

2 SW2003/1823/RM - PROPOSED DWELLING AND GARAGE, LAND ADJACENT TO BLACKSMITHS COTTAGE, KINGSTHORN, HEREFORD. HR2 8AL**For: Perfection Homes per Paul T. Sant, Broxash, Litmarsh, Marden, Hereford, HR1 3EZ****Date Received: 17th June 2003 Ward: Pontrilas Grid Ref: 4995 3194****Expiry Date: 12th August 2003**

Local Member: Councillor G. W. Davis

1. Site Description and Proposal

- 1.1 The application comprises part of the garden area to the south-east of Blacksmiths Cottage. Access is gained onto Forge Lane, an unclassified road (u/c 71609) that joins the Class III road (C1263) approximately 140 metres to the north-west. Forge Lane is a narrow unclassified road that inclines very steeply up towards the aforementioned Class III road that leads almost north-south on the western edge of Kingsthorne. It declines south-eastward past Blacksmiths Cottage down the Wrigglesbrook Valley.
- 1.2 This site was the subject of a previous application that was refused by Planning Committee on 12th October, 2001. Planning permission was granted on Appeal to the Secretary of State on 22nd October, 2002.
- 1.3 It is proposed to erect a 4 bedroom dwelling comprising white rendered walls on top of brick plinth walls, under a clay tile roof. The dwelling is parallel with Forge Lane, and is sited 3 metres from the metalled edge of the unclassified road. There would be two two-storey rectangular buildings that are linked by a one and a half storey block providing an entrance hall and stairwell.
- 1.4 A double garage comprising red facing bricks under a tiled roof matching the dwelling is proposed to be erected close to the new entrance serving the dwelling. This is where the ground level is closer in level to the highway level, given the fall of the site northwards and eastwards towards Mill Cottage.
- 1.5 The boundaries of the site will be reinforced on the highway boundary and boundary with Blacksmiths Cottage by thorn hedging.

2. Policies**2.1 Hereford and Worcester County Structure Plan**

Policy CTC.2	-	Areas of Great Landscape Value
Policy CTC.9	-	Development Requirements
Policy H.16A	-	Houses in Rural Areas

2.2 South Herefordshire District Local Plan

Kingsthorne Policy (Part 2) on Drainage

Policy GD.1	-	General Development Criteria
Policy C.8	-	Development within Area of Great Landscape Value
Policy C.43	-	Foul Sewerage
Policy SH.8	-	New Housing Development Criteria in Larger Villages
Policy SH.14	-	Siting and Design of Buildings
Policy SH.15	-	Criteria for New Housing Schemes
Policy T.3	-	Highway Safety Requirements

3. Planning History

3.1	SW2001/1420/O	Detached dwelling	-	Refused 22.08.01. Allowed on Appeal 22.10.02
	SH892169PO	New dwelling	-	Refused 07.02.90. Dismissed on Appeal 27.07.90
	SH891193PO	New dwelling	-	Refused 04.10.89

4. Consultation Summary

- 4.1 The Environment Agency states that the porosity tests were satisfactory and advises that the applicant be aware of British Standard requirements.

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

5. Representations

- 5.1 Much Birch Parish Council has no objection.
- 5.2 Much Dewchurch Parish Council "fully support this application."
- 5.3 One letter of representation has been received from:

Mr. R. Davis & Mrs. E. Perkins, Mill Cottage, Kingsthorpe, Hereford, HR2 8AW

The following main points are raised:

- fly in the face of criteria established by Appeal Decision
- too large for this small patch of land
- contrary to landscape quality of Area of Great Landscape Value
- it is skyline, contrary to Appeal
- dominate our garden, would overlook us and others lower down
- drainage problems, too close to our property
- ground waterlogged in winter months, what goes into ground above us reappears in our garden
- large 4 bedroom house and drainage system directly on our boundary is a recipe for unpleasant and unhygienic conditions.

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

6. Officers Appraisal

- 6.1 With the principle of the development having been accepted, there are considered to be two main issues and these relate to drainage and the type and form of development proposed for this site.
- 6.2 The Environment Agency are satisfied with the porosity tests carried out for the site. There is considered to be sufficient area for drainage purposes. It is understood that land in the ownership of the original applicant will be utilised. A septic tank was originally applied for, and was the subject of the appeal. The bio-disc system and associated drainage is more environmentally acceptable for foul drainage purposes. Nevertheless a survey should have been produced of existing watercourses, ditches and land drainage systems as required by conditions attached to the Inspector's Decision letter. The Building Control Section would also require details of the extent of drainage pipes, but do not at this stage raise objections to the scheme. They also consider that there is sufficient land available for dealing with surface water.
- 6.3 The Inspector in his decision letter does make reference to any dwelling not forming a sky-line feature. The dwelling has been sited further up slope than was envisaged, nevertheless the backdrop of trees along Forge Lane and rising ground to the south of Forge Lane lessen the impact. Mayhill Lodge which is on much higher ground than the application site dominates this part of Kingsthorpe when viewed across the valley from the north. It is not considered that the height of the dwelling, 7.7 metres to ridge height when measured from the highest ground level, is excessive given that the site declines from the highway verge.
- 6.4 A further issue relates to overlooking. The nearest first floor window to the building between Mill Cottage and the site is 10 metres, which is a single light window serving bedroom 2. Mill Cottage is a further 20 metres away on the south-eastern side of the tree and hedgerow lined boundary. It is considered that the distance between the existing and proposed dwelling is sufficient in terms of levels of privacy that would be reasonably expected.
- 6.5 The access arrangements proposed are in accordance with the conditions imposed by the Inspector in the decision letter.
- 6.6 It is considered that the design, means of access, materials and siting of the dwelling are satisfactory and therefore the application complies with Policies GD.1, C.43, SH.8 and SH.14 contained in the South Herefordshire District Local Plan. Further information will be required in relation to the foul drainage which would be required for Building Regulation purposes in any instance. This would establish that a satisfactory means of drainage can be achieved.

RECOMMENDATION

That subject to further satisfactory information being submitted in relation to foul drainage, officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following condition and any additional conditions considered necessary by officers:

1. 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.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.