

16 DCNC2007/0656/F - ERECTION OF DWELLING HOUSE & GARAGE/GARDEN STORE (AMENDMENTS TO PREVIOUS APPROVAL NC2004/0778/RM) AT PLOT 3, LAND ADJACENT VILLAGE HALL, STOKE PRIOR, LEOMINSTER, HEREFORDSHIRE

**For: Mr & Mrs K Dowling per Ian Murray Associates,
The Granary, Wormington Farm Barns, Nr Broadway,
Worcester, WR12 7NL**

**Date Received:
1st March 2007**

**Ward: Hampton Court Grid Ref:
52164, 56536**

**Expiry Date:
26th April 2007**

Local Member: Councillor KG Grumbley

1. Site Description and Proposal

- 1.1 The site is located on the south side of the C1110 to the south-east of its junction with the Stoke Prior Road and between the village hall and Belmont, a detached bungalow. Reserved Matters planning approval was granted for residential development at the site on 19 May 2004 under application reference DCNC2004/0778/RM. The permission was for three dwellings, all of similar design and scale.
- 1.2 This application seeks to vary the design of the dwelling on Plot 3. For ease, the differences are compared below and are as follows:

	Approved Scheme NC2004/0778/RM	Current Proposal
Height	6.7m	7.3m
Length	10m	12.5m
Width	5.5m	6.5m
Materials	Brick/Clay Tile With weatherboard attached garage to western gable end	Timber Frame/Clay Tile With weatherboard secondary element to western gable end

- 1.3 In effect the proposal seeks to use the attached garage as additional habitable accommodation, providing a utility room and study at ground floor and an en-suite bathroom at first floor.
- 1.4 The dwelling is to be slightly re-orientated from the approved scheme, and looks slightly more towards the dwelling on Plot 1 than as approved. However, its vista remains along the drive serving the estate in a north-easterly direction.
- 1.5 The domestic storage lost through the use of the attached garage as habitable accommodation is to be replaced and significantly added to through the provision of a double garage and garden store with further storage over. The new building has a

footprint of 48m² and a height to its ridge of 5.2m, and is located in the western corner of the plot.

2. Policies

Herefordshire Unitary Development Plan

DR1 – Design

H18 – Alterations and Extensions

H13 – Sustainable Residential Design

H6 – Housing in Smaller Settlements

3. Planning History

3.1 The following applications are considered to be relevant to this proposal:

NC2006/3217/F - Proposed variation to planning permission NC2004/0778/RM to amend the design and siting of Plot 3 - Withdrawn.

NC2006/2440/F - Proposed variation to planning permission NC2004/0778/RM to amend the design on Plot 2 - Refused 11/10/06 for the following reasons:

1. The proposed dwelling would detract from the character and amenity of the area particularly by reason of the increased size and changes to the elevational treatment by comparison with the previously approved house on the same plot. The development would thereby be contrary to Policies DR1 and H13 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) and Policy A24 of the Leominster District Local Plan.
2. The approved design for the whole site (including the adjoining plots) came through consultation with the local community, including the Parish Council. In that context the current proposal, by being significant departure from the approved scheme, is contrary to the principles of community involvement as advocated in PPS1, paragraphs 40 to 43, the related guidance in 'Community Involvement in Planning: The Government's Objectives' published in 2004, and the principles of the emerging statement of Community Involvement for Herefordshire.

NC2006/1927/F - Proposed variation to planning permission NC2004/0778/RM to amend design and siting of Plot 3 - Withdrawn.

NC2006/1660/F - Proposed amendments to design and siting of Plot 2 - Withdrawn.

NC2004/0778/RM - Residential development, for approval of Reserved Matters - Approved 19.5.2004.

NC2003/1503/F - Erection of 4 detached dwellings with garages and private drive - Refused 28.1.2004.

NC2000/3426/O - Residential development - Outline planning permission granted 7.3.2001.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Consultations

4.2 Transportation Manager - No objection.

4.3 Public rights of Way Officer comments as follows: 'The proposed amendments will have less of an effect on public footpath SP9 than the previous application DCNC2006/1660/F. This footpath was recently diverted to allow the overall development of the site'.

5. Representations

5.1 Stoke Prior Parish Council - Objects to the application on the following grounds:

1. This small estate was planned in consultation with local people. The properties have a balance with one another and the local area which will be lost by increasing the size or position of any one property.
2. This is larger than the approved plans and is considered to be over-development.
3. The re-positioning of the dwelling would increase over-looking.

5.2 Stoke Prior Village Hall Committee - Objects to the application for the following reasons:

1. The development should be viewed as a whole and not a plot by plot basis.
2. The proposal is larger than the other two dwellings and is considered to be over-development.

5.3 One letter of objection has been received from David Taylor Consultants on behalf of Mr & Mrs Bromley, Belmont, Stoke Prior. In summary the points raised are as follows:

1. The proposal will be detrimental to the amenity of the occupants of Belmont and by virtue of its elevated position will be unduly dominant.
2. The re-orientation of the dwelling will increase overlooking. The position of the drive will mean that this cannot be ameliorated by planting.
3. The approved layout was designed and considered as a whole with buildings relating to each other and their surroundings. No material change to the size of the dwelling should be permitted.

5.4 A letter has also been received from Mr & Mrs McArdle who are the owners of Plot 1. They comment that they are happier with this design and layout than the previously withdrawn scheme, but express concern about the arrangements for vehicle turning on site, suggesting that this is more likely to take place within the shared drive.

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

6. Officers Appraisal

6.1 The key factors to consider in the determination of this application are as follows:

1. The increased size and change in appearance of the dwelling.
2. The impact on the amenities of the occupants of Belmont in light of these changes and the provision of a detached garage.
3. The impacts in terms of highway safety.

Changes to size and design

6.2 These are rehearsed under the site description and proposal heading. The dwelling will be larger in all respects. However, permitted development rights were not withdrawn by condition at either outline or reserved matters stages and therefore if the dwelling were to be constructed as approved, further additions could be made without the need for a further application. Potentially this might be the addition of an extension to the eastern gable end and/or the erection of a detached garage and the provision of an access to it. It would also allow for the use of the attached garage as additional habitable accommodation without the need for a further application.

6.3 Whilst the proposed changes would not in themselves be permitted development, this application does offer the opportunity for permitted development rights to be removed in order for the local planning authority to consider the implications of any further changes and to secure the appearance of the development. This opportunity does not exist for Plots 1 and 2 but could be legitimately imposed here given the size increase.

6.4 Notwithstanding all of this it is your officer's opinion the changes proposed do not demonstrably alter the character or appearance of the development as a whole, or its relationship to the wider area.

Amenity

6.5 At their closest points (gable end to gable end) the proposal and Belmont are 15 metres from each other. This is no different to the approved scheme. The lengthening of the dwelling actually occurs to the eastern gable end where it will be closer to the dwelling on Plot 2. The proposal is orientated to the north-east to look away from Belmont and will not cause any demonstrable increase in overlooking to the approved scheme. This does not provide a justifiable reason to refuse the application. Similarly the provision of a detached garage will not be so harmful to amenity, particularly when assessed against what might be allowed as permitted development.

Highway Safety

6.6 As the development of three dwellings is served by a private drive, the usual criteria for ensuring vehicles can turn on site can be relaxed, as is the case within larger residential development. The key factor is that vehicles can enter and leave the public highway safely and this was dealt within the original outline and reserved matters applications. The fact that vehicles may have to manoeuvre within the shared drive will not give rise to such an issue of highway safety to warrant the refusal of this application.

6.7 In conclusion, it is your officer’s opinion that the development is acceptable and accords with the relevant policies. It is therefore recommended that the application is approved.

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 - E08 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

4 - G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

5 - H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

6 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no works other than those expressly authorised by this permission shall be undertaken within the site that would fall within Classes A, B, C, D and E of Part 1 of that Order without the further written consent of the local planning authority.

Reason: In order that the local planning authority can assess the impact of any future development on the character and appearance of the wider area.

Informatives:

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

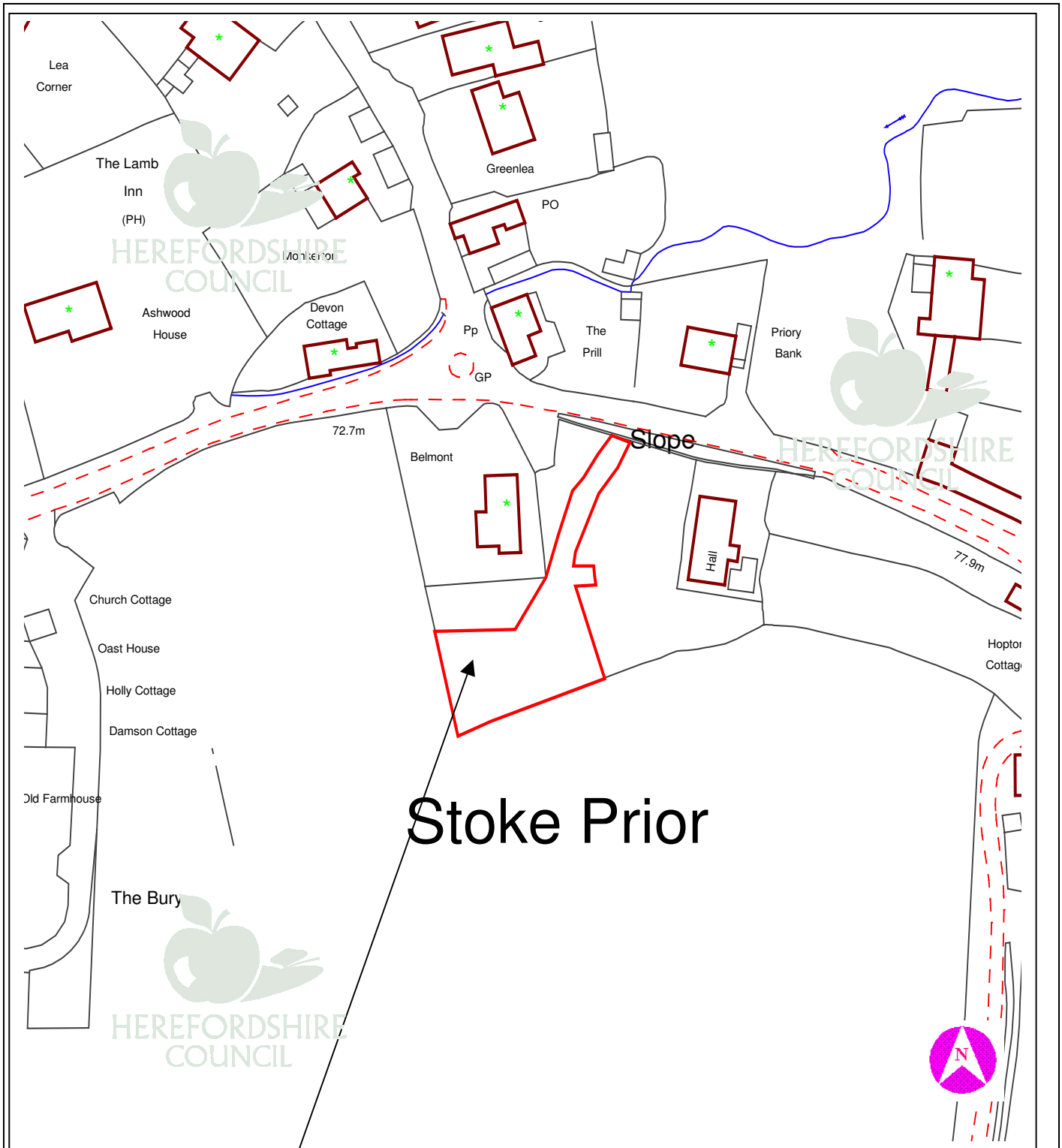
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



Stoke Prior

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APPLICATION NO: DCNC2007/0656/F

SCALE : 1 : 1250

SITE ADDRESS : Plot 3, Land adjacent Village Hall, Stoke Prior, Leominster, Herefordshire

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