

5 DCCW2004/0933/F - PROPOSED TWO STOREY DETACHED DWELLING WITH INTEGRAL GARAGE AT LAND ADJACENT TO DORGAR, SHELWICK, HEREFORD, HR1 3AL

For: Mr. & Mrs. E.M. Brimfield, Dorgar, Shelwick, Hereford, HR1 3AL

Date Received: 15th March, 2004 Ward: Burghill, Holmer & Lyde Grid Ref: 52067, 42992

Expiry Date: 10th May, 2004

Local Member: Councillor Mrs. S.J. Robertson

1. Site Description and Proposal

1.1 The application site is located at the western edge of the settlement of Shelwick which is approximately 1.5 kilometres to the north-east of Hereford. It currently comprises the side garden area of an existing bungalow "Dorgar" and adjoins the eastern boundary of Shamrock which is a detached two storey dwelling.

1.2 The proposal seeks full planning permission for the erection of a two storey detached dwelling which will be sited in a "gable on" position to the road adjoining Dorgar. As submitted the building contains two bedrooms on the first floor and would be sited three metres away from an existing side wall of the applicant's bungalow. The proposed dwelling measures 7.1 metres to the ridge and also contains an integral garage. Access and parking would be provided via a new entrance point created adjoining an existing access which serves Shamrock immediately to the west of the site. The site itself is also in a slightly elevated position and given its relatively narrow width the garden areas will be provided primarily to the front and rear of the property.

2. Policies

2.1 South Herefordshire District Local Plan:

Policy GD1 - General Development Criteria
Policy SH10 - Housing in Smaller Settlements

2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1 - Sustainable Development
Policy S2 - Development Requirements
Policy S3 - Housing
Policy H7 - Housing in the Countryside Outside Settlements

3. Planning History

3.1 CW2002/3292/F Erection of a detached dwelling - Refused.
CW2003/0421/F Two storey detached dwelling with integral garage (revised scheme) - Refused 31st Mach 2003.

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency - The Agency has no objections to the proposed development but wishes to make the following comments. The applicant should ensure that land proposed for soakaway has adequate permeability in accordance with BS 6297 : 1983. The developer must ensure the existing private foul drainage system can adequately accommodate the likely increase in foul flows. The foul drainage system should be sited so as not to cause pollution of any watercourse, borehole, spring or groundwater. Any waste excavation material or building waste generated in the course of development should be disposed of in accordance with Section 34 of the Environmental Protection Act 1990.
- 4.2 Dwr Cymru Welsh Water have no comment to make on the application given the use of a private foul water treatment system.

Internal Council Advice

- 4.3 Head of Engineering and Transportation recommends a condition ensuring parking and turning facilities for two cars are available on site.

5. Representations

- 5.1 Holmer Parish Council - no objections. However would like details of drainage as no sewer or private sewer plant is available.
- 5.2 Two letters of objection have been received from G.E. Walwyn, Peppercorn, Shelwick, Hereford and Mr. & Ms. Stinton, Shamrock, Shelwick, Hereford. Objections raised on the following points.
- This application is no different to the previous which have been refused and would lead to a cramped form of development which is out of keeping with the area. The erection of a dwelling here would be ugly on the eye and would be unpleasant for neighbouring properties, it would be overlooked.
 - One letter raises concerns about a potential boundary dispute with the application site, however this is not a material planning issue.
 - The proposal would lead to additional traffic and the road through the village is being used more and more as a rat run from Holmer to Sutton St. Nicholas.
 - The application will be contrary to planning regulations regarding the density of dwellings in rural areas and therefore out of character.
 - The sewerage system owned by Mr. Powell has been problematic. In fact Mr. Powell has requested users take over the ownership of the system. Further connection to this private system is unauthorised.
 - In our opinion the proposal should be refused on several grounds. This is a rural area overlooking fields and meadows and the applicant has already built a bungalow on the site.

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 key issues in this application are the principle of new residential development in this location, the design and siting of the proposed dwelling having regard to the character and appearance of the area, residential amenity of adjoining properties and the highway safety.
- 6.2 With regard to the principle of development Shelwick is identified under Policy SH10 of the South Herefordshire District Local Plan and listed as a small settlement. Whilst there is no settlement boundary contained within the Plan, it is considered that this site is just within the main built up part of the village where Policy SH10 would apply. Whilst accepting the site is within a settlement, it does not automatically follow that permission should be granted for development. The policy also requires that each of the eight criteria listed should be complied with prior to the granting of permission.
- 6.3 In the case of the application site, it is considered that it represents an attractive part of the village and is located on the edge of the settlement. At present it forms a raised garden area for Dorgar which is one of many dwellings which have been erected in recent years on both the north and south sides of the main road through the settlement. The area around the application site does however retain a much more rural character and appearance than the central part of the village. Furthermore, it should be noted that the linear group of dwellings to the north of the road are not mirrored on the south side adding to a particularly rural feel in this part of Shelwick.
- 6.4 Having regard to the width of the plot and the appearance of the proposed development, it is considered that this proposal will fail to meet the criteria set down by Policy SH10 and that the development would be of a scale and character not appropriate to this particular location. The resulting building would dominate the existing bungalow and give a cramped and unsympathetic appearance to the locality. Furthermore, approval should only be given under Policy SH10 where it can be clearly demonstrated that there is a local need for the development and that it would be sustainable in terms of reducing the need to travel. Whilst the South Herefordshire District Local Plan is time expired (1996-2001), the policy is still applicable and this issue has not been addressed.
- 6.5 Whilst the size and scale of the dwelling proposed have been significantly reduced from previous refusals on this site, the restrictive width of the plot leads to a "gable on" layout. The dwelling would also be a considerable higher structure than Dorgar which is a bungalow and having regard to the close proximity of the two properties, it would undoubtedly appear cramped, out of scale and unsympathetic in this attractive rural area.
- 6.6 In view of the above, whilst the site in theory represents an infill location the proposed two storey detached dwelling represents an unacceptable form of development which would cause harm to the attractive character and appearance of the immediate locality and would have a cramped and overbearing appearance on the existing dwelling.

RECOMMENDATION

That planning permission be refused for the following reason:

The proposed dwelling represents a revised scheme to a previous refusal of planning permission under reference CW2003/0421/F. Notwithstanding the design alterations which reduce the overall size and height of the proposed unit, in accordance with adopted Policies SH10 and GD1 of the South Herefordshire District Local Plan, the proposed development is not acceptable. By virtue of its siting, design and scale the dwelling would have a cramped and overbearing appearance which would result in an over development of the application site. Furthermore, having regard to the site's location close to the edge of the settlement of Shelwick the proposal would cause harm to the attractive rural character and appearance of the area.

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.