

21 DCSE2004/1990/O - SITE FOR ERECTION OF ONE BUNGALOW, LAND ADJOINING MONK WALK COTTAGE, MUCH MARCLE, LEDBURY, HEREFORDSHIRE, HR8 2LY

**For: Mr. & Ms. Cooke per Paul Smith Associates,
Chase View House, Merrivale Road, Ross-on-Wye,
Herefordshire HR9 5JX**

Date Received: 1st June 2004

Ward: Old Gore

Grid Ref: 65776, 33163

Expiry Date: 27th July 2004

Local Member: Councillor J.W. Edwards

1. Site Description and Proposal

- 1.1 This site, located within the village settlement boundary of Much Marcle, forms part of the large garden area of the applicants' existing dwellinghouse. The site itself is a small strip of ground at the southern end of the garden and has an existing hedge separating it from the rest of the garden. There are also existing hedgerows on the front and rear boundaries of the site with a post and wire fence on the southern side boundary. There are fields to the rear and southern side of the site with a paddock/orchard to the front. The existing vehicular access to the highway is via a short rough track through the orchard. There are also some old sheds and a garage near to the front of the site.
- 1.2 The proposal is an outline planning application for the erection of one bungalow on the site with the details relating to 'siting' and 'external appearance' submitted for consideration at this stage. This is a revision to the scheme as originally submitted which had all the 'reserved matter' details reserved for future consideration.

2. Policies

2.1 Planning Policy Guidance

PPS.1	-	Delivering Sustainable Development
PPG.3	-	Housing
PPS.7	-	Sustainable Development in Rural Areas

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Development Criteria
Policy H.18	-	Residential Development in Rural Settlements
Policy CTC.15	-	Preservation, Enhancement and Extension of Conservation Area

2.3 Malvern Hills District Local Plan

Housing Policy 3	-	Settlement Boundaries
Housing Policy 17	-	Residential Standards
Conservation Policy 2	-	New Development in Conservation Area

Landscape Policy 8 - Landscape Standards

2.4 Unitary Development Plan (Revised Deposit Draft)

Policy S.2	-	Development Requirements
Policy S.3	-	Design
Policy H.6	-	Housing in Smaller Settlements
Policy HBA.6	-	New Development within Conservation Area
Policy CF.2	-	Foul Drainage

2.5 Much Marcle Parish Design Statement

3. Planning History

3.1 None on site. However there have been two recent planning permissions on the paddock/orchard to the front of the site:-

SE2003/3290/F	Erection of one dwelling	-	Planning Permission 18.02.04
SE2003/3347/F	Erection of 4 dwellings and relocation of vehicular access	-	Planning Permission 18.02.04

4. Consultation Summary

Statutory Consultations

4.1 Severn Trent Water has no objection subject to the inclusion of a condition regarding surface water and foul sewage disposal.

Internal Council Advice

4.2 The Traffic Manager recommends that any permission includes certain conditions.

4.3 The Conservation Manager had concerns with respect to a bungalow as negotiations were undertaken to get houses for the 5 dwellings approved in the orchard fronting onto the road as houses were considered to reflect the traditional character of the village Conservation Area and the more recent bungalow development allowed by Malvern Hills District Council were not appropriate. However the revised scheme showing a 'lodge'-style development is more appropriate to the character of the village.

5. Representations

5.1 The applicants' agent observes:-

This parcel of land is well contained by mature screening which would remain. The land lies within the settlement boundary and accords with planning policies. The Council has recently granted planning permission for five houses on the old orchard fronting the village road.

The village has a full range of services and facilities. The emerging Draft Unitary Development Plan proposes to prevent development on this site. The applicants have contested this policy change. At present the UDP is too immature to be afforded

particular weight as current planning policy. Local residents' preference for bungalows to be built on old orchard site to minimise visual impact.

It is the applicants' preference to promote a single storey dwelling so as to minimise its visual impact on the landscape and Conservation Area.

The means of access has been reserved for future consideration. However it is intended that the existing access to Monk Walk Cottage is adapted or that the new access approved as part of the old orchard site is used.

5.2 The Parish Council observe:

"Much Marcle Parish Council do not wish to comment on this application based on:

1. Herefordshire Council disregarding local opinion during the previous applications.
2. Prefer to await the outcome of Herefordshire Council's proposed UDP development plan for the area."

5.3 Three letters of objection have been received from:

Mr. & Mrs. R.J. Howes, The Forge, Dymock Road, Much Marcle
Ms. E. Wood, Greenway Cottage, Much Marcle
Mr. G. Mason, Toll House Cottage, Much Marcle

The main points being:

- appreciate application is for a bungalow (which was recommended by the Parish Council and residents for the five dwellings previously approved but not taken on board) it is felt that yet further development will compound concerns previously raised
- how long before an application to demolish Monks Walk Cottage and erect more dwellings in garden. Slowly turning into a housing estate and would be contrary to Much Marcle Parish Design Statement
- emerging Draft Unitary Development Plan proposes to prevent development of the site
- local residents disappointed that five houses on orchard site was granted. The aim of the Village Design Statement is that the character of the village should not be substantially altered which already is happening. Five houses squeezed into the orchard
- the area needs many years of ecological rest after the approval of five houses in orchard. It would benefit everybody if all lights could now be switched on.

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The main issues relate to the principle of placing a new dwelling on this land, whether a bungalow would be acceptable, its effect on the traditional character of the village and the vehicular access arrangements. The most relevant policies are H.16A, H.18 and CTC.9 in the Structure Plan and Housing Policy 3 and Conservation Policy 2 in the Malvern Hills District Local Plan.

- 6.2 The proposed site is within the approved settlement boundary in the Local Plan for the village of Much Marcle and as such the general principle of erecting a dwelling on this site is considered to be acceptable. This site within the garden area of Monk Walk Cottage forms a natural plot by the side of the existing house. The site is not prominent within the village and will be located behind the site for the row of five dwellings which were recently granted planning permission in the old orchard. In any event the site has an existing mature hedgerow on the front boundary which is to be retained. In view of the fact that the five dwellings were approved on the road frontage it is not considered unreasonable to erect a dwelling on this site.
- 6.3 The Conservation Manager does not favour a normal modern style bungalow on this site as he feels two storey dwellings are more appropriate for the traditional village character. However following negotiations the applicants agent has submitted details of the bungalow but has designed a 'lodge'-style single storey dwelling which is more traditional in appearance and therefore more in keeping with the traditional village character of Much Marcle. Also the site is at a slightly higher level than the old orchard and consequently a single storey dwelling would be more appropriate in terms of its overall height and its prominence on the landscape. The principle of erecting a bungalow on this site would not be contrary to the aims of the Much Marcle Parish Design Statement.
- 6.4 The proposed new dwelling will be situated within the garden area of Monk Walk Cottage where it will be set well back from the five new houses which have planning permission, but yet to be built, in the old orchard site. As such the residential amenities of these dwellings and the proposed new dwelling will not be adversely affected by each other.
- 6.5 The use of the existing access track serving Monk Walk Cottage or the new access driveway approved in the housing development in the old orchard would be acceptable. If these five houses are built it is considered that the use of the approved new access driveway, which runs between the houses, for the proposed new dwelling would not result in any adverse disturbance to the residential amenities of the occupants of the said houses.
- 6.6 The objectors are concerned that in the future the existing dwelling could be demolished and more dwellings will be proposed. However any such planning application would have to be considered at that time on its own merits and in accordance with the relevant planning policies.
- 6.7 All the relevant observations and representations have been taken into account. However it is considered that the erection of a 'lodge'-style single storey dwelling on this site would be acceptable and in accordance with planning policies and guidance. It should be noted that in the emerging Unitary Development Plan Much Marcle is not designated as a 'main village' suitable for new residential development but is in fact designated as a 'smaller settlement' where there are greater restrictions on granting planning permission for new housing development and where such approval is far less likely. The emerging UDP is currently subject to a public inquiry. There have been objections to the rural housing policies of UDP and these are being considered at the Inquiry. Consequently these UDP policies carry only limited weight. Until the adoption of the UDP the Development Plan remains Hereford and Worcester County Structure Plan and Malvern Hills District Local Plan.

RECOMMENDATION

That outline 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. **A06 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 6. **F18 (Scheme of foul drainage disposal)**

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

Informative(s):

- 1. **N15 - Reason(s) for the Grant of Outline Planning Permission**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.