

7 DCSE2006/1677/F - ERECTION OF ONE DWELLING AT LAND ADJACENT TO 'MARSH COTTAGE', PONTSHILL, HEREFORDSHIRE, HR9 5SZ.**For: Mr. F. McGough per Paul Smith Associates, 19 St Martin Street, Hereford, HR2 7RD.****Date Received: 26th May 2006****Ward: Penyard****Grid Ref: 63881, 22049****Expiry Date: 21st July 2006**

Local Member: Councillor H. Bramer

1. Site Description and Proposal

- 1.1 The application site comprises the south-western half of the garden of Marsh Cottage at Pontshill Marsh. Part of the boundary is close to a brook and there are a number of imposing trees along the south-western and north-western boundaries. There is a short frontage to C1275 Pontshill - Coughton road. The site adjoins residential properties to the south-east, including a new dwelling, Juniper Cottage. In addition there is a bungalow to the north-east and further houses to the south-west, although separated by a field.
- 1.2 Planning permission (SE2002/3287/O and SE2004/2901/RM) has been granted for the erection of a cottage on this site and is still extant. The current application is for an alternative proposal.
- 1.3 The proposed dwelling would reflect the Georgian style. The main part of the building would be rectangular in shape (about 12.4 m wide by 7m deep) but with a small gable extending centrally from the rear elevation (about 2 m deep by 4.6 m wide). The height to eaves would be about 5.1 m and to ridge about 8.6 m. A central entrance door would have 2 sets of windows on either side and 3 small dormers in the roof. The windows would have a vertical emphasis but would be PVCu. The rear elevational treatment would be less regular. A double garage would be attached to the north-eastern end of the building and a single-storey flat roofed utility room would extend to the rear of this and a section of the main structure (to form a larger kitchen).
- 1.4 The house would be sited away from the road boundary and not quite parallel to it. It would be about 2.4 m from the boundary with Marsh Cottage and about 6 m from Juniper Cottage. A stone wall would be constructed along the road boundary.

2. Policies**2.1 Planning Policy Guidance**

- | | | |
|-------|---|--|
| PPG.7 | - | The Countryside: Environmental Quality and Economic & Social Development |
| PPG25 | - | Development and Flood Risk |

2.2 Hereford and Worcester County Structure Plan

Policy H18	-	Housing in Rural Areas
Policy H20	-	Housing in Rural Areas
Policy H16A	-	Housing in Rural Areas
Policy CTC2	-	Area of Great Landscape Value
Policy CTC9	-	Development Criteria

2.3 South Hereford District Local Plan

Policy SH10	-	Housing in smaller settlements
Policy SH14	-	Siting and design of buildings
Policy SH15	-	Criteria for new housing schemes
Policy GD1	-	General development criteria
Policy C43	-	Foul sewerage
Policy C44	-	Flooding
Policy C45	-	Drainage

2.4 Herefordshire UDP (Deposit Draft)

Policy H7	-	Housing in the countryside outside settlements
Policy LA2	-	Landscape Character and Areas Least Resilient to Change
Policy LA3	-	Setting of Settlements
Policy DR4	-	Environment

3. Planning History

3.1	SE2002/3287/O	Erection of a cottage.	-	Approved 26.2.03
	SE2004/2901/RM	Erection of a cottage	-	Approved 16.2.05

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 The Traffic Manager recommends that conditions be attached to any permission.

5. Representations

5.1 The applicant's agent submits the following:

- (1) Outline planning permission was granted in 2003 for a dwelling on this site and for its details (Council references: SE2002/3287/O and DCSE2004/2901/RM). These permissions remain extant. The proposed development accords with the outline permission.
- (2) This sizeable plot of land lies at the western entrance to the hamlet with a screen of mature trees along its road frontage and close-boarded fences marking its boundaries with neighbouring properties.

- (3) The applicant intends to erect a robust means of enclosure along the western boundary but would not fell any trees.
- (4) The siting and orientation of the dwelling avoids principal elevation windows facing directly toward the rear gardens of the neighbouring properties. Two rear-facing, first floor windows are to be glazed on obscured glass.
- (5) This house would be well away from the watercourse margins and the mature trees.
- (6) The attachment of the garage to the dwelling retains the overall openness of the site.
- (7) Vehicular access to the site is via a new entrance alongside the existing access to neighbouring Marsh Cottage. The design of the new access complies fully with the requirements of the Highway Officer.
- (8) The detailed design of the dwelling is appropriate both to the character of the site and its setting. Its internal first floor layout maximises the western aspect
- (9) I submit that this proposal would cause no harm to the site or its environs. Consequently, it accords fully with the development plan and emerging planning policies.

5.2 Two letters of objection have been received which, in summary cite the following reasons:

- (1) 3-storeys high, a lot bigger than the approved house and very overpowering,
- (2) the water table is at ground level which it will be built on stilts, making it even taller,
- (3) not in keeping, in terms of size and design,
- (4) overlooking of 3 properties, reduce sunlight.

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. Officer's Appraisal

- 6.1 The site is within the settlement of Pontshill. This is as defined as a smaller settlement in the South Herefordshire District Local Plan and in the Herefordshire Draft Unitary Development Plan but was excluded from the list of smaller settlements in the Revised Deposit Draft. The latter has now been considered by the Inspector and significant weight can be given to the policies noted above (paragraph 2.4). On this basis the proposed dwelling would be in open countryside and a new dwelling would conflict with Policy H7. However the extant planning permission is a material consideration and if the proposal is otherwise acceptable (design, siting effect on neighbours' amenities, access etc.) it would be reasonable to grant permission subject to a condition that the permission expired on the same date as the previously approved permission.

- 6.2 The main issues are considered to be whether the dwelling would be in character with the settlement and the effect on neighbours' amenities. The site is quite large (about 0.1 ha) and on the periphery of the settlement. There is a mix of housing types and styles in Pontshill, ranging from traditional cottages to modern bungalows. Generally the houses are modest in size. The current proposal would be about 1.5 m taller than that approved but similar in ground floor area although the garaging would be attached rather than integral to the dwelling. It would be a full 2-storey building rather than the modern 'cottage' style (for example Juniper Cottage). Nevertheless the difference in size with the nearest houses is not so great that the proposed house would appear incongruous. It would be set well away from the road boundary and with a row of tall trees along most of the boundaries with the road and the stream. As it would be next to the stream it would be at the lowest part of the settlement and would not be visually over-dominant. The style echoes a traditional farmhouse and the site, on the periphery of a settlement, would be a typical location for such a property. There are a number of minor design concerns however and also the appearance and effect on the trees of the new boundary wall. Revised drawings have been requested.
- 6.3 The dwelling would be closer to the boundary with Juniper Cottage than is ideal. The site is sufficiently large however for the house to be positioned an acceptable distance from this property and revised drawings have been requested. However the first floor windows, other than those which would be opaque, would face towards the blank gable end of Juniper Cottage and the privacy of neighbours both in their house and in their garden would not be unduly harmed. The living accommodation would be further from Marsh Cottage and The Marsh as the attached garage would be at the north-eastern end of the new house. This is lower than the house and would not be overbearing. There are no windows facing directly towards these neighbouring properties and the privacy of their occupiers would be maintained.

RECOMMENDATION

That subject to submission of revised drawing showing an acceptable design and siting the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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.

3 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.

4 There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within:

(a) 7 metres of the top of any bank of watercourses, and/or

(b) 7 metres of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed otherwise in writing by the local planning authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

5 D03 (Site observation - archaeology)

Reason: To allow the potential archaeological interest of the site to be investigated and recorded.

6 G04 (Landscaping scheme (general))

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

7 G05 (Implementation of landscaping scheme (general))

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

8 G01 (Details of boundary treatments)

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

9 F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

10 H03 (Visibility splays)

Reason: In the interests of highway safety.

11 H05 (Access gates)

Reason: In the interests of highway safety.

12 H06 (Vehicular access construction)

Reason: In the interests of highway safety.

13 H12 (Parking and turning - single house)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

INFORMATIVES:

1 HN01 - Mud on highway

2 HN05 - Works within the highway

3 HN10 - No drainage to discharge to highway

- 4 **HN22 - Works adjoining highway**
- 5 **The proposed Biodisc should be relocated outside of the 1% floodplain to prevent any environmental nuisance, from the system being washed out, in the event of a severe flood.**
- 6. **The Environment Agency advises that the proposed dwelling lies at the edge of Flood Zone 3 and recommends that floor levels be set 600mm above the highest recorded flood level or existing floor level.**
- 7 **A discharge consent under the Water Resources Act 1991 may be required from the Environment Agency (contact Mr. A. Osbaldiston, 01600 772245).**
- 8 **N15 - Reason(s) for the Grant of Planning Permission**

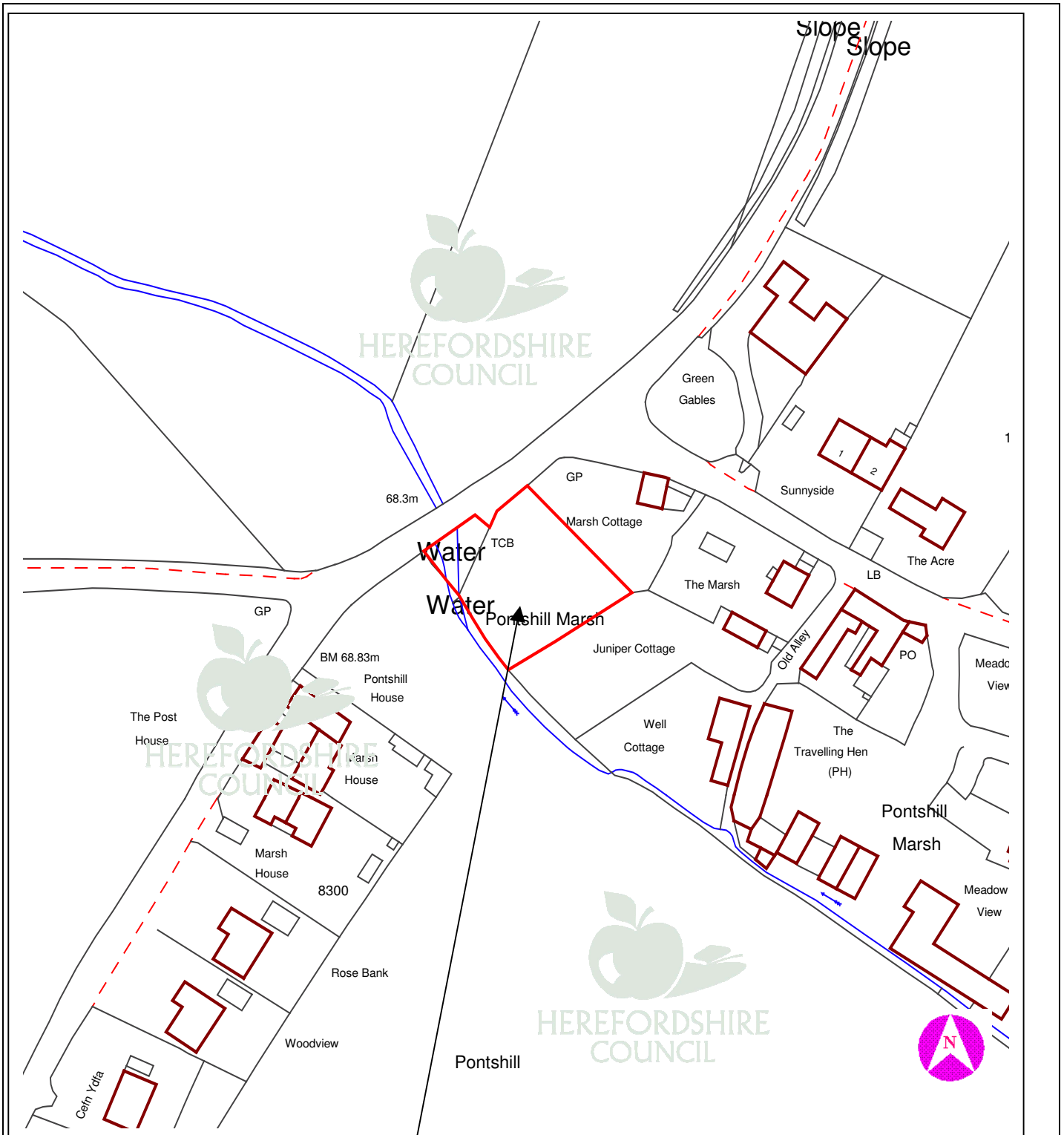
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSE2006/1677/F

SCALE : 1 : 1250

SITE ADDRESS : Land adjacent to 'Marsh Cottage', Pontshill, Herefordshire, HR9 5SZ.

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