

**9 DCSE2004/2901/RM - ERECTION OF ONE DWELLING.
LAND ADJOINING MARSH COTTAGE, PONTSHILL,
ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SZ****For: Mr. & Mrs. D. Hopwood per Mr. M.J. Morgan,
1 Coombs Road, Coleford, Gloucestershire, GL16 8AY****Date Received: 16th August, 2004****Ward: Penyard****Grid Ref: 63883, 22051****Expiry Date: 11th October, 2004**

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 Outline planning permission was granted in February 2003 for the erection of a cottage in part of the garden to the south-west of The Marsh, Pontshill Marsh. It was considered that the site was within the smaller settlement at Pontshill. The site adjoins residential properties to the south-east, including a new dwelling replacing Juniper Cottage. There is a brook along the south-western boundary of the site and a line of mature trees along the north-western boundary.
- 1.2 The current proposal is for reserved matters approval. All matters are included except for means of access which was agreed at outline stage. The proposed two-storey house would be sited away from the highway and brook and about 4.5m from the north-eastern boundary with The Marsh and about 7m from the south-eastern boundary with the new Juniper Cottage. The house would have 4/5 bedrooms with an integral garage. It would be rectangular in shape but with the garage and entrance porch/cloak room projecting at ground floor level. The external materials would be facing bricks and concrete tiles. The original submission has been amended by changes to detailed design and the position of the house, moving it further into the site away from the boundary trees and stream.

2. Policies**2.1 Planning Policy Guidance**

- PPS.7 - Sustainable Development in Rural Areas
PPG25 - Development and Flood Risk

2.2 Hereford and Worcester County Structure Plan

- Policy H18 - Housing in Rural Areas
Policy H20 - Housing in Rural Areas
Policy H16A - Housing in Rural Areas
Policy CTC2 - Area of Great Landscape Value
Policy CTC9 - Development Criteria

2.3 South Hereford District Local Plan

- Policy SH10 - Housing in Smaller Settlements
Policy SH14 - Siting and design of buildings

Policy SH15	-	Criteria for new housing schemes
Policy GD1	-	General development criteria
Policy C43	-	Foul sewerage
Policy C44	-	Flooding
Policy C45	-	Drainage

2.4 Herefordshire UDP (Revised Deposit Draft)

Policy H6	-	Housing in smaller settlements
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3. Planning History

3.1	DCSE2003/3287/O	Erection of Cottage	-	Approved 26.02.03
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4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency has no objections in principle but points out:

- The Agency's latest Flood risk data shows that the lower part of the site is at risk of flooding in a 1% event.
- It is considered that the dwelling is located just outside of Flood Zone 3 but the proposed Biodisc is located within this flood risk area.
- As the proposed dwelling lies at the edge of Flood Zone 3 and may be at risk of flooding due to its close proximity to the floodplain of the adjacent Ordinary watercourse, it is recommended that the Applicant sets floor levels 600mm above the highest recorded flood level or existing ground level.

Internal Council Advice

4.2 The Traffic Manager recommends that conditions be included if permission is granted.

5. Representations

5.1 The applicants' agent points out that "the (sewage disposal) unit is identical to the one currently in use on the adjoining new house [Juniper Cottage] which has proved to function very satisfactorily."

5.2 Parish Council comments:

"The Parish Council objects to this application, for the reason already given in application SE2002/3287/O, as follows:

- (a) the site is low-lying and wet, with a brook bordering one side; it is considered that building another house will aggravate the existing poor drainage conditions in the area."

5.3 One letter has been received objecting to the development for the following reasons:

- such a large house would be very overpowering; a 4 bedroom house is much too big for such a small area especially with a stream as its boundary

- as land is so wet, floor level will have to be raised about 1m so that house will tower over The Marsh, giving no privacy at all - already overlooked on all 4 sides and only window not overlooked will be in direct line of proposed house
- Juniper Cottage has 7 windows and a front porch overlooking The Marsh which has taken away privacy and this will finish it.

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 application is for approval of the siting, external appearance, design and landscaping matters. The main issue raised is the effect on the amenities of neighbours. The house would be sited away from the stream and its trees. This is necessary as the stream does flood the lower part of the site and to protect the trees from serious harm during construction of foundations. The flank wall of the new house would be about 24m from The Marsh and no windows are proposed in that elevation. The rear windows face the end elevation of Juniper Cottage which is about 19m away but there are no windows in the latter. The new house would overlook the gardens of both neighbouring houses but this is not untypical in villages and the windows in the new house would be at a 45 degree angle to the garden of The Marsh. It is considered therefore that there would not be a serious loss of privacy.
- 6.2 The house would not be unusually large for the size of the plot and would be lower than a full two-storey house as the upper floor is partly within the roof slope. Consequently raising the floor level recommended by the Environment Agency would not result in the house being unacceptably obtrusive.
- 6.3 There are reservations regarding design but some amendments have been made and the house would be similar to the recently constructed Juniper Cottage.
- 6.4 The problem of poor drainage/flooding was fully considered at outline stage and it was considered that this was not grounds to refuse permission.

RECOMMENDATION

That reserved matters approval be granted subject to the following conditions:

1. B01 (Samples of external materials)

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

2. A09 (Amended plans)

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

3. G04 (Landscaping scheme (general))

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

4. G05 (Implementation of landscaping scheme (general))

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

5. 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.

Informative(s)

- 1. The proposed Biodisc should be relocated outside of the 1% floodplain to prevent any environmental nuisance, from the system being washed out, in the event of a severe flood.**
- 2. N15 - Reason(s) for the Grant of Approval of Reserved Matters**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.