

**7 DCSW2005/0759/F - SIDE AND REAR TWO STOREY EXTENSIONS. CHANGE OF USE FROM REAR PADDOCK TO GARDEN. PROPOSED GARAGE. ROSE COTTAGE, CHAPEL TUMP, ST. OWENS CROSS, HEREFORDSHIRE, HR2 8LH**

**For: Mr. & Mrs. Tweddell per Broadheath Consulting Ltd Broadheath, Moreton on Lugg, Hereford, HR4 8DQ**

**Date Received: 10th March, 2005**

**Ward: Pontrilas**

**Grid Ref: 53928, 24253**

**Expiry Date: 5th May, 2005**

Local Member: Councillor G.W. Davis

## **1. Site Description and Proposal**

- 1.1 The application site lies within open countryside as defined by the South Herefordshire District Local Plan. The property known as Rose Cottage is a detached 2 bedroom cottage situated in irregular grounds. It lies parallel to the private lane, with hedging and a range of trees partially screening it from view. Double gates provide access and off street parking from the lane. To the south forms the rear garden and paddock area where post and mesh fencing is the boundary to open fields beyond and to its east. The western boundary is a mixture of hedging, post and mesh fencing and various trees to neighbouring properties known as St. James Cottages and The Palace.
- 1.2 The proposal is to provide a first floor extension over the existing single storey and a rear gabled two-storey extension, measuring 4.8m x 4.1m, which links into the first floor. A conservatory measuring 5m x 3.8m adjoins the gabled extension and sits within the formed 'L' shape. The existing porch cover to the front door, north elevation, is removed and replaced with a gabled porch measuring 2.2m x 1m. The west elevation currently has a large water storage container along the gabled wall, this will be removed and replaced with a gabled single storey extension measuring 2.3m x 1.4m. Facing materials would be rendered walls and roof tiles to match existing.
- 1.3 In addition, a two bay garage with additional storage area measuring 8m x 5m x 4m situated at right angles to the lane, the eastern corner of the parking area. The application also seeks a change of use of paddock area to garden, an approximate area measuring 50m x 20m, south of the dwellinghouse.
- 1.4 Since the submission of the application, negotiations have taken place and as such amended plans were received on the 18th April 2005. They propose to reduce the ridge height of the extensions by 0.1m, the conservatory will measure 4.5m x 3.7m and the garage will measure 7.2m x 5m x 4.5m (to ridge). The garage is repositioned to be 1m from the private lane.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPS.1 - Delivering Sustainable Development

## 2.2 Hereford and Worcester County Structure Plan

Policy CTC.9 - Development Criteria

## 2.3 South Herefordshire District Local Plan

Policy GD.1 - General Development Criteria  
Policy C.1 - Development within Open Countryside  
Policy SH.23 - Extensions to Dwellings

## 2.4 Untiary Development Plan

Policy S.1 - Sustainable Development  
Policy S.2 - Development Requirements  
Policy DR.1 - Design  
Policy H.18 - Alterations and Extensions

## 3. Planning History

3.1 SE2001/0923/F Two storey rear extension - Refused 16.05.01

## 4. Consultation Summary

### Statutory Consultations

4.1 No statutory or non-statutory consultations required.

### Internal Council Advice

4.2 The Traffic Manager has no objections.

## 5. Representations

5.1 Hentland Parish Council has no objections to the application.

5.2 4 letters of objection have been received from:

J. Edwards, The Palace, Chapel Tump Lane, St. Owens Cross, Hereford HR2 8LH  
Mr. M. Gunn & Ms. H. Bailey, 1 St James Cottages, St. Owens Cross, HR2 8LH  
Colonel J.R. Robinson MBE, Meeks Cottage, Chapel Tumps, St. Owens Cross,  
Hereford HR2 8LH  
M.J. Edwards, The Palace, Chapel Tump Lane, St. Owens Cross, Hereford HR2 8LH.

The grounds of objection can be summarized as follows:-

- Realise changes need to be made to Rose Cottage, but could be done without destroying our environment.
- Large window to bedroom 1 will completely destroy our privacy.
- Overlooking and consequent loss of privacy from large bedroom window, the landing window and side of conservatory.
- Extension not sympathetic with surrounding properties in the hamlet.
- Rear paddock created by exchange of land and assured by applicant would remain as green field.

- Change of use should be limited to area close to cottage.
- Changing paddock to garden may encourage similar requests and set a precedent if planning permission allowed.
- Extent of new garden may lead to an application to build a new house.
- Should planning permission be granted the lane should not be blocked up during operations.

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 key issues in the consideration of the application are:-**

- The effect of the proposal upon the existing dwellinghouse
- Amenity of the nearby residents
- Highway safety
- Impact upon change of use of paddock to garden

Each of these will be considered individually.

### **6.2 The effect of the proposal upon the existing dwellinghouse**

The previous application submitted under SW2001/0923/F was refused on the grounds that its mass, scale and design for a double gabled two storey extension and large conservatory were unacceptable in relation to the existing cottage. The submitted application has addressed the concerns of the refusal reasons.

Policy SH23 of the SHDLP seeks to ensure that proposals are in keeping with the character of the existing dwelling in terms of mass, scale, design and materials and that the resultant scheme remains subservient. The existing internal arrangement of the cottage allows little alteration without the necessity of extending the property. The purpose of the additions is to remove the bathroom at ground floor and provide a study and dining room, which links to the proposed conservatory. The first floor re-arranges the two small bedrooms and provides a bathroom, two small bedrooms and bedroom en-suite. The design of the extension forms an 'L' shape to the cottage and replicates the gabled elevations for the 2 storey rear and over first floor. Although concerns were raised initially to the proposed ridge heights, they have been reduced to achieve a slight subservience to the existing ridge height. The conservatory has also been reduced to remain in proportion with the extension.

The concerns of the objectors are noted, however, this small hamlet of houses are of varying sizes, heights, designs having generous amenity areas, all personalizing their own characteristics within their curtilages. It is considered that the size, scale and design of the extensions would not appear incongruous within its surroundings nor would the resultant scheme dominate the original dwellinghouse.

### **6.3 Amenity of nearby residents**

The concerns of the neighbour at St. James Cottage are noted. At present this cottage is at right angles to the application site and off-road parking is provided between the two properties. The proposed conservatory would be approximately 16.5m from the ground floor rooms, where various hedges and trees partially screen its view. At

present the application site runs parallel to the rear gardens and there is currently some degree of overlooking and privacy is reduced. Alterations have reduced the size of the conservatory and two windows to the landing area and it is considered that the distance would not result in an unacceptable increase in the risk of overlooking or loss of privacy. Additional planting or screening would benefit further privacy and the use of appropriate conditions could achieve this.

Furthermore, with regard to the concerns regarding the size of the window to bedroom one, it is in proportion to the size of the extension and is considered acceptable and would not unacceptably reduce the privacy of the neighbouring property known as The Palace by reason of its distance being approximately 42m and having substantial screening to its curtilages.

#### 6.4 Highway Safety

The Traffic Manager has no objection to the application. The double garage to the eastern boundary has been reduced and set back 1m from the private lane. Its size, height and design in relation to its surroundings are considered acceptable.

#### 6.5 Impact of change of use of paddock to garden

The hamlet lies outside a designated settlement and as such further development would be strictly controlled should an application be sought for housing, however, the proposed change of use should be considered on its own merits and impact upon the surrounding area. Whilst the concerns of the neighbours are noted, the paddock area has in fact served as part of the garden to Rose Cottage for sometime. The land is mown and well cared for and appears more domestic than paddock. On this basis, the change of use of paddock to garden would not have a harmful effect upon the character and appearance of its rural surroundings. To safeguard the character and amenities of the locality an appropriate condition could achieve this.

Having regard to the above and with appropriate conditions it is considered that the proposal would accord with Policies GD.1 and SH.23 of the SHDLP.

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

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

**5. E08 (Domestic use only of garage)**

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

**6. E09 (No conversion of garage to habitable accommodation)**

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

**7. E16 (Removal of permitted development rights)**

**Reason: To safeguard the character and amenities of the locality.**

**Informative(s):**

**1. The applicants' attention is drawn to the need to ensure that the lane is kept clear at all times during the process of development.**

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

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.