

22 DCNW2004/3247/F - SUBSTITUTION OF HOUSE TYPES ON APPROVED APPLICATION NW2003/2583/F AT LAND TO THE REAR OF STONELEIGH, KINGSLAND, LEOMINSTER, HEREFORDSHIRE, HR6 9QS

**For: Mr & Mrs AM & J Pugh per Jennings Homes Ltd
New Park House Brassey Road Shrewsbury
Shropshire SY2 7FA**

Date Received:
14th September 2004

Ward:
Bircher

Grid Ref:
44786, 61465

Expiry Date:
9th November 2004

Local Member: Councillor S Bowen

1. Site Description and Proposal

- 1.1 This application seeks consent for 4 detached dwellings. The application represents a revision to the previously approved scheme for 4 dwelling, NW2003/2583/F.
- 1.2 The application site lies on a site to the rear of property known as Stoneleigh on the north side of the B4360 road in Kingsland. The main body of the site measures approximately 88m x 32m, is a former orchard and lying within both the Kingsland Conservation Area and the Settlement Boundary. Access to the site is via a modified existing access on the east side of Stoneleigh. To the east and west boundaries of the site lie relatively modern residential cul-de-sac.
- 1.3 The original development was proposed in a linear form with plots 1 – 3 inclusive facing east whilst plot 4 faces south, namely the end elevation of plot 3. This revised scheme remains linear but revises the siting of plot four resulting in all four dwellings facing east. The dwellings now proposed are more substantial in scale, complex in design, and have detached garaging. The application has been revised with some elements design features and projections removed.

2. Policies

Leominster District Local Plan

Policy A2(c) - Small Scale Development within Defined Settlement Boundaries
Policy A18 – Listed Buildings and their Settings
Policy A21 – Development within Conservation Areas
Policy A24 – Scale and Character of Development
Policy A54 – Protection of Visual Amenity

Herefordshire Unitary Development Plan (deposit draft)

Policy H4 – Main Villages
Policy H13 – Sustainable Residential Design
Policy H15 – Density

Policy HBA4 – Setting of Listed Buildings
Policy HBA6 – New Development within Conservation Areas
Policy HBA7 – Demolition of Unlisted Buildings with Conservation Areas

3. Planning History

NW03/2588/F – Erection of four new dwellings
Approved 28th January 2004

4. Consultation Summary

Statutory Consultees

4.1 Welsh Water – no response.

Internal Council Advice

4.2 The Chief Conservation Officer made no comment to the proposal

4.3 Head of Highways and Transportation raised no objections.

5. Representations

5.1 Parish Council raised no objection to the original submission but objected to the revised scheme on the ground that the substitution is not like for like and putting on detached garaging increases the footprint.

5.3 Objections have been received from:

- Davies, C. 9 Orchard Close, Kingsland
- Harry, P. 5 St Michael's Avenue, Kingsland (x2)
- Pugh, E. 6 St Michael's Avenue, Kingsland (x2)
- Randall, R. 4 St Michael's Avenue, Kingsland (x2)
- Evans, M. 3 St Michael's Avenue, Kingsland (x2)
- Moddocks, A. 8 Orchard Close, Kingsland (x2)

The objections can be summarised as follows:

- a) Substantial increase in size of replacement dwellings;
- b) Inappropriate design and scale;
- c) Overbearing impact and light loss;
- d) Loss of privacy;
- e) Over development of the site;
- f) Lack of affordability of proposed dwellings;
- g) Inadequate distances between dwellings;
- h) Impact of garages.

5.5 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 The principle of this development, inclusive density, has been established and accepted by virtue of the previously approved scheme. Similarly, the access arrangements remain the same and as such are accepted. The principal issues for consideration are therefore design, scale, and impact upon residential and visual amenities.
- 6.2 Design is a subjective matter. The original application involved three properties of a plain and simple design with a render and slate finish. This was an unobtrusive design, which though unadventurous was sensitive to the location. This application is for a far bolder design that is both imposing and visually complex. Both brick and render are proposed though the use of slate is retained. But this is not to suggest that the proposal is unacceptable. The two flanking developments are hugely contrasting in design and appearance and in this context it is not considered that the proposed design concept is inappropriate.
- 6.3 Of greater concern is the scale of the revised dwellings and impact upon residential amenities. The revised dwellings have been amended to reduce their imposing nature but they remain visually large dwellings. Combined with this is the impact of the detached garaging which creates a development of substantial massing. The site is, however, of adequate size to accommodate these properties and the physical relationship between the dwellings is little different to that found on Orchard Close to the east. The street scene is considered a little misleading due to the set back nature of the garaging. The dormer style design concept aids the visual reduction in apparent scale. Inspection of the layout identifies the spacing of plots 1 – 3 to be little different to that of the approved scheme and while the approved dwellings included attached garaging the footprint of the new dwellings is not significantly larger than those already approved. Added to this is the fact that the ridge heights are in fact lower than those of the approved dwellings. The single storey side additions, together with the width to height relationship certainly gives these dwellings a substantial feel but when the details are examined it seems unlikely that the impact will equal the apparent threat. In relation to privacy the rear elevations remain as per the approved scheme and as such no additional loss of privacy should occur. The repositioning of the dwelling on plot 4 will increase the impact of this dwelling on its respective neighbours but it is not considered that the impact will be such that a refusal on this matter could be substantiated. The garaging will not cause an unacceptable impact upon the neighbours to the rear. Of further note is the fact that some of the bulk of the new dwellings is caused by single storey additions. It is advised that the previously approved scheme did not remove Permitted Development Rights and as such although detached garaging would require consent by virtue of volume, and although the volume limits in Conservation Areas are more restrictive, modest extensions and porch additions could be introduced to the approved scheme without the need for planning approval. The removal of Permitted Development Rights is proposed in this instance in recognition of the extent of development now proposed.
- 6.4 In view of the above it is not considered that the proposed development poses any greater threat to the Conservation Area or nearby Listed Building to that of the approved scheme.
- 6.5 Conditioning in line with the original development is proposed, together with the removal of Permitted Development Rights.

6.6 On balance therefore it is considered that the proposal, while more visually imposing than the original, is ultimately acceptable subject to appropriate conditioning.

RECOMMENDATION

That, subject to the comments of the water authority, 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 - A07 (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 - C04 (Details of window sections, eaves, verges and barge boards)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

5 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

6 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

7 - G04 (Landscaping scheme (general))

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

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

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

9 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

10 - H03 (Visibility splays)(insert 2m x 30m)

Reason: In the interests of highway safety.

11 - H05 (Access gates)(insert 5m)

Reason: In the interests of highway safety.

12 - The first section of the new roadway to the rear of Stonleigh shall be not less than 4.5m wide.

Reason: In the interest of highway safety.

13 - Before the development hereby permitted is commence details of the replacement stone wall and piers shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these plans prior to occupation of any of the dwellings.

Reason: In order to protect the character of the Conservation Area.

14 - E16(Removal of permitted development rights)

Reason: To safeguard the character and amenities of the locality

15 - The development approved by virtue of this consent shall, if commenced, be implemented in place of and not in addition to application DCNW2003/2583/F

Reason: In the interests of controlling the development of the application site

Notes to the Applicant:

- 1 - ND03 - Contact Address**
- 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 - N15 (Reasons for the grant of PP)**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.