

Minutes of the meeting of Planning and regulatory committee held at The Conference Room, Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Wednesday 31 August 2022 at 10.00 am

Present: Councillor Terry James (chairperson)
Councillor Paul Rone (vice-chairperson)

Councillors: Polly Andrews, Dave Boulter, Sebastian Bowen, Barry Durkin, Toni Fagan, John Hardwick, Ann-Marie Probert and Yolande Watson

In attendance: Councillors William Wilding

Officers: Senior Lawyer, Lead Development Manager and Area Engineer

26. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Paul Andrews, Clare Davies, Elizabeth Foxton, Tony Johnson and Jeremy Milln.

27. NAMED SUBSTITUTES (IF ANY)

Councillor Toni Fagan acted as a substitute for Councillor Jeremy Milln
Councillor Barry Durkin acted as a substitute for Councillor Tony Johnson.

28. DECLARATIONS OF INTEREST

Councillor Yolande Watson declared an interest in respect of item no. 8, application 202258 - Sapness Farm, Woolhope: as a member of the Wye Valley AONB Joint Advisory Committee. Councillor Yolande Watson declared an interest in respect of item no.6, application 213836 – Land at Warmhill and Hengrove Woodland, Deepdean – as her partner worked for the Woodland Trust and was a volunteer speaker for ancient woodlands and had been supportive of representatives of the residents.

Councillor Sebastian Bowen declared previous involvement in the racing industry as a jockey and a trainer and sought confirmation from the senior lawyer that this would not mean he was debarred from speaking and voting on application 202258 - Sapness Farm, Woolhope. The senior lawyer advised that as long as Councillor Bowen had no connection with the applicant or landowner it would be fine. Councillor Bowen confirmed that he had no connection to the applicant or land owner.

Councillor Barry Durkin declared an interest in respect of item no. 8, application 202258 - Sapness Farm, Woolhope: as a member of the Wye Valley AONB Joint Advisory Committee.

Councillor John Hardwick declared an interest in respect of item no. 8, application 202258 - Sapness Farm, Woolhope: as a member of the Wye Valley AONB Joint Advisory Committee.

Councillor Felicity Norman declared sporadic voluntary work for the Woodland Trust, but stated that her work had no direct connection to any of the applications.

29. MINUTES

Councillor John Hardwick stated he had sent an email highlighting an inaccuracy in the minutes regarding the reasons for rejecting application 204443 – Land Adjacent to the Old Kilns, Church Lane, Howle Hill. The minutes recorded a reference to WALF1, but during the meeting of the 10th it was policy WALF4 that was referred to. A request to amend this was noted.

RESOLVED: That the minutes of the meeting held on 10 August 2022 be approved with the amendment.

30. CHAIRPERSON'S ANNOUNCEMENTS

The Chairman announced a change of application running order, Item 8 would be the first application to be heard.

31. 202258 - SAPNESS FARM, WOOLHOPE, HEREFORD, HEREFORDSHIRE, HR1 4RJ (Pages 13 - 14)

(Councillor Barry Durkin left the committee to act as local ward member for the next application.)

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

In accordance with the criteria for public speaking Mr Slocombe, Chair of Woolhope Parish Council, spoke in support of the application and Mr Loyd, local resident, spoke in objection.

In accordance with the council's constitution the local ward member spoke on the application. He believed that the application represented further over development of an already over developed site in a rural location. The application would cause detrimental damage to the environment and lives of local residents including those beyond the parish of Woolhope. It was pointed out that these were National Hunt stables and that when the season commenced the amount of work, traffic and disruption would increase. The ward member stated he was generally supportive of businesses in rural areas, however as an objective of the core strategy they should not cause unacceptable adverse impact to the amenity of nearby residents with regard to traffic management, environment/ecology and biodiversity. Risks to nearby wildlife, including various breeds of bat, were identified and the increased number of horses on the site would potentially have an adverse impact on water supplies to local residents. More detail on the manure management plan would also be a reasonable expectation.

The Committee debated the application. A motion that the application be deferred was proposed by Councillor Yolande Watson and seconded by Councillor Fagan. The deferral involved requests for a full ecological report, manure management plan, hydrogeological survey and a landscape officer assessment to be submitted. The motion was put to the vote and was carried by a simple majority.

RESOLVED: That the planning application be deferred until a full ecological report, manure management plan, hydrogeological survey and landscape officer assessment have been submitted.

(There was an adjournment at 11:05 a.m.; the meeting reconvened at 11:15 a.m.)

(Councillor Barry Durkin resumed his seat on the committee)

32. 213836 - LAND AT WARMHILL AND HENGROVE WOODLAND, DEEPDEAN, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5SQ

(Councillor Watson left the meeting at 11:16 a.m.)

The planning officer gave a presentation on the application

In accordance with the criteria for public speaking Ms Mckenna, local resident, spoke on behalf of local residents in objection to the application, and Mr Hamilton, agent, spoke on behalf of the applicant, to support the application.

In accordance with the council's constitution the proxy for the local ward member spoke on the application. In summary he commented that the application would potentially impact surrounding tourist-based businesses and that noise pollution from windows and doors be left open would disturb the tranquillity of the area and be difficult to police. The development was contrary to the National Planning Policy Framework (paragraph 180) which sought to restrict development resulting in the deterioration of irreplaceable habitats such as ancient woodland unless there are wholly exceptional reasons for doing so. The application would increase human activity in the area, disturbing and displace mammals and birds, and causing damage to the woodland ecosystems.

Walford's NDP supports proposals which result in a net gain of biodiversity. The proxy for the local ward member proposed the development was contrary to RA5 as it was not compatible with neighbouring uses and will cause undue environmental impacts and RA6 because of its scale. Furthermore the application did not comply with LD2 in relation to the retention and protection of nature conservation sites and LD3 protection and retention of existing green infrastructure due to increased personnel and traffic.

It was also stated that the application was contrary to E4 as it doesn't utilize or enhance the County's unique environmental heritage assets and SS1 as it doesn't serve and enhance environmental assets.

The Committee debated the application.

The proxy for the local ward member was given the opportunity to close the debate and urged that the conditions of the "beefed up" in relation to hours of operation, soundproofing of the unit and work being carried out internally with all doors and windows closed.

The lead development manager stated that these requested alterations were already covered off within condition 4 of the paper.

A motion to approve the application consistent with the case officer's recommendation was proposed by Councillor Polly Andrews and seconded by Councillor Paul Rone. The motion was put to the vote and carried by a simple majority.

RESOLVED – That subject to the receipt of a positive response from Natural England in relation to the Habitat Regulations Appropriate Assessment, planning permission be granted subject to the following conditions and any other further conditions/amendments considered necessary by officers named in the scheme of delegation to officers:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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

- 2. The development shall be carried out strictly in accordance with the approved plans (Location Plan 1:10000; Site Plan 1:500; and Drainage Plan 1:500), 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 Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 3. The mixed use of the existing shed, lean-to and hardstanding hereby permitted (excluding existing forestry operations) shall be limited to forestry-related light industry and/or timber-based craft workshops falling within Class E (g) (iii) and Class F1; and for no other purpose (including any other purpose in Classes E and F1 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 wishes to control the use of the site, in the interests of safeguarding residential amenity and the tranquil quality of the surrounding woodland, in line with Policies SS6 and SD1 of the Herefordshire Local Plan – Core Strategy and advice found in Section 15 of the National Planning Policy Framework.

- 4. The use of noise generating plant and equipment in association with the uses hereby permitted (excluding existing forestry operations) shall be restricted to 0800 to 1800 hours Monday to Saturday; and this noise-generating activity shall only take place within a fully enclosed part of the building(s). There shall be no such working on Sundays, Bank or Public Holidays.**

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 5. Prior to initiating the mixed use hereby permitted, an annotated location plan and supporting images or an ecologist's report confirming the installation of appropriately located 'fixed' habitat features, such as habitat boxes supporting a range of bird species and bat roosting features, on land under the applicant's control shall be supplied for the written approval by the local planning authority. The approved scheme shall hereafter maintained as approved unless otherwise agreed in writing by the local planning authority.**

Reason: To ensure that all protected species are considered and habitats enhanced having regard to the Conservation of Habitats and Species Regulations 2017 (as amended), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act 2006 and Herefordshire Local Plan - Core Strategy policies SS1, SS6 LD1, LD2 and LD3.

- 6. At no time shall any external lighting except in relation to safe use of the existing buildings be installed or operated in association with the approved development and no permanently illuminated external lighting shall be operated at any time, without the written approval of this local planning authority. No external lighting should illuminate any biodiversity enhancement, boundary feature, highway corridors or adjacent habitats. All lighting installed shall demonstrate compliance with latest best practice guidance relating to lighting and protected species, available from the Institution of Lighting Professionals.**

Reason: To ensure that all species and Dark Skies are protected having regard to the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2017 (as amended), National Planning Policy Framework, NERC Act 2006, Herefordshire Local Plan - Core Strategy policies SS6, LD1, LD2 and LD3 and the Dark Skies initiative (DEFRA, 2013).

- 7. Unless otherwise approved in writing by the local planning authority, all foul water shall discharge through connection to the existing septic tank discharging to a new soakaway drainage field as identified in the drainage report prepared by H+H Drainage and dated June 2022.**

Reason: In order to comply with the Conservation of Habitats and Species Regulations 2017 (as amended), National Planning Policy Framework, NERC Act 2006 and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD4.

- 8. Prior to initiating the mixed use hereby permitted, a scheme for the provision of storage, prior to disposal, of refuse and waste materials, and an associated timetable for implementation, shall be submitted to and be approved in writing by the local planning authority. The approved scheme shall thereafter be implemented in accordance with the approved timetable.**

Reason: In the interests of amenity and avoiding contamination of the woodland setting, in accordance with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

- 1. 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. The application site lies within a Development Low Risk Area, as defined by The Coal Authority. The Low Risk Area is where past coal mining activity has taken place at sufficient depth that it is likely to pose a low risk to new development. To minimise the risks to public health and safety, and related liabilities, it is important that wherever your site is located, you make appropriate consideration of the risks posed by coal mining features.**
- 3. In respect of condition 5, it is recommended that the biodiversity enhancement measures outlined in the ecological assessment report are adopted.**
- 4. The Authority would advise the applicant and contractors that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act 1981, with enhanced protection for special “protected species” such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the county. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year**

undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. It is noted that a Working Method Statement is included in the submitted ecological assessment and these recommendations should be adopted.

33. 212199 - CAERWENDY FARM, ST WEONARDS, HEREFORD, HEREFORDSHIRE, HR2 8QF (Pages 15 - 16)

(Councillor Toni Fagan left the committee to act as local ward member for the next application.)

(Councillor Watson resumed her seat on the committee.)

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

In accordance with the criteria for public speaking Mr Bothamley, local resident, spoke in objection to the application and Ms. Watkins, planning agent, spoke in support of the application.

In accordance with the council's constitution the local ward member spoke on the application. It was questioned whether the scale of the development was contrary to RA6. Concerns about the scale of the development and the impact on the local road network were raised. Those opposed to the development suggest it would create an unsustainable pattern of development, which would have a direct impact on the rural road network of narrow country lanes, which aligned with essential drainage ditches and very few passing places. The committee was asked to consider whether the application complied with paragraph 84 of the NPPF in relation to impact on local roads? Does the proposal comply with the core strategies of RA6 in relation to scale and is the harm to the rural countryside balanced by Policy E4, which encourages sustainable tourism that is not damaging to the character or quality of the environment.

The committee debated the application.

The Lead development manager suggested that the motion proposers delegate to the case officer the task of adding an extra condition relating to the inclusion of additional passing bays and water harvesting plans. The lead development manager confirmed that the alterations to the conditions would be implemented through the delegation to offices contained in the recommendation

The local ward member closed the debate and referred to the water harvesting and additional passing bays and welcomes these additions.

A motion to approve the application consistent with the case officer's recommendation and the alterations to the conditions, as listed above, was proposed by Councillor Boulter and seconded by Councillor John Stone. The motion was put to the vote and carried by simple majority.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other 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 approved plans**
3. **C13 - Samples of external materials**
4. **Before any other works hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 139.5 metres west and 104.6 metres east along the nearside edge of the adjoining carriageway (as shown on drawing no. 3167-23-902). Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.**

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

5. **The construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.**

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

6. **Prior to the first use of the buildings hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of cars, as shown on drawing no. 21-900, which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.**

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. **Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:**

- **A method for ensuring mud is not deposited onto the Public Highway**
- **Construction traffic access location**
- **Parking for site operatives**
- **Construction Traffic Management Plan**

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

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

8. **Prior to the first occupation of the development hereby permitted full details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwelling shall be submitted to the Local Planning Authority for their**

written approval.. The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained;

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. With the exception of site clearance and groundworks, no further development shall commence until a landscape scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:
- a) Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.
 - b) Trees and hedgerow to be removed.
 - c) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
 - d) All proposed hardstanding and boundary treatment.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

10. All planting, seeding or turf laying in the approved landscaping scheme (insert drawing no if appropriate) shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner.

Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework

11. Before the development is first occupied, a schedule of landscape management and maintenance for a period of 10 years shall be submitted to and approved in writing by the local planning authority. Maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure the successful establishment of the approved scheme, local planning authority and in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

12. At no time shall any external lighting except in relation to safe use of the approved development and its stated use be installed or operated in association with the approved development and no permanently illuminated external lighting shall be operated at any time, without the written approval of this local planning authority.

All lighting installed shall demonstrate compliance with latest best practice guidance

relating to lighting and protected species-wildlife available from the Institution of Lighting Professionals.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3

13. Before any work a Construction Environmental Management Plan (CEMP) including a full Ecological Working Method Statement and a specified 'responsible person', 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; unless otherwise agreed in writing by the local planning authority.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3.

14. The ecological protection, mitigation, compensation and working methods scheme including recommended Biodiversity Enhancement and any required European Protected Species Licence (Bat), as recommended in the ecology report by Ecology Services dated September 2019 shall be implemented in full as stated, and hereafter maintained, unless otherwise approved in writing by the local planning authority and Natural England as relevant to the protected species licence.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy (2015) policies LD1, LD2 and LD3.

15. Within 3 months of completion of the approved works evidence of the suitably placed installation within the site boundary including 4 Schwegler Bat boxes (or similar approved design) to be incorporated into the external fabric of the renovated barns (two per barn); 2 bird nesting boxes for a site appropriate range of bird species; 1 hedgehog home; and 4 insect hotels, should be supplied to the local authority and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority.

Reasons: To ensure Biodiversity Net Gain and species and habitats enhancement having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

16. The ecological protection, mitigation and compensation methods including Biodiversity Enhancements, as recommended in the Preliminary Ecological Appraisal by Pure Ecology dated April 2021 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policy LD2.

17. **None of the units shall be occupied until the following drainage details have been provided:**
- **Confirmation of the proposed drainage mound size using a Vp rate established during testing at 600mm bgl**
 - **Detailed drainage plans/construction drawings of the proposed surface water and foul water drainage infrastructure**
 - **Confirmation that an EA permit for a discharge of treated foul water drainage to ground has been granted**

Details shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of any of the buildings hereby permitted.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. **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. **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.**
3. **This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.**

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.

4. **It is the responsibility of the developer to arrange for a suitable outfall or**

discharge point. It cannot be assumed that the highway drainage system can be used for such purposes.

5. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
6. The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special "high status protected species" such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required 'licences' have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.

(Councillor Toni Fagan resumed her seat on the committee)

34. DATE OF NEXT MEETING

28th September 2022

Chairperson

SCHEDULE OF COMMITTEE UPDATES

**202258 - RETROSPECTIVE ERECTION OF NEW STABLES AND
TURN OUT PADDOCKS, WITH ASSOCIATED WORKS AT
SAPNESS FARM, WOOLHOPE, HEREFORD, HR1 4RJ**

**For: Mr Lacey per Mr Ian Pople, 30 The Causeway,
Chippenham, SN15 3DB**

ADDITIONAL REPRESENTATIONS

The committee report covers the HCPRE representation at 5.2 of the report, however, it is also noted that in closing HCPRE provided the following statement;

We, HCPRE, strive to protect the open countryside and sensitive rural areas from inappropriate developments. We trust that you will consider the points raised in this objection when a decision is made on this retrospective application.

The Committee report notes that the Ramblers Association submitted representation of no objection; however, a further representation of **objection** was received.

Objection is in respect of detrimental impact/views from public footpath when walking north easterly along footpath towards Glowson Wood.

The Committee report notes that 15 letters of objections were received, on further scrutiny it is noted that 16 letters of objection were received.

A further representation from a local resident has been received stating that the site plan is not a true representation of the proposal in respect of the turnout pens. The location of the turnout pens has been assessed via further site visits and it is the considered opinion that the location of the L shaped turnout pens are as identified on the submitted site plan.

Finally the applicant's agent has submitted the following further information

1. This is a retrospective application for additional stables and turn out areas in connection with the existing racing stables, which were approved here in 2014. Cottage Farm Stables is a significant local employer with 14 staff, all living locally. The enterprise is an important part of the local economy.
2. The additional stables and turn-out area have been in existence for about four years, which has allowed plenty of time to assess their impact. It is clear that there is no significant impact on traffic generation or impact of neighbouring properties sufficient to warrant refusal of this application.
3. On the matter of foul drainage, this is unrelated to the existing application. The additional stables and turn-out area will not result in any change to the foul drainage arrangements, which have worked well for some years without incident. The work to discharge the outstanding planning condition is in hand.
4. Manure from the stables is spread on the applicants land and also spread on land belonging to farmers in the locality, to improve the quality of their land.
5. In terms of highways and access, the applicant has prepared a Traffic Management Plan which has been found by the County Highways Officer to be satisfactory. There are no reasonable grounds to refuse this application in terms of the impact on the local road network.
6. In terms of water consumption, the applicant has a borehole licenced by the Environment Agency. We do not anticipate any significant increase in water consumption as a result of this development.

However, this is a matter for the Environment Agency, not the local planning authority and would not be reasonable to refuse this planning application on the basis of its water consumption.

OFFICER COMMENTS

All of the above have been reviewed and are not considered to raise any new planning considerations, which are not otherwise considered in the report.

CHANGE TO RECOMMENDATION

No change to recommendation.

SCHEDULE OF COMMITTEE UPDATES

212199 - PROPOSED RURAL TOURISM VENTURE, TO INCLUDE: CONVERSION OF TWO BARNs TO PROVIDE 2 NO. HOLIDAY LETS, PROPOSED 3 NO. NEW HOLIDAY LET UNITS, PROPOSED RECREATION BARN WITH INDOOR SWIMMING POOL AND SEPARATE PROPOSED BBQ PAVILION, USE OF EXISTING BUNGALOW AS HOLIDAY LET, CAR PARKING AND LANDSCAPING AT CAERWENDY FARM, ST WEONARDS, HEREFORD, HR2 8QF

For: Mr Sheppard per Miss Eleanor Watkins, No2 Questmoor Farm, Eardisley, Hereford, Herefordshire HR3 6LN

ADDITIONAL REPRESENTATIONS

OFFICER COMMENTS

In order to secure the proposed use as holiday accommodation, the Committee Report should include recommended condition as following:

The units hereby approved shall not be occupied other than for holiday purposes and shall not be used as residential dwellings, including any use within Class C3 of the Town and Country Planning(Use Classes) Order 1987 (as amended).

The unit shall not be occupied for more than 28 consecutive days and shall not be re-occupied by the same occupier following the 28 days consecutive days stay.

Details of the name, permanent home address, vehicle registration shall be kept in a register a copy of which shall be made available to the Local Planning Authority for inspection at any time.

Reason: Having regard to Policy RA2 and RA3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework the local planning authority are not prepared to allow the introduction of a separate unit of residential accommodation in this rural location.

CHANGE TO RECOMMENDATION

Additional condition as recommended above.

