

# **DELEGATED DECISION REPORT**

## **APPLICATION NUMBER**

### **222621**

---

**CASE OFFICER: Ms Laura Smith**  
**DATE OF SITE VISIT: 28.10.22**

#### **SITE DESCRIPTION:**

Isle of Dogs comprises a detached dwelling with associated outbuildings located on the south side of an unclassified road (U71216) linking the B4521 to the north with Tre-Essey Cross at a cross roads with the U71214.

The site lies in a relatively remote location some 1 km to the north east of Llancloudy and equidistant and approximately 2km to west of Llangarron and the east of Broad Oak, the nearest identified settlements.

#### **PROPOSAL:**

The proposal is for a change to the roof of ancillary outbuilding from mono-pitched to pitched and associated alterations

#### **PLANNING HISTORY AND BACKGROUND**

<b>Application No.</b>	<b>Description of Development</b>	<b>Decision</b>
202667	Proposed Passivhaus - Replacement dwelling, new single storey outbuilding on the site of the existing house and associated landscaping and improvements to the existing site entrance and driveway.	Approved with conditions

#### **PRE-APPLICATION ADVICE N/A**

#### **RELEVANT POLICIES**

##### **Herefordshire Local Plan Core Strategy 2011 – 2031**

SS1	-	Presumption in favour of sustainable development
LD1	-	Landscape and townscape
SD1	-	Sustainable Design and energy efficiency

#### **St Weonards Neighbourhood Development Plan:**

Is currently at drafting stage therefore carries no weight in decision making

### **National Planning Policy Framework (NPPF) – Relevant Chapters:**

- 2. Achieving sustainable development
- 12. Achieving well-designed places

### **Representations**

	Consulted	No Response	No objection	Qualified Comment	Object
St Weonards Parish Council	X		X		
Llangarron Parish Council	X		X		
Public Consultation	X			X	

### **Representations received are as follows:**

**St Weonards Parish Council comments** ‘St Weonards Parish Council have considered and have no objections to the proposals set out in planning consultation 222621’

**Llangarron Parish Council Comments:** ‘Llangarron Parish Council have considered and support the proposals set out in Planning Consultation 222621.’

One letter has been received in response to the site notice with concerns outlining that the outbuilding will now be used for ancillary use rather than the agricultural use and the potential intensification of the building.

### **Ward Member and Re-direction**

The Ward Councillor was notified by email of progress on this application and no request for the redirection of the application to planning committee has been received.

### **PLANNING OFFICER’S APPRAISAL**

#### **Constraints:**

Flood Zone 2 & 3 – Adj  
Protected Species – Nrby  
Surface Water – Adj  
SSSI Impact Zone  
Aquifer Secondary A  
HSE Transmission Zone – Adj

#### **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) and 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 was updated in 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 applications.

Core Strategy policy LD1 states that development proposals should demonstrate that the character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas. Furthermore CS policy SD1 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, and proportions and massing of surroundings development. The proposals should also safeguard the amenity of existing residents in terms over overlooking, overshadowing and overbearing.

The proposal entails the replacement roof on the existing outbuilding. The outbuilding currently sits under a flat box profile and corrugated galvanised metal roof. The proposal also involves openings for a small window and door. The proposal will incorporate a pitched roof to the outbuilding comprising tile effect metal roof sheets in a dark grey with a door opening to the east elevation and the south elevation. The proposal also incorporates a window in each elevation. As stated within the Design and Access Statement the outbuilding will be used for storage mainly with uses pertinent to the ancillary use of the dwelling.

The representation in regard to what use the outbuilding will now have as a result of the improvement and the addition of a sink and WC are duly noted,. As mentioned above the applicant has applied for the roof replacement for ancillary use of the building only, to ensure this remains the case the LPA feel it is relevant to add a condition ensuring this.

Overall it is considered that the replacement roof will enhance the outbuilding and ensure its viability by making it watertight and secure. No harm will occur to neighbouring dwellings as a result of this proposal. The sink and WC will be connected to the existing foul water drainage system on site with the rainwater goods connecting into the surface water drainage system within the site. Therefore subject to conditions below approval is recommended

**RECOMMENDATION:**

**PERMIT** ☒

**REFUSE** ☐

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

*(please note any variations to standard conditions)*

<b>Condition Code</b> (use CNS for non-standard)	<b>Condition details</b>
<b>Standard Conditions</b>	
C01	Time
C07	Approved Plans •
<b>Post occupancy monitoring and management / Compliance Conditions</b>	
CNS	The building hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Isle Of Dogs  Reason: It would be contrary to Policies RA5 and SD1 of the Herefordshire Local Plan – Core Strategy to grant planning permission for a separate dwelling in this location.
CNS	

**Informative Notes**

<b>Informative code</b> (use INS for non-standard)	
IP1	Application approved without amendment

**Final Application Checks**

➤ Habitat Regulation Assessment process undertaken:	N/A
➤ Pre-commencement conditions agreed with applicant / agent:	N/A
➤ Ward Councillor contact made?	Y
➤ Redirection request received?	N/A
➤ Extension of time obtained (if necessary) and PA6 added?	Y
➤ Does any part of this report require redaction before publishing to website - please highlight?	No

☐

Signed: 

Dated: 30.11.22

**TEAM LEADER'S COMMENTS:**

**DECISION:**

**PERMIT**

☒

**REFUSE**

☐

Signed: 

..... Dated: 30 November 2022.....