

MEETING:	PLANNING COMMITTEE
DATE:	31 AUGUST 2011
TITLE OF REPORT:	<p>DMN/111429/F - TO DEMOLISH EXISTING DORMER BUNGALOW AND REPLACE WITH HIGHLY ENERGY EFFICIENT AND SUSTAINABLE 4 BEDROOM HOUSE AT HEDGEBANK, OLD CHURCH ROAD, COLWALL, HEREFORDSHIRE, WR13 6EZ</p> <p>DMN/111430/C - TO DEMOLISH EXISTING DORMER BUNGALOW AND REPLACE WITH HIGHLY ENERGY EFFICIENT AND SUSTAINABLE 4 BEDROOM HOUSE AT HEDGEBANK, OLD CHURCH ROAD, COLWALL, HEREFORDSHIRE, WR13 6EZ</p> <p>For: Mr Bradley per Mr I C Bradley, Hedgebank, Old Church Road, Colwall, Herefordshire, WR13 6EZ</p>

Date Received: 3 June 2011

Ward: Hope End

Grid Ref: 375452,242804

Expiry Date: 16 August 2011

Local Members: Councillor AW Johnson and Councillor CNH Attwood

1. Site Description and Proposal

- 1.1 This site, which is located within the village boundary and Conservation Area, flanks the southern side of Old Church Road (C1165) and is surrounded by existing dwellings. The site constitutes an existing dormer bungalow set within a large garden. There is a mature hedgerow on the site frontage with a grass verge in front, with the vehicular access in the north-eastern corner and which forms a double access with the dwelling to the east.
- 1.2 The proposal is for a replacement dwelling. This would be a two-storey dwelling with a basement. The walls will be externally finished/clad in white/cream render with some natural stone and timber cladding. The roof will be clad in natural or reconstituted slate coloured grey/black. The existing vehicular access will be sealed and a new vehicular access created at the western end of the road frontage. Conservation Area consent has also been applied for as the proposal involves the demolition of an existing dwelling.

2. Policies

- 2.1 Planning Statements

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPS5 - Planning for the Historic Environment

2.2 Herefordshire Unitary Development Plan

- S2 - Development Requirements
- DR1 - Design
- DR3 - Movement
- H4 - Main Villages: Settlement Boundaries
- H13 - Sustainable Residential Design
- H16 - Car Parking
- T11 - Parking Provision
- LA1 - Areas of Outstanding Natural Beauty
- HBA6 - New Development Within Conservation Areas
- HBA7 - Demolition of Unlisted Buildings Within Conservation Areas

2.3 The Colwall Village Design Statement

3. Planning History

- 3.1 DMN/110623/F – Demolish existing dormer bungalow and replace with 4-bedroom house. Refused Planning Permission 4 May 2011.
- 3.2 DMN/110624/C – Demolish existing dormer bungalow and replace with 4-bedroom house. Refusal of Conservation Area Consent 4 May 2011.

4. Consultation Summary

Statutory Consultations

- 4.1 None required.

Internal Consultations

- 4.2 The Transportation Manager has no objections.
- 4.3 The Conservation Manager comments that none of the trees protected by the adjacent Tree Preservation Order will be impacted by the proposed development. The new entrance and drive will not have a negative impact on Old Church Road streetscape and the large fruit tree in the north-west corner should be retained and the root area protected. A condition should be added on any permissions granted to protect this tree and the mature planting present to the rear of the site. This area is part of Colwall's post war suburban growth and, as such, the proposal is unlikely to have any significant impact on its character.

5. Representations

- 5.1 The applicant states that the proposed dwelling incorporates the footprint of the existing dormer bungalow to create a building which combines good design, sustainability and improves its energy rating. The existing building has no architectural merit. The current proposal is in line with the Herefordshire Council Local Development Plan – Sustainable Appraisal which encourages well designed, high quality development. The proposed dwelling is an environmentally sustainable building using the latest energy efficient building materials. The proposed ground floor has been kept close to the existing footprint of the dormer bungalow. There is a mix of two-storey houses in Old Church Road. The proposed new dwelling will improve the character of the site and the surrounding area. The proposed new

dwelling will have a roofline only 2 metres higher than the roofline of the existing dwelling on site. The new access/parking arrangements will be improved. The existing hedges will be retained except for the position of the new vehicular access. No historic features on the application site. The proposed dwelling will not result in any adverse over-looking of neighbours from windows nor any over-bearance.

5.2 The Parish Council state:

‘The Committee raised objections to this proposal as it appeared to contravene Unitary Development Plan DR1 Design (3) “respect the context of the site, taking into account townscape and landscape character and topography including the impact” as well as HBA6 New Development Within Conservation Areas (2) “the proposed development shall respect the scale, massing and height in relation to adjoining buildings, and the general pattern of heights”.

Concerns were also expressed regarding the new entrance emerging on to the narrowest part of Old Church Road.’

5.3 There have been 15 letters of objection from local residents. The main points being:

- The current proposal does not differ from the previous application in terms of its impact on neighbouring dwellings.
- The proposed building is significantly larger than the existing dwelling and will be highly visible in the area.
- The existing entrance is safer than the proposed new access.
- The access splays opposite the proposed new entrance is not a lay-by for public use but is private property.
- The current proposal is still very similar to the previous proposal which was refused and, as such, is still out of character with surrounding area and still contrary to planning policies.
- The proposal can be seen from various locations on the Malvern Hills. Within Area of Outstanding Natural Beauty.
- Any demolition works need to comply with health and safety legislation and undertaken during normal working hours.
- Any approval should ensure that equivalence between current and new build ground levels.
- Modern design not suitable to the Colwall Conservation Area.
- The proposed building is much larger than surrounding properties.
- A replacement dwelling should match the size of the existing dwelling on site.
- All vehicles should park on site.
- The proposal contrary to provisions of ‘The Colwall Village Design Statement’.
- None of the previous objections have been addressed.
- Major over-shadowing and loss of privacy to existing dwelling to the west resulting in loss of residential amenities. The proposal has a western wall which extends beyond the south rear wall of the adjacent dwelling to the west which will over-shadow the dwelling’s south and east accommodation, windows and sight lines.
- The proposed floor area appears to be 2½ times as large as the floor area of the existing dwelling and the square footage of the new building will be the largest building in terms of mass and square footage in the immediate locality and, as such, dominate it.
- Proposed footprint is not similar to existing building.
- The new garage and access will be adjacent to the neighbour’s dwelling to the west and would affect residential amenities.
- The proposal will adversely affect Area of Outstanding Natural Beauty.

5.4 The full text of these letters can be inspected at Planning Services, Franklin House, Commercial Road, Hereford and prior to the Committee meeting.

6. Officer's Appraisal

6.1 The main issues relate to:

- (i) The size and design of the new dwelling and its effect on the appearance and character of the surrounding area within a designated Conservation Area and Area of Outstanding Natural Beauty.
- (ii) The effect on the residential amenities of the neighbouring dwellings.
- (iii) Vehicular access arrangements.
- (iv) Landscaping.

The most relevant Policies in the Herefordshire Unitary Development Plan with respect to these issues are S2, DR1, DR3, H4, H13, HBA6 and HBA7.

6.2 The proposed dwelling is positioned on a similar footprint to the existing dwelling. However, the rear wall of the main structure of the building would be approximately 4 metres further back (ie to the south) than the rear wall of the main structure of the existing building. With respect to the roofline, the highest ridge level of the proposed dwelling is 1.9 metres higher than the highest ridge level of the existing dwelling. There is a varied mix of dwelling types in the immediate area in terms of size and design. There are a large number of modern dwellings in the area. The site is within the village settlement boundary and therefore, in principle, the erection of a dwelling on this site is acceptable and in accordance with Policy H4 of the Herefordshire Unitary Development Plan. The existing dormer bungalow is a relatively modern building and has no real architectural merit to warrant its retention.

6.3 The proposed dwelling in terms of its size and design is considered to be acceptable in this location. It will not be out of keeping with the other dwellings in the area and will not over-dominate the area. The garden plot is large and the proposed dwelling fits neatly into the plot. The ridge line of the proposed dwelling will be approximately 1 metre higher than the ridge line of the adjacent dwelling to the west and approximately at the same level as the ridge line of the dwelling to the east although the latter appears to be at a slightly higher ground level. The proposed dwelling is also approximately the same height as one of the dwellings directly opposite on the other side of the road. The Conservation Officer has no objections to the proposal. It is considered the development will not have a significant impact on the character of the Conservation Area. The proposed external materials are also considered to be acceptable. In addition it is considered that the new dwelling located within this residential area within the village will have no adverse impact on the Malvern Hills Area of Outstanding Natural Beauty.

6.4 Planning Permission and Conservation Area Consent (ref nos. DMN/110623/F and DMN/110624/C) for the demolition of the existing bungalow and erection of a new dwelling were refused on 4 May 2011. It was considered that the proposed replacement dwelling was out of keeping with the visual appearance, character and setting of the area. In particular the design of the roof and windows were not in keeping with the character and appearance of the area. The roof pitch was too shallow and the windows were fairly bland. In this proposal the roof design has been altered to be more in keeping with the character of the area and the windows improved in terms of design ie introduction of glazing bars. It is therefore considered that the revised proposal has successfully addressed the refusal reasons in the previous applications and is in accordance with the relevant planning policies, in particular Policies S2, DR1, H13, HBA6 and HBA7 of the Herefordshire Unitary Development Plan.

- 6.5 It is considered that the proposed dwelling will not adversely affect the residential amenities of the occupants of the adjacent dwellings. There are mature trees on the side boundary with the dwelling to the east and that dwelling is set back away from the boundary and, as such, will not be adversely affected by the proposal which has limited window openings on the side wall. With respect to the dwelling to the west there is a mature hedgerow approximately 3 metres high on that section of the side boundary by the dwelling. In addition there are a very limited number of small windows on the side elevation of that dwelling. However, there are a large number of large windows at the rear of the neighbour's dwelling. The proposed dwelling has no windows at first floor level on the west facing elevation. It is considered that the proposed development will not adversely overlook nor result in adverse loss of privacy to the occupants of this adjacent dwelling. Nor will the proposal over-dominate nor result in an adverse loss of light to the dwelling. As such it is considered that the proposal will not result in the residential amenities of the occupants of the adjacent dwelling to the west being adversely affected. The residential amenities of other dwellings in the area will not be adversely affected. The proposed development is therefore considered to be acceptable and in accordance with the relevant planning policies and guidance.
- 6.6 The proposed vehicular access is considered to be acceptable and an improvement on the double vehicular access currently in place and accords with Policy DR3 of the Herefordshire Unitary Development Plan. The proposed parking and turning area within the site is also acceptable. The Transport Manager has no objections. The adjacent dwellings and the residential amenities of the occupants of these dwellings will not be adversely affected by the vehicular access/parking and garaging arrangements.
- 6.7 The loss of section of the conifer hedgerow to create the new vehicular access is not considered to be an issue. There is a group Tree Preservation Order along the front boundary of the site and adjoining properties consisting of 3 Ash and 1 Oak tree (ref 045/G15). However, none of these protected trees will be affected by the proposed development. The applicant intends to retain the existing hedgerows on the site.
- 6.8 The comments of the objectors have been fully considered but they are not considered to be sufficient to warrant refusal of the applications. The proposed development is therefore considered to be acceptable and in accordance with planning policies and guidance, in particular Policies S2, DR1, H4, H13, LA1, HBA6 and HBA7 of the Herefordshire Unitary Development Plan and also the provisions of the Colwall Village Design Statement.

RECOMMENDATION

With respect to DMN/111429/F that planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. C01 Samples of external materials**
- 4. I51 Details of slab levels**
- 5. H13 Access, turning area and parking**
- 6. G02 Retention of trees and hedgerows**
- 7. F16 No new windows in specified elevation**

- 8. I16 Restriction of hours during construction
- 9. H27 Parking for site operatives
- 10. H08 Access Closure

INFORMATIVES:

- 1. N15 Reason(s) for the Grant of Planning Permission
- 2. N14 Party Wall Act 1996
- 3. HN01 Mud on highway
- 4. HN05 Works within the highway
- 5. HN10 No drainage to discharge to highway
- 6. HN28 Highways Design Guide and Specification

With respect to DMN/111430/C that Conservation Area Consent for demolition in a Conservation Area be granted subject to the following conditions:

- 1. D01 Time limit for commencement (Listed Building Consent)
- 2. B01 Development in accordance with the approved plans
- 3. No demolition on site whatsoever shall take place until a suitable contract has been formally agreed with a developer for the re-development of the site in accordance with a development scheme granted planning permission by the Local Planning Authority. Details of this formal agreement shall first be submitted to and be subject to the approval in writing of the Local Planning Authority prior to any demolition whatsoever.

Reason: To ensure that a suitable re-development of the site is approved prior to demolition in order to protect the visual amenities and character of the Conservation Area and in accordance with Policy HBA7 of the Herefordshire Unitary Development Plan.

INFORMATIVES:

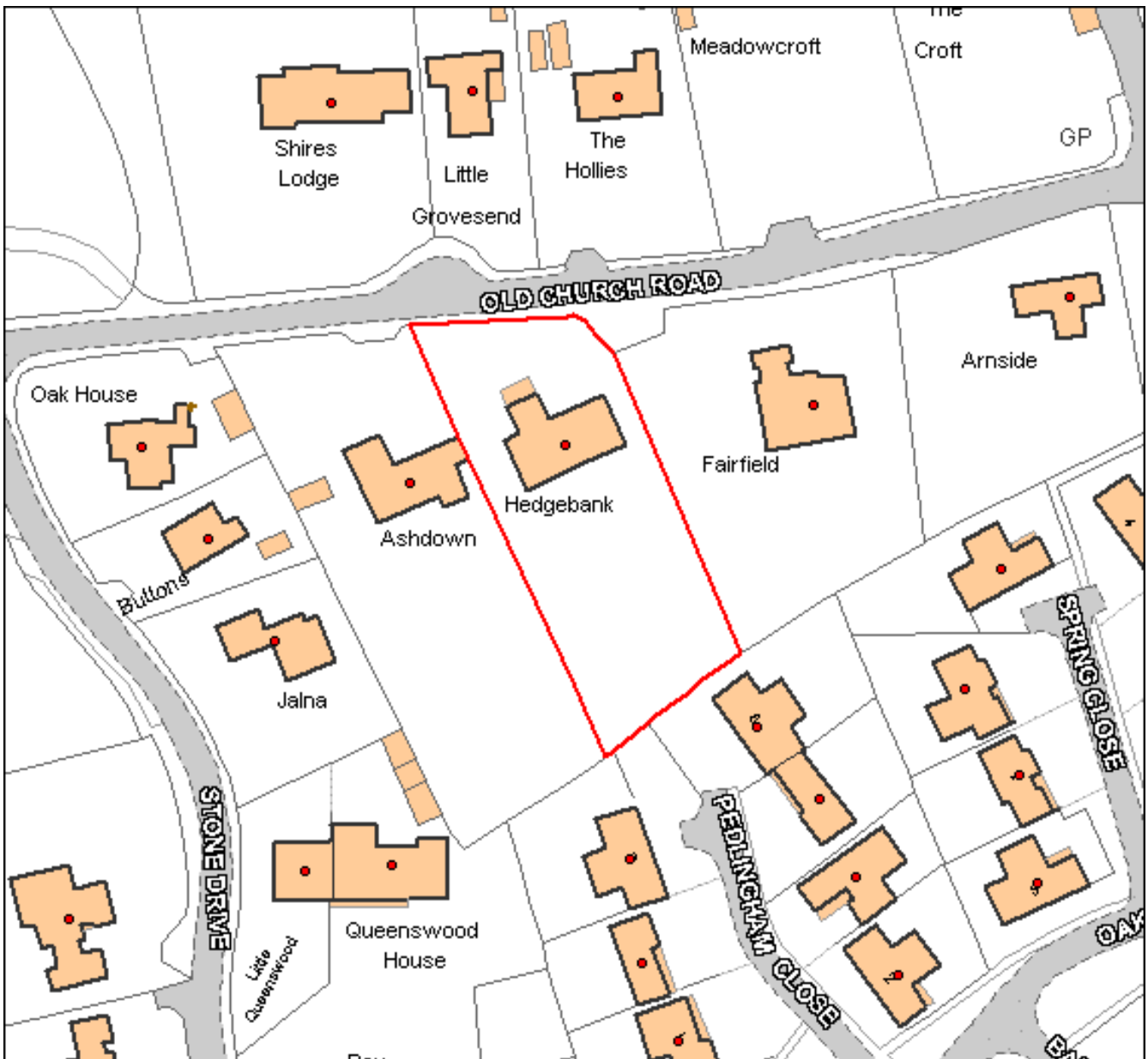
- 1. N15 Reason(s) for the Grant of Conservation Area Consent

Decision:

Notes:

Background Papers

Internal departmental consultation replies



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APPLICATION NO: DMN/111429/F

SITE ADDRESS : HEDGEBANK, OLD CHURCH ROAD, COLWALL, HEREFORDSHIRE,
HEREFORDSHIRE, WR13 6EZ

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