

11 DCNC2006/2690/F - PROPOSED NEW DWELLING WITH DETACHED GARAGE AT MARCLE, BRIMFIELD, LUDLOW, SHROPSHIRE, SY8 4NE**For: Mr & Mrs G Jones per Mr L F Hulse, 19 Friars Gardens, Ludlow, Shropshire, SY8 1RX****Date Received:**
16th August 2006**Ward: Upton****Grid Ref:**
52581, 67884**Expiry Date:**
11th October 2006

Local Member: Councillor J Stone

1. Site Description and Proposal

- 1.1 The application site forms part of the mature gardens of a property known as Marcle. It is located centrally within Brimfield and is accessed directly from the main road running through the village.
- 1.2 The site is flat but slightly raised, and is bounded to the west by No. 8 Marcle Orchard. Its gable end faces onto the site and contains one window at first floor level. It is understood that this is a secondary bedroom window. A further dwelling known as Brimfield Cottage shares a boundary to the north with the actual dwelling approximately 25 metres further from that boundary.
- 1.3 The application is for the erection of a single dwelling. The plans show a two-storey dwelling faced in red brick with a tiled roof. A timber-framed porch is shown on the front elevation and a conservatory to the rear. A detached garage is also shown in the south-western corner of the site. The dwelling has a footprint, including the conservatory, of 95m² and a height to its ridge of 7.5 metres.

2. Policies**2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft)**

H4 – Main villages – settlement boundaries
H13 – Sustainable residential design
DR1 – Design

2.2 Leominster District Local Plan

A24 – Scale and character of development
A2 – Settlement hierarchy
A54 – Protection of residential amenity
A55 – Design and layout of housing development

3. Planning History

- 3.1 None relevant to this particular site. However 93/0212/N granted permission for the erection of a dwelling adjacent to the site. This has been constructed and is of a

similar design and appearance to the current proposal. The property is now known as Sally Walk.

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Traffic Manager: No objections.

5. Representations

5.1 Severn Trent Water: No objection subject to a condition requiring details of drainage arrangements.

5.2 Brimfield Parish Council: No objections.

5.3 One letter of objection has been received from Mr M W Sims, Brimfield Cottage, Brimfield. In summary, the points raised are as follows:

- 1) The proposal will cause overlooking and severely affect privacy.
- 2) Could a bungalow be built on the site?
- 3) Could the ground level be lowered?

A second letter has also been received from Mr and Mrs Schimmel, 8 Marcle Orchard, Brimfield, who query the precise location of the dwelling in relation to their bedroom window in the gable end.

5.4 The applicant's agent has also submitted a design and access statement as part of the application. This generally describes the proposal, its surroundings and the means of access to the site.

5.5 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 It would appear that there are two main issues in relation to this application: design and residential amenity. The principle of some infill development is accepted as the site falls within the settlement boundary for Brimfield as defined by Policy H4 of the Unitary Development Plan.

Design

6.2 The design of the dwelling reflects those that surround it, particularly Sally Walk. It is not excessively large and sits comfortably within the application site, allowing a reasonably sized curtilage, garaging and an on-site turning and parking area. Subject to details of materials and finished floor levels the proposal is considered to accord with the relevant policies in terms of its design.

Residential Amenity

- 6.3 The design and access statement suggests that the proposal has been positioned so as not to overlook 8 Marcle Orchard, and officers would concur with this view. It also states that mature planting will be maintained to give a sense of privacy. This could be secured via a landscaping condition.
- 6.4 The impact on the secondary bedroom window of 8 Marcle Orchard is limited and will not cause any demonstrable impact in terms of overshadowing as the room in question is principally served by another window.
- 6.5 The back to back distance between the proposal and Brimfield Cottage is well in excess of 35 metres. The accepted standard in residential design is just 22 metres, and the proposal considerably exceeds this. Therefore a refusal reason based on overlooking of Brimfield Cottage could not be justified, nor could a request to build a bungalow rather than a two-storey property.

Other Issues

- 6.6 In light of the residential context of the site, a condition limiting hours of construction is recommended.
- 6.7 Given that the site is slightly raised, a condition is also recommended requiring details of the slab level of the building.
- 6.8 The comments from Severn Trent do not appear to take account of the fact that mains drainage is available, although there is some justification to request details of a surface water drainage scheme.
- 6.9 It is therefore concluded that the proposal accords with all of the relevant policies as identified and, subject to the conditions suggested, the application is recommended for approval.

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 - F16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents.

4 - F20 (Scheme of surface water drainage)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

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 - G01 (Details of boundary treatments)

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

7 - G04 (Landscaping scheme (general))

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

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

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

Informatives:

1 - N19 - Avoidance of doubt
Drawing no. 556/1

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

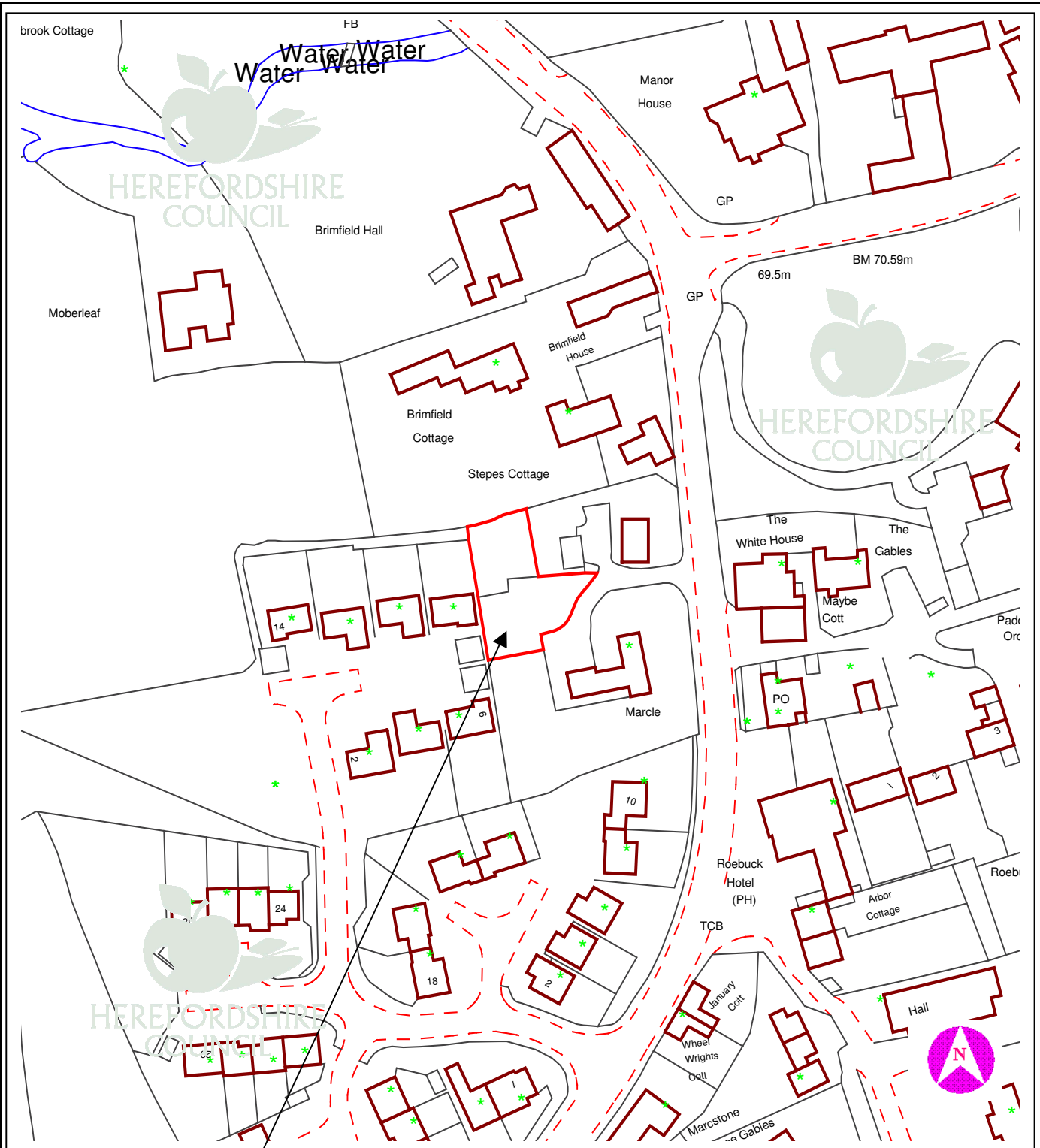
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCNC2006/2690/F

SCALE : 1 : 1250

SITE ADDRESS : Marcle, Brimfield, Ludlow, Shropshire, SY8 4NE

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005