

**7 DCNE2005/0492/F - ERECTION OF THREE COTTAGES  
AT LAND OFF QUEENS COURT, LEDBURY,  
HEREFORDSHIRE****For: Mr & Mrs J Chance, Wall, James & Davies 15-23  
Hagley Road Stourbridge West Midlands DY8 1QW****Date Received:**  
**16th February 2005****Ward:**  
**Ledbury****Grid Ref:**  
**70666, 37620****Expiry Date:**  
**13th April 2005**

Local Members: Councillor P Harling, Councillor D Rule &amp; Councillor B Ashton

**1. Site Description and Proposal**

- 1.1 The site is currently part of the domestic curtilage of a property known as Rockville, which fronts onto Woodleigh Road, Ledbury. It is bounded to the north and south by the domestic curtilages of neighbouring properties, and to the east by a garage compound which serves an adjacent development known as Queens Court.
- 1.2 The application site measures approximately 25 metres by 20 metres and is to be accessed via the garage compound of Queens Court.
- 1.3 The proposal is for the erection of a terrace of three 2 bed dwellings, fronting onto the garage compound. The building has been designed with a cross wing to the southern gable end. The main element of the building otherwise has a symmetrical appearance with dormer windows to front and rear elevations.
- 1.4 The rear elevation is some 30 metres distant from that of Rockville and the north facing gable end; which is blank, approximately 13 metres from dwellings fronting onto Bridge Street.
- 1.5 The main element of the proposal has a ridge height of 7 metres, with the cross wing rising to a maximum height of 8 metres.

**2. Policies****2.1 Hereford and Worcester County Structure Plan**

H2(B) – Housing Requirements

**2.2 Malvern Hills District Local Plan**

Housing Policy 2 – Development in Main Towns

Housing Policy 3 – Settlement Boundaries

Housing Policy 17 – Residential Standards

Housing Policy 18 – Tandem and Backland Development

Ledbury Housing Policy 1

### 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S6 – Transport  
H13 – Sustainable Residential Design  
H15 – Density  
H16 – Car Parking  
PPG3 – Housing and  
PPG13 – Transport also relevant

### 3. **Planning History**

None relevant to this application

### 4. **Consultation Summary**

#### Statutory Consultations

4.1 None required

#### Internal Council Consultations

4.2 Traffic Manager - No objections to the proposal subject to condition to require the provision of bicycle parking. Notes that parking requirements can be waived because of the site's town centre location.

4.3 Conservation Manager - The proposal would have only a minor impact of the setting of a listed building, which is already surrounded by modern development. The proposal is therefore acceptable.

### 5. **Representations**

5.1 Ledbury Town Council: 'Members felt that the proposal would result in an unacceptable degree of overlooking of neighbouring properties and that the access and egress for vehicular traffic is unsatisfactory.'

5.2 CPRE: 'The addition of three dwellings on this site, in the midst of other dwellings, would amount to over-development. No room for cars on site, but note that development is intended to be car free. Question whether this is practical.'

5.3 The application has generated 10 letter of objection and a petition of 14 signatories. In summary the points raised are as follows:

- 1) Overdevelopment of the site
- 2) Lack of vehicular access. To conclude that a car free development can be provided is unrealistic.
- 3) Potential for overlooking and loss of privacy.
- 4) Access to the garages will be disrupted, particularly during building work.
- 5) The finished floor level of dwellings is not shown. Site is up to 1 metre lower than garage compound.
- 6) Queries over right of access across garage compound.

5.4 One letter of support has also been received. In summary this concludes that the site's proximity to shops and facilities is advantageous.

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

## 6. Officers Appraisal

The application raises a number of issues and each of these will be dealt with in turn.

### 6.1 Over-development

Policy H15 of the UDP and advice enshrined within PPG 3 – Housing advises Local Planning Authorities on housing densities. The site occupies a town centre location where densities should be between 30-50 per hectare. The density of the proposal adheres to this advice, being at the higher end. In light of Government advice, which encourages more intensive use of land, it is not reasonable to refuse this application on such grounds.

### 6.2 Access/Car Free Development

Again the guiding principles in this respect are founded in Government advice, in this case PPG 13 – Transport. Policy H16 of the UDP suggests a maximum of 1.5 car parking spaces for new housing developments, but most notably states that there should be “no minimum level of provision.” It continues that “..... off-street parking provision should reflect site location, the type of housing to be provided and the types of household likely to occupy the development .....”.

6.3 In this case the site is close to the town centre, the housing is aimed at the lower end of the open market and; as two bed accommodation is unlikely to be occupied by families. The lack of parking provision is a lifestyle choice. Clearly it is not a matter that the Council can seek to control via the imposition of planning conditions, but a matter of personal choice.

6.4 No objection is raised by the Traffic Manager, and his comments are based on the advice of PPG 13. Issues of access across the garage compound are a civil matter and should not form a justification to refuse the application. The proposal is therefore acceptable in this respect.

### 6.5 Loss of Privacy

The back to back distances between this proposal and properties on Woodleigh Road measure 30 metres; well in excess of the recommended minimum distance of 22 metres suggested for new residential developments.

6.6 The northern gable end is blank and will not cause any overlooking of properties on Bridge Street.

6.7 The proposals give no indication of boundary treatments, but these could be used to minimise any perception of overlooking. Details should be the subject of a suitably worded condition.

6.8 It is considered that the proposal is suitably distant from neighbouring dwellings to ensure that it does not cause any demonstrable loss of privacy or overbearance. The scheme accords with the relevant policies in this respect.

6.9 The overall design and appearance of the scheme is generally considered to be satisfactory, subject to details of materials. The points raised in objection to the application are not sufficient to warrant its refusal and therefore the application is recommended for approval.

## **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 - B01 (Samples of external materials )**

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

**3 - A07 (Development in accordance with approved plans )**

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

**4 - E18 (No new windows in specified elevation)**

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

**5 - F16 (Restriction of hours during construction)**

**Reason: To protect the amenity of local residents.**

**6 - 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.**

**7 - G01 (Details of boundary treatments)**

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

**8 - H29 (Secure cycle parking provision )**

**Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

### **Informatives:**

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

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.