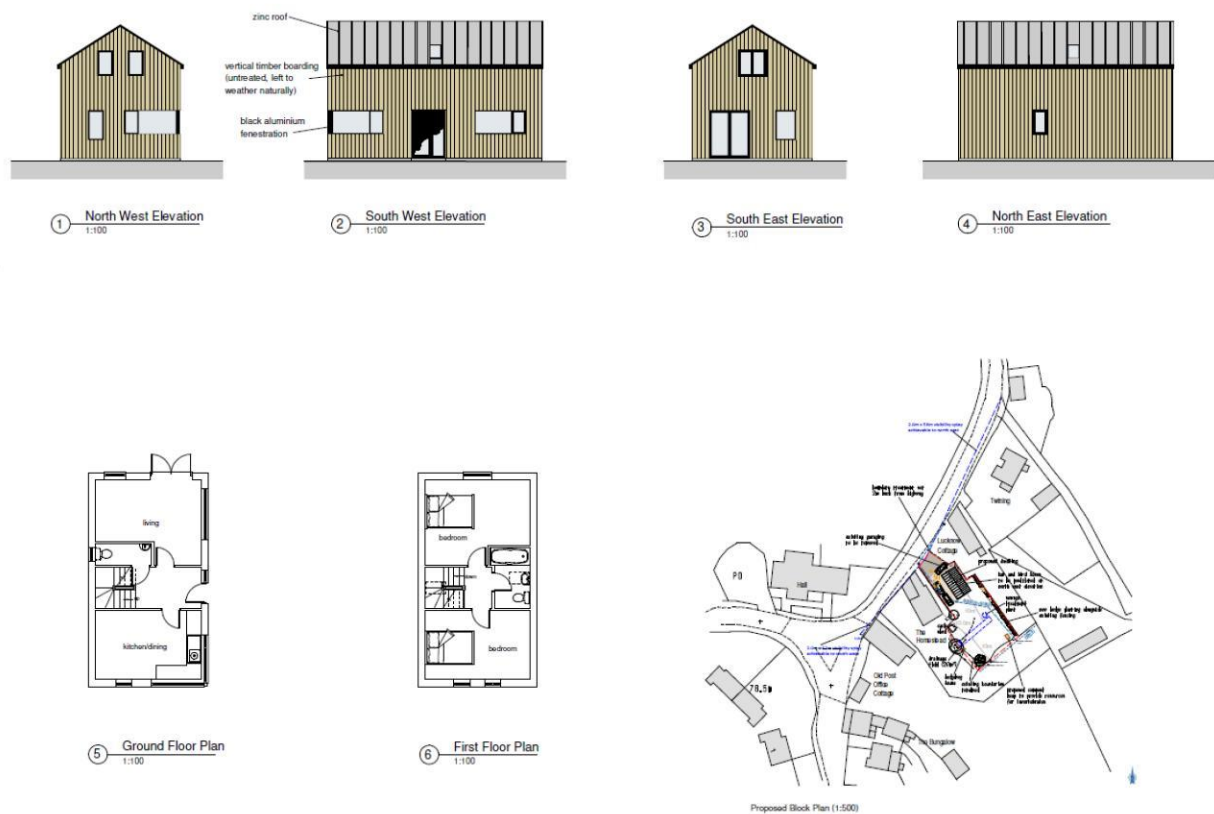


MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	1 SEPTEMBER 2021
TITLE OF REPORT:	202910 - PROPOSED NEW DWELLING AT LAND ADJOINING LUCKNOW COTTAGE, PUTLEY GREEN, PUTLEY, HEREFORDSHIRE For: Mrs F Fortnam per Mr Martin Teale, Acorns Business Centre, Office 10, Roberts End, Hanley Swan, Worcestershire, WR8 0DN
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=202910&search-term=202910
Reason Application submitted to Committee – Re-direction	

Date Received: 3 September 2020 Ward: Three Crosses Grid Ref: 365233,237584
Expiry Date: 12 November 2020
 Local Member: Cllr Lester

1. Site Description and Proposal

- 1.1 The site comprises a garage and associated overgrown garden area to the south of Lucknow Cottage (Grade II Listed), within Putley Green, approximately 5 miles west of Ledbury. Boundary treatments are a mixture of hedgerow, timber and post-and-wire fencing, which separates the site from Lucknow Cottage and Homestead (also Grade II Listed). Putley Green is considered to constitute the main built-form of Putley, an RA2 settlement identified within the Herefordshire Core Strategy, as a main focus of proportionate housing development (Figure 4.14 settlement).
- 1.2 Putley Green has a nucleated form. It comprises dwellings of various ages and types clustered around the junction of the C1303 (Aylton to Woolhope Cockshoot road) and the C1305 (from Birchall), with the parish hall immediately north of this junction. The site lies east of the C1305, along a shorter length of developed frontage extending from “Club House” to “Twining” in the north. The site lies within the older part of the settlement, with five listed buildings arranged along the road (all grade II listed).
- 1.3 This application seeks full planning permission for the erection of 1 no. one-and-a-half storey dwelling, comprised of vertical timber boarding (untreated, left to weather naturally) under a zinc roof and black aluminium fenestration. The existing garage is to be removed and modest landscaping will be introduced as part of the proposals. The dwelling measures 4.2 metres and 5.9 metres to the eaves and ridge, respectively.
- 1.4 Below are the proposed elevations and floorplans, alongside a block/site plan indicating the proposed dwelling and its relationship with existing dwellings:



2. Policies

2.1 Herefordshire Local Plan – Core Strategy (CS):

- SS1 - Presumption in favour of sustainable development
- SS2 - Delivering new homes
- SS4 - Movement and transportation
- SS6 - Environmental quality and local distinctiveness
- SS7 - Addressing climate change
- RA1 - Rural housing distribution
- RA2 - Housing in settlements outside Hereford and the market towns
- H3 - Ensuring an appropriate range and mix of housing
- MT1 - Traffic management, highway safety and promoting active travel
- LD1 - Landscape and townscape
- LD2 - Biodiversity and geodiversity
- LD3 - Green infrastructure
- LD4 - Historic environment and heritage assets
- SD1 - Sustainable design and energy efficiency
- SD3 - Sustainable water management and water resources
- SD4 - Waste water treatment and river water quality

The CS together with relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-
https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework (2021) 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.

2.2 Putley Neighbourhood Development Plan (Putley NDP) – made 11 March 2019 (no allocated sites)

Policy PUT1 – Sustainable development
Policy PUT2 – Development needs and requirements
Policy PUT3 – Putley Green
Policy PUT7 – Natural and historic environment
Policy PUT8 – Building design and access

The Putley NDP together with any relevant supplementary documentation can be viewed on the Council's website by using the following link:- <https://www.herefordshire.gov.uk/directory-record/3099/putley-neighbourhood-development-plan>

2.3 National Planning Policy Framework (NPPF) – July 2021

Section 2 – Achieving sustainable development
Section 4 – Decision-making
Section 5 – Delivering a sufficient supply of homes
Section 6 – Building a strong, competitive economy
Section 8 – Promoting healthy and safe communities
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

The NPPF can be viewed by using the following link:- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

3. **Planning History**

None

4. **Consultation Summary**

4.1 Statutory Consultations

Severn Trent – No objections

"Thank you for the opportunity to comment on this planning application. Please find our response noted below: With Reference to the above planning application the company's observations regarding sewerage are as follows. As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied."

Welsh Water – No objections

"We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development. As the applicant intends utilising a package treatment plant we would recommend that the applicant contact Natural England who may have an input in the regulation of this method of drainage disposal. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application."

4.2 Internal Council Consultations

Building Conservation Officer – Support

"The amended drawings can be supported. The previous concerns raised harm to setting which have been fully addressed. The new design for the dwelling better reflects the existing development pattern of the area and the vernacular language of the neighbouring listed buildings."

Land Drainage – Conditions recommended

"Our knowledge of the development proposals has been obtained from the additional sources following on from our initial response in April 2021:

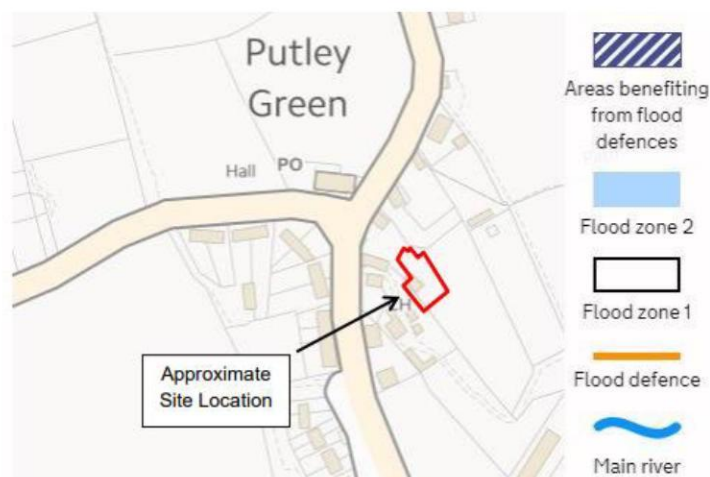
- AMENDED Proposed Block Plan – (Ref: 4285BP-02).

Overview of the Proposal

The Applicant proposes the demolition of an existing garage and the construction of a new 3 bed detached dwelling with associated car parking in an area which is a residential garden. The site covers an area of approx. 500 m2. The topography of the site is relatively level.

Site Location

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), May 2021



Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low risk Flood Zone 1. As the proposed development is less than 1ha and is located within Flood Zone 1, in accordance with Environment Agency standing advice, the planning application does not need to be supported by a Flood Risk Assessment (FRA). This is summarised in Table 1:

Table 1: Scenarios requiring a FRA

	Within Flood Zone 3	Within Flood Zone 2	Within Flood Zone 1
Site area less than 1ha	FRA required	FRA required	FRA not required*
Site area greater than 1ha	FRA required	FRA required	FRA required

**except for changes of use to a more vulnerable class, or where they could be affected by other sources of flooding*

Surface Water Flood Risk

Review of the EA's Risk of Flooding from Surface Water map indicates that the site is not at risk of surface water flooding. There is a small risk associated with the adjacent highway and the Applicant should be aware that surface water runoff could come off the road into the site via the driveway. The Applicant would need to consider the likely flow routes in the vicinity of the proposed development site. It may be necessary to raise the threshold levels slightly to prevent ingress.

Other Considerations and Sources of Flood Risk

Local residents have identified an unmapped storm drain which is located from the lane at the roadside of the proposed development site to the boundary ditch at the bottom of the land and into the ditch located on land owned by neighbouring property Homestead. Looking at the submitted plans, this culvert has not been considered and would run beneath the proposed package treatment plant and drainage field. The location of a well (which is a source of water) has also been highlighted as being located within 20 m of the proposed development site.

A site visit undertaken on 7th April 2021 has confirmed the existence of a surface water culvert located beneath the proposed development site. The storm drain is owned by the Landowner of the proposed development plot and the Highway Authority has the right to drain runoff from the road into this riparian drain. Review of the EA's Groundwater map indicates that the site is not located within a designated Source Protection Zone or Principal Aquifer.

Surface Water Drainage

A 6 m² soakaway is proposed, which has been sized using an infiltration rate of 0.0296 m/hr (8.22x10⁻⁶). This is on the lower side of what would be an acceptable infiltration rate, however, we would be willing to accept it for this development.

Foul Water Drainage

A Vp rate of 12.13 s/mm has been established. This is below the acceptable Vp rate as defined in BS 6297 and so would require an EA permit. If a permit application were made, then the presence of any wells used for domestic water supply needs to be considered.

Overall Comment

In principle we do not object to the proposals, however we recommend that the following information provided within suitably worded planning conditions:

- A detailed surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change.
- A detailed foul water drainage strategy.
- Detailed plans for the relocation of the surface water riparian drain.
- Evidence of an EA permit addressing the fast Vp rate and also close proximity of the well (within 50m)"

Transportation – No objections; conditions recommended

"Further to the receipt of revised plans the local highway authority (LHA) consider the visibility to be acceptable for the nature and type of road. The LHA has no objections subject to the below conditions.

Conditions: CAB (2m x 32m to the south and 2m x 56m to the north), CAD (5m), CAE, CAI

Should permission be granted the applicant is reminded that the construction of the access to the publically maintained highway will require a section 184 licence and details of obtaining this can be found at:

https://www.herefordshire.gov.uk/downloads/download/368/dropped_kerb_documents

The vehicle crossover will need to comply with our Highway Specification for New Developments, please see extract below:

Vehicular Crossings

	Nom. Size	Materials	Compacted Thickness
Surface Course	6mm	AC 6 dense surf 100/150 to DfT SHW Clause 909	25mm
Binder course	20mm	AC20 dense bin 100/150 rec conforming to DfT SHW 906	60mm
Base Course	32mm	AC32 dense base 100/150 rec to DfT SHW 906	100mm
Sub-Base		Type 1 sub base conforming to DfT SHW Clause 803 – Thickness may be increased depending on CBR values	150mm

Ecology – No objections; conditions recommended

“From supplied drainage information the foul and surface water management systems appear to be compliant with relevant Core Strategy policies the foul water and surface water schemes as proposed should be subject to relevant ‘implementation’ condition or as part of approved plans.

The ecology report by Lizzie Breakwell dated November 2019 is noted and appears generally relevant. It is noted that no HBRC record check as undertaken – if it had this would have identified the recorded presence of Dormice in the hedgerows at the locality of the development. The report demonstrates that the existing hedgerows are unlikely to be suitable to support Dormice in themselves. The application has also clearly indicated that NO hedgerow is proposed for removal and that additional hedgerow planting and gapping up is proposed as part of the wider green infrastructure/biodiversity net gain enhancements is proposed. These details can be secured by condition on any planning consent granted.

With the relevant considerations and enhancements secured through condition there are no ecology objections to this application and no detrimental effect on local Dormice populations is identified. Standard conditions CKO, CKN (option a) and CNS based on CKA (with addition of hedgerows) are suggested.”

5. Representations

5.1 Putley Parish Council – Objection

“Putley Parish Council does not support the revised planning application on three grounds already submitted (23rd March). In summary, these are:

- 1. Despite latest amendments to building design, the proposed development still presents an intrusion of privacy on neighbouring properties as well as not respecting the character of neighbouring Grade 2 listed cottages.*
- 2. Inappropriate visibility splay, especially to the south west.*
- 3. Drainage.*

In addition, Putley Parish Council believes that the objections listed in an email, which we take to be from the Land Drainage team at Balfour Beatty Living Places, to Herefordshire Council on 9th April 2021 have not been adequately addressed. The amended proposed block plan submitted on 19.05.2021 purports to show the location of the storm drain. An earlier submission by Putley Parish Council identified a different course for this storm drain. The submission on 19.05.2021 provides no evidence that the line of the storm drain is accurate. Putley Parish Council believes there is an unacceptable risk of ground saturation and contamination of the ditch with sewage.”

- 5.2** To date, 15 letters of representation have been submitted, objecting to the application. The comments therein are summarised below:

- Impact on heritage assets;
- Impacts on residential amenity including overlooking/overbearing;
- Impacts on the character and appearance of Putley Green;
- Highway safety;
- Impacts on existing drainage arrangements and ground pollution;
- Protection of private water supplies;
- Increased flood risk;
- Biodiversity impacts and impacts on habitats/protected species; and
- Non-compliance with Building Regulations

5.3 All consultation responses can be viewed on the Council's website using the following link:-
https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=202910&search-term=202910

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Policy context

- 6.1 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.*"
- 6.2 In this instance, the development plan is the Herefordshire Local Plan – Core Strategy (CS) and the Putley Neighbourhood Development Plan (Putley NDP). The National Planning Policy Framework (NPPF) is a significant material consideration.
- 6.3 Policy SS1 of the CS sets out that proposals will be considered in the context of a 'presumption in favour of sustainable development' which is at the heart of national guidance contained within the NPPF at paragraph 11. Applications that accord with the policies in the Core Strategy (and, where relevant, with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.
- 6.4 The Council is able to demonstrate a five-year housing land supply (6.9 years). The result of which is that the tilted balance set out at Paragraph 11d of the NPPF does not apply. The housing policies in the adopted CS and the policies within the Putley NDP can be considered up-to-date and given full weight. Hence, proposals are considered in relation to compliance with the Development Plan unless other material considerations indicate otherwise.

Location and principle of residential development

- 6.5 In locational terms, paragraph 80 of the NPPF seeks to restrict development in isolated locations, but acknowledges in rural locations that development in one village may support services in another village nearby (paragraph 79). The adoption of the CS represents a policy shift in recognising proportionate growth is required in rural areas for social and economic purposes. The Putley NDP identifies at a local level where housing should be suitably located.
- 6.6 Policies SS2 and SS3 of the CS sets out the need to ensure sufficient housing land delivery across the county. To meet the targets of the CS, the Council needs to continue to support housing growth by granting planning permission where developments align with the policies of the CS, (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans). Policy SS2 states that a supply of deliverable and

developable land will be identified to secure delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet both market and affordable housing need. 6,500 of these dwellings are expected to be in Hereford.

- 6.7 Outside of Hereford and the five market towns, CS Policy RA1 identifies Herefordshire's rural areas will need to find a minimum of 5,300 new dwellings to contribute towards the county's housing needs. Dwellings are to be broadly distributed across the seven Housing Market Areas (HMA's). Putley lies within the Ledbury HMA, earmarked for an indicative 14% housing growth. Putley is listed at under policy RA2 as a settlement which will be a main focus of proportionate housing development. This percentage increase translates to 15 dwellings being required across the plan period.
- 6.8 The preamble to CS Policy RA2 states NDPs will be the principal mechanism by which new rural housing will be allocated, when significantly advanced. The Putley NDP is made and forms part of the Development Plan and its policies are afforded full-weight in decision making.
- 6.9 Policy PUT2 of the NDP confirms the main focus for meeting housing and other development needs and requirements in the Neighbourhood Area will be at Putley Green and Putley Common. This will be enabled by:
- Defining a settlement boundary for Putley Green and for Putley Common; and
 - Supporting housing and other development in these settlements where this is appropriate in scale and in keeping with their established character.

Outside the settlement boundaries, proposed new residential development will need to satisfy the requirements of CS Policy RA3 and allied policies, consistent with paragraph 80 of the NPPF. In all cases, housing proposals should be of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly smaller properties. This includes starter homes (up to two bedrooms), smaller family homes (up to three bedrooms) and dwellings to meet needs of older people. This is consistent with Policy RA2(4), in that schemes generate the size, type, tenure and range of housing that reflects local demand.

- 6.10 Policy PUT3 of the Putley NDP, titled Putley Green, is directly quoted below:

"Two settlement boundaries for Putley Green are defined and are shown on Plan 4 and the Putley Green Policies Map. Proposals for housing to be provided as individual properties or small developments on infill sites within the settlement boundaries at Putley Green will be supported where they are of a scale which is in keeping with the character of the settlement and can be shown to be of a type and size to meet local requirements and improve the mix of housing. Schemes which provide smaller dwellings including 2 and 3 bedroom properties will be particularly encouraged and supported" (Policy PUT3 of Putley NDP, page 18)

The map below identifies the Putley Green settlement boundary under Policy PUT3 and the application site denoted by the red star:



- 6.11 The site is wholly located within the identified settlement boundary and as the application is for 1 no. two-bedroom dwelling, the scale and size is supported 'in principle' by policy PUT3. The site also benefits from an already present built form, in the form of garaging, and the erection of a dwelling would not undermine the character of the area, albeit needing to assess material considerations.
- 6.12 The principle of development, in locational and size/scale terms, is accepted, in that the application accords with the relevant aspects of Policies RA1 and RA2 of the CS, which is consistent with the NPPF, and Policies PUT2 and PUT3 of the Putley NDP. The following sections go on to consider other material considerations.

Design

- 6.13 The design has been amended since the application was validated, proposing a one-and-a-half storey two-bedroomed dwelling of vertical timber boarding (untreated and left to weather naturally) under a zinc roof with black aluminium fenestration. The dwelling measures 4.2 metres and 5.9 metres to the eaves and ridge, respectively.
- 6.14 The height of the dwelling has been considerably reduced so it is lower than Lucknow Cottage, and narrowed in width to ensure proportions are consistent with Lucknow Cottage, with the gable end fronting onto the C1305, reflecting adjoining development along the road frontage. In terms of roof slope, it is slightly steeper (32.5 degrees) than Lucknow Cottage, to provide sufficient headroom at first floor level. The streetscene particularly illustrates this, noting the slight drop in topography has one heads south towards the junction.
- 6.15 The use of these materials gives the dwelling a slight agricultural appearance, appropriate for this setting and will appear visually subservient to adjoining listed buildings. There are examples of timber and metal roofs on the neighbouring buildings and so this modern interpretation of traditional materials will allow the new building to blend in more appropriately than a pastiche design.
- 6.16 Further, there is a very slight overhang of the roof at eaves level. This is a traditional feature introducing a sense of depth and dimensionality to the build. It is considered that the design, particularly scale, mass and appearance, is reflective of the built form. Proposed materials and inclusion of local architectural detailing shows the proposal has considered surrounding development. The dwelling reflects its immediate environment and is acceptable in terms of

design. It is considered the proposal is in line with policies SD1 and LD1 of the CS, which is consistent with Section 12 of the NPPF, and the relevant aspects of Policy PUT8 of the NDP.

Residential Amenity

- 6.17 The new dwelling will introduce development in closer proximity to existing properties, and this inevitably gives rise to needing to consider residential amenity. Officers view the proposed dwelling is sufficiently spaced from neighbouring properties, and note that this forms part of a village settlement, noting there are a number of dwellings which are also closely grouped together, with less amenity spaces than the application, such as the council houses, and between The Old Post Cottage Cottage and the Bungalow, as evidenced on the block plan.
- 6.18 Members will recognise the orientation and windows of the proposed dwelling are either all at ground floor or rooflights, with the exception of two first floor windows at the street-facing elevation which looks to the agricultural field opposite the C1305, and a single window at the first floor south-east (rear) elevation which does not, in the view of officers, look into private amenity areas and would not give rise to overarching concerns for overshadowing or overbearing. The proposal would not conflict with the requirements of SD1 of the CS, which strives to safeguard levels of residential amenity, which is consistent with paragraphs 130 and 185 of the NPPF (2021) and Policies PUT1 and PUT8 of the Putley NDP. Officers do not consider that there is justification to refuse this application on grounds of residential amenity.

Streetscene, landscape character and appearance

- 6.19 The settlement pattern is single depth with a relationship to the highway, although some shared accesses are present. The plans clearly show the proposal preserves the single depth relationship to the highway, which reinforces the settlement pattern defining Putley Green.
- 6.20 Furthermore, the majority of development in Putley Green is orientated in a similar manner and this is not uncharacteristic within the wider context of the area, however the group of listed cottages including Lucknow Cottage, Homestead and Putley Post Office form a strongly defined group, which orientate their gable ends perpendicular to road. The scheme has taken this into consideration and reflects this accordingly. It is felt, given this location, the orientation as proposed is not out of keeping and has taken into consideration surroundings.
- 6.21 Main materials throughout Putley Green are red brick, painted brick, some timber framing and timber cladding, the latter of which can be found at buildings including Putley Green Fruit Farm, Shires View and in the not too recent past, at Homestead immediately adjacent to the application site, prior to recent conversion works. It is viewed the proposal reinforces the character and appearance of the area and development reflects the character of its immediate environs. The development will read, particularly from medium distances on the approach to the settlement, part of a established built form that does not look out of place. Landscape and streetscene impact is therefore viewed to be minimal. Indeed, Policy PUT8 of the NDP identifies that modern design approaches which take an innovative approach will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.
- 6.22 Boundary treatment will be retained with the addition of new hedge planting alongside the fence that sepeates the site with Lucknow Cottage, which will be conditioned. The new hedge will comprise native species as detailed on the block plan and the proposal is considered to conserve local character and the character of the area, in line with Policies RA2 and LD1 of the CS, which is consistent with Section 15 of the NPPF, and Policies PUT7 and PUT8 of the NDP.

Heritage

- 6.23 When considering impact of a development proposal upon heritage assets, there are several stages. Firstly, identifying those assets which may be affected and their significance. Then, those aspects of their setting which contribute to the significance are identified and lastly, the impact of the development upon this significance. It should be noted that a view to or from a heritage asset does not necessarily mean that a site is within that assets setting, this depends upon whether that view contributes to the significance of the asset. A site can be within the setting of a heritage asset without their being a direct view under certain circumstances. The fundamental principle is whether or not a development affects the significance of a heritage asset, including aspects of setting which contribute to it.
- 6.24 The site is not within or adjacent to a conservation area although adjacent to a number of designated heritage assets, including Lucknow Cottage, Homestead, Putley Post Office, Club House and Putley Green Fruit Farm (all Grade II Listed). Members will be aware of the statutory duty set out at Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and those assets are identified in the map below (in blue) in relation to the site (in yellow):



- 6.25 A heritage statement has been submitted with the application and members will note that the Council's Building Conservation Officer supports this application. The superseded plans had previously raised concern to the setting of the designated heritage assets which, in their view, has now been fully addressed. It is considered the revised design now more appropriately reflects the existing development pattern, as well as a more appropriate vernacular language, particularly in relation to the surrounding designated heritage assets.
- 6.26 The contemporary design utilises traditional forms and proportions to achieve a harmonious relationship with neighbouring designated heritage assets. This does not mean the design is pastiche, but rather a build blending into a historic setting ensuring that the dwelling does not stand out within the village landscape and subsequently, not challenge the primacy of neighbouring assets.
- 6.27 Notwithstanding this, the statutory duty of Section 66(1) still applies. Density of development is not uncharacteristic and although there will be glimpses of the proposed new dwelling, the development, in the view of officers, would not harm the character and appearance of the setting, experience and significance of these identified designated heritage assets, noting the existing built form of the garage currently present on site, which does currently detract from the setting and experience of these designated heritage assets. Accordingly, in the absence of any identified

harm, no conflict is identified with CS Policy LD4, which is consistent with Section 16 of the NPPF, and Policy PUT7 of the made Putley NDP, given the development would conserve the identified heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design.

Access and highways

- 6.28 The access arrangements will see vehicles access the site from the C1305 to a new formalised parking area of gravel dressing which will be formally established at the front of the dwelling to provide parking with the first 5 metres of access from the public highway in tarmac.
- 6.29 As confirmed by the Council's highways area engineer, there are no highway objections subject to conditions, with parking and turning areas suitable, and no objections to the intensification of this access or concerns over the local highway network. Conditions include details of parking for site operatives and construction traffic prior to development commencing, visibility splays, access gates and access and parking construction. Members will also note the presence of a cycle shed proposed to be erected.
- 6.30 In the view of officers, the proposal accords with Policies MT1 and SS4 of the CS, which is consistent with Section 9 of the NPPF, not contravening paragraph 111. It is felt that the proposal should not be refused on highways grounds as it is not considered to constitute an unacceptable impact on highway safety, and that the residual cumulative impacts on the road network would not be severe. It is viewed that the proposal accords with the relevant aspects of Policy PUT8 of the made Putley NDP.

Ecology and trees

- 6.31 As confirmed by the Council's ecologist, no loss of hedgerow is proposed and there are no significant ecological related concerns. The appraisal supplied is noted and includes detailed working methods, mitigation and biodiversity net gain enhancement, which can be secured through condition, in line with CS Policies LD1, LD2 and LD3, consistent with the relevant sections of the NPPF and Policy PUT7 of the Putley NDP. The application proposed a hedgehog home, bat and bird boxes to be positioned on the north-east elevation and a proposed compost heap to provide resources for invertebrates, as detailed in the Biodiversity and Ecology checklist.
- 6.32 It is noted there are no protected arbicultural features on site and but aside from tidying up the existing overgrown garden, no adverse impact is identified on established green infrastructure and that the proposal accords with Policy LD3 of the CS, consistent with the relevant sections of the NPPF and Policy PUT7 of the Putley NDP.

Drainage

- 6.33 Surface water drainage will be dealt with by soakaways with a sewage treatment plant and drainage field is proposed to serve the dwelling, based on percolation testing, in line with Policies SD3 and SD4 of the CS, which is consistent with the relevant sections of the NPPF. It is noted the Putley NDP does not have a specific drainage policy or details that form part of a wider design policy.
- 6.34 Members will acknowledge the land drainage engineer visited site in April 2021 to see site conditions. They conclude that in principle they do not object, however recommend the following information be provided within suitably worded planning conditions:
- A detailed surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change.

- A detailed foul water drainage strategy.
- Detailed plans for the relocation of the surface water riparian drain.
- Evidence of an EA permit addressing the fast Vp rate and also close proximity of the well (within 50m)

6.35 Officers note that whilst drainage and potential increase in surface water flooding and ground pollution has been raised as an issue locally, this has only largely been since amended plans were lodged. The EA Flood Map clearly shows the site and adjoining land area is within Flood Zone 1. Notwithstanding this, it is considered to make the conditions raised by Land Drainage pre-commencement conditions to allay local concerns.

Sustainability

6.36 A charging point for charging plug-in and other ultra-low emission vehicles and a condition regarding efficient use of water consumption is proposed to incorporate relevant sustainability measures in the proposal, as strived for by Policy PUT8 of the Putley NDP and CS Policies SD1 and SS7, which is consistent with the relevant provisions of the NPPF. The applicant has completed the climate change checklist and additiional measures include 1 air source heat pump and thermally efficient walls, windows and roof-windows and doors to achieve a maximum U-value of 1.2 W/M²K. The walls are to be lined to achieve a maximum u-value of 0.28 W/M²K and the roof to be insulated to achieve a u-value of 0.18 W/M²K.

Other considerations

6.37 Members will note that Building Reguations fall under a different regime to Planning and should not form part of their assessment in decision-making.

Planning balance and conclusion

6.38 CS policy SS1 and paragraph 11 of the NPPF engage a presumption in favour of sustainable development and require development is approved where they accord with the development plan unless material considerations indicate otherwise. The NPPF encompasses the government's view of what is sustainable development in practice. The three themes: economic, environmental and social, should be pursued jointly and simultaneously.

6.39 The Putley NDP is the most up to date plan in relation to development within the parish. The site lies within the settlement boundary identified under policy PUT3 of the NDP and in terms of the scale of the proposal and impact on the character and appearance of the settlement, the scheme is policy compliant in this regard.

6.40 The design is viewed to be in keeping with Putley Green as a whole, taking reference from traditional proportions, oritentionation and materials. This proposal for 1 no. two-bedroom dwelling, is compliant with Policies PUT2 and PUT3. The dwelling is considered to not introduce issues of amenity, design, highway safety or hertiage and the proposal is policy compliant with Policies PUT2, PUT3, PUT7 and PUT8 of the NDP, as well as Policies SS4, SS7, RA2, MT1, SD1, LD1 and LD4 of the CS, consistent with sections 9, 12, 14, 15 and 16 of the NPPF.

6.41 Local concerns in relation to highway safety, hertiage and drainage are noted, but members are directed to technical consultees, all of whom raise no objections to the proposals and where applicable, have recommended conditions to control the development accoridngly.

6.42 The application complies with the development plan, meeting paragraph 11c) of the NPPF, which confirms that proposals which accord with the development plan should be approved without delay. Through the ability to mitigate relevant apsects of the development through suitably worded conditions, this application is recommended for approval.

- 6.43 In accordance with the Town and Country Planning Regulations 2018 - 2018 No. 566, all pre-commencement conditions require agreement by the applicant/agent. As the application is to be debated, agreement of pre-commencement conditions can take place following resolution.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

Standard Conditions

1. **C01 (Time limit for commencement (full permission))**
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. **C06 (Development in accordance with approved plans)**
The development shall be carried out strictly in accordance with the approved plans, except where otherwise stipulated by conditions attached to this permission. The following drawing numbers constitute the approved plans: 4285LP-01 FINAL dated July 2020; 4285BP-02 Rev01 dated August 2021; 4285SS-01 dated February 2021; 4285A-02 Rev01 dated July 2021.
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, Policies PUT1, PUT2, PUT3, PUT7 and PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.
3. **CBK (Restriction on hours during construction phase)**
During the construction phase, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy, Policy PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.
4. **CKO (Ecological Protection)**
The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity Enhancements, as recommended in the report by Lizzie Breakwell dated November 2019 and drawing number 4285BP-02 Rev01 dated August 2021 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority.
Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan – Core Strategy policy LD2 and Policies PUT1 and PUT7 of the Putley Neighbourhood Development Plan.

Pre-Commencement Conditions

5. **CNS (Non-standard condition)**
No development shall commence until the following details have been submitted to and approved in writing by the local planning authority:
 - A detailed surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change.
 - A detailed foul water drainage strategy.

- Detailed plans for the relocation of the surface water riparian drain.
- Evidence of an EA permit addressing the fast Vp rate and also close proximity of the well (within 50m)

The approved details shall be implemented and completed prior to first occupation of the dwelling hereby approved.

Reason: In order to ensure that satisfactory drainage arrangements are provided, to ensure that the development does not give rise to potential surface water flooding risk, to ensure no impacts on existing drainage arrangements and no ground pollution and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

6. CAT (Construction Management Plan)

Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway
- Construction traffic access location
- Parking for site operatives
- Construction Traffic Management Plan

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

7. CAB (Visibility Splays)

Before any other works on site hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 32 metres to the south and 56 metres to the north along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy; Policies PUT1 and PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

Relevant Commencement Conditions

8. CAE (Vehicular Access Construction)

The construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12, prior to relevant works commencing.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

9. C13 (Samples of external materials)

With the exception of any site clearance and groundwork, no further development shall take place until details or samples of materials to be used externally on the walls and roofs of the dwelling have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policies SD1 and LD4 of the Herefordshire Local

Pre-Occupancy Conditions

10. CNS (Non-standard condition)

Prior to first occupation of the dwelling, written and illustrative details of the number, type/specification and location of 1 no. charging point to enable the charging of plug in and other ultralow emission vehicles (e.g provision of cabling and outside sockets) to serve the occupants of the dwelling, shall be submitted to and approved in writing by the local planning authority. The charging point shall be installed prior to first occupation and be maintained and kept in good working order thereafter as specified by the manufacturer.

Reason: To address the requirements policies in relation to climate change SS7, MT1 and SD1 of the Herefordshire Local Plan Core Strategy, to assist in redressing the Climate and Ecology Emergency declared by Herefordshire Council, to accord with the provisions at paragraphs 107 and 112 of the National Planning Policy Framework and Policies PUT1 and PUT8 of the Putley Neighbourhood Development Plan.

11. CAI (Parking – Single/Shared Private Drives)

Prior to the first occupation of the dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of 2 cars which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

12. CE6 (Efficient use of water)

Prior to the first occupation of the dwelling, a scheme demonstrating measures for the efficient use of water as per the optional technical standards contained within Policy SD3 of the Herefordshire Local Plan Core Strategy shall be submitted to and approved in writing by the local planning authority and implemented as approved.

Reason: To ensure compliance with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

Following first occupation and on-going compliance conditions

13. CK4 (Landscape – Implementation)

All planting, seeding or turf laying in the approved landscaping scheme (Drawing Number: 4285BP-02 Rev01 dated August 2021) shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, Policies PUT1 and PUT7 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

14. CAD (Access gates)

Any new access gates/doors shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards only.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policies PUT1 and PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

15. CKN (Protected Species and Lighting (Dark Skies))

At no time shall any external lighting except in relation to safe use of the approved or existing buildings be installed or operated in association with the approved development and no permanently illuminated external lighting shall be operated at any time, without the written approval of this local planning authority. All lighting installed shall demonstrate compliance with latest best practice guidance relating to lighting and protected species-wildlife available from the Institution of Lighting Professionals

Reason: To ensure that all species and Dark Skies are protected having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS6, LD1, LD2 and LD3, the Dark Skies initiative (DEFRA-NPPF 2013/18) and Policies PUT1 and PUT7 of the Putley Neighbourhood Development Plan.

16. CNS (Non-standard condition based on CKA (Retention of Existing Trees))

No retained tree or hedgerow shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the construction phase and thereafter for 10 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars.

Reason: To safeguard the character and amenity of the area and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy, Policies PUT1, PUT7 and PUT8 of the Putley Neighbourhood Development Plan and the National Planning Policy Framework.

INFORMATIVES:

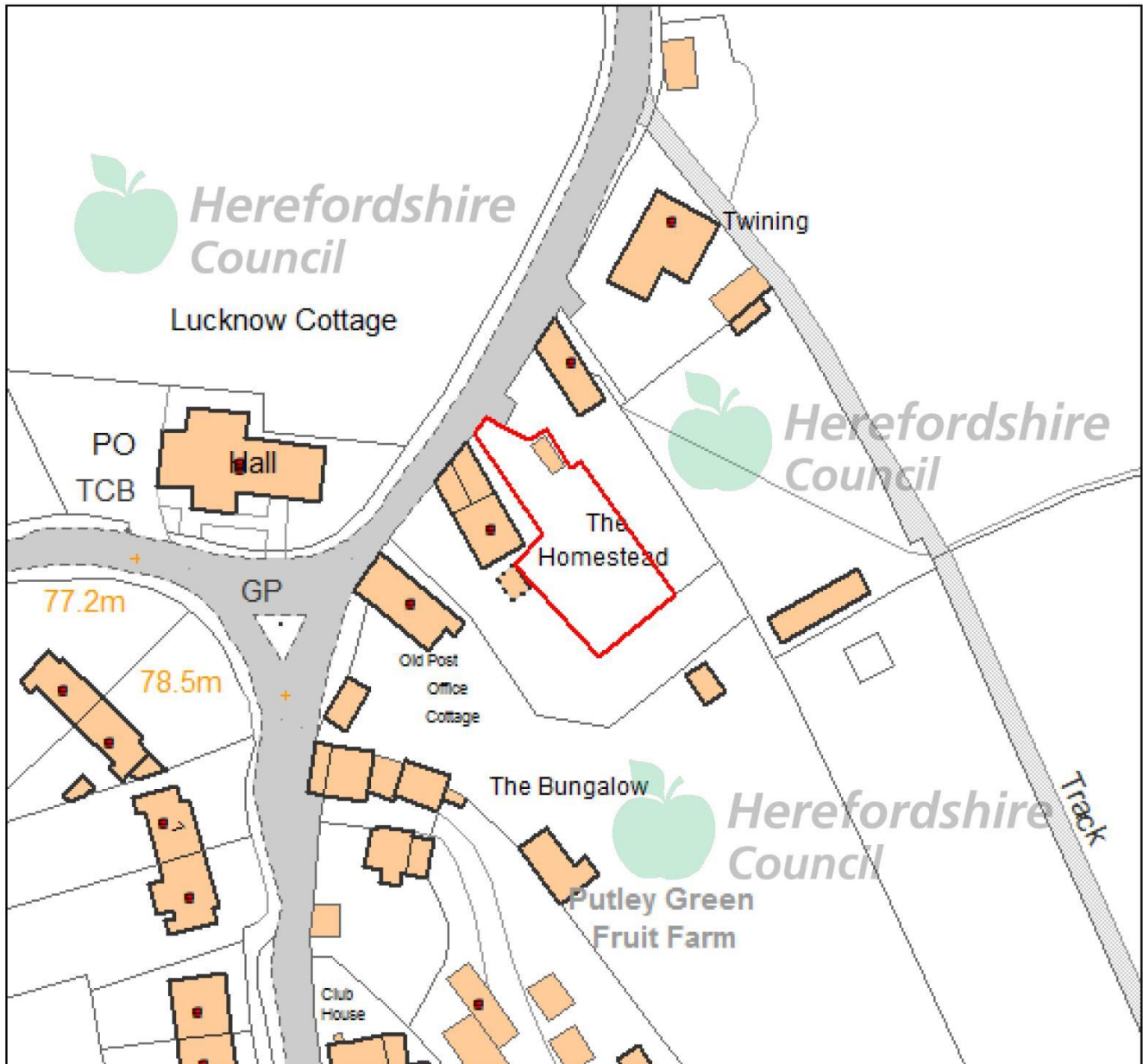
1. **IP2 (Application Approved Following Revisions)**
2. **INS (Non-standard informative) – The applicant is reminded that the construction of the access to the publically maintained highway will require a section 184 licence and details of obtaining this can be found at: https://www.herefordshire.gov.uk/downloads/download/368/dropped_kerb_documents**
3. **I05 (No drainage to discharge to highway)**
4. **I11 (Mud on highway)**
5. **I33 (Ecology – General)**

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 202910

SITE ADDRESS : LAND ADJOINING LUCKNOW COTTAGE, PUTLEY GREEN, PUTLEY, HEREFORDSHIRE

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