

1 CW2002/3102/O - SITE FOR PROPOSED DWELLING INCLUDING DETAILS OF DESIGN, EXTERNAL APPEARANCE, SITING AND ACCESS AT GROVE COTTAGE, TILLINGTON, HEREFORDSHIRE, HR4 8LW

For: Mr. K. Morrill per Mr. C. Goldsworthy, 85 St. Owens Street, Hereford, HR1 2JW

Date Received: 22nd October 2002 Ward: Burghill, Holmer Grid Ref: 45364, 46109 & Lyde

Expiry Date: 17th December 2002

Local Member: Councillor Mrs. S.J. Robertson

This application was presented to the Central Area Planning Sub-Committee on 6th August 2003 when it was deferred for a site visit. The site visit took place on Monday, 18th August 2003.

Planning history for refusals of residential development in the vicinity of this application was requested by Committee, therefore the planning history in the site's vicinity is summarised for information purposes as follows:

Site adjacent to Fir Tree Cottages (opposite application site)

In the 1980's and 1990's several applications for two dwellings or two bungalows on the site were refused on the basis that development was not village infill, design issues and highway safety. One refusal was taken to appeal in 1981 and dismissed at appeal, although the highway safety objection was not upheld. Since the early refusals permission was granted for two bungalows and garages and these have been constructed.

Site next to Grove House (site to the south east of application site)

In 1987 an application for a dwelling on a relatively small triangular plot was refused on the basis that it was sporadic development in the open countryside and contrary to highway safety.

Site to rear of application site (adjacent to High Grove)

In 1994 and 1995 permission for a dwelling was refused on the basis that the development was outside the designated settlement of Tillington Common and on highway safety grounds (the access in this case was not onto this track and this site was clearly beyond the natural settlement boundaries).

The other refusal in the vicinity of the application site is referred to in Section 6.6 of the main report. Other refusals within the village are not considered relevant to this case.

It is also noted that in addition to the two bungalows constructed opposite the site referred to above, a new dwelling has also been approved and constructed immediately to the west of the application site, and a further dwelling was constructed at Westlands Court some 90 metres to the west of the site.

A detailed list of all planning applications affecting dwellings off the access track has also been added to Section 3 – Planning History.

With the exception of an update at Section 3 on Planning History the report is unchanged to that presented to the Central Area Planning Sub-Committee on the 6th August 2003.

1. Site Description and Proposal

- 1.1 The site is located within the small settlement of Tillington at the northern end of the village, off an unadopted track. The site is 23 metres wide and 26 metres in depth, it currently forms part of the mature garden area of Grove Cottage and has two single garages on the frontage.
- 1.2 The application is for a four bed dwelling, it was originally submitted in October 2002 as an outline application with all matters except access reserved for future consideration. In processing the application Officers were of the opinion that additional details were required in order to make a full appraisal of the scheme and the siting, design and external appearance of the dwelling were subsequently submitted and consultations undertaken. The dwelling is sited to the rear of the site, the footprint measures 9.7 metres by 6.8 metres and it is a traditional cottage style design with a low roof line.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG7	-	The Countryside – Environmental Quality and Economic and Social Development
PPG13	-	Transport

2.2 South Herefordshire Local Plan:

Policy GD1	-	General Development Criteria
Policy SH10	-	Housing in Smaller Settlements

2.3 Herefordshire Unitary Development Plan (Deposit Draft):

Policy H7	-	Housing in the Countryside outside Settlements
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3. Planning History

3.1 Poplar Cottage:

None.

3.2 Lilac Cottage:

CW2000/1455/F	Alterations and extensions to dwelling including new garage – approved.
CW2001/0569/F	Conservatory – approved.

3.3 Raven Lodge:

SH980162PF Extensions to form bedrooms and utility – approved.

3.4 Cherry Trees:

None.

3.5 Adjacent to Fir Tree Cottages:

SH780672PF Alterations and extensions – approved.
SH810023PO 2 bungalows – refused.
SH891318PO 2 bungalows with garages – approved.
SH920271PM 2 bungalows with garages – approved.
SH930698PF 2 dwellings and garages – refused
SH931210PF 2 dwellings and garages – approved.

3.6 Adjacent to High Grove:

CW2000/0849F Two storey extension and porch – approved.
SH871152PO 3 bedroom bungalow – refused.

3.7 Badgers Croft:

SH931478PF Bedroom extension and ensuite – approved.

3.8 Rose Farm:

SH911034PF One 3 bed bungalow – refused.
SH911466PF One 3 bed bungalow – approved.

4. Consultation Summary

4.1 Environmental Agency: No objection.

4.2 Responses by internal consultees that raise material planning issues are summarised and considered in the Officers appraisal.

5. Representations

5.1 Several letters have been received from the agents making the following points:

- The dwelling has been designed as a cottage style to sit within a rural setting, with low eaves and ridge level. The style of the windows are proposed to link with those in Grove Cottage.
- The existing garages will be demolished.
- Existing hedges and trees will be retained where possible.
- Parking hardstanding is kept to a minimum to limit the impact on the land and gardens.

- Further to negotiations with the Environment Agency and Building Regulations Officers, a package treatment plant with soakaway on site is proposed.

5.2 Burghill Parish Council (original consultation): The Parish Council would object to this application and their comments are:-

The entrance to the site is onto an unadopted lane with bad exits at both ends onto the road network.

No allowance has been made for garages to either Grove Cottage, or the proposed new dwelling, and it is felt that this is something that would be impossible to refuse at a later date - thus making both sites very cramped.

The proposed siting of the property is very close to the neighbouring house, and would include the removal of a well established magnolia tree.

There does not appear to be any sewage outlet shown on the plans.

A precedent would be set for another smaller area further east in the same lane - thus making a very overcrowded site.

This would appear to be a speculative proposition as the property is currently "let".

Parish Council comments following consultation:

There is concern over the additional traffic up this lane.

The percolation tests did not work last time, have these been amended or improved?

There is great concern over development in this area – a precedent could be set – as there are several 'possible' plots up this small lane.

The proposed dwelling is very close to neighbouring property and could infringe on these persons privacy.

5.3 Following reconsultation (plans showing design, external appearance, siting and access), letters have been received from Mr. Groves of Redgrove; Mr. Roger, The Chestnuts and Mr. Naylor, No. 1 Fir Cottage. Mr. & Mrs. Wood of Highgrove also wrote in response to the original application. These letters raise the following concerns:

- The parking spaces will be difficult to access directly off the narrow lane. Turning should be provided within the site boundaries.
- The narrow unsurfaced land is already overused, it is not suitable for additional traffic from the dwelling or for construction traffic, especially the exits onto the main roads in the village, where the speed of traffic is a problem.
- Previous proposals have been refused due to access problems onto this narrow track.
- There are mature trees on site which should be preserved. These are not indicated on the plan. Concern at loss of hedgerow along the frontage, this hedge extends down the whole track.

- Concern about the drainage arrangements, these are not clearly shown on the plans. Drainage is already a problem in the area.
 - The location plan is out of date as it omits three new houses.
 - The proposal would set a precedent to allow other new dwellings with access onto this narrow track.
 - The dwelling is squeezed in and not in keeping with the area.
 - A dwelling would affect light to Highgrove.
- 5.4 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The site is located within the small settlement of Tillington. The area is characterised by a mix of detached and semi detached properties including traditional cottages, modern dwellings and bungalows. A number of new properties have been permitted in the vicinity in recent times including "Highgrove" which adjoins the site to the west, and two new bungalows almost opposite the site. The lane retains a rural character due to the predominance of traditional cottages and vegetation along boundaries.
- 6.2 New residential development in small settlements is considered against Policy SH10 of the South Herefordshire Local Plan. In this case, in principle the proposal is considered to comply with the criteria of SH10, the site represents an infill plot within the existing physical boundaries of the settlement, the size of the plot is similar to those in the vicinity and it will not result in cramming or backland development. The main issues for consideration are the design of the dwelling, its impact on the character of the area, the impact upon neighbouring properties and access/parking implications.
- 6.3 With regard to the design of the proposal, a modest cottage style property is proposed with relatively low eaves and ridge level. The property is also sited well back on the site in line with Grove Cottage. The traditional design and relatively small scale of the dwelling are therefore considered appropriate to the character of the location. Landscaping remains a "reserved matter" and can be controlled by condition. However the agent states that vegetation will be retained wherever possible, in particular the front boundary hedge which contributes to the character of the lane is shown on the plans to be retained or replanted. Furthermore, existing unsightly garages directly on the front boundary will be replaced by hedging which will enhance the character of the area.
- 6.4 The modern dwelling, "Highgrove", to the west off the site is substantially screened from the proposal site by well established vegetation. Furthermore this site is elevated above the proposal site, and the new dwelling has no first floor windows facing the side, such that the impact of the new dwelling upon "Highgrove" is not considered detrimental. A distance of 12 metres is retained between the new dwelling and Grove Cottage, and again there are no side windows in the elevation onto Grove Cottage, a new boundary between the properties can be controlled by condition.
- 6.5 The new property is to be accessed from an unmade track which serves several other properties and a number of letters have raised concern at the acceptability of the track for access, and the suitability of parking directly off the lane without turning. This issue

has been given careful consideration and the Head of Engineering and Transportation advises that the access is acceptable. With regard to the parking, the provision of spaces and turning has been balanced against the visual impact of the scheme and in the interests of retaining vegetation and respecting the character of the area, parking has been kept to a minimum and turning space has not been required in this instance. This approach accords with Central Government Guidance on reducing car parking standards where appropriate and encouraging sustainable development.

- 6.6 One objection letter makes reference to a previous application (reference SH911034PF) for a new dwelling accessed off the track which was refused permission for several reasons, one of which related to highway safety. The circumstances in that case were not directly comparable to this proposal, given the proximity of that proposal to the junction with the Class III road. This case has been considered on its merits. Furthermore, the issue of precedent is not raised as an objection as any future applications will be considered on their merits and approval of this dwelling would not set a precedent for other development.
- 6.7 The emerging Unitary Development Plan no longer includes Tillington as a small settlement. This policy change will be considered as part of the Unitary Development Plan process and at this stage the proposal has been assessed against the current adopted policy in the South Herefordshire Local Plan, which defines Tillington as a small settlement.
- 6.8 Concerns have been raised regarding the drainage proposals, and there were problems with percolation tests primarily. The agent has investigated and discussed appropriate means of drainage of both foul and surface waters with the Environment Agency and Building Control Officers, further tests have been carried out, and in principle it is advised that the proposal is now acceptable in this respect. Final details for drainage will be required by condition.
- 6.9 To conclude, the proposal is considered acceptable in principle in accordance with Policy SH10 of the South Herefordshire Local Plan. The design, the impact upon the character of the area and upon neighbouring properties, and the access/parking arrangements are considered acceptable and conditional permission is therefore recommended.

RECOMMENDATION

That outline planning permission be granted subject to the following conditions:

- 1. A02 (Time limit for submission of reserved matters (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 2. A03 (Time limit for commencement (outline permission)).**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

- 3. A04 (Approval of reserved matters).**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4. A05 (Plans and particulars of reserved matters).

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5. H10 (Parking - single house).

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

6. H27 (Parking for site operatives).

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

7. G01 (Details of boundary treatments).

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

8. 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.

9. F18 (Scheme of foul drainage disposal).

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

10. B01 (Samples of external materials).

Reason: To ensure that the materials harmonise with the surroundings.

11. E18 (No new windows in side elevation of extension).

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies