

**7 DCCW2006/2733/F - ERECTION OF DETACHED HOUSE AND ANCILLARY GARAGE AND FORMATION OF NEW VEHICULAR ACCESS AT JABRIN HOUSE, THE ROW, WELLINGTON, HEREFORD, HEREFORDSHIRE, HR4 8AP**

**For: Border Oak Design & Construction Ltd, Kingsland Sawmills, Kingsland, Leominster, Herefordshire, HR6 9SF**

**Date Received: 17th August 2006 Ward: Wormsley Ridge Grid Ref: 49076, 47774**

**Expiry Date: 12th October 2006**

Local Member: Councillor J.C. Mayson

This application was deferred at the meeting of the Central Area Planning Sub-Committee on the 18th October, 2006 in order to carry out a Members' site visit. The site visit was carried out on 31st October, 2006.

**1. Site Description and Proposal**

- 1.1 Jabrin House is a detached cottage flanking the east side of The Row (C1109) towards the end of an informal ribbon of dwellings extending southwards from the principal village street and within the main village settlement boundary as defined in the Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 1.2 The curtilage of Jabrin House includes a garden and small orchard area that stretches southwards some 45.00 metres along the highway frontage. The application site itself is formed from the southern end of this strip of land and has a frontage of 24.00 metres and a depth of 24.5 metres. It is elevated approximately 1.10 metres above the level of the adjoining carriageway and is enclosed by an attractive roadside hedge.
- 1.3 It is proposed to erect a detached four bedroom dwelling in the form of a one and half storey, traditional style cottage with front and rear dormer windows, a rear gabled projection and a single storey utility bay attached to the north side. The length, along the main front wall, would be 10.00 metres and the width 5.00 metres. The rearward projection, almost to the rear boundary, would be 4.50 metres long and the utility bay projection 2.50 metres. Eaves and ridge heights would be 3.50 metres and 6.80 metres respectively. The front main wall would be set back 11.00 metres from the highway boundary. In addition the design includes such local architectural vernacular features as an open gabled, oak framed porch and an external tiered chimney stack. The proposed single garage would be located in an off set position to the front of the house.
- 1.4 Specified facing materials are a reclaimed brick plinth with lime rich render to the walls above and a roof of plain clay tiles. The single storey utility bay would be clad with timber as would the single garage.

- 1.5 Access to the site would be positioned slightly off centre in the front boundary and would lead to the foreground garage and associated turning area. This position would be on the north side approach towards the brow of an undulation in the road. Submitted details indicate that the boundary hedge within the site and the adjoining garden of Jabrin House would be replanted to the rear of the visibility splays.
- 1.6 Opposite the site is 'Gelerts Brow', a detached bungalow, also elevated above the carriageway and with a front main wall set back some 4.50 metres from the highway boundary. To the south, set back behind the proposed position of the house is 'Salerno', a detached two storey dwelling and to the rear an orchard.

## 2. Policies

### 2.1 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy H4	-	Main Villages: Settlement Boundaries
Policy H13	-	Sustainable Residential Design

### 2.2 South Herefordshire District Local Plan:

Policy SH6	-	Housing Development in Larger Villages
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## 3. Planning History

- 3.1 DCCW2006/1154/F Proposed erection of two detached houses and ancillary garage, new vehicular access. Withdrawn 23rd May 2006.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water: Request conditions relating to separation of foul water and surface water discharges from the site.

### Internal Council Advice

- 4.2 Traffic Manager: Recommends standard conditions concerning visibility splays (2.40 metres x 33.00 metres), access gates set back 5.00 metres, vehicular access construction, driveway gradient and implementation of access turning area and parking.

## 5. Representations

- 5.1 Wellington Parish Council: The Council object to this application for the following reasons:

(1) Not line (sic) with the adopted Parish Plan.

- (2) Large building for the size of the plot.
- (3) Access - the entrance would be in the narrow part of The Row just below a blind brow - dangerous.

Also enclosed a copy of a letter received from a neighbour.

- 5.2 Letter of objection received via Wellington Parish Council from Andrew Lucas, Gelerts Brow, The Row, Wellington. The first part of the letter raises general concerns about new housing development in the countryside around Wellington. The following extract contains more specific concerns relating to the proposal:

On seeing the plans and realizing the size of the proposed building the full horror of this undertaking hit me. My whole bungalow, frontage and garden will be overlooked, both the site and positioning of this dwelling will mean that the new occupants will be able to look directly into my kitchen, living room, bathroom and one bedroom, resulting in complete loss of my personal privacy. The proposed site entrance, (even though apparently "redesigned" from the last application by the applicants), is still onto a very narrow and at peak times very busy side road that is used as a "rat run" by most of the villagers, it is literally a few yards from the blind brow of a hill to the south and an equally blind corner to the north. The siting of this dwelling here would still only add to an already dangerous section of road. Many of the residents of The Row choose to live here because of its quiet location, the building of this dwelling would only detract from that, not only during the process of construction, but also after with even more everyday living noises and light pollution that increased population of a small area brings with it, particularly as this dwelling is to be a four bedroom house, that means that at least four people could live there, each of whom could have a car, all adding to the number of vehicles using what could be a very dangerous access to the road. Please ladies and gentlemen of Wellington Parish Council, I beg you, please stop this building from going ahead.

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 nature of the proposal, relevant development plan policies, representations received and other material considerations, it is considered that the key issues for consideration are as follows:-
1. The Principle of Development
  2. Siting, Design and Visual Amenity
  3. Residential Amenity
  4. Highway Safety

### The Principle of Development

- 6.2 The site lies within the defined Main Village settlement boundary for Wellington as defined in the Herefordshire Unitary Development Plan (Revised Deposit Draft).
- 6.3 Policy H4 of the Herefordshire Unitary Development Plan (Revised Deposit Draft) states that the provision of housing in the main villages will be restricted to sites within the identified settlement. Residential development will be permitted on both allocated and windfall sites within these boundaries where proposals are in accordance with the housing design and other policies of the Plan.

- 6.4 The site is also within the larger village settlement boundary for Wellington as defined in the South Herefordshire District Local Plan. Policy SH6 effectively directs new housing development to land within the settlement boundary subject to Policies SH8, GD1 and other appropriate plan policies.
- 6.5 In the above-mentioned development plan policy context, it is considered that there is a clear presumption in favour of the land use principle of residential development on the application site.
- 6.6 The Parish Council's response includes a non-specific assertion that the proposal is not in line with the Parish Plan. It is unclear where the suggested conflict lies. However the previously mentioned policy considerations should be given overriding weight in this instance.

#### Siting, Design and Visual Amenity

- 6.7 The design of the proposed house possesses a scale and character which invokes local architectural vernacular features and qualities which are generally regarded as appropriate in a Herefordshire rural context.
- 6.8 The siting some 11.00 metres back from the highway boundary gives a transitional building line between 'Jabrin House' to the north and 'Salerno' to the south. Spacing in relation to those neighbouring dwellings, is not too tight, so the proposed house would scan reasonably well in the roadside scene.
- 6.9 In the circumstances it is considered that the proposed dwelling would make a visually comfortable and appropriate architectural statement in this location.
- 6.10 The removal of a length of boundary hedge to accommodate the access and formation of visibility splays would be unfortunate but a suitable condition would secure the reinstatement of a hedge behind the visibility splays as indicated on the submitted drawings.
- 6.11 Overall it is considered that the proposal will not be detrimental to the visual amenity of the surrounding area.
- 6.12 The design and construction of the dwelling pays regard to sustainability considerations as explained in the following extract from the applicant's Design and Sustainability statement:-

The house will be of sustainable and energy conserving construction, comprising an internal, traditionally jointed, (i.e. morticed, tenoned and pegged), green oak structural frame with the external walls constructed using a Structural Insulated Panel System (SIPS), which recycles waste material from the timber industry and possesses exceptional thermal insulating properties. The utility bay and the garage will use a stressed skin softwood frame panel system. The use of green oak, SIPS and softwood framing represents a structurally economic, thermally efficient and environmentally sustainable form of construction. Timber is a naturally occurring resource which is capable of replenishment and has numerous environmental benefits as it grows providing a good source and habitat for wild life and absorbing and converting carbon dioxide, the principal "greenhouse" gas, to oxygen. The energy required to convert the raw material to a building component is substantially less than that for masonry or steel elements. In addition we as company have a policy of trading only with suppliers who

operate established and approved comprehensive replanting and regeneration programmes.

#### Residential Amenity

- 6.13 'Gelerts Row' is a bungalow situated on the opposite side of the road to the application site. Its front main wall contains windows to a kitchen, living room, bathroom and bedroom. The occupiers have expressed strong concerns about overlooking and loss of privacy from the proposed house. The distance between the front main wall of the proposed house and that of 'Gelerts Row' is some 21.00 metres. It is considered that this is a reasonable spatial relationship between the two dwellings and should not produce an unacceptable risk of overlooking or loss of privacy. As for the concerns about construction noise, every day living noise and light pollution, it is not considered these will be of a level that would cause undue harm to residential amenity.
- 6.14 'Salerno' the neighbouring detached two storey dwelling is positioned gable end on to the application site rearward of the proposed dwelling. It has three windows in the gable end to a landing, secondary bedroom and attic. The gable-to-gable distance between the two dwellings would be some 12.00 metres. Again it is considered that there would not be an adverse amenity impact.
- 6.15 The rearward projection of the proposed dwelling would be close to the rear boundary to an extended orchard area, however it is not considered that there would be any negative amenity consequences.
- 6.16 In relation to 'Jabrin House' itself it is also considered that the siting would be acceptable.

#### Highway Safety

- 6.17 Along the frontage of the application site the width of the adjacent carriageway is narrow. The proposed access point is close to the brow of an undulation so that it would be only 0.87 metres below the high point. Provision for parking and a turning area is made within the curtilage of the site.
- 6.18 The Traffic Manager has assessed the proposal and is satisfied, subject to conditions requiring visibility splays, set back gates and construction details, that the access is acceptable from a highway safety point of view.

#### Conclusions

- 6.19 The concerns of the Parish Council and objector have been taken into account but in the light of this appraisal, it is considered acceptable in accordance with development plan policies.

### **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. **No development shall take place until a scheme of replacement hedge planting has been submitted to and approved by the local planning authority. All hedgerow planting in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development whichever is the sooner.**

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

5. **W01 (Foul/surface water drainage).**

**Reason: To protect the integrity of the public sewerage system.**

6. **W02 (No surface water to connect to public system).**

**Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.**

7. **W03 (No drainage run-off to public system).**

**Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.**

8. **Before any other works hereby approved are commenced, visibility splays shall be provided and thereafter be maintained from a point at the centre of the access to the application site and 2.40 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 33.00 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.**

**Reason: In the interests of highway safety.**

9. **Before any works are commenced in connection with the formation of the visibility splays required pursuant to condition 8 above, details of the engineering works including earth moving, finished ground levels, construction materials and surface treatment for the formation of the visibility splays shall be submitted to and approved by the local planning authority.**

**Reason: In the interests of highway safety.**

10. **H05 (Access gates).**

**Reason: In the interests of highway safety.**

**11. H06 (Vehicular access construction).**

**Reason: In the interests of highway safety.**

**12. H09 (Driveway gradient).**

**Reason: In the interests of highway safety.**

**13. 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.**

**Informatives:**

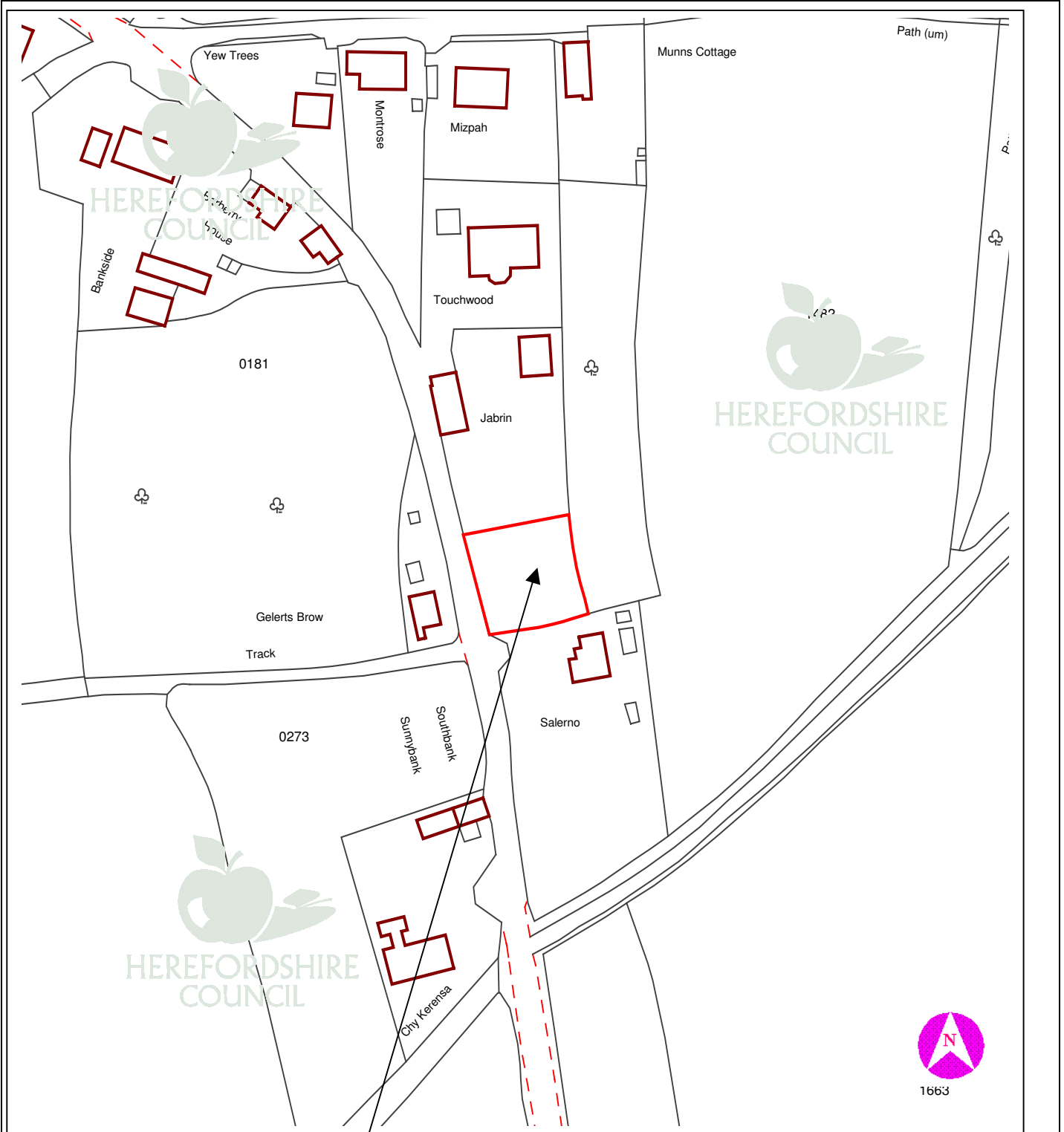
- 1. If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.**
- 2. HN01 - Mud on highway.**
- 3. HN04 - Private apparatus within highway.**
- 4. HN05 - Works within the highway.**
- 5. HN10 - No drainage to discharge to highway.**
- 6. N03 - Adjoining property rights.**
- 7. N19 - Avoidance of doubt.**
- 8. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

Decision: .....

Notes: .....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2006/2733/F

**SCALE :** 1 : 1250

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

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