

DELEGATED DECISION REPORT

APPLICATION NUMBER

180494

Woodside Cottage, Orcop, Hereford, HR2 8SE

CASE OFFICER: Abigail Molyneux

DATE OF SITE VISIT: 22/2/2018

Relevant Development Plan Policies:

NPPF Chapter 2 - Achieving Sustainable Development
Chapter 7 – Requiring Good Design

Core Strategy SS1
SD1
LD1
MT1

**Neighbourhood
Development Plan** Pre Draft Plan Stage therefore no weight can be given at this time.

Relevant Site History: DS000749/F Extension to provide third bedroom, separate second bedroom, raise section of roof, new entrance porch, alter windows to cottage, and provide new vehicular access to property. Re-landscape entrance wall. Approved 10 November 2000.

CONSULTATIONS

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

PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The site consists of a two storey detached dwelling located within the village of Orcop, the site is accessed off the U71419.

The application seeks consent to allow for the demolition of an existing lean-to structure and covered yard and the erection of a single storey kitchen and utility room extension to the rear of the property and the provision of replacement porch to the principle elevation of the property.

Representations:

Cllr Harlow – Confirmed via email received on 23 March 2018 that the application could be determined under delegated powers.

Parish Council – No response.

Ecologist – *I have no specific records of any bat roost at this site, although there are records in the locality. Based on this information and as this is only a single storey extension it is unlikely that any bat roosting features will be disturbed – but there is a small risk. All bats and bat roosts (whether bats are present or not) and nesting birds are protected under UK Wildlife Legislation and I would suggest an informative reminding the applicant of their personal legal liability to species protection under UK Wildlife Legislation is included in any planning consent granted.*

Protected Species and Nesting Birds Informative

The Authority would 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 ecological 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 protected wildlife could be present and what to do if wildlife is 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 All nesting birds (and their nests) are legally protected from disturbance – the bird nesting season is generally accepted as March to August and care should be taken to plan work and at all times of the year undertake the necessary precautionary checks prior to work commencing. Any external lighting shouldn't illuminate any 'natural' boundary feature or increase night time sky illumination (DEFRA/NPPF Dark Skies Guidance 2013)

Natural England - NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of River Wye Special Area of Conservation*
- damage or destroy the interest features for which River Wye / Lugg Site of Special Scientific Interest has been notified.*

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- *Foul sewage to be disposed in line with Policy SD4 of the adopted Herefordshire Core Strategy. Where a package treatment plant is used for foul sewage, this should discharge to a soakaway or a suitable alternative if a soakaway is not possible due to soil/geology.*
- *Surface water should be disposed of in line with Policy SD3 of the adopted Herefordshire Core Strategy and the CIRIA SuDS Manual (2015) C753.*

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Subject to the above appropriate mitigation being secured, we advise that the proposal can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 63 of the Habitats Regulations 2017.

Natural England's advice on other natural environment issues is set out below.

Further advice on mitigation

To avoid impacting the water quality of the designated sites waste and surface water must be disposed in accordance with the policies SD3 and 4 of the adopted Herefordshire Core Strategy.

Foul sewage

We would advise that package treatment plants should discharge to an appropriate soakaway which will help to remove some of the phosphate (see NE report below). Package Treatment Plants and Septic Tanks will discharge phosphate and we are therefore concerned about the risk to the protected site in receiving this. We therefore propose that the package treatment plant/septic tanks and soakaway should be sited 50m or more from any hydrological source. Natural England research indicates that sufficient distance from watercourses is required to allow soil to remove phosphate before reaching the receiving waterbody. (Development of a Risk Assessment Tool to Evaluate the Significance of Septic Tanks Around Freshwater SSSIs) Where this approach is not possible, secondary treatment to remove phosphate should be proposed. Bespoke discharge methods such as borehole disposal should only be proposed where hydrogeological reports support such methods and no other alternative is available. Any disposal infrastructure should comply with the current Building Regulations 2010.

Surface water

Guidance on sustainable drainage systems, including the design criteria, can be found in the CIRIA SuDS Manual (2015) C753. The expectation is that the level of provision will be as described for the highest level of environmental protection outlined within the guidance. For discharge to any waterbody within the River Wye SAC catchment the 'high' waterbody sensitivity should be selected. Most housing developments should include at least 3 treatment trains which are designed to improve water quality. The number of treatment trains will be higher for industrial developments.

An appropriate surface water drainage system should be secured by condition or legal agreement. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on

which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A. Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

Pre-application discussion:

None.

Constraints:

SSSI Impact Zone and Ancient Woodland (across road).

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.

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.

Policies LD1 and SD1 seek to see proposals that will conserve and enhance the landscape, townscape and ensure proposals create safe, sustainable environments for all of the community.

When considering the amount of built development as a result of the proposals, it can be seen that there will be an increase within the site; however it is not considered to be at a scale that would be unacceptable or constitute overdevelopment.

It is considered that the design of the proposals are in keeping with the form, composition and overall appearance of the existing dwelling and the character of the surrounding area in terms of scale, mass, siting, detailed design and materials.

When considering the proposed single storey extension to the rear and the potential impact upon neighbouring amenity, it can be seen that the proposed extension will replace an existing structure, due to the siting, scale and orientation of the nearby neighbouring properties it is considered there will be no adverse impact upon neighbouring amenity in terms of overshadowing or privacy. As such it is considered the proposal is acceptable in this regard.

The proposal porch on the principle elevation is small in scale, it is considered this aspect of the development will not have an adverse impact upon the surrounding area. The proposal

will also not affect the properties parking area and so the proposal is acceptable and in compliance with Policy MT1 of the Core Strategy.

The proposal states the materials to be used will be similar to the existing property to ensure the extension is cohesive with the existing building.

Whilst Natural England have asked for conditions relating to foul and surface water, in this instance it is considered unreasonable to add such conditions, the application simply seeks to remove an existing extension and replace with a new extension. Due to the nature of the proposals and no objection or concerns raised by the Councils Ecologist it is considered unreasonable and unnecessary to add such conditions in this instance.

The proposal is acceptable and complies with national and local planning policy and will be in keeping with the surrounding properties. It is considered the proposal will not cause an adverse impact upon the surrounding environment or neighbouring amenity.

The proposal complies with the adopted Development Plan and is therefore recommended for approval.

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

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

(please note any variations to standard conditions)

C01

C07 Drawing Number 6858-1-03 titled Location and Block Plan dated February 2018

Drawing Number 6858-1-1 titled Site and Ground Floor Plan dated January 2018

Drawing Number 6858-1-2 titled First Floor Plan, Elevations and Section as Proposed dated January 2018

CBK

Informatives

1) Application Approved Without Amendment

Protected Species and Nesting Birds Informative

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any 'natural' boundary feature or increase night time sky illumination (DEFRA/NPPF Dark Skies Guidance 2013)

Signed:  Dated: 26/3/2018

TEAM LEADER'S COMMENTS:

DECISION:

PERMIT

☒

REFUSE

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Signed:  Dated: 26 March 2018