

13 DCNW2006/3043/F - BALCONY TO FIRST FLOOR SITTING ROOM ON SOUTH EAST ELEVATION. AMENDMENT TO PP NW2006/0682/F AT HILLCREST, CHURCH LANE, ORLETON, LUDLOW, SHORPSHIRE, SY8 4HU

For: Mr & Mrs C E & J D Mason

Date Received:
20th September 2006

Ward: Bircher

Grid Ref:
49249, 67032

Expiry Date:
15th November 2006

Local Member: Councillor S Bowen

1. Site Description and Proposal

- 1.1 The application site is within the village settlement boundary of Orleton and the Conservation Area.
- 1.2 The property is currently being constructed having been granted permission for a replacement dwelling (NW/06/0682/F refers).
- 1.3 This application seeks an amendment to the approved scheme to add a balcony at first floor level to the proposed sitting room at the rear of the property.
- 1.4 The balcony would measure 4.2m in width and would have a depth of 1.8m. It would be constructed using open wood planks on the floor with a wooden handrail and metal railings. It would be supported by oak pillars and have a floor level of 2.8m above ground level.

2. Policies

2.1 Central Government Advice

Planning Policy Guidance Note 15 – Planning and the Historic Environment

2.2 Herefordshire Unitary Development Plan Revised Deposit Draft (May 2004)

DR1 Design
LA4 Protection of Historic Parks and Gardens
HBA1 Alterations and Extensions to Listed Buildings

3. Planning History

- 3.1 NW/2006/0682/F Proposed replacement dwelling. Approved with conditions 28th April 2006

4. Consultation Summary

Statutory Consultations

4.1 None necessary.

Internal Council Advice

4.2 Conservation Manager - No objections to this proposal

4.3 Traffic Manager - No objection.

5. Representations

5.1 Orleton Parish Council - Does not support this application because although it will not affect the building footprint, it will cause the neighbouring property a significant loss of privacy.

5.2 Three letters of objection received from occupiers of neighbouring properties.

- 2 Eagle Cottages, Church Lane
- Well Cottage, Church Lane
- Bower Orchard, Church Lane

The concerns raised focus on the issue of loss of privacy to neighbours, particularly Bower Orchard, the property adjoining the site to the northeast. It is considered that the balcony would be out of place within the conservation area and totally unsuitable for Church Lane.

5.3 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 concerning this application are design and loss of privacy to adjacent properties.

Design

6.2 It is considered that the balcony is well designed in the context of the new dwelling. The scale is appropriate to the new house and it is considered that because the balcony would be positioned on the rear elevation, the character of the Conservation Area would be preserved by the addition. The materials proposed are simple and not ornate and would compliment the style of the property.

Loss of Privacy

6.3 The property is a replacement dwelling on an infill plot and is surrounded on three sides by other dwellings. To the rear is open countryside.

Concern has been expressed about the potential loss of privacy essentially to Bower Orchard the property to the northeast. Bower Orchard benefits from a conservatory to

the rear and a garden, which extends beyond that of the application site. The formal sitting out area to Bower Orchard is immediately to the rear of the conservatory.

- 6.4 The application site has been viewed from Bower Orchard and the neighbouring property has been viewed from the scaffolding to understand the implications of the proposal. There is a wooden fence between the properties and mature planting which is of sufficient height to block a significant view of the new dwelling from the neighbouring property. It is considered that this screening provides an acceptable boundary to minimise overlooking.
- 6.5 The applicant has agreed to provide further screening in the form of extra planting along the boundary and for a screen to be incorporated within the balcony to restrict views towards neighbouring property.

7. Conclusion

It is considered that although the proposed balcony could lead to a loss of privacy to the adjoining property to the northeast, it would not be significantly detrimental to sustain a refusal and with conditions the impact would be limited to an unacceptable level. Furthermore, it is worth noting that once the property is completed and occupied, a balcony could be constructed under permitted development rights without the need for planning permission and as such this application enables control to be maintained over the balcony.

RECOMMENDATION

That planning permission be granted with 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 - A10 (Amendment to existing permission)

Reason: For the avoidance of doubt.

3 - The balcony shall not be constructed until details or samples of materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

4 - Details of the proposed screening for the balcony shall be submitted to and approved in writing by the local planning authority prior to the construction of the balcony. Development shall be carried out in accordance with the approved details and the screens shall thereafter maintained in perpetuity.

Reason: In the interest of residential amenity.

- 5 - Prior to the occupation of the property, landscaping details shall be submitted to and approved in writing by the local planning authority. The landscaping shall be completed no later than the first planting season following the occupation of the property. The landscaping shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others or similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - N19 - Avoidance of doubt

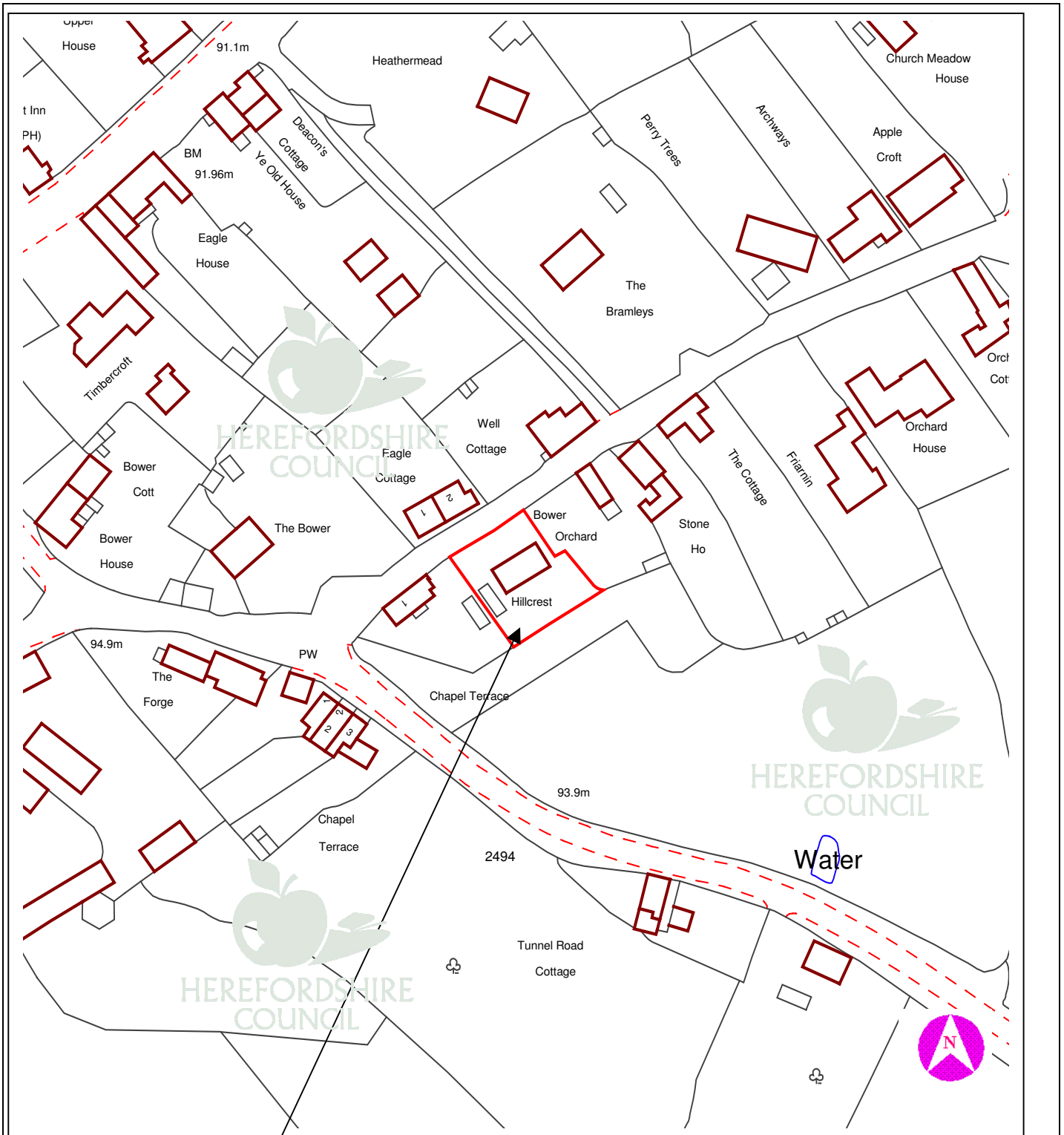
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2006/3043/F

SCALE : 1 : 1250

SITE ADDRESS : Hillcrest, Church Lane, Orleton, Ludlow, Herefordshire, SY8 4HU

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