

6 DCSE2005/1640/O - PROPOSED BUNGALOW AND VEHICULAR ACCESS, THE ORCHARD, BANNUTREE LANE, BRIDSTOW, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6AJ

**For: Mr. & Mrs. M. Middlecote per Mr C Goldsworthy,
85 St Owens Street, Hereford, HR1 2JW**

Date Received: 19th May, 2005 Ward: Llangarron Grid Ref: 58438, 24408

Expiry Date: 14th July, 2005

Local Member: Councillor Mrs. J.A. Hyde

1. Site Description and Proposal

1.1 This site at Bridstow is located off Bannutree Lane on its north-western side. The site itself forms part of the rear garden of the applicants' dwellinghouse which is located amongst other dwellings in an existing residential area designated as a 'smaller settlement' under Policy SH.10 of the Local Plan.

1.2 This outline application is for a proposed bungalow and new vehicular access onto Bannutree Lane to serve the site. The new access driveway will run along a section of the existing garden area at the side of the applicants house. There is an existing access which serves the existing house. All of the reserved matter details are reserved for future consideration.

2. Policies

2.1 Planning Policy Guidance

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

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Development Criteria
Policy H.18	-	Residential Development in Rural Settlements
Policy H.20	-	Residential Development in Open Countryside
Policy CTC.1	-	Development in Areas of Outstanding Natural Beauty
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 C.5	-	Development within Area of Outstanding Natural Beauty
Policy SH.10	-	Housing in Smaller Settlements
Policy SH.14	-	Siting and Design of Buildings
Policy SH.15	-	Criteria for New Housing Schemes

Policy T.3 - Highway Safety Requirements

2.4 Unitary Development Plan – Revised Deposit Draft

Policy S.1 - Sustainable Development
Policy S.2 - Development Requirements
Policy S.3 - Housing
Policy DR.1 - Design
Policy DR.2 - Land Use and Activity
Policy H.6 - Housing in Smaller Settlements
Policy LA.1 - Areas of Outstanding Natural Beauty

3. Planning History

3.1 DCSE2005/0651/O Proposed bungalow and vehicular access - Refusal 25.04.05

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager recommends that any permission includes certain conditions relating to the design of the access/visibility.

5. Representations

5.1 The applicants' agent comments:

- this application is for the erection of a retirement bungalow for the applicants
- sited in rear garden to cause least disruption to The Orchard and nearby properties.
- gap between The Orchard and Nima large enough to accommodate a dwelling which indicates there is nothing cramped about the land proposed to be developed
- other properties erected nearby in recent years indicates site is suitable for development
- all services readily available
- proposed access would have adequate vision splays and traffic speeds are slow with light traffic
- enclose an extract from an inspector's appeal decision on a site at Lugwardine which relates to a site which does not enjoy the space or openness of this current application site (a copy of this extract and plan is attached as an appendix).

5.2 The Parish Council have not commented on the proposed development.

5.3 One letter of objection was received from:

Ross-on-Wye and District Civic Society, Caple Lee, How Caple, Hereford, HR1 4TE

The main points being:

- the proposal constitutes 'backland development'
- could create an unfortunate precedent to be followed by neighbouring properties.

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 erecting a dwelling on this site and any case for local housing requirement, the suitability of the site itself for new housing and its impact on the local environment and the residential amenities of the occupants of nearby dwellings, and also the proposed vehicular access. The most relevant policies in this case are GD.1, SH.10 and T.3 of the Local Plan and H.16A, H.18 and CTC.9 of the Structure Plan.
- 6.2 This site is considered to be unacceptable for a new dwelling as it would constitute unacceptable backland development. There is a gap between the applicants' current dwelling and the dwelling to the south-west and it is through this gap (currently part of applicants garden) that the new driveway to serve the proposed dwelling will be located. As such, it is considered that the residential amenities of the occupants of the existing dwellings on either side of the new access would be adversely affected by undue noise and disturbance caused by vehicles entering and leaving the application site. In addition, it is considered that a new bungalow on this site would be likely to result in the occupants of the existing dwelling to the front (east) of the site, in particular, being adversely affected by overlooking and loss of privacy. As such, the proposed development would, in particular, be contrary to Policies SH.10 and GD.1 of the Local Plan and H.16A and CTC.9 of the Structure Plan.
- 6.3 This site is considered to be within the boundaries of the 'smaller settlement' of Bridstow as per Policy SH.10 of the Local Plan. One of the main provisions of the policy is that new housing will only be permitted within the 'smaller settlement' where it can be clearly demonstrated that the development would help to satisfy local housing requirements. However no case for local housing requirement was submitted in support of the application. For this reason again the proposal is considered to be unacceptable and contrary to that specific requirement of Policy SH.10 of the Local Plan.
- 6.4 The applicants' agent refers to an extract of an appeal decision notice, i.e. two paragraphs in a section relating to 'character and appearance'. However these comments relate to a different site within the village of Lugwardine and as such do not have any significant relevance to the current application site.
- 6.5 There have been other dwellings approved in the area but these were largely approved on appeal to the Department of the Environment. One of these was down a nearby trackway and the site fronted onto this track and therefore was not regarded as backland development.
- 6.6 The proposed development is therefore considered to be unacceptable and in particular contrary to Policies GD.1 and SH.10 of the Local Plan and Policies H.16A,

H.18 and CTC.9 of the Structure Plan. It is also considered that if planning permission is granted then this will set a precedent for new dwellings to be built in the adjacent rear gardens.

RECOMMENDATION

That outline planning permission be refused for the following reason:

- 1. The proposed siting of a bungalow on this site would constitute unacceptable backland development which would result in the residential amenities of the occupants of the existing dwellings on either side of the proposed new driveway being adversely affected by undue noise and disturbance caused by vehicles entering and leaving the site. In addition, a new bungalow on this site would be likely to result in the occupants of the existing dwelling to the front of the site, in particular, being adversely affected by overlooking and loss of privacy. Also no suitable case for local housing requirement was submitted with the application to justify the principle of new housing in the designated 'smaller settlement'. As such, the proposed development is considered to be contrary to Policies H.16A, H.18, H.20 and CTC.9 of the Hereford and Worcester County Structure Plan, and Policies GD.1, SH.10, SH.14 and SH.15 of the South Herefordshire District Local Plan.**

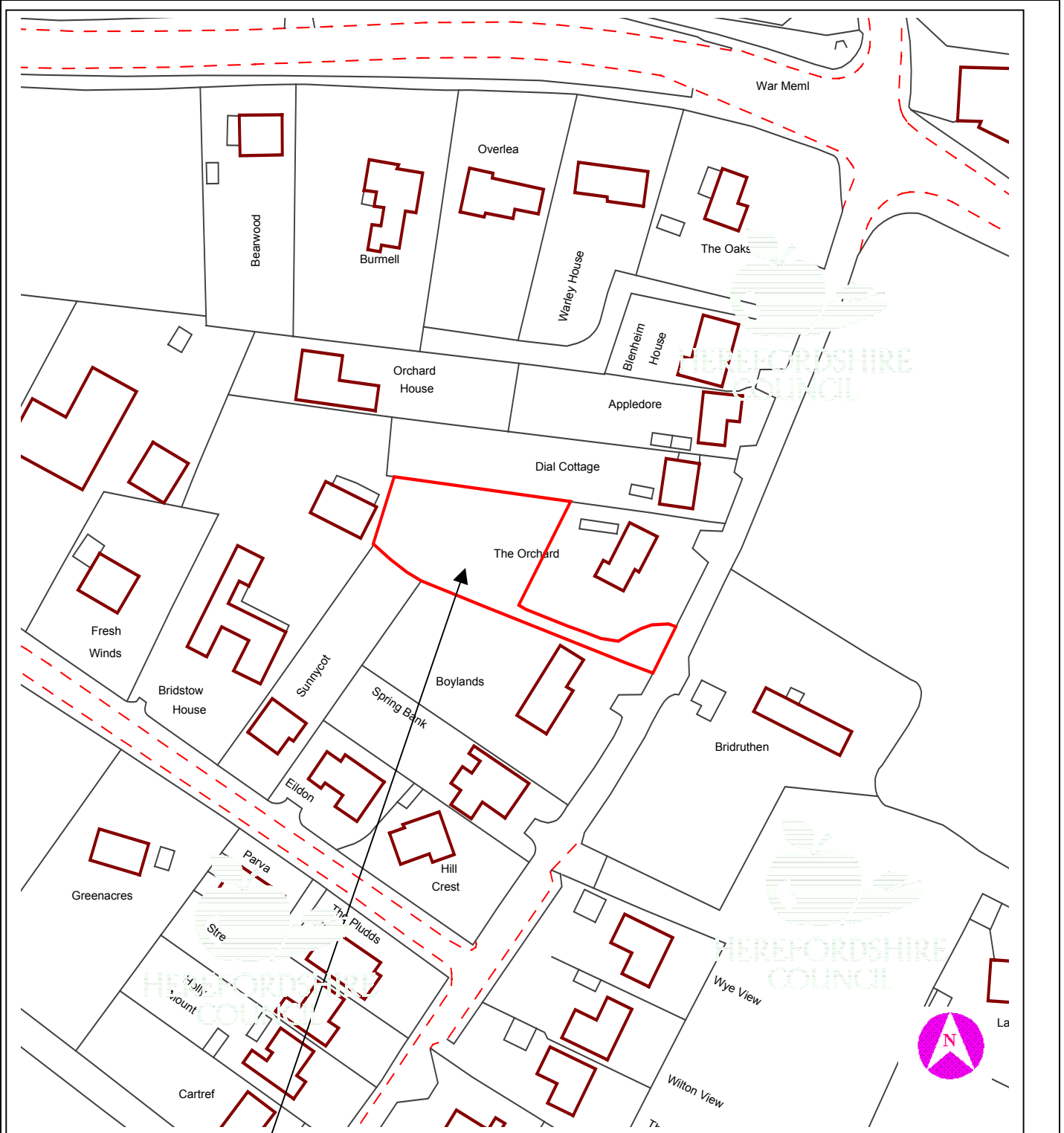
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2005/1640/O

SCALE : 1 : 1250

SITE ADDRESS : The Orchard, Bannutree Lane, Bridstow, Ross-on-Wye, Herefordshire, HR9 6AJ

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