

MEETING:	PLANNING COMMITTEE
DATE:	14 SEPTEMBER 2016
TITLE OF REPORT:	162016 - PROPOSED SINGLE STOREY EXTENSIONS AND CHANGE OF USE OF REDUNDANT ORCHARD TO RESIDENTIAL CURTILAGE AT STONE COTTAGE, COMMON HILL, FOWNHOPE, HEREFORD, HR1 4PZ For: Mr & Mrs Durkin per Mr David Kirk, 100 Chase Road, Ross-On-Wye, Herefordshire, HR9 5JH
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=162016&search=162016
Reason Application submitted to Committee – Member Application	

Date Received: 27 June 2016

Ward: Backbury

Grid Ref: 359375,234554

Expiry Date: 23 August 2016

Local Member: Councillor J Hardwick

1. Site Description and Proposal

- 1.1 The application site (Stone Cottage) lies to the east of Common Hill, Fownhope. The dwelling is a two storey, detached property that has been extended previously to include a two storey extension off the east and north elevations. While this element now hosts the front door to the property, the southern elevation is the most prominent and the one viewable from the associated driveway. The dwelling itself lies on a east-west axis and sits against a bank, as such the curtilage to the east and the disused orchard to the west slope from north to south by approximately 6.2m.
- 1.2 The original dwelling is constructed from stone, as is the extension to the east with the new elements to the rear being of render.
- 1.3 The site lies within the Wye Valley Area of Outstanding Natural Beauty.
- 1.4 The proposal is for the erection of single storey extensions off the west and north elevations to accommodate a sunroom and utility room respectively. Permission is also sought for change of use of part of the redundant orchard to the west of the dwelling to curtilage. This will include some levelling in order to make the central section useable.
- 1.5 The sunroom would measure approximately 3m out from the west elevation and 4.3m in width, with a height of 2.3m to the eaves and 3.6m at the highest point. The utility would measure 2.5m from the north elevation and 1.8m in width, with a height of 2.3m to the eaves and 3.4m at the ridge.

2. Policies

2.1 National Planning Policy Framework (NPPF)

The following sections are of particular relevance:

Introduction - Achieving Sustainable Development

Section 7 - Requiring Good Design

Section 11 - Conserving and Enhancing the Natural Environment

2.2 Herefordshire Local Plan – Core Strategy

SS1 - Presumption in Favour of Sustainable Development

SD1 - Sustainable Design and Energy Efficiency

LD1 - Landscape and Townscape

LD2 - Biodiversity and Geodiversity

2.3 Neighbourhood Plan

Fownhope Neighbourhood Development Plan has been made and the following policies apply:

FW1 - Sustainable Development

FW2 - Safeguarding the Wye Valley Area of Outstanding Natural Beauty

FW5 - Biodiversity

FW8 - Common Hill 'Area of Special Character'

FW12 - Extensions to dwellings

FW16 - Design Criteria

2.4 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

3. Planning History

3.1 CE2001/2350/F – Extension to form kitchen, sitting room, 2 bedrooms and shower room and small utility – Approved

CE2001/0900/F – Demolition of existing garage. Erection of 2 – storey extension with porch. Hardstanding backed with a stone faced retaining wall - Refused

4. Consultation Summary

Statutory Consultees

4.1 None

Internal Council Consultations

4.2 Conservation Manager (Landscape) provides the following comments:

Landscape and Visual effects

These are my landscape comments:

4.3 **The National Planning Policy Framework, Item 11, 109 states:** *The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and soils'*

4.4 The proposal is within the Wye Valley Area of Outstanding Natural Beauty with nearby Ancient and Semi Ancient woodlands and designated SSSIs. The site and development proposal is well contained with mature native trees and hedgerows. The nearby public right of way FWA4 to the south has no known views of the development proposal.

4.5 **The National Planning Policy Framework, Item 11, 115 states:** *'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas and should be given great weight in National Parks and the Broads'*

4.6 The site lies within the Wye Valley Area of Outstanding Natural Beauty which requires the design of the proposal to integrate and enhance with its surroundings. The small scale development proposal for an extension to the existing residential building along with its well contained visually screened setting will have no known visual impact on the Wye Valley AONB.

4.7 **The Herefordshire Local Plan Core Strategy 2011 – 2031, Dated October 2015, following policies state:**

LD1. Landscape and townscape: *'Development proposals should'*

- *Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;*
- *Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;*
- *Incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and*
- *Maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement to trees lost through development and new planting to support green infrastructure.*

4.8 Future loss of native trees such as ash '*Fraxinus excelsior*' to ash die back will reduce woodland cover in the Wye Valley AONB. To compensate appropriate tree planting should be promoted with development proposals in the Wye Valley AONB.

LD2. Biodiversity and Geodiversity: *'Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire'*

There are two nearby SSSIs, Lea & Pagets woodland and Common Hill.

LD3. Green Infrastructure: *'Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure'*

Existing green infrastructure on site should be protected and new green infrastructure should be proposed appropriate to this small scale development.

Recommendations

- 4.9 I have no objections to this application, but I would recommend the following landscape condition:

No development shall commence on site until a plan has been submitted to and approved in writing by the Local Planning Authority. The Existing and Proposed Plan, Drawing No 641-PL01, Rev A, with a new revision can be used for this information. The details submitted should include:

- a) Information on a proposed oak tree *Quercus robur* at whip size to be planted in the applicant's garden. This oak tree is to provide enhancement to the Wye Valley AONB and to support the Green Infrastructure of this setting.
- b) A written specification clearly describing the proposed tree, its size and giving details of cultivation and other operations associated with the trees establishment. Maintenance of the proposed oak tree should be for a minimum of five years. And
- c) If affected by the development proposals existing tree root zones are to be protected in accordance with BS3998:2010 – Tree Work – Recommendations.

Conservation Manger (Ecology) provides the following comments:

- 4.10 Having looked at the location plans, proposed/existing elevations, aerial images and GIS data I am happy that the Orchard mentioned is not recorded as an orchard on any surveys and is only an orchard as indicated on historic mapping – though an odd fruit tree may remain. I would obviously encourage the applicant to consider replanting the new 'garden' area with some fruit trees as the wider ecology of an orchard may still be present onsite or in remaining orchards locally.
- 4.11 There is a chance that the proposed extensions, although not full height of the existing roof may possibly impact upon any current bat roosting opportunities in the existing roof area or roof line; or crevices in any brick/stonework. I would advise the applicants that all bats and their roosts are legally protected and so to satisfy their own legal obligations under wildlife legislation and risk management the applicants may want to commission a basic bat survey from a suitably qualified ecologist/bat worker - however I am happy that this authority would not need to require such a report to accompany/determine a full application under its legal 'duties' of care to the environment.

The Minerals & Waste Officer provides the following comments:

- 4.12 I can confirm that the site is identified under saved HUDP Policy M5 for the safeguarding of minerals.

However, given the scale and nature of the proposal, I have no objection to the application.

5. Representations

- 5.1 Fownhope Parish Council provides the following comments:

Please note that the Fownhope Parish Council have examined the planning application for the above and have the following comments/recommendations.

The application has been approved for the extension to the side of the property. Council noted that the property has been extended on other occasions.

The Council also approved the change of use from redundant orchard to domestic curtilage but would ask that a restriction be put on the site to prevent any building in that area of the land. The Cottage sits within the AONB and is in an area of special value and protection of that character is stipulated in the Neighbourhood Plan.

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

<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=162016&search=162016>

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

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 6.2 In this instance the Development Plan for the area is the Herefordshire Local Plan - Core Strategy (CS). A range of CS policies, referred to at section 2.2, are relevant to development of this nature. The strategic Policy SS1 sets out a presumption in favour of sustainable development, reflective of the positive presumption enshrined in the NPPF. SS1 confirms proposals that accord with the policies of the Core Strategy (and, where relevant other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.
- 6.3 In respect of extensions to dwellings, planning policy SD1 of the Core Strategy is applicable. This states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, proportions and massing of surrounding development. The proposal should also safeguard the amenity of existing and proposed residents in terms of overlooking, overshadowing and overbearing.
- 6.4 The above is built on through policy FW12 of the Fownhope Neighbourhood Development Plan which states that extensions should appear visually subservient to the main dwelling, be of materials that match or complement the materials of the host dwelling and have no significant impact on the amenity of neighbouring properties.
- 6.5 The proposed materials for the extensions are slate on the roof with render on the utility to match existing and a stone plinth on the sunroom and timber boarding. While the timber boarding is not found on the existing dwelling, this element will only be seen from well within the site and to the rear of the dwelling and is considered complimentary to the other materials. The other materials are all found on the host dwelling and are therefore found to be in keeping and acceptable.
- 6.6 While it is noted that the dwelling has been extended before, and in one case a scheme refused due to dominance over the host dwelling, with the proposed elements both being single storey, the host dwelling will remain the dominant feature on the site. Furthermore, they will only be visible once within the site and do not impact the most prominent elevation.
- 6.7 Given the location of the site within an Area of Outstanding Natural Beauty, policy LD1 of the Core Strategy is engaged. This states that any proposal should ensure that they conserve and enhance the natural, historic and scenic beauty of important landscapes and features.

Further information on the subject of this report is available from Miss Emily Reed on 01432 383894

- 6.8 The above is reinforced through Policy FW8 of the Fownhope Neighbourhood Development Plan, stating that development should give highest priority to conservation and enhancement of amenity, natural beauty, wildlife and cultural heritage of the Wye Valley AONB and not adversely affect landscape character but where appropriate include measures to conserve, restore or enhance this. The 'Area of Special Character' within Common Hill is also emphasised through Policy FW8 which states that all development should retain or enhance the unique landscape and historic character of the site and its surroundings.
- 6.9 The area to the west of the dwelling, and proposed for change of use, will undergo some levelling due to the land falling from north to south. New orchard trees are to be planted along the north of the site resulting in more screening than is currently in place. To the south of the site, and along the boundary of Common Hill, there is thick hedgerow. With this in place, and the proposed planting of additional trees, there is not considered to be a detrimental impact on the wider Area of Outstanding Natural Beauty or Common Hill Area of Special Character, but rather an improvement. Notwithstanding this, the comments of the Landscape Officer are acknowledged and a landscaping plan including details of new trees is recommended. It is also considered appropriate to remove permitted development rights for outbuildings within this part of curtilage.
- 6.10 With regard to issues impacting upon the amenity of neighbouring dwellings, in relation to both the extensions and extended curtilage, the nearest neighbouring dwelling is some 100m to the west. With this in mind, issues of overlooking or overshadowing are not anticipated.
- 6.11 Given the above, the proposal is considered to be compliant with the relevant policies contained within the Core Strategy, Fownhope Neighbourhood Development Plan and National Planning Policy Framework and therefore recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. C01 Time limit for commencement (full permission)**
- 2. C07 Development in accordance with approved plans and materials**
- 3. C01 Samples of external materials**
- 4. No development shall commence on site until a plan has been submitted to and approved in writing by the Local Planning Authority. The Existing and Proposed Plan, Drawing No 641-PL01, Rev A, with a new revision can be used for this information. The details submitted should include:**
 - a) Information on a proposed oak tree *Quercus robur* at whip size to be planted in the applicant's garden. This oak tree is to provide enhancement to the Wye Valley AONB and to support the Green Infrastructure of this setting.**
 - b) A written specification clearly describing the proposed tree, its size and giving details of cultivation and other operations associated with the trees establishment. Maintenance of the proposed oak tree should be for a minimum of five years. And**
 - c) If affected by the development proposals existing tree root zones are to be protected in accordance with BS3998:2010 – Tree Work – Recommendations.**
- 5. C65 Removal of permitted development rights (Schedule 2 Part 1 Class E and Part 2 Class A)**

INFORMATIVES:

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**

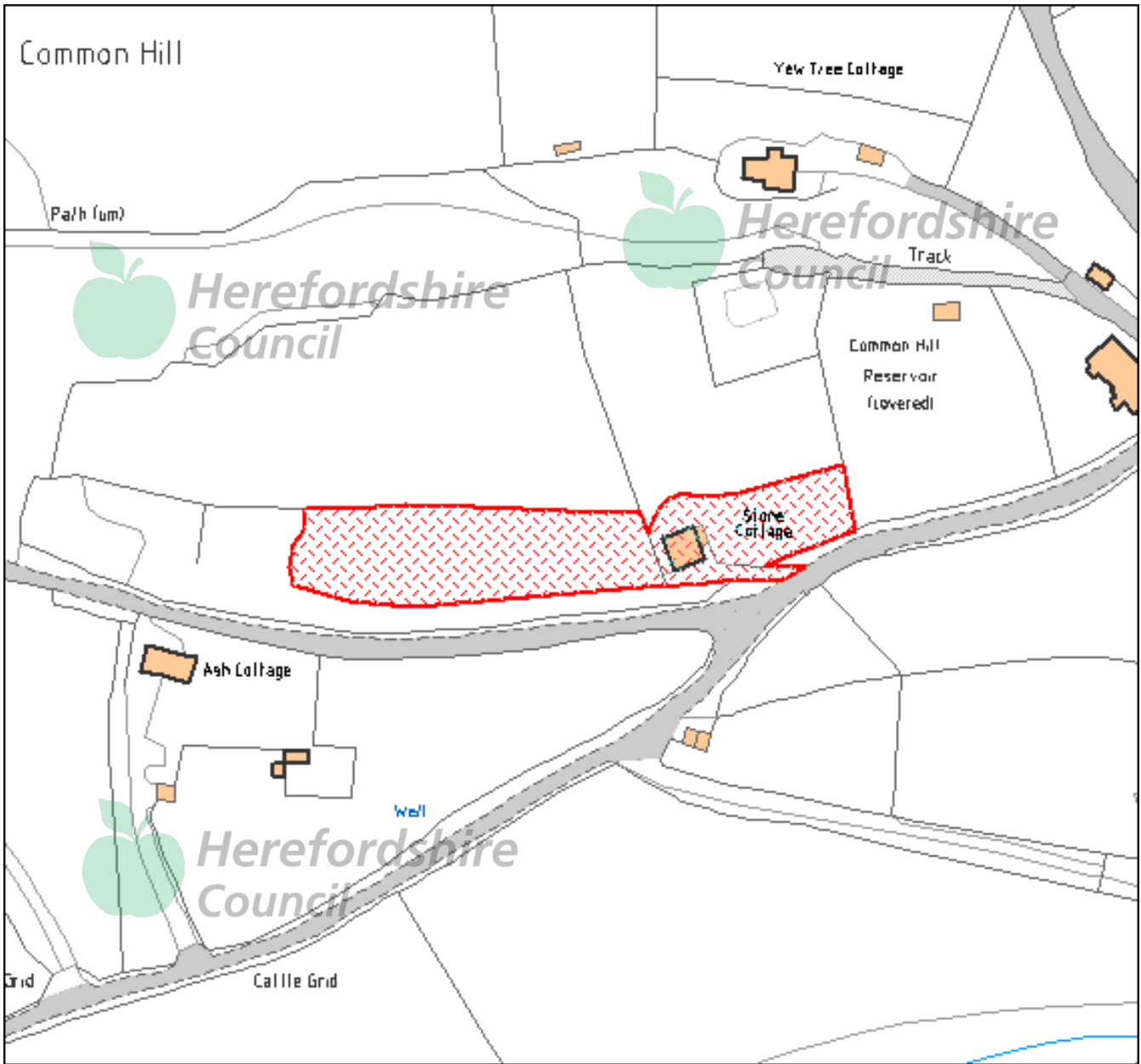
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 162016

SITE ADDRESS: STONE COTTAGE, COMMON HILL, FOWNHOPE, HEREFORD, HEREFORDSHIRE, HR1 4PZ

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