

6 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

Introduction

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 31st May, 2006 in order to carry out a site visit. The visit took place on the 12th June, 2006. This report has been updated to reflect correspondence received subsequent to the meeting of the 31st May, 2006.

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 objection.

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 Local residents – Nine letters have been received from local residents raising objections to this proposal. The objections 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 proposal will result in a loss of privacy and light loss to the properties on the western side of the A438.
 - The proposed new properties are inappropriate in design and character for this location.
 - Adverse impact upon the setting of the Listed Buildings to the west of the application site.
 - Excessive scale for the location, not modest properties.
 - Adverse impact upon highway safety.
 - Intrusive nature of this development.
 - Precedent for further development in Lugwardine.
 - Loss of views
 - Overbearing impact and loss of privacy upon properties in Lugwardine Court Orchard.

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. Of particular note are the two ‘roadside’ properties which have been substantially reduced in scale from those originally suggested in this 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. Timber framed properties are characteristic of rural Herefordshire. The wider area includes a wide range of dwelling types which include timber-framed buildings and traditional ‘cottages’, together with the more adjacent Lugwardine Court Orchard development which is of no significant architectural note. 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 distances between properties is

between 14m at the closest point to the west, and 30m to the north. 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.

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.

