

7 DCNE2006/0532/F - FORMATION OF PROJECTING BAYS IN GARAGE DOOR OPENINGS, PLOT 1&2. ERECTION OF DETACHED DOUBLE GARAGE FOR PLOTS 1 & 2. VARIATION OF CONDITION 7. PP NE2003/3874/F TO ALLOW TWO PARKING SPACES INSTEAD OF 3 AT OAK TREE COTTAGE, WELLINGTON HEATH, LEDBURY, HEREFORDSHIRE, HR8 1NA

**For: Miton Limited per Ian Guest & Associates
3 Juniper Way Malvern Wells Worcestershire
WR14 4XG**

Date Received:
22nd February 2006

Ward: Hope End

Grid Ref:
71313, 40718

Expiry Date:
19th April 2006

Local Member: Councillors R Stockton and R Mills

Introduction

Members may recall this site from earlier applications, the most recent of which (NE03/3874/F) gave approval for the demolition of the existing dwelling and erection of 3 new dwellings at Oak Tree Cottage, Wellington Heath.

1. Site Description and Proposal

- 1.1 The application site is a triangular shaped piece of land at the northern end of Wellington Heath, situated within the settlement boundary as identified in the Malvern Hills District Local Plan. The site is 0.2 hectares in extent and is bounded to the west by the C1157 and to the south by the unclassified 66402 road. The roadside boundaries consist of native hedge and within the site are a number of other trees, mainly fruit trees but also a Yew Tree adjacent to the existing property lying on the western boundary of the site. The site slopes markedly from the boundary with the C class road to the boundary of the unclassified road. The site lies within the Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- 1.2 This application follows the grant of full planning permission for three dwellings in June 2004 and the works are now nearing completion. It has become apparent that due to the severe gradient of the driveway, use of the integral garages to plots 1 & 2 is not possible. This application thus seeks permission for the erection of a detached double garage at a point toward the southeast corner of the site in lieu of the two integral spaces that cannot be used. As a consequence the application also seeks permission for the relaxation of condition 7 of the existing approval, which stated that each property should have provision for 3 parking spaces within its curtilage.

- 1.3 The double garage would be 6 metres square with fully hipped roof. The overall height would be 3.6m. The building would not fall within the canopy spread of the tree subject to the Tree Preservation Order. The existing ground levels fall away towards the unclassified road and it is necessary to build up ground levels by 1 metre under the eastern portion of the building.
- 1.4 Materials proposed are facing bricks to match the houses, under a natural slate roof.

2. Policies

Malvern Hills District Local Plan

Housing Policy 3 – Settlement Boundary
Housing Policy 17 – Residential Standards
Transport Policy 8 – Car Parking and Servicing Requirements
Landscape Policy 2 – Areas of Outstanding Natural Beauty
Landscape Policy 3 – Development in Areas of Great Landscape Value

Herefordshire Unitary Development Plan (Revised Deposit Draft)

Policy H6 – Housing in Small Settlements
Policy LA1 – Areas of Outstanding Natural Beauty
Policy LA3 – Setting of Settlements
Policy LA5 – Protection of Trees, Woodlands and Hedgerows

Other Guidance

Planning Policy Guidance Note 3 – Housing
Planning Policy Guidance Note 7 – The Countryside, Environmental Quality and Economic and Social Development

3. Planning History

NE03/3874/F – Full Planning Permission for three dwellings granted at the Northern Area Planning Sub-Committee on 16th June 2004

NE02/3033/O – Outline Planning Permission for three dwellings granted 18th December 2002 (including demolition of existing cottage).

NE2000/3385/O – Demolition of existing dwelling and site for erection of two new dwellings and ancillary garages. Outline Permission granted 13th March 2001.

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Advice

- 4.2 Traffic Manager – No objection

4.3 Head of Conservation (Trees and Landscapes) – No objection

5. Representations

5.1 Wellington Heath Parish Council: Conversion of the integral garages to additional habitable accommodation may cause additional strain on the already congested parking arrangements. The Parish Council would strongly object to any proposal likely to encourage or require the use of The Common for the parking of vehicles, particularly at this hazardous junction.

5.2 3 letters of objection have been received from the following:

Mr F. A. & Mrs S. C. Eacock, 6 The Swallow, Wellington Heath
Mr D. J. & Mrs C. Evans, The View, Ochre Hill, Wellington Heath
Mr & Mrs A. J. Jones Rhea Hill, Rhea Lane, Ledbury

These letters raise the following issues:

- The houses as built are uncharacteristic of the village and spoil the outlook for residents opposite. To construct a garage would compound this;
- The applicants should either underpin the integral garages or otherwise build up the ground;
- The Common is already a busy road and the junction is hazardous. Overspill parking from the development will make the situation worse.

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. Officer's Appraisal

6.1 The main issues in the consideration of this application are:

- The impact of the proposed development upon the use of the adjoining highway;
- An assessment of parking provision;
- The impact of the development upon the character and appearance of this part of the
- Malvern Hills Area of Outstanding Natural Beauty.

6.2 The Traffic Manager records no objection to the proposal. The application seeks the variation of Condition 7 of the original permission to reduce the level of curtilage parking required, but even at this reduced level the relevant policy criterion is met. Currently adopted parking standards (Transport Policy 8 of the Local Plan) require two parking spaces within the curtilage of 3-bedroom dwellings. This is achievable to plot 3, which is unaffected by the application, and with the inclusion of the double garage, is also achieved at plots 1 & 2.

6.3 Owing to the difficulties presented by the severe driveway gradient, it is extremely unlikely that the existing integral garages to plots 1 & 2 could be utilised as such, even

if reserved for such purpose. The Parish Council have expressed concern that the application results in the conversion to habitable accommodation of the integral garages, which would increase the pressure to park on the adjacent highway. It is noted, however, that there is no condition preventing the conversion of the integral garages once the dwellings are occupied.

- 6.4 As noted at paragraph 1.3 the development necessitates the building up of ground levels to provide a flat approach to the proposed garage. As such, there is a reasoned argument that curtilage parking will in fact be improved by the development, which will increase the available area of flat land available for parking on site.
- 6.5 The concern at parking on the adjoining highway is noted, although if the application demonstrates that the required level of curtilage parking is provided then policing of the highway is not the preserve of the local planning authority.
- 6.6 The garage building is located on land significantly lower than the dwellings themselves and would be seen against the backdrop of plot 1. Given the scale, character and appearance of the dwellings it is not considered that the construction of a comparatively small ancillary building creates an undue adverse impact upon the area. The officer also considers that the formation of projecting bays in place of the integral garage improves the external appearance of the two dwellings in question.
- 6.7 The application is recommended for approval.

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 - B01 (Samples of external materials)**

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

Informative:

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

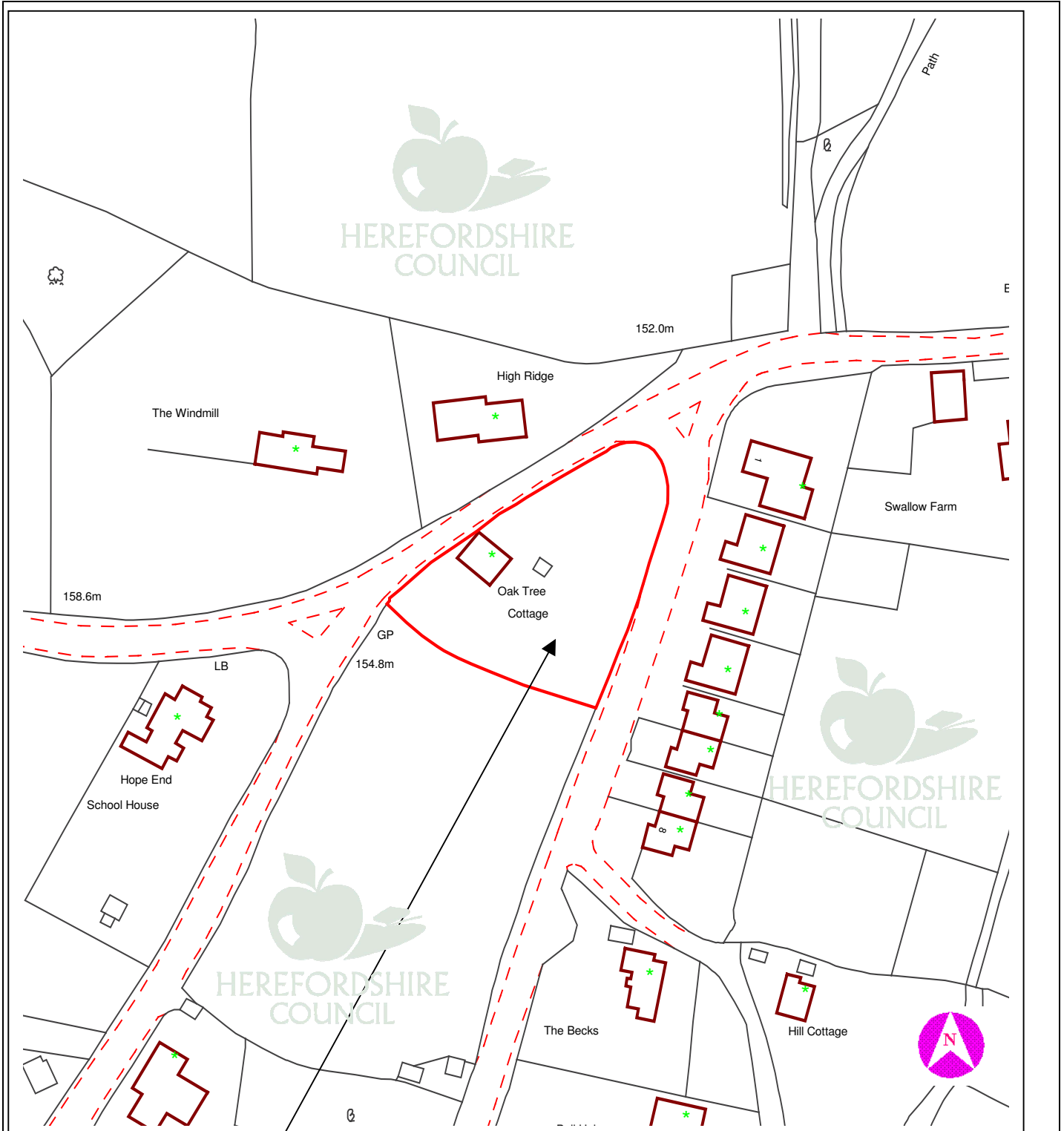
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNE2006/0532/F

SCALE : 1 : 1250

SITE ADDRESS : Oak Tree Cottage, -, Wellington Heath, Ledbury, Herefordshire, HR8 1NA

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005