

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	5 JUNE 2024
TITLE OF REPORT:	240602 - PROPOSED ERECTION OF SINGLE STOREY GARDEN SHED AT BRICK HOUSE, BOSBURY, LEDBURY, HR8 1QW For: Mr Kaye per Mr Olly Kaye, Brick House, Bosbury, Ledbury, Herefordshire HR8 1QW
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240602&search-term=240602
Reason Application submitted to Committee – Staff Application	

Date Received: 1 March 2024

Ward: Hope End

Grid Ref: 367930,243846

Expiry Date: 6 June 2024

Local Members: Cllr Helen Heathfield

1. Site Description and Proposal

- 1.1 The application site relates to a two-storey dwelling accessed off a classified road located within the hamlet of Catley. The dwelling lies within a long narrow plot. Mature hedgerow surrounds the site.
- 1.2 The proposal is for the erection of a single storey outbuilding described as a garden shed. The proposed shed would measure approximately 5.6 metres by 4.1 metres with a ridge height of 2.7 metres. The outbuilding would be clad in timber panels under a corrugated roof.

2. Policies

2.1 The Herefordshire Local Plan – Core Strategy (CS)

SS1 – Presumption in favour of sustainable development
 SS6 – Environmental quality and local distinctiveness
 MT1 – Traffic management, highway safety and promoting active travel
 LD1 – Landscape and townscape
 SD1 – Sustainable design and energy efficiency
 SD3 – Sustainable water management and water resources
 SD4 – Waste water treatment and river water quality

2.2 Bosbury and Catley Group Neighbourhood Development Plan (NDP)

A referendum for voters within the Bosbury and Catley Group Neighbourhood Area was held on the 11 July 2019 and passed. The Bosbury and Catley Group Neighbourhood Development

Plan is therefore part of the statutory development plan.

Policy 2 – Local Character

2.3 National Planning Policy Framework (NPPF)

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision making

Chapter 12 – Achieving well-designed places

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/info/200185/local_plan/137/adopted_core_strategy

2.5 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision, highways safety and safeguarding features of environmental value (amongst others) – have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

3. Planning History

3.1 No site history

4. Consultation Summary

4.1 Statutory Consultations

Forestry Commission – No response

5. Representations

5.1 Bosbury and Coddington Group Parish Council – Support this application

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

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240602&search-term=240602

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

Policy context and Principle of Development

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 adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Bosbury and Catley Group Neighbourhood Area, which published a made Neighbourhood Development Plan (NDP) on 16 August 2019.
- 6.3 CS Policy SS1 reaffirms the core concept of the NPPF by outlining the commitment by the Local Planning Authority to take a positive approach that reflects a presumption in favour of sustainable development.
- 6.4 Policy SS6 of the CS states that development proposals should conserve and enhance those environmental assets that contribute positively to the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets.
- 6.5 CS Policies LD1 and SD1 seek to specifically define the ways in which the decision maker will address Policy SS6 of the CS. They outline that proposals should demonstrate that they will conserve and enhance the landscape, townscape; respond positively to local distinctiveness and ensure proposals create safe, sustainable environments for all of the community. Safeguarding residential amenity for existing and proposed residents, and ensuring that design respects the scale, height, proportions and massing of surrounding development.
- 6.6 Policy 2 of the NDP states development should respect and conserve the local character; its historic and natural assets, and take every opportunity, through design and materials, to reinforce local distinctiveness and a strong sense of place.
- 6.7 The scale and massing of the proposed development is modest and appropriate within the context of the setting and would not result in a disproportionate structure when read as an outbuilding for a two storey dwelling, ensuring that the host dwelling remains as the dominant feature of the site. The application site is a large plot within which a garden shed would not be considered out of character for the locality. Furthermore, the proposed shed is designed in a manner which reflects its use as an outbuilding by virtue of its scale and materials. No conflict with CS SD1 is therefore found with regards to design.
- 6.8 No concerns have been raised with regards to the impact the shed would have on the amenity of neighbouring dwellings by way of loss of light and outlook and sense of overbearing scale, however I must give this due consideration. The proposed shed is a small structure that would afford no overlooking or overshadowing of the neighbouring property. The proposal would maintain the amenity of the neighbours and would not result in any visual dominance and to a degree that would be contrary to the above policies.
- 6.9 The materials proposed for the development of timber cladding and corrugated sheet roofing reflects its use as a garden shed. As such, the proposal is deemed to accord with policies SD1 and LD1 of the CS.
- 6.10 There are no other matters pertinent to the proposal which requires discussion or assessment and taking the above into account, it is considered that the proposal generally accords with the provisions of the Herefordshire Local Plan – Core Strategy and the Bosbury and Catley Group Neighbourhood Development Plan together with the overarching aims and objectives of the National Planning Policy Framework. The application is accordingly recommended for approval subject to the conditions as set out below.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1 C01 – Time limit for commencement (full permission)
- 2 C06 – Development in accordance with the approved plans

INFORMATIVES:

- 1. **Application Approved Without Amendment**

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.

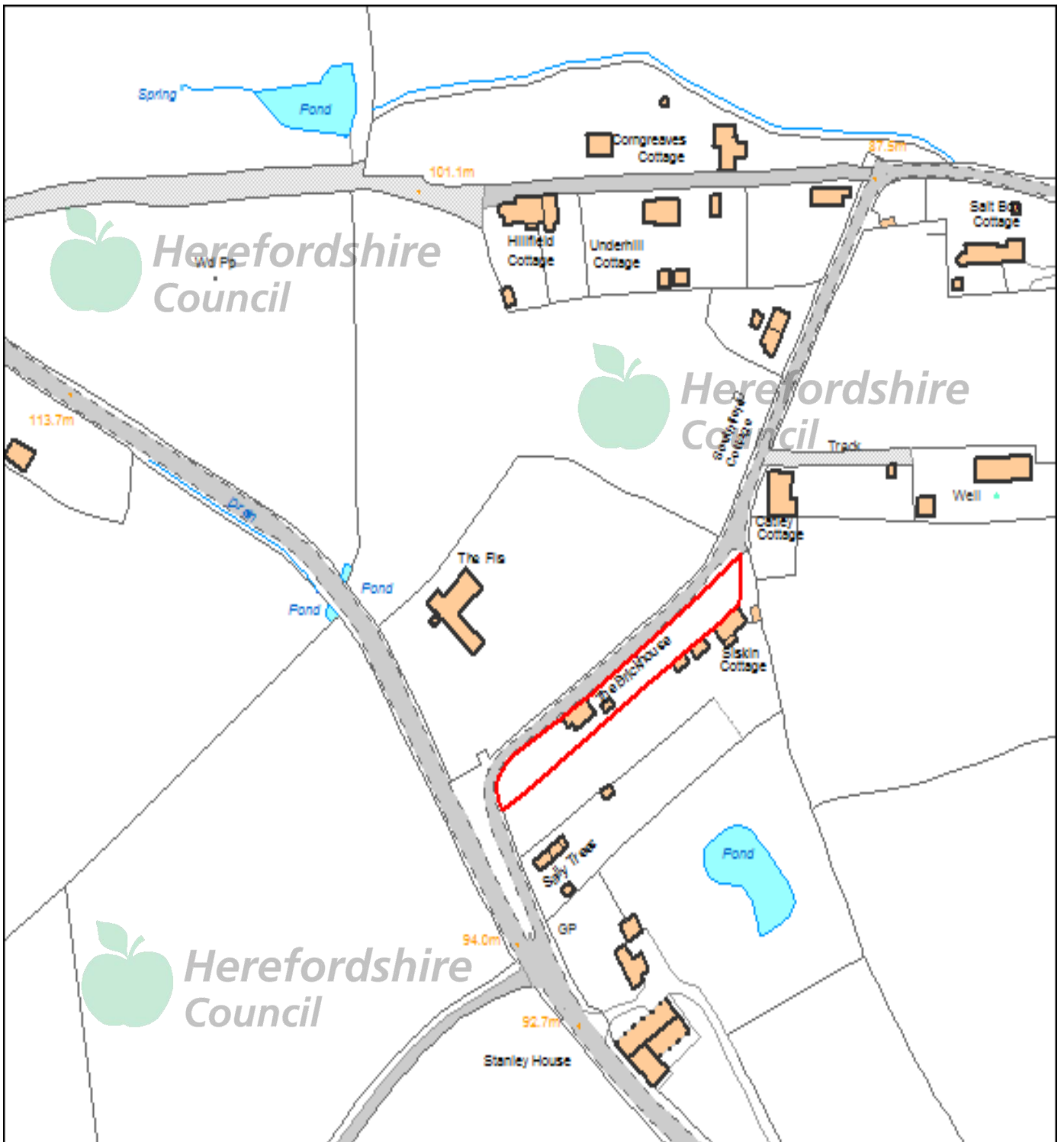
Decision:

Notes:

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Background Papers

None identified.



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SITE ADDRESS : BRICK HOUSE, BOSBURY, LEDBURY, HEREFORDSHIRE, HR8 1QW

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Further information on the subject of this report is available from Miss Amber Morris on 01432 260855