

## 4 DCCE2003/2041/F - ERECTION OF NEW DWELLING WITH GARAGE/GARDEN STORE PORTWAY, GRAFTON LANE, NR. HEREFORD

**For: Leominster Drylining Ltd, Josan, Newlands Drive, Leominster, Herefordshire, HR6 8PR**

**Date Received: 11th July 2003**

**Ward: Hollington**

**Grid Ref: 49708, 35611**

**Expiry Date: 5th September 2003**

Local Member: Councillor W.J.S. Thomas

### 1. Site Description and Proposal

- 1.1 The application site is located to the eastern side of Grafton Lane, opposite Grafton Cottages and adjacent to the detached dwelling known as Highfield.
- 1.2 The site comprises the original site for four dwellings first permitted as a departure from the structure plans in March 1988 (SH871629PO), later permissions were granted in March 1991 for the relaxation of the building line and then to enlarge the site for one dwelling in May 1991 (SH910479PO). In 1992 a revised application was approved for a dwelling and garage, this was renewed in 1998 and has recently expired.
- 1.3 The proposed dwelling would be for a detached dormer bungalow with garage set back 15m from the front boundary of the site. A distance of 6.25m lies between the proposed garage and boundary wall with the adjacent property. The dwelling would provide four bed accommodation (1 en-suite) bathroom, lounge, dining room, kitchen/breakfast room and utility. A detached double garage with garden store to the rear lies to the south east of the dwelling nearest to the adjacent dwelling.

### 2. Policies

#### 2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG13	-	Transport

#### 2.2 South Herefordshire District Council:

GD1	-	General Development Criteria
C1	-	Development Within Open Countryside
SH1A	-	Overprovision of Housing
SH11	-	Housing in the Countryside
SH14	-	Siting and Design of Buildings
SH15	-	Criteria for New Housing Schemes
SH21	-	Replacement Dwellings

#### 2.3 Herefordshire Unitary Development Plan (Deposit Draft):

S3	-	Housing
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DR1	-	Design
H1	-	Hereford and Market Towns: Settlement Boundaries and Established Residential Areas

### **3. Planning History**

- 3.1 SH871629PO - 4 dwellings. Approved 3rd March, 1988.
- 3.2 SH900879PF - Relaxation of building line. Approved with conditions 15th March, 1991.
- 3.3 SH910479PO - One dwelling. Approved with conditions 22nd May, 1991.
- 3.4 SH920609PF - new dwelling and garage. Refused 24th June, 1992.
- 3.5 SH921503PF - new dwelling with garage in accordance with revised plans received on 23rd February, 1993. Approved with conditions 7th July, 1993.
- 3.6 SS980435PF - Renewal of full planning approval SH921503PF - new dwelling and garage. Approved 23rd September, 2003.

### **4. Consultation Summary**

#### Statutory Consultations

- 4.1 Environment Agency has no objection in principle but recommends that if planning permission is granted planning conditions are imposed relating to foul water drainage.

#### Internal Council Advice

- 4.2 Head of Engineering and Transportation recommends conditions.
- 4.3 Chief Forward Planning Officer states the application is contrary to Local Plan policy.

### **5. Representations**

- 5.1 Grafton Parish Council: No objection to the proposals were raised at the meeting.
- 5.2 One letter of objection has been received from M. Davies of Highfield,. Grafton Lane, Hereford. Their concerns are summarised as follows:

1. The end of the proposed dwelling is only 6 metres from my boundary. Previous plans have been submitted and in those the distance was 15 metres. The distance has moved considerably closer to my boundary and given the size of the plot I see no reason for this.

2. The property size of the proposed dwelling is considerably larger than previous plans and there are 16 metres at the other side of the plot. I feel there is more than sufficient land to move the plot futher away from my boundary.

3. The plans show the position of the septic tank. This is positioned 2 metres from my boundary. Again given the size of the plot is extremely close to my boundary. I feel that the septic tank should be moved further away from my boundary to ensure I do not

have any drainage problems relating to the proposed plot. I have an established beech hedge which I feel could be jeopardised.

4. With reference to the front of the lot on previous plans a pavement was shown next to the lay-by. The pavement was a condition of the three other plots and I feel it would look out of place if this pavement did not continue to the end of the lay-by.

5.3 One letter of support has been received from 1 Grafton Cottage, Grafton Lane, Hereford.

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 issues for consideration in the assessment of this application are:

- The principle of a residential property on this site.
- The layout and design of the dwelling in relation to the character of the surrounding area.
- The relationship with and impact on the adjoining properties.
- Highway safety and car parking provision.
- Drainage.

6.2 The application site has been the subject of a number of applications for a single dwelling over the last two decades, initially forming part of an application for four residential plots on the land. The other three related plots have been completed and resided in for a number of years. Although the erection of a new residential dwelling within open countryside is currently contrary to local plan policy, the planning history of the site can be considered as a material planning consideration. Due to the historical acceptance of this site as a residential building plot there is no objection in terms of the principle of developing the site with a single unit of residential accommodation.

6.3 The proposed dwelling is a dormer bungalow set centrally within the plot of land. It will be set back 14m from the roadside, which will be further back than the adjacent dwelling known as Highfields. There will be a gap of some six metres between the proposed dwelling and the boundary wall. The design of the dwelling has been altered from the form submitted in the last application to improve the external appearance of the proposed dwelling. Although the area can be described as a rural in nature, the immediate vicinity is characterised by detached modern dwellings set in relatively large plots facing onto Grafton Lane. The design and layout of the proposed dwelling reflects the character of the surrounding area in accordance with policies SH14 and GD1 of the South Herefordshire District Local Plan

6.4 In the consideration of the impact on the neighbouring properties, the three properties which may be affected would be 1 and 2 Grafton cottages which lie directly opposite the application site, and Highfields which lies adjoining the south east boundary of the site. Firstly it is considered that given the distances between the Grafton Cottages and the proposed dwelling and considering there is a public highway running between the

dwellings, there will be no adverse impact on the living conditions of the occupants of these dwellings. With reference to the adjacent property, the proposed dwelling would be slightly set back from the line of the existing dwellings on this side of the road, and it is set some 6m from the boundary wall between the plots. The detached garage with garden store to the rear has been placed in the position nearest the existing dwelling that would serve to act as a buffer between the living accommodation of both dwellings. The lounge does project to the rear of the dwelling with two windows facing towards the adjacent property. However, these are at ground floor level only with a distance in excess of 22m from the adjacent dwelling. As such it is considered that the impact will be minimal and as such there will be no detrimental effect on the living conditions of the adjoining property. During the application process a discrepancy in the size of the site on the plans was noted and plans amending the application site have been requested. This error is minimal and the extent of the site is clearly demarcated by boundary edges and walls on site.

- 6.5 The letter of objection raises the issue of the alteration of the siting of the dwelling bringing it closer to their property than the original permission in 1992 (renewal in 1998). Whilst it is not contested that the siting has been altered, the design of the property has also been altered and the current application has been considered on its merits. In its current form it is not considered to be intrusive or overbearing nor would it have an adverse effect on the amenities of the neighbouring properties.
- 6.6 There is no objection to the access and parking provision to the site, subject to the inclusion of conditions to ensure that visibility splays are retained and that parking and turning spaces are included to ensure that vehicles can enter and leave the site in a forward gear.
- 6.7 There are some concerns regarding the siting of the proposed septic tank so close to the boundary of the neighbouring property. The Environment Agency has recommended that conditions be added so that the drainage arrangements can be agreed prior to the commencement of development in accordance with the current government guidance and legislation. It is considered that a suitable solution can be found and as such that this is not reason for refusal.
- 6.8 In conclusion, having regard to the historical approvals on this site there is no objection in principle to the development of a single residential unit on the site. The proposed siting and design of the dormer bungalow and detached garage are satisfactory, relating well to the character of the immediate vicinity. The impact on the neighbouring properties will be minimal in nature and would not have a detrimental impact on the living conditions and amenity enjoyed by these occupants. The site is able to provide safe access and adequate parking and turning provision in accordance with local plan policy. Sufficient drainage can be provided on the site and can be controlled by condition. As such the proposed development falls in accordance with the policies of the South Herefordshire District Local Plan.

## RECOMMENDATION

**That subject to the receipt of suitably amended plans, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions considered necessary by officers:**

- 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 A07 (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 H01 (Single access - not footway)**

**Reason: In the interests of highway safety.**

**5 H03 (Visibility splays)**

**Reason: In the interests of highway safety.**

**6 H05 (Access gates)**

**Reason: In the interests of highway safety.**

**7 H06 (Vehicular access construction)**

**Reason: In the interests of highway safety.**

**8 H10 (Parking - single house)**

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

**9 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.**

**10 E17 (No windows in side elevation of extension)**

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

**11 No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been approved by the local planning authority. The scheme shall be implemented in accordance with the approved details.**

**Reason: To prevent pollution of the water environment.**

**12 G04 (Landscaping scheme (general))**

**Reason: In order to protect the visual amenities of the area.**

**13 G05 (Implementation of landscaping scheme (general))**

**Reason:** In order to protect the visual amenities of the area.

**Notes to Applicant:**

- 1    **HN01 - Mud on highway**
- 2    **HN04 - Private apparatus within highway**
- 3    **HN05 - Works within the highway**
- 4    **If connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water Development Consultants on tel: 01443 331155.**
- 5    **N14 - Party Wall Act 1996**
- 6    **The application falls outside areas of known problems for septic tank drainage. However, to comply with DETR Circular 3/99 and BS 6297:1983 the applicant should ensure that the following criteria are met:**
  - a) **The septic tank and soakaway system are designed to meet the requirements of BS 6297:1983; and**
  - b) **There is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10m of any ditch or watercourse; and**
  - c) **Porosity tests are carried out to the satisfaction of the local planning authority to demonstrate that suitable subsoil and adequate land area is available for hte soakaway (BS 6297:1983).**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.