

MEETING	PLANNING AND REGULATORY COMMITTEE
DATE:	28 JUNE 2023
TITLE OF REPORT:	224160 - PROPOSED CHANGE FROM GARDEN ROOM/GYM TO ONE BEDROOM HOLIDAY LET. PARKING TO BE PROVIDED AT REAR OF PROPERTY. (NO EXTERNAL CHANGES TO BUILDING) AT 26 WHITEHORSE SQUARE, HEREFORD, HEREFORDSHIRE, HR4 0HD For: Mrs Williams per Mrs Louise Williams, 26 White Horse Square, Hereford, Herefordshire, HR4 0HD
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=224160
Reason Application submitted to Committee - Redirection	

Date Received: 5 December 2022

Ward: Greyfriars

Grid Ref: 349736,240040

Expiry Date: 13 February 2023

Local Member: Cllr Diana Toynbee

1. Site Description and Proposal

- 1.1 The application site comprises an existing building within the garden curtilage of 26 Whitehorse Square. The subject building was originally approved under Planning Permission P141422/FH as a garden room/gym and was a replacement of an existing greenhouse. In addition to this building, the wider site also benefits from a recent permission allowing the conversion of a commercial workshop to a 2 bed dwelling (Planning Permission P222293/F) and work to implement this separate permission have commenced.
- 1.2 26 Whitehorse Square itself is a semi-detached property. It is understood that the originally constructed property was not provided with any off-road parking from Whitehorse Square but the applicant has historically utilised an alternative means of access from Westfaling Street for residential purposes and in connection with his seat repair business.
- 1.3 The application seeks permission for the change of use of the garden room to a one bedroom unit of holiday accommodation. It would be accessed via the existing drive from Westfaling Street and would be allocated one parking space. The remaining 2 spaces available at the end of the drive would "as approved" serve the approved dwelling created by the conversion of the workshop building. No physical alterations to the garden room are proposed by the application.

2. Policies

2.1 Herefordshire Local Plan Core Strategy (CS)

- SS1 - Presumption in favour of sustainable development
- E4 - Tourism
- MT1 - Traffic management, highway safety and promoting active travel
- LD1 - Landscape and townscape
- LD2 - Biodiversity and geodiversity
- SD1 - Sustainable design and energy efficiency
- SD3 - Sustainable water management and water resources
- SD4 - Waste water treatment and river water quality

2.2 National Planning Policy Framework (NPPF)

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

2.3 The 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

2.4 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 has been taken to undertake the review and 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.

3. Planning History

3.1 The following applications are considered relevant to the proposal under consideration:

- | | |
|---------------|--|
| P222293/F | Conversion of existing garage with first floor to single self-contained house with 2 parking spaces. Approved |
| P141422/FH | Proposed replacement of brick based greenhouse with brick and block built garden room/gym. Approved |
| CW2000/0408/F | Demolition of existing garage and workroom and erection of new double garage and workroom with first floor store. Approved |

4. Consultation Summary

4.1 Statutory Consultations

Welsh Water:

We can advise that Eign WwTW has a phosphate permit, this matter will need to be considered further by the local planning authority. Notwithstanding this we can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

The proposal is to discharge surface water via a soakaway system, we have no objection to this however advise that the applicant seek advice from the Environment Agency and the Building Regulations Authority as both are responsible to regulate alternative methods of drainage.

Should circumstances change and a surface water connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Condition and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions

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.

Advisory Notes

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

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.

The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with National Planning Policy Framework (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

Natural England:

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

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

Internationally and nationally designated sites

The application site is within the catchment of the River Wye which is part of the River Wye Special Area of Conservation (SAC) which is a European designated site, and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended), the 'Habitats Regulations'. The SAC is notified at a national level as the River Wye Site of Scientific Interest (SSSI) Please see the subsequent sections of this letter for our advice relating to SSSI features. In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have.

The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

European site - River Wye SAC - No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

River Wye SSSI – No objection

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Other advice

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

4.2 Internal Council Consultations

Area Engineer Team Leader

Original comment (31.1.23)

The proposed holiday let will reduce the available car parking for the recently consented two bed dwelling from two spaces to one. This is considered acceptable given the sites sustainable location therefore allowing occupants of both the consented dwelling and the proposed holiday let to access the City Centre on foot or by bicycle. However, in order to encourage access to the proposed holiday let by sustainable modes cycle storage should be provided, this can form a condition of planning consent should it be granted.

It should be noted that the parking situation for the main dwelling at 26 Whitehorse Square, an issue which has been raised by a number of objectors, would be unaffected by this application. The parking space that would be utilised by this application is currently allocated to the recently consented garage conversion rather than the main dwelling. Therefore there would be no reliance on on-street parking by the proposed holiday let and no change to the historic parking situation for the main dwelling.

The local highway authority has no objection subject to the below conditions.

Conditions: CB2, CA1 (one space)

Updated comment (6.2.23)

I am content with the advice provided. With regards to the first planning application (222293) my email dated 14th September is correct, there is no typo as suggested in the email from Adam Symonds. I believe that it would be unreasonable to request parking for 26 Whitehorse Square be provided because it has never had any off-street parking and wouldn't have had any if the plot of land with the garage on had not been purchased by the owners.

In relation to the current application (224160) I am content that one of the spaces from the adjacent garage conversion could be used for this application, albeit I note that condition 9 of application 222293 states that two spaces must be provided for the garage conversion therefore this condition may need to be amended. It is acceptable for the garage conversion to a two bed dwelling to have only one space due to the site's proximity to the City Centre and other facilities. Our parking standards are maximum standards (i.e. a two bedroom dwelling requires a maximum of two spaces) so that in situations such as this where the site is located in a sustainable location there is an opportunity to reduce the parking requirements. Two spaces were originally proposed by application 222293 but had only one been proposed that would have been acceptable. The proposed holiday let has only one bedroom, therefore only a maximum of one space is required. In relation to the issue of the two plots being under two different titles and what would happen if they were split and sold separately, this is overcome by a condition being attached to the current application, should permission be granted, stating that one off-street parking space has to be provided. Therefore if one space isn't provided the condition isn't met and enforcement action could be taken.

Environmental Health Service Manager (Noise / Nuisance):

My comments are from a noise and nuisance perspective.

As the proposed holiday accommodation is within a residential area, I suggest the following condition be added to any permission granted:

No external speakers to be used in relation to the use as holiday accommodation.

Reason: To safeguard the amenity of the locality and to comply with Policies SS6 and E4 of the Herefordshire Local Plan.

Principal Natural Environment Officer (Ecology)

The site is within the hydrological catchment which comprises part of the River Wye Special Area of Conservation (SAC); habitats recognised under the Habitats Regulations, (The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations')) as being of international importance for its aquatic flora and fauna.

The LPA must complete a relevant Habitat Regulations Assessment process and have legal and scientific certainty that there are no adverse effects on the integrity of the designated site PRIOR to any grant of a planning consent. The LPA must as required submit any HRA appropriate assessment for formal consultation and approval by Natural England prior to any planning consent being granted.

The LPA requires all information to be beyond doubt and legally and scientifically certainty in order to complete the HRA process that must be completed with a precautionary approach.

Notes in respect of HRA:

The proposal is for the conversion of a garden room/gym to self-contained one bedroom holiday let. There is a mains sewer connection available to this development to manage foul water flow. At this location the mains sewer system is managed through DCWW's Eign (Hereford) Wastewater Treatment Works. The Eign WwTW discharges in to the 'lower middle' section of the River Wye SAC. DCWW have not made any comments to indicate that a connection to their mains sewer system cannot be achieved.

Natural England have not currently advised this LPA that this catchment area is failing its conservation status. The additional nutrient loading can be accommodated within the allowance currently secured through the Core Strategy.

No significant additional surface water flows are identified from the proposed development. The agreed foul water management system can be secured by condition on any planning permission granted

Subject to a no objection response by Natural England to the HRA appropriate assessment completed by the LPA there are no identified unmitigated effects from this development on the River Wye SAC

Habitat Regulations (River Wye SAC) - Foul Water

Unless otherwise approved in writing by the planning authority, all foul water, created by the development approved by this permission shall discharge through connection to the local 'Hereford Eign' mains sewer system managed by Welsh Water

Reason: In order to comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SSI, SS6, LD2 and SD4.

Additional ecology comments:

From supplied and available information, the LPA has no reason to consider that there are unlikely to be any effects on 'protected' species from the proposed development. The applicant and their contractors in respect of all site preparation and construction works have their own legal duty of care to wildlife protection as afforded by the Wildlife & Countryside Act that lies above any conditions the LPA could include; with any breach being investigated by the local Wildlife Crime Officer from West Mercia police. A relevant informative and relevant conditions are suggested for inclusion on any planning consent granted.

Wildlife Protection Informative

The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special "protected species" such as all Bat species, Great Crested Newts, Badgers and other wildlife that are present and widespread across the County. All nesting birds are legally protected

from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that further advice from a local professional ecology consultant is obtained.

5. Representations

5.1 Hereford City Council

Original comment (20.2.23)

Hereford City Council Planning Committee object to Planning Application 224160. Councillors agreed with the many objections lodged by neighbouring properties to the application, which primarily site traffic issues and amenity issues. Councillors were concerned that adding further cars entering/exiting onto Street would cause congestion, and that there was limited potential for vehicle turning on the access road. Councillors noted that the property is listed as Whitehorse Square, but with the access coming from Westfaling Street this has the potential to cause confusion on GPS maps, leading to possible further build-up in Whitehorse Square. Councillors also noted that some residents were concerned with noise pollution, which though addressed by the EHO, Councillors felt was not enough as many neighbours were concerned with the disruption that holiday-makers would bring to such a small and cramped area. The proximity to neighbours is too close and would cause severe amenity loss to those properties. Representatives from the neighbourhood were present to give their objections, which were agreed with by Councillors. Planning Committee request for dismissal of the application over Condition 5; P141422/FH

Updated comment (28.4.23)

Hereford City Council Planning Committee request to withdraw their objection to planning application 224160 26 Whitehorse Square, on the condition that the amendments the applicant has made to the address (87a Westfaling Street) and parking issues remain.

Councillors were pleased to see the applicant had responded to objectors' concerns.

5.2 There have been 17 objections. The concerns raised can be summarised as follows:

- Unacceptable noise and disturbance associated with groups of holiday makers
- Harmful impact associated with additional parking in Whitehorse Square, restricted access for emergency vehicles
- Insufficient space for parking and turning on site will result in dangerous reversing manoeuvres onto Westfaling Street
- Unsafe access onto Westfaling Street with restricted visibility and close to bus stop
- No parking space retained for occupiers on 26 Whitehorse Square
- Increased car emissions associated with increased occupancy of site
- Loss of privacy
- Surface of driveway inadequate for increase vehicular use
- Inadequate disabled access provision
- Building not constructed in accordance with original plans

5.3 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=224160&search-term=224160

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 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.
- 6.3 Before setting out the main considerations, it is necessary to address the allegations that relate to the lawfulness of the building which is the subject of this application. Its height and a number of elevational anomalies have been questioned. In light of these, it has been established that the building "as built", does not accord with the originally approved plans submitted with application 141422/F. Its height above ground level has been measured and this varies between 4.089 metres and 4.115 metres whereas the dimensioned height as approved was 3.6 metres. It is therefore approximately 0.5 metres taller. However, it has also been confirmed that the building was completed in October 2014. This far exceeds the period of time within which any enforcement action might have been considered and it is considered that the building, as constructed, is now lawful by reason of the passage of time and that the Council can consider its change of use without the need to regularise the breach that has been identified.
- 6.4 Core Strategy Policy E4 is of relevance to proposals for tourism development, and seeks to promote Herefordshire as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county's unique environmental and heritage assets and recognising the intrinsic character and beauty of the countryside. In this regard, and as a point of principle, there is no fundamental objection to this proposal which is regarded as being locationally sustainable and would offer guests a real choice of active travel or non-car based journeys.

Parking and access considerations

- 6.5 It is clear from many of the objections received that the increased parking requirements associated with the proposed use is a concern. This can be characterised into two distinct elements as follows:
- the suitability of the existing parking area accessed off Westfaling Street to serve the needs of the proposed holiday accommodation and the dwelling approved through the conversion of the existing workshop building pursuant to Application P222293/F
 - The impact of the displacement of parking currently used in connection with the applicants property (26 Whitehorse Square)
- 6.6 So far as the proposed parking and access arrangements are concerned the Area Engineer Team Leader is satisfied that a single parking space as identified is suitable for a one bed unit of holiday accommodation and that there is adequate space for this to be provided alongside the 2 other spaces that have been conditioned as part of the separate permission for the conversion of the former workshop to a 2 bed dwelling. Furthermore during the assessment of this application it has been confirmed that a single parking space allocated to the approved workshop conversion (rather than the 2 conditioned) would still meet the policy requirements given the small scale of the approved dwelling and relatively sustainable nature of the location.
- 6.7 Either way, it is considered that there is an appropriate level of parking for the dwelling that has been approved pursuant to 222293/F and the proposed one bed holiday accommodation.

- 6.8 It is acknowledged that the associated turning space is limited but again, this has not attracted an objection from the Area Engineer Team Leader. This is based upon the fact that the parking area itself is positioned sufficiently far away from the junction with Westfaling Street such that any requirements to manoeuvre vehicles would not be immediately adjacent to or upon the highway or footpath and as such there would be no direct impact upon highway and pedestrian safety.
- 6.9 It also needs to be born in mind that prior to the granting of 222293/F, the site had a commercial use in connection with the applicants seat repair business and whilst this was restricted, it is nevertheless an important material consideration when considered whether the resulting traffic movements would result in a level of concern in respect of highway safety matters.
- 6.10 Accordingly in relation to the access and parking implications for the proposed use of the existing outbuilding as a one bed unit of holiday accommodation there would be no unacceptable highway safety implications
- 6.11 Turning now to the impact of this proposal upon the parking provision for the applicants existing property (26 Whitehorse Square), it is acknowledged that a result of this application in combination with 222293/F is that 26 Whitehorse Square will have no available off road parking. The implication therefore being that greater pressure will be put upon the on-street parking arrangements within the Square.
- 6.12 This concern is recognised but it has also been established that when originally built, the property was not provided with any off road parking. Instead through separately acquiring the land upon which the workshop is now located, the applicant has been able to benefit from the parking space available from the Westfaling Street entrance during his occupation of the property.
- 6.13 In essence therefore the effect of this application will be to return the parking situation to the position when the house was originally constructed and ultimately there is nothing to stop the applicant, as many other residents do, from parking his own cars in Whitehorse Square now. In addition, the applicant has confirmed that a new Westfaling Street property address (87A Westfaling Street) has been registered for the workshop/dwelling conversion and once occupied this would have the benefit of removing the risk of visitors/delivery vehicles inadvertently arriving in Whitehorse Square.
- 6.14 As such, whilst acknowledging the many concerns that have been raised and appreciating that on street parking in Whitehorse Square is at a premium, the material considerations that apply to this application are such that it is not considered that a reason for refusal can be sustained.
- 6.15 Of key importance to the recommendation is the “no objection” from the Area Engineer Team Leader which leads to the view that the proposal does not compromise the aims and objections of CS policy MT1 or the NPPF.

Residential Amenity

- 6.16 The proposal is for the change of use of an existing building whose presence has been an established part of the site since October 2014 and as such the physical impact of the building is unchanged.
- 6.17 The proposed use is not an inherently noisy one providing that the property is well managed and occupiers are respectful of neighbours. It is recognised that there will likely be additional car movements associated with the use but this is not considered to be of a magnitude that would be out of keeping with the locality and would be instead of the previous workshop use.
- 6.18 Additionally the Environmental Health Service Manager has not raised an objection subject to conditional control over the playing of amplified music outside the unit.

6.19 As such whilst again acknowledging the concerns raised by neighbouring occupiers at the potential impact of increased occupation and the comings and goings of guests, there are not considered to be any grounds upon which the withholding of planning permission could be justified. Subject to conditions, the proposal is considered to accord with the requirements of CS policy SD1

Biodiversity impacts/Drainage

6.20 The building benefits from an existing mains sewer connection and would not result in any change to the surface water management requirements of the site. The Council's Ecologist and Natural England do not object to the application so far as the likely significance of effects upon the River Wye Special Area of Conservation (SAC) is concerned and there are no impacts identified in respect of protected species

6.21 From a technical perspective Welsh Water have reviewed the application and raise no objection subject to a condition controlling combined discharges to the mains sewer.

6.22 In light of the above, the application is considered to comply with the relevant sections of policies LD2, SD3 and SD4

Conclusion

6.23 The application has attracted a relatively high level of local objection, principally due to the potential impact of additional parking within Whitehorse Square but for the reasons set out in the above assessment and having regard to the responses from statutory and internal consultees, there is no conflict with policies and the application is therefore recommended for approval.

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**
2. **C06**
3. **C81**
4. **CAI (one car)**
5. **CB2**
6. **There shall be no external speakers/amplified music used/played in relation to the holiday accommodation hereby approved.**

Reason: To safeguard the amenity of the locality and to comply with Policy SD1 and E4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. **Unless otherwise approved in writing by the planning authority, all foul water, created by the development approved by this permission shall discharge through connection to the local 'Hereford Eign' mains sewer system managed by Welsh Water**

Reason: In order to comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SSI, SS6, LD2 and SD4.

- 8. 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.

INFORMATIVES:

- 1. IP1**
- 2. The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special "protected species" such as all Bat species, Great Crested Newts, Badgers and other wildlife that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that further advice from a local professional ecology consultant is obtained.**
- 3. 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**

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The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with National Planning Policy Framework (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

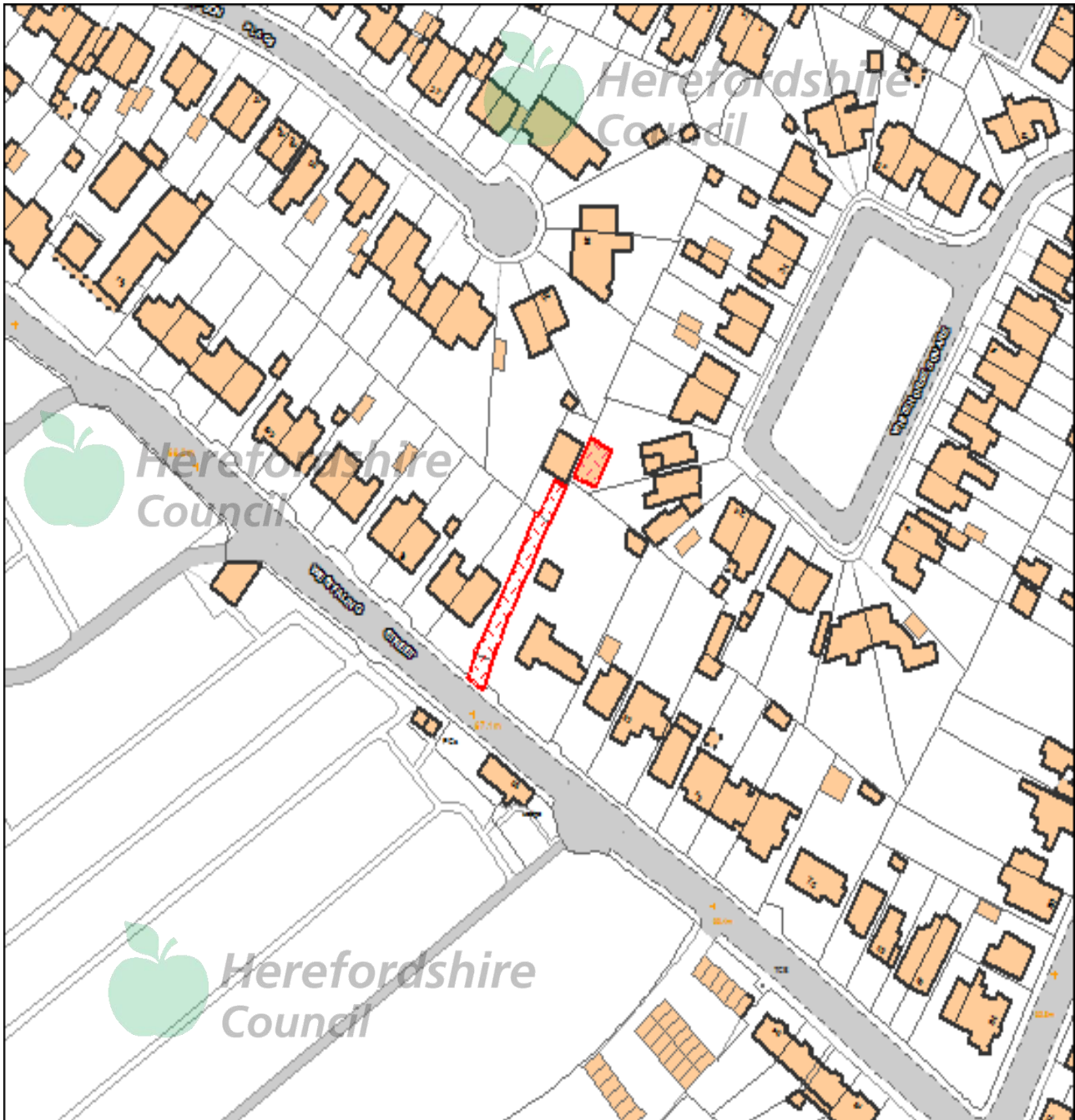
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 224160

SITE ADDRESS : 26 WHITEHORSE SQUARE, HEREFORD, HEREFORDSHIRE, HR4 0HD

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Further information on the subject of this report is available from Mr Simon Withers on 01432 260612