

**10 DCNE2006/3640/F - REPLACEMENT FRONT PORCH AT
33 VIKING WAY, LEDBURY, HEREFORDSHIRE,
HR8 2DU****For: Mr J Gorton per Mr V C Arnold, Mount Ottawa,
Upleadon, Newent Glos. GL18 1HN****Date Received:**
16th November 2006**Ward: Ledbury****Grid Ref:**
70412, 38538**Expiry Date:**
11th January 2007

Local Member: Councillors P Harling, B Ashton & D Rule MBE

1. Site Description and Proposal

- 1.1 Planning permission is sought for the erection of a front porch at No.33 Viking Way, Ledbury. The dwelling forms part of a small terrace with nos. 35 and 37 to the east and an attached garage to the west. The porch is proposed to the south facing elevation.
- 1.2 A lean-to construction, the proposed porch would have a floor area marginally in excess of the permitted development allowance, at 3.19 square metres. Owing to the slight fall in ground levels the overall height would be 3.65m at the east elevation, rising to 3.85m at the west. Facing materials would match the existing, with corbel detail and contrasting brick quoins as per the dwelling.

2. Policies

- 2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)
H18 – Alterations and Extensions

3. Planning History

- 3.1 None relevant.

4. Consultation SummaryStatutory Consultations

- 4.1 None required.

Internal Council Advice

- 4.2 Traffic Manager - No objection.

5. Representations

- 5.1 Ledbury Town Council - No objection.

5.2 One letter of objection has been received from the immediate neighbour, Mrs Taylor, 35 Viking Way. The points raised can be summarised as follows:

- The porch would result in a loss of daylight into the living room, which is served by a single window. This effect will be most obvious during the afternoon.
- The porch would obstruct a view of the allotted parking space, reducing security and completely masking a view to the west.
- The porch would be uncharacteristic of the size of house to which it relates.
- The precise boundary between the two properties is unclear.

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 key issues in the determination of this application are as follows:

- An assessment of the impact that the development would have upon the residential amenity of the adjoining dwelling;
- An assessment of the impact that the development would have upon the character and appearance of the dwelling and the immediate surroundings.

Impact upon the adjoining property

6.2 Loss of daylight to adjoining windows is judged by reference to the 45-degree 'rule'. A line is drawn at 45 degrees from the mid-point of the window in question. If any part of the proposal breaks this 'line', the typical conclusion is that an unacceptable loss of light will have occurred. In this case the porch would not break the 'line' and it is therefore concluded that the loss of light would not be unacceptable in this instance.

6.3 It should also be noted that a porch could be erected under permitted development rights with the same forward projection (1.575m) from the front of the house. Thus a porch could be erected without planning permission for a structure that would have the same effect.

6.4 The loss of view referred to by the objector is not a material planning consideration.

Impact upon the character and appearance of the area

6.5 The proposed porch is identical in design and appearance to some constructed on nearby properties further to the west. An objection on design led grounds would be difficult to sustain. Again, the applicant could erect a marginally smaller porch under permitted development rights, in which case the local planning authority would have no control over the choice of facing materials.

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 - E17 (No windows in side elevation of extension)

Reason: In order to protect the residential amenity of adjacent properties.

Informatives:

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

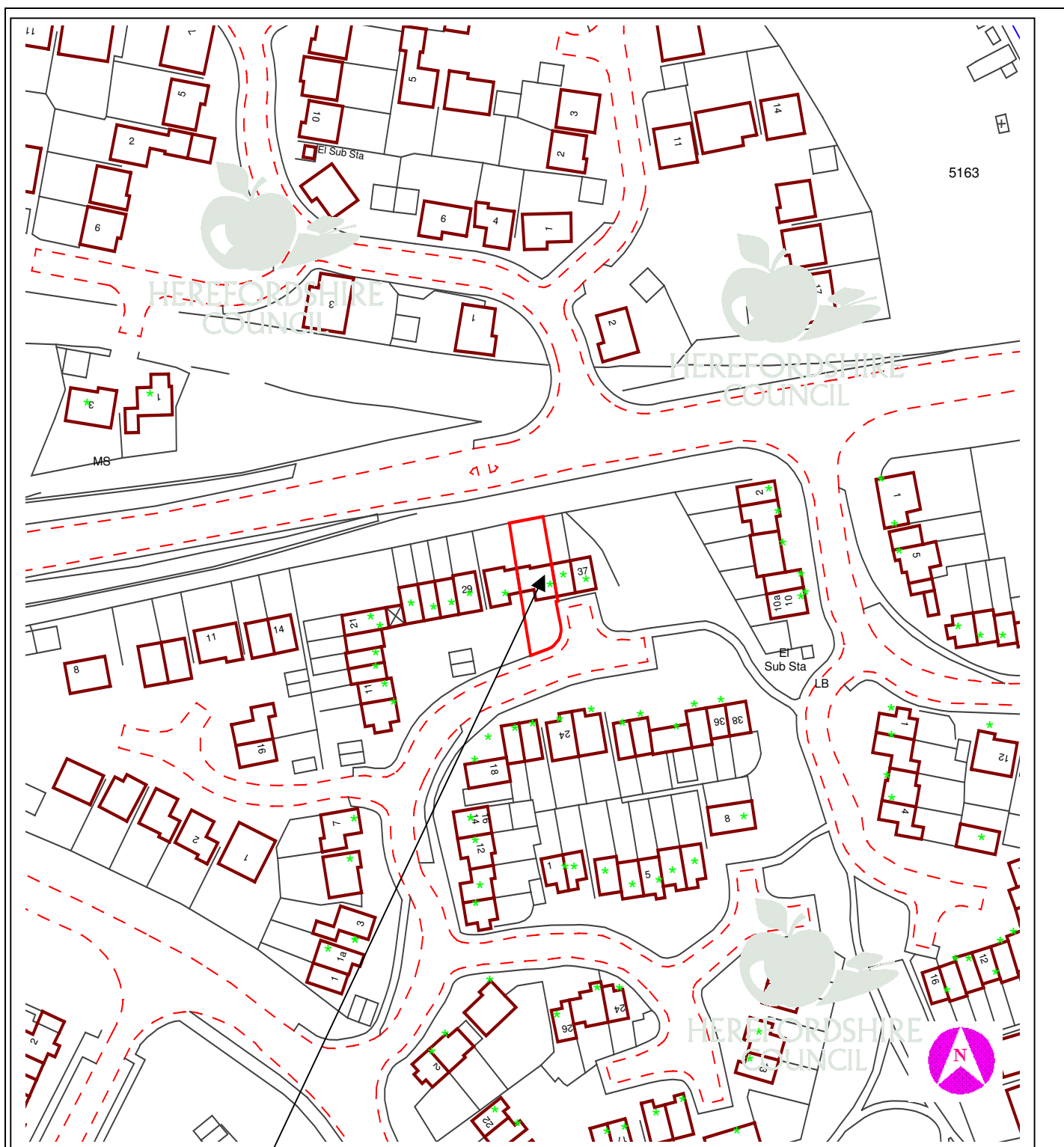
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2006/3640/F

SCALE : 1 : 1250

SITE ADDRESS : 33 Viking Way, Ledbury, Herefordshire, HR8 2DU

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