

13 DCNC2005/3734/F - RETROSPECTIVE APPLICATION FOR TWO STOREY SIDE EXTENSION TO DWELLING AT LAVENDER COTTAGE, UPPER SAPEY, WORCESTER, HEREFORDSHIRE, WR6 6XT

For: Mr P Davis per Linton Design Group, 27 High Street, Bromyard, Herefordshire, HR7 4AA

Date Received:
18th November 2005

Ward: Bringsty

Grid Ref:
68384, 62866

Expiry Date:
13th January 2006

Local Member: Councillor Tom Hunt

1. Site Description and Proposal

- 1.1 The site is located in the open countryside in the hamlet of Upper Sapey in the far north-north east of the County.
- 1.2 The application is retrospective for a two-storey side extension. This comprises changing hip ends to gables, an 8m extension and raising the roof by approximately 50cm throughout the dwelling to retain one single roofline. The chimney is removed and first floor gable ends each have an additional window.

2. Policies

2.1 Malvern Hills District Local Plan

Housing Policy 4: Development in the Countryside
Housing Policy 16: Extensions
Landscape Policy 1: Development Outside Settlement Boundaries
Landscape Policy 3: Development in Areas of Great Landscape Value

2.2 Herefordshire Unitary Development Plan (Revised Deposit draft)

Policy H.18: Alterations & Extensions
Policy LA.2: Landscape Character & Areas Least Resilient to Change

3. Planning History

DCNC2005/1019/F – Extension Approved – 25/05/2005

DCNC2005/2918/F – Retrospective application retaining a double garage and gym, and increasing the height of the bungalow with overhanging eaves – Refused 31/10/2005

4. Consultation Summary

Statutory Consultations

4.1 None required

Internal Council Advice

4.2 Transportation Manager: No objection

5. Representations

5.1 Upper Sapey Parish Council: Objection:

- Extension: Roofline of extension, matches new roofline – no subservient contrary to prior permission.
- Extension massing and size unacceptable in this locality and for dwelling itself.
- Incorrect site plan.
- Extension on unstable made up ground.

5.2 An objection has been received from Mr & Mrs Smith, Bregawn, Upper Sapey, WR6 6XT, and summarised as follows:

- Non compliance past permissions
- Not in keeping with local vernacular
- Infill materials imported from off-site
- Raised roofline
- Loss of privacy
- Over extension
- Access
- Ownership – part of site is in objectors ownership
- Inadequate/unexplained drainage foul and surface water.

5.3 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 Earlier this year an application was made by the same applicant (ref. DCNC2005/1019/F) for the single storey extension with conservatory and the insertion of eight dormer windows, a new access with brick wall and iron gates. The Officer's report clarified that this proposal replaced a dilapidated extension with living room and conservatory to the southern elevation. With no responses and no objection from any consultees the Officer considered the proposal not to be harmful to the acknowledged visual qualities of the area and was recommended for approval, approved 24/05/2005.

6.2 Subsequently, a retrospective application for alterations and extension to the dwelling and new detached garage and gym was received. The case officer's report comments that the development had not been built in accordance with the previously approved plan. In the officer's opinion the alterations and extension to the cottage were not so significantly different to the approved plans to justify a refusal, but those for the garage were. This application was therefore refused on the grounds that "the

height, bulk and position of the garage/gym building to the boundary of the site has an adverse overlooking and overshadowing impact upon the amenity of the neighbour. Accordingly, it is considered the retention of the building in this position conflicts with Housing Policy 16 of the Malvern Hills District Local Plan”.

6.3 This is now an enforcement matter.

6.4 The Parish’s and neighbour’s objections are discussed below.

- Non-compliance is self-evident yet in your officer’s opinion the difference between permitted plans and existing building is considered insufficient for a sustainable refusal. Your officer can only recommend approval for this application.
- Raised Roofline It is local practice to ensure extensions have subservient rooflines to original buildings. However, as this was accepted in principle in the previous permission of 24/05/05 (ref. DCNC2005/1019/F) it cannot be sustained as a valid objection.
- Design/Bulk/Massing It is not considered that there are grounds for refusal on these matters.
- Loss of Privacy This is a matter of importance for the neighbours and may be deemed a refusal reason. However, it is not considered the matter sufficiently obvious to be sustained at appeal given the recent planning history of approval of a very similar design.
- Drainage can be conditioned.
- Access has been dealt with in prior applications.

6.5 On balance, it is considered that there are insufficient grounds for refusal. The proposal therefore complies with the relevant Local Plan policies.

RECOMMENDATION

Recommend that this application be approved subject to the following drainage condition:

- 1 - A scheme for the provision of surface water drainage works shall be submitted to and approved in writing by the local planning authority within three months of the date of this approval.**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

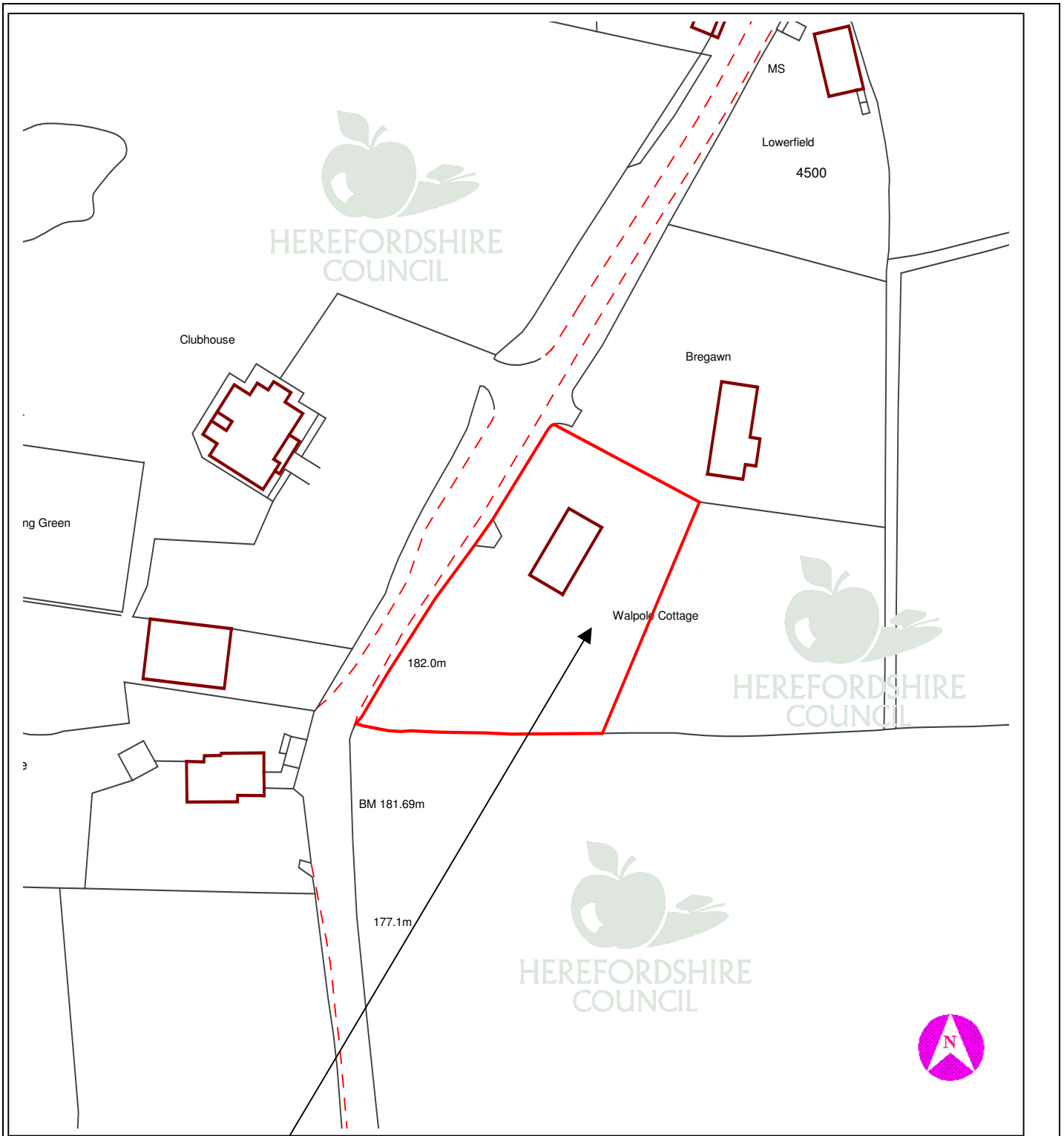
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2005/3734/F

SCALE : 1 : 1250

SITE ADDRESS : Lavender Cottage, Upper Sapey, Worcester, Herefordshire, WR6 6XT

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