

**17 DCSE2007/1478/F - ERECTION OF ONE DWELLING, LAND ADJACENT TO 'MARSH COTTAGE' PONTSHILL, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SZ.****For: Mr. F. McGough per Paul Smith Associates, 19 St Martins Street, Hereford, HR2 7RD.****Date Received: 15th May, 2007****Ward: Penyard****Grid Ref: 63885, 22049****Expiry Date: 10th July, 2007**

Local Member: Councillor H. Bramer

**1. Site Description and Proposal**

1.1 Planning permission (DCSE2006/1677/F) for the erection of a dwelling in part of the garden of Marsh Cottage at Pontshill Marsh was refused in July 2006. The dwelling would have been of Georgian style and comprise 3 floors, the upper floor being within the roof slope and lit in part by dormer windows. The reasons for refusal were:

1. The proposed dwelling, because of its size, height and design, would be out of scale with adjoining houses and would detract from the character of the settlement. The proposal would conflict therefore with Policies H.16A and H.18 of Hereford and Worcester County Structure Plan, Policies SH.10, SH.14 and GD.1 of South Herefordshire district Local Plan and Policy H.13 of Herefordshire Unitary Development Plan (Revised Deposit Draft).
2. The proposed dwelling, because of its size, design and position in relation to adjoining dwellings, would be overbearing and result in loss of privacy. As a consequence the proposal would harm the amenities of the occupiers of these dwellings and conflict with Policies H.15 and GD.1 of South Herefordshire District Local Plan and Policy H.13 of Herefordshire Unitary Development Plan (Revised Deposit Draft).

1.2 A revised proposal (DCSE2006/2609/F) was subsequently submitted. The main changes were the omission of the three dormer windows on the front elevation roof, although the same second floor accommodation would be provided (a double bedroom, now to be lit by a rooflight, and bathroom and store with no natural lighting). The footprint and eaves height would be unchanged but the roof pitch would be less steep (about 40 degrees rather than 44 degrees) which would reduce ridge height by about 0.35m (scaling from drawings) i.e. 8.1m rather than 8.45m. Other changes included the omission of a first floor window on the rear elevation. This proposal was granted permission in September, 2006.

1.3 The current proposal is for a further variant. This would be identical to the approved scheme except for the addition of three dormer windows in the north-west elevation.

**2. Policies****2.1 Planning Policy Guidance and Statements**

PPS.7	-	Sustainable Development in Rural Areas
PPG.25	-	Development and Flood Risk

## 2.2 Herefordshire Unitary Development Plan 2007

Policy H.7	-	Housing in the Countryside Outside Settlements
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy LA.3	-	Setting of Settlements
Policy DR.4	-	Environment

## 3. Planning History

3.1	SE2002/3287/O	Erection of a cottage	-	Approved 26.02.03
	SE2004/2901/RM	Erection of a cottage	-	Approved 16.02.05
	SE2006/1677/F	Erection of one dwelling	-	Refused 20.07.06
	SE2006/2609/F	Erection of one dwelling	-	Approved 27.09.06

## 4. Consultation Summary

### Statutory Consultations

4.1 Environment Agency's comments have not yet been received.

### Internal Council Advice

4.2 Traffic Manager recommends that conditions be included if permission is granted.

## 5. Representations

5.1 The applicant's agent points out that:

1. the exterior, siting and scale of the proposed dwelling is identical to the approved scheme except for the addition of dormer windows in the roof slope facing away from neighbouring properties
2. in effect permission is sought only for the dormer windows
3. the detailed design is appropriate both to the character of the site and its setting - the addition of modest dormers is appropriate to the scale of the dwelling and, in my opinion, improves its overall appearance
4. I submit that this proposal would cause no harm to the site or its environs and consequently accords fully with the development plan.

In addition, a Design and Access Statement has been submitted which supplements the above.

5. the addition of the dormers will be proportionate to the scale of the approved dwelling adding very little to its volume and nothing to its profile
6. the village displays a variety of house styles, plot ratios and unplanned settlement pattern

7. the proposed dwelling would be seen as a 'stand alone' property at one entrance to the village; the approved scheme was accepted as being appropriate to its surroundings partly because it reflects the scale and form of a 'Pontshill House' which faces the site from the south-west
8. access will be identical to that approved.

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

## 6. Officer's Appraisal

- 6.1 The site is within the settlement of Pontshill. This was defined as a smaller settlement in the South Herefordshire District Local Plan but is not included on the list of smaller settlements in the Herefordshire Unitary Development Plan (UDP). The application site would be in a countryside location and therefore a new dwelling would conflict with Policy H.7. However the extant planning permission is a material consideration and if the proposal is otherwise acceptable it would be reasonable to grant permission subject to a condition that the permission expire on the same date as the previously approved permission.
- 6.2 The main issues are considered to be whether the dwelling would be in character with the settlement and the effect on neighbours' amenities. The site is quite large (about 0.1ha) and on the periphery of the settlement. There is a mix of housing types and styles in Pontshill, ranging from traditional cottages to modern bungalows. Generally the houses are modest in size. The difference in size with the nearest houses however would not be so great that the proposed house would appear incongruous. It would be set well away from the road boundary and with a row of tall trees along most of the boundaries with the road and the stream. As it would be next to the stream it would be at the lowest part of the settlement and would not be visually over-dominant. The style echoes a traditional farmhouse and the site, on the periphery of a settlement, would be a typical location for such a property. For these reasons the Committee granted permission for the first revised scheme. The current proposal is identical except for the dormers.
- 6.3 The Committee was concerned about the erection of a 3-storey dwelling on this site. The installation of dormers to light the second floor however would have only a limited effect on the massing of the building and its visual prominence.
- 6.4 The relationship with adjoining houses, Juniper Cottage in particular, was also a matter of concern. However no windows would face directly towards these neighbouring properties and the privacy of their occupiers would be maintained. The dormer windows would face away from Juniper Cottage and at right angles to the garden of March Cottage, the boundary of which would be over 8m away. In these circumstances the insertion of dormer windows would have no appreciable effect on residential amenities.

## RECOMMENDATION

**That subject to no further objections raising additional material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers:**

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. **F48 (Details of slab levels)**

**Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.**

4. **The foul drainage from the proposed development shall be discharged to a treatment plant which meets the requirements of British Standard BS 6297: 1983, and which is provided in accordance with the details submitted dated July 2006 (including drawing no. 584:01/02A) unless otherwise agreed in writing by the local planning authority.**

**Reason: To provide a satisfactory method of foul drainage and prevent pollution of the water environment.**

5. **Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.**

**Reason: To prevent pollution of the water environment.**

6. **D03 (Site observation - archaeology)**

**Reason: To allow the potential archaeological interest of the site to be investigated and recorded.**

7. **G04 (Landscaping scheme (general))**

**Reason: In order to protect the visual amenities of the area.**

8. **G05 (Implementation of landscaping scheme (general))**

**Reason: In order to protect the visual amenities of the area.**

9. **G01 (Details of boundary treatments)**

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

**10. E16 (Removal of permitted development rights)**

**Reason: To protect the amenities of neighbours.**

**11. F18 (Scheme of foul drainage disposal)**

**Reason: In order to ensure that satisfactory drainage arrangements are provided.**

**12. H03 (Visibility splays)**

**Reason: In the interests of highway safety.**

**13. H05 (Access gates)**

**Reason: In the interests of highway safety.**

**14. H09 (Driveway gradient)**

**Reason: In the interests of highway safety.**

**15. H12 (Parking and turning - single house)**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

**16. E19 (Obscure glazing to windows)**

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

**17. E18 (No new windows in specified elevation)**

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

**Informative(s):**

- 1. HN01 - Mud on highway**
- 2. HN05 - Works within the highway**
- 3. HN10 - No drainage to discharge to highway**
- 4. HN22 - Works adjoining highway**
- 5. N19 - Avoidance of doubt**
- 6. N15 - Reason(s) for the Grant of Planning Permission**
- 7. ND03 – Contact Address**

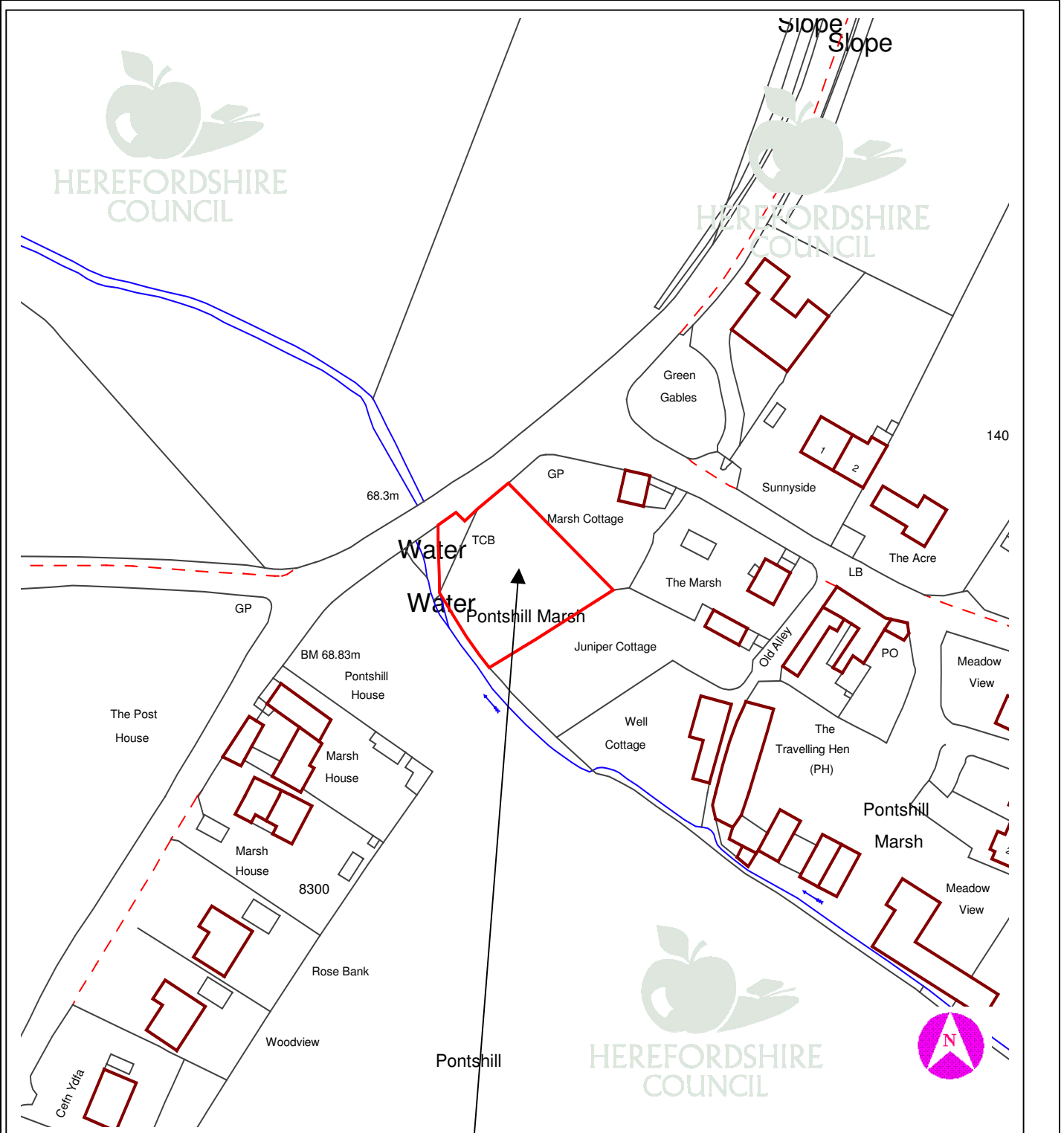
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

**APPLICATION NO:** DCSE2007/1478/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land adjacent to 'Marsh Cottage' Pontshill, Ross-on-Wye. Herefordshire, HR9 5SZ

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005