

**DCCW2004/0209/F - PROPOSED DWELLING AT
PLOT 2, LOWER ORCHARDS, BURGHILL, HEREFORD****For: Mr. R.I. Matthews per Mr. J. Phipps, Bank Lodge,
Coldwells Road, Holmer, Hereford, HR1 1LH**

Date Received: 30th January 2004 **Ward: Burghill,
Holmer & Lyde** **Grid Ref: 48127, 44225**

Expiry Date: 26th March 2004

Local Member: Councillor Mrs. S.J. Robertson

This application was deferred at the meeting of the Planning Committee on the 31st March 2004 in order that Members could undertake a site visit, held on 14th April 2004.

1. Site Description and Proposal

- 1.1 The application site forms one of ten previously approved plots, seven of which have been completed under application SH911659PM. It is situated on the western edge of the settlement of Burghill and lies at its closest point 20 metres outside the designated Conservation Area from which it is separated by one of the formerly constructed bungalows. At present the site and the adjoining undeveloped plot form an attractive open space which is laid to grass.
- 1.2 This application seeks full planning permission for a detached two storey dwelling with linked double garage. The proposed unit has four bedrooms and is designed to have a one and a half storey appearance through the use of dormer windows and a projecting first floor gable. The unit measures 7.9 metres to the ridge of the main roof. The submitted plans indicate the use of an Istock Commercial red facing brick with a Redland slate grey plain concrete tile to the roof.

2. Policies

2.1 Hereford and Worcester County Structure Plan:

- Policy H16A - Housing in Rural Areas
Policy CTC9 - Development Requirements

2.2 South Herefordshire District Local Plan:

- Policy GD1 - General Development Criteria
Policy SH6 - Housing Development in Larger Villages
Policy SH8 - New Housing Development Criteria in Larger Villages
Policy SH14 - Siting and Design of Buildings
Policy C23 - New Development affecting Conservation Areas

2.3 Herefordshire Unitary Development Plan (Deposit Draft):

- Policy DR1 - Design
Policy H4 - Main Villages – Settlement Boundaries
Policy H13 - Sustainable Residential Design

3. Planning History

- 3.1 SH882005PO Erection of 10 dwellings with garages - Approved 26/07/1989.
SH911659PM Proposed residential development - Approved 18/03/1992.

4. Consultation Summary

Statutory Consultations

- 4.1 There are no statutory consultees.

Internal Council Advice

- 4.2 Head of Engineering & Transportation recommends standard condition H10 and highway notes to any permission granted.

5. Representations

- 5.1 Burghill Parish Council - The Parish Council have no objections in principle to this application. The only concern being the height of the proposed dwelling in a cul-de-sac of single storey bungalows.

- 5.2 Seven letters of objection have been received from the occupiers of No. 1 Lower Orchards, Burghill; Mr. & Mrs. D. & W.J. Kidman, 4 Lower Orchards, Burghill, Hereford; Mr. & Mrs. R.G.J. & J.P. Saych, 5 Lower Orchards, Burghill, Hereford; Mrs. P.A. Johnson & H.J. Wicks, 6 Lower Orchards, Burghill, Hereford, Mr. R. & Mrs. C. Wood, 7 Lower Orchards, Burghill, Hereford; T.E. Dutton, 8 Lower Orchards, Burghill, Hereford and Mr. A. Short & A.I. Short, 9 Lower Orchards, Burghill, Hereford. The objections raised can be summarised as follows:

- Strong objections are raised to the principle of the proposal which is in a cul-de-sac of low bungalows and on the fringe of a Conservation Area. Detailed consideration would have been given at the time of the original approval in 1988 and indeed a condition attached which insisted development on this site should be single storey only. The reason for that condition is stated as "to reduce the impact of the development on the edge of the Conservation Area and in keeping with neighbouring development."
- The development has blended in to the area and the erection of a two storey dwelling which is significantly higher than the existing bungalow with a attached double garage would dominate this small cul-de-sac location. To obtain the space for a double garage the proposed structure would overflow onto Plot 3 which is also undeveloped leaving a small strip.
- Another major consideration should be that if this application is accepted other owners in Lower Orchards could apply for major loft conversions which would damage the environment contrary to the previous Planning Authority's requirements.
- Concern is raised to the amount of cars which would be added and the fact that the access is off a bend. Existing residents bought their properties in a belief that Hereford would be consistent with planning policy that was enforced when the development on the edge of the Conservation Area was accepted.

- This application represents an overdevelopment of the site. This application will spoil what is an attractive part of Burghill.
- The proposed dwelling is completely out of scale and character with adjoining development and will be very obtrusive to the area.
- One letter objects to the notification and consultation process associated with this application.
- Privacy of existing residents and future residents would be unacceptably affected with first floor windows overlooking gardens and existing bungalows.

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

6. Officers Appraisal

- 6.1 The main issues for consideration in determining this application relate to the principle of the proposed development, the siting, design and layout of the scheme submitted, and the impact of the proposal on the adjoining Conservation Area and existing residential amenity for adjoining occupiers.
- 6.2 As will be noted from the Planning History of this site, outline permission and the subsequent reserved matters application were approved for ten dwellings by the former South Herefordshire District Council. Whilst all conditions were complied with, only seven of the dwellings were completed and as such permission still exists for three units off Lower Orchards, of which this site forms one. Importantly when granting outline planning permission, South Herefordshire District Council imposed a condition that the dwellings should be single storey only in order to reduce the impact of the development on the edge of the Conservation Area and ensure it was in keeping with neighbouring development.
- 6.3 Given that the principle of residential development has previously been accepted on this plot, and that seven of the ten approved dwellings have been constructed, the basic principle of a dwelling in this location is established and must be accepted. Whilst the size of this plot is slightly larger than that shown on the approved layout, ultimately it is a replacement of house type and design which is the critical issue in this case.
- 6.4 In terms of its siting, design and layout the proposed two-storey dwelling will clearly differ in character and appearance to its immediate neighbours. The seven bungalows already constructed at Lower Orchards are all of a modest size and scale being approximately 5 metres to the ridge. The proposal for consideration in this application measures 7.9 metres to the ridge and as such will be significantly higher than its immediate neighbours. This is not however, as a matter of principle, an issue which would warrant refusal of the scheme. Like all applications this must be considered on its own merits and whilst not in keeping with Lower Orchards it could be argued that Lower Orchards is not in keeping with the general character and appearance of dwellings within Burghill's historic Conservation Area.

- 6.5 As previously noted in this report, the original outline application specified that the ten dwellings approved should be of single storey construction only with a view to “reducing the impact of the development on the edge of the Conservation Area and to ensure it was in keeping with neighbouring development”. In this case any impact on the Conservation Area has been carefully considered and Officers conclude that a successful argument against the principle of two storeys on this site could not be sustained. Given that an existing bungalow (Plot 1) separates this site from the edge of the Conservation Area, its impact on the setting of the designated Conservation Area would be minimal.
- 6.6 In design terms, Officers main concerns relate to the detail of the proposed double garage which is slightly forward of the main dwelling and has a large and dominant roof slope. The main part of the dwelling is attractively designed and well detailed and is considered acceptable. Whilst considerably higher than the adjoining bungalows, it would not dominate or through its size be detrimental to the amenities of existing residents in the cul-de-sac.
- 6.7 Given the concern on the design and siting of the proposed double garage, it is considered that a revised design should be sought for the garage element in an attempt to reduce the dominant element to this part of the scheme.
- 6.8 A number of residents have expressed concern about potential overlooking from the first floor windows of the proposed dwelling, however Officers consider that no direct interlooking would occur from the proposal. The only element of concern in this respect relates to the north elevation (facing Plot 1) where two first floor windows are shown. The first window in the garage roof space should in Officers opinion be fitted with obscure glazing given its relationship with the bungalow on Plot 1 or through an amended garage roof design is omitted. The bedroom window on this elevation is set 7.5 metres further away from the residential boundary and whilst overlooking part of the garden and pond would not be detrimental to the residential amenity of the dwelling itself.
- 6.9 In conclusion Officers consider that this proposed two-storey dwelling is acceptable in principle with a condition reserving final approval of the garage roof and the proposed roofing materials. With the conditions set out, permission is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

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. **G01 (Details of boundary treatments).**

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

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. E16 (Removal of permitted development rights).

Reason: To prevent the overdevelopment of the site and to ensure any future development is controlled.

7. E19 (Obscure glazing to windows).

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

8. E09 (No conversion of garage to habitable accommodation).

Reason: To ensure adequate off street parking arrangements remain available at all times.

9. E01 (Restriction on hours of working).

Reason: To safeguard the amenities of the locality.

10. H10 (Parking - single house).

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

11. Notwithstanding the details indicated on submitted drawing no. 793.1, details of a revised garage roof design shall be submitted to and approved in writing by the local planning authority prior to the commencement of any development on site. Development shall only be carried out strictly in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

Informatives:

1. HN1 - Mud on highway.

2. HN4 - Private apparatus within highway.

3. HN5 - Works within the highway.

4. HN10 - No drainage to discharge to highway .

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.