

5 CW2003/2279/F - ERECTION OF ONE BUNGALOW, ONE DORMER BUNGALOW AND GARAGES AT MARDEN SERVICE STATION, MARDEN, HEREFORD, HEREFORDSHIRE, HR1 3DN

For: Mr. G. Porter per Mr. D. Mundy, 8 Ballard Close, Ludlow, Shropshire, SY8 1XH

Date Received: 28th July 2003

Ward: Sutton Walls

Grid Ref: 52230, 47540

Expiry Date: 22nd September 2003

Local Member: Councillor J.G.S. Guthrie

1. Site Description and Proposal

- 1.1 The site is in the centre of Marden on the northern side of the C1124 through the village and just to the west of White House Close. The site which is occupied by a vacant warehouse and service station, adjoins an existing parade of shops. The surrounding area is characterised by bungalows, some of which are developed at high density. The site is 21 metres in width and 50 metres in depth.
- 1.2 The proposal is a full application for the erection of one bungalow on the rear half of the site and a dormer bungalow on the front half, with a shared double garage sited between the properties. Both properties are 3 bedroomed, the bungalow to the rear is 'L' shaped, maximum footprint 11 metres by 12 metres and height 5.5 metres. The dormer is 11.5 metres by 6.6 metres maximum height 6 metres, the dormers face the road. Materials proposed are brick and concrete tiles. The access is as existing and an existing footpath across the site is maintained.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG3	-	Housing

2.2 South Herefordshire Local Plan:

Policy GD1	-	General Development Criteria
Policy SH6	-	Housing Development in Larger Villages
Policy SH8	-	New Housing Development in Larger Villages
Policy T4	-	Highway and Car Parking Standards

2.3 Herefordshire Unitary Development Plan (Deposit Draft):

Policy H4	-	Main Villages – Settlement Boundaries
Policy DR1	-	Design
Policy H13	-	Sustainable Residential Development

3. Planning History

CW2001/0081/O Demolition of garage and workshop and site for 3 bungalows.
Approved 24/05/2001.

4. Consultation Summary

4.1 Environment Agency: No objection in principle, recommend conditions.

4.2 Hyder: If minded to grant planning consent, conditions and advisory notes are requested.

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

5. Representations

5.1 The applicant included a supporting letter and has also written in response to the objection letter, summarised as follows:

- The front boundary of Plot 1 is set back from the road to allow future formation of a pavement.
- The dormer windows overlook the road, and by creating a dormer the footprint of the property is kept to a minimum. The building is set back 2.5 metres from the boundary with No. 1 White House Close and the floor level will be 450 mm below this neighbour, the ridge line also runs away from the neighbours boundary.
- The Plot 2 bungalow is 2.4 metres from the neighbours boundary and set down in relation to the neighbouring property by 600 mm. The garage is hipped and 5 metres from the boundary.
- The above factors aim to keep disturbance to neighbours to a minimum and maximise light, improving the existing situation and the impact caused by the existing garage and workshops.

5.2 Marden Parish Council: The Parish Council had no objection to this proposal. The Parish Council feels this is a well thought out development and will enhance the appearance of an untidy area of the village.

5.3 One letter of objection from Mrs. Peak of No. 1 White House Close, raising the following concerns:

- The outline application was for 3 bungalows with no mention of dormer bungalows, this will make a considerable difference to my property.
- There will be a reduction in light to my kitchen/utility and lounge area. These rooms are forward of the existing garage but the siting of the new bungalow will reduce light, this is made worse by the height of a dormer bungalow.
- The grass verge shown in front of No. 1 White House Close is in fact a pavement.

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 This site forms part of a larger area (which includes a third plot to the rear of the shops), which has outline permission for residential development. As such the principle of residential development on the site is established. The outline permission included a condition that dwellings should be single storey in the interests of local amenity. This application is a full application because the application site is different to the outline permission (and for 2 properties rather than 3 including one dormer property).
- 6.2 The site is within the settlement boundary of Marden, where new development is considered against Policy SH8 in the South Herefordshire Local Plan. In accordance with this policy, development is in keeping with both the general density, pattern and character of the surrounding area, which is predominantly characterised by a mix of bungalow types.
- 6.3 In terms of the impact upon neighbouring properties, the concerns raised by the neighbouring resident of No. 1 White House Close are noted. In assessing the impact on this neighbour, the existing two storey garage building must be taken into account, as this already has a significant impact on the neighbour. The siting and height of the proposed dormer bungalow is not considered to have an overbearing impact on the neighbour, and the dormer bungalow will not result in overlooking. In terms of daylight implications, it is not considered that the new dormer bungalow will significantly reduce levels of daylight any further than the existing garage building. A condition will be imposed to require that the end elevation of the bungalow will be rendered and painted white to reflect daylight back to the neighbouring property, no new windows will be allowed in this side elevation and boundary treatment will also be controlled by condition.
- 6.4 The other bungalow to the rear is single store and the other neighbouring properties are not considered to be adversely affected by the proposed development.
- 6.5 The existing access to the site is utilised which is satisfactory subject to conditions. Garaging and parking will meet the Council's Car Parking Standards.
- 6.6 The outline permission included conditions relating to contamination investigations and removal of the former petrol tanks. The petrol tanks have now been dealt with, the condition requiring contamination investigations is repeated. An informal footway has historically existed across the site, although this has not raised local concern as part of this application, it did at the outline application stage and the Local Planning Authority consider it important that this is retained, and again conditions are proposed to this effect.
- 6.7 To conclude, the principle of residential development on the site is established. The detailed design of the scheme is considered acceptable in terms of the density, layout, character and appearance. Taking account of the existing use and buildings on the site, the impact of the proposed development upon neighbouring properties is not considered unduly detrimental. Parking and access arrangements are acceptable and overall subject to conditions the application is recommended for approval.

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. **A06 (Development in accordance with approved plans).**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.
3. **B01 (Samples of external materials).**
Reason: To ensure that the materials harmonise with the surroundings.
4. **E16 (Removal of permitted development rights).**
Reason: In the interests of local amenity.
5. **E18 (No new windows in specified elevation).**
Reason: In order to protect the residential amenity of adjacent properties.
6. **F16 (Restriction of hours during construction).**
Reason: To protect the amenity of local residents.
7. **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.
8. **G04 (Landscaping scheme (general)).**
Reason: In order to protect the visual amenities of the area.
9. **G05 (Implementation of landscaping scheme (general))**
Reason: In order to protect the visual amenities of the area.
10. **G01 (Details of boundary treatments).**
Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.
11. **The public footway shown on the site plan along the northern edge of the site and alongside the communal driveway shall be kept open for public access at all times and shall not be obstructed in any way.**
Reason: In the interests of local amenity.
12. **Prior to commencement of development, details of a suitable demarcation line along the edges of the public footway shall be submitted to and approved in writing by the local planning authority. Development shall be in accordance with the approved details.**

Reason: In the interests of local amenity.

- 13. H13 (Access, turning area and parking).**

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

- 14. Foul water and surface water discharges must be drained separately from the site.**

Reason: To protect the integrity of the public sewerage system.

- 15. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 16. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

- 17. The former drainage runs and oil interceptors shall be cleaned and decommissioned in accordance with the requirements of good practice set out in the DEFRA Groundwater Protection Code: Petrol Station and other fuel dispensing facilities involving underground storage tanks.**

Reason: To prevent pollution of the water environment.

- 18. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water has been submitted to and approved in writing by the local planning authority. Such a scheme shall be implemented in accordance with the details approved by the local planning authority.**

Reason: To prevent the increased risk of flooding.

- 19. No development approved by this permission shall be commenced until:-**

(a) The application site has been subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved by the local planning authority.

(b) Detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the "Contamination Proposals") have been submitted to and approved by the local planning authority.

(c) For each part of the development contamination proposals relevant to that part (or any part that would be affected by the development) shall be carried out either before or during such development as appropriate.

- (d) If during development works any contamination should be encountered which would previously identified and is derived from a different source and/or a different type to those included in the "Contamination Proposals" then revised "Contamination Proposals" shall be submitted to the local planning authority.
- (e) If during development works site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed "Contamination Proposals".

Reason: To prevent pollution of the water environment.

- 20. The eastern side elevation of the dormer bungalow on Plot 1 shall be rendered and painted white.

Reason: In the interests of neighbours amenities.

Notes to Applicant:

- 1. If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water's Network Development Consultants on tel: 01443 331155.
- 2. HN01 - Mud on highway.
- 3. HN04 - Private apparatus within highway.
- 4. HN05 - Works within the highway.
- 5. HN10 - No drainage to discharge to highway.
- 6. If during construction/excavation works any contaminated material is revealed then the movement of such material either on or off site should be in consultation with the Agency. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990.

Carriers transporting waste from the site must be registered carriers.

- 7. It is noted that the grass verge shown in front on No. 1 White House Close is actually a pavement area.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.