

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 190180

Land adjacent to The Becks, The Common, Wellington Heath, Herefordshire,

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**CASE OFFICER:** Mr Josh Bailey

**Relevant Development Plan Policies:** Herefordshire Local Plan – Core Strategy  
Wellington Heath Neighbourhood Development Plan  
NPPF  
NPPG

**Relevant Site History:** 184312 – Application for approval of details reserved by conditions 3 4 5 6 8 9 10 11 12 & 13 attached to planning permission 182759 – approved  
183827 – variation of conditions 12 and 13 attached to permission 182759 – approved  
182759 – detached dwelling, access and car parking for two cars – approved with conditions  
180177 – proposed dwelling – approved with conditions

#### CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Local Member	X	X			
Wellington Heath Parish Council			X		

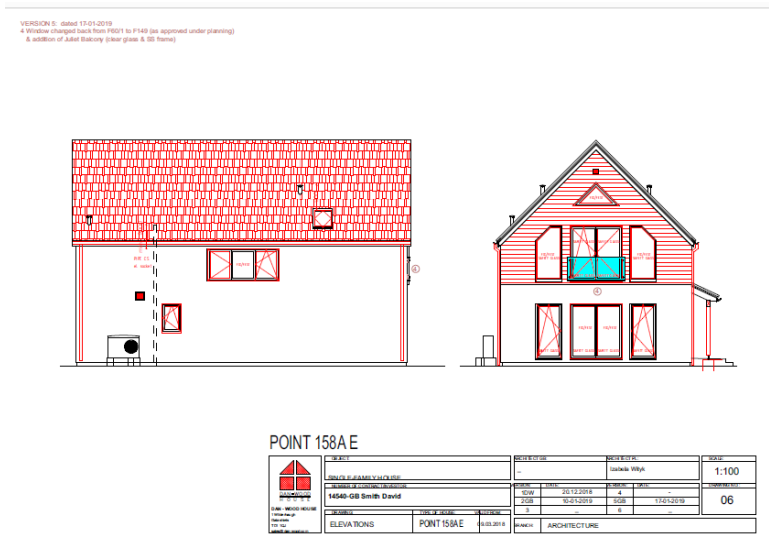
#### PLANNING OFFICER'S APPRAISAL:

##### Site description and proposal:

The application site relates to a plot adjacent to the north of The Common, Wellington Heath.

The application considers a non-material amendment to planning permission 182759. That permission was for a detached dwelling, with access and car parking for two cars.

This non-material amendment application considers the addition of a Juliet balcony to the west side elevation. I refer one to the proposed non-material amendment below:



### Representations:

**Local Member** – Ward Cllr Harvey was updated via email on 12<sup>th</sup> February 2019.

**Wellington Heath Parish Council** have informed me that they have no objection to this application.

### Pre-application discussion:

Alastair Wager – Email exchange

### Constraints:

Malvern Hills AONB

### Appraisal:

There is no fixed definition of what constitutes a non-material amendment. It will vary depending on the nature of the scheme involved, and Planning Practice Guidance advises that what might be considered a non-material amendment in one instance may not be in another. It is also noted that the determination of a non-material amendment application does not require a judgement with regards to the acceptability of the proposal in planning terms. Rather, it requires a judgment as to whether the change sought would be truly non-material to the scheme in question.

The non-material amendment application seeks to provide a Juliet balcony at the west elevation of the previously approved dwelling, whilst also amending a window arrangement to accord with Building Regulations.

Given its siting being somewhat set back from The Common, it is considered that there is no adverse impact on the street scene or the proposal materially alters what had been originally approved, this being a new dwelling, with separate access and parking, which would subsequently raise new issues that would adversely affect design, street scene or residential amenity on either The Becks or Bali Hai at this time.

Furthermore, the changes proposed have not materially altered the context of the approved application. Therefore noting that the proposal has not altered the height of the proposed dwelling, the site location or residential amenity in an adverse manner, I view that these changes constitute a non-material amendment.

Approval is accordingly recommended.

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

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

C06 – Drawing Numbers: 05 Version 5GB dated 17-01-2019; 06 Version 5GB dated 17-01-2019 and 03 Version 5GB dated 17-01-2019

C09 – The permission hereby granted is an amendment to planning permission 182759 dated 26 September 2018 and planning permission 183827 dated 7 December 2018.

Reason: For the avoidance of doubt and to comply with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

### **Informatives**

1. This approval is for a non-material amendment to the original planning permission and except where any conditions are detailed on this notice it does not vary the original planning permission(s) in any other way.

Signed:  ..... Dated: 18/2/19

### **TEAM LEADER'S COMMENTS:**

**DECISION:**    **PERMIT** ☒    **REFUSE** ☐

Signed:  ..... Dated: 19/2/19