

DELEGATED DECISION REPORT

APPLICATION NUMBER

171249

Marrett Cottage, Hoarwithy, Hereford, HR2 6QG

CASE OFFICER: Abigail Molyneux
DATE OF SITE VISIT: 12/04/2017

Relevant Development

Plan Policies:

NPPF

Paragraphs 6 to 17 - Achieving Sustainable Development
Chapter 7 – Requiring Good Design

Core Strategy

SS1
SS6
SD1
LD1

Neighbourhood Plan

Regulation 14 Draft Plan Stage, therefore no weight given.

Relevant Site History: N/A

CONSULTATIONS

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

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

Marrett Cottage is a stone cottage situated on the western bank of the River Wye. The property is within the Wye Valley AONB. The house occupies an elevated position cut into the cliff face which rises steeply from the road (C1267) running along its front boundary, the property is above the level of the road.

The proposal seeks to allow for a two storey side extension and a single storey extension to the rear.

Representations:

Ballingham, Bolstone and Hentland Parish Council – Support the application.

Cllr Summers – Happy for the application to be determined under delegated powers.

Ecologist - The site is adjacent to the River Wye SAC and SSSI which supports a large and diverse population of wildlife including protected species such as bats and otters. Although I have no protected species records available to me for this exact property there are many records of Bats within the local area and otters utilising the River corridor. Although in the Impact Risk Zone for the River Wye SAC & SSSI Householder applications are excluded from the requirement to formally consult with Natural England. However the Council still has a Duty of Care to biodiversity and the protected habitat. On balance although the proposed works will impact upon areas of the existing roof and hence could impact bats with no immediate records I do not think the Authority has reasonable justification to request a bat survey prior to determination.

I do think that the applicant should be strongly advised that protected species such as bats and their roosts may be present along with nesting birds and potentially otters entering the construction site and that under their own legal duty of care through Wildlife Legislation should make appropriate consideration for wildlife and if in any doubt seek professional advice from a qualified ecologist and bat worker.

I would suggest the following advisory is included in any planning consent granted:

Protected Species (Bats etc) and Nesting Birds Informative

The Authority would strongly advise the applicant that all bats and their roosts (whether bats are present or not) are legally protected and so to satisfy their own legal obligations and risk management they may want to commission a basic bat check from a suitably qualified ecologist/bat worker immediately prior to any work commencing or at a minimum make any contractors working on the buildings/roofs aware that bats could be present and what to do if bats are found – stop work immediately and seek professional advice from a licensed bat worker or ecologist. More information can be found on the Bat Conservation Trust website: www.bats.org.uk Other protected species (eg Otters) are protected and all nesting birds (and their nests are legally protected from disturbance – the bird nesting season is generally accepted as March to August. Care should be taken to plan work and at all times of the year undertake the necessary precautionary ecological checks and working methods prior to work commencing. If practical, the inclusion of some biodiversity enhancements eg bird boxes, bat boxes and pollinator/insect in to the new build would benefit local wildlife.

With the River Wye SAC & SSSI adjacent to the property, the applicant is also advised that they are responsible for ensuring there is no accidental contamination/pollution of the river or its banks from materials, noise, dust or light during the construction process.

Pre-application discussion:

None.

Constraints:

PROW nearby, Flood Zone nearby, HRA Screening, SSSI Impact Zone, Bank Width Planning Zone (8m), SWS nearby, SAC, Priority Habitat (Deciduous Woodland nearby), Bap Habitat, AONB.

Appraisal:

The key theme of the NPPF is to promote and achieve sustainable development and is identified in paragraphs 6 to 17 of the NPPF. Policy SS1 of the Core Strategy also reinforces this promotion and seeks to achieve sustainable development.

Chapter 7 of the NPPF states the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

SS6 seeks to conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity, heritage assets and those with specific environmental designations.

Planning policy SD1 of the Core Strategy states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, proportions and massing of the surrounding development. The proposal should also safeguard the amenity of existing and proposed residents in terms of overlooking, overshadowing and overbearing.

As the site lies within an Area of Outstanding Natural Beauty, policy LD1 is also relevant. This states that development proposals should conserve and enhance the natural, historic and scenic beauty of landscapes and features.

When considering the proposals it can already be seen that the elevated position the property occupies allows for very open views from the highway, footpath and river. The side extension, in particular the balcony feature on the first floor will be prominent in these views. As such consideration must be given to whether the design of this element is in keeping with the character of the existing dwelling, ensuring it remains dominant.

The proposed two storey element of the proposal occupies the footprint of the existing single storey extension and is considered to be subservient to the existing dwelling, the materials proposed to be used will ensure the extension complements the existing building and will also clearly distinguish the new from the original. Although the balcony feature will be a prominent feature, it is considered that on the whole this aspect will not have such an adverse impact for it not to be granted.

The proposed extension to the rear of the property is also considered to be subservient to the existing building, this extension will also occupy the footprint of the original built development and so is considered acceptable. Furthermore any views of this element from the road, footpath and in the wider AONB are minimal.

The property is located within a SSSI Impact Zone and Special Area of Conservation and so an ecologist was consulted, it can be seen from their response above that although there are no protected species records available for this property, there are a number of records of bats within the local area and otters utilising the River corridor. Although the proposed works will impact areas of the existing roof and so could impact bats it is determined that there is

not enough justification for a bat survey to be requested prior to the determining this application.

However the ecologist has stated that the applicant should be strongly advised that protected species such as bats and their roosts may be present along with nesting birds and potentially otters entering the construction site and that under their own legal duty of care through Wildlife Legislation should make appropriate consideration for wildlife and if in any doubt seek professional advice from a qualified ecologist and bat worker. It has been considered appropriate by the ecologist that an informative concerning protected species should be included within the planning consent if granted.

It is considered the proposal is acceptable and compliant with national and county planning policy and in keeping with properties located nearby. It is considered the proposal will not have an adverse impact upon the surrounding landscape, historic environment or local amenity.

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

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

(please note any variations to standard conditions)

C01

C07 – Drawing numbers A-10, A12, A-21 & A-22,

CBK

Informatives

- 1) Application Approved Without Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Protected Species (Bats etc) and Nesting Birds Informative

The Authority would strongly advise the applicant that all bats and their roosts (whether bats are present or not) are legally protected and so to satisfy their own legal obligations and risk management they may want to commission a basic bat check from a suitably qualified ecologist/bat worker immediately prior to any work commencing or at a minimum make any contractors working on the buildings/roofs aware that bats could be present and what to do if bats are found – stop work immediately and seek professional advice from a licensed bat worker or ecologist. More information can be found on the Bat Conservation Trust website: www.bats.org.uk Other protected species (eg Otters) are protected and all nesting birds (and their nests are legally protected from disturbance – the bird nesting season is generally accepted as March to August. Care should be taken to plan work and at all times of the year undertake the necessary precautionary ecological checks and working methods prior to work

commencing. If practical, the inclusion of some biodiversity enhancements eg bird boxes, bat boxes and pollinator/insect in to the new build would benefit local wildlife.


Signed:  Dated: 22/05/2017

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT ☒

REFUSE ☐


Signed: Dated: 22 May 2017.....