

**6 SW2002/3506/F - EXTENSIONS AND ALTERATIONS TO PROVIDE LOFT CONVERSION WITH DORMER WINDOWS, GARDEN STORE, ENTRANCE PORCH AND OAK FRAMED CARPORT AND CHANGE OF USE OF PIECE OF LAND FROM AGRICULTURAL TO DOMESTIC USE, THE OAKS, GARWAY, HEREFORDSHIRE, HR2 8RQ**

**For: Mr A Phillips, The Oaks, Garway, Hereford**

**Date Received: 21st November 2002**

**Ward: Pontrilas**

**Grid Ref: 4629 2276**

**Expiry Date: 16th January 2003**

Local Member: Councillor G.W. Davis

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

- 1.1 The application site is on the northern side of the Class III road (C1239) that constitutes the main thoroughfare through the settlement of Garway Common.
- 1.2 The Oaks is a detached red brick faced house, one of a pair of houses built in 1995 that are between Stanley Cottages, a terrace of 4 dwellings to the east and Fairbanks, a detached bungalow to the west, but separated from The Oaks by a 6/7 metres wide agricultural access.
- 1.3 The Oaks and Willow House are more elevated in the landscape than the bungalows to the west and further still the primary school.
- 1.4 The application is mostly a retrospective one, for works already carried out and partly for proposed works. The works carried out include a car port that is aligned north to south and is forward of the existing garage. This building projects 6 metres out, under a hipped roof that is supported by oak posts under a clay tile roof matching the main roof. The new extension projects a further 2.6 metres northward, almost in line with the rear wall of The Oaks. There is an external staircase on the western side of the car port and gable end of the existing garage into a first floor area above the existing garage and over the car port and garden store.
- 1.5 The rear garden has also been extended from that approved in 1995, by a further 7 metres. The northern boundary has a hedgerow running along it.
- 1.6 The new elements are a porch that will project 0.4 metres out from the existing porch. It is 2.4 metres wide and has a gable fronted appearance. Also two dormer windows are proposed in the south elevation facing the highway.

## **2. Policies**

### **2.1 Hereford and Worcester County Structure Plan**

Policy CTC.2	-	Area of Great Landscape Value
Policy CTC.9	-	Development Criteria
Policy H.20	-	Housing in Rural Areas

## 2.2 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy C.8	-	Area of Great Landscape Value
Policy SH.23	-	Extensions to Dwellings

## 3. Planning History

3.1	SH890027PF	Two four-bedroomed houses with detached double garages	-	Approved 15.02.89
	SH950194PF	Two four bedroomed houses with detached double garages	-	Approved 28.03.95

## 4. Consultation Summary

4.1 No statutory or non-statutory consultations required.

## 5. Representations

5.1 Garway Parish Council make the following observations:

"The Council support the application, however are aware of local comment on the fact that it extends the building line which may set a precedent for future development within Garway."

5.2 Two letters of representation have been received from:

Mr. S. G. J. Lawrence, Willow Tree House, Garway, HR2 8RQ  
Mr. C. Phillips, Fairbanks, Garway, HR2 8RQ

The following main points are raised:

- intrusive of forward building line
- sets precedent
- already double garage/car port, makes these redundant
- materials used not sympathetic
- merely area for employees and sub-contractors
- completed extension used as a workshop
- front and rear of property used to park and store heavy industrial vehicles
- shared driveway not designed to take heavy vehicles, also conflict with our children using it also
- hole in hedge to rear; used as a secondary access
- building does not impinge on our property, it does block westerly view
- if granted, should be conditional for domestic purposes only.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

**6. Officers Appraisal**

- 6.1 The issues relating to this application are primarily concerned with the fact that works have taken place, the precedent it may establish for building beyond the building line, impingement of view, use of materials, uses carried out on the site and relevant use of the access.
- 6.2 The local planning authority has to determine the application on its merits whether or not works have been carried out already. It is not considered that such development establishes a precedent, as each site is different and works undertaken in such circumstances without first obtaining planning permission are done so at the risk of the applicant.
- 6.3 It is considered that the materials used are sympathetic, these include boarding, clay tiles and oak posts. The ridge height of the car port/garden store is lower than that of the existing garage. The building does not impinge to a detrimental degree in the landscape, notwithstanding that The Oaks is on higher ground than the bungalow to the west of it and dwelling houses on the opposite side of the Class III road. The new extension does not dominate The Oaks to a detrimental degree.
- 6.4 The loft area above the garage and car port is a domestic loft space having no window openings and limited headroom.
- 6.5 The extension to the garden area has been carried out sympathetically. It does not extend beyond that of the more recently built bungalow between The Oaks and the primary school. It does not result in an unacceptable loss of agricultural land.
- 6.6 The new porch provides more of a feature than an additional floor area given the floor area is 400mm by 2.4 metres. The dormer windows give the dwelling a different appearance from the original dwelling, however the size and proportion of the dormer windows are complimentary to The Oaks.
- 6.7 It is considered that the proposal is one that can be supported subject to a condition restricting the car port and garden store buildings to ancillary domestic use.

**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. A07 (Development in accordance with approved plans )**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.