

**3 DCSW2003/1769/F - RESIDENTIAL DEVELOPMENT  
COMPRISING: THREE NO. 3 BED DETACHED  
HOUSES, TWO NO. 2 BED SEMI-DETACHED HOUSES  
AND THREE NO. 2 BED TERRACED HOUSES,  
MONTROSE, MADLEY, HEREFORD, HR2 9LS**

**For: M. F. Freeman Ltd per James Spreckley, MRICS  
FAAV, Brinsop House, Brinsop, Herefordshire,  
HR4 7AS**

**Date Received: 12th June 2003    Ward: Stoney Street    Grid Ref: 41920, 38752**

**Expiry Date: 7th August 2003**

Local Member:    Councillor D. C. Taylor

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

- 1.1 This site is approximately 0.2 hectares in area. It comprises the existing bungalow, single storey outbuildings to the north-west and an orchard to the rear or north-west that adjoins the Primary School. Three residential properties adjoin the site on the south-western and south-eastern boundaries of the site. There is a hairdressing salon immediately to the south-west that has occupied a former telephone exchange since the early 1980s.
- 1.2 Access is gained onto Brampton Road, as at present, nearly opposite St. Mary's Church, a Grade I Listed building.
- 1.3 It is proposed to erect 8 dwellings on the site. Two three-bedroom dwellings will be sited either side of the central access serving the development. A further three bedroom dwelling will be sited on the south-western portion of the site, the remaining five dwellings are grouped in a pair and terrace of 3 properties and all have rear elevations facing towards the Primary School. The dwelling houses will be built in red brick.
- 1.4 Two parking spaces are provided within the site for the use of the hairdressing salon.

### **2. Policies**

#### **2.1 Planning Policy Guidance**

- PPG.1            -        General Policy & Principles  
PPG.3            -        Housing

#### **2.2 Hereford and Worcester County Structure Plan**

- Policy CTC.9    -        Development Requirements  
Policy H.16A    -        Housing in Rural Areas

#### **2.3 South Herefordshire District Local Plan**

- Policy GD.1     -        General Development Criteria

- 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 Requirements

## 2.4 Unitary Development Plan

There are no policies that are considered to raise issues different from the current Development Plan policies.

## 3. Planning History

- 3.1 None identified relating to the site.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water recommends that conditions are attached separating foul and surface water discharges from the site.

### Internal Council Advice

- 4.2 The Head of Engineering and Transportation recommends that conditions are attached to any grant of planning permission.
- 4.3 The Chief Conservation Officer states that in respect of the setting of the Grade I Parish Church opposite the site, treatment of the frontage elevations of Plots 1 and 2 and of their boundaries are important. He also recommends that a condition requiring an archaeological survey/scheme of investigation be attached to any planning permission.

## 5. Representations

- 5.1 The applicants' agent states in a covering letter:

- please find enclosed, following pre-application discussions with Officers in Development Control, Forward Planning and Highways
- site is within defined settlement boundary for Madley. It accords with Policies H.16A in the Hereford and Worcester County Structure Plan and SH.8 in the South Herefordshire District Local Plan.

- 5.2 Madley Parish Council make the following observations:

"1. The density of this development is too high on such a small plot and the site location plan does not show all adjacent existing and proposed properties.

2. The access is on to a dangerous, narrow and often congested section of road and there is a risk of damage to the Churchyard wall, which runs along this road.

3. Although the illustrated houses are of a sympathetic design, the application indicates that there are no affordable dwellings on this development.

4. Residents living adjacent to the site are concerned about preservation of/reinstating of their boundaries.
  5. There are still concerns about the sewage problems.
  6. Madley has already had more than its allocation of twenty (20) new dwellings (Ref. Unitary Development Plan) and over development would be detrimental to the rural status of the village.
  7. Any stone walling must be in keeping with the existing stone walls within the village."
- 5.3 Four letters of objection have been received from:

Mrs. T. Mason, Church View, Madley, HR2 9LS  
Mrs. M. Macaulay, Rosemary Cottage, Madley, HR2 9LS  
Mr. I. H. Telford, The Old Meadow, Brampton Road, Madley, HR2 9LX  
Mr. K. Baiton, Holly Cottage, Rosemary Lane, Madley, HR2 9LS

The main points raised being:

- close to north facing boundary
- loss of light to lounge, dining room and kitchen
- alternative access is essential
- narrow (access) road, existing partly used as passing place by a lorry or van when meeting a car
- bus stop opposite Post Office always used by customers and service vehicles
- school is nearby
- no pavement for pedestrians
- additional traffic will exacerbate existing problems
- hedge mentioned to east of property, but no dry stone retaining wall (1814 or earlier) extends to western end of my garden to hairdressers
- pig sty is onto wall, if pig sty removed wall should be made good
- tin shed dividing the two properties will go, how will it be replaced?
- will my sewerage drain that crosses the site be affected?
- will I be able to maintain two walls of my garage?

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 The proposal site is within the designated settlement boundary for Madley, and therefore the main issues are those cited by the Parish Council and in representations received. These include the density of the development, over provision in village, whether or not the properties should be affordable or not, the means of access onto the narrow Brampton Road, sewage problems, boundary treatments, and relationship to existing properties around the site.
- 6.2 This proposal site is determined in relation to Policies SH.8, SH.14 and SH.15 contained in the South Herefordshire District Local Plan. The Unitary Development Plan process has not been concluded and therefore reference can only be made to the Development Plan. Whether or not more houses are allocated for Madley is a matter that will be decided within the remit of the Unitary Development Plan, and does not

have a bearing on the determination of this application or indeed other proposals for dwellings that are on sites within the designated settlement boundary.

- 6.3 It is considered that the density of the development is acceptable. There is a variety of house types provided with a predominance of two bedroom dwellings over three bedroom ones. The density of development is comparable with parts of Rosemary Lane. Higher density development in the historic core of villages, such as Madley, is a traditional and sympathetic approach, particularly in the use of terraced housing.
- 6.4 The access is onto a narrow road that is used by a significant amount of motorised and pedestrian traffic, nevertheless it is on the inside of a bend of the Brampton Road providing good visibility for traffic leaving the site and given the width and limited visibility on this stretch of the Brampton Road provides a natural impediment for speeding motorists. The Head of Engineering and Transportation has also been involved in pre-application discussions with the applicant that have resulted in the provision of parking spaces on the site for use in connection with the hairdressing salon, as at present clients of the salon utilise the parking area in front of Montrose as well as the hairdressing salon itself.
- 6.5 Last year Welsh Water were concerned about the capacity of the mains drainage system in Madley, however following a re-appraisal Welsh Water are satisfied that there is sufficient capacity for the development proposed.
- 6.6 The issue of boundary treatment has been raised by other adjoining residents and the Parish Council. Outbuildings would need to be demolished including a pig sty, where stone walling exists the maintenance and repair in the event of damage being caused would be a civil matter between the parties concerned. A planning condition is recommended in any case, so that the local planning authority is satisfied with new boundary treatment which will only probably relate to part of the north-eastern boundary. The roadside boundary needs to be addressed. It should be either a brick or preferably a natural local stone wall. There is red brick walling on the adjacent property at Church View and a stone wall along the length of the road frontage boundary of St. Mary's Church. Matters relating to boundary treatments can be covered by condition or are third party matters outside the remit of Planning legislation and control.
- 6.7 The final issue is the one relating to the layout of the proposed dwellings. Plot 8 will as presently sited have the most impact on any existing dwelling adjoining the site. The three bedroom detached house can be re-sited further into the site away from the boundary with Holly Cottage, as the garage serving the property could be re-sited or possibly deleted from the scheme. Plot 8 is to the north-east of Holly Cottage and therefore issues of overshadowing and loss of sunlight do not arise. The rear garden would at present be in shade during days of the summer and autumn. The upstairs accommodation can also be re-arranged such that the bathroom is brought to the front of the property, as this is the elevation that looks towards the rear garden of Rosemary Cottage. Additionally a restrictive condition will be placed on the south-west facing wall that faces Holly Cottage thereby controlling the possibility of installing first floor windows at a later date, that could potentially overlook the rear garden of Holly Cottage. This condition should also be used in regard to Plot 3 given the proximity of its north-western gable elevation facing Whitehall Place. The re-siting of Plots 3 and 4, and Plots 5, 6, and 7 further south-eastward towards Brampton Road would provide more usable private rear garden areas.

- 6.8 Care will be needed with the materials used in the scheme given the scale of the proposal and its relationship to St. Mary's Church. Plot 8 will need to be re-sited and have the first floor accommodation reconfigured, such that the bathroom is brought to the front of the property. The scheme can be supported with the proviso that the layout is amended and the specific house type for Plot 8 is altered. Notwithstanding the issues raised by the Parish Council and local residents, there are considered to be no reasonable grounds for withholding planning permission for the scheme.

## **RECOMMENDATION**

**That subject to the receipt of suitably revised plans, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further 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. D01 (Site investigation - archaeology )**

**Reason: To ensure the archaeological interest of the site is recorded.**

- 5. E18 (No new windows in specified elevation )**

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

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

**Reason: To protect the integrity of the Public Sewerage System.**

- 7. 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.**

- 8. 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.**

9. G01 (Details of boundary treatments )

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

10. G04 (Landscaping scheme (general) )

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

11. G05 (Implementation of landscaping scheme (general) )

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

12. H03 (Visibility splays )

Reason: In the interests of highway safety.

13. H11 (Parking - estate development (more than one house) )

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

14. H27 (Parking for site operatives )

Reason: To prevent indiscriminate parking in the interests of highway safety.

**INFORMATIVES**

1. N15 - Reason(s) for the Grant of Planning Permission

2. HN01 - Mud on highway

3. HN05 - Works within the highway

4. HN10 - No drainage to discharge to highway

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.