

## **KINGS CAPLE PARISH COUNCIL**

### **Application 233175 – Land at School Field Kings Caple**

This application was considered at a regular meeting of Kings Caple Parish Council held on 23 November, 2023. The application relates to reserved matters arising from the outline permission granted for application 202913 in February 2021 (condition 3). Other conditions (11 and 14) in the outline permission related to drainage, and concerns about drainage issues have been widely raised with parish councillors by local resident since the publication of this application. It has been confirmed with the development manager in charge of the application for Herefordshire Council that it is appropriate to comment on these issues within this representation. The applicants' submission in regard to the discharge of drainage conditions, prepared by Rappor Consultations Ltd and dated July 2023, is attached to the papers associated with the current application.

### **RESERVED MATTERS**

(These responses are set out under each subject heading of the reserved matters; some comments overlap with more than one reserved matter.)

#### **Scale**

The proposals are for a very compact development; it provides four 2-bedroom semi-detached houses and three 3-bedroom detached houses, all with modest garden sizes. This is welcomed by the Parish Council as a positive attempt to respond to policy H4 of the Kings Caple NDP. This policy was particularly intended to offer younger people on local workplace incomes the opportunity to access market housing in villages even at a time when such an opportunity has become less easy to access.

Though the size of each plot is small compared with many properties in the village, they are similar to those of the properties immediately opposite – the six affordable houses in Birchley Court and the first three houses on the east side of Caple Avenue.

However, the Parish Council was concerned about the ability of the houses to meet the Future Homes Standard (coming into force in 2025) as there is no apparent provision for solar panels on the rooves and limited room for ground source heating; the only place for an air source heat pump is to the rear of the properties 01-04 and this could compromise the amenity value of these private spaces.

#### **Appearance**

The design of modern houses in Kings Caple, and materials in their construction have not always been especially distinctive, and it is therefore welcome that the appearance of the proposed dwellings moves away from plain brick houses.

## Layout

The layout of the currently proposed development presents a number of detailed issues which in the opinion of the parish Council require modification.

- The current site plan does not provide sufficient room for 2 of the houses (units 01 and 04) to have a parking space suitable for disabled parking as there is no pathway adjacent to their parking spaces.
- There is now no visitor parking on site; this is likely to result in pavements being blocked with cars and/or existing parking problems in the village around the school being compounded.
- There is no turning area for vehicles within the site and there is concern that vehicles will block the footpath, reverse back out onto Ruxton Lane or park in the entrance of the new road; this could force passing vehicles on to the other side of Ruxton Lane. Both of these eventualities could be dangerous as the proposed new road is opposite another road junction (Caple Avenue).
- It is unclear whether the visibility splay to the east of the new junction requires the excavation of land inside the root protection zone of a Category B tree, and it would be helpful if the proposed levels study was extended to include the full area of land to be regraded to show this is not required.
- The proposals move the line of the public footpath and the relevant permissions to divert a public right of way need to be sought.
- The gradient of the road means it will be difficult to ensure the parking spaces have a crossfall/gradient suitable for disabled parking and it is recommended that such a provision is made possible.

## Landscaping

On a relatively small site with a compact layout such as is envisaged here, it is clearly important to maximize the potential for effective and sympathetic landscaping. In this context the hedgerow planting suggested is welcomed, and it is urged that continuing efforts are made to enhance landscaping on this edge-of-village site.

The drainage report mentions that an existing ditch near the west boundary of the site is to be retained, but this does not appear on the landscape plans and such a ditch may dissect the rear gardens of properties 01 – 04, limiting the private amenity space available. The drainage report also suggests a headwall and grate is to be provided at the head of a drain and this should be shown on the plans too.

The proposals show the existing hedgerow being replaced under the canopy of the Cat B tree along Ruxton Lane (U71004), but new hedgerows will not grow and thrive in these conditions, so it is recommended the existing hedge is retained under the tree. The proposals show a hatched area of landscape that is to be maintained and kept at maximum 600mm height – presumably to protect and maintain the necessary visibility splays - but the trunk of a tall Cat B tree

and a bank within its root protection zone that is higher than 600mm sit within this zone.

## **DRAINAGE ISSUES**

### The site in its wider location

The site lies just below the head of a small valley running south from the central ridge of the Kings Caple peninsula. The small field to the north of the site at the head of the valley, the Jubilee Field, is prevailingly wet. South of the site on the opposite side of the U71004, the valley descends down the eastern part of Caple Avenue.

-

About 200 metres to the south of Caple Avenue, extending along a roughly west-to-east line from Moss Lane, drainage is complicated by a series of springs. The combined effect of all these factors is to cause frequent water-logging of Pennoxtone Field and the Forty Acres and excessive run-off on both stretches of the U71005 leading north from Millditch. Both these stretches of road are very narrow, and damage to the road north-east of Millditch after storms in 2022 was so severe that the road had to be closed for some time until it could be resurfaced. These effects are separate from, though often occurring at the same time as, flooding caused by inundation from the river across the flood meadows south of Millditch.

### Assessment of drainage proposals in the submitted application

The application site, as already indicated, sits below several large arable agricultural fields and the application site has historically needed to deal with some run-off from these fields due to the natural profile of the land. The Parish Council is concerned there are no measures on the application site to restrict the access of such run off or to deal with it within the proposals.

The design capacity of the stormwater drainage system for the site generated run-off has been reduced from a 1 in 100-year flood event to a 1 in 30-year event in these reserved matters application. It was noted this was now not aligned with current recommendations/best practice guidance from organisations such as the Environment Agency. Given the frequency of exceptional flood events is increasing as a result of climate change, the wider concerns about field drainage and the risk to neighbouring properties lower down the hill, the Parish Council has some doubts that the scheme is in accordance with at least the minimum standards of those recommendations.

The majority of the hardstanding is relying on permeable paving, large parts of which are on a significant gradient, and it is unclear if any reduction in effectiveness/capacity this brings has been accounted for in the design calculations.

There are drains near to the bell mouth of the proposed road junction designed to deal with surplus run-off from the site and/or adjacent field(s) and these are taken to the same private drainage system that appears to serve the existing ditch which is to be retained. There is no detail of whether this private drainage system has the capacity or is of a condition to accept any additional run-off and if it does, where the water will be discharged to and what impact, if any, that discharge will have on properties or infrastructure in the vicinity.

Two of the houses – 03 and 04 – have soakaways within the root protection area of Category A trees and there is a soakaway which looks too close to the site's eastern boundary so adjustments to the positions of these will need to be reconsidered.

In relation to foul water drainage the application proposes to connect into the public sewer system but there is no confirmation from Welsh Water cited in the application of the precise capacity within the current system. Given the existing pressures on drainage within the site and the likelihood it will be difficult to host private treatment plants and the associated drainage on site, it is suggested this capacity is proven prior to any approval.

#### Further information presented orally at the meeting by the applicants

The applicants presented further information orally at the meeting primarily relating to the inter-linkage between the on-site drainage and the wider drainage network.

It was explained that a ditch on the west side of the site whose outlet when it reached the road was not indicated in the plans was actually piped north of the road to a point opposite the top of Caple Avenue where it joined the public storm drain. Prior to the construction of Birchley Court it had been culverted under the road.

At the meeting, the applicants confirmed the private drain cited actually discharges straight into the public storm water drains. If this is the case, this should be made clear on the application documentation and the adequacy and willingness of the Water Authority to accept such run-off should be confirmed.

The main protection against the run-off from Jubilee Field and the arable fields beyond was a restored stone-lined culvert of considerable age. This ran from east to west north of the site from near the boundary between Jubilee Field and the field to the north of it. This had become progressively blocked by dead tree roots and some years ago a heavy storm had caused very severe run-off into the public storm drain under the eastern side of the road in Caple Avenue, eventuating in the collapse of the road surface. Following this, the stone culvert had been thoroughly cleared and repaired so that run-off was now conveyed to the pond north of the Poulstone Farm barn and thence to the pump-house near the junction between the U71004 and the U71005 and thence further by pipe southwards under the U71005. This, the applicants contend, continues to work effectively and protect properties and services in Caple Avenue.

### Overall assessment of drainage proposals

The applicants are confident that the protection against surface water run-off is effective and has proved so since the restoration of the culvert. Some local residents, however, are clearly sceptical, and continued persistent run-off where the site joins the road has been widely commented on.

The Parish Council believes drainage problems here are not insoluble but that before approving this application the LPA must assure itself beyond doubt that:

- the surface water drainage arrangements fully protect the properties on the affected areas in Caple Avenue;
- the surfaces, substructure and verges of the adjacent relevant sections of the U71004 and U71005 are not adversely impacted by run-off and flooding;
- that land and properties below the spring line in the village are not additionally affected;
- and that the drainage arrangements can be reasonably guaranteed as sustainable.

### **CONCLUSIONS**

Kings Caple Parish Council broadly welcomes this application. In terms of the reserved matters there are some matters that require attention, largely under the headings of layout and landscaping. Nonetheless, as noted earlier, the application provides a very positive response to a key policy in the Kings Caple NDP which supports an equally important paragraph in the HC 2015 Core Strategy (4.8.19). This notes that housing in Herefordshire's rural settlements is more heavily skewed towards large 4+ bedroom properties of limited affordability to local people than is the case either regionally or nationally. The School Field development would be a pleasant contrast to the proliferation of large dwellings that, despite the Core Strategy, have continued to dominate rural housing development in the county since 2015.

Despite these arguments, the questions regarding drainage are, in the view of the Parish Council, sufficient to dictate a comment at this stage of **QUALIFIED SUPPORT**. A comment of unqualified support would be dependent on the LPA being able to give the assurances listed at the end of the previous section of this representation. The applicants are urged now to retain a regular dialogue with the Parish Council.