

**8 DCNE2006/2023/F - ERECTION OF TWO DWELLINGS
ON LAND TO REAR OF 1 RAILWAY TERRACE,
WALWYN ROAD, COLWALL, MALVERN,
WORCESTERSHIRE, WR13 6EG**

**For: Mr I Jones per Paul Smith Associates, 19 St
Martins Street, Hereford. HR2 7RD**

**Date Received:
21st June 2006**

Ward: Hope End

**Grid Ref:
75122, 41940**

**Expiry Date:
16th August 2006**

Local Member: Councillor R Stockton & Councillor R Mills

1. Site Description and Proposal

- 1.1 The development proposed is the erection of two three-bedroom dwelling. The application site was formerly part of the large domestic curtilage associated with No.1 Railway Terrace, Colwall. It is triangular in shape and measures approximately 0.1ha. The railway line forms the southeast site boundary with dense vegetation to this aspect. The northwest is bound by the rear gardens to the bungalows in Martins Orchard. These single storey dwellings are at a slightly lower level than the application site and are screened by a combination of a mature hedgerow and a large Oak Tree, which is subject to a Tree Preservation Order.
- 1.2 Following the grant of Outline permission for the erection of two dwellings on the site (access and siting approved) under reference NE05/3213/O, this application is a detailed application rather than one for "Reserved Matters" approval. However, the means of access to the site and the broad siting remains the same as agreed under the Outline permission.
- 1.3 The dwellings are to be served by a private drive, which runs parallel with the northwest boundary of the site before skirting around the Oak tree to provide a separate parking area for each of the dwellings. Both dwellings are served by integral garages, with additional available uncovered parking.
- 1.4 The dwellings are two-storey and sited side by side, parallel to the railway line. The irregular shaped plot and presence of the Oak tree dictates the position of the development. The overall height of the development is 8.5m, with each dwelling providing three bedrooms. The southernmost of the two dwellings has a single-storey element projecting from the front housing the kitchen, utility and garage. This wraps around the southern edge of the site 1.2 metres from the boundary with the garden to No.2 Railway Terrace.
- 1.5 The dwellings are sited 38 metres from the rear elevation of No.1 Railway Terrace, the nearest of the dwellings forming Railway Terrace and orientated so that their front elevations look across the rear portion of the gardens in Railway Terrace. The closer of the two dwellings would be 16 metres from No.6 Martins Orchard at its nearest.

2. Policies

2.1 Planning Policy Guidance

PPG3 – Housing
PPG13 – Transport

2.2 Malvern Hills District Local Plan

Housing Policy 3 – Settlement Boundaries
Housing Policy 17 – Residential Standards
Landscape Policy 2 – Areas of Outstanding Natural Beauty
Landscape Policy 3 – Development in Areas of Great Landscape Value

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft)

S1 – Sustainable Development
S2 – Development Requirements
S3 - Housing
DR1 – Design
H4 – Main Villages: Settlement Boundaries
H15 - Density

3. Planning History

NE05/3213/O - Site for the erection of two dwellings - Approved at Northern Area Planning Sub-Committee 30.11.05

4. Consultation Summary

Statutory Consultations

- 4.1 Severn Trent - No objection subject to the imposition of a condition dealing with the treatment of foul and surface water drainage.

Internal Council Advice

- 4.2 Transportation Manager - No objection
- 4.3 Conservation Manager (Ecology) - Recommends a condition requiring the maintenance of the hedgerow along the northwest boundary.

5. Representations

- 5.1 Colwall Parish Council - Objects on the basis that the vehicular access that is shared with No.1 Railway Terrace (as well as providing pedestrian access to No.2) is too narrow to allow vehicles to pass each other. This could result in reversing onto Walwyn Road. The house sizes will have an imposing impact on the local

surroundings and is in conflict with the Colwall Village Design Statement regarding building guidelines. The treatment of foul and surface water drainage is a concern.

The Parish Council request that certain conditions be attached should planning permission be granted. These include a working hours restriction, on site parking and storage for contractors and building materials and measure for the protection of the Oak tree.

5.2 One letter of objection has been received from Mr M Newman, occupier of 5 Martins Orchard, Walwyn Road. A further letter has been received from M E Brace, owner of 5 Martins Orchard. This points to a potential discrepancy over site boundaries.

5.3 The letter of objection can be summarised as follows:

- The houses, although sympathetically designed will overlook the garden, kitchen and living room from their rear aspect. This will lead to loss of privacy, particularly during the winter months, when foliage is sparse.
- There must be alternative brown field sites better suited to development.

5.4 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. Officers Appraisal

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

- 1) The principle of development having regard to adopted and emerging Local Plan policy and government guidance;
- 2) The impact of the proposed development upon the residential amenity of adjoining dwellings;
- 3) The scale and layout of development having regard to the character and appearance of the wider area.

6.2 The Principle of Development

Colwall is defined as a settlement under the adopted Local Plan and a main village under the emerging Unitary Development Plan. The application site falls within the settlement boundary and the principle of residential development at this location is acceptable, subject to the resolution of issues such as vehicular access and impact upon adjoining development. The site already has the benefit of Outline planning permission for the erection of two dwellings. The development of this site is considered to accord with the provisions of Local Plan policy (adopted and emerging) and central government guidance relating to the development of sustainable sites.

6.3 The impact of the development upon the amenity of adjoining properties

Following the grant of Outline permission, this application is made in full and deals with the detail of the application, including design, external appearance and landscaping. As noted above, the siting of the dwellings is as per the Outline permission, albeit the footprints are marginally larger. In this position and with the retention of existing planting around the site margins, it is considered that the development will not unduly affect the residential amenity enjoyed by local residents.

The flank elevation to Plot 1 has a small first floor window serving a bathroom. With the existing screening it is unlikely that this would afford direct overlooking although. It is recommended that a condition be imposed requiring that obscure glazing be used. There is a single large opening in the first floor rear facing elevation of each of the proposed dwellings. However, due to the orientation of the dwellings these do not look directly onto the private space associated with nearby dwellings to Martins Orchard.

The dwellings are sufficiently far removed from Railway Terrace to guard against undue loss of privacy. The view from first floor windows on the front elevation will create overlooking of the long rear gardens to Railway Terrace. This effect will be most keenly felt at the bottom of the gardens rather than the more private areas immediately to the rear of the dwellings. The overall effect is not considered unacceptable in a village context.

6.4 Scale and Layout of Development

The dwellings are 8.5 metres tall, which appears similar in height to the dwellings in Railway Terrace. Allied to this, they are set well back from and at an angle to Walwyn Road (the main public vantage point from within the village), which would further reduce the perception of scale. The layout affords parking for a minimum of two vehicles at each property, which is sufficient in this location. Colwall Parish Council objects to the means of access, identifying a lack of driveway width. However, the width dimension is exactly as approved by Committee under the extant Outline application. The Transportation Manager has no objection to the development.

- 6.5 The density of the proposed development would equate to 20 dwellings per hectare, which is below the 30-50 dwellings per hectare recommended by PPG3 – Housing. However, owing to the relatively spacious nature of development in the vicinity and the national landscape designation, a lower density is considered appropriate. Severn Trent recommends the imposition of a condition to deal with foul and surface water drainage, which meets another stated concern of the Parish Council.

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 - A06 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

- 3 - B01 (Samples of external materials)**

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

- 4 - E18 (No new windows in specified elevation)**

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

- 5 - E19 (Obscure glazing to windows)

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

- 6 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

- 7 - F18 (Scheme of foul drainage disposal)

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

- 8 - F41 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution.

- 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 - H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

- 11 - G01 (Details of boundary treatments)

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

- 12 - G04 (Landscaping scheme (general))

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

- 13 - G05 (Implementation of landscaping scheme (general))

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

- 14 - G16 (Protection of trees covered by a Tree Preservation Order)

Reason: To ensure the proper care and maintenance of the trees.

Informatives:

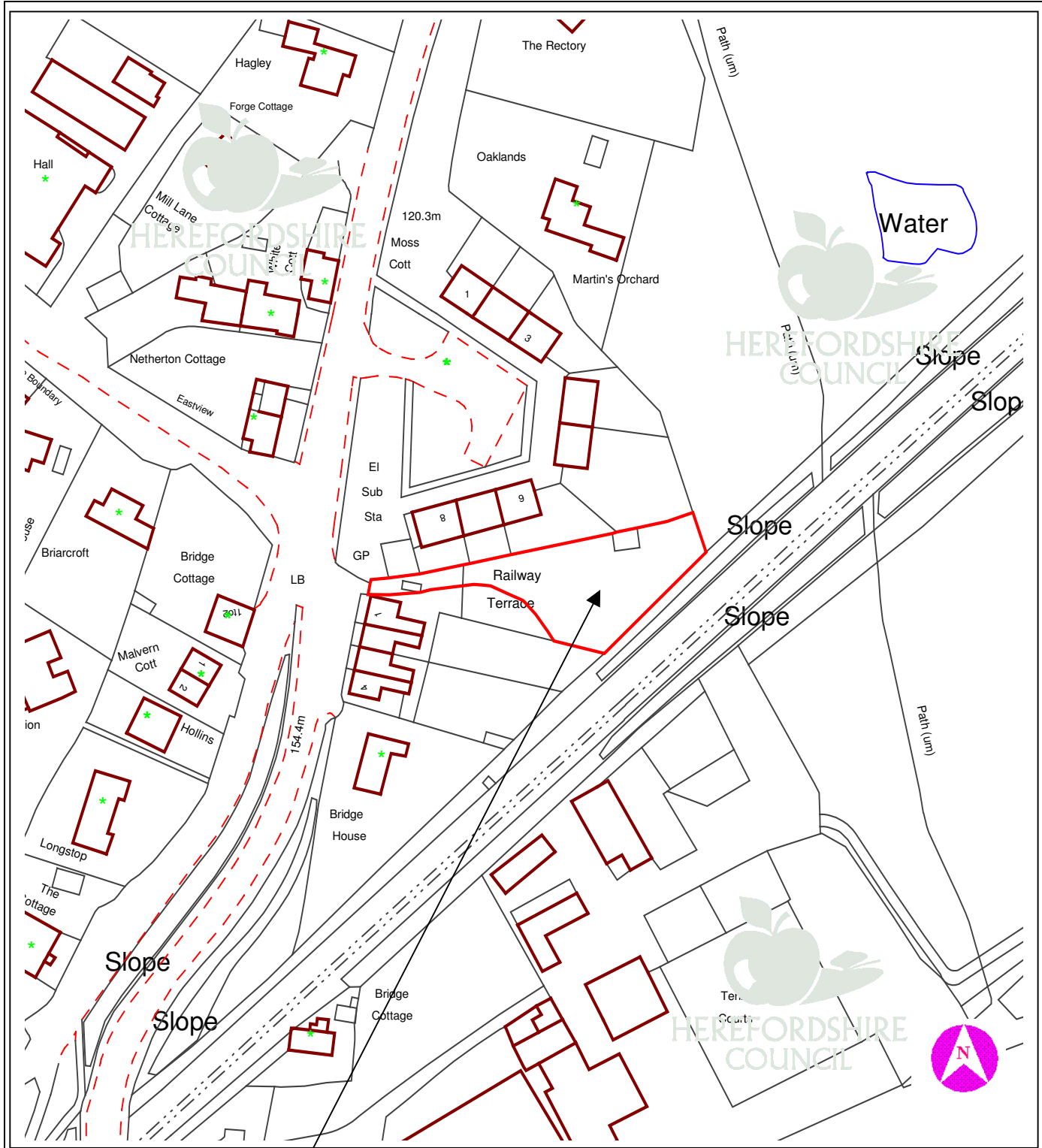
- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNE2006/2023/F

SCALE : 1 : 1250

SITE ADDRESS : Land rear of 1 Railway Terrace, Walwyn Road, Colwall, Malvern, Worcestershire, WR13 6EG

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AREA SUB-COMMITTEE