

DCSW2007/0104/F - REPLACEMENT DWELLING, THE VIEW, LITTLE BIRCH, HEREFORDSHIRE, HR2 8BA

For: Mr & Mrs T Holt per Simon Angell, 15 Waggoners Way, Bullingham Lane, Hereford, HR2 6RJ

Date Received: 15th January 2007

Ward: Pontrilas

Grid Ref: 50987, 32570

Expiry Date: 12th March 2007

Local Member: Councillor G. W. Davis

Introduction

The application was considered by the Southern Area Planning Sub-Committee on 21st February 2007 when Members resolved to grant permission contrary to the recommendation of the report. This decision was accordingly referred to the Head of Planning Services to determine if it should be reported to the Planning Committee for further consideration.

At the meeting the Southern Area Planning Sub-Committee was recommended to refuse this application for the following reason:

- 1. Having regard to Policy H.7 of the Herefordshire Unitary Development Plan and Policy SH.21 of the South Herefordshire District Local Plan the local planning authority considers that the proposal is unacceptable. The proposed replacement of the bungalow for the dwelling would lead to a substantial increase in its size and scale and as such the resultant scheme could not be considered to be comparable to the original dwelling.**

In the debate Members placed emphasis on the poor quality of the existing building, a two bedroomed bungalow, and the fact that the proposed new house would occupy the same footprint. They also felt that use of a dormer window design was such that, although it was a two storey replacement house, this was achieved by using the space in the roof to full advantage. On this basis they felt that the proposal was acceptable and resolved to grant planning permission.

The relevant policy in the Unitary Development Plan, (UDP), is Policy H.7 which requires that any replacement dwelling in open countryside is "Comparable in size and scale" with the dwelling it is to replace. In this case the relevant comparison figures are as follows.

Criterion	Existing Property	Proposed Property
Number of storeys	1	2
Height to ridge	4 metres	7 metres
Floorspace	89 sq metres	193 sq metres
Volume	247 cubic metres	492 cubic metres

On this basis it can be seen that the proposal effectively doubles the size of the existing property and does not therefore comply with policy H.7.

This element of policy H.7 was considered by the Inspector in his report on the Unitary Development Plan. He commented (at paragraph 5.67 of his report):

“To my mind, it is reasonable for a replacement building to be comparable in size and scale with the existing building. As such there would be limits on the cumulative effect on the character and appearance of the area; also on the provision, without adequate justification, of larger dwellings and a potentially greater number of people living in unsustainable locations.”

There is therefore a significant degree of conflict between an approval in this case and the recently adopted UDP.

In view of the fact that the decision of the Sub-Committee to approve this application raises a crucial policy issue this application has been referred to this meeting of the Planning Committee for further consideration.

The original report to the Southern Area Planning Committee follows with amendments to remove references to the South Herefordshire District Local Plan as it has now been superseded by the UDP.

1. Site Description and Proposal

- 1.1 The proposal site is reached off the southern side of the unclassified (u/c 71609), this road links the C1261 road to the east and Kings Thorn to the west and the Class III road (C1263). This site is well screened from view from the aforementioned unclassified road, and from the north-west across an open field that adjoins the property.
- 1.2 It is proposed to demolish an existing shallow pitched two-bedroom bungalow that is aligned approximately north to south. The predominant views are to the south. There is mature hedging and trees on the western boundary of the site and a mixture of panel fencing and trees on the eastern boundary shared with Netherwood, a more recently built split-level brick faced dwelling. The existing bungalow is 8.6 metres wide, 11.4 metres in length, 2.5 metres to the eaves and 4.0 metres to the ridge of roof.
- 1.3 The proposed dwelling will be constructed on the same site, it will be faced in brick and on the front elevation the central bay of three elements comprising the two-storey element, will comprise oak framing with rendered infill panels; this is on the west elevation. Dormer windows are proposed in the roof on both east and west elevations. The proposed replacement dwelling is just wider, 14 metres in length. The three elements being 7.7 metres by 3.7 metres wide, 7.1 metres by 4.4 metres and 6.2 metres by 3.7 metres. There is also a utility room on the northern end of the dwelling, 2.3 metres wide by 5.1 metres. The utility element is faced with boarding. There is also a balcony on the rear elevation.
- 1.4 A previously submitted scheme identical in siting, footprint, height and massing was refused under delegated powers on 12th October, 2006. The dwelling refused was a half-timbered one with a horizontal boarded utility extension and en-suite above. The current scheme is mostly finished in facing brick with only some half timbers on the central gable element on the front or west elevation.

2. Policies

2.1 Planning Policy Statement

PPS.1 - Delivering Sustainable Development

2.2 Herefordshire Unitary Development Plan 2007

Policy S.1 - Sustainable Development
 Policy S.2 - Development Requirements
 Policy DR.1 - Design
 Policy H.7 - Housing in the Countryside Outside Settlements

3. Planning History

3.1 DCSW2006/2987/F Replacement Dwelling - Refused 12.10.06

4. Consultation Summary

Statutory Consultations

4.1 No statutory or non-statutory consultations required.

Internal Council Advice

4.2 Traffic Manager recommends that conditions be attached. These require improvements to visibility and parking provision for two vehicles.

5. Representations

5.1 In a letter that accompanied the application the applicants' agent makes the following main points:

- following refusal, clients have changed facing materials to brick, from timber frame, more in keeping in locality
- dwelling in poor state of repair, obvious replacement one is required
- clients adamant that replacement bungalow would not provide type of dwelling required, given likely that an elderly parent will be living with them in the future
- plot some distance from road and plot drops considerably from it
- dwelling not particularly large, it is an average sized property
- plot deserves a dwelling that is in scale in its area
- a good quality design is a welcome replacement
- approved dwelling at Mount Pleasant, across the road, is a two-storey dwelling with considerably increased floor area to original floor area
- not pushing planning policies too far, want a modest one and a half storey dwelling.

5.2 Little Birch Parish Council make the following observations:

“No objections to this application. Little Birch Parish council wish to apply the endorsement letter sent to Herefordshire Council on 6th October, 2006 for application no. DCSW2006/2987/F, to this application.”

5.3 Aconbury Parish Council make the following observations:

“This parish supports the principle of replacing this one storey dwelling by a two storey dwelling. We feel the size of the site and the situation is entirely able to carry a two storey house and cause no distress to anybody.”

The full text of these letters can be inspected at The Hereford Centre, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

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

- principle of replacement dwelling in the open countryside – established residential use rights
- comparable in size and scale and same site
- in keeping with the character and appearance of the area
- highway issues

6.2 Having regard to the Herefordshire Unitary Development Plan housing settlements, Little Birch is not listed as a settlement for further housing and as such the site is within open countryside and Policy H.7 applies. Proposals for housing development outside settlements will not be permitted unless the application satisfies one of the identified criteria. The application is to replace an existing dwelling with residential use rights and therefore the application can be considered under Clause (iv) of this policy. In principle the replacement of the existing dwelling is acceptable.

6.3 The application was not accompanied by a structural report supporting the fact that the bungalow is in poor condition, however, part of the roof structure is causing problems because it is a flat roof and causing damp problems within the dwelling. The fact that the dwelling is in need of substantial repair, the agent has submitted the application on this basis to replace the dwelling. The local planning authority needs to assess the replacement dwelling having regard to criteria in Policy H.7, the replacement dwelling must be comparable in size and scale and on the same site as the existing building.

6.4 The total floor area of the existing building equates to approximately 89 sq. metres, there are two flat roof elements to the south and north element. The roof over the main bungalow is hipped and measures 4m to the ridge. The cubic volume of the main building is 175 cubic metres, the conservatory and flat roof to south elevation is 43 cubic metres, and the flat roof element to the north elevation is 29 cubic metres. This produces a total of 247 cubic metres.

6.5 The proposed dwelling is a one and a half storey dwelling, the total floor area is approximately 193 sq. metres. The overall height of the building is 7m to the ridge with a single storey section to the north elevation. The length of the building measures approximately 14.4m and an overall width of 8.6m, however the design, which provides two gable sections are forward or behind the main building line, however, it is no wider than 8.6m.

6.6 Breaking down elements of the build to assess whether the building is of a comparable size and scale, the existing is a bungalow and the proposed is a two storey dwellinghouse. The existing floor area being 89 sq. metres now increases to 193 sq. metres over two floors, even though dormers are proposed, the internal useable space is significantly larger than the original dwelling. The existing length is

11m, including the flat roof elements, and overall width is 8.6m, however, taking into consideration the volume of the bungalow given the height is 4m to the half-hipped roof, this would be approximately 247m, whereas the new dwelling proposes 14.4m x 8.6m and 7m to the ridge and its volume would be approximately 491.8 cubic metres. In conclusion this would be at least 99% bigger than the existing dwelling. This calculation excludes dormer windows and the space created by the balcony which would take the volume increase over 100%. Therefore, it is not considered to be comparable in size and scale.

- 6.7 Whilst it is stated that the site can accommodate the dwelling in terms of its size, Policy H.7 does not take account of the land surrounding the proposal, the local planning authority has to judge what the building looks like now and how it is compared to the new building and surroundings. It is clear that the new dwelling as submitted is double the size of the existing and is clearly not comparable as required by Policy H.7 in the Herefordshire Unitary Development Plan.
- 6.8 The Highway Engineer has no objection to the proposal in terms of highway safety.
- 6.9 The scheme has to be considered with regard to current policy. The proposed dwelling is over a 100 per cent larger in volume, it cannot be considered as one that results in a dwelling of comparable size and massing.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. Having regard to Policy H.7 of the Herefordshire Unitary Development Plan 2007 the local planning authority considers that the proposal is unacceptable. The proposed replacement of the bungalow for the dwelling would lead to a substantial increase in its size and scale and as such the resultant scheme could not be considered to be comparable to the original dwelling.**

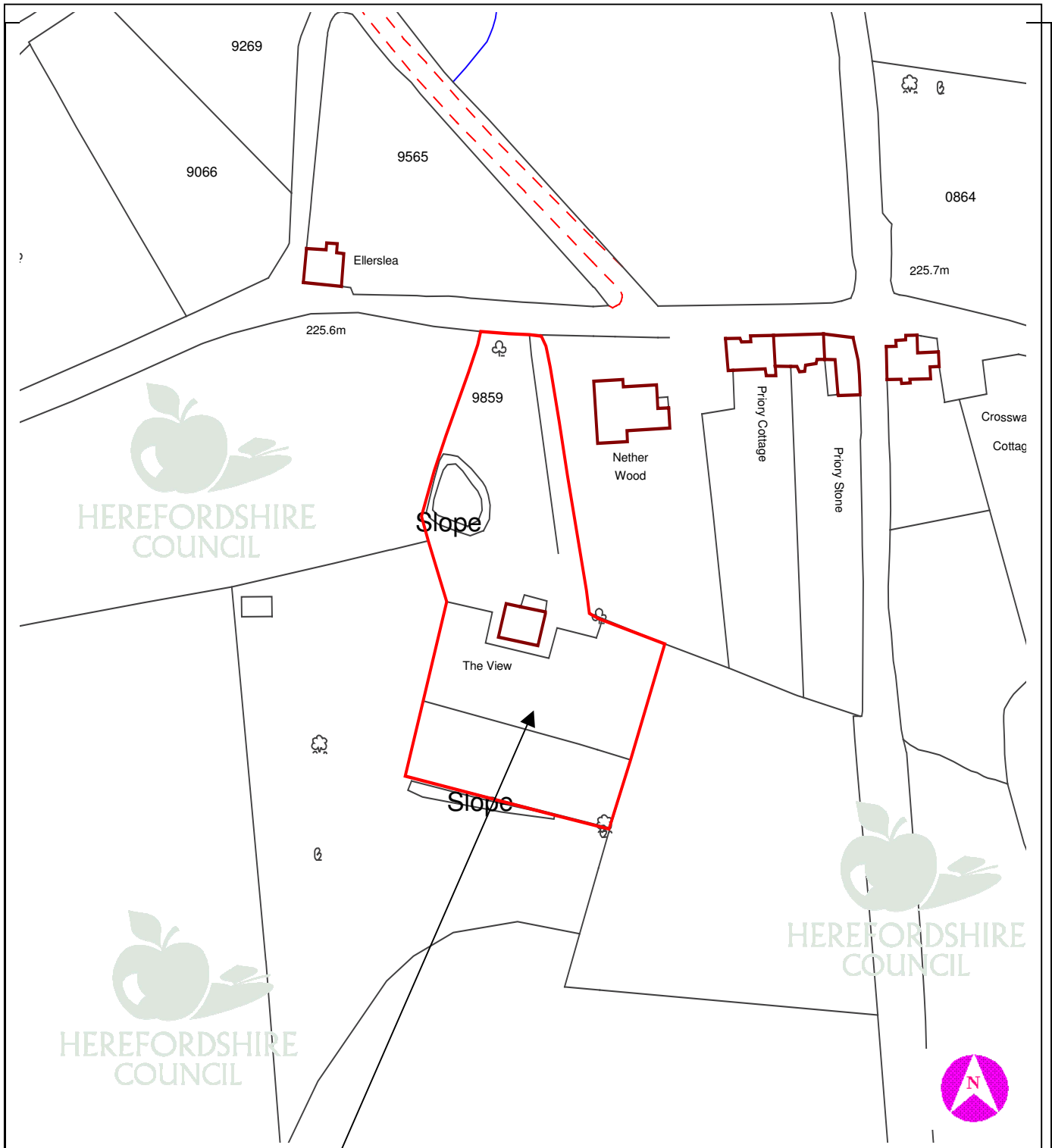
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2007/0104/F

SCALE : 1 : 1250

SITE ADDRESS : The View, Little Birch, Herefordshire, HR2 8BA

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