

DELEGATED DECISION REPORT

APPLICATION NUMBER

220583

Lye Green, Bush Bank, Hereford, HR4 8EN

CASE OFFICER: Miss Kam Roopra
DATE OF SITE VISIT: 06/04/2022

**Relevant Development
Plan Policies:** Herefordshire Local Plan – Core Strategy
Policies:

Pyons Neighbourhood Development Plan 2017

SD1- Sustainable design and energy efficiency

LD1- Landscape and townscape

MT1- Traffic management, highway and promoting active travel

NPPF

Relevant Site History: A previous owner of the property, had made a very similar application (2008), and was granted permission. The previous owner failed to erect the car port and garage within the allotted time frame.

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Pyons Parish Council	X	X			
Local Member: Cllr Michael Jones	X		X		

PLANNING OFFICER'S APPRAISAL

Site description and proposal

The property is situated in the settlement of Bush Bank. The property is a 4 bedroom bungalow with a gravel driveway that leads to a double garage to the rear of the property. The property has a pitched roof, with concrete tiles and a protruding gable to the left; of the front façade. The façade is cream render and has some exposed brickwork to the bottom of the exterior wall. There are neighbours to both sides of the property, which are within close proximity to the proposed development.

The proposal is for the erection a car port measuring: 6mW x 4.8mL x 5.1mH, to the left hand side of the property. Attached to the car port is a large garden shed, measuring: 12mL x 4mW x 3.5mH. The car port will be constructed with a timber frame, timber cladding and concrete tiles, flowing with the design of the current profile.

Constraints

None.

Principle

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) and the 'made' Pyons Group Neighbourhood Development Plan. At this time the policies in the draft NDP can be afforded weight as set out in paragraph 48 of the National Planning Policy Framework 2019, which itself is a significant material consideration.

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. 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.

Visual Impact and design

The design that has been submitted will not have a demonstrable impact in landscape terms as the car port is modest and simple in its design. This satisfies SD1 by using similar materials to keep in line with the current façade. The garden shed is to the rear of the property with little impact to the front visual of the property.

Impact on residential amenities

It is noted that the development will leave a 1 metre distance between the boundaries between the two properties. The garden shed will be to the rear of the property and will have 2 double doors and a window that will look into the current garden, not into the neighbouring property. The height of the shed will not influence the amenities to the neighbouring property and no hedges or trees will need to be removed to develop the shed or car port. This satisfies the Pyons NDP (2017) s5.2, (i) no windows will be overlooking the neighbouring property, (iv) there is no need for removal of any trees or hedges and there will be no change to the right of way to the property.

Access and Highways safety

The proposed car port should allow for safer vehicle turning and omits the need for roadside parking which will help the safety of local pedestrians and moving vehicles. This is satisfied under section 3.4 of the NDP (2017) and MT1 5 and 4.

Conclusion

A very similar application was made in 2008, the difference was the size of the garden shed. Permission was granted, however, the time elapsed for the work to be undertaken, and therefore a new application was needed. The proposal complies with the Development Plan and therefore 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- the work must be completed within 3 years
2. C06- the development must be in line with drawings received and dated 07/03/2022

Informatives

IP1

Signed: KR
Dated: 23/05/2022

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

☐

Signed:

AB.

..... Dated: 15/6/22

Is any redaction required before publication? No