

**12 DCCE2006/1231/RM - PROPOSED ERECTION OF THREE DETACHED HOUSES AND ANCILLARY GARAGES, FORMATION OF NEW VEHICULAR ACCESS AND DRIVEWAY AT LAND AT LUGWARDINE COURT, LUGWARDINE, HEREFORD, HR1 4AE**

**For: Amco Services Ltd. per Border Oak Design & Construction, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF**

**Date Received: 7th April, 2006**

**Ward: Hagley**

**Grid Ref: 54694, 40845**

**Expiry Date: 2nd June, 2006**

Local Member: Councillor R.M. Wilson

## **1. Site Description and Proposal**

- 1.1 This application seeks Reserved Matters permission for the erection of three dwellings on land at Lugwardine Court, Lugwardine. The application site has an extant outline permission (DCCE2006/3749/O) for three detached dwellings with garages. The matters for consideration in this application are the siting, design, landscaping and external appearance of the proposed development. The means of access was approved by virtue of the aforementioned outline permission.
- 1.2 The application site itself comprises a 0.2 hectare paddock situated on raised land to the southeast of the A438 at Lugwardine. To its northeast side is Lugwardine Court Orchard, a development of 15 sheltered houses. To the east and southeast is Lugwardine Court, a private educational facility associated, at least in part, with St. Mary's School. To the south is a small courtyard of traditional agricultural buildings and a walled garden. Residential properties are found to the west on the opposite side of the A438. Ground level falls away generally from Lugwardine Court Orchard towards the walled garden and barns and also steeply at the edge of the site with the A438.
- 1.3 The application proposes the erection of three detached dwellings with associated garaging. The dwellings would be served by the approved access from the south.
- 1.4 This application represents a resubmission of a previously refused scheme (DCCE2005/3510/RM).

## **2. Policies**

### **2.1 National:**

- |      |   |                                    |
|------|---|------------------------------------|
| PPS1 | - | Delivering Sustainable Development |
| PPG3 | - | Housing                            |

## 2.2 South Herefordshire District Local Plan:

Policy GD1	-	General Development Criteria
Policy C29	-	Setting of a Listed Buildings
Policy SH6	-	Housing Development in Larger Villages
Policy SH8	-	New Housing Development Criteria in Larger Villages
Policy T3	-	Highway Safety Requirements
Policy T4	-	highway and Car Parking Standards

## 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S6	-	Transport
Policy S7	-	Natural and Historic Heritage
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy H4	-	Main Villages: Settlement Boundaries
Policy H16	-	Car Parking
Policy T11	-	Parking Provision
Policy HBA4	-	Setting of Listed Buildings

**3. Planning History**

- 3.1 SH891493PO Sheltered housing development. Refused 20th September, 1989.
- 3.2 SH901109O Sheltered housing development. Refused 24th October, 1990. Appeal allowed 9th July, 1991.
- 3.3 SH920267PM Sheltered housing development. Approved 22nd April, 1993.
- 3.4 SH960270PF Erection of 8 single storey dwellings (second phase of development of 15 dwellings originally approved). Approved 10th October, 1996.
- 3.5 CE2002/0323/F Change of use from residential home to educational, with ancillary residential accommodation, office and kitchen facilities, together with meeting rooms and offices for community use. Approved 29th May, 2002.
- 3.6 CE2002/3749/O Erection of 3 detached dwellings with garages. Approved 11th June, 2003.
- 3.7 DCCE2003/3285/F Removal of Section 106 Agreement (not to cause or permit any other than an elderly person or chronically sick or disabled person to reside within any part of the property or any extension thereto). Approved 30th January, 2004.
- 3.8 DCCE2005/3510/RM Three detached houses and ancillary garaging and formation of access and driveway. Refused 14th December, 2005.

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 River Lugg Internal Drainage Board: Council will need to be satisfied that drainage arrangements are satisfactory otherwise no comment.

##### Internal Council Advice

- 4.2 Traffic Manager: Conditions attached to original outline permission need to be satisfied. The parking layout is a little restricted but in view of the distance from the public highway it would be unlikely that there would be any impact on highway safety.
- 4.3 Conservation Manager: No response received.

#### **5. Representations**

- 5.1 Lugwardine Parish Council: We still have concerns about the size of the proposed houses particularly in relation to the adjacent bungalows.
- 5.2 At the time of writing one letter had been received from D.J. & B.S. Bloom of Quarry Cottage, Lugwardine. The main points raised can be summarised as follows:
- dwellings will be elevated above Croft Cottage, Quarry Cottage and Bank Cottage opposite meaning ground floor windows will affect privacy into bedroom windows;
  - proposed access onto Ledbury Road via Tidnor Lane is hazardous for the number of cars likely to use it;
  - proposed development will lead to more development in the area which will affect the character of Lugwardine.

The full text of these letters can be inspected at Central 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 areas for consideration in the context of this application are:
- Principle of Development.
  - Design and Scale.
  - Residential Amenities
  - Visual Amenities

##### Principle

- 6.2 The extant outline permission on this site for three dwellings (CE2002/3749/O) establishes and confirms the principles of residential development on this site. It is therefore advised that the acceptability or otherwise of this application rests with the details of the scheme (the "reserved matters").

### Design and Scale

- 6.3 The proposal consists of three detached properties. Two have detached garaging and the third unit an attached garage. Subsequent to the refusal of the previous application the design, scale and layout of the dwellings have been revised. The scale of the properties has been reduced and the layout revised to reduce the impact of these properties into this prominent location. As with the previous scheme, the proposed dwellings are timber framed with a mix of brick and rendered elevations, with clay tiles for the roof. The design of the properties remains traditional and though some concern was expressed in relation to the design and appearance of these properties in the previous application, it is considered that the reduced scale of this development is such that the appearance of the proposed dwellings is now appropriate in this location. The wider area includes a wide range of dwelling types which include timber-framed buildings. In this context it is considered that the design and scale of these buildings will not detract from the character and appearance of the site and surrounding area.

### Residential Amenities

- 6.4 The impact of the proposed dwellings upon the adjacent residential development to the east known as Lugwardine Court Orchard is of some concern. This is a development of modest single storey properties on ground approximately 4 metres higher than the application site. The rear gardens of the properties run, in part, along the eastern boundary of the application site. In the previous proposal the orientation of the properties was such that the loss of privacy was a problem. The revised scheme has addressed this issue through the revisions to the site layout, the design of the proposed dwellings and their orientation. The two units on the eastern boundary, 1 and 3, are both orientated so that only side elevations face Lugwardine Court Orchard. These side elevations have no window openings at first floor level. On this basis it is considered that the privacy concerns associated with the previous application have been addressed through these revisions and no unacceptable impact upon the privacy of the properties to the east will result. Adequate distance between these properties and the site boundary exists to ensure that no unacceptable overbearing impact or light loss result from this proposal.
- 6.5 To the northwest of the application site is Bank Cottage, Croft Cottage and Rose Cottage. It is also of note that a new dwelling recently secured permission between Croft and Rose Cottage (DCCE2006/0435/F). The relationship of these properties with the proposed dwellings is such that a degree of overlooking will result, however, having regard to the differences in site levels, the orientation of the properties and the resulting relationships and the existing boundary treatment, it is considered that the relationship between these properties will be acceptable. There are no issues of concern in relation to residential amenities to the south.

### Visual Amenities and Listed Building Issues

- 6.6 Having regard to the design, scale and layout revisions secured through this revised application, it is now assessed that this proposal will integrate effectively into the street scene and the wider settlement pattern. It is considered that the visual amenities of the locality will be maintained through this development. Furthermore, in consideration of the alterations secured in this revised proposal, it is considered that the setting of the Listed Building (Rose Cottage) located to the north of the application site will be preserved through this development.

**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. **E18 (No new windows in specified elevation).**  
Reason: In order to protect the residential amenity of adjacent properties.

**Informatives:**

- 1. **N01 - Access for all.**
- 2. **N03 - Adjoining property rights.**
- 3. **N09 - Approval of Reserved Matters.**
- 4. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

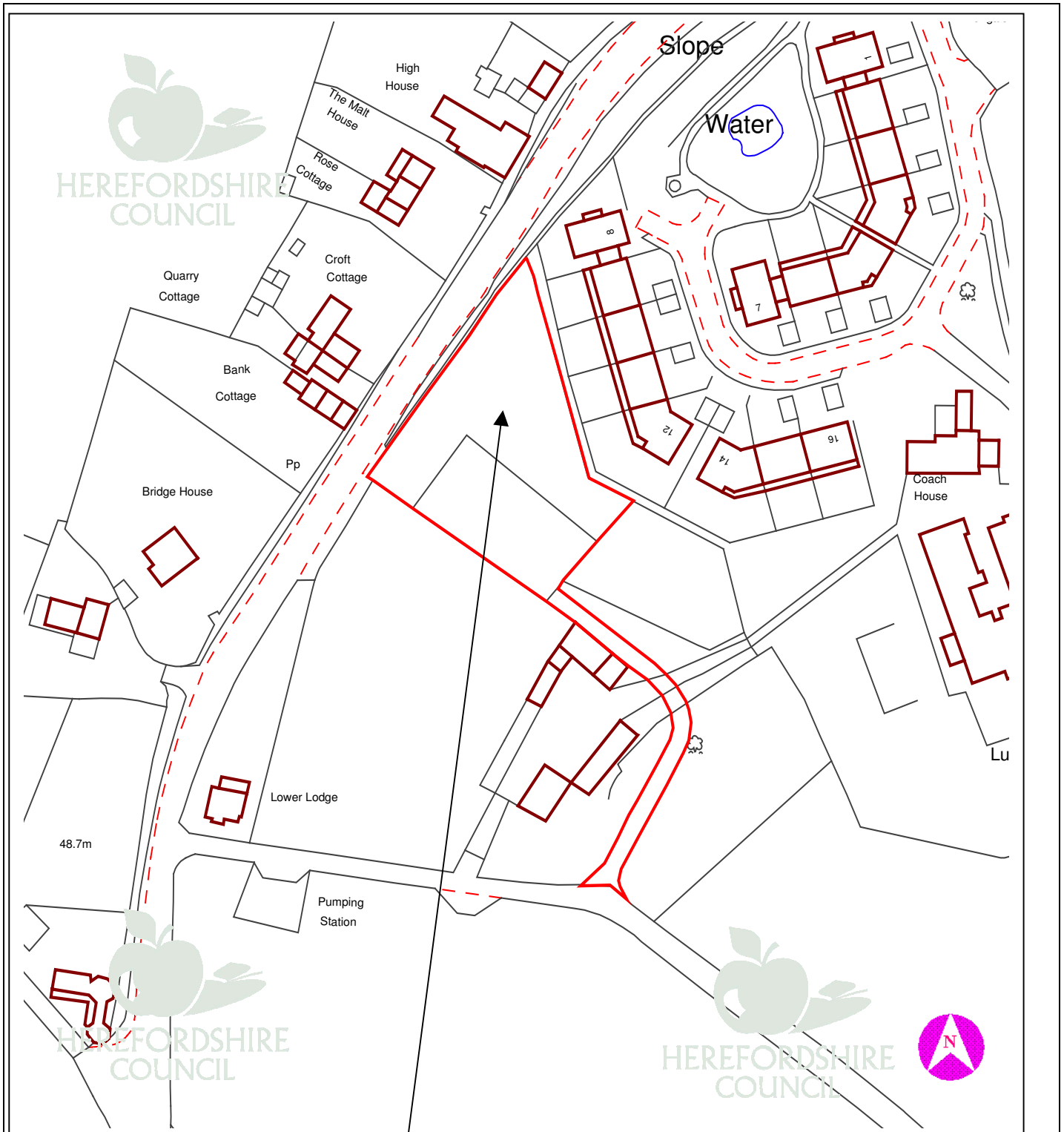
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCE2006/1231/RM

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land at Lugwardine Court, Lugwardine, Hereford, HR1 4AE

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