

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 181802

Riding Gate, Mine Pitts Lane, Symonds Yat, Ross-On-Wye, HR9 6DY

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**CASE OFFICER:** Mr David Gosset

**DATE OF SITE VISIT:** ..... 06/06/2018.....

**Relevant Development Plan Policies:** Herefordshire Local Plan Core Strategy (HCS) 2011-2031  
SD1, LD1

**National Planning Policy Framework (NPPF)**  
Chapters 2, 12 & 15

Whitchurch and Ganarew Group Parish has a Neighbourhood Development Plan at Regulation 14 draft plan stage which accords no weight in the planning process.

**Relevant Site History:** **SW092453/FH** – Nov 2009 - Approved with Conditions - 2 no. single storey extensions, new garage, 3 no. new dormers to rear and new deck. (For DOC 3 see 173905).

### CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Parish Council	X		X		
Ecologist	X		X		
Site Notice	X	X			
Local Member	X		X		

### PLANNING OFFICER'S APPRAISAL:

#### Site description and proposal:

The current application site is proximate to the dispersed settlement of Symonds Yat West. It is located on and accessed from Mine Pitts Lane, a private street. The site falls steeply away to the north east past the dwelling.

The site is comprised of a detached dwelling on a large plot, the dwelling was extended in a number of ways in 2009, including having permission granted for a large raised decking area to the rear of the dwelling, linking the summer house to the dwelling (ref: SW092453/FH).

The proposal is to erect a replacement summer house, utilising the same concrete base and footprint as the existing outbuilding.

Representations:

Ward Councillor Newman confirmed delegated authority via email on the 30<sup>th</sup> July 2018.

Pre-application discussion:

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Constraints:

The site lies within the Wye Valley Area of Outstanding Natural Beauty and is within the Special Wildlife Site of The Doward and Huntsham Hill as well as within an area of ancient woodland.

Appraisal:

***Relevant Policy***

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). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Whitchurch and Ganarew Neighbourhood Area, which published a draft/made Neighbourhood Development Plan (NDP) for Regulation 14 consultation on 12 April 2018.

Policy SD1 of the core strategy states that development should be designed to maintain local distinctiveness, achieved through the incorporation of architectural detailing and the use of appropriate materials. Development should safeguard amenity of existing and proposed residents and ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination and therefore scale, height and proportion needs consideration. This refers to the overshadowing or overlooking of neighbouring properties and how overbearing a structure is.

Policy LD1 is also of note for this development and states that development proposals should be influenced by the existing townscape and landscape in regards to design, scale and nature.

Paragraph 11 of the Framework sets out the presumption in favour of sustainable development. For decision-taking this means that where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate that development should be restricted.

Policies specific to protected landscapes (including AONBs) are detailed at paragraph 172 of the NPPF and states –

Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. The scale and extent of development within these designated areas should be limited.

### **Assessment**

The main considerations of this proposal relate to both the landscape and visual impact of the replacement summer house with special regard to the effect on the Wye Valley Area of Outstanding Natural Beauty.

The site is situated within the landscape of forest smallholdings & dwellings which is characterised by the intimately domestic character of strings of wayside cottages within a matrix of pastoral fields with prominent dense hedges. The current application does not break this landscape character of domestic smallholdings and does not affect the scenic beauty of the AONB. As such the proposal adheres to CS LD1 with additional regard to NPPF 172.

The visual impact of the summer house as a structure is negligible, on the site and on the wider landscape context. Considering there is an existing summer house on the same footprint there are no concerns regarding any undue visual impact. The proposed design and materials are appropriate for the site and landscape context. It is therefore considered that the proposal adheres to CS SD1 and LD1 in this regard.

There are no concerns for the amenity of existing or future residents as a result of this replacement summer house. As highlighted by the Ecologist there are no foreseen ecological impacts as a result of this proposal. Therefore the development is considered to adhere to the relevant development plan policies as outlined above and it is my recommendation to grant planning permission subject to the below conditions.

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

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

C01

C06 – 09.092.05, Left, Right, Rear and Front Elevation and Photograph no. 5

## Informatives

IP1



Signed: ..... Dated: ...31/07/2018.....

### TEAM LEADER'S COMMENTS:

**DECISION:**

**PERMIT**

☒

**REFUSE**

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Signed:  ..... Dated: 2/8/18 .....