

MEETING:	PLANNING COMMITTEE
DATE:	24 NOVEMBER 2010
TITLE OF REPORT:	<p>DMS/102345/F- PROPOSED POULTRY UNITS EXTENSION:- 3 NO. REPLACEMENT UNITS, 3 NO. ADDITIONAL UNITS AT UPPER HOUSE FARM, MORETON ON LUGG, HEREFORDSHIRE, HR4 8AH.</p> <p>For: Mr FSH Perkins per Acorus Property Services, Woodthorne Wergs Road, Wolverhampton, West Midlands, WV6 8TQ.</p>

Date Received: 10 September 2010 **Ward: Sutton Walls**

Grid Ref: 349841,245861

Expiry Date: 10 December 2010

Local Member: Councillor KS Guthrie

1. Site Description and Proposal

- 1.1 Upper House Farm comprises approximately 42 hectares of mixed arable and poultry-rearing use situated west of the A49 and Moreton on Lugg village, 6 kilometres north of Hereford. Part of the application site is currently occupied by 3 poultry units which were established around 20 years ago.
- 1.2 The proposal is to replace the three existing units with 6 new ones built to modern standards. The maximum number of birds would increase from 84,500 to 265,000. Each building would be 106.9m x 21.6m x 5.8m high to ridge (2.9m to eaves), and would require 4 no 27 tonne feed bins to be located between each pair of units. Hardstandings and roadways would be required around the units; areas for screening, landscaping and planting are also included.
- 1.3 The site is accessed from the A49 (T), along a modern farm road constructed to Highways Agency specification.
- 1.4 Due to the number of birds the application falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 ('The EIA Regulations') and is accompanied by an Environmental Statement (ES). It was publicised by special press notice in the Hereford Journal on 6 October 2010, by site notice on 29 September 2010, and written notification of neighbours on 28 September 2010, giving a consultation period ending on 26 October 2010.
- 1.5 The applicant's wife is employed in Planning Services.

2. Policies

- 2.1 National Planning Policy:
PPS1 - Delivering Sustainable Development (January 2005)

Further information on the subject of this report is available from Mrs D Klein on 01432 260136

PPS4	-	Planning for Sustainable Economic Growth
PPS7	-	Sustainable Development in Rural Areas (August 2004)
PPS9	-	Biodiversity and Geological Conservation (August 2005)
PPS23	-	Planning and Pollution Control (November 2004)

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
S6	-	Transport
S7	-	Natural and Historic Heritage
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
DR7	-	Flood Risk
DR9	-	Air Quality
DR13	-	Noise
DR14	-	Lighting
E13	-	Agricultural and Forestry Development
E16	-	Intensive Livestock Units
T8	-	Road Hierarchy
LA2	-	Landscaped Character
LA5	-	Protection of Trees, Woodlands and Hedgerows
LA6	-	New Development Within Conservation Areas
NC1	-	Biodiversity and Development
NC2	-	Sites of International Importance
NC3	-	Sites of National Importance
NC6	-	Biodiversity Action Plan Priority Habitats and Species
NC7	-	Compensation for Loss of Biodiversity
NC8	-	Habitat Creation, Restoration and Enhancement
NC9	-	Management of Features of the Landscape Important for Fauna and Flora
ARCH1	-	Archaeological Assessments and Field Evaluations

2.3 Other Material Legislation and Policy Documents:

Conservation (Natural Habitats, &c) Regulations 1994 ('The Habitats Regulations')
 Natural Environments and Rural Communities Act 2006 ('The NERC Act')
 Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 ('The EIA Regulations')
 DETR Circular 02/99 Environmental Impact Assessment

3. Planning History

3.1 Relevant permissions include

- DCCW2001/3139/M dated 23rd September 2004 for construction of the access road from the A49(T), linked to an expired permission (reference DCCW2001/3140/M) to extract sand and gravel at St. Donats Farm.
- DCCW2008/1832/N; green waste compost site. Approved 13 March 2009.
- SH8781576PF; 1 poultry unit.
- SH882145PO and SH890687PM; 2 additional poultry units.
- DCCW2004/3699/O and DCCW2007/2438/RM; additional agricultural worker's dwelling.
- Various permissions relating to the main farmhouse and other agricultural buildings between 1984 and 1993.

4. Consultation Summary

Statutory Consultations

- 4.1 Natural England: Advises the Council to undertake a Habitats Regulations screening to determine whether an Appropriate Assessment is necessary regarding any possible significant impact on the River Wye/Lower Lugg SSSI/SAC. This has been done and the findings are accepted; no objections.
- 4.2 Environment Agency: No objections or concerns. The farm operates under an Environmental Permit which regulates the existing poultry units, to be varied to include the proposed development. Further advice received 4 November 2010 relating to environmental factors including ammonia emissions and odour. Clarification on the necessary Habitats Regulations Assessment (HRA) screening. No concerns or objections.
- 4.3 Highways Agency: No objection – unlikely to impact upon the operation of the A49. Further advice sought from the HA following Parish Council's and local residents' concerns. Verbal confirmation that traffic implications, including cumulative effects, are well within margins of tolerance.
- 4.4 River Lugg Internal Drainage Board: The site lies partly within the Board's area of jurisdiction. Separation of clean and dirty water is supported. The proposal includes clean water storage of 1047 cu m. The Board accepts this volume and raises no objections. A Land Drainage Consent will be required.
- 4.5 Herefordshire Primary Care Trust:: Any response will be reported verbally.

Internal Council Advice

- 4.6 Head of Environmental Health and Trading Standards:

Environmental Services Manager: No objection; the site holds an IPPC Environmental Permit regulated by the Environment Agency and has recently been granted a new permit, which includes environmental controls. I can confirm we have no history of complaints against the premises.

- 4.7 Drainage Engineer: No comments on the proposals; recommend condition to finalise drainage arrangements.
- 4.8 Transport Manager: No objections in principle. The A49(T) is regulated by the Highways Agency.
- 4.9 Conservation Manager:

Landscape Officer - The proposal will not have a significant adverse effect on the overall character of the landscape; the new units would be clustered with other existing farm buildings. The application is in accordance with UDP policy LA2. There would be a visual impact but public viewpoints are limited and distant. The proposed mitigation planting is supported, subject to minor changes to species choice and protection of an existing hedgerow.

Planning Ecologist - No objections raised; welcomes proposed habitat enhancements; recommends conditions to secure the proposals made in the application. Habitats Regulations Assessment Screening found no likely significant effects on the River Wye SSSI/SAC.

County Archaeologist - No concerns.

5. Representations

5.1 Moreton on Lugg Parish Council: Concerns about increased vehicle movements and possible effects on road safety. Odours and noise issues may impact on nearby dwellings, particularly with regard to loading and unloading the units and filling the feed bins. The Council opposes the proposal on the grounds that it will add to traffic, odour and noise problems cumulatively with the approved green waste composting site. Approval should not be granted until after completion of the compost site:

5.2 Three representations from local residents have been received, and are summarised as follows:

- Mrs D Cooke, Yew Tree Cottage, Portway, Burghill, Hereford, HR4 8NG: we now have a collection of buildings to look upon. How will this [proposal] affect the flow of vehicles? Having poultry so near a compost site would encourage flies and vermin. This is well drained land more suitable for grazing animals and growing crops.
- Mr P Young, 42 St Andrews Close, Moreton on Lugg, Hereford, HR4 8DB: the smell from the existing sheds is deeply unpleasant. It is impossible to leave windows open. If this development is unavoidable can it be allowed only on the grounds that smells from the existing sheds are brought under control.
- Mr C G Payne, 3 Ordnance Close, Moreton on Lugg, Hereford HR4 8DA: there are other permissions on this site; a quarry and a green waste site, which need to be taken into account. It is untrue to say there have been no complaints of smell and noise from the existing poultry site, including night-time deliveries. The smell from the site is already intolerable. The application's traffic assessment does not take account of vehicle movements from the quarry and the green waste composting site; the total movements from the quarry, the farm, the poultry site and the composting site will be 19 per hour. This junction is not safe enough for that volume of traffic. The application should be refused or deferred until the green waste site has been in production for at least two years.

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

6. Officer's Appraisal

6.1 The EIA Regulations require consideration of alternatives and the choices made. The applicant has stated that the option of doing nothing was considered but rejected on the grounds that the existing units are past their best and the parent operator (Cargill Meats Europe) requires increased production to meet supply chain demands and maintain viability. The ES states that alternative sites within the farm were considered but none was found to improve on the existing site, which is clustered with other buildings and served by the modern access. The following alternative configurations of buildings were considered:

- a) Retain the 3 existing and add 3 more;
- b) Retain and decommission the 3 existing for storage use, adding 6 new units;
- c) Replace the 3 existing and erect 6 new units.

The first option would not address air quality issues adequately; the second would result in over-development; the third option was chosen. Officers accept the reasoning and consider that this aspect of the EIA Regulations has been adequately addressed.

6.2 As with any proposal, this application must be determined in accordance with the provision of the current Development Plan, unless material considerations indicate otherwise. PPS23 carries weight; the Herefordshire Unitary Development Plan 2007 (UDP) remains in force pending adoption of a Core Strategy for the Local Development Framework (LDF).

6.3 This site is already regulated by stringent environmental controls through an Environmental Permit from the Environment Agency. The necessary variation to accommodate additional poultry numbers is understood to be in train, and the Agency has full enforcement powers. Annex A of PPS23 states that local planning authorities should:

- Not try to duplicate controls properly exercised by other bodies under other legislation;
- Assume that those other bodies will act professionally and responsibly;
- Satisfy themselves that a proposal is capable of compliance with that other legislation;
- Take account of the comments of professional consultees to ensure that there would be no adverse environmental effects from the development;
- Concentrate on matters relevant to planning;
- Bear in mind the need for the development and its particular site requirements.

In this regard the application should be determined on its planning merits. The main issues for consideration are:

- Principle of the development;
- Land use and siting of units;
- Access and traffic;
- Environmental Considerations including odour;
- Landscape and visual impact;
- Lighting and noise;
- Drainage and flood risk;
- Biodiversity;
- Archaeology;
- Any other matters raised by objectors.

6.4 **Principle of the development**

The existing units are well established. However, they are over 20 years old and reaching the end of their life in terms of construction standards and energy efficiency. The units are part of the franchise system operated by Cargill Meats Europe, formerly trading locally as Sun Valley until 2008. Cargill has pledged to reduce its carbon footprint, highlighting an overriding need to reduce the current 30% volume of imported poultry meat to the UK. The inevitable outcome is a drive to increase in unit and bird numbers whilst the market for competitively priced poultry meat remains strong. In terms of improved animal welfare, reduced food miles and support for British farmers, this move is accepted. The proposed new units would include modern hygiene and ventilation standards, providing an opportunity to reduce odour and noise. No adverse comments have been received on the principle of this proposal. Having particular regard to Policies S1, S2, DR4 E13 and E16 of the Herefordshire Unitary Development Plan, officers feel that this aspect has been adequately addressed.

6.5 **Siting of units**

The ES assesses the site by agricultural land type, using Defra data, to be 'slowly permeable [and] seasonally wet' with 'low natural fertility', suitable for grassland with some scope for arable and/or forestry. The site is more than 400m from any other dwellings. The choice of this particular part of the farm for poultry-rearing is consistent with efficient land use and policy E16 of the Herefordshire Unitary Development Plan.

6.6 The applicant has considered site issues through detailed pre-application discussions. The proposed arrangement is based on the following objectives:

- To cluster the units with other farm buildings and maintain the agricultural character of the locality;

- To maintain an optimum distance between units;
- To locate ancillary requirements (e.g. feed bins, clean and dirty water storage) amongst the units and within a limited planning unit;
- To turn the units by 90 degrees compared with current arrangements, so as to reduce visual impact.

The configuration presented accords with the advice given, and does not conflict with Policies DR1 DR2 and E13 of the Herefordshire Unitary Development Plan. In relation to site choice and related criteria, your officers consider that this matter is satisfactorily addressed by the application.

6.7 Access and traffic

The A49 trunk road falls under the jurisdiction of the Highways Agency (HA). The farm has a modern access with good visibility in both directions and a wide splay, constructed to HA specifications and safety-audited. The application includes an assessment of traffic impact, which compares existing and proposed movements relating to the poultry units on a weekly basis. Operational factors are key, and the ES explains the management cycle: Broilers are purchased as day-old chicks and reared for approximately 35 days (5 weeks). All units are stocked and subsequently cleared at the same time. Litter removal, cleaning and drying takes about 10 days; each cycle is around 45 days and 8 of these 6-week cycles are anticipated per year.

- 6.8 The application estimates average weekly traffic movements connected with the proposed poultry units would rise from 10 visits (20 movements) to 21.3 (43 movements). A peak would occur in week 5, when a total of 62 visits (124 movements) are anticipated (equivalent to 12-13 (25) per day over 5 days). However visits in weeks 1 to 3 of the cycle would be in single figures; weeks 4 and 6 would also see significantly less activity compared with week 5. Matured birds would be removed from the units during this week, making the short journey to the Cargill plant in Hereford.
- 6.9 It is appreciated that the farm generates additional traffic, and that other development has been permitted which would use the same access, including a green waste composting site exclusively to take garden cuttings from the county's amenity sites. That permission was granted in March 2009 but has not yet been implemented. Relevant traffic figures were based on peak periods in late summer as a worst-case scenario. Daily trip generation was predicted at up to 14 in and 14 out as a maximum. Data provided at the time from the DfT traffic monitoring points at Holmer and Wellington indicated (2007/8) average daily vehicle flows of between 10,000 and 13,000 vehicles. The compost site movements represented a maximum increase of 0.28% (much lower at off-peak times). At the time the Highways Agency felt this was well within margins of tolerance for this stretch of road, which is designed to take high traffic volumes.
- 6.10 The projected combined maximum to be generated by the green waste site and the additional poultry units, for example during a peak 'week 5' in late summer, would broadly represent a less than 0.5% increase on total A49 traffic. Other farm traffic would be unchanged, and movements in other weeks and seasons would be significantly fewer. In considering this application the Highways Agency has not raised any objection, but was contacted again to ensure that cumulative impacts from other development are taken into account. The Agency has affirmed that the access and visibility are to a very high standard it has no concerns or objections regarding the additional movements from this application or the cumulative impact from the composting site. In its view, the increase in traffic would be minor.
- 6.11 There is also a gravel extraction site to the north-west at St Donats Farm, which would be required to use the same access as the farm. However a fresh permission is necessary

before any extraction could start; the local planning authority would then be in a position to take account of and limit traffic numbers, if necessary, on HA advice.

6.12 On balance the increase in traffic is not considered to be significant or unacceptable, even when considered in conjunction with other development nearby. The proposal accords with Herefordshire Unitary Development Plan Policies DR3, E16 and T8.

6.13 **Environmental Considerations including odour**

Section 7 of the Environmental Statement (ES) deals with environmental factors. It explains that odour from poultry litter increases when moisture exceeds 46%. Older units are more likely to experience problems, and the new units would be designed to very high standards. Improved best practice measures are proposed, to conform to Defra guidelines, including:

- Computerised ventilation system to ensure dry floor litter and temperature control;
- High speed insulated exhaust fans to disperse odours quickly at a high level;
- The use of nipple drinkers to reduce litter moisture.

Odour concentration models for the existing and proposed scenarios show a significant improvement from the new units in terms of the distance within which odour could be detected and the concentration of odours in that range. For example, the majority of Moreton on Lugg Village would no longer be included. Officers consider adverse odour from day to day operation would be unlikely and anticipate significant improvement.

6.14 The ES states that odour emissions peak when units are cleared of litter at the end of each cycle. This occurs 8 times a year. Clearing time is estimated at about 4 hours. Surplus litter is removed off-site promptly by a licensed contractor. A management regime for litter clearing is proposed and a condition is recommended to secure this to comply with Herefordshire Unitary Development Plan Policies S1, S2, DR1, DR4, DR9 and E16.

6.15 The ES states that dust is unlikely to be a concern beyond 100 metres of the units. There are no other dwellings within 300 metres of the site, and the approved green waste composting site is also a minimum of 300 metres away. There would be no risks from flies as the units are enclosed, the litter is not a breeding ground for flies during the broiler lifecycle, and litter is not stored on site thereafter. Vermin are already controlled at the site and this would continue, operated by an accredited local contractor.

6.16 The main instrument of regulation on all these matters would be the Environmental Permit. The Environment Agency has no concerns, supporting that view with a further response confirming no objections and acceptance of the Environmental Statement's relevant contents. Officers are confident that the proposal is capable of complying with an Environmental permit and Defra guidelines. The proposal does not conflict with Herefordshire Unitary Development Plan Policies S2, E16, DR4 and DR9.

6.17 **Landscape and visual impact**

The application includes a comprehensive Landscape and Visual Impact Assessment (LVIA) based on desk study, field survey and subsequent analysis. It identifies that the site lies within 'Herefordshire Lowlands' in the National Character Assessment, and 'Principal Settled Farmlands' in the Council's Landscape Character Assessment. The report found a medium impact on landscape quality, having a 'low to medium' magnitude of change and a 'minor to moderate' significance of impact. The proposal would double the area of poultry units. However the existence of the current poultry units means that the change would be less significant than a new site. The number of public viewpoints is limited and generally distant (ranging from approximately 0.4 km to 1km). The site is not visible from the A49 but the development would be visible from some properties along Moreton Road, a public right of way,

and more distant properties on higher ground at Portway and St Donats. The Senior Landscape Officer nonetheless agrees with the findings of the report, concluding that the report is in accordance with Herefordshire Unitary Development Plan Policy LA2.

6.18 In mitigation, the proposal includes generous native planting belts almost entirely surrounding the units. The necessary loss of a stretch of relatively recent hedgerow west of the existing units would be mitigated by this planting. The applicant is currently planting up a Perry pear orchard on adjacent land which would add to the dedicated screening. Feed bins and ancillary service requirements would be located between the units, keeping the site contained. The Senior Landscape Officer has no objections, subject to conditions to secure the new planting and to protect a retained hedgerow to the east of the site in accordance with Herefordshire Unitary Development Policies LA5 and LA6.

6.19 **Lighting and noise**

The applicant has explained that there is no permanent lighting left on around the existing units. Any other external lighting at the farm would be outside the application site. There is however an opportunity to require time-controlled downward-facing lights at the proposed units, to minimise light pollution during operations after dark. A condition is recommended in accordance with UDP policy DR14. The application explains that the proposed units would be fitted with modern ventilation systems which would be a marked improvement on the existing fans in terms of noise. Local residents have mentioned noise from vehicles and the filling of the feed bins, and the application states that the new bins and filling systems would be an improvement on existing arrangements. In particular, the location of the feed bins between the units would assist in reducing noise. Some vehicle noise is unavoidable, but the site is relatively distant from other dwellings. The configuration of the site was chosen so as to increase the distance from most neighbours. The application recognises that some necessary farming activities will generate noise, however noise management falls within the Environmental Permit requirements. The Environment Agency is satisfied that the proposal is capable of compliance and officers do not consider the application conflicts with Herefordshire Unitary Development Policy DR13.

6.20 **Drainage and flood risk**

The parent operator company sets high standards of hygiene, and site drainage is also regulated by the Environmental Permit. The application details cleaning procedures, undertaken by specialist contractors after each unit clearance. Dirty wash-down water would be drained to 3 underground storage tanks protected by an alarm system and emptied daily during the washing period. Clean roof water would be collected separately to an existing attenuation pond which discharges to a ditch at a controlled rate under EA consent. The Drainage Engineer has no concerns but has recommended that final details of the clean and dirty water systems be submitted through a condition. The site is not within an area of significant flood risk. The River Lugg Internal Drainage Board (RLIDB) is satisfied with the arrangements and accepts the storage capacity as adequate. Neither the EA nor the RLIDB have raised objections and there would be no conflict with Herefordshire Unitary Development Policies E16, DR4 and DR7.

6.21 **Biodiversity**

The application includes a Phase 1 habitats survey undertaken by FWAG. The detailed report notes the location of the proposal within an arable field in area of limited biodiversity value at present, although having potential for improvement. Recommendations are given, primarily relating to trees, hedgerows, and better management of the clean water lagoon including its discharge to ditches. The proposals for screening planting and the Perry pear orchard are regarded as a clear opportunity to raise biodiversity levels at Upper Houser Farm generally and at the application site in particular.

6.22 Natural England is a statutory consultee and has highlighted the need to address the Habitats Regulations. A screening as to the need or otherwise for an Appropriate Assessment is required ('HRA Screening'), in relation to any possible significant impacts on the River Wye SAC/SSSI (lower Lugg section). The Environment Agency has provided a very useful assessment of the relevant factors, with particular regard to the report on ammonia depositions. It concludes that 'we have no reason to doubt the [report results;] ... the approach seems to be consistent with our modelling guidelines'. The EA states that sufficient detail has been provided to enable the Council, as 'competent authority' to carry out the appropriate screening. There is a degree of duplication in that the EA undertakes a similar exercise in connection with the Environmental Permit and takes account of Natural England's comments when doing so. The Council's HRA Screening has found no likely significant effects on the River Wye SAC/SSSI (lower Lugg) and Natural England has no concerns. It should be noted that as the Environmental Permit would be the primary means of regulating the site, the Environment Agency's view is a key factor. Officers feel that the Environmental Statement adequately addresses biodiversity factors in accordance with Herefordshire Unitary Development Plan Policies NC1, NC2 and NC3. The planning Ecologist accepts the submission and requests a condition to secure the recommended improvements in accordance with Herefordshire Unitary Development Plan Policies NC1, NC8 and NC9.

6.23 **Archaeology**

The ES includes a report by Border Archaeology on a field evaluation undertaken in February 2010. Details of the extent of the requirements were agreed with the Council's Archaeological Advisor in advance. Investigations ahead of development elsewhere in the Lower Lugg valley have revealed human occupation from early prehistoric times. However, trenches on the application site produced no remains at all. The only features found were related to modern drainage, which supports the assertion that the site is 'seasonally waterlogged'. The Archaeological Advisor accepts the report's findings and has no further comments. Policy ARCH1 of the Herefordshire Unitary Development Plan has been met.

7. **Conclusion**

7.1 The application is accompanied by an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1995 (as amended) which has been fully taken account of in considering this proposal.

7.2 Paragraph 2 of PPS23: 'Planning and Pollution Control' states that control measures should complement rather than duplicate each other, although the planning system has a key role in determining suitable locations for development. Paragraph 15 states: 'Local planning authorities must be satisfied that planning permission can be granted on land-use grounds taking full account of environmental impacts. This will require close co-operation with the Environment Agency to be satisfied that potential releases can be adequately regulated under the pollution control framework'. According to professional advice, the proposal is capable of meeting the required high quality environmental standards. Relevant points raised by objectors have been considered, and additional information obtained where necessary. The Highways Agency regulates the A49(T) and regards the combined uses envisaged for the access road to be acceptable in terms of traffic volumes.

7.3 In balancing up the various policy matters with other material considerations, your officers conclude that there is a clear case for supporting the proposal. The Environmental Statement supports it in principle, location and operational detail. The proposal accords with the Herefordshire Unitary Development Plan 2007 and is therefore recommended for approval.

RECOMMENDATION

That planning permission be granted (taking the submitted environmental information into consideration) subject to the following conditions:

1. **A01 Time limit for commencement (full permission)**
2. **B01 Development in accordance with the approved plans**
3. **C09 Details of cladding (agricultural and industrial buildings)**
4. **Before the development hereby permitted is brought into first use, a comprehensive Method Statement for the management of waste and poultry litter shall be submitted to and approved in writing by the local planning authority. The scheme shall include in particular the recommendations and points listed in Section 4.4 and Appendix 7 (and its own appendix) of the submitted Environmental Statement and shall be implemented as approved from the first stocking cycle of the new units.**

Reason: To ensure efficient waste management and reduce the risk of odour nuisance in the interests of the amenity of the locality and to comply with Policies S2, S2, DR1, DR4, DR9 and E16 of the Herefordshire Unitary Development Plan.

5. **I18 Scheme for foul and surface water drainage**
6. **G04 Protection of trees/hedgerows that are to be retained**
7. **G13 Tree planting**
8. **I33 External lighting**
9. **The recommendations set out in Section 3 'Protection of Habitats and Mitigation Measures' of the submitted FWAG Report dated 26 June 2009 shall be implemented in full unless otherwise agreed in writing in advance by the local planning authority. An appropriately qualified and experienced named Ecological Clerk of Works shall be appointed (or consultant engaged in that capacity) to oversee the ecological and habitat enhancement work.**

Reason: To ensure all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan and to meet the requirements of PPS9 'Biodiversity and Geological Conservation' and the NERC Act 2006.

10. **M13 Pollution prevention**
11. **I16 Restriction of hours during construction**
12. **No waste materials arising from this development shall be transported on the public highway unless they are contained within sealed, securely covered vehicles.**

Reason: In the interests of highway safety, to safeguard the amenity of the area and to comply with Policies S1, S2, DR1, DR4 and T8 of the Herefordshire Unitary Development Plan 2007.

Informatives:

1. **N11A Wildlife and Countryside Act 1981 (as amended) - Birds**

Further information on the subject of this report is available from Mrs D Klein on 01432 260136

- 2. **N19 Avoidance of doubt - Approved Plans**
- 3. **N15 Reason(s) for the Grant of PP/LBC/CAC**

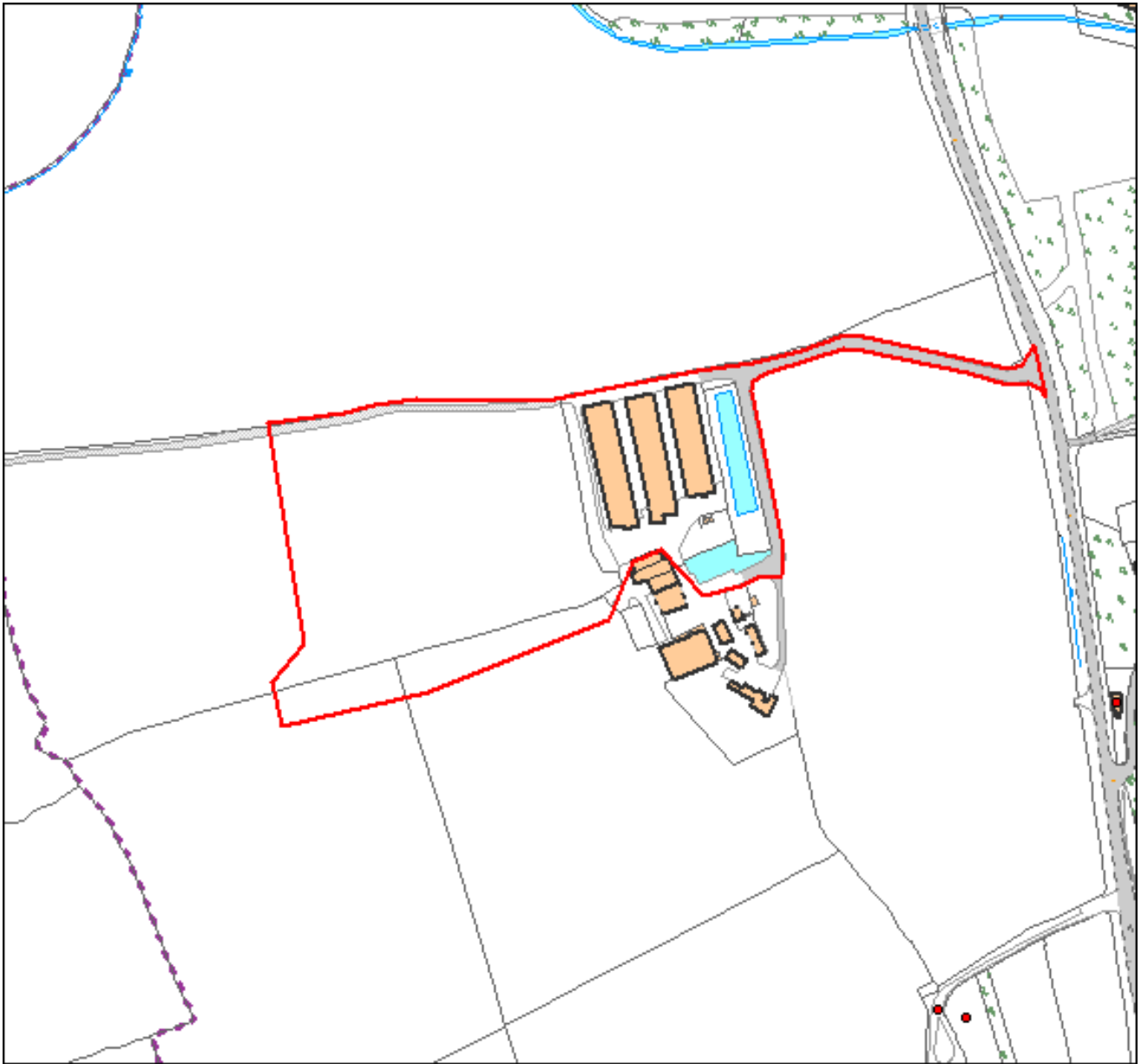
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/102345/F

SITE ADDRESS : UPPER HOUSE FARM, MORETON ON LUGG, HEREFORDSHIRE, HR4 8AH

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