

**DCNE2003/2798/F - ERECTION OF TEN, THREE  
BEDROOMED DWELLINGS WITH GARAGES AT SITE  
OFF STATION ROAD, COLWALL, MALVERN,  
HEREFORDSHIRE**

**For: Miton Ltd per Mr A H Roper, Dolefield Cottage,  
Bank Farm, Mathon, West Malvern. WR14 4DX**

**Date Received:  
16th September 2003**

**Ward:  
Hope End**

**Grid Ref:  
75590, 42436**

**Expiry Date:  
11th November 2003**

Local Members: Councillor R Stockton & Councillor R Mills

This application was first reported to the Northern Area Planning Sub-Committee on 17 December 2003 and was deferred for a site meeting, which took place on Tuesday 10 February 2004. Members, at the meeting on 25 February 2004 were minded to refuse the application contrary to officer recommendation on the basis that the density was too great and that it would impact on the Area of Outstanding Natural Beauty.

The Head of Planning Services has examined the proposal and referred the application to the Planning Committee on the basis that this application raises crucial policy issues and the risk of costs being awarded against the Council in the event of a successful appeal.

The original report and recommendation remain unchanged and are set out in full below.

### **Introduction**

This application was deferred at the last meeting as Members were concerned that the density was too high. The applicant was informed and has submitted the following letter:

“The scheme as submitted is within the settlement boundary of Colwall on a site with previous residential use, and complies with the requirements of PPG3 with respect to both density of housing and its siting adjacent to the Colwall station with rail links to Hereford and Worcester and beyond.

We therefore see no reason why the present scheme should be altered or compromised and request the Committee to determine the application on 28<sup>th</sup> January 2004.”

The previous report which has been updated follows.

### **ORIGINAL REPORT OF 17<sup>TH</sup> DECEMBER 2003**

#### **1. Site Description and Proposal**

- 1.1 This 0.32 hectare site is located to the rear of the former Lockyears Garage site, now developed with 12 flats (The Orchards) near the railway station in Colwall. The site presently contains two empty bungalows and overgrown gardens. Station Road forms the northern boundary with the Ledbury to Malvern railway line on the eastern

boundary, the flats development on the western boundary and mature gardens on the southern boundary.

- 1.2 The proposal is to demolish the two bungalows and replace with ten three-bedroom, two-storey dwellings. Access is proposed off Station Road. The dwellings would have a mixture of hipped and gabled roofs all with attached garages and additional car-parking spaces.
- 1.3 External materials proposed are brick under a slate roof.

## **2. Policies**

PPG1 – General Policy and Principles

PPG3 – Housing

PPG7 – The Countryside – Environmental Quality and Economic and Social Development

PPG13 – Transport

### **Hereford and Worcester County Structure Plan**

H16A – Housing in Rural Areas

H18 – Housing in Rural Areas

CTC1 – Areas of Outstanding Natural Beauty

CTC5 – Archaeology

CTC9 – Development Requirements

CTC11 – Trees and Woodlands

### **Malvern Hills District Local Plan**

Housing Policy 3 – Settlement Boundaries

Housing Policy 17 – Residential Standards

Housing Policy 18 – Tandem and Backland Development

Landscape Policy 2 – Areas of Outstanding Natural Beauty

Landscape Policy 8 – Landscape Standards

Transport Policy 11 – Traffic Impact

### **Herefordshire Unitary Development Plan (Deposit Draft)**

Policy H4 – Main Village: Settlement Boundaries

Policy LA1 – Area of Outstanding Natural Beauty

### **Colwall Village Design Statement**

## **3. Planning History**

MH78/1147 - Renewal of permission for mobile home - Planning permission granted 6.7.1978.

NE2000/1885/F - Site for 6 residential dwellings with garages - Approved 4.10.2000.

NE2001/2061/F - Erection of 5 detached dwellings with garage - Approved 19 October 2001.

Adjacent site:

NE99/0041/N - Erection of 12 flats with integral garaging - Planning permission granted 27.5.1999.

N98/0347/N - Erection of 13 flat units and garages - Refused 9.12.1998.

MH95/903 - 2 1/2 storey sheltered flats development (20 units) - Refused 13.2.1996 - Appeal allowed 7.8.1996.

MH89/0567 - Sheltered housing comprising 22 flats and associated communal facilities - Withdrawn.

MH89/129 - Demolition of existing garage and living accommodation and erection of 6 dwellings and 6 double garages - Refused 16.10.89 - Appeal allowed 7.6.1990.

#### 4. Consultation Summary

##### Statutory Consultations

##### 4.1 The Malvern Hills Area of Natural Beauty Partnership comment as follows:

1) We would like to support in general the position taken by Colwall Parish Council. These points are all of critical importance to the life of the village.

2) However, if the Council is minded to grant the application at this density, particularly if the cost of units to purchasers will wholly or in part lie within the 'social housing' range (buy-to-let, rent, part-purchase) then the constraints below are recommended.

3) The Council will be fully aware that

- (i) the site lies at the centre of the AONB's central settlement and is therefore particularly sensitive.
- (ii) the site is immediately adjacent to the Railway Station, Colwall's principal public transport gateway. Of the 4 stations serving visitors to the Hills and AONB land, to the west this station provides by far the best possible 'green' access as well as to support facilities within the settlement
- (iii) the pressure to spoil views into and out of the settlement remains high and, as the V.D.S. points out, requires constant vigilance. The Partners are particularly alert to the threats to the view down from the Hills. The steady growth of developments to the East and North of the Hills makes development control to the West critically important.

##### 4) Recommended conditions

- i) the applicants have already gone some way to anticipate the concerns of ourselves and the villager and we have only the following points to stress. Local (very) distinctiveness considerations require that

- a) Roof materials should vary between slate and clay
- b) Facing bricks (all elevations) should reflect the colour and finish of the Colwall Park Hotel and particularly the smaller units behind it, and those of 'The Orchards'
- c) Avoiding pastiche, some detailing, varying between properties should also quietly endorse the black, white and red 'look' of these predominantly Edwardian properties
- d) There should be further planting of Scotch Pine to the North and East of the site to break up the visual impact of the site as seen from the Hills, the railway bridge and the field paths leading up towards Jubilee Drive

#### Internal Council Advice

- 4.2 Chief Conservation Officer recommends the standard archaeological condition to oversee the development.
- 4.3 Head of Engineering and Planning recommends conditions and confirms that there is no impact on the adjoining public footpath CW40.

### **5. Representations**

- 5.1 Colwall Parish Council object to this application and comment as follows: "The proposed development on the site is too dense with reference to the unsuitability of the access road as there are serious concerns with regard to road safety. These concerns relate to the pedestrian access to the railway station, vehicle access to the railway station car park and the additional traffic movement into an existing 'high risk' junction/area at Water/Sewerage/School and Doctors Surgery.

Section 8.8 of the Village Design Statement refers to the fact that any further development in this area would generate the need for a traffic impact survey. In addition the Design Statement (Page 13) refers to the following pattern of development guidelines:

Any development whether it be a new property, extension, or addition to an existing building should:

- Allow sufficient space to be able to retain the open green effect characteristic in the village and avoid overcrowding.
- Protect the distinctive views into and out of the village which are afforded by existing open spaces.
- Provide adequate roadside grass verges to building frontages to maintain the spatial environment.
- Ensure that landscaping proposals use species characteristic of the village and to a design that is compatible with its surroundings.

In the case of new developments, new open spaces should be created so that these developments can be part of the existing settlement pattern and linked to the open countryside, thus integrating the buildings with their agricultural surroundings".

Six letters of objection have been received, the main points are:

- 1 - The density is too high.
- 2 - Increased traffic movements with no footpath along Station Road.
- 3 - Increased noise.
- 4 - Views of the Malverns would be obscured.
- 5 - Impact on amenity of adjoining residents.
- 6 - The development will not blend in with the existing built environment.

5.2 Two letters of support have been received.

- 1 - Supports development but wants assurances that boundaries to the site could be protected and enhanced to prevent trespass.
- 2 - These style and size of houses are needed in Colwall.
- 3 - They would not be detrimental to the village.

5.2 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 In considering this planning application the main points are the density of the development, access, impact on nearby residents and design.

6.2 The site has an extant planning permission for 6 dwellings of similar design and the additional 4 dwellings bring the density up to 31 dwellings per hectare, which sits at the lower end of the density criteria stated in PPG3. Furthermore its location near to Colwall Station complies with the requirements of PPG3 to locate developments around good quality transparent corridors.

6.3 Access on the original scheme was through the adjoining flats development. However, the developer has now obtained permission to access onto Station Road, which although not having a footpath has a suitable width to accommodate the increase in traffic and pedestrian usage from the station.

6.4 Impact on amenity will be reduced by the retention of boundary treatments and new planting.

6.5 The designs of the dwellings are similar to recent developments in Colwall in window proportions, use of different roof treatments and insertion of chimneys. This will create a variety of rooflines as identified by the Colwall Village Design Statement.

6.6 The development does not meet the threshold for provision of recreation open space. Furthermore concerns relating to retaining open spaces within Colwall are not considered in this instance to outweigh the development of this site, which has an extant permission for 6 dwellings and is located within the heart of the village adjacent to a main transport link, Colwall Railway Station.

## **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 - A06 (Development in accordance with approved plans )**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

**3 - B01 (Samples of external materials )**

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

**4 - D03 (Site observation - archaeology )**

**Reason: To allow the potential archaeological interest of the site to be investigated and recorded.**

**[Note ND3 should be used in conjunction with this condition].**

**5 - F16 (Restriction of hours during construction )**

**Reason: To protect the amenity of local residents.**

**6 - 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.**

**7 - G13 (Landscape design proposals )**

**Reason: In the interests of visual amenity.**

**8 - G05 (Implementation of landscaping scheme (general) )**

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

**9 - G11 (Retention of hedgerows (where not covered by Hedgerow Regulations) )**

**Reason: To ensure that the application site is properly landscaped in the interests of the visual amenity of the area.**

**10 - The rear elevations of Plots 3 - 7 included shall have triple glazing installed and retained for that use in perpetuity.**

**Reason: In order to protect the amenity of the occupants.**

**11 - H03 (Visibility splays )**

**Reason: In the interests of highway safety.**

**12 - H13 (Access, turning area and parking )**

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

13 - H27 (Parking for site operatives )

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

Informative:

1 - N15 (Reason for Grant of PP/LBC/CC)

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- H18 - Housing in Rural Areas
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Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.