

5 DCSW2005/3155/F - PROPOSED DETACHED DWELLING WITH INTEGRAL GARAGE AND ACCESS, LAND ADJOINING "FALCON," SCHOOL LANE, CLEHONGER, HEREFORDSHIRE, HR2 9RF

For: Mr S Wynn, 48 Crossfields, Whitecross, Hereford, HR4 0HR

Date Received: 29th September, 2005 Ward: Stoney Street Grid Ref: 45168, 37461

Expiry Date: 24th November, 2005

Local Member: Councillor D.C. Taylor

1. Site Description and Proposal

- 1.1 The application site comprises part of the rear garden to Falcon, a two-storey dwelling that fronts onto Birch Hill Road and is adjacent to the village general store. Access for the dwelling proposed will be onto School Lane, which is on the southern boundary of Falcon.
- 1.2 It is proposed to erect a three bedroom, two-storey dwelling with integral garage on the site. It will comprise facing brick and roof tile to the approval of the local planning authority. It is 7 metres to the ridge. The site constitutes part of the garden area for Falcon. It is approximately 500mm lower than that of Falcon. It is proposed to excavate a further 300mm across the site. Falcon is illustrated as being 6.8 metres to the ridge.
- 1.3 This site is the subject of an upheld appeal, a copy of the appointed Inspector's decision letter is reproduced in the appendix to this report.

2. Policies

2.1 Planning Policy Guidance

PPS.1	-	Delivering Sustainable Development
PPG.3	-	Housing

2.2 Hereford and Worcester County Structure Plan

Policy H.16A	-	Housing in Rural Areas
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2.3 South Herefordshire District Local Plan

Policy GD.1	-	General Development Criteria
Policy SH.8	-	New Housing Development Criteria in Larger Villages
Policy SH.15	-	Criteria for New Housing Schemes
Policy T.3	-	Highway Safety Requirements

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft)

- Policy S.1 - Sustainable Development
Policy S.2 - Development Requirements

3. Planning History

- 3.1 SW2003/3582/O New dwelling and access - Refused 24.01.04
Upheld on Appeal
26.10.04
- SW2005/1716/F Dwelling with integral garage - Refused 22.07.05

4. Consultation Summary

Statutory Consultations

- 4.1 No statutory or non-statutory consultations required.

Internal Council Advice

- 4.2 Traffic Manager recommends that the application is conditioned as per the appeal.

5. Representations

- 5.1 Clehonger Parish Council make the following observations:

1. Plot is considered to be too small for this size dwelling.
2. Windows on first floor overlook bungalow opposite.
3. Access as per plans does not represent site to enable sufficient turning area to be achieved.
4. Suggest a site visit.

- 5.2 Three letters of objection have been received from:

J.L. Holloway, 11 Gosmore Road, Clehonger, HR2 9SW
Mr. S. & Mrs. M. Jones, 15 School Lane, Clehonger, HR2 9RQ
Mr. D.W. Darts, 17 School Lane, Clehonger, HR2 9RQ

The main points raised being:

- too high, too dominant in street scene, notwithstanding excavation of 300mm
- impact due to no screening, i.e. trees/hedges
- will not relate well to existing dwellings as Inspector stated
- run-off onto road (School Lane)
- danger to cyclists and pedestrians including school children whom use School Lane. Reversing vehicles
- where will mains connection be?
- impact on Ash tree and hedging.

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 It is considered that the main issues relate to the impact of the dwelling in the street scene and issues relating to the highway.
- 6.2 An application was submitted for a dwelling on this site earlier this year that was 7.3 metres to the ridge, was refused as it was considered to fall outside the remit of the dwelling envisaged by the Inspector when allowing the appeal for a dwelling in 2004. The plans submitted with that appeal were illustrative, nevertheless the Inspector stated that a dwelling of such a height would not relate well to the scene and height of nearby dwellings. The site area is wider onto School Lane by one metre and narrower by two metres on the rear or northern boundary.
- 6.3 It is considered that the dwelling, given that it is no nearer to Falcon as referred to by the appointed Inspector, is a width that makes it still satisfactory within the provisions of the appeal decision. The ridge height is 100mm lower than that of the illustrated dwelling in plans that the Inspector refers to in his report. It is also lower in height than the dwelling previously refused earlier this year. The reduction in ground level also helps reduce the impact of the proposed dwelling when viewed against Falcon. The appointed Inspector did not specify what type of dwelling he had in mind when upholding the principle of developing the site for residential development. A single-storey dwelling was not specified by condition nor a type of dwelling. It should also be noted that the Inspector notes a variety of dwelling types in School Lane and on Birch Hill Road, i.e. Falcon. There are single storey bungalows on the southern side of School Lane, however to the north-east of the proposed site is a two-storey dwelling with an asymmetrical roof that is set further back from School Lane from which it gains access. This dwelling known as Westfields is at least 7.5 metres high. Therefore it is considered that the applicant has reduced the height of his dwelling to a height that is consistent with, and when viewed from School Lane and Birch Hill Road, lower than Falcon. It will though be necessary to produce section plans across the site from south-west to north-east and south-east to north-west demonstrating the extent of excavation across the whole of the site.
- 6.4 The other issues raised relating to highway safety on School Lane and the principle of developing domestic gardens are matters that were addressed by the appointed Inspector when determining the appeal on this site. These are not matters that can be re-visited by the local planning authority. It is considered that two parking places can be provided on the site as required by the appointed Inspector. This can be achieved by securing the integral garage for use by motor vehicles by planning condition. The issue raised relating to the impact on Ash tree and hedging and water run-off, and siting of connection to mains are matters that fell within the remit of the appeal decision.
- 6.5 There are considered to be no other matters that would reasonably preclude granting planning permission for the dwelling subject to the submission of details for landscaping, excavation across the site and securing the garage for parking only.

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. **A07 (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. **G04 (Landscaping scheme (general))**

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

- 5. **G05 (Implementation of landscaping scheme (general))**

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

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

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

Informative(s):

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

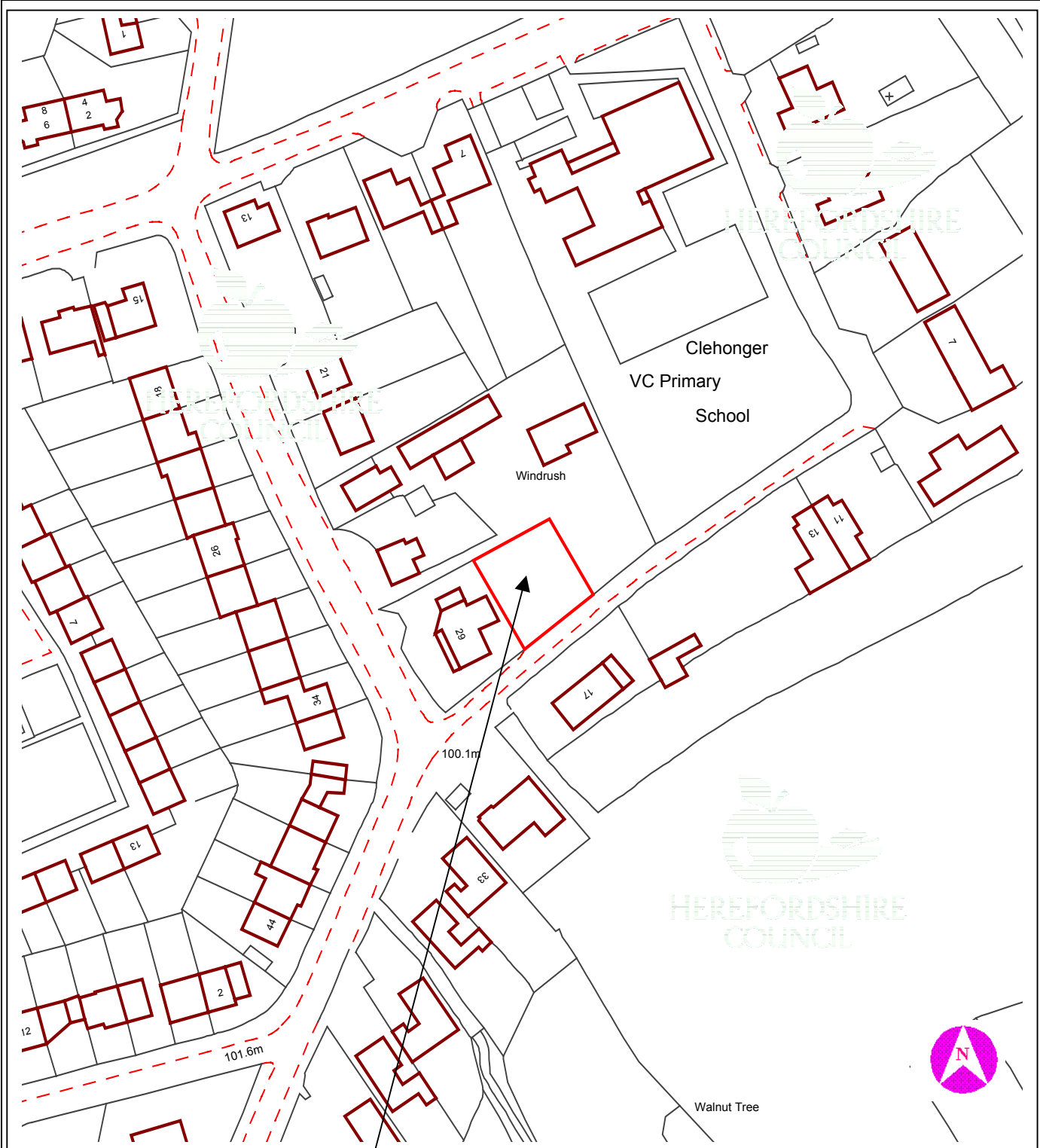
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2005/3155/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjoining "Falcon," School Lane, Clehonger, Herefordshire, HR2 9RF

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