

**Minutes of the meeting of Planning and regulatory committee
held online on Wednesday 5 August 2020 at 10.30 am**

Present: Councillor Alan Seldon (vice-chairperson)

Councillors: Paul Andrews, Sebastian Bowen, Barry Durkin, Toni Fagan, Elizabeth Foxton, Bernard Hunt, Tony Johnson, Mark Millmore, Jeremy Milln, John Stone, Kevin Tillett and Yolande Watson

138. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Polly Andrews, Hardwick, James and Rone.

139. NAMED SUBSTITUTES

Councillor Bowen substituted for Councillor Hardwick, Councillor Durkin for Councillor Rone and Councillor Tillett for Councillor Polly Andrews.

140. DECLARATIONS OF INTEREST**Agenda item 6: 200299 – Land adjacent Garnom, Birch Hill, Clehonger**

Councillor Milln declared an other declarable interest because he knew one of the objectors.

Agenda item 7: 200755 - Land Opposite Mill House Farm Fownhope

It was noted that most Councillors knew Councillor Hardwick, the applicant.

141. MINUTES

RESOLVED: That the minutes of the meeting held on 15 July 2020 be approved as a correct record and signed by the Chairman.

142. CHAIRPERSON'S ANNOUNCEMENTS

The Chairperson highlighted the imminent announcement of Government proposals to reform the planning system.

143. 200299 - LAND ADJACENT GARNOM, BIRCH HILL, CLEHONGER, HEREFORDSHIRE

(Proposed erection of two dwelling houses with shared vehicle access.)

The Senior Planning Officer gave a presentation on the application.

In accordance with the criteria for public speaking for virtual meetings, Mrs A Davies of Clehonger Parish Council spoke in objection to the application, as a virtual attendee. Mr K Hastings spoke in objection to the application, as a virtual attendee. Mr D Baume, the applicant's agent had submitted a written submission in support of the application. This was read to the meeting by the legal adviser to the Committee.

In accordance with the Council's Constitution, the local ward member, Councillor Hitchiner, spoke on the application. He outlined a number of locally held concerns about the application.

A member questioned why there was not comment from the landscape officer. The SPO commented that there had been no requirement to consult the landscape officer on this application and there had appeared to be no need to do so.

A motion that the application be deferred was carried.

RESOLVED: That the application be deferred to allow comment to be sought from the landscape officer.

144. 200755 - LAND OPPOSITE MILL HOUSE FARM, FOWNHOPE, HEREFORDSHIRE

(Proposed attenuation pond as part of the proposed surface water management strategy for extent planning permission ref 163707 for 15 houses on adjoining land.)

(Councillor Bowen fulfilled the role of local ward member and accordingly had no vote on this application.)

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 criteria for public speaking for virtual meetings Mr P Daines, a local resident, submitted a written submission in objection to the application on behalf of himself and his neighbours. This was read to the meeting by the legal adviser to the Committee. Mr J Spreckley, the applicant's agent, spoke in support of the application as a virtual attendee.

Councillor Bowen fulfilled the role of local ward member for this application. In accordance with the Council's Constitution, he spoke on the application. He supported it.

The Committee indicated its broad support for the application noting the technical nature of the application and that professional advice supported it.

Councillor Bowen was given the opportunity to close the debate. He reiterated his support for the application.

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

1. **C01 - Time limit for commencement (full permission)**
2. **C06 - Development in accordance with the approved plans**

The development shall be carried out strictly in accordance with the approved plans (drawing nos.1536.12, Dry Basin Cross Section, Dry Basin

Site Plan, S649/02 Rev C (Proposed Surface Water Drainage Strategy), except where otherwise stipulated by conditions attached to this permission.

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, policies FW1, FW2 and FW16 of the Fownhope Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-commencement conditions

- 3. Before any work, including any site clearance begins, equipment or materials moved on to site, a fully detailed Construction Environmental Management Plan (CEMP), with detailed ecological working methods, a fully detailed Tree and Hedgerow protection plan (based on BS5837:2012 – minimum 2 metre Root Protection Area for hedgerows), and clearly named ‘responsible person(s)’ shall be supplied to the local planning authority for written approval. The approved CEMP shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed.**

Reason: In order to comply with Conservation of Habitats and Species Regulations (2017), Wildlife & Countryside Act (1981), the National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy (2015) policies SS6, LD2 and LD3 and Fownhope Neighbourhood Development Plan policies FW2 and FW5.

- 4. No development shall commence until a final version of the surface water drainage strategy, including details of additional gullies (above the 100 year + 40% climate change pond flood level) to intercept the water before it discharges onto the highway and confirmation of either Welsh Water’s adoption agreement or details of the future management arrangements for the approved surface water drainage scheme has been submitted to and approved in writing by the local planning authority, in liaison with Dwr Cymru Welsh Water’s Network Development Consultant. The work shall be carried out in accordance with the approved scheme and shall be completed and ready for use prior to the first occupation of any of the approved dwellings (planning permission reference 163707/F).**

Reason: In order to ensure that satisfactory drainage arrangements are provided for the proposed development, without an adverse impact to the environment, so as to comply with Policies SS6, LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, policy FW3 of the Fownhope Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-occupancy or other stage conditions

- 5. CK5 - Maintenance Plan**

Before the development is first occupied or brought into use a schedule of landscape maintenance for a period of 3 years shall be submitted to and approved in writing by the local planning authority. Maintenance shall be carried out in accordance with this approved schedule.

Reason: To ensure the future establishment of the approved scheme, in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, policies FW2 and FW16 of the Fownhope Neighbourhood Development Plan and the National Planning Policy Framework.

Conditions relating to post occupancy monitoring and management

6. CAD - Access gates

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

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, policy FW27 of the Fownhope Neighbourhood Development Plan and the National Planning Policy Framework.

INFORMATIVES:

1. IP2 - Application Approved Following Revisions

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. I06 - Public rights of way affected

A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.

3. I11 - Mud on highway

It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

4. I12 - Adjoining property rights

This permission does not imply any rights of entry to any adjoining property.

5. The applicant/developer's attention is drawn to the siting of Dwr Cymru Welsh Water's assets (public water mains – operational and non-

operational) within the site (consultation response dated 6.7.2020 – plan included). These should be accurately located and a 3 metre easement either side of the centre line of each watermain shall be maintained. No land, highway or surface water shall communicate to the public sewer network.

6. Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation. Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised.

145. 193665 AND 193666 - ST MICHAELS CHURCH, BRAMPTON ABBOTTS, ROSS-ON-WYE, HR9 7JE

(Change of use from a place of worship to community space including artisan bakery, cafe and social space with occasional worship. Proposed various internal works including mezzanine & installation of an artisan bakery and change of use to the vestry and nave. To include all associated works and new services connections.)

(Councillor Johnson left the meeting during consideration of this item. Councillor Durkin fulfilled the role of local ward member and accordingly had no vote on this application.)

The Planning Officer gave a presentation on the application.

In accordance with the criteria for public speaking for virtual meetings, Mr R Lewis of Brampton Abbots and Foy Parish Council submitted a written submission in opposition to the scheme. This was read to the meeting by the legal adviser to the Committee. Mr D Teague, a local resident, spoke in opposition to the scheme, as a virtual attendee. A written submission by the Venerable D Chedzey on behalf of the applicant was read to the meeting.

In accordance with the Council's Constitution, the local ward member, Councillor Durkin, spoke on the application. He expressed a number of reservations.

The Committee discussed the application.

It was proposed that conditions should be added relating to securing and managing car parking and noise attenuation measures relating to the proposed extractor fan.

The local ward member was given the opportunity to close the debate. He reiterated a number of reservations. However, he commented that the community was broadly supportive subject to car parking provision in particular being satisfactorily resolved.

It was proposed in relation to the accompanying listed building consent application (193666 below) that the local ward member should be consulted on the proposals for repurposing the internal fixtures, noting concerns he had expressed about the Caroe pews.

Application 193665

RESOLVED: That planning permission be granted subject to the following conditions, with additional conditions relating to noise attenuation from the proposed extraction fan and car parking, and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

1. **Time limit for commencement (full permission)**

2. **Development in accordance with the approved plans and materials**
3. **Nature Conservation – Ecology Protection, Mitigation**

The ecological protection, mitigation, compensation and working methods, as recommended in the ecology report by Swift Ecology dated September 2019 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 church.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Habitats & Species Regulations 2017 (as amended), Policy LD2 of the Herefordshire Core Strategy, National Planning Policy Framework (2019) and NERC Act 2006

4. **Nature Conservation – Biodiversity and Habitat Enhancement**

Prior to first use of works approved under this decision, a detailed scheme and plan for proposed biodiversity net gain enhancement features including provision for bat roosting and hibernation, bird nesting, hedgehog homes and pollinating insect ‘nesting’ should be supplied to and acknowledged by the local authority and then implemented in full. The approved scheme shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No external lighting should illuminate any biodiversity net gain feature or adjacent habitat.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), Habitat Regulations 2017, Core Strategy SS6, LD2, National Planning Policy Framework (2019), NERC Act 2006 and Dark Skies Guidance Defra/NPPF 2013/2019.

5. **Habitat Regulations (River Wye SAC) – Foul- and Surface Water**

All foul water shall discharge through a connection to the local Mains Sewer network; and all surface water managed through on site soakaway-infiltration; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Habitat Regulations (2017), National Planning Policy Framework (2019), NERC Act (2006) and Herefordshire Council Core Strategy (2015) policies SS6, LD2, SD3 and SD4.

6. **CAB - Visibility Splays**
7. **CAD - Access Gates**
8. **CAI - Parking – shared drives**
9. **CAT - Construction Management Plan**
10. **CB2 - Secure covered cycle parking provision**
11. **CB3 - Travel plan**

12. **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

13. **CBK - Restriction of hours during construction**

14. **C54 - Restriction on hours of opening**

The A3 – Restaurant and café use hereby permitted shall not be open to customers outside the hours of 9:00 and 18:00 Sunday – Thursday and the hours of 9:00 and 22:00 Friday – Saturday, and the bakery use hereby permitted shall not be open outside the hours of 4:00 and 17:00 on Monday to Saturday.

Reason: In the interests of the amenities of existing residential property in the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

15. **C56 - Restriction on hours of use (industrial)**

No deliveries shall be taken at or despatched from the site outside the following times [6:00 and 16:00] nor at any time on Sundays, Bank or Public Holidays

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

16. **C57 - Restriction on Use**

The light industrial element of the premises hereby approved shall be restricted to use as a bakery and for no other purpose in Class B1(c) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The local planning authority wish to control the specific use of the premises, in the interest of local amenity and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. **IP2 - Application Approved Following Revisions**
2. **I11 - Mud on highway**
3. **I09 - Private apparatus within the highway**
4. **I05 - No drainage to discharge to highway**
5. **I47 - Drainage other than via highway system**

6. I41 - Travel plans
7. I35 - Highways Design Guide and Specification

Application 193666

RESOLVED: That Listed Building Consent be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers, with the local ward member to be consulted on the proposals for repurposing the internal fixtures:

1. CE7 - Time Period
2. C07 - Development in accordance with approved plans and materials

2407.02P(0)303 Rev C, 2407.02P(1)300 Rev G, 2407.02P(0)301 Rev F, 2407.02P(0)305 Rev E, 2407.02(0)401, 2407.02(0)402 & Design & Access Statement and Heritage Impact Assessment.

3. CE8 Expert Supervision

Before work begins the details of appointment of an appropriately qualified professional specialising in conservation work who will supervise the hereby approved works of alteration or demolition shall be submitted to and agreed in writing with the Local Planning Authority. Any proposed changes to the agreed supervision arrangements shall be subject to the prior written agreement of the local planning authority.

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. CF1 Protection: Specific

Before work begins in relation to any of the specified features, details of measures to protect the following interior features from damage shall be submitted to and approved in writing with the Local Planning Authority. The work shall be carried out in accordance with the approved details and shall remain in place for the duration of the construction/ alteration work hereby permitted. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or without the prior approval in writing of the Local Planning Authority:

- West Tower Structural Timberwork
- Communion Rail
- Chancel Screen
- Panelling
- Doors
- Memorials
- Historic Window Glass

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage

during the course of works in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. CF4 Features

Before work begins in relation to any of the specified features, a schedule showing their retention/re-use shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- West Tower Structural Timberwork
- Communion Rail
- Chancel Screen
- Panelling
- Doors
- Memorials
- Historic Window Glass

Reason: To ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

6. CF5 Misc Details

Before work begins in relation to the specified features drawings to a scale of 1:20 and 1:5 fully detailing the following new, replacement or altered features shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- Vestry Wall & Floor Lining (to include means of ventilation)
- New staircase and Mezzanine structure (to include methods of attachment to historic fabric)

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

7. CG1 Recording – Standing Structures

No development approved by this permission shall commence until a Level 3 drawn and photographic survey of church fabric to be altered or removed has been submitted to and approved in writing by the Local Planning Authority – Level 3 Survey requirements as defined in Historic England's guidance 'Understanding Historic Buildings: A Guide to Good Recording Practice'.

A copy of the approved record survey shall be submitted to the Herefordshire Historic Environment Record within 3 months of approval.

Reason: This information is required before development commences to record the historic fabric of the building prior to development in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. CG2 Matching existing work and samples – General

All new external and internal works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

9. CG4 Roofing details

Before any works in relation to the features specified below begins, details and drawings (1:20 & 1:5) of construction methods shall be submitted to and approved in writing by the Local Planning Authority:

- **Roof ventilation and valley gutter treatment (Vestry Roof);**
- **Flues, vents or other pipework piercing the building (and decorative finish)**
- **Leadwork details (in accordance with LDA good practice);**

The works shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

10. CH7 Damp proof course

Before work begins, a detailed justification for, and methodology for inserting, a damp proof course shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

11. CH8 Joinery works

No joinery works shall commence until precise details of all internal joinery and glazing have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- Full size or 1:2 sections, and 1:20 elevations of each joinery item cross referenced to the details and indexed on elevations on the approved drawings.
- Method and type of glazing
- Colour scheme/surface finish

The development shall be carried out in accordance with the approved details.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

12. CI7 Repairs in situ

Unless otherwise agreed beforehand in writing by the local planning authority the existing fabric of the building shall be stabilised, maintained, repaired and adapted as approved in situ and the approved conversion scheme shall be carried out without dismantling timber elements (including the roof) or rebuilding brickwork or masonry.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

13. CJ2 M&E Services

All routes for mechanical and electrical services and drainage shall be arranged to be visually unobtrusive and cause the minimum disturbance to historic fabric. Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant sections of works. These shall include types, sizes and positions of soil and vent pipes, waste pipes, rainwater pipes, boiler flues and ventilation terminals, meter boxes, exterior cabling etc. and interior fittings such as radiators, electrical socket outlets and switch-plates. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy , the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. CJ5 Ornamental Mouldings

All new partitions and other elements of construction shall be scribed around historic and architectural features and shall not cut through such features.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy , the National Planning Policy Framework and

under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. CJ6 Making Good – Submit Details

Full details of 'making good' exposed areas revealed by demolitions are to be submitted and approved in writing by the Local Planning Authority prior to commencement of works.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy , the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

16. CJ9 Schedule of works

A schedule of works shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. No work shall be carried out other than in accordance with the approved schedule. All existing original features shall be retained in situ unless it is specifically shown on the approved plans that they are to be removed.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy , the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

17. CK1 Insulation

Details including a specification and scale drawings of new sound and heat insulation is to be submitted to and approved in writing prior to the commencement of the relevant section of works. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy , the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

18. CK2 Fire Proofing

Details including a specification and scale drawings of new fire proofing measures are to be submitted to and approved in writing prior to the commencement of the relevant section of works. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy , the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

INFORMATIVES:

1. I66- Extent Of Permission

146. DATE OF NEXT MEETING

Noted.

Appendix - Schedule of Updates

The meeting ended at 1.30 pm

Chairperson

PLANNING COMMITTEE

Date: 5 August 2020

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

200755 - PROPOSED ATTENUATION POND AS PART OF THE PROPOSED SURFACE WATER MANAGEMENT STRATEGY FOR EXTENT PLANNING PERMISSION REF 163707 FOR 15 HOUSES ON ADJOINING LAND. AT LAND OPPOSITE MILL HOUSE FARM, FOWNHOPE, HEREFORDSHIRE.

For: S C Hardwick & Sons per James Spreckley MRICS, Brinsop House, Brinsop, Hereford, Herefordshire HR4 7AS

ADDITIONAL REPRESENTATIONS

Welsh Water have provided a further consultation response, which confirms the previous amended comments included in the Report at paragraph 4.2.1. The latest comments are as follows:

We have reviewed the information submitted as part of this application and note that the public watermain has been annotated on the drawing along with its associated easement. To our knowledge to the applicant has not commissioned an asset location through ourselves and so the exact position might not be accurate. We also note that the non-operational watermain is not shown and this will also require a protection zone. Secondly, we note that a surface water pipe is proposed to cross over the watermain and we encourage the developer to exercise caution around such assets and to contact us for further assistance. Notwithstanding the above we are content to support the re-consultation application

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwcymru.com. Please quote our reference number in all communications and correspondence.

Two further letters of objection have been received. In summary the additional points raised are:

- Existing land drain has been damaged and has not been examined – a camera is needed to do so. Who will this be arranged by?
- Maintain position that the pipe is not fit for purpose
- Request a meeting to discuss how the attenuation pond would work
- Outfall from drain at Mill House Farm would create a large pond at the bottom of the field, not flow to the river as suggested
- Concern that surface water from access to housing site would flow down the drive to Mill House Farm, as there are no surface drains on this part of the road
- Sure it is possible for other options to resolve the drainage problems without any impact on neighbours/objectors

A further comments has been received from a member of Fownhope Parish Council (Frank Hemming). This states as follows:

Fownhope Parish Council approved the application. Implicit to the approval was that the proposed development, of which the attenuation pond is a part, conformed to the Fownhope Neighbourhood Plan.

As a member of Fownhope Parish Council, I would like to make explicit that the proposed new development of 15 houses needs to conform to the Fownhope Neighbourhood Plan Policy FW16. "Development proposals should contain a co-ordinated package of design measures which, in addition to regulatory requirements, include:

b) "Utilising physical sustainability measures associated with buildings that include.....the provision of energy and water conservation measures....." This implies provision of water storage to each building, such as water butts to each rainwater downpipe. (my emphasis)

I would be very grateful if this information was considered by Herefordshire Council before any granting of approval.

The full content of these representations can be viewed on the website at:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=200755&search-term=200755

OFFICER COMMENTS

Welsh Water's comments do not raise any new issues. This matter is reviewed at paragraph 6.12 of the Officer's Appraisal. The recommended Informative Note (no. 5) addresses this matter.

The concerns raised in the two additional objections are addressed in the *Drainage/flood risk* section (paragraphs 6.6 - 6.13) of the Report. The Land Drainage Consultant has met with the objectors during the consideration of this application and has no objection to the proposal, subject to conditions.

With regards the comments from the Parish Council Member, it is advised that planning permission has already been granted for the residential development (reference 163707/F). That application was made in full and permission granted subject to conditions. It is not within the remit of this application to reconsider the details of the approved housing scheme, however condition 21 of that permission requires submission and approval of the foul and surface water drainage scheme, so will provide an opportunity at the application for approval of details reserved by conditions stage to review options for water conservation measures. In addition condition 24 requires that prior to first occupation written evidence / certification demonstrating that water conservation and efficiency measures to achieve the 'Housing – Optional Technical Standards – Water efficiency standards' (i.e. currently a maximum of 110 litres per person per day) for water consumption as a minimum have been installed.

NO CHANGE TO RECOMMENDATION

