

DCCW2008/0262/F - PROPOSED CONSTRUCTION OF REPLACEMENT LIVESTOCK MARKET WITH ASSOCIATED CAR AND LORRY PARKING AT LAND ADJACENT TO VELDIFER COTTAGES, ROMAN ROAD, STRETTON SUGWAS, HEREFORD, HR4 7AN

For: Adult Community Directorate per Herefordshire Council, Property Services, Franklin House, 4 Commercial Road, Hereford, Herefordshire, HR1 2BB

Date Received: 6 February 2008 **Three Elms / Burghill, Grid Ref: 47505, 42147**
Holmer & Lyde /
Credenhill

Expiry Date: 7 May 2008

Local Members: Councillors PA Andrews, SPA Daniels, AM Toon, SJ Robertson and RI Matthews

1. Site Description and Proposal

- 1.1 This site is located on the southern side of the new A4103 Roman Road between Veldifer Cottage and The Bolts, Hereford. The site comprises arable land that rises gently to the south with mature hedgerows and trees on its perimeter. Farm buildings and Wyevale nursery adjoin the southwest and west of the site together with Veldifer Cottages and Gartref. A former railway line lies immediately along the southern boundary. Arable fields and The Bolts adjoin the eastern boundary with Yazor Brook in the north east corner. The application area is contained generally within the centre of the field.
- 1.2 The proposal is the relocation of the livestock market facility from Hereford City Centre as precursor to the ESG redevelopment. It includes office accommodation, cafe, auction space, vehicle washdown area, parking for HGV's and cars together with a covered livestock building.
- 1.3 The livestock building will cover all the animal pens and has four spans forming four ridges that run east-west. The building measures 55 metres wide (east-west) and 133 metres in depth (north-south). Ten unloading areas are located on the northern side facing Roman Road with the main unloading bays located on the east elevation. The lorry washdown area is located to the south of the livestock building together with overspill lorry park in the southwest corner. Two semi-circular sales rings punctuate the west elevation by approximately 16 metres. Inbetween the two sales rings are the offices, cafe and toilets. To the west of the building there are two combined car and trailer parking areas comprising 301 spaces.
- 1.4 The whole site will be accessed off Roman Road with a driveway approximately 150 metres long before it enters the complex of buildings and parking. The access will entail the removal of one oak tree located on the roadside. The whole access and development boundary will be hedged together with additional landscaping in and around the remainder of the fields in which the site is located.

- 1.5 External materials of the livestock building are proposed as Yorkshire boarding (hit and miss boarding) under a green sheeted profiled steel roof. The two sales rings will have vertical timber cladding. The offices, cafe, toilets and ancillary plant rooms will have fairface blockwork walls (sandstone colour) under a flat roof.
- 1.6 A public footpath runs through the middle of the site in a north/south direction and has been catered for within the development.
- 1.7 The planning application includes an Environmental Impact Assessment.
- 1.8 The planning application does not include a poultry market facility.

2. Policies

2.1 National:

- RSS - Regional Spatial Strategy
- PPS1 - Sustainable Development
- PPS6 - Planning for Town Centres
- PPS7 - Sustainable Development in Rural Areas
- PPS9 - Biodiversity and Geological Conservation
- PPS23 - Planning and Pollution Control
- PPS25 - Development and Flood Risk

2.2 Herefordshire Unitary Development Plan 2007:

- Policy S1 - Sustainable Development
- Policy S2 - Development Requirements
- Policy S9 - Minerals
- Policy DR1 - Design
- Policy DR2 - Land Use and Activity
- Policy DR3 - Movement
- Policy DR4 - Environment
- Policy DR6 - Water Resources
- Policy DR7 - Flood Risk
- Policy DR9 - Air Quality
- Policy DR10 - Contaminated Land
- Policy DR11 - Soil Quality
- Policy DR13 - Noise
- Policy DR14 - Lighting
- Policy TCR19 - Hereford Livestock Market – Relocation
- Policy T10 - Safeguarding of Road Schemes
- Policy LA2 - Landscape Character and Areas Least Resilient to Change
- Policy LA5 - Protection of Trees, Woodlands and Hedgerows
- Policy LA6 - Landscaping Schemes
- Policy NC1 - Biodiversity and Development
- Policy NC4 - Sites of Local Importance
- Policy NC5 - European and Nationally Protected Species
- Policy NC8 - Habitat Creation, Restoration and Enhancement
- Policy M5 - Safeguarding Mineral Reserves

3. Planning History

- 3.1 None.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: The Environment Agency have no objections to the proposals and would recommend the following comments and conditions be applied to any permission granted.

Flood Risk:

The development has been shown to be situated outside of the extreme (0.1%) flood outline and is therefore at minimal risk of flooding. Access to the site via the existing highway (Roman Road) can be considered flood-free in a westerly direction.

Although a detailed design has not been provided as part of the submitted Flood Risk Assessment (FRA), initial design calculations for storm water runoff are considered acceptable. A detailed design should be submitted to provide the required storage of 4365m³ as stipulated within the report. We would expect a management plan to ensure that the proposed surface water scheme, including any pollution control measures, are adopted, managed and maintained for the lifetime of the development.

Condition: Development shall not commence until full surface water drainage details, incorporating sustainable drainage principles, have been submitted in full and approved by the local planning authority. Any approved scheme shall be implemented in accordance with the approved details before the development is completed or occupied.

Reason: To ensure that the new development does not increase the risk of flooding to the site itself or adjacent existing developments.

Pollution Prevention:

The site is located on till and gravel deposits overlying Raglan Mudstone which under the Environment Agency Policy and Practice for the Protection of Groundwater (1998) has been classified as being Minor aquifer. The site is also located within the Source Protection Zone (III) for the groundwater abstraction at King Acre. We therefore consider the site to be sensitive with respect to controlled waters.

We note in Section 5.3 of the Planning Application Addendum, that site investigation work has been completed at the site and the results indicate no risk to controlled waters. However, no results were submitted to support this statement. Given the site is located within the Zone III of the Kings Acre Source Protection Zone, we wish to see the results.

Condition: Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme and results, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

Reason: To prevent pollution of the water environment.

Condition: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement. The Method Statement must detail 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 ensure investigation and remediation of any contamination and protect controlled waters.

Condition: Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

Note - It is noted that that it is proposed to utilise an on site treatment plant. I would like to re-iterate that that our preferred option is for foul drainage to go to the public sewer.

Any discharge to controlled waters will require discharge consent under the Water Resources Act 1991. The Applicant should contact our National Permitting team with regard to this regulatory aspect.

Developers should incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities.

Water Resources:

A Section 32 consent has now been received by the agency, reference S32/SE480. This application is currently being dealt with by our Groundwater and Contaminated land team. A Section 32 consent is part of the Water Resources Act 1991 that relates to investigating a Groundwater Source.

The planning application states that the applicant will require to abstract a maximum rate of abstraction of 30,000 cubic metres per year and maximum of 170 cubic metres per day. Under the terms of the Water Resources Act 1991, an Abstraction Licence will be required from the Environment Agency for the abstraction of water from any inland water or underground strata. This is dependent on water resource availability and may not be granted.

It is the responsibility of the applicant to ensure that the development will not affect any water features (ie. wells, boreholes, springs, streams or ponds) in the area, including licensed and unlicensed abstractions.

Note - The determination period for an abstraction licence is 3-4 months, depending if the application needs to be advertised.

- 4.2 Welsh Water: Raise no objection subject to the implementation of conditions to ensure separation of foul and surface water.
- 4.3 Natural England: Has no objection to the above application. We note and support the inclusion of a rainwater harvesting system and SuDs scheme for the proposed site.

We recommend that a Site Waste management Plan and a Landscape and Ecological management Plan are conditioned (both as as pre-commencement conditions).

- 4.4 Ramblers' Association: I note the improvements to the junction between the access road and the A4103 to the benefit of walkers crossing the main road. Would warning signs for 'Pedestrians Crossing' be appropriate at either side of the junction along the main road?

The areas which I am still apprehensive about is where the proposed diverted footpath will pass in front of the gates leading into the 'loading docks' compound, I could see this area at busy times being a bit of a bottle neck, with pedestrians walking between queueing lorries, not a safe environment.

I ask you to ensure that the developer is aware that there is a legal requirement to maintain and keep clear a Public Right of Way at all times.

- 4.5 Advantage West Midlands: The Agency's role involves commenting on both major planning applications and acting as a consultee on the regional and local planning process. It takes as its reasoned basis, and main justification for comment, the aims and objectives of the West Midlands Economic Strategy (WMES).

The Agency fully supports the proposed construction of the replacement livestock market.

As part of the Edgar Street Grid redevelopment, the Agency is making major investments working in partnership with Herefordshire Council in delivering regeneration; promoting opportunities for development, public realm improvements within the town and new employment opportunities in Hereford. The replacement of the livestock market is a key component in delivering the aspirations of the Edgar Street Grid (ESG).

One of the aims of the regeneration project is the identification of a retail quarter to be developed on the site of the cattle market hence the need for the relocation of the existing livestock market. The Agency and Partners have identified that the proposed ESG scheme will better utilise town centre land, create a pedestrian friendly environment and improve general traffic conditions in the town centre.

In respect of the cattle market itself, relocating into a new modern building will help improve the bio security of the facility and improve animal welfare. This will in turn enhance the supply chain and improve the market opportunities for farmers. This aligns with the objectives of the Rural Regeneration Zone which seeks to implement a coherent programme of support for rural renaissance and safeguard existing employment, currently there is high dependency on employment in agriculture.

However the Agency would make the point that due to the size and scale of the proposal there are opportunities for the site to be more actively and intensively used for alternative purposes related or complementary to agricultural uses without prejudicing the viability of the principal use. Having this flexibility will add viability to the proposal and operating more intensively will make more use of the site.

The Agency suggests the Council also facilitate where feasible to find accommodation on the proposed site for businesses that are reliant and are ancillary to the existing livestock market. These have an important role into the day to day operation of any market. On these issues we would welcome further dialogue but would not wish these comments to be read as raising objections to the scheme, rather our interest lies in enhancing the benefits to be secured from this development.

- 4.6 ESG: We welcome and support the proposals put forward and have no objections regarding this planning application.

Internal Council Advice

- 4.7 Traffic Manager: Regarding Planning Application DCCW2008/0262/F Hereford Livestock Market Relocation, with the information provided and drawings 377902/A/2 Rev P4, 377902/A/3 Rev P2, 377902/A/9 Rev P4 and 377902/A/10 Rev P1, I recommend that any permission which this Authority may wish to include conditions.

My comments regarding the site are as follows:

The TA has assessed the impact of the Livestock Market on the Road Network in the new location with the conclusion that the junctions operate within capacity but with the information in the TA and discussions with the design team the network requires improvements and works at the following locations which will be part of a S106 agreement:

A438 / A480 junction Kings Acre Halt - footway improvements and pedestrian crossing.
A4110 / A4103 junction - pedestrian phasing of the traffic lights together with advanced cycle stop lines.

C1095 between the A4110 and A4103 - Tillington Road Contribution (to be determined) to the traffic calming required to prevent 'rat running'

The access to the site has been subject to a Stage 2 Road Safety Audit, the main issue is the potential for slow moving vehicles turning right out of the site and the potential for conflict with vehicles on the A4103 with the recommendation to restrict the right turn from the Cattle Market To accommodate this the design, as per drawing 377902/A/10 is to restrict vehicles to a right turn only, this is acceptable but will require improved signing this is to be conditioned .

The internal lay-out, parking facilities and access to the Market site is acceptable to ourselves but will need to be amended to include disabled parking, accommodate crossing points from the car parking area to the market and the car and trailer parking to accommodate pedestrians across the access road, this is to be dealt with post permission as part of condition H13.

As part of the scheme, the design and construction will be subject to Stage 3 and 4 Safety Audits which will be undertaken post construction as laid out in the Design Manual for Roads and Bridges document HD 19/03.

- 4.8 Conservation Manager (Landscaping): Thank you for consulting us on the additional information submitted in relation to the above planning application and in response I would make the following comments. Firstly, I would repeat the opening comment of my earlier memo '...that I do not consider there to be an 'in principle' objection to the development for landscape reasons.' However, I would also repeat that what should be being considered in this situation '...should be exemplary...' and that the information supporting and informing the application should be a '...detailed assessment of the character and quality of the site and surroundings and...a detailed landscaping scheme.'

There is likely to be no benefit in attempting to seek further information regarding proposed landscape mitigation and enhancement at this stage; that a large proportion of the site remains available for such measures allows for some flexibility. Whilst I would consider the information submitted insufficient to meet the criteria contained in policies LA2 and LA6 of the UDP, in order for this application to make progress I would suggest attaching conditions based on the following:

That these conditions should be in the form of a four part process; firstly, the development and approval of a landscape mitigation and enhancement concept statement that identifies where visual impact, even moderate or slight impact, will result from the development and where and what type of landscaping should be incorporated to mitigate that impact, or bring about enhancement of the quality and character of the landscape. This first phase should be completed within three months of the grant of planning permission and before any works commence on site. Secondly, that a detailed scheme of landscaping shall be developed, based on the above, describing precise species, size and numbers of plants, methods of protection, establishment and aftercare, planting locations, provenance and phasing of planting is produced and agreed by the council within four months of the grant of planning permission and before any works are carried out on site. Thirdly, the implementation of the landscaping scheme should be secured through the use of our standard condition, although I would recommend adding a clause that the building cannot be brought into operation until the substantial completion of the landscaping scheme. Lastly, the production and implementation of a specification of aftercare and maintenance to cover a period of ten years post establishment and completion of all landscaping indicated at the second point above.

Having been given the opportunity to consider these issues, and having been provided with some specific indications of the deficiencies in the original submission, the document presented as supplementary information is simply a rebuttal or defence of previous opinion. No new information has been provided, although the inclusion of photographic representation of the site in line with accepted standards is welcomed. Some of the information included in the supplementary document serves only to reinforce my earlier concerns; particularly the concept that siting the proposed building '...in close proximity to the existing Wyevale Nursery glasshouses...to the south of the site would assist in the integration of the proposal in the landscape'; a view that would appear quite contrary to the accepted opinion on the cumulative and coalescent impact of large buildings in open countryside. No landscape plan or strategy appears to have been presented or developed in response to a broad assessment of the likely impact of the proposed development, but solace is offered in the expression of willingness to liaise with the council and local residents on the future development of a detailed landscape plan! Ideally, the preferred procedure is for the LVIA to present guidance not only on the location, scale and style of building proposed, but also a strategic approach to protecting and/or enhancing the quality and condition of the landscape influenced by the development.

It remains disappointing that the recognition of landscape change and impact and the subsequent production of a landscaping plan could not have been presented as part of the details submitted with this application. As it stands the application remains contrary to policies LA2 and LA6 of the UDP, but the site offers sufficient scope for landscaping measures, and, subject to stringent conditions, could proceed; we will have to presume that sufficient funds have also been allocated for the implementation of necessary landscape improvements.

- 4.9 Conservation Manager (Ecology): Now satisfied that the information submitted is acceptable in regards to bats but concerned with loss of tree roost in tree to be removed. Conditions will need to be imposed for biodiversity enhancements.

I am satisfied with the assessments and proposed strategies for habitats and the majority of protected species and I welcome the proposals for habitat protection, creation and enhancement. Planning conditions will be required for the submission of full working method statements for protected species etc. prior to development proceeding, along with a full habitat creation and management plan.

- 4.10 Conservation (Archaeology): The land parcel within which the application site is situated is extensive, and the application site itself, indicated on formally submitted scheme drawing 3767902/A/01, is itself large. There is little doubt that the impact of the development as proposed would be very severe. Recent archaeological assessment and field evaluation suggests that the main part of the application site is of comparatively low sensitivity in terms of archaeological finds, although of course finds cannot be entirely discounted in this location. The route of the former Roman Road from Kenchester to Stretton Grandison forms the northern-most edge of the site. Just to the south of the application site, in the remainder of the land parcel before the W-E disused railway, a zone of higher archaeological potential is encountered, which could be problematic in relation to the wildlife ponds suggested (drawing 377902/A/02 etc), or other ground disturbing works outwith the application area.

On balance, particularly given the limited evidence of archaeological remains from within the main part of the application site, I consider this site to be a good one, and accordingly would have no objections to the proposal. It should be possible to mitigate any damaging effects of the development by means of limited archaeological recording and investigation project during development works on site. I would therefore advise the standard archaeological condition D01.

The above advice follows the guidance given in PPG16 Section 30, and is in accordance with Policy ARCH6 of the adopted Herefordshire Unitary Development Plan.

- 4.11 Environmental Health & Trading Standards Manager: I cannot foresee a reason for objection to the application. I would comment that there is the potential for noise nuisance from increased traffic movements and during market days however I do not believe this is significant enough to warrant conditioning, as any complaints received can be dealt with under Environmental Protection Act 1990.
- 4.12 Public Rights of Way Manager: The development proposal is now acceptable to the PROW Manager.

The proposed path diversion is, however, subject to further public consultation under S257 of the TCPAS 1990, and as stated in my e-mail of 2 April, the PROW Manager now recommends approval for this application subject to the inclusion of standard

condition H28 (Development shall not begin until an Order has been made to allow the existing public right of way crossing the application site to be diverted or stopped up. Reason: To ensure the public right of way is not obstructed) in any decision.

5. Representations

- 5.1 Stretton Sugwas Parish Council: Thank you for your letters and accompanying documents regarding the above, dated 15 April 2009 and following an exhaustive consultation exercise within the parish council we wish to draw your attention to a specific number of points which have arisen from these discussions following receipt of your pack.

In 2006 Herefordshire Council carried out an extensive public consultation exercise in respect of a number of possible sites for a new livestock market in the Stretton Sugwas/Burghill area. At the end of the consultation which created great debate the authority decided to opt for the least offensive option which was that of land adjacent to Veldifer Cottages, Roman Road.

During the exercise the economic viability of the project was brought into question particularly as it was generally anticipated a total capital cost of circa. £8/10 million and it was doubted and, indeed in the end confirmed, that the return to the local authority and the people of Herefordshire for this significant expenditure would never provide a meaningful return on the capital employed.

We were all advised by a representative of the authority that the Council was bound by historical and legal obligations to provide a market although the evidence for this stated obligation was never made available on the basis that the Council could be "compromised" if it were to release this information.

The economic argument that was used to carry the proposal was that without relocating the livestock market there would be no prospect of carrying out the retail development within the Edgar Street Grid area. The Parish Council now question whether the economic argument could still be made for that commercial development of the old livestock market site for at least the next five years, notwithstanding this point Herefordshire Council's position during the consultation exercise was that there would be wide spread and significant highway improvements in the locality which would be carried out before any new livestock market was operational.

Therefore, Stretton Sugwas Parish Council set out below a list of those items which we were led to believe would be included as part of this proposal but which have not been included but we would wish to see implemented in order to prevent any further deleterious effects on the interests of the village.

1. The A438 30 mph limit would be extended to the Breinton Lane turn together with a pedestrian crossing at this point.
2. Undertake significant improvement to the Kings Acre Halt junction.
3. The creation of a footpath along the A480 from Kings Acre Halt towards Credenhill as far as Stretton Sugwas school (currently up to thirty children and their parents walk this road night and morning which creates a significant danger for them and which would be exacerbated with the development of the livestock market).
4. The creation of a footpath together with robust traffic calming measures along Church Road to Stretton Sugwas (once again a significant number of school children and their parents use this road and the development of a livestock market could only exacerbate the dangers they face).

5. The creation of a foot path from the Roman Road to the SAS camp - this stretch of road is used daily by large numbers of troops and ancillary staff at the camp for training and access purposes, there currently is no protected zone and once again the development of the livestock market can only add to the dangers associated with travelling by foot or cycle. It is important to note that the SAS camp is one of the largest employers in the area and its very presence creates much inward investment income to the area that should not be under estimated.
6. We were deeply dismayed that the proposed access and particularly the egress arrangements from the proposed development site rely on the traffic turning left from the market towards Stretton Sugwas and then using the roundabout to make a return journey along the Roman Road. This specific matter was talked about at the consultation meetings where the Cabinet member responsible for the consultation exercise and senior officers of the local authority agreed that this would not happen.

We would wish to see traffic lights installed and/or a roundabout at the market junction which would create the opportunity for vehicles to turn immediately right on departure from the market and keep them away from the village. Clearly it cannot be right to "drive" all traffic in towards the settlement of Stretton Sugwas and then turn it round again and "march" it back up the Roman Road.

There are a number of other concerns which we set out below which we would ask to be taken into account when considering the application:-

Firstly, we are concerned that the scheme as currently designed does not have a sufficiently detailed landscaping scheme to protect the visual impact and would hope that any approvals would include a condition to cover landscaping design and which would then in turn be discussed and considered with acknowledged interested parties such as parish councils, etc. The use of mature landscaping elements will go significantly towards minimising the effect of the location of the building within the natural environment.

Secondly, at the time of the initial consultation an offer by the Duchy of Cornwall to develop part of their land for the new livestock market included a commitment to use sustainable materials in the construction of the building and it is disappointing to note that the proposal before us includes significant amounts of polyester coated aluminium and fair faced concrete block work rather than all timber, the parish council believes that maximising the use of timber for the cladding and other elements to the building would allow it to mature and bed into the natural landscape more quickly.

Thirdly, we are deeply concerned that the proposal will create "rat runs" to access and egress the site unless specific and robust physical deterrents are put in place to prevent this. We were told during the consultation period that significant amounts of livestock traffic is generated from the south and south west of Hereford and that much of this traffic would come to Hereford via the A49 and then find its way to the new livestock market. We believe that much of this traffic from the south and then returning to the south (A49) will try to use Barton Road, Breinton Lane and Westfaling Street to access the site. None of these roads offer suitable access for either commercial vehicles and/or 4 x 4's with trailers and we would implore you to give this issue serious consideration. There is much potential to cause harm and damage to the quiet enjoyment of residents in many areas with this project and care needs to be taken in assessing the risks to established interests.

Finally, we would request permission to submit a representative of the parish council to speak at the planning meeting where this application is to be heard in order to amplify and clarify the representations we make in this letter.

5.2 Burghill Parish Council: The Parish Council have three primary concerns:

- The current plans for landscaping are significantly reduced compared with the plans on exhibition at Stretton Sugwas School. It is hoped that residents will be consulted on landscaping, as is stated in the plans.
- Increased traffic along Roman Road. The addition of an 'Access only' sign at the bottom of Towtree Lane at the Roman Road entrance, may help reduce potential traffic flowing along this narrow lane. Also the Parish Council queried why the Police could not enforce the speed limits along Roman Road.
- There were no proposals for the lighting of the market and the Parish Council would like to request that any lighting is kept to a minimum.

5.3 Hereford City Council: The City Council recommends that this application be refused and questions whether there is an economic case for a new Cattle Market. The Council is not convinced that the flood measures proposed are adequate for the task, especially in the wider area. Additional traffic problems at the Kings Acre Halt junction have not been assessed where there is very poor vision. All the boundaries of the site should have appropriate high quality landscaping that is not included in the scheme.

5.4 Breinton Parish Council: Objects to this proposal on the grounds that a greenfield site is to be used, without, in the Parish Council's view, sufficient proof that the scheme is viable. If the livestock market should fail, this proposal would ensure that what is now prime agricultural land would become a brownfield site, inappropriate in its surroundings. (The viability of any scheme is particularly important, since scarce public resources are spent to the detriment of other schemes, such as the refurbishment of the LEA swimming pool and the maintenance of highways)

The Parish Council also feels that this proposal is premature in that it comes before any firm proposals to improve the access infrastructure and the implementation the Flood Alleviation Scheme: the diversion of the Yazor Brook: the Parish Council is in no doubt that this proposal will exacerbate Hereford's problem with flooding unless the Flood Alleviation Scheme is fully implemented and also feels that no permission should be granted before these two issues are addressed.

The Parish Council urges decision makers to give serious consideration to the views of Senior Landscape Officer and of the Environment Agency included in this application

The Parish Council is disappointed that with the opportunity to create such a new facility, no account has been taken of the green issues, such as water harvesting and solar heating, both issues which are being addressed in the planning policies of the future.

If, despite the above, together with the current economic climate and the dubious prospects for the Edgar Street Grid, this proposal is permitted, the Parish Council would like to see the following conditions imposed:

- that the Roman Road on the stretch between the A4110 and the Stretton Sugwas roundabout should be speed limited to 30mph (with speed cameras if enforcement is deemed difficult)

- that the footpath from Whitecross to King's Acre Halt should be converted into a dual use footpath/cycleway
 - that this footpath and cycleway be continued along the A480 to the Stretton Sugwas roundabout
 - that the site should be accessible by public transport and/or a park and ride scheme (to concur with the planning policies to reduce the need for car journeys
 - that the design should incorporate water harvesting and solar heating
 - that landscaping should be addressed seriously and that the opportunity is taken to create attractive features around the site.
- 5.5 Madley Parish Council: Should the proposal to house the cattle market on this site go ahead, Madley Parish Council believe that it will greatly increase the traffic travelling through Madley and along the Bridge Sollars Road. This route is already used as an unofficial by-pass to Hereford as it is and there is numerous problems with the volume and size of traffic using the Bridge Sollars Road and also road safety issues surrounding the school in Madley, which is situated right on the B4352 through the village.

Therefore, Madley Parish Council would like you to consider improvements to the Bridge Sollars Road, should the cattle market go ahead. These would include addressing the width and safety elements of the road with further strategic passing bays created along its length. The Parish Council would also be grateful if you could provide them with a copy of the projected traffic data for the roads in the area, with the cattle market in this location.

- 5.6 Stretton Sugwas C E School: Stretton Sugwas is an oversubscribed, successful village school with a number of pupils connected to the farming industry. Although we appreciate the importance of a market on this industry, we are concerned about the significant increase in traffic near to our school.

We recently consulted our parents and involved the pupils in developing a School Travel Plan looking at safer routes to school. One of our main concerns is the lack of pavement connecting Kings Acre Road to the school- locally known as the "missing link". Currently up to 20 children either walk or would consider walking this short distance if it were to be made safer as part of the Cattle Market development.

With the anticipated increase in heavy traffic once the Cattle Market is established and the weight restrictions in place on other routes we feel that this should be a priority for funding as part of this development. We would also like to see a speed limit introduced along this stretch of road.

In addition we would like to see improvements to provide a safer route to school for children living at Roman Way.

- 5.7 Hereford Civic Society: A summary of the comments received: To uphold due process and compliance with legislation, to preserve loss of life, to prevent pollution, and to prevent damage to property, to maintain a sustainable local business economy and to save the landscape value of Herefordshire, the following HCS representation finds that:
- The proposed cattle market application is non compliant with legislation and should be refused planning permission.
 - The application should be called in by the Environment Agency to allow the Secretary of State to Determine the Application. As it is clearly a departure from local, national and European Policy.

- The flood alleviation scheme promoted for the Yazor catchment is not being tied to this application and therefore the proposed application is unsatisfactory in terms of the mitigation of flood risk. On that basis the proposed cattle market should be refused planning permission.
- The proposed application refers to marginal, but increased flood levels within the city of Hereford, (some 15mm in the city centre and 25mm at the Old Wye Bridge), and at the ESG site. Given the substantial flooding area and potential margins of error creep in calculating water volume and flow direction and the stated inaccuracies and instabilities of the model, the proposed cattle market application should be refused planning permission.
- The consultation process and project briefing to assess site options sequentially and subsequent exceptions testing appears to be at odds with statutory legislation required by PPS25 and the wishes of the wider community. On that basis the proposed cattle market should be refused planning permission.
- The unsustainable and unaffordable nature of attributable costs of flood-mitigation engineering-works, that will only safeguard 60 -70% of a 1 in 20 year flood level, and result in a hydro-brake flooding areas near Credenhill and flood waters to rise in the City of Hereford is good reason, to refuse the planning permission.
- The Environment Agency conditions attached to the application are so onerous that they are impossible to comply with, resulting in a cattle market that can never be built. On that basis the proposed cattle market should be refused planning permission.
- The design parameters behind onsite runoff storage does not provide adequate climate change adjustment. Nor does it take account of human error and life cycle maintenance problems and costs to operate within safe margins. The prevention of pollution and future.
- Flood risk could mean the difference between a blocked or unblocked pipe. On that basis the proposed cattle market should be refused planning permission.
- Flood risk is increased due to site runoff from the development increasing above natural levels by 8353%. On that basis the proposed cattle market should be refused planning permission.
- Herefordshire council should recognise that they act for the public as a whole. Council Officers reporting on the application are stating that the proposed new market is non compliant with legislation and that it should be an exemplary scheme in terms of sustainable development. The Council Planning Officer has expressed damning reservations about the project, which have not be addressed. On that basis the proposed cattle market should be refused planning permission.
- Loss of business to business opportunities within the City of Hereford as a result of removing the central market away from the City would be detrimental to the economic vitality and viability of the city centre. On that basis the proposed cattle market should be refused planning permission.
- In order to save Herefordshire Council and the taxpayer from costs associated with a potential third party action triggering judicial review and a potential action at the High Court, (Similar to the Bullinghope housing action). The proposed cattle market should be refused planning permission.

5.8 Twenty three letters of objection have been received, the main points raised are:-

1. Total lack of landscaping in respect of adjoining dwellings.
2. The site chosen will direct traffic along heavily used roads such as Whitecross Road, Kings Acre or Holmer Road causing long holdups at busy times.

3. The revised access details forces all traffic left out of the site and down to the Stretton Sugwas roundabout. This will detrimentally impact upon the adjoining dwellings by forcing traffic to pass the property twice.
4. The revised access road markings will inhibit access and egress to adjoining property.
5. Light pollution from the enhanced access.
6. Increased noise disturbance due to queueing traffic at insocial hours. This already occurs with the nearby car boot sales.
7. Speed limits should be placed on the road which would reduce the need for the enhanced access.
8. Evidence suggests that traffic already travels at speeds greater than 60 mph, therefore the access will be a danger to highway safety.
9. The proposed landscaping is totally inadequate and needs to include the land set aside between the market and boundary hedges.
10. Objection to the felling of the oak tree for the access.
11. The livestock market would irreparably damage the countryside, beautiful views and historic Roman Road.
12. Cycling along Roman Road will become dangerous.
13. Waste disposal and smells will be detrimental to properties in the area.
14. Flooding will still be a major problem.
15. The proposed surface water drainage pond falls outside of the planning application site.
16. The building does not provide value for money in terms of capital costs as against the employment that it would maintain or create.
17. The building has no architectural merit and is a blot on the landscape.
18. Fifty days a year use is not justification for the all year round detriment to the landscape.
19. The access road will prevent water from the north west corner of the field draining into the Yazor Brook and therefore flood adjoining property.
20. There are already sufficient modern markets in Herefordshire and adjoining counties to cater for this need.
21. Lack of clarity regarding the remaining land within the field.
22. The siting of the building will bring disturbance and impact to adjoining residential property.

23. Objections to a flood reservoir in north east corner which will be a muddy eyesore for a large part of the year.
24. Noise and smells will travel and impact on adjacent property.
25. The building is devoid of any meaningful design quality and has the charm of a giant supermarket distribution depot.
26. Early construct start lorries together with site works, dust etc. will create an excessive nuisance.
27. Open times of the market will result in noise generated at the quietest time of the day.
28. The car parking area appears excessive for the amount of vehicles that visit the site for livestock.
29. Restriction on separate sales should be enforced, e.g. car boots etc.
30. No poultry market is provided.

The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

- 6.1 A key aspect of the Herefordshire Unitary Development Plan's strategy and the regeneration of the Edgar Street Grid is the relocation of the Hereford Livestock Market. Nationally, the trend has been for livestock markets to relocate out of town, reflecting the increasingly quasi-industrial nature of their core activities and modern requirements for access, health and safety, animal welfare, parking and operational space. In Hereford, the market has been on its present site since the mid 1950's, furthering an obligation under a Charter dating from 1597 to enable the buying and selling of goods and livestock in the city. However, the current market facility has become outdated, and is poorly equipped and located for modern day operations and trading. Relocation to a new site with facilities provided to improved modern standards is proposed in order to address these issues as well as the changing requirements of animal welfare and health and safety legislation. Relocation will ensure a continued role for the market as an important service centre to the local agricultural community, as well as allowing the existing site to be more advantageously used to support and extend the range of services offered by the city centre. To help facilitate relocation, the Hereford Markets Act allows a new market to be formed if required outside and beyond the city boundary limits as defined and restricted under the historic Charter. Therefore the principle to relocate the livestock market is established and enshrined in policy and the historic Charter through the Herefordshire Unitary Development Plan and Hereford Markets Act.
- 6.2 Due to the size and location of the development an Environmental Statement (ES) accompanied the application. The initial failings of this document have been overcome with the submission of the Addendum Report and it can be confirmed that the ES is now considered sound. This now enables the formal consideration of the planning application.
- 6.3 The key issues to be considered are:

1. The Principle of Development and Site Selection
2. Access and Impact of Highway Network
3. Flooding and Water Use
4. Impact on Neighbours
5. Landscape, Ecology and Archaeology
6. Minerals and Waste

The Principle of Development and Site Selection

- 6.4 The relocation of the livestock market forms a key aspect of the Herefordshire Unitary Development Plan and Policy TCR19 specifically refers to the relocation criteria.
- 1) This seeks to ensure that its use is restricted to a livestock market and necessary ancillary uses, this will be conditioned.
 - 2) The size can accommodate the needs of the market, which it can.
 - 3) It is well related to the primary road network; It has access direct onto a new 'A' road with good access to the primary road network and is adequately serviced by the provision of infrastructure and services;
 - 4) Infrastructure and services are available adjacent or nearby the site and can be provided. No statutory agency had identified lack of capacity; sustainable drainage (SUDS) and protection of local watercourses; a SUDS condition will be imposed and protection of the local watercourses will be controlled and protected through the proposed development and conditions.
 - 5) The design and layout respects its surroundings; The design is comparable to agricultural buildings to minimise its impact on the wider landscape. However it must be appreciated that a building of this nature and size will impact and that it is the associated landscaping that will assist in mitigating this impact. This will also be covered in a comprehensive set of conditions. Therefore in broad terms the proposal complies with this policy.
- 6.5 Whilst a poultry market is not included there is ample room on the site for this facility to be provided.
- 6.6 The site was chosen following an identification process that was eventually reduced to six potential sites, all northwest of Hereford City due to the high proportion of traffic visiting the market that originates from that area of the county. The ES confirms that through the consultation process the public expressed a clear preference for this site.

This policy was thoroughly assessed at the Examination in Public of the Herefordshire Unitary Development Plan. At that examination Hereford Civic Society, amongst others, raised no objections to the principle of moving the cattle market out of the city but wanted the Plan to formally identify a site. The Inspector accepted that a criteria based policy as formulated was an acceptable solution. Furthermore he highlighted that relocation onto a new site outside of Hereford City was the way forward and pave the way for the regeneration of the ESG.

Access and Impact on Highway Network

- 6.7 Access to the site has been developed during the processing of the planning application. It involves a T-junction construction with vehicles being able to turn into the site from either direction with a central turning lane for vehicles travelling east towards Hereford. From the access point onto Roman Road vehicles will then travel approximately 150 metres before they then divide into lorry parking to the left and car parking to the right.

- 6.8 On leaving the site, due to slow moving vehicles causing obstructions and therefore impacting on highway safety, all vehicles will be diverted due to junction construction to turn left and travel down to the Stretton Sugwas roundabout causing traffic wishing to travel east having to re-pass the entrance to the livestock market after going around the roundabout. This is the only confirmed and safe method of access that has cleared safety audit reports for a T-junction of this nature. Stretton Sugwas Parish Council and neighbours concerns are noted in this respect; however refusal on highway grounds would not be sustainable given the safety audit clearance.
- 6.9 However the concerns raised are noted and notwithstanding the acceptability of the proposed access arrangements, investigations are being undertaken into a further alternative junction which could have the benefit of allowing vehicles to turn right out of the junction. A verbal update will be given on this matter at the meeting.
- 6.10 The Transportation Team have also assessed the impact of the development on the highway network. In this respect the application also includes provision for the following off-site improvements:
- (a) Pedestrian crossing on Kings Acre Road near to the Kings Acre Halt junction.
 - (b) Footpath provision and restrictions on Tillington Road.
 - (c) Pedestrian focusing of the Canon Pyon traffic lights.

This together with appropriate signage is considered acceptable to mitigate the impact of the development.

Flooding and Water Use

- 6.11 During the early stages of processing this application the Environment Agency formally objected to the proposal due to potential flooding and this formed a major reason why the ES was not considered sound. However following submission of the Addendum Report together with the Supplementary Flood Risk Assessment, the Environment Agency have withdrawn their objection subject to the imposition of suitable conditions. In this respect they require an on-site storage area for surface water of 4365m³. This will be connected to a hydro brake to ensure run-off equates to normal Greenfield rates. This has been identified within the field adjacent to the access. All surface water, with the exception of roof water, will pass through a bypass separator to prevent pollution as required by the Environment Agency. The surface water storage capacity has also been calculated without the benefit of water harvesting that will occur on-site further ensuring that there is no increase in peak run-off rates. The formation of the balancing pond will form part of the biodiversity enhancement of the site and will be included as conditions within the recommendation.
- 6.12 The water use of the site is quite extensive and a borehole licence has been submitted which is subject to appraisal by the Environment Agency. They have not however objected but have confirmed that the applicant will need to ensure the development will not affect any water features. Water usage will be substantially reduced from the existing market and the use of harvested water will assist. However to ensure that sufficient water is available without detriment to existing water features, a condition will be imposed to ensure an adequate water supply is available.

Impact on Neighbours

- 6.13 Due to the scale and nature of the proposed development it will have an impact on the residential properties that adjoin the site. The size of the building which is 11 metres high, 133 metres long and 55 metres wide will have a visual impact and the noise generated by traffic will also impact. However Members will note that the Environmental Health and Trading Standards Manager whilst acknowledging these issues is satisfied they will not be significant and can be controlled under the Environmental Protection Act 1990.
- 6.14 No amount of landscaping will screen the development, however the Conservation Manager (Landscaping) is satisfied that subject to appropriate mitigation its impact will be reduced to an acceptable level. I would suggest that this mitigation is undertaken in conjunction with discussions with the local members and residents.
- 6.15 Lighting of the development will be controlled by conditions with appropriate designs to ensure down lighting and overspill. Junction lighting will be controlled by Transportation but will also take into account adjoining residential property.

Landscape, Ecology and Archaeology

- 6.16 The ES included a Landscape and Visual Assessment undertaken in accordance with agreed procedures. Elements of the initial assessment were inadequate and have now been included within the Addendum Report. Whilst no formal landscaping scheme has been included this can be conditioned to ensure an exemplary scheme. However as mentioned previously further discussions with local members and residents would be beneficial to help lessen the impact of the development through mitigation.
- 6.17 The landscaping scheme will form part of a complete biodiversity plan for the site and include the formation of the balancing pond. The loss of the oak tree due to access requirements does mean the loss of a bat roost. Appropriate mitigation measures with replacement bat houses will be conditioned. Other protected species have been assessed and will be protected in accordance with legislation. Ground nesting birds can be catered for within the set aside areas of the field.
- 6.18 Appropriate archaeological assessments have been undertaken due to the sites location adjacent to a Roman Road albeit a recently rebuilt road. Seventy-five evaluation trenches were excavated across the site, of these only two identified archaeological features in the southern part of the site. The finds are considered to be of late Bronze Age or Iron Age and therefore of only regional significance. The Conservation Manager (Archaeology) is satisfied that subject to a scheme of investigation, the chosen site is good from an archaeological perspective. This will be conditioned.

Minerals and Waste

- 6.19 The site lies within a minerals safeguarding area (MSA) where assuming a site depth of 3.5 metres 400,000 tonnes of sand and gravel could be abstracted. However the quality of the ground is poor. Moreover this development by its very nature would not be incompatible with potential future mineral workings in the remaining MSA resource area. Therefore the impact on mineral resources is considered to be of low significance and limited weight can be attached in the balancing process.

6.20 The scale of this development necessitates a Site Waste Management Plan (SWMP) to ensure resource efficiency and waste minimisation. A draft SWMP has been submitted and will be controlled by means of a condition to ensure best practice.

Conclusion

6.21 The relocation of the livestock market forms the first key staging point in the release of land for the redevelopment of Hereford City Centre under the ESG proposals. The existing market is at the end of its working life and this new market will modernise its operation and impact. The site subject of this application was chosen following an extensive consultation and site evaluation process that ultimately identified six sites of which this was considered as the most appropriate.

6.22 The buildings will sit within the middle of the field and will be enclosed together with the car parking area by a native hedge. Additional landscaping in and around the site of an exemplary nature will be required by negotiation, discussion and conditions together with a Biodiversity Management Plan set aside land and balancing pond are all features that will enhance the setting and improve the impact of the development.

6.23 The balancing pond will also ensure dispersal of surface water at Greenfield rates to ensure no impact on Yazor Brook which has been agreed by the Environment Agency. External materials of the building, Yorkshire boarding under a dark green roof with close boarded cladding for the sales rings will further mitigate the size of the development with fairfaced concrete blockwork providing a relief to the offices, canteen and toilets.

6.24 Finally, access to the development and the requirements for all traffic to turn left out of the site continues to raise major objections to the proposal. At the time of writing this report an alternative junction is being investigated, however its implications are still being considered. However, it should be noted that the access as proposed has passed all of the safety audits and no highway reason for refusal can be justified. A verbal update on this matter will be made at the meeting

RECOMMENDATION

1. It be recorded that the Environmental Statement Addendum Report and associated documents and consultations on the response to the Environmental Statement Addendum Report and associated documents have been taken into account in the making of this decision.

2. That planning permission be granted subject to the following conditions:

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. C01 (Samples of external materials).

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

3. E01 (Site investigation – archaeology).

Reason: To ensure the archaeological interest of the site is recorded and to comply with the requirements of Policy ARCH6 of Herefordshire Unitary Development Plan.

4. F03 (Restriction on hours of opening).

Reason: In the interests of the amenities of existing residential property in the locality and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

5. F06 (Restriction on Use).

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy DR2 of Herefordshire Unitary Development Plan.

6. G02 (Retention of trees and hedgerows).

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policy DR1 of Herefordshire Unitary Development Plan.

7. G04 (Protection of trees/hedgerows that are to be retained).

Reason: To safeguard the amenity of the area and to ensure that the development conforms with Policies DR1 and LA5 of Herefordshire Unitary Development Plan.

8. G10 (Landscaping scheme).

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

9. G11 (Landscaping scheme – implementation).

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

10. G14 (Landscape management plan).

Reason: In order to maintain the visual amenity of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

11. H03 (Visibility splays).

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

12. H05 (Access gates).

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

13. H06 (Vehicular access construction).

Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

14. H13 (Access, turning area and parking).

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

15. H17 (Junction improvement/off site works).

Reason: To ensure the safe and free flow of traffic on the highway and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

16. H20 (Road completion in 2 years).

Reason: In the interests of highway safety and convenience and a well co-ordinated development and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

17. H21 (Wheel washing).

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

18. H28 (Public rights of way).

Reason: To ensure the public right of way is not obstructed and to conform with the requirements of Policy T6 of Herefordshire Unitary Development Plan.

19. H29 (Secure covered cycle parking provision).

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 Policy DR3 of Herefordshire Unitary Development Plan.

20. H30 (Travel plans).

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

21. I16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

22. I18 (Scheme of foul drainage disposal).

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 23. I21 (Scheme of surface water regulation).**

Reason: To prevent the increased risk of flooding and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 24. I22 (No surface water to public sewer).**

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding so as to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 25. I26 (Interception of surface water run off).**

Reason: To prevent pollution of the water environment and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 26. I33 (External lighting).**

Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

- 27. I41 (Scheme of refuse storage (commercial)).**

Reason: In the interests of amenity and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 28. I43 (No burning of material/substances).**

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 29. I44 (No burning of materials/substances during construction phase).**

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

- 30. I51 (Details of slab levels).**

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

- 31. I53 (Storage for manure).**

Reason: In order to safeguard the amenity of the occupiers of the adjoining residential property and to comply with Policy DR2 of Herefordshire Unitary Development Plan.

- 32. I54 (Burning of manure etc).**

Reason: In order to safeguard the amenity of the occupiers of the adjoining residential property and to comply with Policy DR2 of Herefordshire Unitary Development Plan.

33. I55 (Site Waste Management).

Reason: In the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policies S10 and DR4 of Herefordshire Unitary Development Plan.

34. K4 (Nature Conservation – Implementation).

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation(Natural Habitats, &c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.

35. K2 (Nature Conservation – site protection).

Reason: To ensure that the nature conservation interest of the site is protected. So as to comply with Policy NC1 of the Herefordshire Unitary Development Plan.

36. K3 (Barn Conversion – owl box)

Reason: In order not to disturb or deter the nesting or roosting of barn owls which are a species protected by the Wildlife and Countryside Act 1981 and so as to comply with Policies NC5 and NC6 of the Herefordshire Unitary Development Plan.

36. K5 (Habitat Enhancement Scheme).

Reason: In order to ensure that diversity is conserved and enhanced in accordance with the requirements of PPS9, the NERC Act 2006 and Policies NC6, NC7, NC8 and NC9 of Herefordshire Unitary Development Plan.

37. Development shall not commence until full surface water drainage details, incorporating sustainable drainage principles, have been submitted in full and approved by the local planning authority. Any approved scheme shall be implemented in accordance with the approved details before the development is completed or occupied.

Reason: To ensure that the new development does not increase the risk of flooding to the site itself or adjacent existing developments.

38. Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors

- potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme and results, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

Reason: To prevent pollution of the water environment.

39. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority, a Method Statement. The Method Statement must detail 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 ensure investigation and remediation of any contamination and protect controlled waters.

40. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

41. M10 (Unsuspected contamination).

Reason: To prevent pollution of controlled waters and to comply with Policy DR10 of Herefordshire Unitary Development Plan.

(Note to above - No investigation can completely characterise a site. The condition may be appropriate where some parts of the site are less well characterised than others, or in areas where contamination was not expected and therefore not included in the remediation proposals. Officers should provide reasons for believing there may be previously unidentified areas of contamination at the site, based on the information submitted with the application.)

42. Prior to the development commencing details of proposed means of water supply shall be submitted for approval in writing of the Local Planning Authority.

Reason: To safeguard the amenity of the area and to ensure the development conforms with Policy DR6 of the Herefordshire Unitary Development Plan.

Informatives:

1. HN01 - Mud on highway.
2. HN04 - Private apparatus within highway.
3. HN05 - Works within the highway.

4. HN07 - Section 278 Agreement.
5. HN17 - Design of street lighting for Section 278.
6. HN23 - Vehicular use of public rights of way.
7. HN25 - Travel Plans.
8. N19 - Avoidance of doubt - Approved Plans.
9. N15 - Reason(s) for the Grant of PP/LBC/CAC.

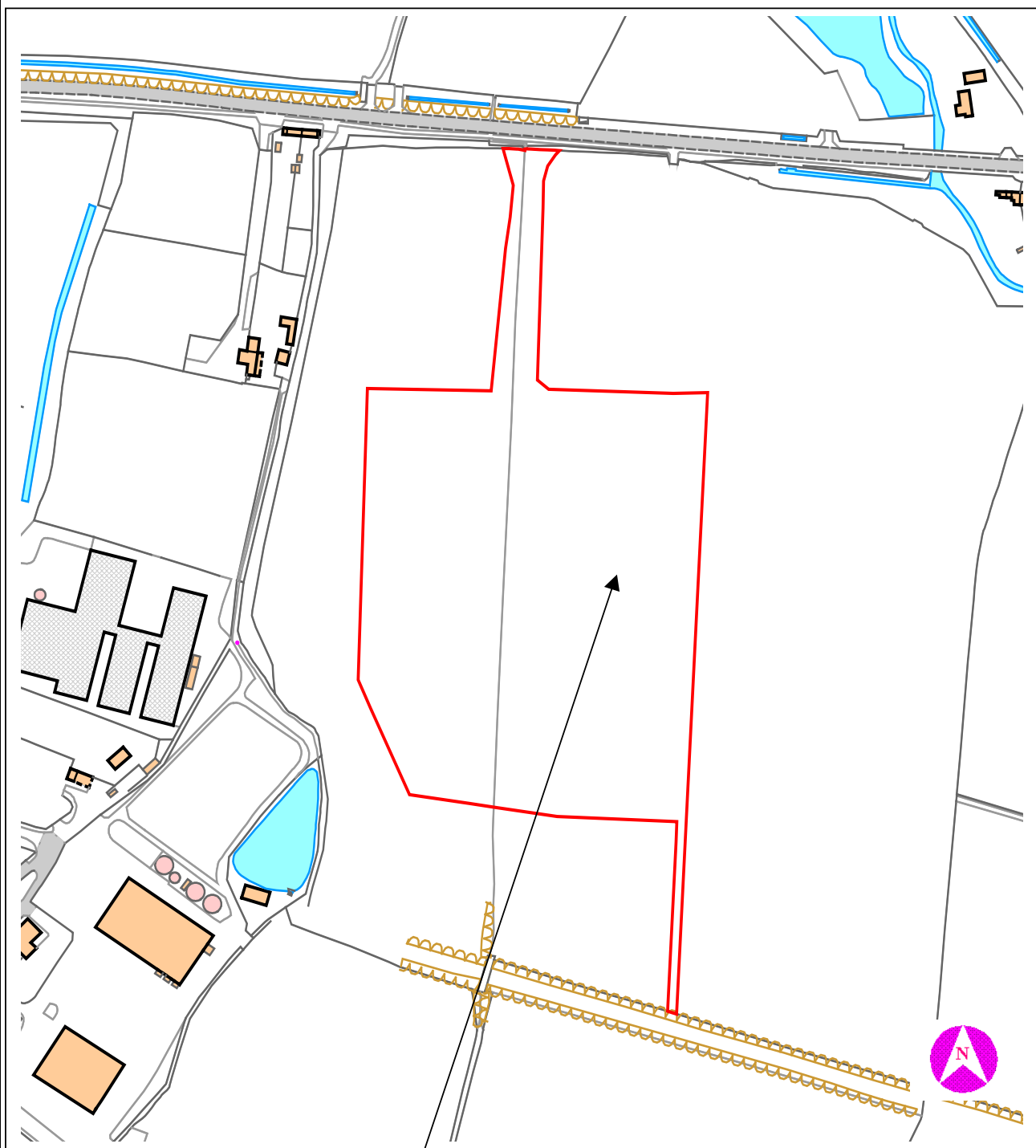
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2008/0262/F

SCALE : 1 : 3400

SITE ADDRESS : Land adjacent to Veldifer Cottages, Roman Road, Stretton Sugwas, Hereford HR4 7AN

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