

MEETING:	PLANNING COMMITTEE
DATE:	5 JUNE 2013
TITLE OF REPORT:	130779/F - PROPOSED REPLACEMENT CORRUGATED GARAGE AND IMPLIMENT STORE WITH TWO BEDROOM SINGLE STOREY DWELLING TO CARE FOR ELDERLY PARENTS AT LAND AT ORCHARD HOUSE, CREDENHILL, HEREFORDSHIRE, For: Mr Prosser per Mr R Pritchard, The Mill, Kenchester, Hereford, Herefordshire HR4 7QJ
WEBSITE LINK:	http://news.herefordshire.gov.uk/housing/planning/58286.aspx?ID=130779&NoSearch=True

Date Received: 19 March 2013

Ward: Credenhill

Grid Ref: 346115,243365

Expiry Date: 28 May 2013

Local Members: Councillor RI Matthews

1. Site Description and Proposal

- 1.1 The application site comprises an existing garage and garden area associated with the dwelling known as Orchard House. This is situated to the east of the A480 and Credenhill, opposite 'Taste for Adventure' and to the south east of the residential properties associated with the Stirling Lines Military Base. The dwelling known as Vron House lies immediately to the west of the application site. The site is accessed via an existing single width driveway onto the A480.
- 1.2 The proposed development is for the demolition of a corrugated tin garage and implement store and erection of a single storey dwelling. The existing garage is a single storey construction with the main element being a pitched roof with eaves height of 2.5m and ridge height of 4.6m. Lean-to sections project to both the east and north. The proposal is for a dwelling with an identical footprint as the existing building. The main part of the dwelling would have an eaves height of 2.7m and ridge height of 4.6m. The rear section and sideward projection of this would be slightly lower, reducing the eaves level to 2.4m and ridge height to 4.3m. This dwelling would comprise two bedrooms, kitchen, w/c and open plan living area and dining room. The proposed dwelling would be sited immediately adjacent to the boundary with Vron House, adjacent to their two storey outbuilding.
- 1.3 The application includes details in relation to the need for the dwelling for an elderly relative who is dependent upon the applicants, who reside in Orchard House.

2. Policies

- 2.1 National Planning Policy Framework (NPPF)

It is considered that the following sections of the NPPF are of particular relevance:

Further information on the subject of this report is available from Ms K Gibbons on 01432 261781

Paragraph 14 – the presumption in favour of sustainable development
Chapter 6 – Delivering a wide choice of high quality homes
Chapter 7 – Requiring good design
Chapter 8 – Promoting healthy communities
Chapter 11 – Conserving and enhancing the natural environment

2.2 Herefordshire Unitary Development Plan 2007 (HUDP)

S1 - Sustainable development
S2 - Development requirements
S3 - Housing
S6 - Transport
DR1 - Design
DR3 - Movement
DR4 - Environment
H4 - Main villages: Settlement boundaries
H7 - Housing in the countryside outside settlements
H13 - Sustainable residential design
T11 - Parking provision
LA5 – Protection of trees, woodland and hedges
LA6 - Landscaping

2.3 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspx>

3. Planning History

3.1 S112637/F - Proposed replacement of corrugated garage and implement store with two bedroom single storey dwelling - Withdrawn in December 2011 following concerns from officers that this would be tantamount to a new dwelling in open countryside, that would not comply with the requirements of policy H18 of the Unitary Development Plan.

4. Consultation Summary

4.1 Welsh Water - No Comment

4.2 Transportation Manager raises no objection.

5. Representations

5.1 Credenhill Parish Council has no comments to make on this application.

5.2 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 The application site lies outside the urban settlement boundary and as such may be considered as open countryside having regard to policy H7 of the HUDP. New residential development in areas outside of defined settlement boundaries must comply with one of the identified criteria and it is advised that the proposed dwelling does not fall within any of these.
- 6.2 The introduction of the NPPF means that Councils need to provide a five year supply of housing. It has been established that Herefordshire Council cannot demonstrate a 5 year supply of housing in accordance with the NPPF requirements and in recognition of this, an interim protocol was produced in July 2012. This seeks to enable a consistent approach to exemptions to Policy H7 in order seek to address the housing shortfall. The interim protocol specifies that sites should be located at a main settlement as defined by Policy H4 of the UDP, be located adjacent to the settlement boundary and assessed in the SHLAA as having low/minor constraints.
- 6.4 The NPPF also states that planning permission should be granted in accordance with the presumption in favour of sustainable development, unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or if specific policies in the Framework indicate that development should be restricted.
- 6.5 Credenhill is identified as a main settlement in the HUDP with the settlement boundary being drawn around the village to the west. This excludes the 'living quarters' of approximately 100 dwellings associated with Stirling Lines that lies immediately north of this site. Whilst the siting of the proposed dwelling does not strictly comply with the terms of the interim policy it is very clearly related to the built development of Credenhill. The site is also accessed onto the A480, with access directly onto the newly constructed cycleway / pedestrian path that connects this area to Hereford City and also to the existing footway to Credenhill. The A480 is also a bus route, with a bus stop being located a short walk away to the north at Jellicoe Way. As such, the siting of the proposed dwelling is considered to be sustainable in its location and as such compliant with policy S1 of the HUDP and guidance contained with the NPPF. In this instance, it would be difficult to defend the position that this dwelling, in this location, was not compliant with the NPPF guidance and as such it is considered acceptable in principle.
- 6.6 The proposed dwelling is small in scale with floorspace of only 73 sqm (measure internally) and is intended for use by the dependent relative of the occupiers of Orchard House. The siting and design of the dwelling are comparable to the existing garage on the site, and the design of the dwelling is considered to be appropriate for the context and location and would respect the character of the area. The dwelling would have its own garden and parking area, and can be readily and easily separated from the existing dwelling without detriment to that dwelling, its occupants or amenity space.
- 6.7 The proposed dwelling is adjacent to the boundary with Vron House. This dwelling has recently had a large two storey garage with room above constructed in its curtilage that is within 2m of the boundary. This is considerably taller than the proposed dwelling and the proposed dwelling is of a similar size and scale to the existing garage. Having regard to this, the proposed dwelling would not adversely impact on the amenities enjoyed by the occupants of Vron House and would therefore comply with the requirements of policies DR2 and H13 of the HUDP.
- 6.8 The proposals would involve the removal of some smaller trees and planting, and to ensure a satisfactory landscaping and boundary treatment scheme, a condition is recommended in accordance with policy LA6 of the HUDP.
- 6.9 Access to the proposed dwelling is via the existing access. The highways officer has not raised any objections to this. The siting of the new cycleway has improved visibility along this

stretch of highway. As such the proposal would comply with the requirements of policy DR3 of the HUDP.

- 6.10 The development would be subject to a planning obligation as per the Council's Supplementary Planning Document on Planning Obligations. However, in response to the current economic climate, the Council has introduced a temporary suspension of the payment of planning obligations provided that the development is commenced within 12 months. This decision was ratified by Cabinet on 4 March 2009. The applicant has requested a 12 months commencement date to be attached to any approval notice as part of the planning application.
- 6.11 The proposal fails to comply, in principle, with policies H4 and H7 of the UDP, however weight must be given to the National Planning Policy Framework that clearly identifies that where sites are considered to be sustainably located, and where they comply with other relevant policies, there should be a presumption in favour of sustainable development. The sites development accords with policies in relation to character of the area, highway safety, relationship with neighbouring properties namely policies DR1, DR2, DR3, DR4, H13, LA5 and LA6 of the UDP. In conclusion, whilst the application would be contrary to Saved Policies of the UDP, the absence of a 5-year supply of housing land means that there are grounds to support this application and it is recommended for approval subject to conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission) - 1 year**
- 2. B02 Development in accordance with approved plans and materials**
- 3. C01 Samples of external materials**
- 4. G10 Landscaping scheme**
- 5. G11 Landscaping scheme - implementation**

Reason for Approval

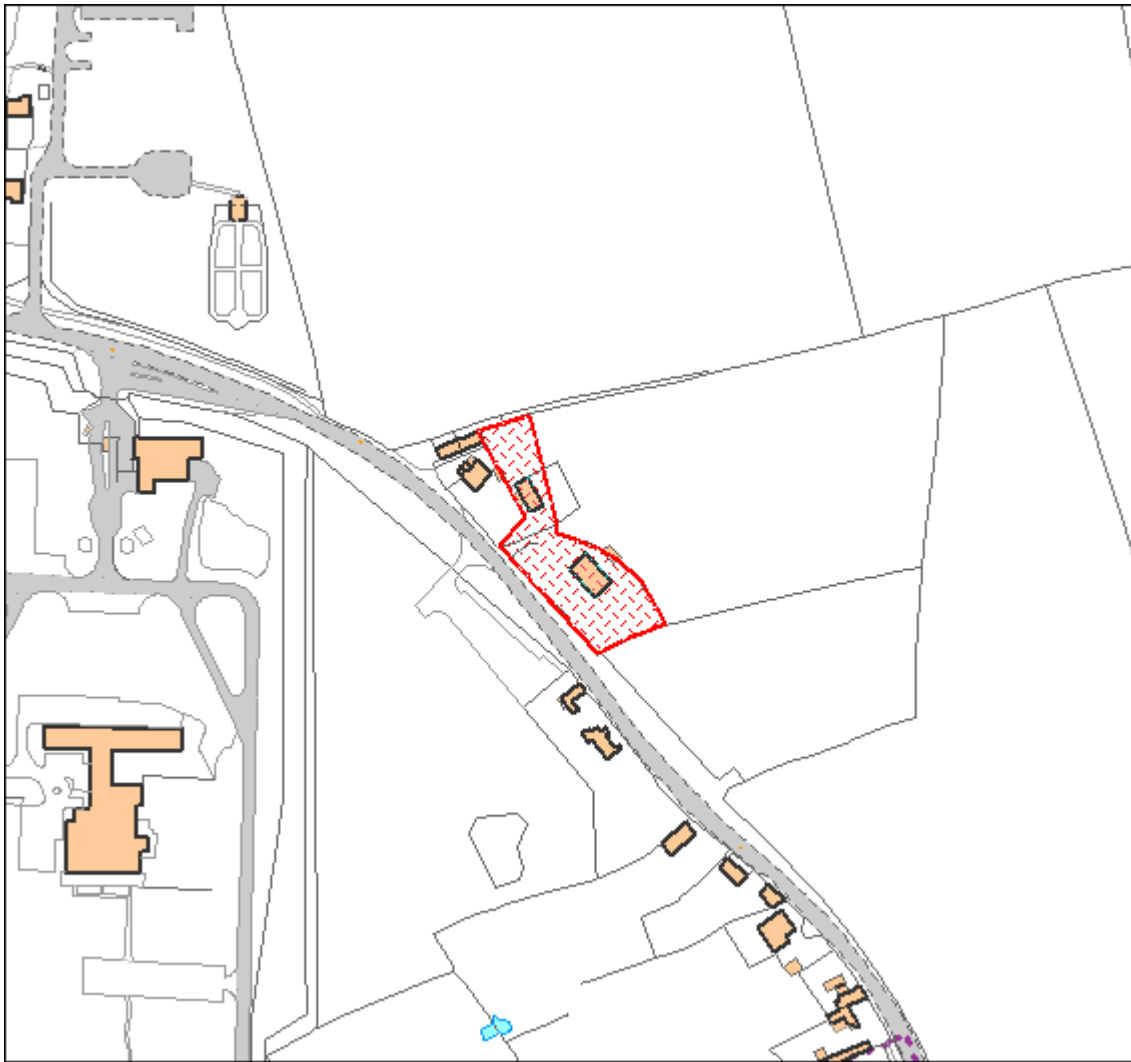
- 1. The proposal fails to comply, in principle, with policies H4 and H7 of the Herefordshire Unitary Development Plan, however significant weight has been given to the guidance provided by the National Planning Policy Framework that clearly identifies that where sites are considered to be sustainably located, and where they comply with other relevant policies, there should be a presumption in favour of sustainable development. The sites development accords with policies in relation to character of the area, highway safety and relationship with neighbouring properties namely policies DR1, DR2, DR3, DR4, H13, LA5 and LA6 of the Herefordshire Unitary Development Plan. In conclusion, whilst the application would be contrary to Saved Policies of the Herefordshire Unitary Development Plan, the absence of a 5-year supply of housing land and the sustainable location of the site are of sufficient weight to grant planning permission in this case.**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: 130779/F

SITE ADDRESS : LAND AT ORCHARD HOUSE, CREDENHILL, HEREFORDSHIRE

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

Further information on the subject of this report is available from Ms K Gibbons on 01432 261781