

5 DMCE/092105/O - OUTLINE PLANNING APPLICATION FOR TWO STOREY DWELLING AT WAINFRIES, WITHINGTON, HEREFORD, HEREFORDSHIRE, HR1 3RY**For: Mr & Mrs Cox per Mr James Spreckley, Brinsop House, Brinsop, Hereford, HR4 7AS****Date Received: 3 September 2009****Ward: Hagley****Grid Ref: 356188,242892****Expiry Date: 29 October 2009**

Local Member: Councillor DW Greenow

1. Site Description and Proposal

1.1 The site is accessed off an unmade track which runs from Springfield Road to the north to the A4103 to the south within Withington. The site presently forms part of the garden associated with a detached bungalow (Wainfries) immediately to the north. East, west and south of the site are existing detached two storey dwellings. The site is largely enclosed by a mixture of panel fencing and mature hedges and within the site are a number of trees including fruit trees.

1.2 Outline planning permission is sought for the construction of a detached dwelling and parking area with a new vehicular access off the lane. The scheme has been amended to include the siting as well as means of access to be considered at this stage with the appearance, scale and landscaping reserved for future consideration. The dwelling is now to be sited near the southern boundary of the site with access to the north. An illustrative plan of a possible dwelling design has also been provided which indicates a dormer style cottage.

2. Policies

2.1 Herefordshire Unitary Development Plan 2007:

| | | |
|-----|---|--|
| S1 | - | Sustainable Development |
| S2 | - | Development Requirements |
| S3 | - | Housing |
| DR1 | - | Design |
| DR2 | - | Land Use and Activity |
| DR3 | - | Movement |
| H4 | - | Main Villages: Settlement Boundaries |
| H13 | - | Sustainable Residential Design |
| H14 | - | Re-using Previously Developed Land and Buildings |
| H15 | - | Density |
| H16 | - | Car Parking |

3. Planning History

3.1 None.

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water: No objection subject to conditions to control foul and surface water drainage.

Internal Council Advice

- 4.2 Traffic Manager: No objections but the access track at Springfield Road would benefit from improvement in width.

5. Representations

- 5.1 Withington Parish Council:

The parish council presently objects to the application on the following grounds:

1. Wainfries is a single storey dwelling facing south across the site and the proposed dwelling is sited very close to habitable room windows within Wainfries.
2. The parking and turning area within the site will be severely restricted and any development must incorporate an integral garage and a minimum turning area.
3. It is acknowledged that the access to and from the A4103 may be undesirable but if the lane is blocked to the north of the site the property will be isolated. However by restricting the access to the lane's rural nature can be preserved.
4. All construction traffic should be restricted to the north.
5. If planning permission is granted, siting must not be reserved and the development should be restricted to single storey with an integral garage. A single storey dwelling would allow the distance between the site and properties within Willowfields to also be reduced reducing the impact on Wainfries.

Comments awaited on amended plans.

- 5.2 Two letters and one e-mail of objection have been received. The main points raised are:

1. A two storey dwelling would be out of place along the lane, a bungalow would be acceptable.
2. The dwelling should not encroach nearer to Willowfields than the existing siting of Wainfries.
3. The site contains several apple trees and a Walnut. The Walnut tree should be retained in any development in order to protect the privacy of properties within Willowfields.
4. A two storey dwelling would adversely impact on Wainfries.
5. The access lane is very narrow with poor visibility and access to the site must be restricted to Springfield Road only.
6. No windows should be inserted at first floor overlooking Charmsley House.
7. The development will lead to further damage to the lane which is not adopted by the Council.

The full text of these letters can be inspected at Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 The site falls within Withington which is designated as a main village within the Unitary Development Plan. As such, the principle of infill development of this nature is considered acceptable and supported by adopted Unitary Development Plan policies.
- 6.2 The site is relatively large and can comfortably accommodate a detached property with associated vehicular access and parking area along with a commensurate area of garden. In addition, subdivision of the plot will still retain a reasonable area of garden along with off street parking for the existing bungalow. The density of development is therefore acceptable.
- 6.3 The revised siting moves the property away from Wainfries therefore safeguarding their amenity. This will, as a consequence, increase the impact on the ground floor windows within the side elevation at Charmsley House to the south but an existing fence and hedge exists along the boundary which already restricts light to these windows and the impact on this property is not considered to be harmful. Adequate separation distance exists in relation to properties within Willowfields so as not to result in an unacceptable loss of privacy through overlooking.
- 6.4 The Parish Council and objectors have commented that the appropriate form of development for the site is a bungalow. However, the predominant character of development within the area is in fact detached two storey dwellings and along the lane which the site would be accessed from, 50% of the existing properties are two storey. It is therefore not considered that a two storey property would be out of character with the area and subject to a restriction on the total height so as to ensure that the dwelling constructed is a dormer style property, it is not considered that the development will have any unacceptable impact on neighbouring properties or the character of the immediate area.
- 6.5 The access is designed so as to prevent any access or egress from the site to the south directly onto the A4103 and adequate parking can be achieved within the site. A condition is also recommended to retain the majority of the existing trees including the Walnut tree along the western boundary.
- 6.6 The revised plans have taken on board a number of the concerns of objectors and the Parish Council and will achieve the satisfactory development of the site subject to conditions. These will include a condition requiring the commencement of development within twelve months in line with the current relaxation of the Section 106 requirements. The consultation period on the amended plans is yet to expire and therefore delegated authority to approve the development is requested subject to no new material planning issues being raised through the amended plan consultation.

RECOMMENDATION

Subject to no further objections raising additional material planning considerations by the end of the consultation period, 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 A02 Time limit for submission of reserved matters (outline permission) (six months)**

- 2 **A03 Time limit for commencement (outline permission) (one year)**
 - 3 **A04 Approval of reserved matters (delete layout and access)**
 - 4 **A05 Plans and particulars of reserved matters (delete layout and access)**
 - 5 **C01 Samples of external materials**
 - 6 **F11 Restriction on height of building**
 - 7 **F15 No windows in side elevation of extension (north and south elevations at first floor)**
 - 8 **G09 Details of boundary treatments**
 - 9 **G10 Landscaping scheme**
 - 10 **G11 Landscaping scheme - implementation**
 - 11 **G04 Protection of trees/hedgerows that are to be retained**
 - 12 **The proposed access as detailed on drawing no. 1434.01A shall be constructed in accordance with a specification to be submitted and approved in writing by the local planning authority prior to work commencing on the construction of the dwelling hereby permitted and the access shall not be altered in any way including the proposed brick walls without the prior written agreement of the local planning authority. No new vehicular access shall be created to the property off the access track**
- Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of the Herefordshire Unitary Development Plan**
- 13 **H27 Parking for site operatives**
 - 14 **I16 Restriction of hours during construction**
 - 15 **L01 Foul/surface water drainage**
 - 16 **L02 No surface water to connect to public system**
 - 17 **L03 No drainage run-off to public system**

Informatives:

- 1 **N19 Avoidance of doubt - Approved Plans**
- 2 **N15 Reason(s) for the Grant of PP/LBC/CAC**

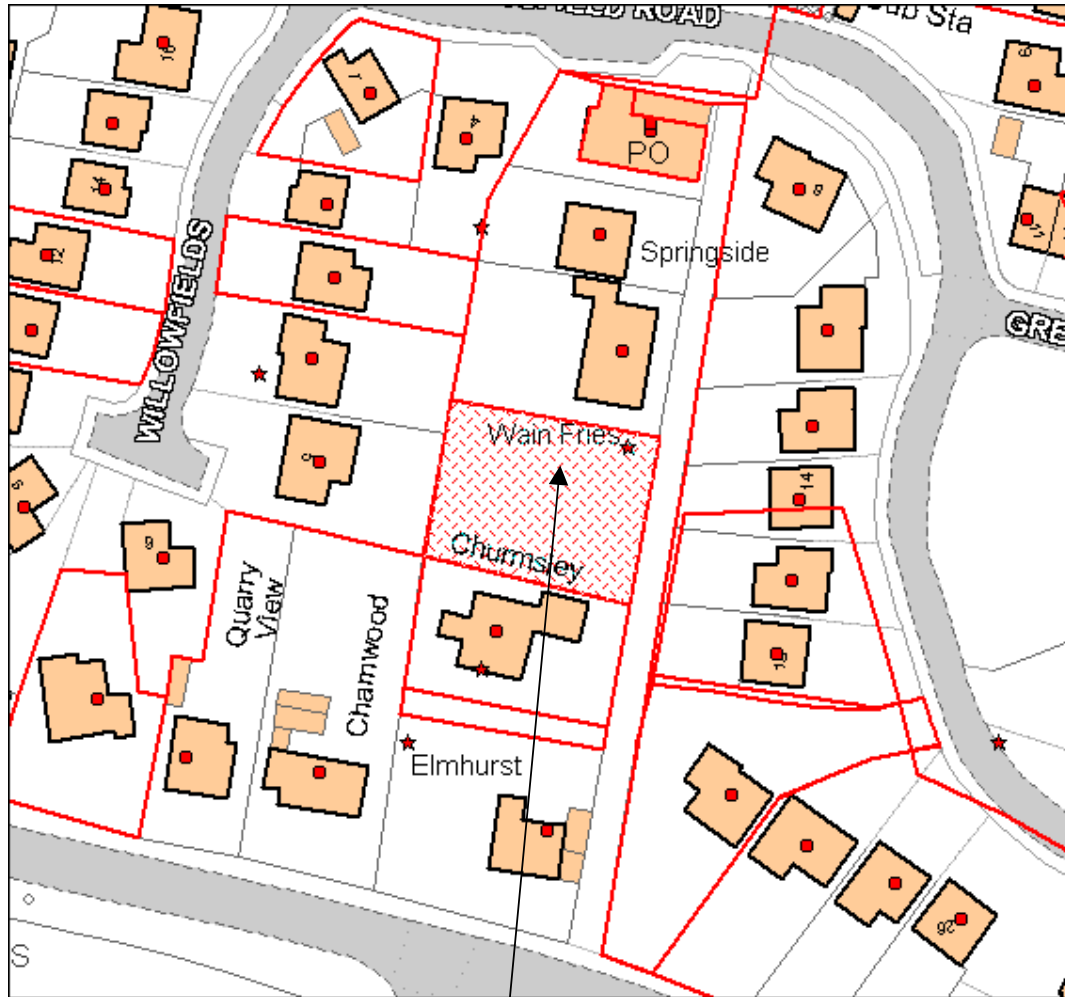
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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SITE ADDRESS : WAINFRIES, WITHINGTON, HEREFORD, HEREFORDSHIRE, HR1 3RY

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