

DCNW2004/2056/O - DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND SITE FOR CONSTRUCTION OF 3 NO. FOUR BEDROOM DWELLINGS AT BURNSIDE, HIGH STREET, LEINTWARDINE, CRAVEN ARMS, SY7 0LQ

For: S D & J M Wicks per Stephen Funge Architechural Design, Dartmoor View, Queen Street, Winkleigh, Devon, EX19 8JB

Date Received:
7th June 2004

Ward:
Mortimer

Grid Ref:
40338, 74527

Expiry Date:
2nd August 2004

Local Member: Councillor Mrs L O Barnett

1. Site Description and Proposal

- 1.1 The application site comprises a 0.19 hectare plot, located on the western side of the A4113 (High Street). An existing bungalow (Burnside) and a detached garage occupy an elevated position above the road level and are set back some 20 metres from the highway, behind a well-established screen of trees and shrubs. To the north and south of the application site are properties known as Needwood Rise and The Old Police House respectively, which have fenced and planted boundaries.
- 1.2 The rear garden of the bungalow benefits from mature landscaping, including coniferous trees and hedgerows along the boundary with Meadowbank to the west. Noteable trees in the densely planted rear garden include a copper beech, blue cedar, rowan and a silver birch.
- 1.3 The site lies within the settlement boundary of Leintwardine, but outside the Conservation Area and the Scheduled Ancient Monument. The prevailing character of the area is one of mixed residential development, including detached and terraced properties of single and two-storey scale. The whole of Leintwardine is designated as a Landscape Protection Area.
- 1.4 Outline planning permission is sought for the demolition of the bungalow and garage and the erection of 3 detached dwellings. The application seeks formal consideration of the siting and means of access, but reserves design, external appearance and landscaping for future consideration.
- 1.5 The layout of the proposed development has been revised to reduce the impact upon Needwood Rise by moving the two-storey element some 4 metres from the side elevation of the property and integrating the proposed garaging, in order to avoid development at the front of the site.

1.6 An indicative "View from High Street" has been provided, showing the visual relationship of the proposed development in relation to the neighbouring properties.

1.7 A Members' site visit took place on 26th July, 2004.

2. Policies

2.1 Government Guidance

PPG3 - Housing

2.2 Hereford and Worcester County Structure Plan

CTC9 - Development Requirements

CTC11 - Trees and woodlands

CTC18 - Development in Urban Areas

2.3 Leominster District Local Plan (Herefordshire)

A1 - Managing the District's Assets and Resources

A2(C) - Settlement Hierarchy

A9 - Safeguarding the Rural Landscape

A10 - Trees and Woodlands

A18 - Listed Buildings and Their Settings

A23 - Creating Identity and an Attractive Built Environment

A24 - Scale and Character of Development

A25 - Protection of Open Areas or Green Spaces

A54 - Protection of Residential Amenity

A55 - Design and Layout of Housing Development

A70 - Accommodating Traffic from Development

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 - Sustainable Development

S2 - Development Requirements

S3 - Housing

S7 - Natural and Historic Heritage

DR1 - Design

DR2 - Land Use and Activity

DR3 - Movement

DR4 - Environment

H4 - Main Villages: Settlement Boundaries

H13 - Sustainable Residential Development

H14 - Re-Using Previously Developed Land and Buildings

H15 - Density

H16 - Parking

LA5 - Protection of Trees, Woodland and Hedgerows

HBA4 - Setting of Listed Buildings

2.5 Leintwardine Village Design Statement

3. Planning History

3.1 None identified.

4. Consultation Summary

Statutory Consultations

4.1 Severn Trent Water raises no objection, subject to conditional control over foul and surface water drainage arrangements.

Internal Council Advice

4.2 Head of Engineering and Transportation raises no objection, subject to access, parking and turning areas being provided, in accordance with the submitted plan.

4.3 Chief Conservation Officer comments as follows:-

4.4 Landscape Officer - The proposed dwellings can be built without damage to the roots within the canopy spread of the prominent copper beech, blue cedar, rowan and silver birch in the rear garden of the bungalow. However, the cedar and beech are approximately half their mature size and, as a result, there will be future conflict between the growing trees and the residential properties. The canopy and root spread may cause damage to the built structures and there will be light loss associated with Plots 2 and 3. No objection to the development of the site, but the rear building line should not be any further west than the neighbouring properties, allowing greater space for the trees to grow. It is recommended that the cedar is felled to allow space for the proper development of the copper beech. All other trees can be effectively retained. Conditions should be attached regarding protective fencing during construction and require landscape scheme to be submitted.

4.5 Senior Historic Buildings Officer - No objections to the proposal, provided materials sympathetic to adjacent listed building.

5. Representations

5.1 At the time of writing, a total of 18 individual letters of objection have been received. A petition including 20 signatories objecting to the amended plans has also been received.

5.2 The concerns raised can be summarised as follows:-

Loss of privacy;
Detrimental to the Schedule Ancient Monument
No respect for the identify of the village
Out of character with this part of High Street/Jay Lane
Noise associated with additional car traffic
Cramped development
No pedestrian access to the site

Affordable housing required in the village
Density not suited to a village like Leintwardine. Density too great.
Mature trees bound to be lost
Additional vehicular use of existing access will be detrimental to highway safety
Question need for housing of this type in the village
Poor visibility at access onto main road
Serious impact on neighbouring property (noise and loss of sunlight)
Village lies within a Landscape Protection Area
Village must not be degraded by building speculation and outside interests
Precedent for whole village sett
Loss of important space within the village
No justification for demolition of bungalow
Dwellings too tall, dense and out of keeping
Any windows in south elevation will overlook my property
Car lights will shine into my property

5.3 The signed petition objects to the amended plans on the following five points:

- (i) cramped development
- (ii) no respect for building density
- (iii) scale, height and mass of proposed buildings
- (iv) degree of overlooking and lack of privacy
- (v) degradation of village character

5.4 Leintwardine Parish Council commented as follows to the original proposal:

"The parishioners objecting to this application made several points which included:

Proposal not in fitting environmentally or with the conservation area. Three houses were too cramped for the plot, houses would be overlooked causing a blight. Lack of privacy. Detrimental impact on established trees. Questioned the need for a policy on people buying houses with larger than average gardens and seeking development.

It was felt that the housing density as proposed was too dense. It conflicted with council's policy of supporting starter homes in the village rather than executive developments. The garages would be outside the building line. Generally, the councillors agreed with the parishioners.

Decision: Application be rejected. The meeting suggested that there be a site visit by the County Planning Committee."

5.5 Comments on the amended plans reiterate that the density is too great and the proposal is out of character with the surrounding area. An application to build 2 homes would be more acceptable.

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 is an outline application, which seeks approval for the siting of three detached dwellings and the access thereto. At this stage, the design, external appearance and landscaping of the site are not matters requiring detailed consideration. The application has generated a significant number of objections locally and was also the subject of the members' site visit, which took place on 26 July, 2004.
- 6.2 The key issues for consideration in the determination of this application are as follows:
- a) the principle of residential infill on the Burnside plot;
 - b) the effect of the proposal on the character and appearance of the surrounding area;
 - c) the wider landscape impact of the proposal, having regard to the Landscape Protection Area designation and the trees on site;
 - d) the effect of the proposal upon the amenities of neighbouring occupiers; and
 - e) highway safety and access issues.

Principle of Residential Infill

- 6.3 Policy A2(C) of the Leominster District Local Plan (Herefordshire) and emerging Policy H4 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) broadly support the principle of residential developments on windfall sites within the defined settlement boundaries of main villages such as Leintwardine.
- 6.4 Government guidance set out in PPG3 – Housing establishes minimum thresholds for the density of development on residential infill sites and seeks to promote more effective use of land by encouraging densities between 30 and 50 dwellings per hectare. Emerging Policy H15 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) reflects this guidance.
- 6.5 In essence, this is a site which, according to Government guidance and adopted policies, is potentially suitable for higher density, residential development than currently exists.

Character and Appearance of the Area

- 6.6 Notwithstanding the advice set out in Government guidance, development proposals should not cause harm to the character and appearance of the site and its surroundings. In this case and in response to a number of comments made, it should be stressed that the site does not lie within the Leintwardine Conservation Area, neither is it within the area defined as the Scheduled Ancient Monument.
- 6.7 An assessment of the site and its surroundings indicates a diverse mix of housing types and architectural styles, ranging from the historic listed property (Plough Cottage - the roadside setting of which would not be detrimentally affected by this proposal), detached single-storey and two-storey development to the north, south and west and two-storey terraced housing (in blocks of four) to the east.
- 6.8 The application site is clearly low in density (approximately 5 dwellings per hectare), whilst the terraced blocks opposite achieve a density of just over 33 dwellings per hectare.

- 6.9 Within this mixed residential environment, the application proposal would involve a density of some 16 dwellings per hectare. Clearly, this falls well below the threshold set by Government guidance, but represents what is regarded as a reasonable compromise within the context of the village.
- 6.10 In terms of siting, the dwellings would respect the linear pattern of existing development being set back into the site and reflecting the building line defined by the properties on either side. Furthermore, the two-storey scale is one that exists in the area and, by reference to the indicative "View from High Street" elevation, does not appear out of keeping with the size of dwellings in the vicinity.
- 6.11 There will inevitably be a loss of space to the sides of the existing bungalow but, having regard to the prevailing character of this part of High Street, it is not considered that this will cause demonstrable harm and, as such, would accord with Policies A1, A23 and A24 of the Leominster District Local Plan (Herefordshire).
- 6.12 Since the application is in outline form, the design and external appearance of the dwellings is reserved for future consideration, but will inevitably require careful attention, in order to preserve the character and appearance of the surrounding area.

Impact on Landscape Protection Area and Trees

- 6.13 Policy A9 of the Leominster District Local Plan (Herefordshire) promotes the conservation and enhancement of the rural landscape, referring specifically to the importance of the Landscape Protection Area designation. This covers the whole of the village and the wider countryside to the Shropshire boundary to the north and Wigmore to the south.
- 6.14 Clearly, its key significance is in protecting the area from inappropriate isolated development, with the weight attached being reduced in respect of existing settlements such as Leintwardine
- 6.15 It has been suggested that the scale and density of this development accords with the residential character of the area and, as such, the landscape designation carries lesser weight. No objection to the principle of residential development has been raised by the Chief Conservation Officer.
- 6.16 In local landscape terms, the trees on site are considered to be of high amenity value and should be retained. Within the context of the coniferous and ornamental shrub planting, there are 4 trees worthy of retention (a copper beech, blue cedar, rowan and silver birch) at the rear of the site, although it is recommended that the blue cedar should be felled to allow the copper beech to grow unimpeded.
- 6.17 The revised siting of the proposed dwelling would enable the retention of the trees and, subject to conditions requiring fenced protection during construction, these trees would not be unduly affected and can therefore be preserved.
- 6.18 In the light of the above, the requirements of Policies A9 and A10 of the Leominster District Local Plan (Herefordshire) are satisfied.

Neighbouring Amenities

- 6.19 In terms of privacy, a condition would be attached to ensure that no windows were installed in the south elevation of Plot 1 and the north elevation of Plot 3, which would, in the light of the relative siting of the proposed dwellings in relation to the neighbouring property, ensure that no harmful overlooking would occur.
- 6.20 In addition to the above, the position of Plot 3 in relation to Needwood Rise has been amended such that the proposed two-storey element would be some 4 metres from the blank side elevation of the bungalow and, accordingly, would not have such an adverse impact on daylight and sunlight such that the refusal of planning permission would be justified. Approximately 8 metres is achieved between Plot 1 and The Old Police House and some 25 metres to the property to the west, which would not result in an unacceptable, overbearing effect on these properties.
- 6.21 In view of the above, the scale of the development would not cause serious harm to the amenities of neighbouring occupiers and, subject to control of the hours during which demolition and construction is undertaken, Policy A54 of the Leominster District Local Plan (Herefordshire) is satisfied.

Highway Safety and Access

- 6.22 Means of access is the other issue requiring formal consideration at this stage and appropriate visibility splays of 2 metres by 60 metres in either direction can be achieved through the regrading of the existing roadside embankment and the trimming back of trees and shrubs. This is recognised by the Head of Engineering and Transportation, who raises no objection to the access arrangements.
- 6.23 In response to the concerns raised locally, it is recognised that none of the properties on the western side of High Street has the benefit of direct pedestrian access, with occupants required to cross the road. Clearly, the proposal will result in additional pedestrian activity, but this would not be so significant or such a threat to pedestrian safety that grounds for refusal could be substantiated.
- 6.24 Subject to conditions requiring the proper provision and retention of the proposed parking and turning areas, no objection is raised.

Conclusion

- 6.25 This application has generated a significant number of objections but, in planning policy terms, it is considered that the principle of residential development is acceptable and, furthermore, the density and siting of the proposed dwellings would not be out of keeping with the prevailing character of residential development in the locality,, whilst enabling the retention of the existing trees on the site. With minor modifications, the access can be improved to meet the minimum visibility requirements and, as such, it is not considered that there are sufficient grounds to oppose this proposal.

RECOMMENDATION

That planning permission be granted, subject to the following conditions:

- 1 - A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2 - A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3 - A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4 - A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5 - B01 (Samples of external materials)

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

6 - E16 (Removal of permitted development rights)

Reason: To ensure effective control over further developments which may affect the amenities of neighbouring occupiers and the future health of important trees on site.

7 - E18 (No new windows in south elevation of Plot 1 and north elevation of Plot 3)

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

8 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

9 - G06 (Scope of landscaping scheme)

Reason: In order that the local planning authority may be satisfied that the deposited scheme will meet their requirements.

10 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

11 - 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.

12 - H27 (Parking for site operatives)

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

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 - HN01 - Mud on highway**
- 3 - HN04 - Private apparatus within highway**
- 4 - HN05 - Works within the highway**
- 5 - HN10 - No drainage to discharge to highway**
- 6 - Wildlife and Countryside Act 1981**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.