

7 DCSE2004/1593/F - REMOVAL OF CONDITION 7 FROM PLANNING PERMISSION SE2003/2744/F, QUARRY COTTAGE, GOODRICH, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6JD

For: Mr. & Mrs. C. Clarke, Colgarron Lodge, Goodrich, Ross-on-Wye, Herefordshire, HR9 6JD

Date Received: 30th April, 2004

Ward: Kerne Bridge

Grid Ref: 56168, 18550

Expiry Date: 25th June, 2004

Local Member: Councillor Mrs. R.F. Lincoln

1. Site Description and Proposal

- 1.1 The application site has a frontage to both Old Forge Lane and the B4229 which links the A40(T) to Kerne Bridge, and is about 0.3 ha in area and also adjoins a narrow track. Planning permission (SE2003/2744/F) for a replacement dwelling and garage was granted on 3rd November, 2003. The permission included a condition (no. 7) that required that:

"Prior to the first occupation of the replacement dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking of 1 car so that it may turn within the site and enter and leave the site in a forward gear. The access, turning area and parking facilities shall be properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority. These areas shall thereafter be retained and kept available for those uses at all times."

The current application is for removal of that condition. The new house has been erected but not completed.

- 1.2 The access to the application property is off the narrow track which serves both Quarry Cottage and the adjoining property Wye Guildown. The access is wide (about 8m) but visibility along the track is restricted by the boundary wall between Quarry Cottage and Wye Guildown. The replacement lean-to single garage adjoins the boundary wall and is set back about 6m from the track but is at a significantly lower level.

2. Policies

2.1 Planning Policy Guidance

PPG.13 - Transport

2.2 Hereford and Worcester County Structure Plan

Policy CTC.1 - Housing in Rural Areas

Policy CTC.2 - Development in Areas of Great Landscape Value

2.3 South Herefordshire District Local Plan

- Policy C.5 - Development within Area of Outstanding Natural Beauty
- Policy C.8 - Development within Area of Great Landscape Value
- Policy T.3 - Highway Safety Requirements

3. Planning History

- 3.1 SE2002/1694/F Demolition of cottage and erection of cottage style dwelling - Permitted 30.07.02
- SE2003/2744/F Demolition of dwelling and construction of proposed 3 bedroom dwelling and garage - Permitted 03.11.03

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Head of Engineering and Transportation has no objection to the grant of permission.

5. Representations

- 5.1 The applicants write in support of their application as follows:

- the requirement to meet the datum levels for the house build has resulted in level changes that severely restrict the area available for turning
- the access to the house is via an unadopted private road.

- 5.2 Parish Council objects as no alternative parking/turning scheme put forward.

- 5.3 One letter has been received from Mr. R.A. Harris, Guildown, Goodrich, Ross-on-Wye which states that there are no objections to the proposal.

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

6. Officers Appraisal

- 6.1 This property prior to the house being demolished did not have an off-street turning area for vehicles, which had to reverse onto the site or onto the access track. The Head of Engineering and Transportation noted that a turning area was not proposed but nevertheless did not recommend that permission be refused. In view of the position of the dwelling on the site and the level at which it has been built the formation of a turning area is now impracticable. Whilst a turning area is desirable the issue is whether its absence would probably harm highway safety.

- 6.2 The access is on the outside of a bend in the track but visibility is restricted to the right by the boundary wall. Manoeuvring a car into and out of the garage would be awkward because of the steep slope. This change in level would probably preclude the

construction of a full turning area in front of the garage. The track serves only 2 houses, although it joins another track leading to a few other properties and may be used by occupants/visitors to those properties. As a consequence there is very little traffic and vehicle speeds are slow. It is considered therefore that there would not be a significant risk to highway safety if this condition were to be removed. Nevertheless careful grading of the frontage area combined with the existing wide access would enable vehicles to leave the site away from the boundary wall. This could be required by planning condition.

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. Within 2 months of the date of this permission the treatment of the area shown on the drawing attached to this permission which shall include details of hard surfacing, gradients and planting shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity and road safety.

5. The details approved pursuant to condition no. 4 above shall be carried out before the dwelling is occupied.

Reason: In the interests of visual amenity and road safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, dormer windows, roof extensions shall be erected or constructed.

Reason: The replacement dwelling represents an enlargement of the existing. In accordance with Policies H.20 of the Hereford and Worcester County Structure Plan and SH.11 and SH.21 of the South Herefordshire District Local Plan, the local planning authority considers control should be retained over further enlargements in order to protect the character and appearance of the area.

7. The garage hereby approved shall be kept available for garaging and storage use and shall not be converted into habitable accommodation.

Reason: In order to ensure that garage accommodation remains available for ancillary residential use and so as to restrict pressure for additional or alternative garaging in new buildings, which may harm the surrounding rural landscape, noted for its quality and to ensure that there remains adequate off-road parking provision in the interests of highway safety.

Informative(s):

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.