

Supplement to the agenda for

Planning and regulatory committee

Wednesday 4 October 2017

2.00 pm

**Council Chamber, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX**

Schedule of Updates

Public Speakers

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PLANNING COMMITTEE

Date: 4 October 2017

Afternoon

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

SCHEDULE OF COMMITTEE UPDATES

162556 - ERECTION OF TWO POULTRY UNITS, FEED BINS, WIDENING OF EXISTING ACCESS, NEW ACCESS TRACK AND ASSOCIATED DEVELOPMENT AT LAND WEST OF EATON HILL, LEOMINSTER, HEREFORDSHIRE

For: Mr Corbett per Mr Graham Clark, Newchurch Farm, Kinnersley, Hereford, Herefordshire HR3 6QQ

ADDITIONAL REPRESENTATIONS

Correspondence has been submitted by the Board of Directors of Brightwells. They comment as follows:

We wish for our objection to be taken into account, on the basis of traffic, noise, odour and the proximity to the town of Leominster. We would also like to remind the Planning Committee that Brightwells has previously been denied road access by the Highways Agency onto the A49, which is comparable to the access detailed in this planning application.

A further letter of objection has also been received from a local resident. In summary the matters raised are as follows:

- The proposal is damaging to the quality of life of local residents by virtue of increases in odour, air and water pollution.
- Damaging to the attractiveness of the area to visitors.
- The proposal is within 200 metres of the R. Lugg in which phosphates are seven times the Natural England recommended level.
- Parts of Leominster have the worst air pollution in the county. The proposal will add to this.

OFFICER COMMENTS

The concerns raised by the additional objections does not raise any new matters. Traffic, noise, odour, biodiversity and landscape impact are all considered in the officer's appraisal and the proposals are considered to be policy compliant in each case. The fact that Highways England were not minded to support proposals for Brightwells to create an access directly onto the A49 is not material to the determination of this application. However the significantly different amounts of traffic likely to be generated by the respective sites is considered to be why Highways England have arrived at different conclusions in each case.

As written, condition 7 does not preclude vehicles from turning right as they exit the site. It is therefore proposed to amend condition 7 to prevent right turns out of the site onto the A49.

I wish to amend the final sentence of paragraph 6.50 by adding “in accordance with s38(6) of the 2004 Act” after development plan

CHANGE TO RECOMMENDATION

Amended condition 7

Prior to the development hereby approved being first brought into use the applicant shall submit a Traffic Management Plan for the written approval of the local planning authority. The plan shall particularly provide details of arrangements to ensure that vehicles entering the site do so from a northerly direction *and exit in a southerly direction only* so as to avoid right turns on the A49(T).

Reason: In order to ensure that the free flow of traffic on the A49(T) is ensured in the interests of highway safety and to comply with Policy MT1 of the Herefordshire Local Plan – Core Strategy

The following additional condition is also recommended:

13) If the development hereby permitted becomes redundant for the keeping / rearing of poultry a fully detailed scheme (including timescales) for the decommissioning of the facility, demolition of the buildings and restoration of the land to its former state shall be submitted to the Local Planning Authority within six months for their written approval. No work pursuant to this condition shall commence until the Local Planning Authority has given its written approval. In the event of the development becoming redundant for the keeping / rearing of poultry, the approved decommissioning and restoration scheme shall be fully implemented;

Reason: To safeguard the countryside from unnecessary large scale redundant developments and to comply with Policy LD1 of the Herefordshire Local Plan – Core Strategy

**171535 - PROPOSED 3 NO DWELLINGS & GARAGES AT LAND
ADJACENT TO WOODHOUSE FARM, EDWYN RALPH,
HEREFORDSHIRE,**

**For: Johnson Brothers & Co Ltd per Mr John Needham, 22 Broad Street,
Ludlow, Shropshire, SY8 1NG**

ADDITIONAL REPRESENTATIONS

A covering letter attached to a petition raises the following main points:

- Not following due process, why was Heritage Statement withdrawn, not opportunity for scrutiny
- Contamination risk needs to be subject of scrutiny; application states no contamination of site
- Footpath incorrectly shown on plans

- Applicant has stated no trees /or hedgerows to be removed – not case with removal for access. Seen bats in adjoining pasture, contend bats use the hedgerow as well as a large number of species
Footpath obstructed 'previous scheme removed plot to retain route between houses lowers quality of views for walkers
- Anthrax concern
- Negative impact on setting of listed building – note preserve significance of The Manor
- Lack of demonstrable need for development
- Land designated as AONB, example of land protected in NPPF from development
- Does not satisfy RA3 in Core Strategy
- Woodhouse Farm is a Heritage Asset
- What are published criteria for non-designated assets
- 'Fixing our broken housing market ' - White Paper relevant

OFFICER COMMENTS

The withdrawal of the heritage statement by the applicant has not removed the obligation on the authority to assess the impact of the three dwellings on the significance of the setting of The Manor. This was one of the key issues when the appointed Inspector determined that the cul-de-sac form of development of 5 dwellings harmed the significance of a heritage asset.

The authority does not have published criteria/list for non-heritage assets. Each application is determined on the significance of the setting, which includes buildings and landscape. The Conservation Manager has addressed the significance of Woodhouse Farm in his consultation reply as did the appointed Inspector when determining the appeal for 5 dwellings earlier this year.

This is not an AONB. Edwyn Ralph is a designated settlement and therefore attracts development in accordance with Policy RA2.

An ecological assessment has been made of the roadside hedgerow and trees, which was the subject of the aforementioned dismissed Appeal. Therefore, it is not considered that are grounds for resisting development on bio-diversity grounds.

The applicant will need to apply for a diversion of the footpath separately from the determination of this application. Development cannot proceed until such time as this separate legal matter is resolved.

NO CHANGE TO RECOMMENDATION

PLANNING COMMITTEE - 4 October 2017

PUBLIC SPEAKERS

Afternoon

APPLICATIONS RECEIVED

4	Mr Corbett Per Mr G Clark	Erection of two poultry units, feed bins, widening of existing access, new access track and associated development at Land West of Eaton Hill, Leominster, Herefordshire	162556	9
OBJECTOR		MS A HAYDOCK (local resident)		
SUPPORTER		MR G CLARK (applicant's agent)		
5	Johnson Brothers & Co Ltd Per Mr J Needham	Proposed 3 no dwellings and garages at Land Adjacent to Woodhouse Farm, Edwyn Ralph, Herefordshire	171535	39
PARISH COUNCIL		MR D ROBERTS (Thornbury Group Parish Council)		
OBJECTOR		MR A EVANS (local resident)		

