

DELEGATED DECISION REPORT

APPLICATION NUMBER

183477

Sundown, Stretton Sugwas, Hereford, HR4 7AH

CASE OFFICER: Mrs Yvonne Coleman

DATE OF SITE VISIT: Numerous

**Relevant Development
Plan Policies:**

National Planning Policy Framework

Herefordshire Local Plan Core Strategy

SS1 Presumption in favour of sustainable development

SS6 Environmental quality and local distinctiveness

LD1 Landscape and townscape

LD2 Biodiversity and geodiversity

Stretton Sugwas Neighbourhood Development Plan

Policy SS4 – Building Design Principles and Protecting Heritage

Relevant Site History:

None

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	x		x		
Neighbour letter/ Site Notice	x				x
Local Member	x	x			

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The application site comprises a detached two storey dwelling located on the western fringes of Stretton Sugwas. There is a detached dwelling to the east and north, but no other immediate neighbours. The site is level with a mature, tall hedge to the roadside boundary. The dwelling sits in a large plot.

Permission is sought to erect a flat roofed garage to the front of the property (to the west and adjacent to the existing vehicular access) and erect a two storey side extension and single storey rear extension. The existing vehicular access would remain unaltered.

Concerns were raised with the applicant about the scale of the proposal and amended plans were requested to address;

- 1) Reduction required in the width of the garage
- 2) Reduction in width of the 2 storey extension and set back the 2 storey extension from the front elevation
- 3) Reduction in width of window to bedroom 4 – change to 2 panes rather than 3 panes and provide plan showing relationship with neighbouring garden
- 4) Amend bathroom window at first floor level to either be obscure glazed and top opening only or velux window
- 5) Demonstrate that the single storey extension could be built under permitted development rights
- 6) Reinstate landscaping to boundary with neighbouring dwelling 'Windermere'

Amended plans have been received which address each of the points above;

- 1) The garage has been reduced in width
- 2) The 2 storey extension has been reduced in width and set back from the front of the existing dwelling
- 3) The window to bedroom 4 has been reduced to 2 panes and the horizontal distance from the nearest first floor window to neighbouring boundary at 45 degree angle is 6.85m
- 4) The bathroom at first floor level has been changed to a roof velux window
- 5) The plan has been annotated with dimensions to show that the single storey extension can be constructed under permitted development rights
- 6) The plan has been annotated to show that there will be intermittent screening along boundary fence with the adjoining property using mature shrub planting

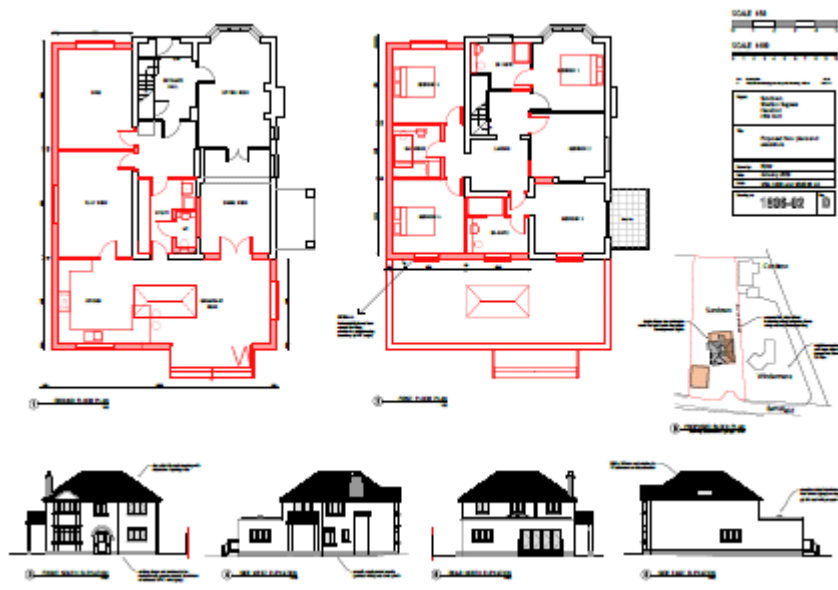
The extension will provide a snug, playroom, kitchen/breakfast room, utility and wc at ground floor and 2 bedrooms at first floor with bathroom.

The materials will be smooth sand cement render (painted white) over brick plinth. The existing windows and doors will be replaced with either powder coated aluminium or coloured UPVA units in grey.

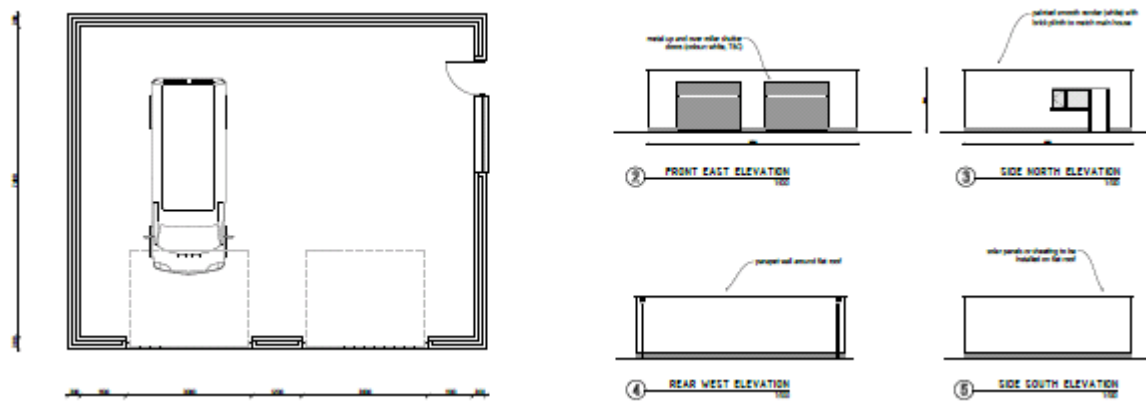
Existing elevations and floor plans



Proposed amended floor plans and elevations



Amended garage elevation and floor plan



Pre-application discussion:

None.

Consultation responses

Contaminated land officer recommends conditions;
I refer to the above application and would make the following comments in relation to contaminated land and human health issues.

The proposed extension and garage/workshop is marginally within 250m of Stretton Sugwas landfill site.

'The Local Authority Guide to Ground Gas' published by the CIEH (Chartered Institute of Environmental Health) provides guidance on development near to landfill sites and suggests that should existing buildings on the site have gas protection measures, these should be included within the extension. Should the existing property not include protection measures, consideration should be given to their installation as a precautionary measure.'

With this in mind I'd recommend the following condition be appended to any approval.

1. (a) Prior to occupation the applicant shall submit a suitable risk assessment in accordance with current best practice to consider risk from landfill gas to the development and carry out any remedial measures recommended.

OR

(b) Suitable precautionary gas protection measures shall be included in the extension garage/workshop and validated upon completion.

Representations to the original submitted plans

Stretton Sugwas Parish Council object to the proposal;

- Significant enlargement of an established and existing residential development
- Significant impact on the adjacent property
- Applicant has carried out major pruning and tree removal along the boundary of Windermere House which reinforces the concerns regarding overlooking, loss of privacy and impact on that dwellinghouse
- Enlargement represents an over intensified use of the site by effectively doubling the size of the existing dwelling on what is a narrow and elongated site
- Garage is a significantly large structure (almost monolithic) which again reinforces this point of intensification and over development towards the front of the site boundaries

Objections have been received from the occupants of the neighbouring dwelling 'Windermere';

- Loss of privacy (windows) and light on side east elevation due to close proximity of 2 storey extension
- North and south elevations looking directly into gardens
- Concerns regarding floor height of single storey extension again causing privacy issues
- Privacy has already been compromised due to removal of trees along the east boundary
- Noise/disturbance working outside normal working hours
- Overdevelopment of existing property in general

Representations to the amended plans

No further representations from Stretton Sugwas Parish Council

Further objection received from the occupants of the neighbouring dwelling 'windermere'

- Loss of privacy/overlooking still impact on Windermere
- North and south elevations are looking directly into gardens, lower window on east elevation creates loss of privacy due to close proximity to two storey extension
- Floor height of the single storey extension still remains of some concern
- However, reinstating of mature trees along the whole of the eastern boundary could provide a solution to these problems

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 (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Stretton Sugwas Neighbourhood Development Plan, which is at regulation 16 stage and can be given moderate weight.

In respect of domestic outbuildings and 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. This in conformity with the guidance in the NPPF, which promotes good design and requires developments to ensure that satisfactory living conditions are provided for existing and future occupiers of dwellings. This is also reflected in Stretton Sugwas Neighbourhood Development Plan policy SS4 – Building Design Principles and Protecting Heritage which is applicable to the proposal.

Amended plans have been submitted to address concerns raised about the scale and potential overlooking of the proposal. The size of the two storey side extension has been reduced in width and set back from the principle elevation of the existing dwelling. The window to the bathroom has been amended to a roof velux so there will be no overlooking from the side east elevation. The window to bedroom 4 has been reduced in size and now mirrors the windows to bedroom 3 and the ensuite. It is worth noting that the existing dwelling has three existing windows at first floor level and 3 windows at ground floor level on the east elevation facing the neighbouring dwelling ‘Windermere’. This arrangement would be removed by the construction of the two storey dwelling.

The single storey extension to the rear of the development would be permitted development, by virtue of Class A of Part 1, Schedule 2 of the GPDO. This means it could be built without requiring a planning application.

In relation to the garage, although sited forward of the principal elevation of the dwelling, due to its orientation and flat roof, the garage would be read as a subservient outbuilding to the principle dwelling, in line with good design principles. In addition, due to the mature roadside hedgerow and the garage’s modest height and size it would not be prominent in the rural street scene. It is noted that the neighbouring property ‘Windermere’ has a garage forward of the principal elevation adjacent to the roadside.

Permitted development rights will be removed so that no further windows can be inserted in the east elevation of the dwelling.

A condition will be imposed with regards to the need for landscaping on the eastern boundary with the adjoining dwelling ‘Windermere’. This will screen the proposal from the adjoining dwelling.

The site is marginally within 250m of Stretton Sugwas landfill site. A condition is imposed to require appropriate measures to mitigate against landfill gas.

There is no policy conflict and the application is recommended for approval.

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

CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:

(please note any variations to standard conditions)

1. C01
2. C06 – Drawing numbers 1806-02 Rev D and 1806-03 Rev C
3. Prior to completion of the approved development a landscape scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying all proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details of the planting to be planted on the eastern boundary adjoining the neighbouring dwelling. All planting shall be carried out in accordance with the approved details.

The planting shall be maintained for a period of 5 years. During this time, any plants that are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015,(or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, shall be carried out.

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

5. Prior to occupation the applicant shall submit a suitable risk assessment in accordance with current best practice to consider risk from landfill gas to the development and carry out any remedial measures recommended or suitable precautionary gas protection measures shall be included in the extension garage/workshop and validated upon completion.

Reason: In order to mitigate against landfill gas in accordance with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

6. CBK

Informatives

Statement of P & P 1

Signed: Yvonne Coleman Dated: 24 May 2019

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

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Signed: *KOR* Dated: 24/5/19