

DELEGATED DECISION REPORT

APPLICATION NUMBER

181856

Silver Birch, Eardisley, Hereford, HR3 6PQ

CASE OFFICER: Mr Josh Bailey

DATE OF SITE VISIT: 28th June 2018

Relevant Development

Plan Policies:

National Planning Policy Framework (NPPF):

Chapter 2 – Achieving sustainable development

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Herefordshire Local Plan: Core Strategy (HCS):

SS1; LD1; SD1; SD2; MT1

Eardisley Group Neighbourhood Development Plan (NDP):

NDP made on 13th June 2016

Policy SD1 – Sustainable development

Policy E2 – Heritage Assets & Village Character

Policy E3 – Addressing Carbon Reduction

Relevant Site History:

- **172301** – application for approval of details reserved by conditions 6 & 7 attached to planning permission 170359 - approved
- **171689** – application for approval of details reserved by conditions 2,4,5,6 & 7 attached to planning permission 170359 – split decision
- **171660** – variation of condition 2 of planning permission (amend to increase building length) – approved with conditions
- **170359** – proposed new dwelling – approved with conditions
- **151107** – proposed new dwelling and garage (passivhaus) – approved with conditions

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X(SUP)		

Site Notice	X	X			
Local Member	X	X			

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

Silver Birch is a recent new build following permission being granted in 2017. The site comprises a two-storey detached dwelling with three gable projections and external chimney breast at first floor level with the principle elevation facing south. The building finishes at ground floor level comprise Pietersen grey brick colour D98 with horizontal cladding of trespa lumen colour "new York". The roof is finished in TATA colourcoat prisma standing seam roofing colour anthracite matt finish. The proposal is a retrospective application for the conversion of the existing attached garage to form a playroom, along with a new cycle storage building, installation of solar PV panels to the existing dwelling and slight alterations to the fenestration on the existing dwelling. A visual perspective is shown on the plan below:



It should be noted that the site lies within the entirety of the Eardisley Conservation Area.

Representations:

Eardisley Parish Council – Support: "It does not materially change the footprint or external view of the property. Therefore, the recommendation was the support the application".

Site Notice – No response

Local Member – Cllr Phillips updated on 23rd July 2018 via email. To date, no response has been received objecting to the officer determining this application under delegated powers.

Pre-application discussion:

None

Constraints:

Eardisley Conservation Area

PROW footpath nearby

Flood Zone 2 & 3 adjacent

Surface Water

Appraisal:

Policy context and Principle of Development

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.”*

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (HCS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Eardisley Group Neighbourhood Area, which published a made Neighbourhood Development Plan (NDP) in June 2016.

The decision-maker should also be aware of the statutory duty imposed by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states as follows:-

“In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

The proposal concerns a variety of retrospective alterations to Silver Birch, namely the conversion of the existing attached garage, with new cycle storage building, alterations to fenestration and addition of Solar PV panels.

In respect of alterations to dwellings, planning policy SD1 of the HCS 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.

With regard to the fenestration changes, this do not introduce new windows on elevations that did not accommodate any on the previous permission, new issues of overlooking as a result are not anticipated, complying with SD1 of the HCS.

The application proposes conversion of the garage to habitable accommodation. The proposal would only require the substitution of the garage door for a window. The key issue, therefore, is the impact of the proposal upon the free flow of traffic and parking within the site, having regard to mitigation for the loss of the garage as a parking space. The addition of the cycle storage building will also enhance options for transport and sustainable options for movement, in accordance with MT1 of the HCS. At the time of the site visit two cars were parked in tandem on the drive, more than a sufficient distance away from the highway and not necessitating concerns with respect to altering safe access onto the site, further in accordance with MT1 of the HCS, on the basis that the development maintains opportunities to achieve safe entrance and exit and ensure that appropriate turning space within the application site is achieved without impacting on the local highway network.

The application has also included the installation of a number of solar panels onto the dwelling at the west elevation. From my site visit, I find these changes not to disrupt any form of residential amenity and constitute them as being acceptable. As outlined by E3 of the NDP, the introduction of appropriate individual renewable energy measures will be supported where it is of a scale suitable to its surroundings and does not adversely affecting residential amenity.

The changes also retain the designated scenic beauty of the Eardisley Conservation Area and remains appropriate within the context of the policies outlined under LD1 of the HCS and E2 of the NDP. Accordingly, the proposals will preserve the setting of the conservation area, respecting designs and building materials within features and distinctiveness.

With the above in mind, the proposal remains compliant with the relevant national and local planning policies and considering the material planning matters, the scheme epitomises the sustainable and resilience aspects within SD1 of the NDP, which strives for suitable development and not substantially altering the view of Silver Birch. The local member has been updated with no objection being received to date. Accordingly, the application is recommended for approval.

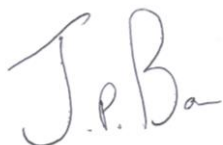
RECOMMENDATION: **PERMIT** ☒ **REFUSE** ☐

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:
(please note any variations to standard conditions)

C07 (Drawing Numbers: E001; P003H; P100H; P200J; P201)

Informatives

IP1 – Application approved without amendment



Signed: Dated: 31/7/18

TEAM LEADER'S COMMENTS:

DECISION: **PERMIT** ☒ **REFUSE** ☐

Signed:  Dated: 2/8/18