

**9 SE2003/1633/O - SITE FOR ERECTION OF BUNGALOW. LAND ADJACENT BURMELL, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AJ**

**For: Mr & Mrs D H Phillips per Paul Smith Associates,  
Chase View House, Merrivale Road, Ross-on-Wye,  
Herefordshire HR9 5JX**

**Date Received: 2nd June 2003      Ward: Llangarron      Grid Ref: 5840 2446**

**Expiry Date: 28th July 2003**

Local Member:    Councillor Mrs J A Hyde

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

1.1 The application site comprises an irregularly shaped area about 19 m wide x 29 m deep situated to the rear of Burmell, a detached house fronting the A40(T) at Bridstow. Vehicular access to the property is via a narrow, winding private road leading off Bannuttree Lane giving access to the rear about 6 residential properties, 5 of these from either the A40(T) or Bannuttree Lane, the sixth (Orchard House) has only a narrow frontage to the private road. In addition a further dwelling has been granted planning permission adjoining Orchard House in the garden of Appledore, with access only on to the private road.

1.2 An earlier outline application (SE2000/0854/O) for the erection of a bungalow on the same site was refused permission in June 2000. The reasons for refusal were as follows:

1. The proposed bungalow would be an overdevelopment of the site being a cramped form of development which would be out of scale and character with the area and detrimental to the amenity of neighbours.
2. For these reasons the proposal would conflict with Policies H16A and CTC9 of the Hereford and Worcester County Structure Plan and Policies SH10, SH14 and GD1 of the South Herefordshire District Local Plan.
3. The access road is substandard in width, with no passing places and with limited visibility at the junction with Bannuttree Lane. Any intensification of its use would be detrimental to highway safety.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPG.7            The Countryside: Environmental Quality and Economic & Social Development

## 2.2 Hereford and Worcester County Structure Plan

Policy H16A     Housing in Rural Areas  
Policy H18     Housing in Rural Areas

## 2.3 South Herefordshire District Local Plan

Policy SH10     Housing in smaller settlements  
Policy SH14     Siting and design of buildings  
Policy SH15     Criteria for new housing schemes  
Policy GD1     General development criteria

## 3. Planning History

SE2000/0854/O                      Site for bungalow                                      Refused 12.6.00

## 4. Consultation Summary

Welsh Water has no objection but recommends conditions regarding separate foul water and surface water discharges.

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

## 5. Representations

### 5.1 Applicants agent makes the following comments:

1. Outline planning permission was refused in 2000 for a similar development on this plot on the grounds the proposal was 'over development' and that the intensification of use of the vehicular access was unacceptable. Since that decision, it has come to light that the site plan for the previously refused permission was incorrect; it indicated the depth of the application site to be 28 metres when, in fact, it is 32.5 metres. The 'additional' 4.5 metres would enable the applicant to provide a rear garden to the proposed dwelling, 10 metres in depth. Therefore, the previous objections of 'over development' no longer apply with a plot ratio comparable to recently erected and approved dwellings in the vicinity to this plot.
2. As regards the vehicular access, you are reminded that two Planning Inspectors when considering appeals in relation to a proposed dwelling to the rear of 'Appledore' concluded that these access issues did not, on their own, justify the refusal of planning permission (your ref: SE2001/1780/O). These conclusions apply with equal force to the current proposal which entails identical access improvements. These access improvements would have benefits for existing and proposed users outweighing the modest additional traffic arising from the proposed dwelling.
3. Policy SH10 of the Adopted Local Plan requires, *inter alia*, that there exist a 'local housing requirement' for this dwelling in this village. I would remind you of the instances where Planning Inspectors have allowed dwellings under this policy in the absence of such evidence. Indeed, in refusing planning permission, in 2000, for the earlier scheme on this plot, the Council raised no objection on the issue of 'local housing requirement' despite no evidence being offered at that time.

Nevertheless, I would draw your attention to paragraph 6 of the Inspector's decision letter dated July 2002 (your ref SE2001/1780/O in which he confirmed that he was satisfied that a requirement exists for a single dwelling in Bridstow.

4. The erection of this dwelling would accord fully with the Development Plan, in particular policies H16A, GD1, SH10, SH14 and SH15. No harm will be caused to the character or appearance of the host environment, neighbouring properties nor highway conditions as confirmed in 2001 and 2002 by Planning Inspectors.
- 5.2 Parish Council has concerns that this bungalow will lead to overcrowding.
  - 5.3 Two letters have been received which object to the proposal for the following reasons:
    - balance and spacing of existing properties will be changed dramatically;
    - further strain on lane currently serving 5 properties (6 once planning permission implemented) - this is a totally unsuitable small track which has a junction with poor visibility;
    - unnecessary and unacceptable infilling of a well-balanced residential lane;
    - increased noise and reduction in privacy;
    - set precedent - difficult to resist applications on any parcel of land no matter how small and adjoining resident is considering applying

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 There were two grounds for refusal of the earlier application relating to a cramped form of development which would be out of character with the area and the sub-standard access road. On the first ground the Inspector in the appeal relating to a bungalow at the rear of Appledore noted that that site, although very different to the houses fronting A40(T) and Bannuttree was comparable to and related acceptably to Orchard House, which he refers to as a gabled bungalow with rooms in the roof. In comparison the proposed bungalow was "modest and appropriate structure". Similar consideration would apply in the current case which also has Orchard House as its main visual context. The plot (excluding the shared access with Burmell) is smaller than Orchard House and the bungalow approved by the Inspector but not significantly so (about 470m<sup>2</sup> compared to 490m<sup>2</sup> for the permitted bungalow). It would be closer to Orchard House but provided it was a suitable size and siting would not appear cramped nor harm the amenities of occupiers of neighbouring properties. An existing hedge along the boundary with Orchard House helps in this respect.
- 6.2 The second ground was the narrow access with poor visibility at its junction with Bannuttree Lane. In the appeal referred to the Inspector found that with the proposed improvements the private road would "allow the occupiers of the existing and proposed dwellings to use the track with the minimum of inconvenience". Visibility at the junction with Bannuttree Lane would be well below standard but in view of the low number of vehicle movements at the junction he concluded that the harm to highway safety from one extra dwelling was not sufficient to dismiss the appeal. Similar consideration would apply in this case and it should be noted that the Head of Engineering and Transportation, Divisional Surveyor (South) does not recommend refusal of permission.

6.3 In view of the Inspector's conclusions, it is considered that there are insufficient grounds to refuse planning permission in this case.

**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 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.**

**3 A03 (Time limit for commencement (outline permission) )**

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

**4 A04 (Approval of reserved matters )**

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

**5 The dwelling shall not be occupied until space has been laid out within the site for 2 cars to be parked. The space shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority before any development commences, and the area shall not thereafter be used for any other purpose than the parking of vehicles.**

**Reason: In the interests of safe and free flow of traffic on the highway.**

**6 No development shall take place until the improvements to the access track shown on drawing no PMS/00/01 have been carried out in accordance with a scheme which has been previously submitted to and approved in writing by the local planning authority.**

**Reason: In the interests of safe and free flow of traffic on the highway.**

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.