

DCNW2007/1271/F - PROPOSED REPLACEMENT DWELLING INCLUDING GARAGE AT SOUTHVIEW, WINFORTON, HEREFORD, HEREFORDSHIRE, HR3 6EB

For: Mr & Mrs N Cooke per Mr R L Gell, Penderw, Old Radnor, Presteigne, LD8 2RP

Date Received:
25th April 2007

Ward:
Castle

Grid Ref:
29985, 47343

Expiry Date:
20th June 2007

Local Member: Councillor J Hope

1. Site Description and Proposal

- 1.1 The application site consists of an existing two bedroomed bungalow of solid concrete blockwork construction with a footprint area of 98m². It is located in a small group of dwellings accessed via a private road north of the A438 in the small settlement of Winforton. The site also includes a large outbuilding used as a garage close to the neighbouring property of Castleton. The adjoining field is also in the applicant's ownership.
- 1.2 The proposal is to demolish the existing bungalow and replace it with a new three-bedroomed dwelling, having a footprint area of 111m². The replacement dwelling proposed has an additional 1.1m in height allowing for accommodation in the roof space. The proposed dwelling will also include a bed sitting ground floor accommodation for the applicant's mother who needs to share their home.
- 1.3 The application proposes to remove the existing garage building and replace it with a two bay timber framed building with a lockable store. The proposed building has a slightly smaller footprint than the existing and is proposed to be of different orientation to allow for a non-restricted access to the property.

2. Policies

- 2.1 Herefordshire Unitary Development Plan
 - S1 - Sustainable development
 - S2 - Development requirements
 - S7 - Natural and historic heritage
 - DR1 - Design
 - H7 - Housing in the countryside outside settlements
 - H13 - Sustainable residential design

3. Planning History

3.1 None

4. Consultation Summary

Internal Council Advice

4.1 Traffic Manager : No objection.

5. Representations

5.1 Willersley and Winforton Parish Council has no objection.

5.2 Two letters have been received in response to the statutory consultation period from Miss Susette Allin, Fairlands, Winforton and Kirstin Hart, Kelpie, Winforton, Hereford. Both have concerns regarding the west facing first floor window overlooking their properties.

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

6. Officer's Appraisal

6.1 The site lies in open countryside, in planning policy terms. With regards to proposals for new residential development policy H.7 of the Herefordshire Unitary Development Plan is applicable. The policy allows for the replacement of an existing building with established residential use rights with a new building of comparable size and scale.

6.2 The principle of a replacement dwelling on this site is considered acceptable in the light of it clearly having established residential use rights and the generally poor state of repair that the existing property is now in.

6.3 The main issue is whether the replacement is comparable in size and scale to the existing. The design and access statement submitted states that the existing dwelling has a floor area of approximately 98m². It is 3m to the eaves and 5.2m high to the ridge of the roof. The building currently used as a garage on site has a floor area of 92m². The floor area of the proposed dwelling is approximately 111m². The proposed dwelling will be 3.2m to the eaves and 6.2m to the ridge of the roof. The replacement dwelling will be on the footprint of the existing bungalow. The replacement garage will have a floor area of 88m² and will be in the same position but of different orientation as the existing.

6.4 The proposal does represent a small increase in floor area and height. However it is considered that the scale and mass of the replacement dwelling, along with the floor area are all comparable in size with the existing. As such the proposal accords with the relevant policies.

6.5 The proposed dwelling and garage are both of a modest scale and design, which will not appear discordant within the existing pattern of mixed residential development in the locality. Although neighbours' concerns regarding overlooking from the first floor window in the west elevation have been noted, it is considered that given the elevation overlooks agricultural land and not the neighbours gardens and, the boundary

consisting of high mature trees on the boundary, there will be no issue of overlooking. Overall it is not considered that the proposed dwelling will give rise to any harm to either the residential or visual amenity of the wider locality

- 6.6 It is therefore concluded that the development is acceptable in all aspects and accords with the relevant Development Plan Policies. Accordingly it is recommended that planning permission be approved.

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 - E16 (Removal of permitted development rights)**

Reason: In order to clarify the terms under which this permission is granted.

- 4 - G04 (Landscaping scheme (general))**

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

- 5 - G05 (Implementation of landscaping scheme (general))**

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

- 6 - G09 (Retention of trees/hedgerows)**

Reason: To safeguard the amenity of the area.

- 7 - No demolition works shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by Herefordshire Council. Prior to demolition works, a report detailing an assessment of and mitigation measures for nesting birds present shall be submitted to and approved in writing by Herefordshire Council. Works should avoid disturbance to the nests, young, eggs, adults and nesting area."**

Reason:

To comply with Herefordshire Council's Policy NC8 and NC9 in relation to Nature Conservation and Biodiversity and to meet the requirements of PPS9 Biodiversity and Geological Conservation.

- 8 - A watching brief should be kept during the works for the presence of bats. If found to be present during the work, operations should cease, Herefordshire Council and Natural England informed, and an ecologist licensed by Natural England for bat surveys should be engaged to determine the species,**

populations and impact of the works together with mitigation and compensation measures.”

Reason

To ensure the law is not breached with regard to nesting birds which are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 and policies NC1, NC5, NC6 and NC7 within the UDP.

Informatives:

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

2 - N19 - Avoidance of doubt

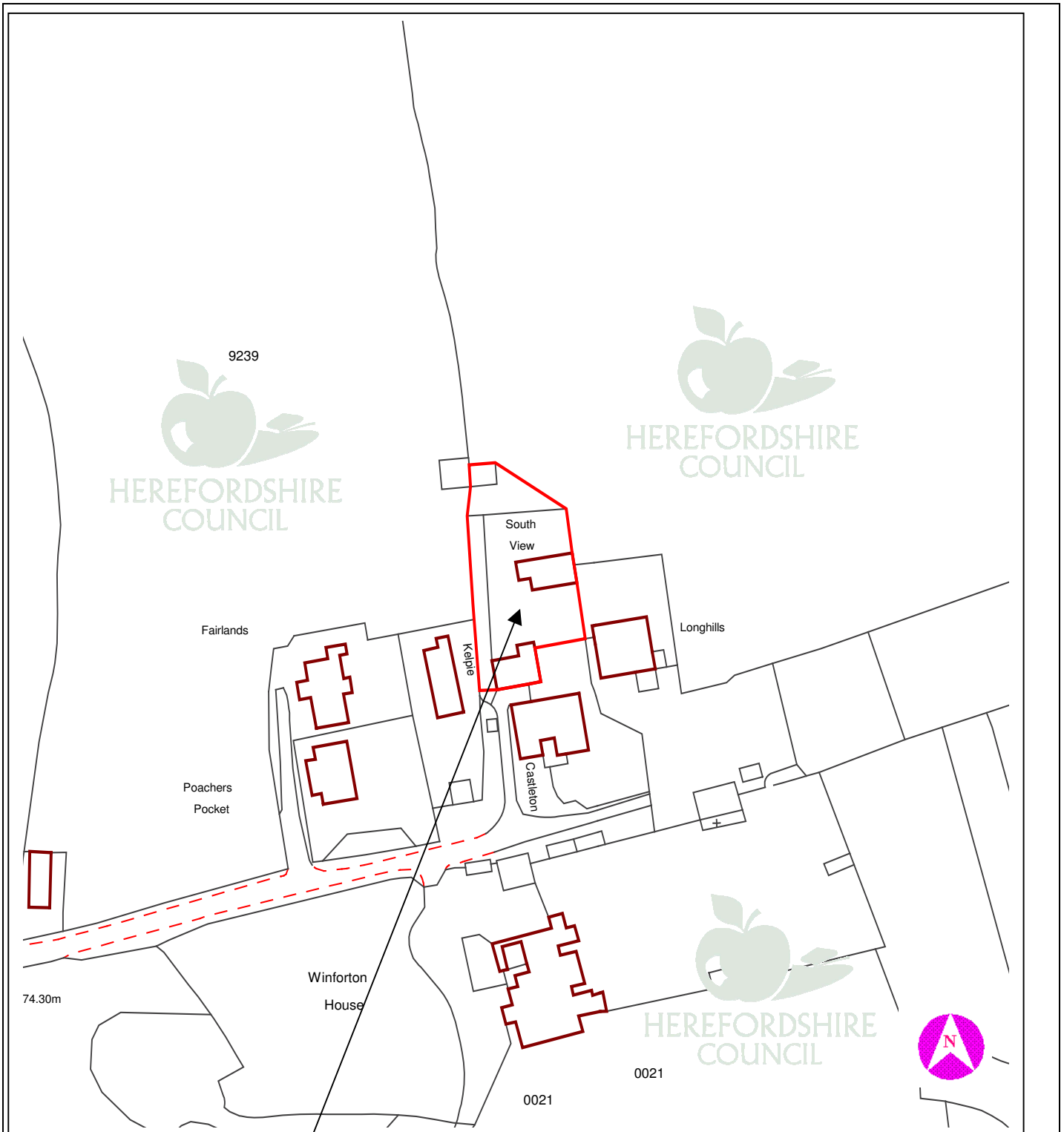
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW2007/1271/F

SCALE : 1 : 1250

SITE ADDRESS : Southview, Winforton, Hereford, Herefordshire, HR3 6EB

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