

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 211766

Fairhurst, Dinedor, Hereford, HR2 6LF

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**CASE OFFICER:** Mrs Fay Griffiths  
**DATE OF SITE VISIT:** 06/07/2021

**Relevant Development Plan Policies:** **Herefordshire Local Plan – Core Strategy Policies:**  
**SS1** – Presumption in Favour of Sustainable Development  
**SD1** – Sustainable design and energy efficiency  
**LD1** – Landscape and townscape

#### **Dinedor Neighbourhood Development Plan**

This plan is at referendum stage and can therefore be afforded significant weighting.

Policy C – High Quality Design

Policy F – Protect and enhance the rural environment and landscape

#### **NPPF**

Chapter 2 – Achieving sustainable development

Chapter 12 – Achieving well-designed places

**Relevant Site History:** **DCC090754/F** - Proposed extension into roof space and single storey ground floor extension. - Approved with Conditions  
**DCH942947/F** - PROPOSED EXTENSION TO FROM LIVING ROOM/ STUDY/BEDROOMS & GARAGE - Approved with Conditions  
**P203697/FH** - Proposed extension into roof and single storey ground extension. – Approved with conditions

#### **CONSULTATIONS**

|                                      | Consulted | No Response | No objection | Qualified Comment | Object |
|--------------------------------------|-----------|-------------|--------------|-------------------|--------|
| Parish Council                       | X         |             | X            |                   |        |
| Ecologist                            | X         | X           |              |                   |        |
| Environmental Health (contamination) | X         |             |              | X                 |        |
| Forestry commission                  | X         | X           |              |                   |        |

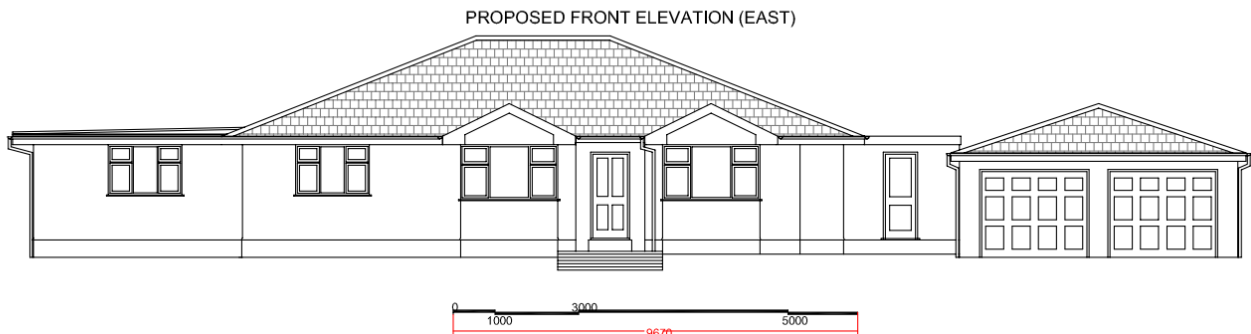
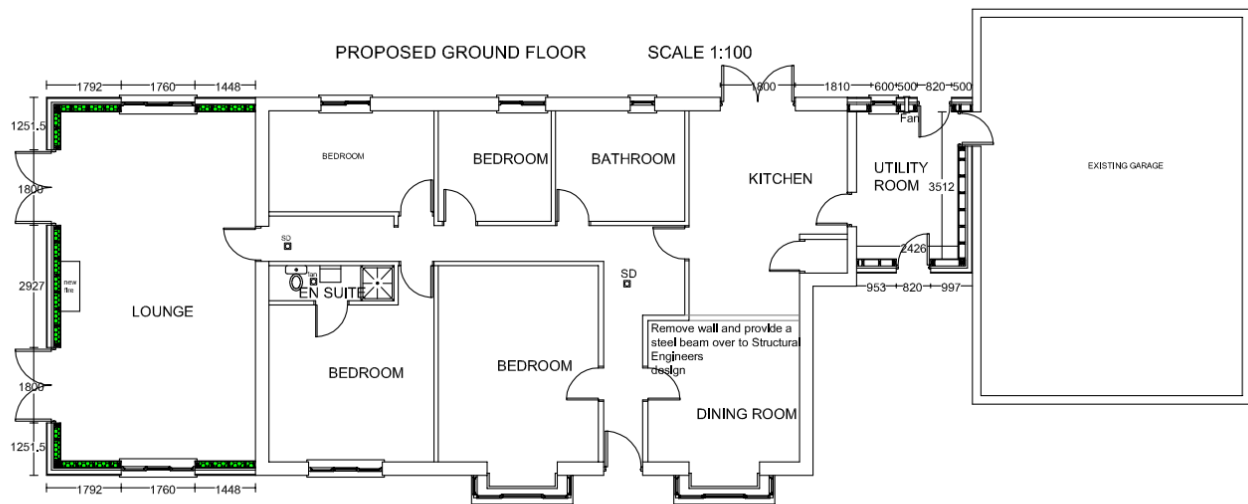
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|--------------|---|---|--|--|--|
| Site Notice  | X | X |  |  |  |
| Local Member | X | X |  |  |  |

## PLANNING OFFICER'S APPRAISAL:

### Site description and proposal:

Fairhurst is a single storey detached residential dwelling fronting the B4399. There is a detached garage adjacent to the existing dwelling.

The proposal is for construction of two extensions to form a lounge and utility room. For ease of reference please refer to the plans below:



### Representations:

**Parish council – No objection**

**Environmental Health (Contaminated Land) –**

I refer to the above application and would make the following comments in relation to contaminated land and human health issues only.

According to our records, the proposed development is within 100m of a closed landfill site. Because of this the applicant may wish to include protection measures in the extension as a matter of course. And as such, the following note may be added to any approval.

Recommended note

'The proposed development is within 100 metres of a closed landfill site. The Local Authority Guide to Ground Gas' prepared 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.'

**Local Member** – No response

Pre-application discussion:

None

Constraints:

Road number - B4399  
Contaminated land  
PROW – Nearby  
SSSI Impact Zone  
NE Priority Habitat – Nearby  
SWS/SAC/SSSI – Nearby  
Historic Park and Gardens – Nearby  
Ancient Woodland – 40 Metres away

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).  
It

is also noted that the site falls within the Dinedor Neighbourhood Area, where the Plan is at examination stage. At this time the policies in the 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.

Policy C is related to High Quality Design which requires that development utilises existing infrastructure, is sustainable in its design and scale and poses no effect on residential amenity.

Policy F seeks to protect and enhance the rural environment and landscape by ensuring development proposals protect or enhance the rural environment and landscape of the area by conserving the locale and ensuring biodiversity is maintained.

When assessing planning applications for extensions planning policies SD1 and LD1 of the Herefordshire Local Plan - Core Strategy (CS) are applicable.

Strategic policy SS1 of the CS sets out the presumption in favour of sustainable development, which is reflective of the positive presumption enshrined by the NPPF. Policy SS1 also confirms that proposals which accord with the policies of the Core Strategy (and, where relevant, other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

Policy SD1 states that development proposals should create safe, sustainable, well integrated environments for all members of the community. Proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, and 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 whilst conserving and enhancing the local distinctiveness. These policies accord with the National Planning Policy Framework (NPPF - 2019), specifically Policy 127 with regards good design and ensuring a high standard of amenity for existing and future occupiers.

This proposal seeks to construct two single storey extensions either side of existing dwelling. Whilst it is noted that the scale of the footprint is relatively large, the plot has sufficient room for

such proposals. The proportions of the new roofs continue to respect those of the existing form and given the range of property types in the locality, the additional scale will not look out keeping. There is adequate parking available within the boundary to allow for an additional 2-3 vehicles if the dwelling was to be occupied a larger family.

The proposal shows a number of new windows including ones facing the neighbouring dwelling to the North but given that there is a substantial distance between the dwellings, and the neighbouring dwelling is set back further than this proposal, it is considered that there is no threat on residential amenity. The distance between dwellings also ensures that there is no overlooking and no threat of overbearing or overshadowing due to its single storey nature. In regard to the locale, this proposal will pose no threat to the landscape and is considered to be in proportion with surrounding developments.

The design is considered to be fitting with the area and the extension reflects that of the existing dwelling. It is therefore considered that this proposal complies with the NDP policies C and F as well as the CS policies LD1 and SD1 and will be recommended for approval.

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

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

*(please note any variations to standard conditions)*

C01


C07 (Drawing titles, Site Location Plan, Proposed Section View, Proposed Rear & Side Elevations, Proposed Floor Plan & Front Elevation, Existing Plans)

CBK

**Informatives**

**IP1**

'The proposed development is within 100 metres of a closed landfill site. The Local Authority Guide to Ground Gas' prepared 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.'

Signed: .....  ..... Dated: 22/09/2021

**TEAM LEADER'S COMMENTS:**

**DECISION:**

**PERMIT**

☒

**REFUSE**

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Signed:



..... Dated: 28 September 2021 .....

Is any redaction required before publication?    No