

DELEGATED DECISION REPORT

APPLICATION NUMBER S121524/F

Abbeywood, Tarrington, Hereford, HR1 4HZ

CASE OFFICER: Mrs Angela Tyler

DATE OF SITE VISIT: Pre-application advice Feb 2012

Relevant Development HUDP S1, DR2, H18
Plan Policies: NPPF

Relevant Site History: CE06/3940/O – Approval of outline PP single dwelling
CE07/3683/RM – Refused
DCCE2008/0469/RM – Approved
CE09/0367/RM – Amendment to alter rear of
proposed dwelling of previously approved App
15.4.09

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	x	x			
Transportation					
Historic Buildings Officer					
Ecologist/Landscape Officer					
Environmental Health					
Environment Agency					
Forward Planning					
PROW					
Neighbour letter/ Site Notice	x		support		
Other					
Local Member	x		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

Abbeywood is a detached single dwelling on the north side of the A438 in Tarrington main village. It was formerly part of curtilage of Brookfield to the west. Access and low brick wall fronts the roadside, eastern and western boundaries are enclosed by mature hedging.

The application seeks the variation of condition no. 3 of planning permission DCCE2009/0367/RM to be able to erect a Juliet balcony. The condition imposed stated *"there shall be no first floor extension, platform or balcony on the north (rear) elevation from the proposed master bedroom hereby permitted"*.

Letters of support accompany the application from Mr. & Mrs. Higgins, "The Elms" and Tarrington Parish Council.

Representations:

Tarrington Parish Council – no response

Mrs. L. Outtrim, Brookfield, Tarrington – supports the application.

Cllr Hardwick – no objection

Pre-application discussion:

Yes with AT – LPA had reservations removing the condition to protect neighbours amenity.

Constraints:

None

Appraisal:

The main consideration is whether the condition serves a useful planning permission in order to protect existing and future owners of neighbouring dwellings and land.

The proposed Juliet balcony would be constructed of clear glass panel 1.1m high x 1.5m long x 4.5m wide supported by two steel support poles serving the master bedroom. Presently there is a glass protected safeguard that is hardly noticeable. Albeit the LPA had reservations for removing the condition to protect neighbouring amenity, it is apparent that problems arose through the development of the site, after the initial approval of reserved matters. The subsequent application in 2009, in light of such problems, imposed condition 3. Problems have been resolved and the owners now seek to remove the condition in order to construct the Juliet balcony. Letters of support have been received from neighbouring properties for the removal of the condition.

Policy H18 seeks to ensure that the schemes should not have a detrimental impact upon the privacy or amenity of residential neighbouring properties. NPPF paragraph 17 seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

In light of the evidence submitted with the application, it is felt that the removal of the condition would not have a detrimental impact upon the privacy and amenity of the neighbouring dwellings and as such does not serve a useful planning purpose in restricting the construction of the Juliet balcony.

Planning permission is granted.

x

RECOMMENDATION: PERMIT

NO CONDITIONS

Reasons for Approval

It is considered that the removal of condition no. 3 of planning permission DCCE2009/0367/RM would not have a detrimental impact upon the privacy and amenity of the neighbouring dwellings and as such does not serve a useful planning purpose in restricting the construction of the Juliet balcony, therefore accords with Policies DR2 and H18 of the Herefordshire Unitary Development Plan and paragraph 17 of the National Planning Policy Framework in terms of Sustainable Development.

Informatives

Signed: *AT* Dated: 16th July 2012

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

☐

Signed: *[Signature]* Dated: *16/7/12*

REASON FOR DELAY (if over 8 weeks)

Negotiations

☐

Consultees

☐

Other

☐

(please specify)