

APPENDIX**DEFERRED
APPLICATION**

Ref. 1

MADLEY

DCSW2003/3281/N

Waste treatment (using an autoclave) & recycling facility, including construction of a new building,

**STONEY STREET INDUSTRIAL ESTATE, MADLEY, HEREFORD,
HR2 9NQ**

**For: Estech Europe Ltd per Enviros Consulting Ltd, Enviros
House, Shrewsbury Business Park, Shrewsbury, SY2 6LG**

The Chairman outlined the arrangements for the meeting and said that because the application was of major interest, public speaking time had been increased from 3 minutes to 10 minutes each for the Parish Council Representatives, the objectors to the application and to the applicants.

The Principal Planning Officer (Minerals and Waste) presented his report and said that two further letters of objection had been received from two previous correspondents but that they had not raise any further material planning issues. He also reported that two letters and an e-mail had been received from Gelpack Industrial Limited which made a formal objection to the application. The company had submitted a report explaining the grounds for their objections and the Principle Planning Officer (Minerals and Waste) read out the executive summary contained within the report. He said that the company had grave concerns that the location of the waste recycling plant next to their premises would compromise the requirements under which they operated to produce food packaging and in turn could jeopardise some 200 jobs. He advised that although the objection was a material one, it was not a cause for refusal on planning grounds.

The Principle Planning Officer (Minerals and Waste) read out amendments to the text and the recommendations contained within his report which had been circulated at the meeting. He also advised that since his report had been written, it been announced that as part of the Government's Initiatives for achieving targets to reduce landfill waste, DEFRA had launched a £30 million scheme to encourage alternatives for waste. The scheme proposed at Madley was amongst those that were being encouraged by the Government's initiative for tackling waste.

In accordance with the criteria for public speaking, Mr P Rowlands of Eaton Bishop Parish Council and Mr P Hince of Madley Parish Council spoke against the application. They said that they represented the views of six parish councils and they expressed concerns about the environmental and ecological impact of the proposed scheme, the road safety issues that would arise because of a large number of heavy vehicles travelling to and from the site, the inadequate road network for such vehicles from Greyfriars Bridge

in Hereford to the site and the unsuitable location for the site. They suggested that the Council needed to first develop a waste management strategy and then invite tenders from companies with a proven waste management and recycling record. They felt that the land comprising part of the former army depot at Moreton-on-Lugg would be much more suitable because of its transport infrastructure and location.

Mr Rogers of Waste Watchers also spoke against the application and said that he represented over 2000 local objectors. He was of the view that the recommendations in the report departed from the Council's planning policies to a significant extent and that the application should be submitted to the Secretary of State. He had grave doubts about the process proposed by Estech Europe Limited which was not operational anywhere in the world and was unproved and untested. He said that there was a risk of the site flooding thereby threatening pollution of the local water table, that the operation would severely jeopardise the clean environment required by Gelpack to for its food packaging process and that alternative and better sites existed. He also had doubts that the scheme could be dealt with under the Council's Scheme of Delegation to Officers.

Mr J Fowler-Wright of MPD Limited, the site owners, and Mr Thompson of Estech Europe Limited spoke in favour of the application. Mr Fowler-Wright said that the proposed scheme would assist with the economic development of the area and would help to meet the waste management provisions which were contained within the emerging Unitary Development Plan. He was confident that the process proposed would be suitable on the Madley site and would be straightforward to monitor. Mr Thompson said that the Mobile Demonstration Plan had shown how benign the nature of the technology was. Instead of 80% of waste having to be sent by lorry to landfill in Worcestershire, it could be recycled by Estech and have a major impact upon the waste management requirements of the County for the next 25 years. The facility tied in with the Council's policies, innovative markets had been found for the fibre produced by recycling and there would be no harm to the local ecology or environment. The statutory consultees had raised no objections and there were no perceived highway or access problems. He said that the company were aiming for a 2005 start-up and that the plant would be a showcase for the treatment of waste and enable Herefordshire to become a leading county in that field.

The Head of Planning Services said that the application did not constitute a significant departure from the development plans necessitating it being referred to the Secretary of State and that the Sub-Committee had authority to delegate approval to the officers, subject to the expiry of the consultation period. Councillor DC Taylor the Local Ward Member had concerns about the environmental impact of the proposed scheme and the highway safety issues involved. These concerns were shared by Councillor PG Turpin.

The Principle Planning Officer (Minerals and Waste) explained about the stringent planning conditions that would be attached to any permission and also the necessary licenses that the company would first have to obtain from other agencies before starting operations. All aspects of the application had been carefully considered and appropriate conditions were very comprehensive and extensive. These included environmental, ecological, transportation and highway safety issues. The Head of Engineering and Transportation said that he had investigated the potential traffic generation and that this was relatively small compared to existing traffic usage of the highway network between Hereford and Madley. Heavy goods vehicle movements associated with this development were likely to be significantly less than might be generated by other types of permissible development on the site.. He was of the view that the additional heavy goods vehicles using the routes were unlikely to have any significant effect on the road traffic accident patterns. In terms of the application, he said that the highway improvements suggested by the applicant would be of benefit to all occupiers of the industrial estate but it would not be reasonable to expect the developer to carry out highway improvements that were far distant from the application site. The Principle Planning Officer (Minerals and Waste) also explained that very careful consideration had been given to the location of the site and he outlined the reasons why he considered it to be suitable that other sites had been considered in the light of applicants and objectors representations and why the land suggested at Moreton-on-Lugg would not be available.

Having considered all the points in relation to the application, Councillors DC Taylor and PG Turpin still had grave concerns. Councillor Turpin proposed an amendment to the recommendation that the application should be refused

- (i) due to its adverse impact on the amenity of local residents,
- (ii) the local transportation network and related highway safety issues,
- (iii) the lack of consideration of alternative sites, and
- (iv) the potential impact on air quality from heavy vehicles using the proposed routes through Hereford.

The amendment was lost and a vote was taken on the substantive motion which was carried.

RESOLVED: That

- (I) **it be recorded, pursuant to the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (SI 1999 No 293), Regulation 3(2) that the Herefordshire Council have taken the environmental information into consideration**

when making their decision. "Environmental Information" is defined by Regulation 2(1) as "the environmental statement, including any further information, any representations made by any body required by those Regulations to be invited to make representations, and any representations duly made by any other person about the environmental effects of the development:" and

- (II) that subject to no further objections raising material planning considerations by the end of the consultation period, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any amendments and further conditions considered necessary by officers

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

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

2. **No development shall take place unless and until a Great Crested Newt survey and appraisal has been undertaken and approved by the local planning authority in writing. The survey shall only be undertaken by an appropriately qualified ecologist and only between the dates of 14th March and 14th June and the submitted appraisal shall propose either:**

- a) that if no Great Crested Newts are found, that appropriate mitigation features shall be constructed on site before any development takes place, or
- b) that if Great Crested Newts are found that no development shall take place until an appropriate mitigation scheme has been approved by the local planning authority in accordance with a DEFRA licence.

Reason: In order to protect the nature conservation interest of the site, with particular reference to ensuring the protection of Great Crested Newts and their habitat.

3. **No development, site clearance, or demolition shall be undertaken until:**

- a) a desk top study has been submitted for the approval of the local planning authority. the submitted study shall include:

- i) the identification of previous site uses,
 - ii) potential contaminants arising from those uses
 - iii) related issues which might affect or arise from the proposal and
 - iv) a conceptual model in accordance with best practice, of all potential contaminant sources, pathways and receptors, and
- b) a site investigation has been submitted to and approved in writing by the local planning authority prior to that investigation being carried out on the site using the information obtained from the approved desk top study and conceptual model. The submitted investigation scheme shall include a risk assessment to be undertaken relating to:
 - i) the receptors associated with the proposed new use
 - ii) those uses that will be retained
 - iii) other receptors on and off the site that may be affected
 - iv) proposals for the refinement of the conceptual model, to take account of the risk identified and
 - v) a Method Statement detailing the remediation necessary to enable the proposal to be undertaken without unacceptable risk to the environment and human health, and
- c) the site investigation and risk assessment have been undertaken and reported in accordance with details approved by the local planning authority. Future monitoring proposals and the method of reporting shall also be detailed in the report. Thereafter the remediation shall be carried out in full, in accordance with the approved method statement and risk assessment, and
- d) a completion report verifying that the work has been undertaken in accordance with the method statement shall be provided to the local planning authority for approval.

Only when the local planning authority has confirmed in writing that all of the elements of the above have been completed and a monitoring scheme is in place shall development, site clearance or demolition take place.

Reason: To ensure that potential sources of contamination are identified and methods established to

ensure that the site is fit for the approved use, in order to prevent pollution, particularly of the water environment.

- 4. No development shall take place until proposals for the location and construction of the areas and means of:
 - a) waste acceptance into the site**
 - b) waste storage**
 - c) waste processing**
 - d) waste water storage**
 - e) waste water disposal and**
 - f) storage of treated waste and**
 - g) a report specifying the levels of all pollutants (including dust and odour) within the steam/emissions from the autoclaves and process building and the predicted emission level of these from the discharge point to atmosphere.****

have been submitted to and agreed in writing by the local planning authority.

Reason: To prevent pollution of the environment and in the interests of the amenity of local people and businesses.

- 5. F20 (Scheme of surface water drainage)**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 6. F21 (Scheme of surface water regulation)**

Reason: To prevent the increased risk of flooding.

- 7. D01 (Site investigation – archaeology)**

Reason: To ensure the archaeological interest of the site is recorded.

- 8. A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

- 9. A05 (Plans and particulars of reserved matters)**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

10. **G13 (Landscape design proposals)**
Reason: In the interests of visual amenity.
11. **G14 (Soft landscaping works)**
Reason: In the interests of visual amenity.
12. **G15 (Landscaping implementation)**
Reason: To ensure the site is satisfactorily landscaped.
13. **G27 (Landscape maintenance arrangements)**
Reason: In the interests of visual and residential amenity.
14. **G33 (Details of walls/fences (outline permission))**
Reason: In the interests of residential and visual amenity.
15. **G40 (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.
16. **F16 (Restriction of hours during construction)**
Reason: To protect the amenity of local residents.
17. **E02 (Restriction of hours of delivery)**
Reason: To safeguard the amenities of the locality and to allow the operator flexibility if necessary to cater for unforeseen events without excessive adverse effects on the locality.
18. **No material shall be processed on site other than Municipal Solid Household and Commercial Waste collected by or on behalf of, or for disposal by, the County of Herefordshire District Council or Worcestershire County Council.**
Reason: In order to define the permission and to ensure that the permission is operated in accordance with the principles of BEPO, Waste Hierarchy, Proximity Principle, Regional Self-Sufficiency, and to safeguard the amenities of the locality.
19. **No material shall be processed on site unless and until**

one week's notice of the date of commencement is given in advance in writing to the local planning authority.

Reason: In order to define the date of commencement and to enable the permission to be monitored in accordance with the conditions imposed on it in the interests of nature conservation, pollution control and the amenities of local people.

20. Not more than 100,000 tonnes of waste shall be processed on site in any 12 month period.

Reason: In order to define the permission and to ensure that the permission is operated in accordance with the principles of BEPO, Waste Hierarchy, Proximity Principle, Regional Self-Sufficiency, and to safeguard the amenities of the locality.

21. In any 12 month period during the first 10 years after the date of commencement not more than 40% of the material processed on site shall ever originate from outside of the county of Herefordshire and in any subsequent 12 month period not more than 20% of the material processed on site shall originate from outside of the county of Herefordshire.

Reason: In order to define the permission and to ensure that the permission is operated in accordance with the principles of BPEO, Waste Hierarchy, Proximity Principle, Regional Self-sufficiency and to safeguard the amenities of locality.

22. No treated or untreated waste shall be stored on site other than within the plant building.

Reason: To protect the appearance of the locality, the amenities of local people and to prevent pollution.

23. F42 (Restriction of open storage)

Reason: To protect the appearance of the locality.

24. The level of noise emitted from the proposed development shall not exceed 43dB $L_{Aeq, 1h}$ between 2300 to 0700, as measured at a distance of 25m from the building, in a south easterly direction in a direct line towards Dene Villa (as identified on Plan 1 attached). All measurements are to be taken in Accordance with BS 4142, 1997.

Reason: To protect the interests of residential amenity.

- 25. No activities from the operation or deliveries from the site shall be audible at the nearest residential property on Sundays, bank holidays or public holidays.**

Reason: To protect the interests of residential amenity.

- 26. All doors and building openings on the eastern elevation of the building (i.e. in the direction of Kingstone) shall be kept closed during the period 2300 to 0700.**

Reason: To protect the interests of residential amenity.

- 27. All doors to the process building shall be kept firmly closed when not in use.**

Reason: To safeguard residential amenity.

- 28. All incoming deliveries of waste shall be sheeted over with tarpaulin when on site.**

Reason: To safeguard residential amenity and adjoining businesses.

- 29. Vehicles on site shall not exceed the speed of 10mph to minimise dust release from haul roads on site.**

Reason: To safeguard residential amenity and adjoining businesses.

- 30. Haul roads on site shall be hard surfaced and maintained in good condition, to the satisfaction of the local planning authority to enable adequate cleaning and sweeping.**

Reason: To safeguard residential amenity and adjoining businesses.

- 31. Daily road sweeping of all on-site haul roads shall be undertaken and all spillages and litter outside the building cleared as soon as is practically possible.**

Reason: To safeguard residential amenity and adjoining businesses.

- 32. F32 (Details of floodlighting/external lighting)**

Reason: To safeguard local amenities.

- 33. The general building structure and ventilation shall be designed to the written satisfaction of the local planning**

authority to contain fugitive emissions and ensure containment of steam, odorous air and dust within the building. To achieve this, the ventilation system shall be suitable and sufficient, so as to maintain negative pressure at all times when processing or when steam, odours or dust are likely to be present within the building.

Reason: To prevent pollution of the environment and in the interests of local people and businesses.

34. Prior to the discharge of process air from the building, suitable and sufficient abatement plant shall be installed to abate dust and odour (and any other pollutant identified) prior to its release to atmosphere. Details of these plans shall be submitted to Herefordshire Council and shall not be installed until they have expressed their satisfaction in writing.

Reason: To prevent pollution of the environment and in the interests of local people and businesses.

35. Unless otherwise agreed in writing by the Local Planning Authority the discharge point from the odour and dust abatement plant shall be from a stack which emits at a sufficient height for adequate dispersal. An "HM1P D1" calculation showing the calculation of this stack shall be submitted to Herefordshire Council for approval, prior to its construction.

Reason: To prevent pollution of the environment and in the interests of local people and businesses.

36. 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.

37. H17 – Improvements to the pinch point on Stoney Street to ensure safe flow of traffic.

Reason: To ensure the safe and free flow of traffic on the highway.

38. H21 - Wheel washing.

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

39. H27 - Parking for site operatives; and

Reason: To prevent indiscriminate parking in the interests of highway safety.

40. H29 - Secure 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.

Informative(s)

1. **HN4 - Private apparatus within the highway;**
2. **HN5 - Works within the highway;**
3. **HN7 - Section 278 Agreement.**
4. **N15 (Reasons for the granting of planning permission)**
5. **Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (SI 1999 No 293) Regulation 21.**

Councillors NJJ Davies and GW Davis abstained from voting on this item.

At this juncture the meeting was adjourned and reconvened at 2:00 pm to consider the remaining items on the Agenda.

Ref. 2
**SYMONDS YAT
WEST**
DCSE2004/0064/F

Proposed erection of timber shed at woodlands,

SYMONDS YAT WEST, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6BL

For: Mr J E Blows, Woodlands, Symonds Yat West, Ross-on-Wye, Herefordshire HR9 6BL

The receipt of a further letter of objection was reported.

RESOLVED: 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 **B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the

surroundings.

- 3** Notwithstanding the submitted drawings no development shall take place until a plan to a scale not less than 1:200 showing the position of the shed on the plot and existing trees, shrubs and hedgerow has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved plans.

Reasons: To define the terms of the permission and to protect the visual amenities of the area.

- 4** F48 (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.

- 5** G04 (Landscaping scheme (general))

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

- 6** G05 (Implementation of landscaping scheme (general))

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

- 7** The shed hereby permitted shall not be used for the garaging of vehicles.

Reason: In the interests of highway safety.

Informative:

- 1** N15 - Reason(s) for the Grant of planning permission.

Ref. 3
COUGHTON
DCSE2004/0220/F

Proposed building for the storage and repairs of agricultural, horticultural, automotive and plant machinery at

**THORNY ORCHARD, PART OF OS PLOT 8691, COUGHTON,
ROSS-ON-WYE, HEREFORDSHIRE**

**For: Mr S Cole per Mr C F Knock, 22 Aston Court, Aston
Ingham, Ross-on-Wye, Herefordshire HR9 7LS**

The Principal Planning Officer reported the receipt of a further letter from the agent acting on behalf of the applicant. He also said that

the Environment Agency had indicated that it had no objections to the application in principle but that it had recommended the imposition of conditions on any approval granted.

In accordance with the criteria of public speaking, Mr Powell spoke in favour of the application.

Councillor Mrs RF Lincoln, the local Ward Member, said that she supported the application on a number of grounds, including planning policy statement (PPS7) regarding agricultural diversification. She also felt that there was flexibility within policy ED6 for the application to be supported. She said that the applicant had revised his original proposals by reducing the roof line by 15 feet and the number of bays by 2 and she did not feel that the building would be out of keeping or obtrusive within a rural agricultural environment. She said that she had received a petition containing eighty signatures and ten letters of support which had drawn attention to the important service that the applicant provided for the local farming community.

The Principal Planning Officer said that the proposal was in conflict with the Area of Outstanding Natural Beauty, on the side of a hill and difficult to screen and would be a prominent building. The Southern Divisional Planning Officer drew attention to policies that were in place to protect the environment. He advised that the application constituted a commercial business rather than an agricultural business and that it conflicted with a number of those policies. The applicant had not been able to satisfy the criteria for a Certificate of Lawful Use.

Notwithstanding the views of the Officers, the Sub-Committee felt that there were sufficient grounds for the application to be granted.

RESOLVED: That

- (i) the Southern Area Planning Sub-Committee is minded to approve the application, subject to conditions regarding planting and landscaping and any further conditions considered necessary by the Head of Planning Services, provided that the Head of Planning Services does not refer the application to the Planning Committee;**
- (ii) if the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application, subject to such conditions referred to above.**

(Note: the Chief Development Control Officer said that he would refer the application to the Head of Planning Services because

there were crucial policy issues at stake)

Ref. 4
KINGSTONE
DCSW2004/0092/F

Sports hall and changing rooms,

KINGSTONE HIGH SCHOOL, KINGSTONE, HEREFORD, HR2 9HJ

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

It was reported that Welsh Water had no objection to the application but had made recommendations about conditions that should be attached to planning permission.

RESOLVED: That:

1. **The application be referred to the Government Office for the West Midlands, together with the representations of Sport England.**
2. **Subject to the Government Office for the West Midlands confirming that it does not intend to call it in, the officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions and any further conditions considered necessary by officers:**
 1. **A01 (Time limit for commencement (full permission))**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
 2. **A07 (Development in accordance with approved plans)**
Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.
 3. **B01 (Samples of external materials)**
Reason: To ensure that the materials harmonise with the surroundings.

Informative(s):

1. **N15 - Reason(s) for the Grant of Planning Permission**

Ref. 5&6

WALFORD

DCSE2004/0041/F

DCSE2004/0042/L

Conversion of existing outhouse to annexe with extension.
Proposed detached garage and garden store at

**BROOK HOUSE, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE,
HR9 5SB**

Conversion of existing outhouse to annexe with extension.
Proposed detached garage & garden store at

**BROOK HOUSE, WALFORD, ROSS-ON-WYE, HEREFORDSHIRE,
HR9 5SB**

For: **Mr & Mrs A McIntosh per Hook Mason, 11 Castle Street,
Hereford HR1 2NL**

RESOLVED: That In respect of SE2004/0041/F

**That planning permission be granted subject to the following
conditions:**

1. A01 (Time limit for commencement)

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

2. C02 (Approval of details)

**Reason: To safeguard the character and appearance of this
building of (special) architectural or historical interest.**

**3. The annexe hereby permitted shall not be occupied other
than as living accommodation or for other purposes
incidental to the residential use of the dwellinghouse known
as Brook House, and shall not be used as a separate
dwelling.**

**Reason: It would be contrary to the policy of the local
planning authority to grant planning permission for a
separate dwelling in this location.**

4. E08 (Domestic Use only of Garage)

**Reason: To ensure that the garage is used only for the
purposes ancillary to the dwelling.**

5. F48 (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.

Informative(s):

- 1 N15 - Reason(s) for the Grant of Planning Permission.

In respect of SE2004/0042/L

That listed building consent be granted subject to the following conditions

- 1 C01 (Time limit for commencement (Listed Building Consent))

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 C02 (Approval of details)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

3. F48 (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.

Informative(s):

- 1 N15 - Reason(s) for the Grant of Listed Building Consent

Ref. 7
SYMONDS YAT
DCSE2003/3612/O

Proposed demolition of redundant church building and outline consent for residential development at

**OUR LADY AND ST TERESA OF LISEUX R.C. CHURCH,
WHITCHURCH, SYMONDS YAT, HEREFORDSHIRE HR9 6DJ**

For: Trustees of Archdiocese of Cardiff per Walter Davies,
Chartered Surveyor, 12 Tawe Business Village, Phoenix Way,
Enterprise Park, Swansea SA7 9LA

RESOLVED: That planning permission be granted subject to the following conditions:

- 1 **A02 (Time limit for submission of reserved matters (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 2 **A03 (Time limit for commencement (outline permission))**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 3 **A04 (Approval of reserved matters)**

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.
- 4 **A05 (Plans and particulars of reserved matters)**

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.
- 5 **Only one dwelling shall be erected on the site.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

Informative(s):

- 1 **N15 - Reason(s) for the Grant of Planning Permission.**

Ref. 8
HOARWITHY
DCSW2004/0054/F

Erection of detached double garage and a two storey extension, creation of new driveway, change of use agricultural to residential.

STONEWAY WAYS, HOARWITHY, HEREFORD, HR2 6QE

For: **Mr & Mrs Croke per Warren Benbow Architects, 21 Mill Street, Kington, Herefordshire, HR5 3AL**

RESOLVED: 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. **A07 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. **B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

4. **G04 (Landscaping scheme (general))**

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

5. **G05 (Implementation of landscaping scheme (general))**

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

6. **E16 (Removal of permitted development rights)**

Reason: In the interests of protecting the amenity of this elevated area of land that constitutes part of the Area of Outstanding Natural Beauty and Area of Great Landscape Value.

Informative(s):

1. **N15 - Reason(s) for the Grant of Planning Permission**

Ref. 9
ROSS-ON-WYE
DCSE2004/0075/F

First floor extensions to front of dwelling at

2 OKELL DRIVE, ROSS-ON-WYE, HEREFORDSHIRE, HR9 5QQ

For: Mr Francis, The Maples, 2 Okell Drive, Ross-on-Wye, Herefordshire HR9 5QQ

RESOLVED: 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 **A06 (Development in accordance with approved plans)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 B02 (Matching external materials (extension))

Reason: To ensure the external materials harmonise with the existing building.

Informative(s):

1 N03 - Adjoining property rights

2 N15 - Reason(s) for the Grant of Planning Permission.

Ref. 10
ROSS-ON-WYE
DCSE2003/2954/F

Residential development of 9 houses together with highway improvements to Walford Road at

FORMER WATER BOARD DEPOT, WALFORD ROAD, COUGHTON, ROSS-ON-WYE

For: Corporation Properties Ltd per Keith Reynolds Associates, Derwent House, Mary Ann Street, St Pauls Square, Birmingham B3 1RL

The receipt of an additional letter of objection was reported. The Principle Planning Officer said that amended plans had been received but that full drawings were awaited and then consultation would be undertaken.

RESOLVED: That subject to the receipt of satisfactorily revised drawings with regard to the house designs:

- 1) Subject to there being no valid planning objections to the revised plans at the end of the consultation period, the officers named in the scheme of delegation to officers be authorised to approve the application subject to the County Secretary and Solicitor being authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 with regard to financial contributions to off-site education provision and any other matters and terms as considered appropriate.**
 - 2) Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers.**
- 1 A01 (Time limit for commencement (full permission))**

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

2 A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

4 H11 (Parking - estate development (more than one house))

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

5 Prior to the occupation of any of the dwellings the highway works as set out on drawing TTB02519/01/P3 shall be carried out.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

6 H18 (On site roads - submission of details)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

7 H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

8 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

9 Floor levels of any buildings shall be at 36.820 m above ordnance Datum (or as otherwise agreed in writing by the local planning authority in consultation with the Environment Agency).

Reason: To protect the development from flooding.

10 Prior to development on site, approval of details of siting

of any buildings and infrastructure including existing and proposed ground levels, shall be submitted and approved in writing and thereafter implemented in accordance with the approved plans.

Reason: To prevent the increased risk of flooding.

- 11 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the local planning authority. Such a scheme shall be implemented in accordance with the details approved by the local planning authority prior to the construction of any impermeable surfaces draining to the system.

Reason: To prevent the increased risk of flooding.

- 12 Development approved by this planning permission shall not be commenced unless:

a) A desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And (using this information) a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and reception has been produced to the satisfaction of the Local Planning Authority.

b) A site investigation has been designed for the site using the information obtained from the desk top study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment undertaken.

- d) **A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the local planning authority. This should be approved in writing by the local planning authority prior to that remediation being carried out on the site.**

Reason: To ensure that the proposed site investigations and remediation will not cause pollution of the environment or harm to human health.

- 13 The development of the site should be carried out in accordance with the approved Method Statement.**

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health.

- 14 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 for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum(s) shall form part of the Method Statement.**

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health.

- 15 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.**

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed to an appropriate standard.

- 16 Foul water and surface water discharges must be drained separately from the site.**

Reason: To protect the integrity of the public sewerage system.

- 17 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 18 No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

- 19 The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres of the line of the public sewer.**

Reason: To protect the integrity of the public sewer and avoid damage thereto.

- 20 D01 (Site investigation - archaeology)**

Reason: To ensure the archaeological interest of the site is recorded.

- 21 G01 (Details of boundary treatments)**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

- 22 G02 (Landscaping scheme (housing development))**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 23 G03 (Landscaping scheme (housing development) - implementation)**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

24 E17 (No windows in side elevation of extension)

Reason: In order to protect the residential amenity of adjacent properties.

25 Prior to the occupation of any dwelling a management plan, to include proposals for the long term design objectives, management responsibilities and maintenance schedules in perpetuity, for the area of open space shall be submitted to and approved by the local planning authority. The management plan shall be carried out as approved.

Reason: In order to ensure that the use and maintenance in perpetuity of the open space is assured.

26 None of the dwellings hereby permitted shall be occupied until the area shown on the approved plans as open space have been laid out and completed in accordance with the approved plans. This area shall not thereafter be used for any purpose other than open space and it shall at all times in perpetuity be available for that use.

Reason: In order to ensure that the open space is available for the use of occupiers of the dwellings.

Informatives:

- 1 HN01 - Mud on highway**
- 2 HN04 - Private apparatus within highway**
- 3 HN05 - Works within the highway**
- 4 HN07 - Section 278 Agreement**
- 5 HN08 - Section 38 Agreement details**
- 6 HN09 - Drainage details for Section 38**
- 7 N15 - Reason(s) for the Grant of Planning Permission.**

HEREFORDSHIRE, HR9 5RE

**For: Mr J. Williams, Kiln Green Cottage, Walford,
Ross on Wye, Herefordshire HR9 5RE**

RESOLVED: That subject to the receipt of suitably amended plans, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions and any additional conditions considered necessary by officers:

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

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

2 B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

3 Notwithstanding the submitted site plan the location of the garage shall not be as shown but in accordance with a plan to be submitted to and approved in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

4 G04 (Landscaping scheme (general))

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

5 G05 (Implementation of landscaping scheme (general))

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

6 F48 (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.

7 Before the garage is brought into use visibility of the access to the highway shall be improved in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety and to ensure

the free flow of traffic using the adjoining highway.

8 H14 (Turning and parking: change of use - domestic)

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

Informative(s):

1 N15 - Reason(s) for the Grant of Planning Permission.

Ref. 12
UPTON CREWS
DCSE2003/2649/O

Renewal of planning permission SE2001/0906/O site for single storey dwelling at

LAND AT UPTON CREWS, NEAR ROSS-ON-WYE, HEREFORDSHIRE

For: Mr & Mrs J.A. Watkins, Ellbrook House, Linton, Ross on Wye, Herefordshire HR9 7SR

In accordance with the criteria for public speaking Mr Fray spoke against the application.

RESOLVED: That outline planning permission be granted subject to the following conditions:

1 A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2 A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3 A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development.

4 A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

5 F18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided.

Informative(s):

1 Dwr Cymru - Welsh Water advises:

There are no foul/surface water sewers in the immediate vicinity. It is therefore likely that off-site sewers will be required to connect to the public sewerage system.

If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru - Welsh Water's Network Development Consultants on Tel: 01443 331155.

2 N15 - Reason(s) for the Grant of Planning Permission.

Ref. 13
PETERSTOW
DCSE2004/0085/F

Two storey side extension and single storey rear extension at

**KYRLES CROSS, PETERSTOW, ROSS-ON-WYE,
HEREFORDSHIRE, HR9 6LD**

For: **Mr & Mrs Nightingale per A Wadley MBIAT, Hillview,
Gloucester Road, Upleadon, Newent, GL18 1EJ**

RESOLVED: 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 A07 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 B01 (Samples of external materials)

Reason: To ensure that the tile hanging harmonises with the surroundings.

Informative(s):

1 N15 - Reason(s) for the Grant of Planning Permission