

8 DCSE2003/3290/F - ERECTION OF ONE DWELLING, LAND ADJOINING MONKS WALK COTTAGE, MUCH MARCLE, HEREFORDSHIRE, HR8 2LY

9 DCSE2003/3347/F – ERECTION OF 4 DWELLINGS AND RELOCATION OF VEHICLE ACCESS AT LAND ADJOINING MONKS WALK COTTAGE, MUCH MARCLE, HEREFORDSHIRE

For: Mr C. Cooke & Ms K. Cooke per Paul Smith Associates, Chase View House, Merrivale Road, Ross-on-Wye Herefordshire HR9 5JX

Date Received: 30th October 2003

Ward: Old Gore

Grid Ref: 65746, 33176

Expiry Date: 25th December 2003

Local Member: Councillor J. W. Edwards

1. Site Description and Proposal

- 1.1 The site lies within the settlement of Much Marcle and Conservation Area, as defined in the Local Plan. The 0.29 hectare site is on the northeastern side of the B4024 and rises upwardly from the road to Monks Walk Cottage. Currently the site comprises an orchard, with an access track from the B4024 to Monks Walk Cottage. Mature hedges define the site boundaries and a large oak tree lies to the northwest of the existing access and adjacent to the B4024. There are two listed buildings, Parting Ground and Toll House Cottage, to the southeast and northwest of the site.
- 1.2 Two applications have been made, the first for one detached dwelling (SE2003/3290/F) and the other for four dwellings (SE2003/3347/F) on land adjoining Monks Walk Cottage. The reason for this is so that no fee is payable for the proposed four houses following the withdrawal of the earlier application for four dwellings. As the proposal is for the residential development of the orchard as a whole it is appropriate to consider the two planning applications together.
- 1.3 The five proposed dwellings would be two-storey, some 6.5 metres in height, and would be facing the B4024. Plot 5 would be nearest to the road, and Plot 1 set back the furthest. Due to the sloping nature of the site the proposal includes some regrading of the land to the rear of the footprint of the properties. One three bedroomed, a pair of semi-detached two bedroomed, and two four bedroomed dwellings are proposed. It is proposed that the dwellings would have plain tiled roofs with chimneys, with brick elevations incorporating plinth, string course and corbel detailing. Painted timber windows and doors are also proposed. Amended plans have been received which make modifications to plots 1, 4 and 5. All three of these plots would be reduced in size at first floor, whilst plot 5 would be set back further in its plot.
- 1.4 A new access is proposed into the site off the B4024, some eleven metres to the south of the existing access. It is proposed to plant new hedging to infill the existing access

and any existing hedge that would need to be removed to achieve the visibility splay. The proposed access would serve the five properties proposed, with private driveways to the plots, and Monks Walk Cottage.

2. Policies

2.1 Planning Policy Guidance

PPG.1	-	General Policy and Principles
PPG.3	-	Housing
PPG.13	-	Transportation
PPG.15	-	Planning and the Historic Environment

2.2 Hereford and Worcester County Structure Plan

Policy H.18	-	Housing in Rural Areas outside the Green Belt
Policy H.16A	-	Housing in Rural Areas
Policy CTC.9	-	Development Criteria
Policy CTC.15	-	Conservation Areas

2.3 Malvern Hills District Local Plan

Housing Policy 3	Settlement Boundaries
Housing Policy 17	Residential Standards
Conservation Policy 2	New Development in Conservation Areas
Landscape Policy 8	Landscape Standards

2.4 Unitary Development Plan (First Deposit Draft)

Part 1

Policy S.1	-	Sustainable Development
Policy S.2	-	Development Requirements
Policy S.3	-	Housing

Part 2

Policy H.6	-	Housing in Smaller Settlements
Policy LA.2	-	Landscape Character and Areas Least Resilient to Change
Policy LA.6	-	Landscaping Scheme
Policy HBA.6	-	New Development within conservation Areas
Policy HBA.9	-	Protection of Open Areas and Green Spaces

2.5 Much Marcle Parish Design Statement

3. Planning History

- 3.1 NE2003/1079/F Erection of four dwellings and - Withdrawn 30.10.03
relocation of vehicular access

4. Consultation Summary

Statutory Consultations

- 4.1 Severn Trent Water - No objections, subject to the imposition of conditions regarding drainage works.

Internal Council Advice

4.2 Head of Engineering and Transportation has no objections to the proposal, subject to conditions.

4.3 Chief Conservation Officer:- No objections.

5. Representations

5.1 Much Marcle Parish Council comment in respect of DCSE2003/3347/F:

"Much Marcle Parish Council object to this planning application for the following reasons:

1. Not in keeping with the Parish Design Statement guidelines
2. Overlooking adjacent buildings
3. No through view. Buildings obstructing view
4. If the site is to be developed, single storey bungalow would be more acceptable
5. The Parish Council consider that the proposed development is inappropriate for the site."

No specific comments have been received in respect of DCSE2003/3290/F.

5.2 Eight letters of objection have been received from, Mrs K Harper of Freshfields, K Payne of Bartons Well, Mrs N W Bullock of Denwood, Mr and Mrs R J Howes of The Forge, David Beeching of Parting Ground, Elisabeth Wood of Greenway Cottage, Mrs G Loader of Hale End, 1 The Bartons and Mr and Mrs Mason of Toll House Cottage.

The main points raised are:

- Impact upon our property opposite would be overwhelming, altering our view, due to higher land levels of the application site and number and height of proposed properties
- Noise, fumes, light and loss of privacy from five households would be harmful to health
- Proposal would decrease property value
- Due to lie of land and proposal would compromise drainage, want guarantee that surface water and sewerage provision would be adequate
- Loss of grassed area and established fruit trees, and other similar areas in the village, make up unique character of village, which along with historic buildings etc draw tourists/visitors to village
- dwellings would be incongruous with the neighbouring properties, which are bungalows, with low roof lines, and the listed buildings
- the earlier application was submitted to the Northern Division and this one to the Southern Division, why is this?
- proposal should be limited to four bungalows
- proposal does not conform with the Much Marcle Parish Design Statement - on design and protection of traditional orchards and unimproved grasslands
- predominantly single storey dwellings along B4024 (to driveway to Hellens), five executive type, two-storey dwellings would dominate the skyline and be out of character with the area, which is a Conservation Area.
- would overlook bungalows and adjacent Listed Buildings

- headlights of cars leaving the site, in the dark, would shine into bedrooms of the facing bungalows
- no consideration appears to have been given to the problems of storm water, existing ditch is unable to handle normal rainfall and as a result the road floods down to Toll House Cottage and beyond.
- Not sympathetic development, smaller bungalows would be more appropriate, more affordable to locals
- Proposal amounts to suburban estate
- If development has to be allowed two houses with big gardens and retention of rest of orchard would be only solution
- More homes would add to congestion of traffic, 30 mph speed limit is not observed and there is no pavement from the School to the A449/B4024 cross roads.

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 main considerations in the determination of these applications are the principle of the residential development of the site and the acceptability of the scheme in terms of its impact on the character and appearance of the Conservation Area and street scene, highway safety and residential amenity of neighbouring properties.
- 6.2 The site is located within the settlement boundary, where the principle of residential development is established. There are no policies in the Local Plan, which specifically identify the site as an important open space within the village that should be retained. The Much Marcle Parish Design Statement gives guidance that existing traditional orchards should be protected and appropriately managed. It refers to Landscape policies 1 and 12 of the Local Plan, however Landscape policy 1 is not relevant to this application as it relates to development outside settlement boundaries. Landscape Policy 12 refers to Trees and Woodlands and states that wherever possible trees and woodlands will be protected and enhancement encouraged through management schemes for woodlands, providing advice to various interests groups or individuals and encouraging planting as part of development proposals. It is considered that this policy does not override the principle of development in settlement boundaries.
- 6.3 Much Marcle is defined as a smaller settlement in the first deposit draft of the Unitary Development Plan, where Policy H.6 applies. This states that proposals for residential development arising from the infilling of small gaps between existing dwellings within the settlement would only be granted subject to compliance with specified criteria. In particular the infill gap is no more than 30 metres in length. The site would clearly not accord with this policy. However both representations of support and objection have been received in respect of Policy H.6. As such, in accordance with the guidance set out in paragraph 48 of PPG.1 only limited weight can be afforded. It is considered that the Unitary Development Plan policy does not outweigh those of the adopted Development Plan.
- 6.4 The site lies within in the Conservation Area and as such section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The Much Marcle Conservation Area extends over a wide area including the village core and open land beyond and comprises a variety of land uses and building designs and

ages. Opposite the site are single storey bungalows of little architectural merit, whilst to the north and south lie two storey Grade II listed buildings.

- 6.5 The proposal would predominantly retain the existing hedgerow adjacent and parallel to the highway and a large oak tree. The proposed dwellings by reason of their siting, scale and design would provide gaps between the plots and a gap of some 8.4 metres between plots three and four, providing access to Monks Walk Cottage and views through the site. The proposed dwellings would be of traditional massing, having narrow gable ends and would include design features, such as chimneys, string course and corbel detailing and timber fenestration. The roof pitches of the proposed dwellings would be 40 degrees, with clay roof tiles. The design and materials would accord with Section 8 – Building Design Guidelines of the Much Marcle Parish Design Statement. In assessing the proposal careful consideration has been given to the impact upon the Conservation Area. Taking into account the mixed character and appearance of the Conservation Area, the quality of the existing development in close proximity to the site, particularly opposite, and the siting of the dwellings facing the highway and their standard of design it is considered that, on balance, the proposal would preserve the character and appearance of the Conservation Area as a whole.
- 6.6 The driveway within the site to serve plots 1 and 2 would partially encroach underneath the canopy of the oak tree. The tree is not subject to a Tree Preservation Order, but nevertheless makes a value contribution to the Conservation Area and street scene. Furthermore it would partially screen the proposed development. A condition is recommended to protect the tree during construction works and to ensure that the driveway would not prejudice its life span.
- 6.7 Although the dwellings would occupy higher ground land levels than the highway, their impact would be reduced by the retention of the hedgerow and tree. Due to their size, siting and design it is considered that the dwellings would contribute positively to the village street scene. There are bungalows within the Conservation Area, however bungalows are not of local vernacular or traditional. It is considered that two-storey dwellings, of the design and scale proposed would reflect that of traditional, vernacular dwellings.
- 6.8 It is proposed to close the existing access into the site and provide a new one. The proposed access would provide visibility splays of 200 metres to the south and 70 metres to the north. It is considered that the proposed access is acceptable in highway safety terms and traffic generated by the proposal could be absorbed by the road network without being harmful to the free flow of traffic or the safety of other users. The Head of Engineering and Transportation has no objections to the proposal, subject to conditions. To facilitate the visibility splay sections of the existing hedgerow would need to be removed. It is proposed to replant a hedgerow to the rear of the splayed area, thus resulting in a continuous hedgerow, with the exception of the access, along the site frontage. On this basis the visual impact of the access is considered acceptable.
- 6.9 The proposed dwellings would be set back between 11 and 15 metres into the site. The distance between the front elevation of the proposed dwellings and the bungalows opposite would be some 28 metres. It is considered that this distance would ensure that satisfactory levels of privacy are achieved. The site lies to the east of the bungalows. Therefore due to the orientation of the proposed dwellings in relation to those existing on the opposite side of the road and the distance separation, it is considered that the development would not overshadow or overbear these single storey dwellings. Whilst it is inevitable that car head lights would shine in the direction of the properties opposite, when leaving the site, the impact of this must be considered in light of the existing situation and the degree of harm likely to be caused. Due to the number of houses proposed, the siting of the bungalows

and the limited times when the car head lights would be switched on, it is considered that the disturbance would be minimal and insufficient to warrant refusal of planning permission. Taking into account the village location of the site it is considered that the potential noise and fumes from occupants of the dwellings and their cars would not be sufficient to be harmful to existing residents.

- 6.10 With regards the listed buildings, the scheme has been revised to site the dwelling on plot 5 further back into the site and set back the first floor elevation. It is considered that this amended scheme would ensure that the proposal would not have an adverse impact upon either the setting of Parting Ground or the residential amenity of its occupants. In respect of Toll House Cottage, the listed building to the north, due to the proposed siting of the dwelling on Plot 1, the siting of the listed building, to the northern end of the curtilage and the existing mature boundary hedgerow between the sites, the proposal would not have a harmful impact upon the setting or amenity of this property.
- 6.11 The scheme would include the drainage of foul water to the mains sewer and storm water to soakaways/mains. Provided that adequate provision is made for surface water drainage from the site, which could be satisfactorily conditioned, it is considered that the proposal would not result in run-off onto the highway. Whilst developing the site would reduce the areas of land to absorb rainwater etc, in comparison with the existing use of the site, through the implementation of drainage this could be adequately controlled. Severn Trent Water has raised no objections, subject to conditions.
- 6.12 In conclusion the principle of residential development is acceptable and by reason of the number, siting, scale and design the proposal would preserve the Conservation Area as a whole. The proposal would not adversely affect residential amenity, highway safety or drainage. As such the proposal is considered to accord with Development Plan policies and no other material planning considerations outweigh this.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

In respect of DCSE2003/3290/F

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. A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3. B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

4. G04 (Landscaping scheme (general))

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

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

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

6. G06 (Scope of landscaping scheme)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

- 7. Prior to the commencement of any development on site details of the construction of the driveway to plots 1 and 2 beneath the tree canopy shall be submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and completed prior to the first occupation of either Plot 1 or Plot 2, whichever is the sooner.**

Reason: In order to protect the longevity of the tree in the interests of the visual amenities of the area.

8. G18 (Protection of trees)

Reason: To ensure adequate protection to existing trees which are to be retained, in the interests of the character and amenities of the area.

9. G21 (Excavations beneath tree canopy)

Reason: To prevent the unnecessary damage to or loss of trees.

10. H01 (Single access - not footway)

Reason: In the interests of highway safety.

11. H03 (Visibility splays)

Reason: In the interests of highway safety.

12. H05 (Access gates)

Reason: In the interests of highway safety.

13. H06 (Vehicular access construction)

Reason: In the interests of highway safety.

- 14. Prior to the first occupation of the dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking of 1 car so that it may turn within site and enter and leave the application site in a forward gear. The access, turning area and parking facilities shall be properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority. These areas shall thereafter be retained and kept available for those uses at all times.**

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

15. H27 (Parking for site operatives)

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

16. **The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul sewage have been carried out in accordance with the details to be submitted to and approved by the local planning authority in writing.**

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Informative(s):

1. **HN01 - Mud on highway**
2. **HN04 - Private apparatus within highway**
3. **HN05 - Works within the highway**
4. **N15 - Reason(s) for the Grant of Planning Permission**

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Decision:

Notes:

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Background Papers

Internal departmental consultation replies.