

PLANNING COMMITTEE

Date: 19 November 2014

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

P141024/F - PROPOSED ERECTION OF 4 NOS. POULTRY BUILDINGS, ASSOCIATED FEED BINS, HARD-STANDINGS AND ACCESS ROAD AT LAND AT FLAG STATION, MANSELL LACY, HEREFORD HR4 7HN

For: Mr Davenport per Mr Ian Pick, Llewellyn House, Middle Street, Kilham, Driffield, YO25 4RL

ADDITIONAL REPRESENTATIONS

Further representations have been received from Marches Planning and Property Consultancy (Marches PPC) including criticism of the Acoustic Note NO 01 submitted in support of the application, including reference to BS4142:2014 published in October and errors in distances to properties, size of buildings and distorted photos. Other comments summarised as follows:

It maintains that the land is grade 1 (excellent).

Concern that use of mobile gas heaters will increase odour and noise, whereas the Environmental Statement refers to radiators.

Change from individual control rooms to a single one.

Performance element of condition 16 and 17 missing.

Offer of condition on night time vehicle movements indicates unacceptable noise at night.

Conservation officer refers only to visual impacts, not odour impact on Flag Station
Letter of support given more prominence than objections.

Continues to breach EIA regulations by not fully disclosing proposal with reference to the 257,000 birds in the Environmental Permit.

Pamela and Derek Powell raise concern regarding drainage and that link from attenuation pond to Yazor brook crosses their land. They confirm that they would not give permission for this and a condition cannot be imposed over third party land.

The applicant's agent comments with reference to the Agricultural Land Classification Issue, the map provided by Marches PPC is a generalised guide to land classification within the area, but is not accurate on a field by field basis. Whilst parts of the applicant's holding are Grade 1 land, this individual field is the worst field on the farm. In terms of the assessment criterion for Agricultural Land Classification it can be no higher than Grade 3b.

In response to the use of mobile gas heaters the agent advises that the applicant is happy to use radiators with a gas boiler in each control room.

The agent also refers to the permission for conversion for Shetton Barns which was for 7 dwellings. Whilst the use for holiday purposes is not necessarily a change of use the intensification and change of use to a leisure complex and wedding venue has occurred and is therefore in contravention of the planning permission. An investigation of this by the enforcement section is requested.

The Environment Agency advises:

I have been contacted a number of times by Helen Hamilton from Marches PPC in relation to a number of poultry applications in Herefordshire (Flag Station, Milton Farm, Chances Pitch etc.). There have been a few sites recently, regulated by the EA that we have not objected to through the planning process. In an ideal world we would provide detailed comments on both the planning and permitting side of things but currently we do not duplicate this work and leave the assessment to our Permitting colleagues. This approach has been discussed, but I am just emailing you to clarify. Whilst we are not objecting there are nuisance issues you may pick up with your own Public Protection team but I note, from Mr Trezins comments that he would not consider objecting.

The Environmental Health Officer advises: he has considered the criticism of the noise report by Marches PPC and advises that it does not raise any issues that are of material consequence. In particular, he comments that if all fans were used at night, the noise would still be below background noise levels. Further he comments that the type of heating is not significant in terms of amenity impacts

OFFICER COMMENTS

The reference to the performance element of condition 16 and 17 missing is acknowledged and can be simply resolved.

There are control rooms in the end of each of the buildings. There is a typographical error in the Environmental Statement, which led Marches PPC to think otherwise.

Flag Station is in the control of the applicant, it is not unusual for dwellings on poultry units to be in close proximity to the buildings.

In terms of access to Yazor Brook for drainage, if necessary other alternative access points are available, and would be considered under the relevant drainage condition.

CHANGE TO RECOMMENDATION

Conditions 16 and 17 to be amended to add:

“Development shall be undertaken in accordance with the approved details and retained as such thereafter.”

**P141550/O - PROPOSED SITE FOR UP TO 46 DWELLINGS,
NEW ACCESS FROM UPPER COURT ROAD, WITH OPEN
SPACE, PARKING AND ASSOCIATED INFRASTRUCTURE
AT LAND WEST OF UPPER COURT ROAD, BOSBURY,
LEDBURY, HEREFORDSHIRE**

**For: The Church Commissioners for England per Carter
Jonas, 1 Chapel Place, London, W1G 0BG**

ADDITIONAL REPRESENTATIONS

Representation has been received from English Heritage. They object to the application and their comments are as follows:

The village of Bosbury is still a settlement with a readily discernible medieval form and character: a single street with many early houses, all visually dominated by the Grade I listed Church of The Holy Trinity with its impressive detached bell tower. The remains of the former Bishops Palace, and the site of the House of the Knights Templar, hint at the high status of medieval Bosbury, whilst the close relationship between the village and its surrounding landscape is a major characteristic of the conservation area.

The proposed development would, by its size relative to the village, disrupt that relationship, and seriously damage the present clarity of form of the medieval settlement. We note that the applicants' Design and Access Statement is apparently unaware of the newly prepared Neighbourhood Plan, which emphasises the importance of the visual relationship between the village and its surrounding countryside. By damaging that relationship, the proposal would also adversely affect the setting of the church.

OFFICER COMMENTS

The report considers in some detail the visual relationship between the site and the village. Those members attending the site inspection viewed the site from Southfield Lane and it was quite clear that the site is not visually prominent. Similarly the site is not prominent from the centre of the village. Its medieval form is such that buildings form a continuous frontage with few opportunities for views into the site. The Grade I church and bell tower, and the historic core will remain the dominant features for those passing through the village along the B4220 and from any distant views achieved from the south.

NO CHANGE TO RECOMMENDATION

P142450/O - SITE FOR ERECTION OF DWELLING. AT MYRTLEFORD COTTAGE, LEDGEMOOR, WEOBLEY, HR4 8RJ

For: Miss Watkins per Mr Colin Goldsworthy, 85 St Owen Street, Hereford, Herefordshire, HR1 2JW

ADDITIONAL REPRESENTATIONS

Two letters of support were not listed in the report. These were from Ms A Hopkins, Corner Cottage, High Street, Figheledean, Wiltshire and Mr Melvin, 1 Letter Box Cottage, Ledgemoor.

These letters raise no additional issues

Two further letters of support have also been received from occupiers of Honeysuckle Cottage, Ledgemoor and, Mrs Zappert, The Mill House, Eardisland.

These letters raise the additional points:

- Mother has been seriously ill this year and fortunately has made a good recovery but with her advancing years she may well need assistance to maintain independence.
- Applicant is well qualified to care for her mother should the need arise
- She could end up living some considerable distance away.
- Confirm that there was a gate to the rear of Myrtlefield Cottage and this was filled in many years ago but not by the present owners.

NO CHANGE TO RECOMMENDATION

P141830/O - SITE FOR 18 NO. DWELLINGS, ASSOCIATED CAR PARKING, ACCESS AND LANDSCAPING. AT COURT FARM, MUCH BIRCH, HEREFORDSHIRE, HR2 8HT

For: Mr Green per Mr Dean Benbow, 21 Mill Street, Kington, Herefordshire, HR5 3AL

ADDITIONAL REPRESENTATIONS

1. A response from the Council's Drainage consultants has been received which concludes as follows:

"As the site covers an area greater than 1ha, a flood risk assessment (FRA) should have been provided as part of the planning application however this was not done. In addition the proposal details provided by the Applicant do not provide sufficient detail to understand the surface water and foul drainage proposals for the site. However it is acknowledged that the risk of flooding to the site is likely to be low, and due to the low density of the development

there should be sufficient space within the development to provide an adequate surface water drainage system.

We therefore have no objections in principle to the proposed development on flooding or drainage grounds, subject to the provision of a surface water and foul water drainage strategy that incorporates SUDS principles and provision of FRA undertaken in accordance with the NPPF. This information must be provided as part of any subsequent reserved matters application. We also require infiltration test results to be provided prior to construction.

It is recommended that details of the foul water drainage proposals are discussed and agreed with the Environment Agency.”

2. A further letter of objection has been received providing images of the local highway and parking issues thereon. A representative sample of these images has been included within the Committee presentation.

OFFICER COMMENTS

Condition I18, no.19 of the 21 recommended conditions appended to the officer report, sufficiently covers the securing of acceptable foul and surface water drainage.

NO CHANGE TO RECOMMENDATION