

DELEGATED DECISION REPORT

APPLICATION NUMBER

203982

1 Yew Tree Cottage, Norton, Bromyard, HR7 4PB

CASE OFFICER: Mr Matthew Neilson

DATE OF SITE VISIT:06/01/2021.....

**Relevant Development
Plan Policies:**

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

SD1 (Sustainable design and energy efficiency)
LD1 (Landscape and townscape)
SS1 (Presumption in favour of sustainable development)

**Brockhampton Neighbourhood Development Plan, currently
at Regulation 14 draft stage, limited weighting afforded
Policies:**

BROCK1 (Sustainable development)
BROCK2 (Landscape character)

National Planning Policy framework:

Chapter 2, 7. (Achieve sustainable development)

Relevant Site History: N/A

CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X	X			
PROW	X		X		
Open Spaces	X	X			
Ramblers	X	X			
Site Notice	X	X			
Local Member	X		X		

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

1 Yew Tree Cottage is a two storey detached dwelling which lies amongst a collection of dwellings to the immediate west of the Bromyard Downs, an area of common land circa 1km east of the market town of Bromyard. The wider landscape is characterised by the open farmland, with common land to the east which is punctuated by wooded areas.

The proposed development is for the erection of a first floor extension to the north elevation of the dwelling with materials to match those of the existing dwelling. the proposal would see the introduction of two roof lights into the east and west elevations and a single door into the western elevation.



Representations:

Parish Council – No response

PROW – No objection

The proposed works are in very close proximity to public footpath NT5. The footpath must not be encroached upon in any way.

Public – No response

Local Member – Councillor Shaw was notified of the recommendation but no request was made for the application to be redirected to planning committee.

Pre-application discussion:

None.

Constraints:

Road No. Private Street of B4203

PROW – Adjacent
SSSI Impact Zone
SWS – E of site
CROW Act Registered Land – Adjacent
Common Land - Adjacent

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.”

It is also noted that the site falls within the Brockhampton Neighbourhood Area, where the Plan is at drafting stage for Regulation 14 consultation on 12/10/2020. At this time the policies in the Brockhampton NDP can be afforded limited 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

Relevant Policy

The proposal is primarily considered against Policy SD1 of the Core Strategy, which relates to the design of new buildings. The policy 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. Policy LD1 requires that the character of the landscape/townscape has positively influenced the design and scale of development, amongst other matters. These policies accord with the principles as set out within the NPPF with regards to good design and ensuring a high standard of amenity for existing and future occupiers under section 12.

Amenity:

The proposed extension is appropriate in terms of scale and massing and would not result in any demonstrable harm to the amenity or privacy of the neighbouring properties or that of the general public. Furthermore, as the site is considered sufficiently separated from adjacent properties and as there are no domestic structures to the immediate north the proposed first

floor extension would not result in any overlooking of neighbouring properties. The proposal is therefore in accordance with policies SD1 and LD1 of the HCS.

Landscape:

At the proposed development is a modest addition to the dwelling with a roofline which remains subservient to that of the existing ridge height, respecting the modest nature of the host dwelling. The impact of the works upon the character of the landscape is limited and the use of materials to match that of the host dwelling will aid in the integration of the proposed extension into its setting, thus further reducing any harm. The proposal therefore complies with policy LD1 of the HCS and BROCK2 of the local NDP.

Conclusion:

The proposal complies with planning policy notably SD1 and LD1 of the HCS, the local member has been updated and the application is justified as sustainable development in accordance with SS1 of the CS. The application is therefore recommended for approval with conditions attached.

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

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

C01 - Time limit for commencement.

C07 - Drawings No. 2156-1, 2156-2, 2156-4, 2156-5, Application Form dated 16/11/2020

CBK – Restriction of hours during construction

Informatives

IP1

The applicant is reminded that the adjacent public footpath should not be obstructed at any time.



Signed:

Dated:26/01/2021.....

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

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Signed:

AB.

..... Dated: 27/01/2021