

**DCNE2004/0317/F - DETACHED DWELLING HOUSE ON
PLOT AT HORSE ROAD, WELLINGTON HEATH,
LEDBURY, HEREFORDSHIRE, HR8 1LS****For: Mr R W Cowburn per Mr E Cartwright 42 Cumbria
Close Thornbury South Glous. BS35 2YF****Date Received:**
28th January 2004**Ward:**
Hope End**Grid Ref:**
71186, 40192**Expiry Date:**
24th March 2004

Local Member: Councillors R Mills and R Stockton

1. Site Description and Proposal

- 1.1 This site is located on the eastern side of Horse Road that runs through the centre of Wellington Heath. The plot is surrounded by residential dwellings with Charnwood, The Dingle and Pear Tree Cottage to the west, Mortar Cottage to the south and Dogberry Cottage to the east. The car park to the Farmers Arms Public House is to the north.
- 1.2 Planning permission is sought to construct a four-bedroom house with a detached single garage. The site is located within the settlement boundary for Wellington Heath and has the benefit of outline planning permission. The plans have been amended since submission to reduce its height, remove windows, reduce the height of the garage, and appropriate terracing of the land.

2. Policies

2.1 PPG3: Housing

2.2 Hereford and Worcester County Structure Plan

Policy H6A – Housing in Rural Areas
Policy CTC1 – Areas of Outstanding Natural Beauty
Policy CTC2 – Areas of Great Landscape Value
Policy CTC9 – Development Requirements

2.3 Malvern Hills District Local Plan

Housing Policy 3 – Settlement Boundaries
Landscape Policy 2 – Areas of Outstanding Natural Beauty
Landscape Policy 3 – Areas of Great Landscape Value
Transport Policy 11 – Traffic Impact

2.4 Herefordshire Unitary Development Plan (Deposit Draft)

H6 – Housing in smaller settlements
LA1 – Areas of Outstanding Natural Beauty

3. Planning History

MH78/2043 - Residential development. Refused 13.11.78.

NE2000/3192/O - Site for detailed dwelling and garage. Approved 9.3.01. (Now expired.)

NE2003/1610/F - Detached dwellinghouse. Refused 24.7.03.

4. Consultation Summary

Statutory Consultations

4.1 Malvern Hills AONB Officer confirms no objection.

Internal Council Advice

4.2 Head of Engineering and Transport: Recommends conditions relating to the access and parking facilities.

4.3 Chief Conservation Officer: Welcomes the amended plans but recommends conditions relating to the submission of further details.

5. Representations

5.1 Wellington Heath Parish Council: 'WHPC reiterates its recommendation that the following condition should be attached to any permission granted for development:

No planting, hedges, fences or walls should be permitted within 1.5m of the highway and a height restriction should be placed on any boundary treatment. WHPC recommends that Herefordshire Council request that the applicant provide safety refuges (e.g. hard-standings) for pedestrians within this 1.5m strip along the Horse Road part of the boundary, preferably via a Section 106 agreement.

Reason: To maximise the visibility around the dangerous bend and to ensure the safety of pedestrians on the most dangerous stretch of road.

Further WHPC supports the suggestion made by the resident of the neighbouring property, Mortar Cottage, that the proposed dwelling be positioned further north on the plot to minimise overlooking.'

5.2 Five letters of objection have been received from:

M McCleary and E Voyce, Mortar Cottage, Horse Road, Wellington Heath (2 letters)
R J Hurley, Dogberry Orchard, The Common, Wellington Heath
J & B Snell, Dogberry, The Common, Wellington Heath (2 letters)

The comments made on the amended plans are:

1) The revised design seems much more acceptable. However, we are still concerned that the retaining wall will be visible for much of the year.

2) The retaining wall should be finished in natural stone to reduce its impact.

3) The house will still be unnecessarily close to Mortar Cottage.

- 4) Although windows have been removed at first floor level the kitchen window will only be a few metres from the boundary.
- 5) The bulk of the rear of the house will be overbearing on Mortar Cottage and reduce light.
- 6) The natural contours of the site should dictate that a split level dwelling would be the best possible design for the site and adjoining dwellings.
- 7) We wish to retain the quiet and views that we have in this area designated as an AONB.

5.3 The applicant's agent has submitted the following:

- 1) Roof pitch reduced.
- 2) 1 3/4 storey height introduced.
- 3) House slab lowered.
- 4) Garage reduced to standard height.
- 5) Windows to rear first floor elevation removed.
- 6) Indicative terracing, landscaping and planting shown to mask drive and garage.

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 This site is located within the settlement boundary of Wellington Heath as identified in both the Malvern Hills District Local Plan. Therefore the principle to develop the site is accepted. However, siting, design and landscaping are for consideration under this proposal. The access has been moved slightly but is supported by the Head of Engineering subject to appropriate conditions.
- 6.2 The dwelling is sited in the southern corner of the site approximately 5 metres from Mortar Cottage, but with a 1.8m high fence in between. The slab levels are being dropped by 0.9m, which further lowers the impact of this dwelling. Furthermore, the windows originally in the first floor overlooking Mortar Cottage have been deleted.
- 6.3 The design has been amended and the height and pitch of the roof reduced to further reduce the impact of this new dwelling. The lowering of the garage roof and providing a hipped roof further reduces the impact of the development. External materials proposed are brick under a double Roman roof tile, details of which will need to be submitted for approval and will be conditioned.
- 6.4 Finally, landscaping will be conditioned to be submitted prior to work commencing. Regarding the concerns of loss of light, it should be noted that the new dwelling will be located to the north of Mortar Cottage and accordingly will not block any direct sunlight.

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 - A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 - B01 (Samples of external materials)

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

4 - 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.

5 - G04 (Landscaping scheme (general))

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

6 - G05 (Implementation of landscaping scheme (general))

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

7 - Prior to work commencing a slope stability report together with methods for the construction of buildings on the site including their foundations and any retaining walls shall be submitted to and approved in writing by the local planning authority.

Reason: In order to clarify the terms of this permission.

8 - No ground reduction levels shall take place within one metre of the neighbouring boundary fence and 2 metres of the roadside hedge.

Reason: In order to clarify the terms of this permission.

9 - H01 (Single access - not footway)

Reason: In the interests of highway safety.

10 - H05 (Access gates)

Reason: In the interests of highway safety.

11 - H12 (Parking and turning - single house)

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

12 - H27 (Parking for site operatives)

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

Informatives:

- 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**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.