 'Planning Obligations Supplementary Planning Document (February 2008) in relation to all employment developments falling within Classes B1, B2 and B8 of the Town and Country Planning Use Classes Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, the employment element of any mixed use development and residential developments of five dwellings or less.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended, including the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, (or any order revoking and re-enacting that Order with or without modification), no development normally permitted by Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 of Article 3 shall be carried out without the express consent of the Local Planning Authority.

Reason: To prevent an overdevelopment of the site and to safeguard the amenities of the occupiers of neighbouring dwellings.

3. Prior to commencement of the development hereby permitted the following matters shall be submitted to the Local Planning Authority for their written approval:-
 - Written details and samples of all external materials
 - Written details and samples of the surfacing materials to the vehicle parking spaces
 - Written details of all proposed boundary treatments (i.e. siting, design (including height) and material)

The development shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in full accordance with the approved details and thereafter maintained as such.

Reason: To ensure a satisfactory appearance to the development.

4. Prior to the first occupation of the dwelling hereby permitted all three vehicle parking spaces shown upon the approved plans and the secure bicycle store attached to the dwelling shall be provided and thereafter be kept available, free of obstruction, for the parking of motor vehicles and storage of bicycle(s) and shall not be used for any other purpose.

Reason: To ensure adequate off-street car vehicle parking in the interests of highway safety and to encourage travel by modes of transport other than the private motor vehicle.

- 5. The dwelling hereby permitted shall have a ground finished floor level of 99.65 as shown upon drawing number 20923 02 C received 5 November 2009.

Reason: To safeguard the amenities if the occupiers of 2 The Crescent.

INFORMATIVES:

- 1. N15 Reason(s) for the Grant of PP/LBC/CAC
- 2. HN01 Mud on highway
- 3. HN04 Private apparatus within highway
- 4. HN05 Works within the highway
- 5. HN10 No drainage to discharge to highway
- 6. HN28 Highways Design Guide and Specification
- 7. N19 Avoidance of doubt - Approved Plans

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : PLOT ADJACENT, 4 THE CRESCENT, COLWALL, HEREFORDSHIRE,
WR13 6QN

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