

**16 DCNW2005/1097/F - ERECTION OF ONE DWELLING WITH INTEGRAL GARAGE AT THE BIRCHES, ALMELEY, HEREFORDSHIRE, HR3 6LQ****For: Mr & Mrs F Harris per Ms R Reed, Reed Architects LLP, Herongate, Carmel Court, Presteigne, Powys, LD8 2LD****Date Received:****6th April 2005****Expiry Date:****1st June 2005**

Local Member: Councillor J Hope

**Ward:****Castle****Grid Ref:****33492, 51819****1. Site Description and Proposal**

- 1.1 The application site forms part of the residential curtilage of the property known as 'The Birches'. This is a large modern two storey detached dwelling of external red brick and render construction under a tiled roof and is of no significant historic or architectural merit.
- 1.2 The site is surrounded on all sides except, for the northern side (which adjoins agricultural land) by other detached residential dwellings. These dwellings are a mixture in architectural design and merit and are of single storey style, except for the dwelling known as 'Rose Villa', which is of two-storey and located alongside the southern boundary of the application site. This dwelling is of an older style than all the others and the most significant historically as well as architecturally.
- 1.3 The application proposes the erection of one detached dwelling measuring 210.12 metres total floor space area a two storey dormer type dwelling, containing an integral garage, dining room, kitchen, utility and sitting room on the ground floor and three bedrooms on the first floor. Originally two dwellings had been proposed. Following concerns this was belatedly reduced to one.
- 1.4 The external construction materials of the proposed dwelling will mirror surrounding dwellings and their external construction in that it will be in red brick under artificial slate.

**2. Policies****Leominster District Local Plan**

- A1 – Managing the Districts Assets and Resources
- A2(c) – Settlement Hierarchy
- A23 – Creating Identity and an Attractive Built Environment
- A24 – Scale and Character at Development
- A53 – Protection from Encroachment in the Countryside
- A54 – Protection of Residential Amenity

A55 – Design and Layout of Housing Development

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

S1 – Sustainable Development  
S2 – Development Requirements  
S3 – Housing  
H4 – Main Villages Settlement Boundaries  
H5 – Main Villages Housing Land Allocations  
H15 – Density

### **Planning Policy Guidance**

PPG1 – General Policy and Principles  
PPG3 - Housing

## **3. Planning History**

NW05/0745/F - Erection of two dwellings, with integral garages - Withdrawn March 2005.

NW03/0666/F - Change of use of ground floor lounge to bed and breakfast accommodation - Approved 25th April 2003.

94/0535 - Construction of new double garage - Approved 20th October 1994.

93/0654/0 - Site for one dwelling on garden land at The Birches - Refused planning permission 25th January 1994.

## **4. Consultation Summary**

### Statutory Consultations

- 4.1 Welsh Water - No objections subject to the attachment of three conditions to any approval notice issued.

### Internal Council Advice

- 4.2 Highways Manager has no objections subject to the inclusion of a condition with regards to vehicle parking.

## **5. Representations**

- 5.1 Almeley Parish Council object to the application stating: 'The Parish [Council's views of this planning application is that the revised plan has changed little from the previous one. The plot is too small to accommodate two such large dwellings which are too high in relation to adjoining bungalows. The neighbouring bungalows do not have dormer windows.

Another concern is the proposal to provide 4 parking spaces, would affect the amenities of the adjoining properties. Infilling is not generally supported.'

5.2 Five letters of objections/comments have been received from members of the public to this application from the following:

- Mr John Titley, Allodials, Almeley, states he has no objections in principle but raise concerns.
- M & V Battenti, The Hazels, Almeley - objects
- Mr & Mrs L E Jones, Yew Trees, Almeley - objects
- Four members of the Morgan family, Orchard Bungalow, Almeley - objects
- Shelia Finlayson, Rose Villa, Spearmarsh, Almeley - objects

5.3 The objections/comments raised in these letters can be summarised as follows:

- Proposed development is out of style and scale with surrounding development.
- Proposed density, overshadowing and overlooking is considered unacceptable.
- Inappropriate form of development for a rural scene.
- Privacy of adjoining dwellings will be destroyed.
- Concerns that proposal is out of scale with aims of the Almeley Parish Plan.
- Access from the site to the adjoining public highway is inadequate.
- Trees on the proposed development site were cut down prior to submission of planning applications.
- Concerns are raised about land drainage issues.
- A previous application was refused planning permission for a bungalow on site in the early 1990's.
- Connection to services to serve the site would have to cross over land that is outside the applicants control.

5.4 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**

6.1 This application has only recently been amended for the erection of one 'dormer' type dwelling alongside the existing dwelling known as 'The Birches' whilst representations relate to the original proposal for two dwellings. The proposal is for a dwelling with an integrated garage and three bedrooms on the first floor.

- 6.2 The application originally was for two 'dormer' type dwellings, however due to concerns and objections raised by neighbouring properties and officer's concerns about a dormer window to the rear of plot one overlooking a neighbour's garden, the applicant decided to amend the application and withdraw the proposed property for plot one and allow plot 2 to proceed for planning consideration in its original form as submitted as part of this planning application.
- 6.3 The application has received a number of objections from members of the public as well as the Parish Council the key points of which will be addressed below:
- 6.4 The surrounding development is residential dwellings of no specific style or size. The adjacent dwelling is the applicant's current home and is a development of the 1960's – 70's era, and of no specific character. The other dwelling within close proximity to the application site is the dwelling known as 'Yew Trees', this is a development of the 1950's and single storey in design and again of no special architectural character. Therefore the proposal is considered to be in accordance with the relevant policy of the Leominster District Local Plan on this issue.
- 6.5 The proposed dwelling is located between the gable ends of The Birches and Yew Trees and is located gable to gable with 6 metres space from either end of the proposed dwelling to the existing dwellings. The dwelling known as Yew Trees has no windows looking directly into the proposed development and likewise no windows as proposed to look directly into Yew Trees or The Birches. All other dwellings within the vicinity are adequately positioned away from the proposed development site in planning terms. The proposal is considered to be in accordance with the criteria of Policy A54 on Protection of Residential Amenity in the Leominster District Local Plan.
- 6.6 The site is not located within a Conservation Area and the Almeley Parish Plan that is referred to in the objection letters acknowledges on page 12 that there are no vacant plots within the boundary, but some larger plots that might be divided. It is of my opinion that the dwelling known as The Birches occupies a sufficiently large enough plot that allows it to be sub-divided for an additional dwelling without having significant detrimental effect on adjoining dwellings privacy and amenity in accordance with national and local policy guidelines, therefore the policy as mentioned above also applies in this instance to which the proposal complies with.
- 6.7 With regards to concerns about public highway access, the Highways Manager has responded to the application with no objections to the proposed development subject to the inclusion of a condition on vehicle parking within the application site. With regards to the concerns raised about the land drainage issues, Welsh Water has raised no objections to the proposed development and requests that three conditions be attached to any approval notice issued against the proposal in this instance meets with the relevant criteria.
- 6.8 The issue raised about the trees on site, is not one of a planning concern, as vegetation on site is not within a Conservation Area, subject to a Tree Preservation Order or any special landscape designation.
- 6.9 The issue about connection to public services as raised in one of the letters of objection is not a direct planning issue.
- 6.10 With regards to the comments about the previous application refused planning permission, as stated earlier an application for the erection of one dwelling was refused planning permission on 25<sup>th</sup> January 1994 due to concerns about the layout of the site

and proposed development and public highway access issues. As earlier mentioned the Highways Manager has raised no objections to the proposed development and Central Government Guidance as well as current Local Planning Policy Guidance presently encourages 'infilling' on sustainability grounds providing there is no intrusion into residential privacy and amenity issues. In this instance I consider there are none.

6.11 The proposed development is in accordance with both relevant planning policy guidance and the relevant policies of the Leominster District Local Plan.

## **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 - A06 (Development in accordance with approved plans )**

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

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

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

**4 - C04 (Details of window sections, eaves, verges and barge boards )**

**Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.**

**5 - C10 (Details of rooflights )**

**Reason: To ensure the rooflights do not break the plane of the roof slope in the interests of safeguarding the character and appearance of this building of [special] architectural or historical interest.**

**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: In the interests of the amenity and privacy of surrounding dwellings.**

**8 - E18 (No new windows in specified elevation )(in the west and east elevations)**

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

**9 - G04 (Landscaping scheme (general) )**

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

10 - G05 (Implementation of landscaping scheme (general) )

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

11 - H12 (Parking and turning - single house )

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

12 - Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

13 - No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage systems.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

14 - No land drainage run-off will be permitted, either directly or indirectly to discharge into the public sewerage system.

Reason: To prevent hydraulic overload on the public sewerage system and pollution of the environment.

Informatives:

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

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.