

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 203359

8 Parsons Walk, Pembridge, Leominster, HR6 9EP

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**CASE OFFICER:** Miss Amber Morris  
**DATE OF SITE VISIT:** N/A

**Relevant Development Plan Policies:**     **Herefordshire Local Plan – Core Strategy (CS) Policies:**  
LD1 Landscape and townscape  
SD1 Sustainable design and energy efficiency

**Pembridge Neighbourhood Development Plan (NDP):**  
**NDP was made on 22nd March 2019**  
PEM6 Design criteria for residential development

**National Planning Policy Framework 2019 (NPPF):**  
**Chapter 2** Achieving sustainable development  
**Chapter 12** Achieving well-designed places

**Relevant Site History:**     **P201055/FH** – Proposed increase in the current size of the covered walkway/conservatory and construction of a porch to the front doorway on the North Elevation – **Approved with conditions**

#### CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Ward Councillor	X				

#### PLANNING OFFICER'S APPRAISAL:

##### Site description and proposal:

The application site is a single storey dwelling located in a modern cul-de-sac known as Parsons Walk in the village of Pembridge. The application proposes a minor amendment to permission P201055/FH to allow for a change to the North Elevation of the conservatory wall from the proposed red brick to block and render to match the other two walls on the conservatory.

Representations:

**Ward Councillor** – Informed via email on 26<sup>th</sup> October 2020.

Pre-application discussion:

N/A

Constraints:

N/A

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 ‘made’ Pembridge Neighbourhood Development Plan (NDP). At this time the policies in the NDP can be afforded full weight as a planning consideration. The National Planning Policy Framework 2019 is also 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 has yet to be made and is due early 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.

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 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.

With the principle of development being established under P201055/FH, it is only the amendments that are to be assessed. Given the nature of the proposal, policies SD1 and LD1 are applicable. The change in cladding material on the north elevation of the conservatory would be seen to be suitable to ensure they harmonises with the dwelling and not looking distinctively out of character. Therefore the proposal accords with CS policies SD1 and LD1, and it subsequently recommended for approval.

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

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

### **Informatives**

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

Signed:



Dated: 26/10/2020

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

**DECISION:**

**PERMIT** ☒

**REFUSE** ☐

Signed:



..... Dated: 28/10/2020 .....