

5. DCNW2003/3732/F - ERECTION OF THREE COTTAGES ON LAND OFF KINGSWOOD ROAD, KINGTON, HEREFORDSHIRE**For: Tabre Developments per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford HR1 1LH****Date Received:****11th December 2003****Ward:****Kington Town****Grid Ref:****29873, 56342****Expiry Date:****5th February 2004**

Local Member: Councillor T James

1. Site Description and Proposal

- 1.1 The application site comprises a rectangular 0.1 hectare site located on the north side of Kingswood Road, an unclassified road, which links the area known as Headbrook with the hamlet of Kingswood and the A4111 to the north. The site lies within the settlement boundary for Kington and also within the Kington Conservation Area.
- 1.2 The site is primarily characterised by a steady fall in ground levels (across the site from west to east) and also towards the rear (northern) boundary with a detached property known as Tumbledown. The result is that the application site is lower than Arrow Weir House to the west and elevated above the modest and Grade II listed lodge to the east.
- 1.3 A low stone wall which runs the length of the boundary with Kingswood Road is a particular notable feature of the site. The stone wall has been partially demolished in two locations, the main opening having been created in the position of an access approved pursuant to an older and now expired planning permission. A stand of mature larch are located in the north west corner of the site and 2 sycamore trees are located within the boundary between the application site and the detached property to the north.
- 1.4 The prevailing character of this part of the Kington Conservation Area is characterised by a mix of housing types which include detached and terraced properties featuring a range of materials including timber framing, stone, render and to a lesser extent brick in their elevational treatment.
- 1.5 Planning permission is sought for the erection of 3 detached properties that would be predominantly rendered on a stone plinth and under a natural slate roof. The proposed dwellings would have a maximum height to the ridge of between 6.5 and 7.2 metres allowing for the falling levels across the site. Each property would accommodate 3 bedrooms and comprises a 'T' shape form with a projecting rear gable. The principal elevations facing towards Kingswood Road would be set back between 6 and 8 metres from the existing stone boundary wall.
- 1.6 Two points of access are proposed, one shared by Plots 1 and 2 and the other serving Plot 3. No garaging is proposed, instead hardstanding areas would be provided.

- 1.7 This application follows the refusal of planning permission for a terrace incorporating 6 two bedroomed properties (subsequently dismissed at appeal) and a detached scheme for 3 detached dwellings with garaging. The refused detached scheme proposed dwellings with a maximum height of 7.5 metres which incorporated forward projecting gables within 3 metres of the stone boundary wall.

2. Policies

Hereford & Worcester County Structure Plan

- Policy CTC 9 Development Requirements
Policy CTC 15 Conservation Areas
Policy CTC 18 Development in Urban Areas

Leominster District Local Plan (Herefordshire)

- Policy A1 Managing the Districts Assets & Resources
Policy A2 (A) Settlement Hierarchy
Policy A10 Trees and Woodlands
Policy A12 New Development and Landscape Schemes
Policy A18 Listed Buildings and their Setting
Policy A21 Development within Conservation Areas
Policy A24 Scale and Character of Development
Policy A52 Primarily Residential Areas
Policy A54 Protection of Residential Amenity
Policy A70 Accommodating Traffic from Development
Policy A73 Parking Standards and Conservation

Herefordshire Unitary Development Plan (Deposit Draft)

- Policy S2 Development Requirement
Policy S3 Housing
Policy S7 Natural and Historic Heritage
Policy DR1 Design
Policy DR2 Land Use & Activity
Policy DR3 Movement
Policy DR4 Environment
Policy H1 Settlement Boundaries and Established Residential Areas
Policy H13 Sustainable Residential Design
Policy H15 Density
Policy H16 Car Parking
Policy LA3 Setting of Settlements
Policy LA5 Protection of Trees, Woodlands and Hedgerows
Policy HBA 4 Setting of Listed Buildings
Policy HBA 6 New Development Within Conservation Areas

3. Planning History

- 3.1 87/0741 - Outline planning permission for residential development - Approved February 1988.
- 3.2 88/0878 - Approval of Reserved Matters - Approved December 1988.
- 3.3 92/0719 - Erection of 4 houses with garage block, parking and turning - Approved 9 February 1993.

- 3.4 97/0950/N - Renewal of the above permission - Approved 13 January 1998.
- 3.5 NW2002/1545/F - Erection of 6 no. two bedroom cottages and parking area - Refused 4 September 2002 - Appeal dismissed.

The reasons for refusal were as follows :

1. The proposal by reason of its scale and form would result in overdevelopment of the site and would be out of keeping with the character and appearance of the Kington Conservation Area contrary to Policy CTC 15 of the Hereford and Worcester County Structure Plan and Policies A21 and A24 of the Leominster District Local Plan (Herefordshire).
2. It is considered that the proposal would be detrimental to the interests of highway safety by reasons of limited on site parking and additional traffic generation, contrary to Policies A70 and A71 of the Leominster District Local Plan (Herefordshire).

The Inspector in dismissing the appeal made the following observations :

- Proposed terrace would be of greater height and size than the existing row of cottages nearby and closer to the road than the adjacent detached house (Arrow Weir) making it very predominant feature.
- High and bulky form cramped within the corner of the site which would not be complimentary, dominating and detracting from nearby buildings.
- Insufficient use made of traditional materials.
- Large area of hardstanding would be unusual and uncharacteristic.
- Principle of developing site acceptable and would enable better use to be made of it. However proposed development would be out of keeping, prominent and obtrusive.
- Proposed access and parking arrangements would not cause any loss of highway safety but in the context of the site the movement of up to another 9 vehicles would lead to congestion, conflict and dangerous conditions on road.
- Development as proposed by reason of its size and the traffic that would be generated would lead to unacceptable loss of highway safety.

- 3.6 NW2003/0157/F - Erection of 3 cottages with garages - Refused 6 June 2003.

The reason for refusal was as follows:

1. The proposal by reason of its overall scale and form would result in a cramped form of development and would be out of keeping with the character and appearance of the Kington Conservation Area contrary to Policies A21 and A24 of the Leominster District Local Plan (Herefordshire).

4. Consultation Summary

Statutory Consultations

- 4.1 Welsh Water raise no objection but recommend the imposition of conditions relating to foul and surface water treatment.

Internal Council Advice

- 4.2 The Chief Conservation Officer raises no objection with regard to the site layout, massing, design and materials subject to clarification that the existing boundary wall will be re-built and that natural slate will be used.
- 4.3 In addition to the above, concerns have been raised with respect to the implications for the proposed development upon the existing larch and sycamore trees located towards the rear of the site. At the time of writing the applicant is preparing an arboricultural report seeking to demonstrate that the retention of the trees shown on the layout plan is feasible. The findings of the report will be reported verbally at the meeting. It is advised that unless this matter can be resolved through the submission of an additional justification the Chief Conservation Officer recommends that the application be refused.
- 4.4 The Head of Engineering and Transportation raises no objection subject to conditions relating to the provision and retention of parking and turning facilities.

5. Representations

- 5.1 A total of 3 letters have been received in response to the application from the following persons :
- IT Holloway, 2 Headbrook, Kington
 - RA Forsyth, Tumbledown, Headbrook, Kington
 - Miss S Cadwallader, 3 Ashmoor Place, Kington (and on behalf of D Watkins 4/5 Ashmoor Place, J Medina 1/2 Ashmoor Place and Mr & Mrs Cameron, The Old Toll House).
- 5.2 The concerns raised can be summarised as follows :
- Additional traffic will be introduced at the narrowest point in the road
 - Road already heavily used by private, industrial and agricultural vehicles.
 - Access very close to junction with Headbrook.
 - These are family homes which inevitably means more children who would be exposed to traffic incidents.
 - Size of dwellings amounts to over-development - this is no different from the previous refused application
 - The siting of the dwellings are closer to existing sycamore trees which might be affected by excavation. Trees should be removed if permission is granted.
 - A new fence along the northern boundary should be erected.
- 5.3 Kington Town Council state :
- 'Kington Town Council welcome the proposed application and have no objections.'
- 5.4 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The application site lies within the settlement boundary for Kington and as such the principle of residential development on infill plots is acceptable in accordance with Policy A2(A) of the Leominster District Local Plan (Herefordshire). Further to this it is considered that the key issues in respect of the determination of this application are as follows:
- a) the impact of the proposal on the character and appearance of the Conservation Area, and
 - b) access and parking issues
- 6.2 The recent planning history is of relevance insofar as the Inspectors report relating to the refused terraced scheme established a number of important considerations which have informed the further negotiations that have taken place with the applicant. Particular reference is made to the size and height of the dismissed scheme and its dominant impact close to the stone boundary wall with Kingswood Road. The use of traditional materials is also given significant weight. The revised proposal has therefore sought to achieve a setting back of the built form allowing for additional roadside landscaping. It also introduces more traditional and less dominant materials such as render and stone. The decision also recognises the need to reduce the visual impact of hardstanding areas and the potential for proposed development to enable the repair and retention of the stone boundary wall.

Character and Appearance of the Conservation Area

- 6.3 The current application has been the subject of a lengthy discussion with your officers and as suggested above the appeal decision established a number of key issues for attention. It is considered that the revised design of the individual dwellings which incorporate render, stone and natural slate represent a significant improvements upon previously submitted schemes. The use of better quality materials and the simplification of the principal elevations would in your officers view serve to reduce the visual impact of the terraced scheme and the imposing forward projecting gables of the refused scheme for 3 detached properties. Furthermore, the setting back of the dwellings allows room for screen planting along the frontage to reflect the semi-rural character of the site and further limit the effect of the development within the streetscene and upon the properties opposite.
- 6.4 It is advised that the height of the proposed dwellings has been reduced to a maximum ridge height of 7.5 metres which accords with the terraced properties opposite the application site and also that the overall footprint of built development has been reduced to approximately 196 metres². This compares favourably to the footprint of previously refused scheme which covered a floor area of 240 metres². (refused scheme for 3 detached dwellings) and 217 metres² (refused terraces scheme).
- 6.5 Garaging has been omitted in favour of open driveways adjacent to the individual plots. This enables an appreciation of views through the site, which when coupled with the improvements outlined above is sufficient to overcome concerns in respect of the over-development of the site. The hardstanding areas are broken up and would benefit from screening in the form of a landscaping scheme to be formally agreed by way of a condition.

- 6.6 It should be recognised that whilst the setting back of the proposed development addressed the concerns relating to its impact in the streetscene it does also bring the dwellings closer to the existing trees at the rear of the site, which are recognised as being of reasonable amenity value. In the light of concerns raised by the Chief Conservation Officer the applicant has been advised to submit an arboricultural report seeking to address these concerns. The outcome of this report is awaited and the recommendation is therefore subject to its findings.
- 6.7 In all other respects it is considered that the current scheme addresses the shortcomings of previous submissions and would accord with Policies A21 and A24 of the Leominster District Local Plan (Herefordshire).

Parking & Access Issues

- 6.8 Access and the narrow width of Kingswood Road in the vicinity of the site remains a concern for local residents. The Inspector recognised the problem associated with the communal parking associated with the refused terraced scheme in terms of the intensity of the use of the access.
- 6.9 It is considered that this proposal for 3 detached dwellings which are afforded ample off-street parking would result in a satisfactory reduction in the number of comings and goings to the extent that the Inspector's concerns are overcome. It should also be noted that access and parking issues were not part of the reasons for refusing the previous 3 dwelling detached scheme which in terms of the position of the accesses and the amount of parking provided is the same as the current scheme.
- 6.10 The Head of Engineering and Transportation raises no objection and in the light of the above it is advised that highway safety issues could not reasonably be substantiated as a reason for refusal.

RECOMMENDATION

Subject to the receipt of an arboricultural report demonstrating that the trees identified on the site plan can be retained, officers named in the scheme of delegation 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 - B01 (Samples of external materials)

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

3 - C04 (Details of window sections, eaves, verges and barge boards)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

4 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5 - E16 (Removal of permitted development rights)

Reason: To preserve the setting of the individual dwellings in the interest of protecting the character and appearance of the conservation area and local amenity.

6 - E18 (No new windows in specified elevation) (in the west elevation of Plot 1 and east elevation of Plot 3).

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

7 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

8 - F17 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

9 - F48 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

10 - G04 (Landscaping scheme (general)) (including the repair/rebuilding of the stone wall)

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 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

13 - H06 (Vehicular access construction)

Reason: In the interests of highway safety.

14 - H09 (Driveway gradient)

Reason: In the interests of highway safety.

15 - H12 (Parking and turning - single house)(2 cars)

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

16 - H27 (Parking for site operatives)

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

Informative(s):

- 1 - HN01 - Mud on highway
- 2 - HN04 - Private apparatus within highway
- 3 - HN05 - Works within the highway
- 4 - HN10 - No drainage to discharge to highway
- 5 - N15 - Reason(s) for the Grant of PP/LBC/CAC

- A10 Trees And Woodlands
- A12 New Development And Landscape Schemes
- A18 Listed Buildings And Their Settings
- A21 Development Within Conservation Areas
- A24 Scale And Character Of Development
- A54 Protection Of Residential Amenity
- A70 Accommodating Traffic From Development

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.