

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

**210920**

Autumn Lodge, Chapel Lane, Gorsley, Ross-On-Wye, HR9 7SE

**CASE OFFICER: Ms Elsie Morgan**

**DATE OF SITE VISIT:** .....

**Relevant Development  
Plan Policies:**

**Herefordshire Local Plan – Core Strategy  
Policies:**

**SS1** Presumption in favour of sustainable development

**SS6** Environmental quality and local distinctiveness

**LD1** Landscape and townscape

**SD1** Sustainable Design and energy efficiency

**LD2** Biodiversity and geodiversity

**SD4** Wastewater treatment and river quality

**Linton Neighbourhood Development Plan  
(Referendum held 6 May 2021)**

**National Planning Policy Framework 2019 (NPPF)**

**Chapter 2** Achieving sustainable development

**Chapter 12** Achieving well-designed places

**Relevant Site History:**

**P173992/FH** - Proposed conversion of part of existing outbuilding to ancillary accommodation. – Approved with conditions

### CONSULTATIONS

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

### PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

Autumn Lodge is a detached dwelling located at the South end of Chapel Lane, U70233, located within the settlement of Gorsley. The property is defined by a low stone wall on the southern boundary fronting onto Chapel Lane and a high closed board fencing along the east, which forms the boundary to the access track leading to Greenwood.

Planning permission was granted in 2017 for the conversion of part of the outbuilding to ancillary accommodation, maintaining the garage element downstairs. This application seeks renewal of this permission. There are no exterior alterations proposed.

Representations:

**Parish Council – No objection**

“The Parish Council discussed this matter at this month’s meeting and returned no objection and no comments to this application.”

**Ecologist – No response**

**Forestry Commission – No response**

**Site Notice – No response**

**Local Member – Updated via email.**

Pre-application discussion: None

Constraints:

SSSI Impact Zone

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 Linton Neighbourhood Area, where the Plan was held at referendum on 6 May 2021. At this time the policies in the NDP can be afforded full 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. In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.

Conditions were imposed on application S/102527/FH to maintain the outbuilding as ancillary to the main dwelling and prevent the loss of the garage element or the conversion to habitable accommodation. The reason for this was to ensure adequate off street parking arrangements. The garage element is protected under the current scheme and will not be removed.

Policy SD1 of the CS 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 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. In this proposal this predominantly refers to the overlooking of neighbours.

As the outbuilding is proposed to remain ancillary to the main dwelling issues of privacy and overlooking are not of concern. Although it is of note that this outbuilding would not be suitable as a separate dwelling to the main residence due to the proximity of the two structures and therefore the potential impact on the residential amenity of any new or existing residents. A condition will be added to ensure the outbuilding remains ancillary to the main residents.

In summary, although the outbuilding would not be suitable as a separate residence it is appropriate to provide ancillary accommodation to the main dwelling. The outbuilding was permitted with the condition that it would not serve as residential accommodation; however this was to protect the parking facility provided by the garage, which remains unchanged. It does not contravene policy and is therefore my recommendation to permit development.

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

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

*(please note any variations to standard conditions)*

1. C01 Time limit for commencement
2. C06 Development in accordance with approved plans
3. C59 No conversion of garage to habitable accommodation
4. C64 Restriction on separate sale

5. C79

## **Informatives**

1. IP1



Signed:

Dated: 2/6/21

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

**DECISION:**

**PERMIT**

☒

**REFUSE**

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Signed: ..... Dated: 2 June 2021 .....

Is any redaction required before publication? No