

Minutes of the meeting of Planning and regulatory committee held at The Council Chamber - The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Wednesday 13 September 2017 at 10.00 am

Present: Councillor PGH Cutter (Chairman)
Councillor J Hardwick (Vice-Chairman)

Councillors: BA Baker, WLS Bowen, DW Greenow, KS Guthrie, JA Hyde, TM James, JLV Kenyon, PM Morgan, FM Norman, AJW Powers, A Seldon, NE Shaw and EJ Swinglehurst

41. APOLOGIES FOR ABSENCE

Apologies were received from Councillors C Butler, PJ Edwards, EL Holton and WC Skelton.

42. NAMED SUBSTITUTES

Councillor JA Hyde attended the meeting as a substitute member for Councillor C Butler, Councillor WLS Bowen for Councillor PJ Edwards, Councillor PM Morgan for Councillor WC Skelton and Councillor NE Shaw for Councillor EL Holton.

43. DECLARATIONS OF INTEREST

Agenda item no. 11 – 171931 – Cop Castle, Bringsty Common, Bromyard, Worcester, Herefordshire WR6 5UN

Councillor NE Shaw declared a schedule one disclosable pecuniary interest as the applicant. He would leave the meeting room at the start of the item and remain absent from proceedings for the entirety of the discussions and decision-making.

There were two further declarations of interest please see minutes 47 and 48 below.

44. MINUTES

RESOLVED: That the Minutes of the meeting held on 2 August 2017 be approved as a correct record and signed by the Chairman.

45. CHAIRMAN'S ANNOUNCEMENTS

The Chairman requested that if members felt that a site visit in respect of any applications on the agenda was required then this should, where possible, be raised as a proposal at the start of the item.

46. APPEALS

The Planning Committee noted the report.

47. 162261 - LAND OFF ASHFIELD WAY, BROMYARD, HEREFORDSHIRE, HR7 4BF

During consideration and determination of the application Councillor Seldon acted as the local ward member and exercised no voting rights.

The principal planning officer provided a presentation on the application and confirmed that following the consultation response of the Herefordshire Clinical Commissioning Group (CCG) an allocation of funding had been included in the heads of terms to deliver improvements to the local surgery.

In accordance with the procedure for public speaking at planning and regulatory committee, Mr R Page of Bromyard and Winslow Town Council, spoke in opposition to the application. Mrs C Hughes, a local resident, speaking on behalf of residents of Ashfield Way spoke in objection.

Councillor A Seldon, the local ward member, spoke on the application and made the following points:

- The response from the CCG had acknowledged the strain on the local surgery and an allocation of section 106 funding was required. The surgery was one of the busiest in Herefordshire and a large influx of residents would undermine the provision of primary and secondary healthcare to new and existing residents.
- The site was a windfall development and had not previously been allocated in any local plans.
- Core Strategy Policy BY1 identified the construction of a minimum of 500 houses and 5 hectares of employment land up to 2031 and took account of infrastructure requirements.
- Under Policy BY2 the site at Hardwick Bank had been identified as the preferred strategic housing site after consultation with the Town Council. Taking into account the housing proposed for the Hardwick Bank site, the likely re-development of the highways depot and the current application Bromyard could potentially experience an increase of 900 houses and it was doubted whether the infrastructure was in place to support this expansion.
- It was important for the committee to consider each application brought before it on an independent and individual basis. However, a strategic oversight of the impact of a high level of housing development on Bromyard should be borne in mind.

- The impact of additional housing on St Peters primary school was raised. The school was close to capacity and the application would have significant impact on educational infrastructure.
- Councillor Seldon declared a personal interest as Vice Chairman of the Governing body of St Peters primary school.
- The application had not identified employment land and was contrary to policies SS5 and BY1.
- The reasons proposed to approve the application, particularly the lack of 5 year housing supply and the absence of a neighbourhood plan at Bromyard, were questioned. A solar farm had recently been refused on an adjacent site due to impact on landscape, policy LD1 had been cited in the reasons for the refusal. Recent legal precedent supported the refusal of the application on landscape grounds.
- In the event that the application was approved a condition was requested which ensured that local residents and the town council was involved at an early stage in discussions concerning a reserved matters application.

In the committee's discussion of the application the following principal points were raised:

- A demand in the county for new housing was relevant.
- It was important that local residents and the town council were involved in layout and landscaping elements of any further application.
- The impact of the site on the highways infrastructure was not felt to be significant. A pedestrian crossing to link the site to the local school should be included in any future application.
- The site was well screened by established trees which should be retained in any future application. A planting scheme should form part of any reserved matters application, specifying density and exact number. The feathering of the site (transition from the development to the countryside) within the landscape was important along with provision for biodiversity and wildlife.
- The absence of employment land was a concern particularly given the age profile of residents in Bromyard. Land in Bromyard had been identified for development and the current application was contrary to the requirements for employment land outlined in policies SS5 and BY1.
- There were concerns regarding the impact of the development on the landscape. Some members felt that the suitability and sustainability of the proposed site were not acceptable.
- The application highlighted the importance to local communities of ensuring that a neighbourhood development plan was in place.
- There was an acceptance of the assessment of sustainable development associated with the site and that this principle was sufficient to overcome the objections on landscape ground and the provisions of LD1.

The local ward member was given the opportunity to close the debate. He explained the circumstances around the absence of a neighbourhood development plan in Bromyard and urged the committee to give weight to landscape issues in determination of the application.

Councillor PM Morgan proposed and Councillor EJ Swinglehurst seconded a motion to approve the application in line with the officer recommendation. The motion was carried; 9 in favour; 3 against; and 2 abstentions.

RESOLVED: That planning permission be granted subject to the following conditions:

1. **A02 Time limit for submission of reserved matters (outline permission)**
2. **A03 Time limit for commencement (outline permission)**
3. **A04 Approval of reserved matters**
4. **B01 Development in accordance with the approved plans**
5. **No development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details:**
 - a. **Wheel cleaning apparatus which shall be operated and maintained during construction of the development hereby approved.**
 - b. **Parking for site operatives and visitors which shall be retained and kept available during construction of the development.**
 - c. **A noise management plan including a scheme for the monitoring of construction noise.**
 - d. **Details of working hours and hours for deliveries**
 - e. **A scheme for the control of dust arising from building and site works**
 - f. **A scheme for the management of all waste arising from the site**
 - g. **A travel plan for employees.**

The agreed details of the CMP shall be implemented throughout the construction period.

Reason: In the interests of the residential amenity of properties within the locality and of highway safety in accordance with Policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.
6. **Prior to the first occupation of any of the dwellings hereby approved a Travel Plan which contains measures and targets to promote alternative sustainable means of transport for residents and visitors with respect to the development hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority. The Travel Plan shall be implemented, in accordance with the approved details, on the first occupation of the development. A detailed written**

record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the Local Planning Authority upon reasonable request.

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform to the requirements of Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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.

8. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located, marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

9. The recommendations for species mitigation and habitat enhancements set out in the ecologist's reports for this application from Shropshire Wildlife Surveys be followed unless otherwise agreed in writing by the local planning authority and the scheme shall be carried out as approved. Prior to commencement of the development, an appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to inspect the site and ensure there is no impact upon protected species by clearance of the area. A species mitigation and ecological enhancement plan should be submitted to the local authority for approval and the scheme implemented as approved.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (with amendments and as supplemented by the Countryside and Rights of Way Act 2000), the Natural Environment and Rural Communities Act 2006 and the Conservation of Habitats and Species Regulations 2010 (and 2012

amendment).

To comply Herefordshire Council's Policies LD2 Biodiversity and Geodiversity, LD3 Green Infrastructure of the Herefordshire Local Plan Core Strategy 2013 – 2031 and to meet the requirements of the National Planning Policy Framework (NPPF).

10. G03 Retention of existing trees/hedgerows
11. G10 Landscaping scheme
12. G11 Landscaping scheme - implementation
13. H06 Vehicular access construction
14. I44 No burning of materials/substances during construction phase
15. I55 Site Waste Management
16. M17 Water Efficiency - Residential
17. Prior to the commencement of development the developer shall agree in writing with the local planning authority a scheme for the delivery of the open market housing hereby approved. This scheme shall comprise a schedule outlining the number of 2, 3 and 4 (+) bed dwellings proposed at the Reserved Matters stage; the overall mix being in general accord with the Council's Local Housing Market Assessment (or any successor document, adopted for these purposes by the local planning authority).

Reason: To define the terms of the permission and to comply with Policy H3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. Non Standard

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. Non Standard
3. HN04 Private apparatus within highway
4. HN01 Mud on highway

5. **HN28 Highways Design Guide and Specification**
6. **HN25 Travel Plans**
7. **HN05 Works within the highway**
8. **Non Standard**
9. **Non Standard**

Councillor Seldon took his seat on the committee at 11.10 a.m.

(The meeting adjourned between 11.10 a.m. and 11.24 a.m.)

48. 164024 - FORMER COUNCIL OFFICE, 39 BATH STREET, HEREFORD, HEREFORDSHIRE, HR1 2HQ

The Acting Development Manager gave a presentation on the application. It was summarised that the public benefits arising from the application outweighed the potential impacts on the designated heritage asset (Central Conservation Area) and the application was therefore recommended for approval.

In accordance with the procedure for public speaking Mrs Gale, local resident, spoke in objection to the application. Mr Neep, agent to the applicant, spoke in support of the application.

Councillor Hyde declared a personal interest in the application as a cabinet support member who had regularly attended the council offices in Bath Street.

In the committee's discussions of the application the following principal points were made:

- The development represented much needed city accommodation and made good use of a brownfield site. The plans not only proposed development but created a community in the heart of the city.
- The plans, including the layout of the site and the incorporation of existing buildings, were commended as an example of high quality design.
- Sympathy was expressed for local residents who may be affected during any potential construction period but it was acknowledged that planning conditions would be imposed to regulate the building phase, including dust suppression. The planting of mature trees on site was requested to address concerns regarding the impact of the development on the visual amenity of neighbouring properties. The enhancement of landscaping on the site was also raised as a method of mitigating some impacts including noise and views.
- The absence of consultation with the local Clinical Commissioning Group (CCG) was noted and it was felt that applications of significant size should warrant consultation with local health bodies. The council and the developer had responded positively to concerns expressed by the City Council and the Hereford Civic Society.

- The installation of PV cells on the flat roofing sections of the development was raised which could provide energy production for the locality.
- The installation of a sprinkler system in the proposed buildings and the provision of stairwells were questioned.
- The Chairman explained that the concerns of the local resident regarding dust from the site would be raised with the local ward member and contact with building control at the council should be maintained to ensure any issues which arose were reported promptly and addressed.

The Acting Development Manager responded to the queries raised: the CCG had been approached during the consultation; the sprinklers and the stairwells were issues which would be addressed during the building regulations stage; condition 15 ensured the screening of the site on Lloyd Street; the installation of PV cells had not been included in the designs due to the energy efficiency of the fabric-first approach to construction, their appearance, cost and future maintenance. The Lead Development Manager confirmed that conditions had been proposed for parking, restricting the hours of construction and the production of a Construction Environmental Management Plan which would relate to dust and would be enforced.

Councillor JA Hyde and Councillor WLS Bowen proposed a motion to approve the application in accordance with the officer recommendation. The motion was carried unanimously.

RESOLVED: That planning permission be granted subject to the following conditions:

1. **A01 Time limit for commencement (full permission)**
2. **C08 - Amended plans**
3. **C13 - Sample of external materials**
4. **LBC 17 - Contract for redevelopment before demolition.**
5. **LBC 21 - Recording of demolished structures to EH level ½**
6. **LBC 25 - Roof materials and colour.**
7. **LBC 33 - Masonry details, samples and sample panel on site.**
8. **LBC 38 - Details of heads and cills.**
9. **LBC 40 - External Joinery details including colour.**
10. **LBC 41 - Roof windows.**
11. **LBC 45 - Rainwater goods.**
12. **LBC 57 - External M&E services.**
13. **E01 - Site investigation archaeology**
14. **C90 - Protection of trees/hedgerows that are to be retained**
15. **C95 - Details of boundary treatments**

16. **C96 - Landscaping scheme**
17. **C97 - Landscaping scheme - implementation**
18. **CAL - Access, turning area and parking**
19. **CB2 - Secure /covered cycle parking provision**
20. **CAC - Visibility over frontage**
21. **CAZ - Parking for site operatives**
22. **CBK - Restriction of hours during construction**
23. **CCB - Scheme for refuse storage**
24. **CD2 - Habitat enhancement scheme**
25. **CD4 - No surface water/land drainage to connect to public system**
26. **CE6 - Efficient use of water**
27. **Construction environmental management plan**

INFORMATIVES:

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, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

(The meeting adjourned between 12.10 p.m. and 12.15 p.m.)

49. 163327 - WHITE HOUSE FARM, ARCHENFIELD, HAY-ON-WYE, HEREFORD, HEREFORDSHIRE, HR3 5TB

The principal planning officer gave a presentation on the application and updates/additional representations received following the publication of the agenda were provided in the update sheet as appended to these minutes.

In accordance with the procedure for public speaking Mr Gardiner of the Archenfield Campaign spoke in objection to the application and Mr Morgan, the applicant, spoke in support of the application.

In accordance with the council's constitution, the local ward member Councillor PD Price, spoke on the application.

He made the following principal comments:

- The significant issue relating to the application concerned the impact of the proposed structure on the landscape. The planting and hedges that had been

proposed as part of the application would help to mitigate the impact of the structure on the landscape. The barn proposed in the application was recessed into the hillside which reduced its impact on the landscape.

- The view of the landscape officer had changed during the application process. At first there had been no objection and the application was likely to be determined by delegated, officer decision. Following objections from the Archenfield Campaign the officer had raised an objection.
- Elements of the report from the landscape consultant (Carly Tinkler), on behalf of the Archenfield Campaign, were questioned and it was felt there were certain inaccuracies which could be misleading. The location of the application site was within the Wye Valley but there were consistent references in the report to the Golden Valley. The reference to the deer park was also questioned which was considered to be at a significant distance from the site.
- A large barn, on higher ground than the application site existed at Upper Broadmeadow Farm, close to Archenfield. The area was a rural and agriculture landscape where structures of this type were found.
- There were limited long distance views to the application site and contrary to the statement in the landscape report it was not felt that the development could be readily viewed from popular, long-distance paths nearby. The report had stated that users of the local footpaths would be adversely affected by the development but these paths were only rarely used and mitigation could be implemented including the planting of hedgerow.

In the committee's discussion of the application the following principal points were made:

- The barn proposed in the application was for agricultural purposes located in a rural, agricultural setting. It was a rural enterprise which would support the local rural community and agriculture in the area.
- The area in which the development was proposed was not a busy tourist area, the local footpaths were not regularly walked. The application site was not adjacent to a village. The proposed development when viewed from the higher ground at Bullens Bank would be recessed in to the foot of the hillside and the proposed paint colour would mitigate the impact of the structure on the landscape and wider panoramic view to an acceptable level.
- The significant level of mitigation proposed, including planting and painting of the barn, would offset the impacts of the development on the landscape. The lack of an objection from Natural England was considered significant.
- The potential noise from crowing cockerels from the barn was raised.
- The proposal was contrary to the NPPF which stated that development should protect or enhance the natural environment. The application site was located in an area which was proposed for AONB status and was close to a national park. The proposal was considered contrary to SS6 and LD1 of the Core Strategy which sought to conserve and enhance the landscape.
- The scale of the building was of concern, its industrial appearance and the impact upon the quality of the landscape.

- The area did benefit from tourism and the development would not assist the economic and strategic objectives of the county to increase visitor numbers.
- The adequacy of the road network serving the site, particularly with HGVs accessing the site during construction and ongoing operations. The significant distances involved in the transportation of feed to the site and the exporting of eggs was raised.

The principal planning officer responded to the comments of members that the potential noise from cockerels had been addressed in the report and was not felt to pose an unacceptable impact upon amenity. In addition it was commented that the report submitted by the Landscape Consultant on behalf of the Archenfield Campaign was not claiming views from the Deer Park but rather described the character of the wider landscape before focusing on significant viewpoints.

The local ward member was given the opportunity to close the debate. He commented he had significant concerns regarding the report submitted by the Landscape Consultant on behalf of Archenfield Campaign. The production of phosphates through chicken manure would be a valuable resource given the general shortage of the material. The miles involved in the transportation of food to the site and export of eggs was how the food network across the country operated. The size of the building in the application was governed by the contract that would be in operation which specified the inputs and outputs required in production.

Councillor DW Greenow proposed and Councillor BA Baker seconded a motion to approve the application on the grounds that: the impact of the development on the landscape character and appearance was not considered adverse; and the mitigation proposed, including the landscaping scheme and colour of materials would adequately limit any adverse impacts. The motion was carried: 9 votes in support and 6 votes against.

The principal planning officer outlined a number of conditions to attach to the permission including: time period for commencement; compliance with submitted plans; implementation of works to the vehicle access onto the C1208 and the provision of the vehicle turning area; grampian condition securing implementation of planning permission 170836 prior to commencement of the development, thus improving visibility onto the B4348; implementation of landscaping scheme & maintenance for ten years; delivery hours condition; building only to be used for fertile egg production; drainage condition; construction & environmental management plan condition; and colour of materials condition. The committee agreed the conditions and requested that any further conditions be agreed in consultation with the chairman of the committee and the local ward member.

RESOLVED: That officers named in the Scheme of Delegation to officers be authorised to grant planning permission subject to any conditions considered necessary by officers on the basis that the the impact of the development on the landscape character and appearance was not considered adverse; and the mitigation proposed, including the landscaping scheme and colour of materials would adequately limit any adverse impacts.

1.45 p.m. – Councillors Norman and Hyde left the meeting.

(The meeting adjourned between 1.45 p.m and 1.55 p.m.)

The senior planning officer gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet attached to these minutes.

In accordance with the procedure for public speaking, Mr M Morley, Little Birch Parish Council, spoke in support of the application and Mr Jones, the applicant spoke in support of the application.

In accordance with the Council's constitution, the local ward member, Councillor DG Harlow, spoke on the application.

He made the following principal points:

- There was a high level of support locally for the application. 21 letters in support had been received and the parish council had also expressed its support;
- The lack of a five year housing supply and the requirement for the committee to exercise balance and judgement in determination of the application. The application would enable the applicant to construct a house suitable for the elderly and allow him to remain in the village he had always lived in, into his old age.
- There was not a neighbourhood development plan for Little Birch in place but this was currently in process and was being produced.
- The sustainability assessment in the report was questioned as the lay out of the village of Little Birch was sprawling in nature and there was not a natural centre to the village.

In the Committee's discussion of the application the following principal points were made:

- Consideration of the need for additional retirement homes in the county.
- The absence of a neighbourhood development plan and the position of the proposed site within the curtilage of the village.
- Sympathy was expressed for the applicant but it was feared that the approval of the application would establish a precedent which would result in additional developments in the open countryside in the village.
- The application was felt to be premature, pre-empting the finalisation of the neighbourhood development plan. The site could be included in the neighbourhood development plan but the committee should not override the existing planning policy framework to grant permission. Consistency of decision making, in accordance with policy, was necessary.

The lead development manager commented that the neighbourhood development plan for the area was currently at the regulation 14 stage. No weight could be given to the plan until it reached a more advanced stage.

The local ward member was given the opportunity to close the debate and commented that he would encourage the finalisation of the neighbourhood development plan.

Councillor JLV Kenyon proposed and Councillor DW Greenow seconded a motion to approve the application. The motion was lost: 2 in favour and 11 against.

Councillor A Seldon proposed and Councillor WLS Bowen seconded a motion to refuse the application in line with the reasons outlined by the officer in the report. The motion was carried: 11 in favour, 1 against and 1 abstained.

RESOLVED: That planning permission be refused for the following reason

- 1. The proposal represents unjustified unsustainable residential development in an open countryside location contrary to the Herefordshire Local Plan: Core Strategy policies SS1, SS6, RA2 and RA3 and the relevant aims and objectives of the National Planning Policy Framework.**

2.29 p.m. Councillor Shaw left the meeting.

51. 171931 - COP CASTLE, BRINGSTY COMMON, BROMYARD, WORCESTER, HEREFORDSHIRE, WR6 5UN

The planning officer provided a presentation on the application.

In the committee's discussion of the application, the following principal points were made:

- The importance of considering applications of elected members at meetings of the planning committee to ensure transparency and probity.
- The application was supported.

A motion was proposed by Councillor WLS Bowen and seconded by Councillor EJ Swinglehurst to approve the application. The motion was carried unanimously.

RESOLVED: That listed building consent be granted subject to the following conditions:

- 1. D01 – Time limit for Commencement (Listed Building Consent)**
- 2. B02 – Development in Accordance with Approved Plans and Materials**

INFORMATIVES

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, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

52. DATE OF NEXT MEETING

The Planning Committee noted the date of the next meeting.

Appendix - schedule of updates

The meeting ended at 2.35 pm

Chairman

PLANNING COMMITTEE

Date: 13 September 2017

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

163327 - ERECTION OF A BARN EGG UNIT FOR FERTILE EGG PRODUCTION AT WHITE HOUSE FARM, WATERY LANE, HAY-ON-WYE, HEREFORD, HR3 5TB

For: Mr Morgan per Mr Hugh Morgan, White House Farm, Watery Lane, Archenfield Hay-on-Wye, Hereford, Herefordshire HR3 5TB

ADDITIONAL REPRESENTATIONS

Telephone calls questioning whether the ecology / bio-diversity matters have been adequately addressed given that it appears that any surveys may have taken place outside of the optimum survey period(s).

A petition with twenty-one signatories objecting to the application on landscape & amenity grounds has been received.

OFFICER COMMENTS

To address on record the aforementioned concerns the Planning Ecologist further advises me that:-

“All ‘Phase 1’ ecological surveys and reports will include reference to limitations of the survey and that dates or timings may be outside “optimal survey periods” – this does not indicate that the survey as undertaken is not relevant or appropriate. If the habitats identified and described, supported by available existing ecological record evidence, show a potential for a specific important protected species or habitat then further ‘optimal period surveys’ will be clearly identified and recommended within the discussion and recommendation sections of the ‘Phase 1’ ecological report. This is one of the features of a report that a LPA Ecologist looks for and assesses as part of their review and comment process. In this instance the ecological report by Craig Emms clearly demonstrates, and so concludes that, there are no habitats, likely structures or ecological features or indications of species usage that would require optimal period surveys to be recommended or carried out. This is supported by the lack of relevant biodiversity records held at the Herefordshire Biological Record Centre for this locality. This conclusion is supported and recognised by the Council’s Ecology team.

It has been recognised that the proposed development falls just within a 50m buffer of Hardwicke Brook Local Wildlife Site and in line with the Council’s own guidance and wider best practice the potential impacts on this aquatic LWS have been identified and the appropriate mitigation clearly recommended. If planning permission were to be granted this detailed mitigation, ecological risk avoidance measures and ecological working methods would be the subject to final approval and

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implementation through a pre-commencement condition for a detailed Construction Environmental Management Plan.”

Following yesterday’s Committee Site Visit I can confirm the following approximate distances to residential properties (i.e. the houses themselves) in the vicinity:-

- ‘Archenfield Cottage’ – approx. 100 metres to the south-east;
- ‘Archers Cottage’ – approx. 200 metres to the north-west; and
- ‘Redley’ – approx. 250 metres to the west.

NO CHANGE TO RECOMMENDATION

171411 - PROPOSED DWELLING AT LAND ADJACENT TO SUNNYBANK COTTAGE, LITTLE BIRCH, HEREFORDSHIRE

For: Mr & Mrs Jones per Mr John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, Herefordshire HR1 1LH

ADDITIONAL REPRESENTATIONS

None

OFFICER COMMENTS

For the avoidance of any doubt, it is confirmed that the applicant attached 18 letters of support (see paragraph 1.4 of the report) within the planning application itself.

During the actual public consultation exercise three (not 4) letters of support have since been received, along with support from the Parish Council (see paragraph 5.1 of the report).

NO CHANGE TO RECOMMENDATION

