

10 DCCE2004/3595/F - PROPOSED DWELLING WITH GARAGE NEW RENTS, LUGWARDINE, HEREFORD**For: Mr. & Mrs. Patterson, RRA Architects, Packers House, 25 West Street, Hereford, HR4 0BX****Date Received: 1st October 2004****Ward: Hagley****Grid Ref: 54989, 41058****Expiry Date: 26th November 2004**

Local Member: Councillor R.M. Wilson

1. Site Description and Proposal

- 1.1 This application seeks permission for the erection of a detached dwelling adjacent to New Rents, Lugwardine. The proposal seeks consent for a two storey dormer style dwelling house located in existing garden area to the side of the main dwelling house which fronts the main A438 through Lugwardine. The application also involves a new access way to be associated with this proposal. New Rents, and the new dwelling proposed on the plot adjacent to New Rents, currently the subject of planning application DCCE2004/3601/F. The site is within both the settlement boundary and the Conservation Area of Lugwardine.
- 1.2 The site falls between St Peter's Close and Traherne Close, to the west of St Peter's Church, on the northern side of the roadway. The existing site is home to the New Rents dwelling, served by an access point to the west, adjacent to the property. To the rear is found an area of hardstanding, beyond which is the stable building subject to an application (DCCE2004/3601/F) for conversion to a dwelling. To the east is found garden area containing a summer house, green house, and a variety of flora and fauna. It is in this area that the new dwelling is proposed. The proposed access is intended to run to the east of New Rents. A paddock area is found to the rear of the site.

2. Policies**2.1 Planning Policy Guidance:**

- PPG1 - General Policy and Principles
- PPG3 - Housing
- PPG15 - Planning and the Historic Environment

2.2 Hereford & Worcester County Structure Plan:

- CTC13 - Buildings of Special Architectural or Historic Interest
- CTC15 - Preservation, Enhancement and Extension of Conservation Areas

2.3 South Herefordshire District Local Plan:

- GD1 - General Development Criteria
- C23 - New Development Affecting Conservation Areas
- SH6 - Housing development in Larger Settlements

- SH8 - New Housing Development in Larger Villages
- SH14 - Siting and Design of Buildings
- T3 - Highway Safety Requirements
- T4 - Highway and Car Parking Requirements

2.4 Herefordshire Unitary Development Plan:

- S1 - Sustainable Development
- S2 - Development Requirements
- S6 - Transport
- DR1 - Design
- T11 - Parking Provision
- H4 - Main Villages: Settlement Boundaries
- H13 - Sustainable Residential Design
- H15 - Density
- H16 - Car Parking

3. Planning History

- 3.1 SH980029/LE - Site clearance of barn. Conservation Area Consent, 27th February 1998.
- 3.2 SH94440/PF - Restoration of outbuilding to form dwelling. Undecided, 10th May 1995.
- 3.3 SH9309922/PF - Replacement boundary wall. Approved 10th September 1993.
- 3.4 SH930564/PF - Replacement boundary wall. Approved 30th June 1993.
- 3.5 SH910084/DX - Remove two trees. No objection, 26th February 1991.

4. Consultation Summary

Statutory Consultations

- 4.1 The Water Authority raised no objection, subject to conditions.

Internal Council Advice

- 4.2 Head of Highways and Transportation raised no objections subject to conditions.
- 4.3 The Conservation Manager raised no objection.
- 4.4 The Forward Planning Manager raised no objection to the proposal.
- 4.5 Public Rights of Way Manager raised no objections.

5. Representations

- 5.1 Lugwardine Parish Council objected to this application on the following grounds:
 - Safety implications of new access;
 - Design is out of keeping with location;
 - Site is in a Conservation Area and next to a building of some importance.

5.2 Four letters of objection have been received in relation to this application from the following sources:

- * C.W. & H.W. Jones, 35 Traherne Close, Lugwardine
- * R.A.C. Wallis, Bromfield, Traherne Close, Lugwardine
- * Mr. & Mrs. Baldwin, 8 St Peter's Close, Lugwardine
- * Mrs. Thomas, 32 Traherne Close, Lugwardine

The comments made can be summarised as follows:

- Safety implications of new access;
- Undersirable site layout;
- Concern over access opening up of the paddock to the rear for future development;
- Development will seal off the paddock, making it unworkable;
- Unacceptable visual impact upon adjacent property and its setting.

5.3 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

Principle

6.1 The site is located inside the Lugwardine Settlement Boundary and as such the development is, in principle, in accordance with planning policy. The issues in this application therefore relate to the details of the scheme.

Design and Siting

6.2 The proposal has been revised slightly to accommodate the wishes of the Conservation Manager. This involved the further setting back of the dwelling and the lowering of the site by 0.8 metres so as to reduce the ridge height of the dwelling. The dwelling now sits slightly back from the front of New Rents and this, together with the lowered siting, is intended to reduce the impact of the proposed dwelling over New Rents. The dwelling is of simple brick construction, with a slate roof. The design encompasses a two storey gable to the front, twin dormers to front and rear, and a single storey addition to the rear. A porch and chimney are also features. A detached double garage is also proposed, sited to the rear of the dwelling. The dwelling is two storeys in height but this is not considered excessive by virtue of the respective levels. Additionally, two storey dwellings are typical of the wider locality. The design and siting are considered sensitive and appropriate for this location. The design details and materials will be conditioned to ensure the finer points of the dwelling.

Residential Amenities

6.3 The proposal does contain habitable openings at first floor level in the east facing elevation but these will be of a sufficient distance to ensure the privacy in the dwellings to the east. The overlooking of the garden areas is considered little different to that typical in an urban environment. The current boundary treatment will also minimise any privacy loss. The dwelling, and that of New Rents, is considered to be served by an adequate level of amenity space. No overbearing or loss of light of an unacceptable level will result from this dwelling. The impact upon residential amenities is considered acceptable. Conservation Area restrictions will control extensions to this

proposal adequately but a condition preventing further openings is proposed to ensure the privacy in adjacent dwellings.

Conservation Area and Visual Amenity

6.4 The proposed dwelling is considered to be designed and sited so as to integrate into the street scene and not to represent an incongruous feature in the area. The creation of the access through the additional wall fronting the highway is a little unfortunate but is not considered to be of harm or concern. It is therefore considered that the proposal preserves the Conservation Area and that no harm will be caused to the visual amenities of the locality.

Access

6.5 The access proposals are undoubtedly the most contentious element of this scheme. The Highways and Transportation team have examined the proposal and consider that, subject to appropriate conditions, in relation to visibility splays, access gates, parking provisions and driveway gradient, the proposal is in accordance with development plan policy and will not be detrimental to highway safety. On the basis of this advice it is considered that the proposed access arrangements are acceptable.

Other issues

6.6 Comment was received from local residents in respect of the use of the paddock to the rear of the site. It is stressed that this area of land does not form part of the application site and is not a consideration in this application. That said, it is advised that this land falls outside of the Lugwardine settlement boundary and as such any proposal relating to it would be assessed on the basis of it being a site in the open countryside adjacent to a settlement, with the policy implications associated with this.

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 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 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 E17 (No windows in side elevation of extension)

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

7 G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

8 G04 (Landscaping scheme (general))

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

9 G05 (Implementation of landscaping scheme (general))

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

10 G17 (Protection of trees in a Conservation Area)

Reason: To ensure the proper care and maintenance of the trees.

11 H03 (Visibility splays)

Reason: In the interests of highway safety.

12 H05 (Access gates)

Reason: In the interests of highway safety.

13 H08 (Access closure)

Reason: To ensure the safe and free flow of traffic using the adjoining County highway.

14 H09 (Driveway gradient)

Reason: In the interests of highway safety.

15 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.

16 W01 (Foul/surface water drainage)

Reason: To protect the integrity of the public sewerage system.

17 W02 (No surface water to connect to public system)

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

18 W03 (No drainage run-off to public system)

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Informatives:

1 N03 - Adjoining property rights

2 HN01 - Mud on highway

3 HN02 - Public rights of way affected

A public right of way runs adjacent to the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.

4 HN05 - Works within the highway

5 HN10 - No drainage to discharge to highway

6 The site lies adjacent to a public footpath (LU9) which runs along the eastern boundary. This right of way should remain at its historic width and suffer no encroachment or obstruction during or the time of completion. The right of way should remain open at all times throughout the development. If development works are perceived to be likely to endanger members of the public then a temporary closure order should be applied for, 6 weeks in advance of work starting.

7 N16 - Welsh Water Informative

8 N15 - Reason(s) for the Grant of PP

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.