

Planning Statement

Retrospective Planning Application for the change of use of land and the siting of two huts to provide ancillary family accommodation to be used initially for a 3 year period as residential accommodation in conjunction with the renovation of Hope Lodge and thereafter as office accommodation in association with the family garage business which operates from the site.

Hope Lodge, The Vault, Marden, Herefordshire HR1 3HA

Prepared on behalf of Mr and Mrs Tilbury

By CR Planning Solutions

July 2024



Contents

1. Introduction.....	Page 3
2. Application Site, context and history	Page 4
3. Proposed Development.....	Page 5
4. Planning Policy Context and Assessment.....	Page 8
5. Conclusion and Recommendation.....	Page 13
 Appendix A Photographs of the application site	
Appendix B Image of the Application Site Pre Huts	

1. Introduction

- 1.1 This Planning Statement is submitted by CR Planning Solutions in support of a retrospective planning application by Mr and Mrs Tilbury for the change of use of land and the siting of two huts to the rear of Hope Lodge, The Vault, Marden.
- 1.2 Mr and Mrs Tilbury and their ■ children have lived at Hope Lodge since 2022 and run a garage business from the site. The successful garage business has existed on site since 1962 and Mr Tilbury has worked at the garage for over 30 years.
- 1.3 The subject huts are needed to provide ancillary accommodation to Hope Lodge to be used initially for a 3 year period by the family as residential accommodation whilst necessary renovation works are undertaken to the applicant's home of Hope Lodge and thereafter to provide office accommodation in association with the family's garage business which operates from the site. Photographs of Hope Lodge, the garage units and the huts are provided at Appendix A of this statement.
- 1.4 Full details of the application site and proposed development are provided in Sections 2 and 3 of this Planning Statement. The application submission is also supported by a Site Location Plan, a Block Plan and survey drawings of the huts providing elevation and floorplan details.
- 1.5 This Planning Statement identifies the key planning issues in relation to the site and identifies the supporting factors which justify the development.
- 1.6 The Planning Statement sets out the approach that has been taken and is structured as follows:
- 1.7 Section 2 Application Site, its surroundings and history: a description of the application site, its context and history.
- 1.8 Section 3 Proposed Development: a description of the proposed development.
- 1.9 Section 4 Planning Policy Context: a review of the planning policy which has influenced the proposed development.

1.10 Section 5 Conclusion and Recommendation: summarises the key planning policy and recommends planning consent be granted.

2. Application Site, context and history

2.1 The application site measures 402 sqm and lies to the rear of Hope Lodge which forms a 4 bed detached residential dwelling which is located in the identified settlement of The Vault, Marden. The garage business is located between the application site and Hope Lodge. The application site, Hope Lodge and the garage business are all served off an existing access onto the village road.

2.2 In terms of site context land to the north of the application site forms pasture land/orchard which is within the applicant's ownership, to the west and east lies further land belonging to the applicant which is adjoined by well screened tree lined boundaries with agricultural land beyond. To the south lies the applicant's garage business and their family home, Hope Lodge. A site location plan accompanies this application.

2.3 Up until 2022 the site was owned by Mr Lewis who started the garage business in 1962. Mr Lewis lived [REDACTED] at Hope Lodge for many years and used part of the home as office space in conjunction with the garage business. Mr Tilbury worked alongside Mr Lewis at the garage for over 30 years.

2.4 The well-established garage business undertakes work by appointment only and specialises in the restoration and repair of land rovers and farm machinery for companies like Mercers in Leominster. Customers arrange the required work by phone with public access only permitted to the existing garage yard to drop off and pick up customer vehicles. The garage yard is adjoined by a couple of steel framed units where works to vehicles/machinery is undertaken.

2.5 [REDACTED] in 2022, Mr and Mrs Tilbury took ownership of Hope Lodge, the garage business and adjoining land shown in blue on the site location plan. Mr and Mrs Tilbury and their family subsequently moved to Hope Lodge and have continued to run the garage business from the site. Mrs Tilbury also works for the garage providing administrative support with their son recently joining the business as a trainee mechanic ensuring the business continues as a family concern going forward.

- 2.6 The dwelling of Hope Lodge has had limited investment over the years and is now in need of some necessary renovation works to make it safe and fully habitable by the family.
- 2.7 As a result, additional ancillary family accommodation has been required to house the family whilst these works are undertaken and provide office space to support the garage business.
- 2.8 This additional ancillary family accommodation has taken the form of a couple of bbq huts which have been located on land to the rear of Hope Lodge. These huts have been located on site since January 2023.
- 2.9 The huts are used only by the family as an extension to the available liveable floorspace at Hope Lodge and provide additional living and sleeping accommodation with Hope Lodge providing part use of the kitchen and rooms for sleeping accommodation by some of the family. The huts are also used as office space in conjunction with the garage business.
- 2.10 The renovation/structural works that are required to Hope Lodge in order to make the dwelling fully habitable by the family includes the following and will take around 3 years to fund and complete:
- The external stone wall of the principal elevation needs to be retied to its existing inner wall which has been found to be structurally sound,
 - new windows in some areas,
 - new replacement floor boards upstairs,
 - sitting room requires a new concrete floor,
 - kitchen needs modernising
 - Bathroom/shower room needs modernising
 - Wiring and plumbing needs to be checked.
 - Walls plastered
- 2.11 On completion of the works to Hope Lodge the family will then move into and fully occupy the property. The huts will then be needed to support the garage business and provide much needed office/utility space.

- 2.12 Prior to purchasing and siting the huts Mr Tilbury sought advice from Herefordshire Council and was of the understanding that the huts would provide ancillary accommodation to the property of Hope Lodge and would be located within the residential curtilage and therefore did not require planning permission.
- 2.13 Mr Tilbury therefore proceeded with the purchase of the huts and the clearance of the application site which had previously been used, by the previous owner, for many years, for storing scrap vehicle/machinery parts in association with the adjoining garage business. Please see an aerial view of the site pre huts at Appendix B of this statement. Once the site had been cleared the huts were bought to site to provide the much-needed additional family accommodation.
- 2.14 The huts have been located on site for 18 months. In spring 2024 Mr S. Chesterton of the Herefordshire Council Enforcement team contacted the applicant. Mr Chesterton was of the view that the huts were not located within the residential curtilage of Hope Lodge given the site is separated by the family business and as such he concluded that the huts would require planning permission.
- 2.15 This application has therefore been submitted to regularise the use of the land and seek permission for the siting of the huts. The applicant is also in agreement to having a personal permission served if this is deemed necessary to assist with controlling the future use of the site.
- 2.16 In summary the huts are required by the family to provide ancillary accommodation to Hope Lodge initially as living/sleeping accommodation for a period of 3 years whilst the renovation works are undertaken to Hope Lodge. On completion of the works the family will move into Hope Lodge with the huts then being required to provide office/utility accommodation to support the family garage business on site. This approach was agreed as a way forward with Mr Chesterton prior to progressing this application.

3. Proposed Development

- 3.1 This application seeks retrospective planning permission for the change of use of land and the siting of 2 huts to provide ancillary family accommodation in association with Hope Lodge. This accommodation is initially being used by the family as additional living/sleeping/office accommodation, for a three year period, while necessary works are undertaken to Hope Lodge.

to make it fully safe and habitable by the family. Thereafter the huts are needed to provide office/utility space to serve and support the family's garage business given there will be no available accommodation at Hope Lodge once it is fully utilised by the family.

- 3.2 There are two huts on site which are single storey hexagonal shaped bbq huts. The larger hut has a floor area of 51.4msq and measures 12m x 7.5 m with a maximum roof height of 3.6m. Hut 2 is smaller with a floor area of 17.2msq and measures 4.6 x 4.6 with a maximum roof height of 3.6 m. The huts have a pitched hexagonal roof which is made of felt shingle coloured green, natural timber elevations with window openings and an access door. These structures are similar to summer houses and therefore in keeping and associated with residential dwellings and their gardens/curtilages. The huts are free standing, are not fixed to the ground and rest on a stone pad. Loose gravel has been used to surface the areas around the huts allowing surface water to drain away and the site is enclosed with post and wire fencing. Trees and shrubs have been planted around the huts along with planters.
- 3.3 The proposal is meeting the specific needs of a local family and its business as well as delivering a visual enhancement through the removal of large amounts of scrap/machinery from the site and a biodiversity improvement through the additional tree and shrub planting that has been undertaken.
- 3.4 It has also been recognised that Hope Lodge is located within the Lugg Catchment area. The proposed huts provide ancillary family accommodation in association with the main dwelling of Hope Lodge and only supports the needs of the family with no further intensification of use proposed. The huts include a toilet and a shower and these connect to the existing drainage system which serves Hope Lodge. These additional facilities will be used by the family only and therefore no additional phosphate load is created by this proposal with a position of neutrality being achieved ensuring that the proposal is in full accordance with SD3 and SD4 of the Core Strategy.
- 3.5 The retrospective proposal delivers social, economic and environmental benefits as follows:
- Provides much needed temporary residential accommodation for the applicant and his family whilst Hope Lodge is renovated and made safe and fully habitable.
 - Enables the existing property of Hope Lodge to be fully renovated and provide a safe and fully habitable family home.

- Enables the family to remain on site and continue to operate their garage business.
- Supports a local business which is valued and needed by the community it serves through the provision of necessary additional office/utility space,
- Supports 3 full time jobs.
- Delivers a visual enhancement through the tidying up of the site whilst enhancing the biodiversity of the site through tree/shrub planting.
- Delivers phosphate neutral development.

4. Plan Policy Context and Assessment

- 4.1 This planning proposal should be determined by Herefordshire Council in accordance with the adopted development plan as per S38(6) of the Planning & Compulsory Purchase Act 2004 unless material considerations indicate otherwise
- 4.2 It is respectfully suggested that this planning proposal is in full accordance with key National and local policies described below.

National Planning Policy Framework (NPPF)

- 4.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and provides a framework within which locally prepared plans for housing and other development can be produced. The NPPF is a key material consideration in the determination of planning applications
- 4.4 The policies of the NPPF reinforce the Government's commitment to the achievement of sustainable development and that this application must be determined in the context of the presumption in favour of sustainable development. with paragraph 11 stating that, "for decision-taking this means ... approving development proposals that accord with an up-to-date development plan without delay".
- 4.5 Chapter 6 of the NPPF comments that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

- 4.6 Paragraph 85, states that “significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development...”.
- 4.7 Paragraph 89 states that Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land and sites that are physically well related to existing settlements should be encouraged where suitable opportunities exist.
- 4.8 This proposal will provide additional ancillary accommodation in association with Hope Lodge which will help support the needs of a local family and their garage business. The provision of the huts will initially provide living accommodation for the family whilst the necessary renovation works are being undertaken to Hope Lodge and in turn enable the applicant and his family to remain on site allowing them to continue to run their business and safeguard their jobs. Longer term the huts will provide office/utility space required by the garage business and justified on the basis that Hope Lodge will then be fully occupied by the family post renovation.
- 4.9 This proposal is therefore in accordance with paras 85 and 89 of the NPPF which recognises the need to support the sustainable growth and expansion of rural businesses and that sites to meet local business/community needs in rural areas may be found adjacent to existing settlements such as this proposal which is located on the edge of the recognised settlement of The Vault. In addition, the site was previously used for the storing of scrap metal and machinery parts in association with the garage business and is in further accordance with para 89 which encourage the reuse of such sites.

Adopted Herefordshire Core Strategy 2011-2031

- 4.10 The Development Plan for Herefordshire comprises the adopted Herefordshire Local Plan – Core Strategy. The following Core Strategy policies are of particular relevance to this application:

SS1 Presumption in favour of sustainable development – Herefordshire will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy

SS5 Employment Provision – Supports the provision of employment land in Herefordshire and the diversification of the County's business base.

RA1 Rural Housing Strategy – This identifies that in Herefordshire's rural areas, there will be around 5,300 new dwellings provided between 2011 and 2031 to help meet the County's housing needs.

RA2 Herefordshire Villages – Supports proportionate growth of identified villages listed within Figure 4.15. The Vauld is identified as a focus of proportionate housing development within the Hereford Housing Market Area.

E1 Employment Provision - States that the focus for new employment provision in Herefordshire is to provide a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy. It states that employment proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged where:

The proposal is appropriate in terms of connectivity, scale, design and size;

The proposal makes better use of previously developed land or buildings;

The proposal is an appropriate extension to strengthen or diversify an existing business operation

E3 Homeworking – states that the value of home working will be recognised by allowing some material change of use to part of a dwelling, where the dwelling remains as the principle place of residence for the home worker; and recognising the potential to encourage and expand home working, by allowing small extensions or conversions where the proposed use and operation would be compatible with its location and heritage value, and where it would not adversely affect the amenity of the neighbourhood.

RA6 Economy - Supports employment generating proposals which help diversify the rural economy and supports extensions of existing businesses

LD1 Landscape and townscape – Development proposals should conserve and enhance the natural, historic and scenic beauty of important landscapes and features through the protection of the area's character and by enabling appropriate uses, design and management

MT1 Traffic Management, Highway Safety and promoting active travel –Identifies principles covering movement and transportation which should be incorporated into development proposals.

4.11 The proposal is in broad accordance with the Core Strategy in that RA2 identifies the settlement of The Vault as a location for housing and the above policies confirm the need to support employment generating proposals which help to diversify the rural economy and supports both the expansion of existing businesses such as the subject garage business and that of home working. The proposal site is well contained being located to the rear of Hope Lodge which fronts the highway and is bordered by established landscaped boundaries ensuring no detrimental impact on the local landscape and setting of The Vault. The proposal will result in no additional traffic given this serves the existing family only who already live at the site. The proposal is of a scale which is commensurate with its location and setting.

4.12 The proposal enables the renovation and continued use of Hope Lodge, The Vault as a family home, provides additional family accommodation enabling the family to remain living and working on site whilst they renovate their family home and supports the continuation of a well-established family garage business which employs both the applicants and their son helping to diversify and strengthen the local economy.

The Marden Neighbourhood Development Plan (MNDP)

4.13 The site is located within the Marden Neighbourhood Development Plan (MNDP) area. The MNDP was made on 6 October 2016 and affords full weight with regards to the assessment of planning applications. As a result, proposals will need to be in accordance with both the policies of the adopted Core Strategy and those of the MNDP.

4.14 Objective 6 of the MNDP seeks to welcome employment opportunities including working from home while ensuring current, new or expanded businesses within the parish are sympathetic to the environment or residential amenity.

- 4.15 The MNDP draws a settlement boundary around The Vault defining the development limits of the settlement. The application site lies outside, however adjacent to this boundary where both the NNPF, the Core Strategy along with the MNDP supports the expansion of existing businesses in such locations.
- 4.16 It is though accepted that new residential homes are not generally permitted outside of settlement boundaries as detailed in Policy M2 of the NDP. However, in response, the proposal does not relate to the provision of a new home; it is for additional ancillary family accommodation in association with the renovation of Hope Lodge which will only be temporarily used as such for a period of 3 years. The huts will also allow the family to remain on site and continue to run their business. Furthermore, once Hope Lodge is fully renovated the family will move into the property with the huts then providing much needed office /utility space to serve the garage business, a use which does fully accord with plan policy.
- 4.17 Policy M7 seeks to support, enhance and protect existing local employment and states that development that would lead to the expansion or improvement of existing business premises will be permitted when it is suitable in terms of size, layout, access, parking, design and landscaping; and does not harm either the amenity of nearby occupiers or the character, appearance or environment of the site and retains and enhances any built and natural features/areas that contribute to the amenity or biodiversity of the area plus ensures that any likely significant effect on the River Wye Special Area of Conservation (SAC) is avoided or adequately mitigated.
- 4.18 This proposal is in full accordance with Policy M7 of MNDP in that:

The proposal supports and protects an existing local business, is small scale, provides adequate parking, utilises an existing well established site access, is providing the additional ancillary family accommodation in bbq huts which are structures which have been designed to complement and be used in residential settings such as that at Hope Lodge. In addition, the proposal will facilitate the full renovation of the attractive property of Hope Lodge ensuring its retention and continued use as a family home whilst supporting the family business. The retrospective proposal has been in place since January 2023 and has not caused unacceptable adverse impacts on the amenity of local residents. The matters of both foul and surface water drainage have been fully addressed to ensure that there is no resulting impact on the River Wye SAC.

5. Conclusions and Recommendation

- 5.1 This planning proposal should be determined by Herefordshire Council in accordance with the adopted development plan as per S38(6) of the Planning & Compulsory Purchase Act 2004 unless material considerations indicate otherwise.
- 5.2 In this context, Section 4 of this Planning Statement provides a full analysis of the Development Plan policies which are of relevance to this planning application. The proposal represents a sustainable form of development that is appropriate to the site's location on the edge of The Vauld and will deliver economic, social and environmental benefits for the area as detailed in this statement.
- 5.3 This Planning Statement has provided a detailed policy justification in support of the submission which is wholly compliant with the Development Plan and in line with Paragraph 11 of the NPPF this means 'approving development proposals that accord with the development plan without delay.'
- 5.4 It is respectfully recommended that Herefordshire Council has sound justification to approve this application.

Appendix A Photos of Hope Lodge and the huts









Appendix B Image of the Application Site Pre Huts

