

MINUTES of the meeting of Central Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 20th February, 2008 at 2.00 p.m.

Present: Councillor JE Pemberton (Chairman)
Councillor GA Powell (Vice-Chairman)

Councillors: PA Andrews, WU Atfield, DJ Benjamin, AJM Blackshaw, ACR Chappell, SPA Daniels, H Davies, GFM Dawe, PJ Edwards, DW Greenow, KS Guthrie, MAF Hubbard, AT Oliver, SJ Robertson, AP Taylor, WJ Walling, DB Wilcox and JD Woodward

In attendance: Councillors TW Hunt (ex-officio)

123. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors MD Lloyd-Hayes, RI Matthews, AM Toon and NL Vaughan. Apologies were also received from Councillor RV Stockton (ex-officio).

124. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor	Item	Interest
AJM Blackshaw and DW Greenow	Minute 127, Agenda Item 5 DCCW2007/0871/M Wellington Quarry, Marden Lane, Wellington, Herefordshire	Both Councillors declared personal interests.
MAF Hubbard	Minute 128, Agenda Item 6 DCCE2007/2720/F Whitethorn Farm, Carey, Hoarwithy, Herefordshire, HR2 6NG	Declared a personal interest.
ACR Chappell, AT Oliver, GA Powell and SJ Robertson	Minute 129, Agenda Item 7 DCCE2007/3860/RM Land Off Bullingham Lane, Hereford, Herefordshire, HR2 7RY	ACR Chappell and SJ Robertson declared personal interests. AT Oliver declared a prejudicial interest, addressed the Sub-Committee and then withdrew from the meeting. GA Powell declared a prejudicial interest and left the meeting for the duration of the item.

125. MINUTES

Referring to minute 113 [DCCE2007/3249/F, Hampton Grange Nursing Home], Councillor PJ Edwards noted that the minutes made reference to his comment that '(solar) panels should be required as part of any planning permission granted' but a condition had not been included to this effect. The Central Team Leader said that he would check whether the condition had been included in the decision notice and advise the member accordingly.

RESOLVED: That the minutes of the meeting held 23rd January, 2008 be approved as a correct record and signed by the Chairman.

126. ITEM FOR INFORMATION - APPEALS

The Sub-Committee received an information report about the Council's current position in respect of planning appeals for the central area.

MR S WITHERS – CENTRAL TEAM LEADER

The Chairman advised that this was the last Sub-Committee meeting to be attended by Mr. Withers, Central Team Leader, prior to him taking a position with ESG Herefordshire Ltd. The Chairman praised Mr. Withers' professionalism and other attributes. The Sub-Committee wished him well in his new position.

127. DCCW2007/0871/M - WELLINGTON QUARRY, MARDEN LANE, WELLINGTON, HEREFORDSHIRE [AGENDA ITEM 5]

Proposed southern extension to operations.

The following update was reported:

- Correspondence had been received from Wellington Parish Council which raised issues about public footpaths near the site and suggesting that, once restored to nature conservation after operations had ceased, the land be passed to the Parish Council for management.

In response to the additional representation, the Principal Planning Officer (Minerals & Waste) advised:

- The footpaths did not cross this particular site and, as there were other procedures for dealing with public rights of way, the matter was not relevant to the determination of this application;
- There were numerous recommended conditions in respect of landscaping, restoration, aftercare and afteruse of the site. Whilst the comments of the Parish Council were noted, it was not for the planning authority to decide who would manage the area in the future; and
- The purpose of the application was to extend the quarry both in area and working time but would not increase the rate of extraction. This would effectively take the permission up to 2026, coinciding with local and regional policy periods, and the quarry would provide for the county's needs for that time.

The Chairman thanked the Principal Planning Officer (Minerals & Waste) for the detailed report and comprehensive recommendation.

Councillor KS Guthrie, Local Ward Member for Sutton Walls, said that the Local Ward Members had recently visited the site with officers. Councillor Guthrie

commented on the measures to control dust and noted that noise from the central workings, whilst being quite loud close to the machine making concrete blocks, was minimal at the boundaries of the site. Given the mitigation measures proposed, Councillor Guthrie supported the application.

Councillor AJM Blackshaw, Local Ward Member for Wormsley Ridge, welcomed the report and made the following points:

- He noted on the benefits of making concrete blocks at the place where the materials were extracted.
- He noted that the proposal was supported by Advantage West Midlands in principle and conformed with the Regional Spatial Strategy.
- He commented that the position of the site, near to Sites of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), and the high water table limited the potential after uses of the land. Nevertheless, he asked that further consideration be given to the future use and management of the land. He felt that, through the involvement of the Parish Council in the future management of the area, the applicant could compensate the parish for the disturbance caused by years of excavation and the dust and noise generated by the additional traffic on the A49 and Marden Lane.
- He reported on the poor state of Marden Lane and felt that the lane should be resurfaced as a matter of urgency.
- Subject to the identified ecology and bio-diversity measures, he felt that the application could be supported.

Councillor SJ Robertson commented on the shortage of areas for water sports in the county and felt that, once restored, this site could provide opportunities for conservation and leisure activities. The Principal Planning Officer (Minerals & Waste) advised that the SSSI and SAC designations would not permit motorised water sports and that there were potential conflicts between some conservation and leisure uses. Attention was drawn to recommended condition 43 which would ensure that, after cessation of operations, the land and lakes would not be used for 'any activity other than for the purposes of nature conservation or agriculture unless a specific planning permission for such is granted'. The need for flexibility was acknowledged, particularly as ideas and technologies may change in the intervening period.

Councillor PJ Edwards questioned whether the management of the site could form part of a Section 106 Agreement for the future benefit of the community. In response, the Principal Planning Officer (Minerals & Waste) advised that the possibility of an agreement had been discussed but was not considered expedient as the authority could not coerce the applicant to hand over land in the future. She added that the applicant had a good track record on nature conservation and the conditions should ensure appropriate management following final restoration.

The Development Control Manager noted that the developer was already under obligation to resurface Marden Lane under the terms of another planning permission, and officers would be pursuing this matter. Whilst he acknowledged the aspirations of members, he felt that it would be unreasonable to require the applicant to hand over land to a third party some twenty years hence. He added that the wording of condition 43 would ensure that another planning application would be required if any alternative uses were proposed in the future.

Councillor Edwards proposed an amendment to authorise officers to reconsider the issue of the Section 106 Agreement prior to the approval of the application. This

amendment was defeated and the resolution below was then agreed.

RESOLVED:

That planning permission be granted subject to the following conditions:

START AND DEFINITIONS

1. The winning and working of minerals hereby permitted shall commence before the expiration of five years from the date of this permission. The mineral planning authority shall be notified in writing within seven days of the commencement.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 and to establish the start date for minerals extraction.

2. No soil shall be moved, boundaries erected or plant introduced on the site unless the mineral planning authority has been notified in writing within seven days of the first commencement of these operations.

Reason: To enable the mineral planning authority to monitor site activities and ensure compliance with the planning permission, including protection of biodiversity, in accordance with Policies S2 and DR1 of the Herefordshire Unitary Development Plan 2007.

3. The site referred to in this permission is that shown outlined in red on drawing reference WQ2/1 dated March 2006.

Reason: To define the permitted area for the avoidance of doubt with regard to mineral extraction areas and timescales; to protect the amenity of local residents and the River Lugg SSSI/SAC and to ensure compliance with Policy S9 of the Herefordshire Unitary Development Plan 2007.

4. Except where specific requirements of this permission dictate otherwise, the development hereby permitted shall only be implemented in conjunction with and as an extension to the current planning permissions reference DCCW2005/1242/M and DCCW2005/1243/M. No other planning permissions are affected.

Reason: To prevent fragmentation of the wider site, to ensure adherence to the proposed operations, phasing of work and use of infrastructure, and to secure the overall site's comprehensive restoration to wildlife habitat, in accordance with Policies S1, S2, DR1, DR2, M7, LA6, NC1, NC6, NC8 and NC9 of the Herefordshire Unitary Development Plan 2007.

5. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following approved documents and plans:

- i) Planning application dated 16th March 2007.
- ii) Environmental Statement dated March 2007, including the following plans only:
 - WQ2/1 Site Location.
 - W107/13 Site context.
 - W107/14 Planning boundaries and land under the applicant's

- control.
- 8/3 'Local Hydrogeology and Hydrology' May 2006.
- iii) Letter from SLR Consulting dated 18th June 2007 and attached drawings reference WQ7/1 'Borehole Location Plan' and WQ12/1 'Noise Monitoring Location Plan'.
- iv) Letter from SLR Consulting dated 19th October 2007 and the attached set of revised operational plans:
- W107/15B 'Sequential Phasing Proposals'.
 - W107/16B 'Phase 1 Working and Restoration'.
 - W107/17B 'Phase 2 Working and Restoration'.
 - W107/34 'Phase 3 Working and Restoration (former phase 4)'.
 - W107/35 'Phase 4 Working and Restoration (former phase 5)'.
 - W107/36 'Phase 5 Working and Restoration (former phase 6)'.
 - W107/22B 'Concept Restoration'.
 - W107/23B 'Restoration Masterplan'.

Reason: To clarify the approved details and to ensure compliance with Policies S2 and DR1 of the Herefordshire Unitary Development Plan 2007.

Undeveloped land at southern edge of site

6. Notwithstanding the original submitted plans, no winning and working of minerals shall take place, and no soils shall be moved, excavated, spread, mounded, stored, levelled or loosened other than in connection with agriculture, within the area at the southern end of the operational site shown as agricultural land on plan W107/15B.

Reason: To protect the amenity of residents of Moreton-on-Lugg, preserve the soil quality, and safeguard the landscape and biodiversity interests of wet grassland on this part of the site in accordance with Policies S1, S2, DR1, DR2, DR4, DR11, E15, LA2, NC6, NC8 and NC9 of the Herefordshire Unitary Development Plan 2007.

Availability of plans/permission

7. Until such time as the operations at the quarry cease, copies of this permission, including all the documents and plans hereby approved and any other document subsequently approved in connection with any conditions attached to this permission, shall be kept and made available for inspection at the site office during the prescribed working hours.

Reason: In the interests of clarity, to inform site operatives and visitors, to assist with monitoring and to ensure a satisfactory form of development in accordance with the approved details and Policy S2 of the Herefordshire Unitary Development Plan 2007.

End date

8. The winning and working of minerals shall cease not later than 31st December 2026.

Reason: To comply with schedule 5, part 1, paragraph 1 of the Town and Country Planning Act 1990, restrict disturbance from the development in accordance with Policies S2 and DR1 of the Herefordshire Unitary Development Plan 2007, and to enable the

development to be reviewed at the end of the development plan period of the emerging Core Strategy for Herefordshire and the Regional Spatial Strategy revision.

Temporary suspension

9. If minerals operations are temporarily suspended for a period exceeding three months and/or resumed following temporary suspension, then the operator shall give written notice to the mineral planning authority within 21 days of:
- i) The date of suspension of minerals operation.
 - ii) The date of resumption following the temporary suspension.

Reason: To ensure satisfactory monitoring and control of the development within the approved timescales and to comply with Policies S1 and DR2 of the Herefordshire Unitary Development Plan 2007.

Premature permanent cessation

10. In the event that, in the written opinion of the mineral planning authority, no mineral operations have taken place for more than two years and such operations have permanently ceased prior to the full implementation of the approved development, then revised written schemes to include details of restoration, aftercare and timescales for their completion shall be submitted within 12 months of the notification of the permanent cessation of working. Such revised schemes shall be fully implemented within the approved timescales unless otherwise agreed in writing in advance by the mineral planning authority.

Reason: In accordance with schedule 9, paragraph 3 of the Town and Country Planning Act 1990, to safeguard the amenity of the area, to ensure the site is reclaimed in a timely manner to a condition capable of beneficial after use and to comply with the requirements of Policies S1 and DR2 of the Herefordshire Unitary Development Plan 2007.

PRE-COMMENCEMENT AND TIME-LIMITED

Scheme of working

11. No development shall take place until a revised scheme of working based on the approved amended plans accompanying the letter from SLR Consulting dated 19th October 2007 has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved unless otherwise agreed in advance in writing by the mineral planning authority and shall include in particular:
- i) Plans to a larger scale than those approved under condition 5 above, to depict the method of working clearly.
 - ii) Measures to be taken for the protection of trees and perimeter vegetation, including details of maintenance and duration.
 - iii) Control procedures for managing soil handling in accordance with MPG7 and DEFRA guidance [see condition 35 below and informative note 3].
 - iv) Arrangements for dealing with any contamination or contaminated materials discovered in the course of the development [see condition 30 below and informative note 3].
 - v) An estimate of the volumes of excavated soil, subsoil and

- overburden to be produced in each phase and plans showing locations for their temporary or permanent storage.
- vi) Plans showing the location, design and construction method for screening mounds, taking into account the need to minimise flood plain obstruction and the terms of conditions 25, 26, 27 and 28 below.
 - vii) Reference to the ground and surface water management scheme required by condition 12 below.

Reason: To ensure a satisfactory form of development and clear details of the method of working at the site in accordance with Policies S1, S2, S9, DR1 and DR11 of the Herefordshire Unitary Development Plan 2007.

Groundwater/hydro-geological monitoring/management

12. No development shall take place until a scheme for ground and surface water monitoring, management and protection has been submitted to and approved in writing by the minerals planning authority. The scheme shall be implemented as approved throughout the duration of the development, including the restoration and aftercare periods, unless otherwise agreed in writing in advance by the mineral planning authority. It shall include in particular:
- i) Regular monitoring of the hydrogeological boreholes identified on the submitted plan reference 8/3 'Local Hydrogeology and Hydrology' dated May 2006 [see informative note 3].
 - ii) Methodology for recording and reporting of boreholes monitoring results.
 - iii) Remedial works to be undertaken as necessary.
 - iv) Measures to minimise fuel spillage including the use of conveyors in preference to dump trucks, plant inspections and maintenance, fuel tank bunding, traffic management and spill response.
 - v) Methodology for management of silt and dirty water to ensure the minimal release of suspended solids.
 - vi) Provision for site surface water drainage.

Reason: In the interests of pollution control, the protection of ground and surface waters in and around the site, the amenity of occupiers of nearby properties, protection of the biodiversity interests of the River Lugg SSSI/SAC and to ensure compliance with Policies S7, DR4, DR6, NC1, NC2, NC3 and NC9 of the Herefordshire Unitary Development Plan 2007.

Boundary treatment

13. No development shall take place until a plan indicating the positions, design, materials and type of all boundary treatment to be erected has been submitted to and approved in writing by the mineral planning authority. The approved scheme shall be implemented as approved before the winning and working of minerals commences unless otherwise agreed in writing by the mineral planning authority.

Reason: In the interests of security, safety and the amenity of the area, in accordance with Policies S2 and DR1 of the Herefordshire Unitary Development Plan 2007.

Advance planting of southern boundary

14. Unless otherwise agreed in writing in advance by the mineral planning authority, no development shall take place until a plan and scheme for advance planting along the revised boundary of the southern extent of mineral extraction as indicated on plan ref. W107/15B has been submitted to and approved in writing by the mineral planning authority. The scheme shall be implemented as approved before the winning and working of minerals commences.

Reason: In the interests of the amenity of the area, in accordance with Policies S2 and DR1 of the Herefordshire Unitary Development Plan 2007.

Archaeology

15. No development shall take place until the applicants or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the mineral planning authority. This programme shall be implemented as approved in accordance with a brief prepared by the County Archaeology Service and shall include consideration of the protection and/or preservation and future availability of any items of archaeological interest found on the site.

Reason: To ensure the archaeological interest of the site is recorded and safeguarded in accordance with Policies ARCH6 and ARCH8 of the Herefordshire Unitary Development Plan 2007.

Biodiversity

16. Unless otherwise agreed in writing in advance by the mineral planning authority, no development shall take place until a scheme for ecological surveying, monitoring and ensuring minimal harm or disturbance to biodiversity during the course of the development has been submitted to and approved in writing by the mineral planning authority. The scheme shall be based upon the details submitted in Section 10 of the Environmental Statement, taking into account subsequent relevant correspondence (including the Appropriate Assessment). The scheme shall be implemented as approved and shall include in particular:
- i) That no site preparation works shall take place until written confirmation has been provided by a qualified ecologist that no European protected species have been present during the six days prior to commencement of soil stripping operations within the relevant working phase.
 - ii) Methodology for surveying, monitoring and reporting.
 - iii) Provision for the retention and/or restoration of the main existing drainage ditches and hedgerows.
 - iv) Provision for the protection, management and enhancement of a pre-identified and agreed list of priority species and habitats.
 - v) Provision for periodic review and amendment of the scheme to reflect policy revision, changed circumstances or new survey results.
 - vi) Timescales for implementation.

Reason: In order to ensure that the site is worked and reclaimed in such a way that maximises its biodiversity potential including continuity between the site and adjoining areas and the integrity of Long Coppice

ASNW, and to ensure compliance with Policies S1, DR4, NC1, NC6 and the key principles of PPS9.

Biodiversity audit

17. No later than 18th October 2009 and by the 18th October every four calendar years thereafter until the completion of all restoration and aftercare schemes, a biodiversity audit shall be submitted to and approved in writing by the mineral planning authority. Each submitted scheme shall identify:
- i) The species present.
 - ii) Where European, national and/or local priority species are identified, estimates of the numbers and species present.
 - iii) Proposals for improving the habitats of such species during the course of the development hereby permitted including the period of aftercare.

Reason: In order to maintain biodiversity records and ensure that the site is worked and reclaimed in such a way that maximises its biodiversity potential and to ensure compliance with Policies S1, DR4, NC1, NC6 and the key principles of PPS9.

Dust monitoring and control

18. No development shall take place until a scheme for the suppression of dust has been submitted to and approved in writing by the mineral planning authority. The submitted scheme shall include in particular:
- i) The use of water sprayers, sprinklers and/or bowsers.
 - ii) Measures for the suppression of dust caused by the movement and storage of soils and aggregate materials within the site with particular reference to properties on Moreton Industrial Estate.
 - iii) Proposals for regular dust monitoring, recording and reporting of the results.
 - iv) Remedial works where necessary, including during specified weather conditions.

The scheme shall be implemented as approved in writing throughout the duration of the development unless otherwise agreed in writing by the mineral planning authority.

Reason: To prevent pollution and protect the amenity of the occupiers of nearby buildings and to ensure compliance with Policies DR4 and DR9 of the Herefordshire Unitary Development Plan 2007.

Resurfacing of Marden Lane

19. The winning and working of minerals hereby permitted on this site shall not take place unless and until the entire length of the C1122 between the A49(T) and up to and including the entrance to the Wellington gravel pit site has been resurfaced with a 14mm size close graded wearing course to the standard specified BS4987 or any subsequent revision, amendment or replacement to such specifications.

Reason: In the interests of the amenity of the locality and highway safety and to comply with Policy T8 of the Herefordshire Unitary Development Plan 2007.

RESTRICTIONS

Permitted development rights removed

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings, fixed plant, machinery, structures whether mobile or fixed, exterior lighting, lagoons, mineral stocking areas, means of access or other structures shall be constructed or placed on the application site, except as provided for under other conditions of this permission or with the prior written approval of the mineral planning authority.

Reason: To maintain control over the development and minimise the potential for visual and landscape intrusion in accordance with Policies DR1, DR2 and LA2 of the Herefordshire Unitary Development Plan 2007.

Operating hours

21. No machinery shall be operated, maintained or tested, other than for water pumping or in case of emergency, and no process shall be carried out, or deliveries taken at or despatched from the site outside the following times: 0700-1900 hours Mondays to Fridays, 0800-1300 hours on Saturdays and not at all on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of occupiers of nearby properties in accordance with Policies S2, DR2, DR4 and DR13 of the Herefordshire Unitary Development Plan 2007 and to be consistent with planning permissions reference DCCW2005/1242/M and DCCW2005/1243/M on the adjoining land.

Pipeline protection

22. No work shall be undertaken in the vicinity of the high pressure gas pipeline other than in accordance with the National Grid Engineering Standard T/SPSSW22 'Specification for Safe Working in the Vicinity of National Grid high Pressure Gas Pipelines and Associated Installations: Requirements for Third Parties' or any instrument revoking or re-enacting that document with or without modification.

Reason: To ensure the gas pipeline is not damaged.

Working depth

23. No excavation shall be undertaken in connection with the permission hereby granted at any point within the application area that is deeper than the naturally occurring sand and gravel deposits at that point unless otherwise agreed in writing in advance by the mineral planning authority.

Reason: To define the permission for the avoidance of doubt and because deeper excavation would require further assessment in the interests of local amenity, pollution control, protection of ground and surface waters and the nature conservation interests of the River Lugg SSI/SAC and to comply with Policies S2, DR4, DR6, NC1 and NC3 of the Herefordshire Unitary Development Plan 2007.

Protect existing trees/hedgerows

24. The existing trees and hedgerows within and on the perimeter of the application site shall not be wilfully damaged, destroyed, uprooted, removed, felled, lopped or topped unless otherwise provided for within the approved plans and details set out in condition 5 above. Any vegetation removed without consent, dying, being severely damaged, or becoming diseased at any time during the development or aftercare period, shall be replaced in the planting season immediately following, with plants of such size and species as may be specified by the mineral planning authority.

Reason: To protect the integrity of those trees and hedgerows to be retained, in accordance with Policies S1, S2, S9 and LA5 of the Herefordshire Unitary Development Plan 2007.

Buffer zone for the eastern boundary

25. No development shall take place and no soil, overburden, materials stockpiles, plant, vehicles or equipment shall be stored within 5 metres of the eastern site boundary [see condition 11].

Reason: In the interests of the amenity of the locality and to protect perimeter hedging in accordance with Policies S7, DR4, LA5 and NC9 of the Herefordshire Unitary Development Plan 2007.

Buffer zone for Long Coppice

26. No development shall take place and no soil, overburden, materials stockpiles, plant, vehicles or equipment shall be stored within 20 metres of the western site boundary with Long Coppice [see conditions 11 and 27].

Reason: In the interests of the amenity of the locality and to protect an area designated as Ancient Semi-natural Woodland in accordance with Policies S7, DR4, LA5, NC4 and NC9 of the Herefordshire Unitary Development Plan 2007.

Temporary stockpiles location

27. Temporary material stockpiles within the application site shall be located in the vicinity of the western boundary adjacent to Long Coppice, in accordance with point 8.56 of the submitted Environmental Statement and plan reference W107/17b dated March 2006, taking account of the requirements of condition 26 above [see conditions 11 and 26].

Reason: To minimise the impact on flood flow and floodplain storage volume and to ensure compliance with Policies S2 and DR7 of the Herefordshire Unitary Development Plan 2007.

Stockpile height limit

28. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 or any statutory instrument revoking or re-enacting that Order with or without modification, no materials including aggregates shall be stockpiled or deposited in the open to a height

exceeding 5 metres.

Reason: To prevent visual intrusion in the locality and ensure compliance with Policies S2, DR1 and S9 of the Herefordshire Unitary Development Plan 2007.

Fuel/chemical storage

29. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, associated pipework, vents, gauges and sight glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment including the River Lugg SSSI/SAC and to ensure compliance with Policies DR4, DR6, NC2 and NC3 of the Herefordshire Unitary Development Plan 2007.

Contaminated material

30. If during development, contaminated material (visual or olfactory) is found to be present then no further works in this area shall be carried out (unless otherwise agreed in writing by the mineral planning authority until a Method Statement has been submitted to and approved in writing by the mineral planning authority giving specific details as to how this unsuspected contamination shall be dealt with. Thereafter, development of the site shall be carried out in accordance with the approved Method Statement.

Reason: To protect the water environment and to ensure compliance with Policy DR10 of the Herefordshire Unitary Development Plan 2007.

Noise limits

31. The level of noise from the development hereby permitted shall not exceed such levels as are set out in Table 12/1 'Derived criteria' on page 186 section 12 of the submitted Environmental Statement, at the following specified locations on plan reference WQ12/1 dated May 2007.
- i) Almshouses
 - ii) New House
 - iii) Brookhouse Farm
 - iv) St. Peter's Court
 - v) Marden Vicarage

Within 14 days of any written request by the mineral planning authority, the operator shall submit a noise survey using these locations to demonstrate compliance.

Reason: In order to protect the amenity of the occupiers of nearby properties in accordance with Policy DR13 of the Herefordshire Unitary Development Plan 2007.

Lighting

32. No light source shall produce more than 1 lux horizontal or vertical illuminance at any adjacent property boundary unless otherwise agreed in writing in advance by the mineral planning authority.

Reason: To minimise any lighting impact, protect the amenity of the occupiers of nearby properties and to ensure compliance with Policies S2, DR4 and DR14 of the Herefordshire Unitary Development Plan 2007.

Burning restrictions

33. No materials or substances shall be burnt or incinerated within the application site.

Reason: To safeguard the amenity of the occupiers of nearby properties and prevent pollution, to ensure compliance with Policies S2, DR4 and DR9 of the Herefordshire Unitary Development Plan 2007.

Excavator type (archaeological protection)

34. Only toothless excavators or grading buckets shall be used for soil or overburden stripping, unless otherwise agreed in writing in advance by the mineral planning authority.

Reason: To enable features of archaeological interest to be adequately investigated and recorded in accordance with Policies S7 and ARCH6 of the Herefordshire Unitary Development Plan 2007.

Soil moving processes

35. Top soil and sub soil shall be stripped and stored separately in accordance with the appropriate DEFRA 'Good Practice Guide for Handling Soils'. All stripped materials shall be placed in storage mounds, the design and location of which have been agreed in advance in writing with the mineral planning authority as required by condition 11 above. No soil shall be stripped between the months of November and March inclusive or when standing pools of water exist on site [see informative note 3].

Reason: To protect the soil resource and ensure its optimum potential for re-use, in order to maximise the potential for successful restoration in accordance with Policy DR11 of the Herefordshire Unitary Development Plan 2007.

No soils to go off-site

36. No topsoil or subsoil shall be removed from the site other than for placement within the minerals extraction areas permitted under planning permissions reference DCCW2005/1242/M and DCCW2005/1243/M, both dated 18th October 2005.

Reason: In order to ensure the proper reclamation of the site in the interests of landscape, local amenity, pollution control and to protect the River Lugg SSI/SAC, in accordance with Policies S2, DR4, DR11, NC2 and NC3 of the Herefordshire Unitary Development Plan 2007.

No importation of waste soils

37. No soil, subsoil, stone or waste materials shall be imported into the site for use in its reclamation other than that naturally occurring within the minerals extraction areas permitted under planning permissions reference DCCW2005/1242/M and DCCW2005/1243/M, both dated 18th October 2005.

Reason: In order to ensure the proper reclamation of the site in the interests of landscape, local amenity, pollution control and to protect the River Lugg SSSI/SAC, in accordance with Policies S2, DR4, DR11, NC2 and NC3 of the Herefordshire Unitary Development Plan 2007.

No foul drainage discharges

38. Other than under licence from the Environment Agency there shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment, to protect the River Lugg SSSI/SAC and to ensure compliance with Policies S2, DR4 and DR6 of the Herefordshire Unitary Development Plan 2007.

Protection of River Lugg

39. All work associated with recharging the water from the working area back into the River Lugg shall be carried out in accordance with Environment Agency best practice guidelines and recommendations.

Reason: To retain the integrity of the River Lugg SAC designation and prevent increased suspended sediment entering the watercourse in accordance with policies S7, NC1 and NC2 of the Herefordshire Unitary Development Plan 2007.

LANDSCAPING, RESTORATION, AFTERCARE AND AFTERUSE**Landscaping/restoration scheme**

40. Unless otherwise agreed in writing in advance by the mineral planning authority, a scheme of phased progressive restoration landscaping based on drwg. nos. W107/22B 'Concept Restoration' and W107/23B 'Restoration Masterplan' shall be submitted in writing to the mineral planning authority within twelve months of the date of this permission. The scheme shall be implemented as approved and shall include in particular:
- i) Long-term establishment of lakes, ponds, reedbeds, shallows, species-rich grassland and wetland habitats.
 - ii) Plans and sections to scale 1:1250 showing detailed methods for construction, proposed profiles, levels and origins of materials to be used.
 - iii) Engineering details to maintain water levels including access, maintenance, overflow and drainage provision as necessary.
 - iv) A schedule of the proposed habitat types with a rationale for their creation, establishment of links between them, future maintenance and target species.
 - v) Seeding and planting plan and scheme including marginal and

- aquatic vegetation, comprising a location plan and list of species, seed mix/es, sizes and planting numbers.
- vi) Measures for tree and plant protection during their establishment.
 - vii) Provision for the suppression of any invasive, proscribed or controlled weeds occurring on the site.
 - viii) Provision for periodic review in order to adapt the scheme to reflect any revised adopted policies or changed circumstances.
 - ix) Timescales for implementation of the scheme.

Reason: To clarify the approved details and secure the progressive restoration of the site to the highest possible standard while the winning and working of minerals takes place, and to facilitate the final reclamation of the site on completion of the development, in accordance with Policies S1, S2, DR4, LA6, NC7, NC8, NC9 and M7 of the Herefordshire Unitary Development Plan 2007.

Final restoration and removal of plant/infrastructure

41. Unless otherwise agreed in writing in advance by the mineral planning authority, a scheme of final restoration, based on drwg. nos. W107/22B 'Concept Restoration' and W107/23B 'Restoration Masterplan' shall be submitted in writing for the approval of the mineral planning authority within twelve months of the date of this permission. The scheme shall be implemented as approved within twelve months of the permanent cessation of minerals operations, unless otherwise agreed in writing in advance by the planning authority. The submitted scheme shall include in particular:
- i) Removal of all stockpiles, plant, equipment, vehicles, buildings, hardstandings, roads, waste materials and site infrastructure.
 - ii) Reinstatement of the land to a nature conservation/reedbed afteruse.
 - iii) Prescribed measures for targeted habitat creation and biodiversity enhancement.
 - iv) Continuation and consolidation of habitat creation and enhancement including for the identified target species provided for under conditions 16 and 17 above.
 - v) Reinstatement of perimeter hedgerows and fencing.
 - vi) Cross-sections including final water body depths, bed and bank profiles.
 - vii) Final drainage arrangements for the reclaimed land, including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage if and where appropriate.
 - viii) Soil re-spreading details including depths of soil layers.
 - ix) Further seeding of reclaimed areas with a suitable herbage mixture, where necessary.
 - x) Profiles of the permanent lake/s to succeed the workings, including any as-dug material, islands or promontories to be left or formed and the battering down of the banks.
 - xi) Provision for periodic review in order to adapt the scheme to reflect any revised adopted policies or changed circumstances.
 - xii) Timescales for implementation and completion.

Reason: To clarify the approved details and provide for appropriate landforms, geological conservation and final restoration of the site reflecting the approved afteruse, in accordance with Policies S1, S2, DR4, DR11, LA6, NC1, NC7, NC8, NC9 and M7 of the Herefordshire Unitary Development Plan 2007.

Aftercare

42. Unless otherwise agreed in writing in advance by the mineral planning authority, the operator shall submit a written aftercare scheme to ensure the reclamation of the site to the required standard for the approval of the mineral planning authority within twelve months of the date of this permission. The scheme shall include in particular provision for:
- i) Managing the site in the interests of biodiversity for at least a further five years on completion of the landscaping and final restoration works approved under condition 40 and 41 above.
 - ii) Provision for extending the aftercare across the whole quarry site for an agreed further period at the end of the five years as deemed necessary in the written opinion of the mineral planning authority at the time.
 - iii) Identification of the aftercare project manager.
 - iv) Schedule of works and timescales for implementation.
 - v) Monitoring and reporting arrangements and remedial work where necessary.
 - vi) Taking account of the adopted national and local Biodiversity Action Plans or their adopted equivalent in force at the time of implementation.
 - vii) Periodic review of management practices to take account of updated methodology, national or local government policy or advice as necessary.
 - viii) An annual site meeting at a mutually convenient date between the operators, the mineral planning authority and the person/s responsible for the aftercare works.

The scheme shall be implemented as approved on completion of the final restoration scheme as approved under condition 41 above.

Reason: To ensure the sustainable reclamation of the site to the highest possible biodiversity and landscape standards and to ensure compliance with Policies S1, S2, S7, S9, DR4, NC1, NC6, NC7, NC8, NC9 and M7 of the Herefordshire Unitary Development Plan 2007.

Afteruses

43. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any statutory instrument revoking or re-enacting that Order with or without modification, the land and lakes which remain on the cessation of mineral winning and working shall not be used for any activity other than for the purposes of nature conservation or agriculture unless a specific planning permission for such is granted by the local planning authority.

Reason: To protect the River Lugg SSSI/SAC to ensure adequate control of the future activities at the site and compliance with Policies S1, S7, DR2, DR4, NC1 and M7 of the Herefordshire Unitary Development Plan 2007 and because any other use could have adverse environmental effects which require further assessment by the mineral planning authority.

Informatives

1. N11A - Wildlife and Countryside Act 1981 (as amended) – Birds.
2. N11B - Wildlife & Countryside Act 1981 (as amended) and Conservation (Nat. Habitats & C.) Regs 1994 - Bats
3. The scheme of working required by condition 11 should refer to the DEFRA soil handling guidance found at www.defra.gov.uk. The details concerning groundwater monitoring should complement or extend the scheme approved under condition 16 of planning permission reference DCCW2005/1243/M. The details concerning contamination, soils and groundwater management should be compatible with, or an extension to, the scheme approved under condition 17 of planning permission reference DCCW2005/1243/M.
4. The applicant should be aware that pursuant to Section 23 of the Land Drainage Act 1991, the prior consent of the Environment Agency is required for the erection of any mill, dam, weir or other like obstruction to the flow of an ordinary watercourse or raise or otherwise alter such construction; or erect any culvert that would be likely to affect the flow of any ordinary watercourse or alter any culvert in a manner that would be likely to affect any such flow. Any culverting of a watercourse also requires the prior written approval of the local authority under the terms of the Public Health Act 1936. The Agency resists culverting on conservation and other grounds and consents for such works will not normally be granted except for access crossings.
5. The applicant should contact the Environment Agency's Water Resources Section in Cardiff (02920 245124) with regard to water resource consenting and licensing requirements, including dewatering and foul drainage.
6. The biodiversity audits required by condition 17 are intended to run consecutively with or be an integral part of the similar audits required under the terms of planning permissions reference DCCW2005/1242/M and DCCW2005/1243/M both dated 18th October 2005.
7. N15 - Reason(s) for the Grant of PP/LBC/CAC.

In reaching this decision the mineral planning authority was mindful of the particular circumstances of the case, namely the extent to which the development complied with policy and the way in which local issues of amenity and highway safety were addressed.

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting The Hereford Centre, Garrick House, Widemarsh Street, Hereford (Tel: 01432-261563).

128. DCCE2007/2720/F - WHITETHORN FARM, CAREY, HOARWITHY, HEREFORDSHIRE, HR2 6NG [AGENDA ITEM 6]

Erection of glasshouse.

The following updates were reported:

- Further comments had been received from the Traffic Manager as follows:

'The road network is adequate to serve the existing farming practices and the glasshouse. However, it would be undesirable for there to be a significant increase in vehicle movements without improvements to the access and highway network.'

- A further letter had been received from the applicant's agent which:
 - i. Re-iterated points made in the report and noted that the proposal accorded with the relevant landscape policies.
 - ii. Commented that the development was small scale and comparable in scale to other barns in the locality, 80% of the crops grown in the glasshouse would supply local distributors and shops, the development would make a contribution to the rural economy and the glasshouse was preferable to polytunnels.
 - iii. Commented that the extant permissions for glasshouses elsewhere on the holding were no longer required and therefore there was no objection to these permissions being rescinded.
 - iv. Stated that a condition restricting farm sales would not be appropriate and the glasshouse would not materially affect the level of farm sales.

In response to the additional representations, the Principal Planning Officer advised that:

- The rescinding of the extant permission for the glasshouses elsewhere within the holding would reduce the number of potential structures on the holding in the Area of Outstanding Natural Beauty [AONB]. Therefore, a change to the recommendation was suggested to enable the preparation and completion of a legal agreement to rescind the two extant agricultural notifications for glasshouses.

In accordance with the criteria for public speaking, Mr. McCallum spoke in objection to the application and Mr. Soble spoke in support of the application.

Councillor GFM Dawe, the Local Ward Member, noted the importance of the AONB and commented on concerns in the locality that the numerous structures at the site had already had a detrimental visual impact on the intrinsic quality of the landscape. He said that he was not unsympathetic to the applicant's business but felt that this proposal would represent a significant intrusion into the landscape. He did not feel that the mitigation proposed would adequately screen the glasshouse, particularly in the winter months and especially as the landscaping scheme would take a number of years to mature.

In response to a question from the Legal Practice Manager, the Principal Planning Officer advised that the two extant permissions for glasshouses were in more elevated locations.

Councillor DW Greenow noted the extensive planning history of the site and felt that the applicant had gone to great lengths to address concerns that had been raised. He commented that some of the issues raised in the letters of objection were overstated or could be overcome, in particular he drew attention to recommended condition 6 which would prevent the artificial illumination or heating of the glasshouse without prior approval. Referring to the applicant's statement that 80% of the crops grown would supply local distributors and shops, Councillor Greenow felt that the proposal would benefit the local economy and commented on the need to support small rural businesses such as this. He also felt that the landscaping scheme would be adequate and drew attention to the comment of the Conservation Manager that the *'landscaping scheme proposes to add to the already significant*

tree and shrub planting recently carried out ...; principally to screen glimpsed views from the lane immediately adjacent and from neighbouring properties'.

Councillor MAF Hubbard welcomed the small scale, organic nature of the enterprise and felt that it was refreshing that a glasshouse was proposed rather than polytunnels. He commented on the drawbacks of the elevated sites originally identified, both in visual impact and soil quality terms. He felt that the landscaping scheme was as good as could be achieved in the circumstances and supported the recommendation of approval.

Councillor AJM Blackshaw spoke in support of the application but, noting concerns about the effectiveness of the proposed landscaping, proposed that mature or semi-mature specimens be planted to provide screening at the earliest opportunity. This suggestion was supported by other members.

Councillor PJ Edwards expressed sympathy for the points raised by the Local Ward Member, particularly given the rapid development of this site in recent years. In response to a question, the Principal Planning Officer commented that the permitted glasshouses were smaller in scale than the current proposal but emphasised that the rescinding of the earlier permissions, as offered by the applicant, was considered an added benefit of the proposal rather than a primary consideration in this instance. He also advised that the properties directly opposite the site would have more than just 'glimpsed' views of the glasshouse and, although landscaping would provide some mitigation, the proposal would have an impact on the outlook from these properties.

Councillor DB Wilcox felt that the proposal was acceptable, subject to the rescinding of the extant permission for the glasshouses, and commented that any further development proposals would need to be considered on their own merits; with particular attention given to the impact on the highway network in light of the Traffic Manager's comments.

The Legal Practice Manager read out the full wording of the amended recommendation (incorporated into the resolution below).

In response to a question, the Principal Planning Officer advised that officers had recommended approval in respect of the agricultural structures at the site previously; although officers had recommended refusal in respect of temporary living accommodation at the site but the Sub-Committee had considered these applications to be acceptable.

Councillor Dawe commented that the key issue was the location of the glasshouse and he felt that the original sites would have less impact than the current proposal, especially as they were further away from residential properties. He did not feel that, in order to create a level base, there would be substantial loss of productivity if soils were removed and reinstated at those sites. He felt that the proposal would have an unacceptable visual impact on the AONB and emphasised that the principal objectors had direct, rather than just glimpsed, views of the site in question.

A motion to refuse the application, on the grounds of the potential detrimental impact of the proposal on the landscape of the area, failed and the resolution below was then agreed.

RESOLVED:

- 1) The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning**

Act 1990 to rescind the two extant agricultural notification permissions for glasshouses and any additional matters and terms that he considers appropriate.

- 2) Upon the completion of the aforementioned planning obligation, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any further conditions considered necessary by officers.

1. A01 (Time limit for commencement (full permission)).

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. G04 (Landscaping scheme (general))(to include reference to the use of at least standard size plants) .

Reason: In order to protect the visual amenities of the area.

3. G05 (Implementation of landscaping scheme (general)).

Reason: In order to protect the visual amenities of the area.

4. G07 (Details of earth works).

Reason: (Special Reason).

5. G26 (Landscaping management plan).

Reason: In the interests of visual and residential amenity.

6. The development hereby permitted shall not be artificially illuminated or heated without the prior written agreement of the local planning authority. In obtaining such agreement, full technical details shall be provided of the lighting/heating to be used and the lighting/heating used shall not be changed thereafter without prior approval of the local planning authority.

Reason: In the interests of residential amenity and to minimise light pollution.

Informatives:

1. N15 - Reason(s) for the Grant of PP/LBC/CAC.

2. N19 - Avoidance of doubt.

129. DCCE2007/3860/RM - LAND OFF BULLINGHAM LANE, HEREFORD, HEREFORDSHIRE, HR2 7RY [AGENDA ITEM 7]

A development of 151 dwellings consisting of 2,3,4 & 5 bedroom houses with 1+2 bedroom apartments (Phase 3).

The following updates were reported:

- Amended plans had been received seeking to address the concerns of officers but there had been insufficient time to assess the detail and therefore the recommendation remained one of delegated approval as set out in the report.

- Paragraph 6.17 of the report was incorrect in that the total area of open space, sport and recreation facilities was 4.15 hectares and not 2.45 hectares as stated.
- The Highways Agency had withdrawn their objection following the receipt of additional information to justify the additional level of parking proposed.

In accordance with the Code of Conduct, Councillor AT Oliver, who had declared a prejudicial interest in respect of this item, addressed the Sub-Committee before withdrawing from the meeting for the ensuing debate and vote.

In accordance with the criteria for public speaking, Mr. Owen spoke on behalf of Lower Bullingham Parish Council.

Councillor WU Attfield, a Local Ward Member, noted that the principle and density of development had been established in the outline planning permissions and through the Unitary Development Plan [UDP] process. Councillor Attfield commented that there would be some community benefits, particularly in terms of affordable housing and play areas, but noted that the contributions would have been greater if this was an entirely new proposal. She expressed concerns about additional traffic queuing on Bullingham Lane but noted that traffic lights on the junction with the A49 should mitigate some of the problems; although it was noted that this would have a consequential impact on the free flow of traffic on the A49. Councillor Attfield also expressed concerns about the increasing urbanisation of this area without the necessary infrastructure to support it.

Councillor ACR Chappell, also a Local Ward Member, drew attention to the representation from Hereford City Council stating that it '*Objects to the over development of this site that will have an adverse effect on the already over used A49*'. Given the existing problems with the A49, he felt that further large-scale development in this area was unsustainable. He commented on drainage and flooding problems associated with the Withy Brook and suggested that an additional condition should be added to any planning permission granted requiring the brook to be cleared out at least once a year. He reported on the parking problems already being experienced in the area, resulting from the high density of development, and felt that a minimum of two spaces per unit was necessary. It was noted that, initially, the local community had been told that 500 houses would be constructed. Now that the total would be over 600 houses, Councillor Chappell felt that the developer contributions towards community infrastructure should be enhanced.

Councillor AT Oliver commented on the difficulty of turning right from Bullingham Lane onto the A49 and was surprised that the Highways Agency had not maintained its objection to this development.

In response to the points raised by members, the Principal Planning Officer advised:

- The outline planning permission required the modification of the existing Bullingham Lane junction to a signalised junction and works were due to commence soon.
- As part of the UDP process, both the Council and the UDP Planning Inspector accepted that the capacity and density of the site could be increased to an estimated capacity of 600.
- The proposed planning contributions represented a significant increase on that achieved from the original Section 106 Agreement and were considered reasonable in the circumstances.
- There was no evidence to suggest that surface water drainage from the development had caused or increased localised flooding.

- Regular clearing of the Withy Brook could have a detrimental impact on its nature conservation considerations.
- The environmental credentials of the development would be enhanced through the applicant seeking to achieve at least Eco Homes 'Good' status for all the housing.

Councillor PA Andrews advised that Councillor H Davis had concerns about the level of parking provision, particularly given the disputes arising in the area about parking on pathways and cycleways.

Councillor DB Wilcox noted that the developer would be required to contribute towards sustainable transport measures. However, he felt that the proposed £280,067 public transport contribution was not sufficient to deliver the initiatives required. In light of the Draft Supplementary Planning Document on Planning Obligations [SPD], he questioned whether the developer contributions were sufficient. He also questioned whether the proposed 18% low cost market housing could be discounted in perpetuity. He noted that similar schemes elsewhere had not been managed effectively and, after the initial sale, the discount was lost in subsequent transfers.

The Development Control Manager advised that the SPD had not yet been adopted and, given the terms of the original outline permission, he felt that the proposed contributions achieved by officers were appropriate. The practical difficulties associated with low cost market housing discounts were noted and the Legal Practice Manager explained how such schemes should operate. The Principal Planning Officer advised that the discount scheme would be allocated through Home Point, thereby providing a greater degree of control.

Councillor PJ Edwards noted that planning policy and efficiency targets had evolved significantly since the outline planning permission was granted and felt that there should be substantial uplifts in terms of the environmental credentials of the houses and in terms of planning contributions. In particular, he noted that the additional houses would increase the amount of waste generated in the area and felt that consideration should be given to domestic waste macerators. Councillor Chappell highlighted other costs to the authority that could result from increased housing numbers.

Councillor GFM Dawe felt that the application represented a regrettable degree of urbanisation.

Councillor MAF Hubbard noted that officers had worked hard on the application but he felt that the scheme needed to be improved given the concerns identified by members. Therefore, he proposed that consideration of the application be deferred for further negotiations. This was supported by a number of members. Councillor Atfield requested that the Local Ward Members be consulted about the amended plans and ongoing negotiations.

The Principal Planning Officer commented that, due to the terms of the original outline permission, there was only limited room for negotiation on the final phase and asked for clarification about the issues that Sub-Committee wanted raised with the developer. Members' suggestions included:

- Additional sustainability measures e.g. solar panels, grey water recycling, waste disposers.
- Details on how the low cost market housing discount would be managed in perpetuity.

- In view of the concerns over the discount, further consideration should be given to increasing the numbers of social rented and shared ownership housing.
- Additional contributions towards public transport infrastructure.

RESOLVED:

That consideration of the application be deferred pending further negotiations with the applicant.

130. DCCW2007/3940/F - MARSHALL BUSINESS CENTRE, WESTFIELDS TRADING ESTATE, HEREFORD, HR4 9NS [AGENDA ITEM 8]

Proposed development of two buildings (4 units) for small business B1 and B8 use - light industrial.

The following updates were reported:

- The applicant's agent had confirmed that Marshall Business Centre was presently comprised of 10 office suites and 7 light industrial/storage units.
- Welsh Water had raised no objection but suggested the use of drainage conditions.
- The Parish of Hereford City Council had raised no objection to the revised plans.
- In response to consultation on the revised plans, 5 letters of objection had been received and the comments were summarised.
- A petition signed by 28 people had been received, stating that the revisions would be of no advantage to residents of Grandstand Road or Armdale Close.

In response to the additional representations, the Principal Planning Officer advised:

- The comments of Welsh Water were noted and considered reasonable, therefore appropriate drainage conditions and an informative were recommended.
- The distances referred to in the report had been estimated using an Ordnance Survey database but this was now understood to be out-of-date and inaccurate.
- It was noted that the site was within a designated area safeguarded for employment purposes and the amendments to the design of the buildings, in response to concerns raised in the letters of objection, were highlighted.

In accordance with the criteria for public speaking, Mr. Baskerville spoke in objection to the application.

Councillor PA Andrews, a Local Ward Member, commented on the proximity of the site to established residential properties. Councillor Andrews did not feel that members could appreciate the dimensions of the site through photographs and proposed that a site inspection be held.

Councillor AJM Blackshaw sympathised with the public speaker but also noted that the site was located in an employment area. He considered that a site inspection was warranted in the circumstances.

Councillor SPA Daniels, also a Local Ward Member, felt that the Sub-Committee would benefit from a site inspection, particularly given the discrepancies that had arisen about the distances involved.

RESOLVED:

That consideration of the application be deferred for a site inspection for the following reasons:

- the character or appearance of the development itself is a fundamental planning consideration;
- a judgement is required on visual impact;
- the setting and surroundings are fundamental to the determination or to the conditions being considered.

131. DATES OF FORTHCOMING MEETINGS

19th March, 2008

16th April, 2008

14th May, 2008

The meeting ended at 4.40 p.m.

CHAIRMAN