

**14 DCNW2005/2258/F - ERECTION OF DWELLING WITH INTEGRAL GARAGE AT THE BIRCHES, ALMELEY, HEREFORD, 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 July, 2005****Ward: Castle****Grid Ref: 33484, 51803****Expiry Date: 31st August, 2005**

Local Member: Councillor. J.W. Hope MBE

**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.
- 1.2 The site is surrounded on all sides, except for the northern side (which on 20th June 2005 had planning permission granted for the erection of a detached dwelling), by other detached residential dwellings. These dwellings are varied in style and are of single-storey height, except for the dwelling known as 'Rose Villa', which is a two-storey dwelling and is located alongside the southern boundary of the application site. This dwelling is of an older style than all the others, and appears to be the most significant in architectural terms.
- 1.3 The application proposes the erection of one detached dwelling, dormer cottage in design measuring a total floor area of 180.92 square metres. The height of the proposed is 6.5 metres. It is proposed to construct the dwelling externally out of red brick under an artificial slate roof.

**2. Policies****2.1 Leominster District Local Plan**

A1 – Managing the District's Assets and Resources  
A2(C) – Settlement Hierarchy  
A23 – Creating Identity and an Attractive Built Environment  
A24 – Scale and Character of Development  
A53 – Protection from Encroachment in the Countryside  
A54 – Protection of Residential Amenity  
A55 – Design and Layout of Housing Development

**2.2 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

## 2.3 Planning Policy Guidance

Planning Policy Guidance 1: General Policy and Principles  
Planning Policy Guidance 3: Housing

## 3. Planning History

- 3.1 NW05/1097/F - Erection of one dwelling with integral garage - Approved June 2005
- 3.2 NW05/0745/F - Erection of two dwellings with integral garages - Withdrawn March 2005.
- 3.3 NW03/0666/F - Change of use of ground floor lounge to Bed and Breakfast accommodation - Approved 25th April 2003.
- 3.4 94/535 - Construction of new double garage - Approved 20th October 1994.
- 3.5 93/0654/O – Site for one dwelling on garden land at The Birches - Refused 25th January 1994.

## 4. Consultation Summary

### Internal Council Advice

- 4.1 Highways Manager have no objections to the grant of permission.

## 5. Representations

- 5.1 Almeley Parish Council – No representation received at time of preparation of this report.
- 5.2 Letters of objections/comment have been received from 2 households to this application from the following:

Sheila Finlayson, Rose Villa, Spearmarsh Almeley  
Verlie & Mario Battenti, The Hazels, Almeley

- 5.3 The objections/comments raised in these letters can be summarised as follows:-
  - Development on the site subject to this planning application will affect the value of the property known as Rose Villa, Spearmarsh.
  - Impact of privacy on Rose Villa.
  - Impact on amenity of surrounding properties
  - Proposal will create insensitive infilling in this rural village location
- 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 The application is for the erection of a two-storey dormer-type dwelling and contains two principle rooms on the ground floor and integral garage and three bedrooms on the first floor. It is proposed to construct the dwelling using external construction materials that are sympathetic to the surrounding build environment.
- 6.2 Members will recall the previous, recently approved application, adjoining the northern side of the application site was for a 'dormer' dwelling, amended from two dwellings to one. This site relates to that deleted from that earlier proposal. The applicants deleting that element due to concerns with regards to overlooking from a rear window onto a neighbouring dwelling. This issue has now been overcome with the submission of the latest revised proposal for planning determination.
- 6.3 The proposal subject to this application is for a dwelling measuring 180.92 square feet domestic accommodation on two floors and is located 14 metres from the nearest property known as 'Yew Trees'. The design and layout of the proposed development is of such that it will have no overbearing impact on privacy or overlooking on any of the adjoining neighbouring properties. Therefore the proposal is considered to comply with all policy criteria of the Leominster District Local Plan and National Planning Guidance.
- 6.4 Two letters of objections from adjoining neighbours to the application site have raised concerns about the proposed development having an overbearing impact on the privacy and amenity of surrounding properties as well as the built character of the surrounding area. It is not considered that these issues are sufficient to justify refusal of the proposal.

## **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 architectural or historical interest.**

**5 - C05 (Details of external joinery finishes)**

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

**6 - 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 architectural or historical interest.**

**7 - E09 (No conversion of garage to habitable accommodation)**

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

**8 - E16 (Removal of permitted development rights)**

**Reason: In order that the Local Planning Authority can control any future development in this sensitive location.**

**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 - Foul water and surface water discharging must be drained separately from the site**

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

**12 - No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

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

**13 - 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.