

**15 DCCE2005/0320/F - PROPOSED ERECTION OF SINGLE STOREY DWELLING WITH ACCOMMODATION IN ROOF SPACE AND ANCILLARY TWO BAY GARAGE AND FORMATION OF NEW VEHICULAR ACCESS. LAND ADJACENT TO PINE VIEW, FOWNHOPE COURT DRIVE, FOWNHOPE HEREFORDSHIRE**

**For: Mr & Mrs Mansell, Border Oak Design & Construction, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF**

**Date Received: 1st February, 2005    Ward: Backbury    Grid Ref: 57866, 34814**

**Expiry Date: 29th March, 2005**

Local Member:    Councillor Mrs J. Pemberton

**1. Site Description and Proposal**

- 1.1 This application seeks permission for the erection of a two storey detached dwelling on a site adjacent to Pine View, Fownhope. The application site comprises 0.13ha of generally open land situated at the northern edge of Fownhope. The majority of the site is presently used as a large paddock, which extends into the countryside to the north. The site, with the exception of a small element where the access will cross, is within the Fownhope Settlement.
- 1.2 There is currently a small brick-built stable building and some stone walls on site. The main area of the site is located to the east of a stream which splits the area in two. The access will cross over the stream which runs to the west of the main site area. A small area of the site, principally consisting of the access road to serve the main site, is found to the west of the stream. A small bridge is in situ, providing access to the main site area. The dwelling is proposed to be located in the north-east corner of the site. A garage is proposed on the southern boundary, adjacent to the retaining wall. The site is set lower than the land to the south.
- 1.3 To the immediate south of the site is the boundary of the Fownhope Conservation Area. All of Fownhope is designated as both Areas of Outstanding Natural Beauty and Great Landscape Value.
- 1.4 An outline application, DCCE2002/3130/F, exists on this site for a dwelling. This full application is required due to a condition attached to the outline permission which restricted any dwelling on this site to single storey. Additionally, no garage was originally proposed.

**2. Policies**

2.1 South Herefordshire District Local Plan:

- |     |   |  |
|-----|---|--|
| GD1 | - | General development criteria                 |
| C23 | - | New development affecting conservation areas |

C30	-	Open land in settlements
C31	-	Trees in conservation areas
SH6	-	Housing development in larger villages
SH8	-	New housing development criteria in larger villages
C5	-	Development within AONB
C6	-	Landscape and AONB
C8	-	Development within AGLV

## 2.2 Herefordshire Unitary Development Plan (Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
DR1	-	Design
H4	-	Main villages – settlement boundaries
LA1	-	Areas of Outstanding Natural Beauty
LA5	-	Protection of bees, woodlands and hedgerows

## 3. Planning History

- 3.1 DCCE2002/3222/O - Erection of dwelling (outline). Approved 15th January, 2005.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 No statutory consultations received.

### Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.3 Team Leader - Minerals and Waste: No objection.
- 4.4 Conservation Manager: Considered the dwelling to be a little fussy, particularly to the west, but overall considered the appearance to have charm suited to the setting. No Objections.

## 5. Representations

- 5.1 Fownhope Parish Council: fully support the application.
- 5.2 Two letters of objection have been received from the following sources:
- M.B. Chambers, Brooklyn, Fownhope;
  - Mr E.F. Heathman, 1 Fownhope Court, Fownhope.
- 5.3 The comments received can be summarised as follows:
- A dwelling will be harmful to the Conservation Area;
  - Two storey is excessive and will be intrusive, the new dwelling should be a single storey property as agreed in the outline permission.
- 5.4 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

6.1 The main issues in this case are considered to be:

1. Principle of residential development;
2. Residential amenity;
3. Design, Conservation and Area of Outstanding Natural Beauty issues;
4. Highway safety.

### Principle

6.2 It is considered that the principle of a new dwelling on this site has been established by virtue of the previous permission (DCCE2002/3222/O). It is therefore considered that the acceptability or otherwise of this proposal rests on the details of the proposal.

### Residential Amenity

6.3 Regarding residential amenity, the site is sufficiently distanced from Pine View and Brooklyn to ensure no adverse relationships will result from the siting proposed. Court Stables is located immediately to the east of the site with habitable windows overlooking, though these are presently screened by a fir tree hedge. It is considered that the siting of the dwelling, together with its orientation and fenestration arrangements, will ensure that the impact upon light provision, and overbearing impact, are minimised. The impact upon the residential amenities of neighbouring properties is considered to be within acceptable limits.

### Design, Conservation, and Area of Outstanding Natural Beauty Issues

6.4 The proposed dwelling will not encroach significantly further into the adjacent valley than existing development (Court Stables) and the site is largely screened from public vantage points. The Conservation Area contains a wide variety of dwelling types ranging considerable in design, scale, and architectural merit. The proposed dwelling is two storey but the second floor is proved within the roof space of the property. The application has been revised by reducing the roof pitch from 47.5 degrees to 45 degrees resulting in a ridge height of 6.6 metres. The dwelling is modest in its provision of accommodation and it is considered that the massing and silhouette of this property will not cause significant harm above and beyond that of a single storey dwelling. The proposal is a typical Border Oak design, which is not considered incongruous in this architecturally varied area. The garage is a timber 'wagon shed' type with an open front and catslide rear roof. It is considered that the siting and design of the garage is acceptable. It is considered that the character and appearance of the Conservation Area and Area of Outstanding Natural Beauty will be preserved.

### Highway Issue

6.5 The proposed access and parking arrangements have been assessed by the Traffic Manager and are considered acceptable.

## 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 E08 (Domestic use only of garage )**

**Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.**

**5 E09 (No conversion of garage to habitable accommodation )**

**Reason: To ensure adequate off street parking arrangements remain available at all times.**

**6 E16 (Removal of permitted development rights )**

**Reason: To enable the local planning authority to retain control over these matters in the interest of protecting the Area of Outstanding Natural Beauty and Conservation Area.**

**7 E17 (No windows in side elevation of extension )**

**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 F18 (Scheme of foul drainage disposal )**

**Reason: In order to ensure that satisfactory drainage arrangements are provided.**

**10 F28 (No discharge of foul/contaminated drainage )**

**Reason: To prevent pollution of the water environment.**

**11 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.**

**12 G01 (Details of boundary treatments )**

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

**13 G04 (Landscaping scheme (general) )**

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

**14 G05 (Implementation of landscaping scheme (general) )**

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

**15 G17 (Protection of trees in a Conservation Area )**

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

**16 G19 (Existing trees which are to be retained )**

**Reason: In order to preserve the character and amenity of the area.**

**17 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.**

**18 H27 (Parking for site operatives )**

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

**INFORMATIVES:**

**1 HN01 - Mud on highway**

**2 N03 - Adjoining property rights**

**3 The applicants attention is drawn to the comments made by the Environment Agency (enclosed) in response to application DCCE2002/3222/O. These comments remain equally valid and appropriate in the context of this application.**

**4 N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.