

**13 DCCW2006/1856/F - ERECT SINGLE DWELLING AT MIZPAH, THE ROW, WELLINGTON, HEREFORD, HEREFORDSHIRE, HR4 8AP****For: Idyllic Homes Ltd. per Axys Design, 30 Grove Road, Hereford, HR1 2QP****Date Received: 7th June, 2006      Ward: Wormsley Ridge      Grid Ref: 49079, 47878****Expiry Date: 2nd August, 2006**

Local Member: Councillor J.C. Mayson

**1. Site Description and Proposal**

- 1.1 The application site is located on the southern edge of the settlement of Wellington, and is situated within the designated settlement boundary.
- 1.2 The application site is formed by what was formerly the eastern half of the domestic curtilage of the property known as Mizpah and lies between that dwelling to the west and Munns Cottage to the east. Following the grant of outline planning permission the application site was severed from Mizpath, being sold as a building plot for the erection of a dwelling.
- 1.3 A subsequent application covering the whole curtilage of Mizpah sought to demolish the existing dwelling and redevelop the site with the erection of five dwellings (DCCW2006/0825/F) was refused planning permission on the grounds of its adverse impact on the character of the area and the inadequate access arrangements.
- 1.4 The present application relates to the same parcel of land to which the original outline permission refers, although it is a full application and seeks consent for the erection of a detached, two storey brick built dwelling under a slate roof. The proposed dwelling would comprise of three bedrooms above a kitchen/sunroom and reception room on the ground floor.

**2. Policies****2.1 South Herefordshire District Local Plan:**

Policy GD1	-	General Development Criteria
Policy C2	-	Settlement Boundaries
Policy SH6	-	Housing Development in Larger Villages
Policy SH8	-	New Housing Development Criteria in Larger Villages

**2.2 Herefordshire Unitary Development Plan (Revised Deposit Draft):**

Policy DR1	-	Design
Policy H4	-	Main Villages: Settlement Boundaries
Policy H13	-	Sustainable Residential Design

### 3. Planning History

- 3.1 DCCW2005/0710/O Site for a residential use. Approved 21st April, 2005.
- DCCW2006/0825/F Demolish Mizpah and erect five dwellings. Refused 4th May, 2006.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 None.

#### Internal Council Advice

- 4.2 Traffic Manager: No objection.
- 4.2 Public Rights of Way: No objection.

### 5. Representations

- 5.1 Wellington Parish Council: Objection - overdevelopment, design is not in keeping with the locality and increase traffic on the private track.
- 5.2 One letter of objection has been received from Mr. Gunnell, Touchwood requesting that proper consideration is paid to protecting his property from overlooking and a loss of privacy and commenting that a dormer bungalow would be more appropriate.

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 Having regard to the relevant policies, the primacy issues in determining this application are considered to be:
- The Principle of Development
  - The Siting and Design of the Proposed Dwelling
  - Access and Highways Issues

#### The Principle of Development

- 6.2 The application site lies within the defined settlement boundary of Wellington and in addition there is an extant outline permission establishing the principle of residential development.
- 6.3 Therefore, in accordance with Policy SH6 of the South Herefordshire District Local Plan and Policy H4 of the Herefordshire Unitary Development Plan (Revised Deposit Draft), the proposal is acceptable in principle subject to proper consideration of its impact on the visual and residential amenity of the surrounding area.

### The Siting and Design

- 6.4 The application proposes a two storey detached dwelling which fronts onto the unadopted lane, and in this respect it follows the existing pattern of linear development within the immediate locality.
- 6.5 With regard to its scale the proposed ridge height of 7 metres is not considered to be out of character with the scale of other dwellings in the immediate locality. More specifically Munns Cottage is a two storey property with a ridge height of 7 metres, whilst Mizpah has a similar overall ridge height within the streetscape, despite being a bungalow due to the fact it sits on raised ground.
- 6.6 In this context and having regard to an assessment of the wider area, it is not considered that a two storey development on this site would be out of keeping so as to warrant the refusal of planning permission.
- 6.7 The proposed dwelling has been designed to take account of the amenity of adjoining properties. No windows are proposed in the west elevation, whilst the east elevation contains two obscure glazed windows serving bathrooms.
- 6.8 A high mature evergreen hedge screens the southern boundary of the application site. Therefore there will be no issue of overlooking of Touchwood to the rear, and as such it is not considered that there are reasonable grounds to refuse the application in terms of the concerns raised in relation to privacy.
- 6.9 Notwithstanding the submitted design, it is considered expedient to remove the permitted development rights to insert new windows at first floor level and the retention of obscure glazing to ensure the continued satisfactory relationship between the proposed dwelling and its neighbours.
- 6.10 Finally a condition controlling hours of operation during the construction phase is recommended in order to protect the amenity of the area.
- 6.11 Overall the design, siting and layout of the proposed dwelling and its relative orientation to neighbouring properties is not considered to give rise to any harm to the visual or residential amenity of the wider locality.

### Access and Highways Issues

- 6.12 The application site would be accessed off the existing private lane that serve Mizpah together with its neighbours. This was the arrangement envisaged and approved pursuant to the outline permission granted.
- 6.13 The Traffic Manager has no objection to the access and parking arrangements, but comments that standard highway conditions are required to control the layout of the driveway and turning area. These comments are considered reasonable and the appropriate conditions are recommended.

### Conclusion

- 6.14 The application site is located within the designated settlement boundary and the proposal to erect a new dwelling complies with the relevant policies in the Local Plan and as such, approval is recommended.

**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.**

3. **E18 (No new windows in specified elevation).**

**Reason: In order to protect the residential amenity of adjacent properties.**

4. **E19 (Obscure glazing to windows).**

**Reason: In order to protect the residential amenity of adjacent properties.**

5. **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.**

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. **G09 (Retention of trees/hedgerows).**

**Reason: To safeguard the amenity of the area.**

9. **H13 (Access, turning area and parking).**

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

10. **During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 8.00 am - 6.00 pm, Saturday 8.00 am - 1.00 pm nor at any time on Sundays, Bank or Public Holidays.**

**Reason: To safeguard residential amenity.**

**Informatives:**

1. **N01 - Access for all.**

2. **N03 - Adjoining property rights.**
3. **All machinery and plant shall be operated and maintained in accordance with BS5228: 1997 'Noise Control of Construction and Open Sites'.**
4. **N15 - Reason(s) for the Grant of Planning Permission.**

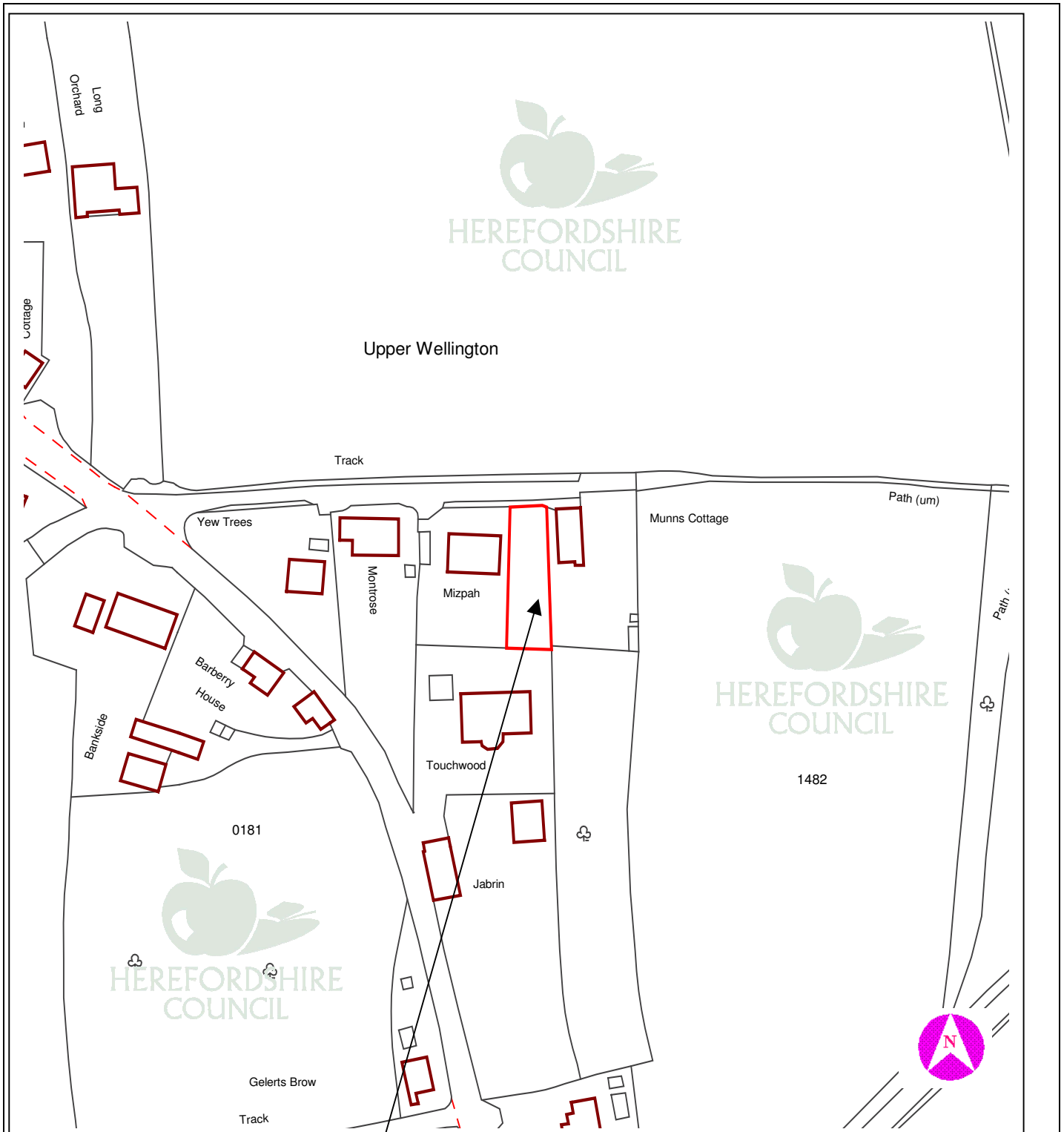
Decision: .....

Notes: .....

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### **Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2006/1856/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Mizpah, The Row, Wellington, Hereford, Herefordshire, HR4 8AP

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