

5 DCSW2003/2839/F - VARIATION OF CONDITION 2 (SITING) AS ATTACHED TO CONSENT SW2002/1480/F, FOR REPLACEMENT DWELLING AND DOUBLE GARAGE, THE OLD BUNGALOWS, MINSTER FARM, MUCH BIRCH, HEREFORDSHIRE, HR2 8HS

**For: Mr O Beman per Three Counties Planning Ltd,
PO Box 69, Ross-on-Wye, Herefordshire, HR9 7WG**

Date Received: 17th September 2003 Ward: Pontrilas Grid Ref: 50506, 30563

Expiry Date: 12th November 2003

Local Member: Councillor G. W. Davis

1. Site Description and Proposal

- 1.1 The application site is on the northern side of the A40(T) directly opposite Birch Lodge on the opposite side of the Hereford - Ross road. St. Mary's Church is slightly to the south-west of Birch Lodge.
- 1.2 The proposal site has the benefit of an extant planning permission for one two-storey dwelling to replace a pair of semi-detached bungalows, this was granted planning permission under delegated powers in June 2002. The current application seeks to vary that planning permission in as much as the new dwelling will be sited a further 9 metres to the north-west, the previously approved double garage will also move the same distance. This proposed re-siting partially overlaps the siting of the approved siting and still covers part of the footprint of the pair of semi-detached bungalows that will be replaced.

2. Policies

2.1 Hereford and Worcester County Structure Plan

Policy CTC.2	-	Area of Great Landscape Value
Policy CTC.9	-	Development Requirements
Policy H.16A	-	Housing in Rural Areas
Policy H.20	-	Housing in Rural Areas Outside the Green Belt

2.2 South Herefordshire District Local Plan

Policy GD.1	-	General Development Requirements
Policy C.1	-	Development within Open Countryside
Policy C.8	-	Development within Area of Great Landscape Value
Policy SH.11	-	Housing in the Countryside
Policy SH.21	-	Replacement Dwellings

2.3 Unitary Development Plan

There are no policies that are considered to raise issues different from Development Plan policies.

3. Planning History

- 3.1 SW2002/1480/F Demolition of existing bungalows. - Approved 27.06.02
Erection of replacement dwelling and double garage

4. Consultation Summary

Statutory Consultations

- 4.1 The Highways Agency states that it does not propose to give a direction restricting the grant of planning permission.

Internal Council Advice

- 4.2 None consulted.

5. Representations

- 5.1 The applicant's agent states in a covering letter:

- trust the form of application is acceptable, as only the siting is changing
- plans attached, i.e. elevations, floor plans, are the same as approved.

- 5.2 Much Birch Parish Council make the following observations:

"The Parish Council is opposed to the change in siting, as it will inevitably lead to a further application for an additional dwelling on the site."

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

6. Officers Appraisal

- 6.1 There is considered to be only one issue, which is the acceptability of the re-siting of the replacement new two-storey house further north-westward on the plot.
- 6.2 Planning permission was granted for the replacement of two semi-detached bungalows by one dwelling. The footprint of the replacement dwelling was approximately the same width, but was shorter in length. There is only scope for one dwelling of a similar footprint. The previous planning permission provides the framework for the current proposal.
- 6.3 The proposal has been met with objections from the Parish Council on the basis that it affords the possibility of creating a building plot between the replacement dwelling and an existing dwelling adjacent to the building plot. The application has to be determined on its merits with regard to policies contained in the Development Plan, particularly those relating to replacement dwellings. The application falls within the remit of the criteria set out in Policy SH.21 contained in the Local Plan and Policy H.20 in the Structure Plan. The currently proposed dwelling is sited the same distance back from the A40(T) and utilises the same previously specified means of access. There is more room between the south-eastern gable end and the south-eastern boundary of the site,

nevertheless the previously approved dwelling was marginally off-centre, i.e. towards the south-eastern side of the plot.

- 6.4 There are considered to be no reasonable grounds for withholding planning permission for the reasons previously stated.

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. **A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

Informative Note

- 1. **The applicant’s attention is drawn to conditions 3 – 11, and informative notes 1 – 4, attached to planning permission granted on 27th June, 2002 (SW2002/1480/F) that still relate to the current planning application.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.