

2 DCCW2003/2313/F - PROPOSED CONSERVATORY ON REAR OF PROPERTY AT FOURACRES (PLOT 3), LOWER CROFT, MARDEN, HEREFORD, HR1 3EW**For: Mr. J.M. Card of the same address****Date Received: 31st July 2003 Ward: Sutton Walls Grid Ref: 52920, 47858****Expiry Date: 25th September 2003**

Local Member: Councillor J.G.S. Guthrie

1. Site Description and Proposal

- 1.1 The site is within the settlement of Marden. It is a recently constructed detached infill dwelling. Permitted development rights were removed from this new dwelling because it is adjacent to a Listed Building.
- 1.2 The application is for a conservatory on the rear of the property (footings have been dug for the conservatory). The conservatory has a maximum width of 3.6 metres and depth of 5.5 metres, it is constructed of PVC in a light oak finish on a brick base.

2. Policies**2.1 South Herefordshire Local Plan:**

Policy GD1	-	General Development Criteria
Policy SH23	-	Alterations and Extensions
Policy C29	-	Setting of a Listed Building

2.2 Herefordshire Unitary Development Plan (Deposit Draft):

Policy DR1	-	Design
Policy H18	-	Alterations and Extensions

3. Planning History

- 3.1 CW2001/0252/O Site for new dwelling to include vehicular access to Lower Croft. Approved 2nd April 2001.
- CW2001/2412/RM Site for new 4 bedroomed house and combined access. Refused 6th November 2001.
- CW2001/3339/RM New 4 bedroomed house with double garage and new combined access. Refused 7th February 2002.
- CW2002/0683RM New 4 bedroomed house and garage. Approved 3rd May 2002.

4. Consultation Summary

Internal Council advice

4.1 Head of Engineering and Transportation has no objections.

4.2 The Chief Conservation Officer has no objections.

5. Representations

5.1 Marden Parish Council: No objection.

5.2 Two letters from Lower Croft and Hebron House, making the following comments:

- The conservatory is relatively large projecting into the garden by 6 metres.
- Ground levels on this plot are raised in relation to neighbours which will make the conservatory more prominent.
- A dark brown or timber frame would be preferable.
- Although the garage will partially screen the conservatory from "Lower Croft", because of ground levels there will still be some overlooking.
- It is requested that the conservatory is made smaller or has a solid brick wall along the side facing Lower Croft to prevent overlooking.

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 main issues for consideration in this case are the design of the conservatory and its impact on the existing property and surrounding area, including the setting of the Listed Building, and the impact upon neighbouring properties.

6.2 The design and scale of the conservatory are considered to respect the existing dwelling. The conservatory will be substantially screened from the surrounding area by the garage, boundary vegetation and fencing it will not be viable from the street scene. The materials, a light oak effect frame and brick are considered acceptable.

6.3 The conservatory is sited away from the adjoining Listed Building, Hebron House and is not considered to affect the setting of the Listed Building.

6.4 The conservatory will be substantially screened from the neighbouring property 'Lower Croft' by the garage and as such although there will be a degree of overlooking this is not considered to be unduly detrimental to the amenities of this neighbour. It would be preferable to have obscure glazing in the side elevation of the conservatory to totally prevent overlooking, however further to discussion the applicant is unwilling to take this approach. Without obscure glazing overlooking is not so bad that it would warrant refusal on these grounds, and overall objection in terms of the impact upon neighbouring properties could not be sustained.

6.5 There are no parking or access implications.

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.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies..