

PLANNING COMMITTEE

Date: 7 October 2015

AFTERNOON

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

150799 - PROPOSED DEMOLITION OF EXISTING DWELLING TOGETHER WITH ITS DETACHED GARAGE AND ACCOMMODATION OVER TO FACILITATE A PURPOSE DESIGNED RESIDENTIAL APARTMENT BUILDING (8 FLATS) TOGETHER WITH ASSOCIATED CAR PARKING, CYCLE/BIN STORES AND ASSOCIATED COMMUNAL GROUNDS. AT 33 BODENHAM ROAD, HEREFORD, HEREFORDSHIRE,

For: Perfection Homes per Mr D F Baume, Hook Mason Ltd, 41 Widemarsh Street, Hereford, Herefordshire, HR4 9EA

ADDITIONAL REPRESENTATIONS

Following consultations on the amended plans the following representations have been received:

Conservation Manager: The latest south elevation drawing is an improvement. The copper shingles would add some texture giving that elevation interest and tying in with the materials used on the street elevation.

Two letters of objection. The main points raised are:

- Report is incorrect where it states (para 6.10) that the proposed building would not have an unduly overbearing nor overshadowing impact, because the new building and the existing Rydal Mount will sandwich The Coach House and effectively enclose it and severely restrict natural light and front garden will be entirely overshadowed by the new building.
- Impact of the new building is worsened by the difference, about 2 metres, in level which is not shown on the drawings.
- Para 6.7 contains the following misleading and incorrect comment "...the two and three storey sections (of the new building) would not be taller than the relative adjacent buildings." This clearly refers to Rydal Mount to the east and ignores The Coach House which is actually next to the new building and is much, much lower than Rydal Mount. The Coach House is not shown on the elevations submitted.
- Disappointing that the previous 'object' recommendation by the Council has been changed after nothing more than very token changes to the original application.
- Amendments to the south elevation do not overcome objection – the building would be out of character with the area.
- Balconies have not been deleted, so privacy still adversely affected.
- Concern about the height and appearance of the cycle store, close to the boundary, even with a 2 metre high fence
- Front elevation of building would be forward of the existing dwelling on the site, contrary to policy
- Approval would set a precedent.

OFFICER COMMENTS

At paragraph 6.7 the reference to the height of the adjacent buildings is made in respect of the impact of the proposed building in the Conservation Area. Due to the setback nature of The Coach House, compared to Rydal Mount and the proposed building, it would not be read in conjunction with it from Bodenham Road. The assessment of the impact on the neighbouring properties is set out in paragraph 6.10.

NO CHANGE TO RECOMMENDATION

No change to recommendation, but the following amendments to conditions are recommended:

- Condition 2 – include cycle store and bin store drawing reference numbers.
- Condition 7 – delete requirement to submit details, as they have been received.
- Condition 8 - include the provision of the bin store prior to first occupation and include drawing numbers.

151121 - PROPOSED RESIDENTIAL DEVELOPMENT OF 10 NO DWELLINGS AT LAND OFF HIGH STREET, LEINTWARDINE, HEREFORDSHIRE

For: Mr Stewart per Mr Alastair Stewart, 7 Sweetlake Business Park, Shrewsbury, Shropshire, SY3 9EW

OFFICER COMMENTS

Core Strategy

The Inspector's Report into the Core Strategy has been received. The policies of the Core Strategy can now be given significant weight in decision taking. RA2 is relevant as guiding development in rural settlements. It states:-

“The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.20 and 4.21. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets.

Housing proposals will be permitted where the following criteria are met:

- 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.21 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement; and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*
- 2. Their locations make best and full use of suitable brownfield sites wherever possible;*
- 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and*
- 4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlement, reflecting local demand.*

Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.”

In this case the NDP is not adopted. In the absence of a NDP, the development's conformity with the numbered criteria of Core Strategy Policy RA2 is the appropriate method of determination. In this instance, officers have failed to identify overriding harm in the context

of Policy RA2. The proposal is therefore representative of sustainable development when held against both the NPPF and Core Strategy.

It will also be noted from the original report that the application has been recommended for approval subject to draft heads of terms, including a commuted sum in lieu of on-site affordable housing provision. However, following the receipt of the Inspector's Report, and in particular paragraph 39, it is recommended that paragraph 4 of the draft heads of terms agreement be deleted:

While the WMS thresholds no longer carry weight, the examination of the CS was based on the modified policy. The modified threshold formed the basis of supplementary evidence considering viability (Herefordshire viability testing supplementary report Feb 2015) the effect on the provision of affordable housing throughout the county and was consulted upon. The policy, as modified would be effective and bring forward affordable housing, although less so in the rural areas than the submission policy. However, as the submission policy was not tested during the examination I find MM042 necessary to ensure that the Plan has a viable and sound affordable housing policy. If the Council wish to return to the submission policy they have the option of carrying out an early Plan review for policy H1.

On the basis that the proposal will deliver ten dwellings and that their combined floor area will be limited to 1,000 square metres it is also recommended that condition 5 is amended.

CHANGE TO RECOMMENDATION

Condition 5 is amended to read:

The development shall include no more than 10 dwellings with a combined floor area not in excess of 1,000 square metres. None of the dwellings shall be more than two storeys high. In accordance with the details submitted with the application, at least four of the dwellings shall be bungalows.

Paragraph four of the Draft Heads of Terms Agreement to be deleted.

151627 - PROPOSED ERECTION OF TWO DETACHED COTTAGES WITH NEW VEHICULAR ACCESS AT LAND ADJOINING BRYANTS COURT COTTAGE, GOODRICH, HEREFORDSHIRE,

For: Mr Holey and Ms S Lawrence per Mr Paul Smith, First Floor, 41 Bridge Street, Hereford, Herefordshire, HR4 9DG

ADDITIONAL REPRESENTATIONS

Core Strategy

The Inspector's Report into the Core Strategy has been received. The policies of the Core Strategy can now be given significant weight in decision taking. RA2 is relevant as guiding development in rural settlements. It states:-

"The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.20 and 4.21. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets.

Housing proposals will be permitted where the following criteria are met:

- 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.21 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement; and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*
- 2. Their locations make best and full use of suitable brownfield sites wherever possible;*
- 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and*
- 4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlement, reflecting local demand.*

Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.”

In this case the NDP is not adopted. In the absence of a NDP, the development's conformity with the numbered criteria of Core Strategy Policy RA2 is the appropriate method of determination. In this instance, officers have failed to identify overriding harm in the context of Policy RA2. The proposal is therefore representative of sustainable development when held against both the NPPF and Core Strategy.

NO CHANGE TO RECOMMENDATION