

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	28 APRIL 2021
TITLE OF REPORT:	202050 - PROPOSED DETACHED DWELLING AT LAND AT WYE VALLEY VIEW, SYMONDS YAT, ROSS-ON-WYE, HR9 6BJ For: Strefford per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Ewyas Harold, Hereford, Herefordshire HR2 0EL
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=202050&search-term=202050
Reason Application submitted to Committee - Redirection	

Date Received: 30 June 2020

Ward: Kerne Bridge

Grid Ref: 355437,216927

Expiry Date: 19 March 2021

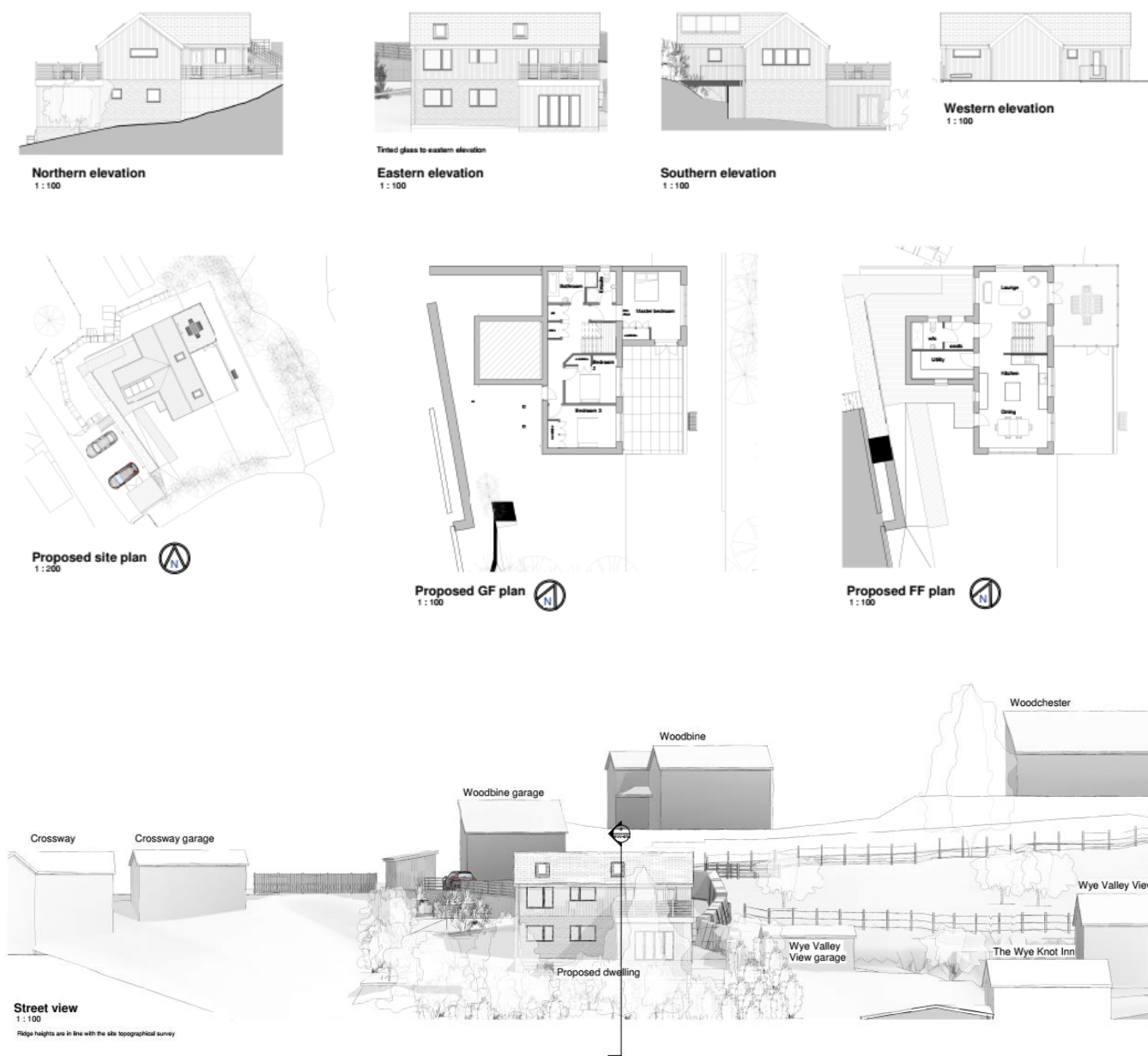
Local Member: Councillor Yolande Watson

1. Site Description and Proposal

- 1.1 The existing property 'Wye Valley View' is located on the eastern slope of Doward Hill in western Symonds Yat. The property is a detached two storey dwelling set within a large curtilage located between the lower B4164 and Ashes Road above, which is a Byway. The curtilage also includes a converted outbuilding used as a holiday let and detached garage. The principal access to the property is from the lower road with a secondary access from Ashes Road.
- 1.2 The application site comprises approximately the southern third of the curtilage extending between the lower and upper roads. Within the site is a mixture of terraced lawns, garden trees and hedge planting. Levels fall sharply from the upper to the lower road.
- 1.3 The site is within the Wye Valley Area of Outstanding Natural Beauty (AONB).
- 1.4 Surrounding the site are a mixture of stone two storey cottages and rendered two storey and split level dwellings and bungalows.
- 1.5 The proposal seeks full planning permission for the construction of a detached three bed dwelling. The proposed dwelling utilises the site levels to achieve a split level design with the more traditional accommodation layout reversed so that the bedrooms are at ground floor and kitchen and living space at first floor. The dwelling will be primarily constructed using natural stone at ground floor and timber clad elevations above, under a pitched slate roof.
- 1.6 The dwelling is sited at the western end of the site, primarily on an area of terraced lawns. The existing access off Ashes Road is to be utilised to accommodate level access to a parking area for 3 vehicles and secure cycle parking, which is at the eastern boundary of the site.

Further information on the subject of this report is available from Mrs G Webster on 01432 261803

1.7 The plans below show the elevations, site plan and floorplans as amended, submitted 17th November 2020, along with a street view plan for reference.



1.8 As part of the application submission a Design and Access Statement, Ecological Enhancement plan, hard landscaping and boundary treatment details and an ecological appraisal were also submitted.

2. Policies

2.1 Herefordshire Local Plan – Core Strategy (CS)

SS1	-	Presumption in favour of sustainable development
SS2	-	Delivering new homes
SS3	-	Releasing land for residential development
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
- MT1 - Traffic Management, highway safety and promoting active travel
- LD1 - Landscape and townscape
- LD2 - Biodiversity and geodiversity
- LD3 - Green Infrastructure
- SD1 - Sustainable design and energy efficiency
- SD3 - Sustainable water management and water resources
- SD4 - Waste water treatment and river water quality

The Herefordshire Local Plan Core Strategy policies together with any 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 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 Whitchurch and Ganarew Neighbourhood Development Plan (NDP)

A Neighbourhood Area was designated on 4 December 2013 and the Plan was made on 11 October 2019 therefore full weight can be afforded to the Plan.

- Policy WG1 - Promoting sustainable development
- Policy WG2 - Development Strategy
- Policy WG5 - Symonds Yat West
- Policy WG7 - Housing design and appearance
- Policy WG8 - Sustainable building and site design
- Policy WG14 - Conserving the landscape and scenic beauty both within and outside of the Wye Valley AONB
- Policy WG21 - Highway Design Requirements

https://www.herefordshire.gov.uk/downloads/file/18855/neighbourhood_development_plan_september_2019.pdf

2.3 National Planning Policy Framework (NPPF)

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

3. Planning History

3.1 P171167/FH – Proposed timber framed single garage – Approved with conditions

DCSE2005/0323/V – Use of granny annexe as holiday lets (all year) on self-catering basis – Approved with conditions

DCSE2000/0549/F – Change existing carport and part of existing storeroom to form hall, bedroom and ensuite shower room, modify existing flat to provide stairway between floors – Approved with conditions

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water

We have reviewed the information submitted as part of this application and note that the intention is to drain foul water the mains sewer and surface water to a soakaway to which we offer no objection in principle. However, if you are minded to grant planning permission we request that the following Conditions and Advisory Notes are included within any subsequent consent.

Internal Council Consultations

4.2 Principal Natural Environment Officer (Ecology)

Habitat Regs. Assessment- River Wye SAC

The site falls within the River Wye SAC catchment and within the River Wye SAC Impact Risk Zone “any discharges of water or liquid including to mains sewer.” This application is subject to a formal Habitat Regulations Assessment (HRA) process by this local planning authority (LPA) as the competent body in consultation with Natural England.

The initial Habitat Regulations Screening Assessment identifies foul water and surface water as ‘likely significant adverse effects’. The applicant has indicated in their application that foul water will discharge to mains sewer and surface water will outfall to SuDs (underground cellular storage and permeable paving) and soakaways, as detailed in the design and access statement (Collins Design & Build, undated). Welsh Water have confirmed connection to mains sewer (letter dated), therefore subject to this mitigation being secured through a relevant condition a conclusion of ‘NO Likely Significant Effect’ on the River Wye SAC has been returned by this LPA.

Habitat Regs. Assessment – Wye Valley Woodlands SAC

The potential for local bat foraging is recognised as being high, and the site is within 1km of Upper Wye Gorge SSSI, part of the Wye Valley Woodlands SAC, and so falls within the Core Sustenance Zone for Lesser Horseshoe bats. The existing trees and hedgerows form important foraging and commuting routes for bats and therefore any proposed illumination of the new dwelling should be kept to a minimum to avoid impacting on bat flight paths.

Subject to a condition being attached to any planning consent to ensure that there is no detrimental impact of lighting on night foraging routes of bats including lighting scheme, as detailed in the drawing WVV-03A (Collins Design and Build, dated April 2020) and Ecological Assessment report (Willder Ecology, dated June 2020), it is considered that there is no detrimental impact of lighting on night foraging routes of bats, a conclusion of No Likely Significant Impacts to Lesser horseshoe bat Core Sustenance Zones within the Wye Valley Woodlands SAC is anticipated.

Site ecology

The advice and recommendations within the ecology report (Willder Ecology, dated June 2020), including biodiversity enhancements (bat roost features and bird nest box, and new native hedgerow planting, should be followed, as per the recommended condition.

4.3 Principal Landscape Officer

I welcome the additional information, clarifications and drawings that do demonstrate that the setting of the settlement and landscape character have been considered. In particular the tree survey and landscape scheme are welcome to show how the details will actually fit on the site.

I find that this proposal may be a suitable infill plot within Symonds Yat West as identified within the Whichurch and Ganarew NDP. The proposal is for an individual dwelling of a unique design that works with the level changes on the site. Its location and orientation follow the pattern of the settlement.

Overall, however, I suggest that the building is too large, both in mass and footprint relative to the plot size. I find that the Street View drawing (WVV-07) shows the proposed dwelling to be considerably larger than the adjacent buildings. While new buildings of 21st century appearance are welcome, the scale should still reflect the grain, rhythm and density of the area, which is described as wayside cottages and dwellings within small holdings. A smaller building would appear less squeezed in and more respectful of the scale and character of the original settlement.

Additional comments following amended plans (comments received 8/12/2020)

I have reviewed the revised drawings that show the building has been reduced in size. The street scene (shown on drawing WVV-07a) seems to show a tiny reduction in height, to match the ridge level at the top of the adjacent Crossway building. The width of the house has been reduced more significantly, thereby providing more garden space to the south.

Overall, the unique design of this individual dwelling on an infill plot goes some way to being more suitable to the scale and character of the settlement, and does following the rhythm of buildings along this developed side of Symonds Yat.

4.4 Team Leader Area Engineer

There are concerns regarding the implication of this site on a narrow BOAT and the increase in vehicle numbers, however the site is access via the BOAT, therefore please refer to the PROW officer for comments on the access.

Parking and turning should be accommodated within the site and the vehicles should enter and exit the highway in a forward gear, therefore can this be accommodated on site.

All applicants are reminded that attaining planning consent does not constitute permission to work in the highway. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website

Additional comments received 4/02/2021

It is noted that this consultation is related to an email from the agent for this application addressing the previously made highways concerns. With regards to the trip generation comment the LHA concedes that the movements associated with a single dwelling will not breach the high thresholds put in place by the NPPF for resisting development on highways grounds. It is also

noted that a suitable condition (CAT) can be applied to cater for deliveries, the provision of site parking for operative's vehicles and managing a site compound.

However with regards to the manoeuvring issue on and off the proposed access further points to demonstrate the LHA issues here may assist in adding clarity. Generally the agent sets out an appropriate argument for the reversing off the site, the LHA generally requests that rural properties can cater for the turning of vehicles within the site because reversing from the access is undesirable in road safety terms. When considering this we must consider that a driver is set back further from the carriageway edge and requires a deeper field of visibility to be able to establish if the manoeuvre can be started safely, or if there is an element of hope. In this case there are significant barriers to visibility that could result in injudicious reversing onto Ashes Lane into the path of walkers, cyclists or motor vehicles using the lane. These barriers are the hedge to the north and the bin/cycle store the south. Both of these things obstruct the visibility from each space to a greater or lesser extent and whilst these are appropriately setback for a vehicle exiting in a forward gear they are in the way for those reversing. If these aspects can be alleviated the LHA will review their position on this point.

In the event that the LPA is minded to approve this application the applicant should be made aware that the construction that adjoins the fabric of the public highway will require a structural approval in principle from the local highway authority to ensure that the structural integrity of any construction work to the supporting land is appropriate.

The proposals do not satisfy the LHA that the scheme will not have an unacceptable impact on road safety due to the access arrangements and as a result these arrangements will require review to make the scheme acceptable in highways terms.

Further comments received following additional information – 23 March 2021

Further to the previous highways comments revised drawings have been submitted concerning the access arrangements. The revision addresses the concerns of the LHA and is considered alongside the comments from the PROW team, consequently the proposal is therefore acceptable. It is recommended that this revised arrangement forms part of the list of approved drawings for this scheme.

The previous comment from the LHA set out that should permission be granted condition CAT is vital in appropriately managing a construction phase in this constrained area of the highway network. In addition to wheel washing apparatus and site operative parking a clear area (site compound) and methodology for the management of deliveries, including the use of smaller vehicles where possible will be required to ensure that the impact to the PROW network is appropriately managed.

There are no highways objections to the proposals, subject to the recommended conditions being applied.

4.5 Public Rights of Way Officer

Access is via public byway WC61. A byway open to all traffic (BOAT) is a highway over which the public have a right of way for vehicular and all other kinds of traffic but which is used by the public mainly for the purposes for which footpaths and bridleways are used (i.e. walking, cycling or horse riding). Although a BOAT is maintainable at public expense, section 54(7) of the Wildlife and Countryside Act 1981 states that nothing in that section, or in section 53, obliges a highway authority to provide, on a way shown on a definitive map as a byway, a metalled carriageway or a carriageway which is by any other means provided with a surface suitable for the passage of vehicles.

4.6 Drainage Consultant

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. In accordance with Environment Agency standing advice, the planning application does not need to be supported by a Flood Risk Assessment (FRA) undertaken in accordance with National Planning Policy Framework (NPPF) and its supporting Planning Practice Guidance.

This guidance is in accordance with requirements of the NPPF and Policy SD3 of the Core Strategy.

Guidance on the required scope of the FRA is available on the GOV-UK website at <https://www.gov.uk/planning-applications-assessing-flood-risk>.

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.

Other Considerations and Sources of Flood Risk

Local residents may have identified other local sources of flood risk within the vicinity of the site, commonly associated with culvert blockages, sewer blockages or unmapped drainage ditches. As the topography within the area of the proposed development is steeply sloping, we would require the Applicant to demonstrate consideration of the management of overland flow and any necessary protection to the proposed dwellings and surface water drainage systems. 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

The drainage strategy must demonstrate that there is no increased risk of flooding to the site or downstream of the site 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. Note that in February 2016 the EA updated their advice on the potential effects of climate change and that a range of allowances should be considered to understand the implications: <https://www.gov.uk/guidance/flood-risk-assessmentsclimate-change-allowances>.

The Applicant has provided a detail showing that they are intending to use soakaways and it's possible location. We assume that the proposal is to install crates above ground and then backfill the area with granular fill. There is a risk that water will flow through the crates along the same path and so erosion of the granular fill is likely to occur. This will lead to settlement of the patio and could lead to the retaining wall becoming undermined

There is no evidence that testing has been done to standards set out in BRE 365 to determine the viability of the soakaway. It would be better if the soakaway was installed in the existing ground. The Cranfield University Soils Map identifies the soils within the proposed development area to be Freely draining slightly acid loamy soil thus the use of infiltration techniques may be a viable option for managing surface water. On-site testing undertaken in accordance with BRE365 should be undertaken to determine whether the use of infiltration techniques are a viable option. Where site conditions and groundwater levels permit, the use of combined attenuation and infiltration features are promoted to provide treatment and reduce runoff during smaller rainfall events. It should be noted that soakaways should be located a minimum of 5m from building foundations, that the base of soakaways and unlined storage/conveyance features should be a

minimum of 1m above groundwater levels and must have a half drain time of no greater than 24 hours. The drainage system should be designed to ensure no flooding from the drainage system (which can include on-the-ground conveyance features) in all events up to the 1 in 30 year event.

Foul Water Drainage

As there is a public foul sewer in this area, the Applicant should contact the relevant public sewerage authority to establish whether a connection to the foul public sewer is feasible.

Overall Comment

Should the Council be minded to grant planning permission, the following information should 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 100 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;
- Results of infiltration testing undertaken in accordance with BRE365 and confirmation of groundwater levels to demonstrate that the invert level of any soakaways or unlined attenuation features can be located a minimum of 1m above groundwater levels in accordance with Standing Advice;
- Evidence that the Applicant has sought and agreed permissions to discharge foul water and surface water runoff from the site with the relevant authorities;

5. Representations

5.1 Whitchurch and Ganarew Group Parish Council

The Parish Council object to this application for the following reasons.

1. Contrary to the application design statement the proposed dwelling is not required to meet the Parish Nplan housing needs - reference policy WG1.
2. It does not meet the Nplan policy WG5 as it is not considered to enhance the environment.
3. The Parish Council consider that vehicle access and turning availability / opportunities will be a major problem in this area Ashes Lane as problems already occur on a regular basis and vehicles parked at the proposed dwelling will have no choice but to use / turn using Ashes Lane.
4. No provision has been made for vehicle turning areas in the plans submitted.
5. In addition construction traffic and deliveries would need to park in Ashes Lane adding further disruption to what is already a busy and problematic byway.

Additional comments following amended plans (comments received 1/12/2020)

The Parish Council continue to object to this application. The reasons for the objection remain as our comments made on the previous application which were submitted to Herefordshire Council by email 29 July 2020.

5.2 In response to the original consultation a total of five objections were received, stating the following points:

- Dwelling would be accessed via a narrow lane
- Only passing place is private drives, where the proposed parking place is
- Not a small dwelling
- Too large for plot

- Ashes Lane not suitable for heavy vehicles
- Unsightly roof
- Concerns for landslip
- Impact on residential amenity due to its size
- Impact upon AONB
- Highway Safety with vehicle manoeuvring onto Ashes lane for parking in the spaces
- Construction traffic would block Ashes Lane

5.3 One letter of support was received raising the following points;

- The existing hedge and trees shown as retained would provide reasonable screen
- The passing place stated that would be lost in objection is private land already used for parking therefore not a formal passing place
- No loss of residential amenity to the property below

5.4 Following amended plans and re-consultation by site notice, 7 letters of objection were received, some of which were further comments to the original objections, the main points raised were:

- Concern over congestion on Ashes Lane
- Building not in character with other properties locally
- Development will impact wildlife and bats
- The narrow BOAT lane has no turning facility
- Concerns the road will be damaged
- Could be issues with increased requirement on water supply and foul sewerage
- Loss of run off area, turning into hard surface
- Increase in noise and disturbance
- Overdevelopment of site
- The reduction in size does not go far enough

5.5 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=202050&search-term=202050

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

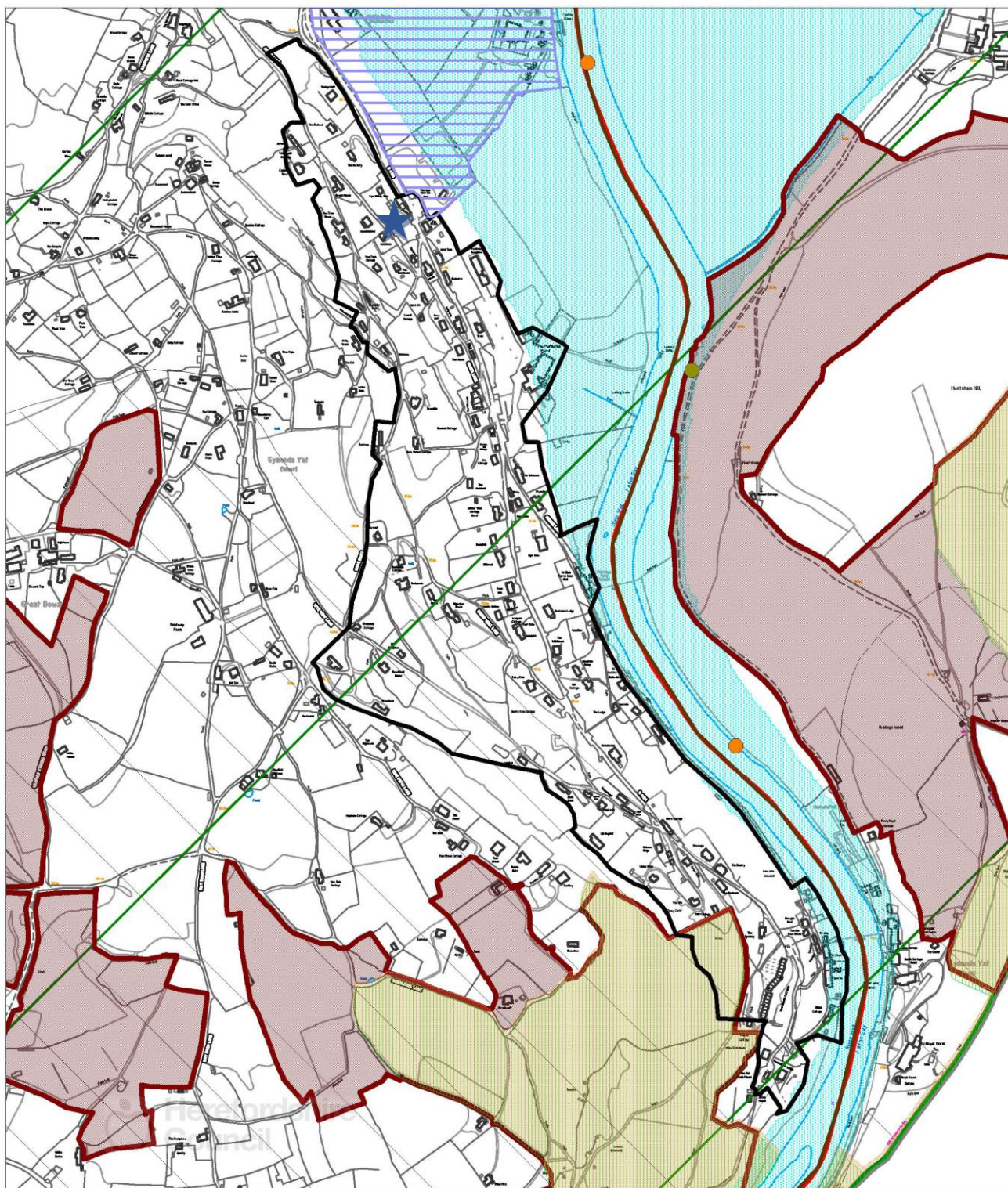
Policy context and Principle of Development

- 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 adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Whitchurch and Ganarew Neighbourhood Area, which made its Neighbourhood Development Plan (NDP) on 11 October 2019.
- 6.3 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

Further information on the subject of this report is available from Mrs G Webster on 01432 261803

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.

- 6.4 Policy SS1 states that Herefordshire Council will take a positive approach when considering development proposals that reflects the presumption in favour of sustainable development, which fully accords with the aims of the National Planning Policy Framework (NPPF). The approach to housing distribution within the county is set out in the Core Strategy at Policy SS2. Hereford, as the largest settlement and service centre is the recipient of up to 6,500 of the requisite 16,500 homes, with the market towns identified in the second tier as recipients of approximately 4,700 dwellings.
- 6.5 The application at this time must be considered in the context of the Council being unable to identify a five year supply of deliverable housing sites or demonstrate it can meet the housing deliverability test. At paragraph 11, the NPPF confirms that when making decisions the 'presumption in favour of sustainable development' should be applied. It goes on to set out at 11 (d) that where the policies most important for determining the application are 'out-of-date' planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or the application of the policies in the framework provides a clear reason for refusing the proposal. At footnote 7, it is confirmed that a failure to demonstrate a five year supply of housing and requisite buffer in accordance with paragraph 73 will render relevant policies to delivering housing out-of-date.
- 6.6 It is acknowledged that, at this point in the time, the Council is unable to demonstrate a five year supply of deliverable housing sites. A supply statement has recently been published which outlines that the updated position in Herefordshire stands at 4.22 years. As a result, the presumption in favour of sustainable development set out under paragraph 11 of the Framework is fully engaged. Permission should be granted, therefore, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the current NPPF as a whole, or if specific policies in the current NPPF indicate development should be restricted.
- 6.7 Notwithstanding this, Supreme Court judgements and subsequent appeal decisions have confirmed that policies relevant for the supply of housing can still be afforded weight in the decision making process, and it is a matter of planning judgement for the decision-maker to attribute the degree of weight to be afforded depending on the context of the decision. Moreover, policies not directly relevant to the supply of housing (such as those dealing with matters of flood risk, highways safety or heritage impacts) still attract full weight.
- 6.8 Housing in the rural parts of the county is delivered across the settlements identified at figures 4.14 and 4.15 under Policy RA2. Here the identified settlements are arranged according to the seven identified housing market areas. Figure 4.14 identifies the settlements which will be the main focus of proportionate housing development. Figure 4.15 classifies the 'other' typically smaller settlements where proportionate housing will be appropriate. Symonds Yat West is a settlement listed under figure 4.15.
- 6.9 The preamble to Policy RA2 states that Neighbourhood Development Plans (NDPs) will be the principal mechanism by which new rural housing will be allocated. Where these are not in place, a site's relationship with the main built up part of the settlement will be assessed, where new residential development should be within or adjacent to such areas. As stated above, the NDP is afforded full weight.



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|---------------------------------------|-------------------------------------|------------------------------------|
| Symonds Yat Settlement Boundary (WG5) | Site of Special Scientific Interest | Safeguarding Mineral Reserves |
| Land Liable to Flood | Special Area for Conservation | Local Wildlife Site (LWS) |
| Neighbourhood Area | Land adjacent to River Wye (WG9) | Area of Outstanding Natural Beauty |

Symonds Yat Policies Map

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Scale 1:7,000
 at A4 size



- 6.10 The site is indicated on the plan above by the blue star. The settlement boundary is detailed in the NDP in policy WG5. As can be seen from the diagram above, the site is regarded as being within the settlement boundary.
- 6.11 Policy RA2 further states that if it is located within or adjacent to the main built up part of the settlement the following criteria should be met:
1. *Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*
 2. *Their locations make best and full use of suitable brownfield sites wherever possible;*
 3. *They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and*
 4. *They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.*
- 6.12 Policy WG2 (Development Strategy) of the NDP states, 'A settlement boundary is defined for Symonds Yat West within which infilling may take place where this matches the scale and form of the settlement and is designed both to fit sensitively into the landscape and result in the enhancement of the natural and historic environment.'
- 6.13 Policy WG5 (Housing Development in Symonds Yat West) of the NDP states:
- 'A Settlement boundary is defined for Symonds Yat West. Proportionate housing growth may take place within this boundary that will be restricted to developments which reflect the historic character of development, respects the landscape form and features along the north east facing valley slopes, and result in enhancements to the environment. The emphasis will be upon maintaining the settlement pattern of the predominant landscape character area. Proposals should:*
- a) Comprise individual dwellings or small terraces close to road frontages that reflect the form and massing found within the settlement with no development in depth or new clustered groups of houses.*
 - b) Utilise clearly perceptible infill plots when viewed in relation to the character of the frontage, bearing in mind the grain, rhythm and density that predominates in that particular part of the settlement.*
 - c) Ensure dwellings are of an appropriate size to reflect wayside cottages and dwellings within small holdings.*
 - d) Retain small fields and deciduous woodlands.*
 - e) Not result in the loss of the small-scale enclosure pattern.*
 - f) Ensure tree and hedgerow-cover is retained, especially through the use of Tree Preservation Orders in relation to trees.*
 - g) Be capable of being accommodated upon the narrow lane network and not result in the need for them to be widened, although, where appropriate and necessary, providing new or improved passing spaces.*
- The restoration or replacement of existing premises within the settlement boundary will be permitted where this results in an enhancement of the settlement and reflects its historic character.'*

- 6.14 This part of Symonds Yat is largely represented by detached dwellings within their own plots which run along the slope that runs east to west down to the river, and therefore utilise split level properties or areas of flat ground within the plots. The properties are in clusters that front the main road through the village (B4164), and continue to feed back up the slope via Ashes Lane and public byways, with their access off the smaller lanes.
- 6.15 Amended plans received on 17 November 2020 demonstrate that amendments to reduce the overall scale of the dwelling further ensures that the property is in keeping with the surrounding form and layout of residential properties, with a curtilage commensurate with other properties in the locality. It is considered that this proposal complies with the requirements of CS policy RA2 criteria 1 in that it follows the form, layout and character of the surrounding development within the village.
- 6.16 The plot sits within the southern end of the curtilage of Wye Valley View which extends to almost 100 metres in length. There is a further 30 metres to the nearest property to the south, Crossways Cottage. This spacing is consistent with the density of development locally and is not considered to be cramped on the plot. Furthermore there is no set pattern of development in the area, with a more ad hoc arrangement evident to which this proposal adheres, maintaining the historic landscape character. The proposal represents an individually designed dwelling of an appropriate size that fits into an infill plot, maintaining the existing access and parking arrangement that is on the site.
- 6.17 Overall it is considered that the proposal complies with CS policy RA2 and the NDP policies WG2 and WG5 and therefore the principle of development in this location is considered acceptable.

Access and parking

- 6.18 Policy MT1 of the CS and NPPF guidance require development proposals to give genuine choice as regards movement. NPPF paragraph 103 requires local planning authorities to facilitate the use of sustainable modes of transport and paragraph 108 refers to the need to ensure developments generating significant amounts of movement should take account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where 'the residual cumulative impacts of development are severe.
- 6.19 NDP policy WG20 mirrors policy MT1 in that development proposals should ensure satisfactory access and off road parking in accordance with the Herefordshire Council car parking standards and ensuring that the volume of traffic generated is acceptable in relation to capacity.
- 6.20 The application seeks to utilise an existing access into the site from Ashes Lane, where there is an existing parking area and gate access into the paddock, to the east of the property Wye Valley View. Ashes Lane is known as a BOAT (a byway open to all traffic) lane which is defined as a highway over which the public have a right of way for vehicular and all other kinds of traffic but which is used by the public mainly for the purposes for which footpaths and bridleways are used (i.e. walking, cycling or horse riding.)
- 6.21 The amended access plans submitted 12 February 2021 show two parking spaces and a cycle and bin storage shed, with visibility splays of 65 metres to the north and 30 metres to the south. The hedgerow to the north will be stepped back to provide the suitable visibility, and a new native hedgerow will be planted along the western boundary of the paddock to provide further ecological enhancements. As the access is existing no further works will be required to the parking area adjacent to the highway. The revision addresses the original concerns of the LHA and is considered alongside the comments from the PROW team and consequently the proposal is therefore found to be acceptable. With regard to the impacts on the BOAT and the associated traffic as a result of a single dwelling scheme, this is not found to amount to a 'severe' level of

impact. This is reinforced through the lack of objection to the proposal from the Team Leader Area Engineer.

- 6.22 As part of the objections received it was commented that the proposed parking and access to the dwelling would be utilising an existing passing place along Ashes Lane, however this area is not a formal passing place but is an existing parking area for Wye Valley View, and also part of the access to the gate to the paddock of Wye Valley View, and therefore should not be viewed as a passing place.
- 6.23 The agent has confirmed that site operatives will be parking within the paddock area adjacent, to ensure that Ashes Lane is not blocked by vehicles and that any deliveries of materials can be delivered to the site from the lower road to avoid the need for large vehicles to access the site from Ashes Lane. To ensure this methodology is adhered to and to protect the local road network during construction, a construction management plan will be conditioned.

Ecology

- 6.24 Policy LD2 states that development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire through the retention and protection of nature conservation sites and habitats and important species, restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks and creation of new biodiversity features and wildlife habitats. Policy LD3 states that development proposals should protect, manage and plan for preservation of existing and delivery of new infrastructure.
- 6.25 The application has been supported by an Ecological report, dated June 2020, which makes several recommendations and drawing number WVV-03A which provides a number of ecological enhancements for the site, including 85 metres of new native hedgerow to the northern boundary and west boundary, and maintaining the existing tree band, and further native tree planting along the eastern boundary. Automated blinds to the east facing windows and rooflights will mitigate against light pollution, down lights have been detailed within the plans for the external lighting. The Principal Natural Environment Officer (Ecology) has had sight of the assessments and does not object to their conclusions. The reports will be conditioned to be carried out on any approval.
- 6.26 In addition, the application site lies within the Wye Valley Woodlands Special Area of Conservation (SAC), a European site covered under the Habitats Directive & the Conservation of Habitats and Species Regulations 2017). The Wye Valley Woodlands SAC is an internationally important conservation site which has been designated for its special features of ecological and biodiversity value.
- 6.27 The development has been the subject of an Appropriate Assessment under the Habitat Regulations. The HRA AA concluded that subject to conditions there would be no likely significant effect upon the Wye Valley Woodlands SAC. Natural England has been consulted on the completed HRA with details of the conditions recommended by the Council's Ecologist. Natural England confirmed no objections to the proposal. Therefore the proposal is considered to have no unmitigated effects upon the Wye Valley Woodlands SAC in accordance with CS policy LD2.
- 6.28 With the foregoing in mind, subject to recommended conditions being attached to any approval the proposal is found to be compliant with CS policies LD2 and LD3.

Landscape

- 6.29 Policy LD1 of the Core Strategy requires that proposals incorporate new landscaping schemes to ensure that development integrates appropriately into its surroundings. Likewise, policies WG14 and WG15 of the Whitchurch and Ganarew NDP require that landscaping schemes should protect existing hedgerows and trees.
- 6.30 Policy WG14 of the NDP states: *Development proposals which are acceptable in principle should contribute positively to the Parish's rural character, ensuring the features contributing to its character type, are conserved, restored or enhanced through measures consistent with their characterisation. Landscape features such as trees, vistas and panoramic views that are assessed as important should also be protected. To achieve this, landscape proposals should form an integral part of the design for the development, retaining as many natural features within or surrounding the site as possible.*
- 6.31 Policy WG15 of the NDP states: *Other measures to enhance connectivity within the local ecological network will be sought through creating, retaining and enhancing important natural habitats and features such as woodland tree buffers, ancient trees, tree-cover in general, ponds, orchards and hedgerows.*
- 6.32 A large number of trees on the eastern boundary of the site are being retained, with additional planting of native trees along this side of the site, in addition over 85 metres of native hedgerow will be planted to maintain ecological corridors around the northern and eastern perimeter of the site, which will ensure the rural context is maintained, and the views towards the site from afar remain uninterrupted.
- 6.33 The Landscape Officer has reviewed the amended plans and states that the reduction in the height and width of the proposed dwelling in the amended plans, which allows for a larger private amenity space to the south of the property, with the unique design within the infill plot is more suitable to the scale and character of the settlement and follows the rhythm of buildings along this developed side of Symonds Yat. Therefore there is no objection in terms of landscape nor the proposal's impact upon the Wye Valley AONB.

Design and residential amenity

- 6.34 CS policy RA2 relates to proposals for new housing development in rural settlements, and inter alia requires that developments reflect the size, role and function of the settlement and are of a high quality, sustainable design which is appropriate for and positively contributes to its environment. In this regard policy SD1 is also of relevance, which requires that distinctiveness of the locality is maintained through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. Further, Policy SD1 requires that the amenity and privacy of existing and proposed residents is safeguarded. This accords with the principles of the NPPF with regards to requiring good design and ensuring that good standards of amenity are secured.
- 6.35 Properties in the area are detached and set within varying sized plots and many are split level due to the topography, the design of this proposal mirrors that of the existing pattern of development in the area.
- 6.36 The design and appearance of the proposed dwelling is of a unique and high quality proposal. The plot itself will be sited within fairly spacious grounds, with significant boundary planting and additional tree planting, continuing a more rural feel to the site and ensuring sufficient private amenity space for the properties.

- 6.37 The split level design reduces the overall scale and mass of the property whilst making better use of the land, without the need for significant engineering works, and following the site contours. The site section plan shows that from Ashes Lane only the roofline will be visible, and this will in part be screened by the cycle store and parking. The additional hedgerow at the western boundary of the adjacent paddock will further screen views into the site from Ashes Lane.
- 6.38 The tree belt and additional hedgerow planting to the lower eastern boundary will screen the property from the lower road, also ensuring that there is no direct overlooking onto the properties below to the east. Due to the significant screening around the site there should be no overlooking nor overshadowing of any adjacent properties. There is no dwelling directly to the north, and the property to the south would be in excess of 25 metres from the development.
- 6.39 The materials of stone on the lower half with timber cladding to the first floor under a slate roof are entirely appropriate for the context of the site and will maintain the visual amenity for the AONB.
- 6.40 Therefore it is considered that the property is in keeping with the mix of designs and materials of the area and providing a high quality development, which will not have an adverse impact upon the AONB, the village nor the adjacent properties.

Drainage

- 6.41 CS policy SD3 states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water. For waste water, policy SD4 states that in the first instance developments should seek to connect to the existing mains wastewater infrastructure. Where evidence is provided that this option is not practical alternative arrangements should be considered in the following order; package treatment works (discharging to watercourse or soakaway) or septic tank (discharging to soakaway).
- 6.42 The application site lies within the catchment for the River Wye, which comprises part of the River Wye Special Area of Conservation (SAC), a European site covered under the Habitats Directive & the Conservation of Habitats and Species Regulations 2017). The River Wye SAC is an internationally important conservation site which has been designated for its special features of ecological and biodiversity value.
- 6.43 The application form accompanying the submission states that foul water will be disposed of via mains drainage to which Welsh Water have no objections. Surface water will be managed through SuDs (underground cellular storage and permeable paving) and soakaways. With these methods aligning with the aims of policies SD3 and SD4, and subject to conditions for a detailed surface water strategy and infiltration testing to be provided, they are considered acceptable and the proposal complies with CS Policies SD3 and SD4.
- 6.44 The development has been the subject of an Appropriate Assessment under the Habitat Regulations. The HRA AA concluded that subject to conditions there would be no likely significant effect upon the River Wye SAC. Natural England has been consulted on the completed HRA with details of the conditions recommended by the Council's Ecologist. Natural England confirmed no objections to the proposal. The strategy conforms to CS policies SD3 and SD4 and following Natural England agreement will have no unmitigated effects upon the River Wye Special Area of Conservation/Site of Special Scientific Interest in accordance with CS policy LD2.

Climate Change

- 6.45 CS policy SS7 requires focus on measures to address the impact that new development in Herefordshire has on climate change, outlining how development proposals should include measures which will mitigate their impact on climate change, with policy SD1 also seeking to support these measures. Herefordshire Council has unanimously passed a motion declaring a Climate Emergency, signalling a commitment to ensuring that the council considers tackling Climate Change in its decision-making, with this resolution came a countywide aspiration to be zero carbon by 2030; and a Climate Change Checklist to aid the consideration of development proposals. NDP policy WG8 reflects the requirements for high standard sustainable design to achieve the maximum possible reduction in carbon footprint
- 6.46 Proposals for residential development are considered by the Council to need to help redress the climate emergency, and so notwithstanding the sustainable location of the development thus reducing the need to travel for services, the proposal is considered to need to include measures to support low-carbon ways of living & sustainable transport modes (as defined by the framework). The NPPF sets out at paragraph 108 that LPAs in assessing sites for specific applications for development should ensure that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up. Further to this paragraph 110 sets out that developments should be designed to enable the charging of plug-in and other ultra-low emission vehicles, with such vehicles contributing to the objectives of reducing reliance on fossil fuels and so climate change.
- 6.47 In line with the provision of car charging points, the government has reaffirmed by way of a Written Ministerial Statement on 18 November 2020 (Statement UIN HCWS586), the commitment to electric vehicles by seeking to “accelerate the transition to electric vehicles, and transforming our national infrastructure to better support electric vehicles” as it has announced the ban on the sale of new fossil fuel reliant vehicles by 2030, thus the need for the provision of electric vehicle charging points is amplified; it follows that to make the decision acceptable given the above material planning considerations, a condition for an electric vehicle charging point is recommended to require such provisions are available for future residents.
- 6.48 The proposed dwelling will be built in accordance with the increased energy efficiency standards through building regulations that are coming into force, along with the Future Homes Standard that Central Government are seeking to introduce by 2025, which requires new build homes to be future proofed with low carbon heating.
- 6.49 The benefits of passive solar gain will also be maximised through incorporating larger areas of glazing on the east, south or west elevations and minimising openings on the north elevation. The first floor glazing on the east elevation will also incorporate tinted glass to control overheating and minimise light spill. Solar PV panels are proposed on the southern roof slope of the proposed dwelling and a low carbon heating system in the form of an air source heat pump is also to be incorporated. Materials will be sourced that are ‘A’ rated in the BRE green materials guide whilst the timber used in construction and cladding will be sustainability sourced and Forest Stewardship Certified. Water efficiency measures will also be installed within the property, with low energy lighting systems and appliances rated A++.
- 6.50 Overall it is considered that the design of the proposed dwelling has taken into consideration climate change and incorporated a large number of features through the design and use of the dwelling and is considered a good example of designing in energy efficiency measures and is therefore in accordance with CS policy SS7.

Conclusion

- 6.51 CS policy SS1 and paragraph 11 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that development should be approved where they accord with the development plan. The NPPF encompasses the government's view of what is meant by sustainable development in practice. The three themes, economic, environmental and social should be pursued jointly and simultaneously.
- 6.52 The application is for housing and in the light of the housing land supply deficit must be considered against the test prescribed at NPPF paragraph 11 and CS Policy SS1. Permission should be granted, therefore, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF when considered as a whole.
- 6.53 The site is located within the defined settlement boundary indicated within the NDP, and is considered to reflect the existing form, layout and character of Symonds Yat West. In assessing the location and siting of the proposed dwelling I am content that the site accords with the aims of policy RA2 and NDP policies WG2 and WG5.
- 6.54 In assessing the three elements of sustainability:

Economic

- 6.55 Economic benefits would be derived from the construction of one dwelling and associated infrastructure through both the supplies and employment of the required trades. After completion the occupiers would contribute some disposable income to the local economy and Council Tax revenue and New Homes Bonus would accrue. The impact of one new dwelling as proposed would result in modest benefits.

Social

- 6.56 The provision of housing, in the context of a shortfall, would contribute to the supply and the social needs of the county in a limited manner. In addition occupiers could contribute to village life, as well as potentially supporting other facilities in other villages in the locality. It is recognised that this could help to provide towards the population to help sustain them and one new dwelling would make a modest contribution in this regard.

Environmental

- 6.57 The site is within the defined settlement boundary of Symonds Yat West, identified as being suitable for proportionate growth, and as such is considered to be locationally sustainable within the current policy framework. In landscape terms, the site is within the Wye Valley AONB, however there is significant additional planting through native trees and hedgerows to provide additional screening. The proposal has been reduced in height and width to be proportionally of similar scale to nearby properties whilst maintaining the historic character of development in the location. It is recognised that there is some opposition to the impact of the proposed development upon the character of the AONB, however the additional planting mitigates the visual impact and officers do not consider there to be harm in this instance with the Landscape Officer raising no objection. The proposed development seeks to incorporate a large number of energy efficiency measures to address climate change, along with significant ecological enhancements across the site and improving ecological corridors.
- 6.58 Having undertaken an overall assessment of the proposal officers conclude that the proposal is representative of sustainable development, compliant with national and local planning policy and approval is therefore recommended.

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:

1. C01 - Time limit for commencement (full permission)
2. C07 - Development in accordance with the approved plans – WVV-02A; WVV03A; WVV-04B; WVV-05A; WVV-06A; WVV-07A
3. CE6 - Efficient use of water
4. CBK - Restriction of hours during construction
5. A Construction Site Waste Management Plan shall be submitted to and approved by the LPA prior to development commencing on site to ensure waste management provisions compliment the construction activities on site and that all waste emanating from the development are dealt with in an appropriate manner and follows the waste hierarchy. The Plan shall include, but not be limited to:
 - (i) a description of the likely quantity and nature of waste streams that will be generated during construction of the development;
 - (ii) measures to monitor and manage waste generated during construction including general procedures for waste classification, handling, reuse, and disposal, use of secondary waste material in construction wherever feasible and reasonable, procedures or dealing with green waste including timber and mulch from clearing activities and measures for reducing demand on water resources;
 - (iii) measures to monitor and manage spoil, fill and materials stockpiles, including details of how spoil, fill or material will be handled, stockpiled, reused and disposed of, and locational criteria to guide the placement of stockpiles; and
 - (iv) details of the methods and procedures to manage construction related environmental risks and minimise amenity impacts associated with waste handling.Construction works shall thereafter be carried out in full accordance with the CEMP Sub-Plans.

Reason: To ensure, manage and co-ordinate the protection and enhancement of the Environment in accordance with the requirements of Policies SD1, SD3, SD4, LD1, LD4 of the Herefordshire Local Plan - Core.
6. The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity Enhancements, as recommended in the report by Willder Ecology, dated June 2020, shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), and Herefordshire Core Strategy (2015) policies LD2, SD3 and SD4.
7. The lighting scheme as recommended in the ecology report by Willder Ecology, dated June 2020, shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority. No external lighting

should illuminate any boundary feature, adjacent habitat or area around the approved mitigation and biodiversity enhancement features.

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 (2018), NERC Act (2006), Herefordshire Core Strategy (2015) policies SS6, LD1-3 and, Dark Skies initiative (DEFRA-NPPF 2013/18)

8. All foul water shall discharge through a connection to the local Mains Sewer network and surface water shall be managed through on site SuDs and soakaway, within the development boundary; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework (2018), NERC Act (2006), and Herefordshire Core Strategy (2015) policies LD2, SD3 and SD4.

9. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

10. All planting, seeding or turf laying in the approved landscaping scheme pursuant to Approved plan WVV-05A 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 and the National Planning Policy Framework.

11. Prior to the first occupation of the residential development hereby permitted a scheme to enable the charging of plug in and other ultra low emission vehicles (e.g provision of cabling and outside sockets) to serve the occupants of the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority.

Reason: To address the requirements policies in relation to climate change SS7 and SD1 of the Herefordshire Local Plan Core Strategy and the guidance contained within the National Planning Policy Framework.

12. CAT – Construction Management Plan

13. CBO – Scheme of surface water drainage

INFORMATIVES:

1. 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. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
3. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

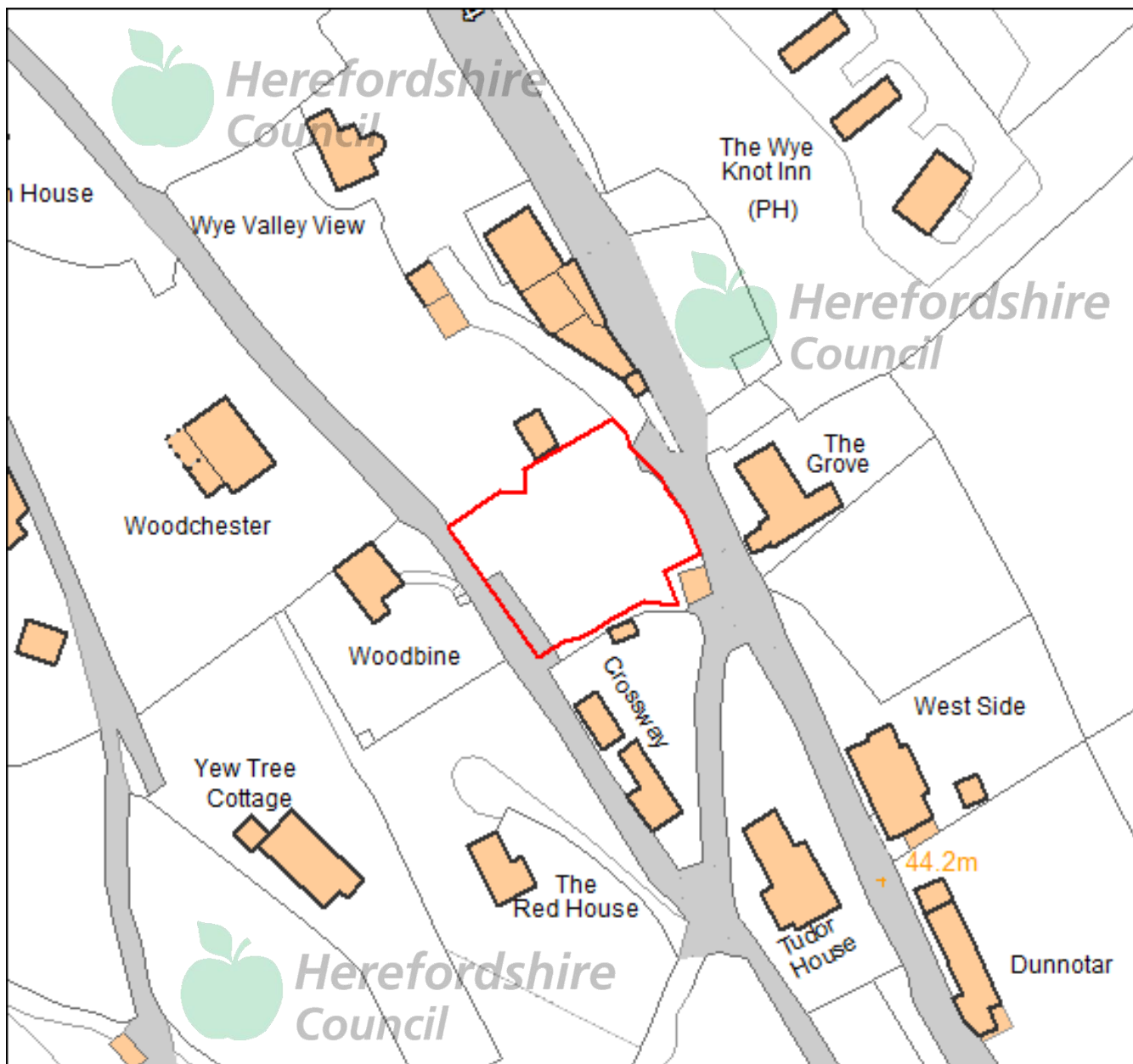
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 202050

SITE ADDRESS : LAND AT WYE VALLEY VIEW, SYMONDS YAT, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6BJ

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Further information on the subject of this report is available from Mrs G Webster on 01432 261803