

MEETING:	PLANNING COMMITTEE
DATE:	18 JULY 2012
TITLE OF REPORT:	<p>S121015/N- SEWAGE PUMPING STATION, INCLUDING CONTROL KIOSK AND ASSOCIATED WORKS AT LAND NORTH OF PENHELIGAN HOUSE, PONTSHILL, HEREFORD</p> <p>For: Dwr Cymru Welsh Water per Mr Allan Pitt, 4 Pierhead Street, Cardiff, Glamorgan, CF10 4QP</p>
WEBSITE LINK:	http://www.herefordshire.gov.uk/housing/planning/58286.aspx?ID=121015&NoSearch=True

Date Received: 2 April 2012

Ward: Penyard

Grid Ref: 363874,222092

Expiry Date: 23 July 2012

Local Member: Councillor Harry Bramer

1. Site Description and Proposal

1.1 The application site lies on a minor road in the village of Pontshill, approximately 4 kilometres southeast of Ross-on-Wye. The proposal is being made by Dwr Cymru Welsh Water, to install a Sewage Pumping Station (SPS) on agricultural land on the north side of the C1275, opposite to 'Penheligan House'. This includes a change of use of the land. The proposal is initially to address a requirement of the Environment Agency to discontinue the use of a communal septic tank serving 4 or 5 properties to the south-east of the site along the unclassified U70123 road. However the applicant has stated that potentially 50 or 60 local properties might subsequently be linked to mains drainage through this solution, subject to suitability.

1.2 The development would consist of the following:

- Below-ground chambers (4 no, plus an earth pit) to include storm overflow control, pumps, valves and flow meter;
- Above ground these would have flat access covers on a 15 cm high concrete plinth and two further manhole covers;
- Washwater booster set and MCC control kiosks, 1.22m x 1.38m x 1.45m high and 1.45m x 0.45m x 1.45m high, respectively;
- Fenced compound (19.8m x 18.3m), with a new standard gate and access from the existing highway and a 'grasscrete' turning area within the site. The fence would be approximately 1.5m high, consisting of timber post-and-rail.
- Emergency overflow and headwall to adjoining watercourse.

1.3 The layout would comprise a rectangular compound approximately 20.3 metres x 18.3 metres. The gate would be set back 10 metres from the highway.

2. Policies

Legislation

- 2.1 Groundwater Directive (80/68/EEC)
- Water Framework Directive (2000/60/EEC)
- Groundwater Daughter Directive (2006/118/EC)
- Environmental Permitting Regulations 2010
- Town and Country Planning (General Permitted Development) Order 1995 (as amended)

National Planning Policy Framework (NPPF)

- 2.2 The NPPF does not specifically deal with this type of facility, generally relying on legislation other than planning. It is established that the planning system should not seek to duplicate the requirements of other legislation. However the general emphasis in the NPPF on sustainable development, rural communities, design, health, and conservation of the natural environment, are all relevant. Section 7 deals with good design, requiring development to 'add to the overall quality of the area' and to 'respond to local character and history'. However, the weight to be given to these points will depend on other issues and the need for the development as essential infrastructure. Section 11 requires pollution prevention and protection of the natural environment, with particular reference to valued landscapes, biodiversity assets, and minimising adverse impacts.
- 2.3 Technical Guidance to the NPPF contains a section on flood risk requirements
- PPS10 - Sustainable Waste Management
- 3.4 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Councils website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

Herefordshire Unitary Development Plan

- 2.4 S1 - Sustainable Development
- S2 - Development Requirements
- S6 - Transport
- S10 - Waste
- S11 - Community Facilities and Services
- DR1 - Design
- DR2 - Land Use and Activity
- DR3 - Movement
- DR4 - Environment
- DR7 - Flood Risk
- T8 - Road Hierarchy
- LA2 - Landscape Character
- NC1 - Biodiversity
- NC7 - Compensation for Loss of Biodiversity
- NC8 - Habitat Creation, Restoration and Enhancement
- NC9 - Management of Features of the Landscape Important for Fauna and Flora
- W1 - New Waste Management Facilities
- CF1 - Utility Services and Infrastructure
- CF2 - Foul Drainage
- CF5 - New Community Facilities

3. Planning History

- 3.1 This application is a resubmission of application reference DMS/112822/N, which was withdrawn by request on 30 January 2012. This resubmission includes amendments made following negotiation and a public consultation by the applicant. It seeks to address matters of concern which were raised at the time and which will be discussed in the appraisal below.
- 3.2 SH810782 PO (DCH810522/O): Outline application for 6 dwellings with cess pits - refused

4. Consultation Summary

Statutory Consultees

- 4.1 The Environment Agency has no objections; notes that the scheme is part of the wider Dwr Cymru Welsh Water Asset Management Plan (Period 5). The Agency states that the proposal 'represents an environmentally sustainable solution for waste management in this locality [enabling] the future connection of circa 60 properties'. In the Agency's view, this offers future-proofing and flexibility in the event that other private discharges are closed or dis-consented.

Internal Council Consultations

- 4.2 Transportation Manager – questions raised regarding the technical specifications on visibility; in particular seeking assurances that no vehicles would be reversing out of the site to the highway. On the previous application, concerns were raised about visibility at the access, and the existing stone wall.
- 4.3 Environmental Services Manager – no objections or other comments
- 4.4 Conservation Manager –
(Landscape)- There will be some negative landscape impact, although the additional information and amendments to the previous scheme are acknowledged as an improvement. The impact has been minimised. Landscape change must be weighed against the necessity of the new infrastructure.
- (Ecology)- The submitted Ecological Assessment is the same as was previously submitted. Noted that the compound would be smaller and further away from the watercourse. Also less intervention to the stone wall although the access bellmouth would be wider, with a net loss of stone. If the application is to be approved the stream corridor must be protected during the works and any works to the wall. Condition recommended to secure the findings in the Ecological Report.
- 4.5 Public Rights of Way Manager: The Right of Way will not be affected.

5. Representations

- 5.1 Weston-under-Penyard Parish Council: Concerned that the unit will give out odour problems and that drainage will go into the nearby stream. Concerned that screening is not sufficient and should be addressed as it is near to residents' homes. This is the centre of the village and the unit would be better placed some 80m away which would not be so sensitive to village life.
- 5.2 8 Letters of objection have been received:

The comments made are summarised as follows:

- Local high water table and/or flooding could cause problems
- Cumulative visual impact from other infrastructure (signs, poles, bins etc)

- There must be a more cost-effective solution
- There is no need for this proposal
- The new access will cause traffic hazards
- Too close to dwellings
- I do not believe there will be no odour or noise
- Question the merits of an emergency discharge to the watercourse
- There will not be a 'negligible impact' on the village as stated
- The proposal will impact on the working of a commercial farm
- Drainage will be affected
- The proposal is on our land and will severely disrupt the running of our business
- The position of the fence will be dangerous for livestock crossing the stream
- It will restrict grazing and is the only flat part of the field
- There has been no consultation with the landowner
- Knocking down and rebuilding the wall is unnecessary vandalism
- The site is in the heart of the village and visible from every direction
- The proposal is disproportionate to the problem and is in an inappropriate location
- The proposal is contrary to policy CF1
- It does not complement or enhance the local environment
- The works will significantly impact on Penheligan House and several other properties, with a loss of amenity
- The application fails to give a balanced view
- Vehicles park opposite the site to visit the parish notice board
- No credible detail is given regarding alternatives considered
- The road is used by HGVs visiting farms, and the school bus

5.3 A list of people supporting the project was received by email from local residents. A total of 13 households expressed support and a desire to be linked to the new mains system once installed. Existing annual costs of over £7,000 per household were quoted as applying to the properties currently served by private package sewage treatment units (biodisc).

5.4 The consultation responses can be viewed on the Council's website by using the following link:- www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx

Internet access is available at the Council's Customer Service Centres:- www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

6. Officer's Appraisal

6.1 In considering points arising under the previous application along with this resubmission, officers have identified the following key issues:

- Need and purpose of the development
- Site choice and land use
- Local concerns and public consultation
- Access and highways
- Ecology
- Landscape and visual impact
- Groundwater, hydrology and flood risk
- Emergency discharge
- Odour, noise

Need and purpose

6.2 The applicant is Dwr Cymru Welsh Water (DCWW). Wood View is a group of four former Council houses provided with a communal septic tank maintained at public expense. The Water

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

Framework Directive and subsequent EU legislation requires English watercourses to meet required standards. The Environment Agency is charged with delivery; it has required DCWW to assess the effectiveness of its operational assets in this field and rectify any failures. Conventional non-mains sewerage is widely used in rural areas, but soakaways can cause cumulative diffuse pollution. At Wood View, tests have shown that existing discharge is affecting groundwater. The Environment Agency requires DCWW to provide an alternative solution since the existing Discharge Consent may soon be terminated. Initially, the proposal would be intended to meet this immediate need. However DCWW considers it expedient to build-in suitable infrastructure to enable future connection for a number of local properties likewise dependent on non-mains sewerage, to avoid a costly repeat exercise at a later date.

- 6.3 Non-mains sewerage requires a Discharge Consent. In addressing the Water Framework Directive, the Environment Agency has indicated a high likelihood that such Consents will have to be tightened or revoked in the near future, making the provision of more efficient foul drainage imperative. The proposal would be a simple 'pump-away' system to take sewage, initially from Wood View, via new below-road mains to the pumping station. From there it would be piped to the nearest existing consented facility at Weston-under-Penyard.
- 6.4 The Environment Agency has confirmed that an alternative to the Wood View septic tank must be found as a matter of urgency, and that simply replacing it *in situ* would not be acceptable. It has assessed the proposal to be an environmentally sustainable solution offering flexibility for future users and capable of compliance with its own regulatory legislation.
- 6.5 Records reveal that an outline application for 6 dwellings on this site 'having individual cess pits' was refused in the 1980s. Cess pits are generally not supported as a non-mains sewerage solution. This and the fact that other modern housing in the village is served by biodiscs are indications of local problems with drainage options.
- 6.6 On the basis of the above, officers recognise an overriding need to minimise pollution, provide sustainable infrastructure and to comply with EU legislation. In operational terms the installation would be regulated by other bodies under legislation other than planning. The weight to be given to planning policies is thus reduced, but some conflict with UDP policies S1, S2, DR4 and CF1 in particular is acknowledged. Nevertheless the extent of this conflict is not considered so significant as to be irreconcilable, in light of the identified need.

Site choice and land use

- 6.7 Para 2.2 of the submitted Design & Access Statement explains site choice and the alternatives considered, stating that every effort has been made 'to locate the site in a position that minimises potential impact on the environment and on existing properties'. Topography and ground type need to be suitable, along with an optimum distance from user sites. In considering these and other factors such as flood risk, access and gradient, DCWW regards the proposal site as the only expedient option, being relatively flat and broadly within the required location. However, the application also recognises that the proposal will have some visual impact on immediate neighbours to the site. It asserts that there is no suitable site that would avoid all such impacts and the site offers the least number of impacts. Officers observe that this approach complies with UDP policies S10 and W1, partly because it constitutes the Best Practical Environmental Option (BPEO). Although this concept has been removed from national and sub-national policy it remains in force in the UDP for the time being.
- 6.8 By enabling connection to other households - in anticipation of further future discharge restrictions - the requirement of a new mains pipe along the road has also influenced site choice. Officers accept the points put forward, in principle and without prejudice, on the basis that the proposal would be essential infrastructure.

6.9 The gross land-take area would be approximately 620 square metres of grazing land. UDP policy requirements favour development on previously-developed land 'where possible' (e.g. policy S1). This emphasis carries little weight here because (a) no such suitable site was found, (b) this is not a conventional development proposal, and (c) the site must foremost be located in accordance with need and the technical specification. The revised proposal takes account of previous concerns about site size, fence height and the scale of the compound, as far as possible. The efforts made to minimise the impact and address the need for the facility are important factors. Officers consider the proposal to have some conflict with parts of UDP policies S1 and DR2, but again this is outweighed by need, and because the proposal is in itself sustainable development.

Local representations and public consultation

6.10 For the previous application (reference S112822/N) the applicant did not undertake any prior consultation with residents. To rectify this and to inform this resubmission, DWCC's consultation exercise entailed the following:

- correspondence with landowners regarding possible alternative sites;
- meetings with local councillors;
- letter-drop to all local households;
- a public drop-in exhibition event, advertised in the Ross Gazette

6.11 The stated aim was to explain the shortfalls of the existing non-mains sewerage arrangements, the need for and nature of the proposed scheme, the technical specifications, and the demanding legal requirements of the Environment Agency and EU law.

6.12 A Statement of Community Involvement (SCI) is included with the application, reporting that 32 residents, the local Member Mr H Bramer, and two Parish Councillors attended the event. The SCI outlines the discussion topics, the methodology and the outcomes, including that feedback forms were distributed. The analysis highlighted a split in local opinion between those who remained opposed to the scheme and those who support it and/or wish to be connected up to mains drainage. The SCI itemises all comments received. Positive comments (19) exceeded negative ones (10), and 6 neutral comments were received. The report concludes that the majority of participants understand that the development is necessary and either support it or are neutral about it, and generally accept the points made. Where negative comments were made, DCWW have sought to address them as far as possible

Access and highways

6.13 Representations have highlighted that the road is used by large agricultural vehicles and the school bus, and that people park by the public notice board opposite the application site. The site boundary along the road is bordered by an attractive stone wall of varying height but approximately 1-1.5 metres high. The application makes it clear that the proposed infrastructure requires a secure gated compound, to include a vehicle access so as to prevent parking by operatives on the highway.

6.14 The previous (withdrawn) application indicated that the only existing access to the field would have been subsumed within the new compound, a point on which the landowner objected. The resubmission and smaller site size avoids this and maintains the owner's access for agriculture.

6.15 The applicant has reduced the size of the compound to an absolute minimum, and has confirmed the following:

- there would be one maintenance visit per week, using a van (the driver of which would be able to see over the wall);
- there would be one tanker visit every 3-6 months;

- that to avoid having to reduce the height of the wall only vehicles of an optimum size would be used (i.e. a van and small tanker)
- That the compound includes sufficient turning space for the above vehicles to avoid reversing out into the road.

6.16 The submitted plans maintain that, under the above circumstances, visibility of 40 metres in each direction could be achieved. An alternative would be to remove the wall coping stones, take it down one course, and replace the coping. Officers would resist alteration of the wall unless absolutely necessary for highway safety, since it contributes to the character of the village. The final arrangements could be secured by condition to ensure compliance with UDP policies S6, DR3 and T8.

Ecology

6.12 Section 11 of the NPPF requires local planning authorities to ensure enhancement of the natural environment, with particular reference to protecting environmental assets, recognising the wider benefits of ecosystems, minimising adverse impacts on biodiversity, preventing pollution and offering mitigation where appropriate. All of these factors are relevant to this case. The application includes an Extended Phase 1 Ecological Survey. This assesses current biodiversity around the site and makes recommendations to protect wildlife during and after construction. Earlier concerns regarding the stream and the stone wall have been partly alleviated by the reduced scale of the project and because the compound would be moved further away from the watercourse. The Senior Ecologist has offered detailed advice, recommending a condition to secure the report's recommendations and reinstatement of any lost habitat is on completion of the works. These measures would ensure compliance with UDP policies NC1 and NC7.

Landscape and visual impact

6.13 Although the proposal is low-key and small-scale in terms of actual above-ground development, the applicant acknowledges there would be some visual impact to the properties immediately opposite the site. The proposal would likewise have some negative effect on the local landscape. However the Senior Landscape Officer accepts the efforts made by the applicant to address her concerns and to minimise those impacts. The development would be utilitarian, but the compound would be small, with low fencing and the majority of the infrastructure located below ground. Above ground there would be the access arrangements, the fence, and necessary control kiosks. Manhole covers would be at just 15 cm above ground level. In re-designing and reducing the size of the site, the Senior Landscape Office agrees that the applicant has taken all reasonable steps to comply with UDP policy LA2. The site is not within the AONB or any other designation. Appropriate tree planting could be required to provide some screening. Officers take the view that, taking account of the proposed efforts to reduce the impact as far as possible, the need for the facility is an over-riding factor.

6.14 At present there is an ad-hoc bridge across the watercourse next to the highway bridge, constructed of corrugated metal, understood to be used by the landowner for transferring livestock from one field to another without using the highway. As originally submitted, the proposal would have created a narrow corridor between the new compound fence and the stream, along which animals would have to move. This was regarded as dangerous because the bank is steep and uneven. The resubmission entails a smaller compound which would be moved further away from the stream and thus leaving a wider margin. However the Design & Access Statement also offers to provide a new robust stock/foot bridge further north. This option could be investigated and implemented if deemed necessary.

Groundwater, hydrology and flood risk

- 6.15 The application includes a detailed geotechnical report, which explains the preliminary investigations undertaken when choosing the site. The Environment Agency has accepted the findings of this report, has not raised any objections, and has not recommended any planning conditions. The report makes recommendations for ground investigations to confirm its findings prior to starting any work and these could be secured by planning conditions. Since the planning system should not seek to duplicate other legislation, in this instance the requirements of the Water Framework Directive carry full weight.
- 6.16 The application also includes a Flood Risk Assessment. Part of the site lies within a high flood risk zone, although it has not been known to flood. According to Environment Agency guidelines, this type of proposal is classified as 'less vulnerable' and an exception test is not required. A site-specific Sequential Test has been undertaken. The report's findings include that the ground is permeable, but any surplus surface water would flow overland in a westerly direction away from the site. The proposal includes a package of mitigating features, stating that:
- site levels would not be raised and the access/turning area would be permeable 'grasscrete', such that available flood storage capacity and the rate of flow to the brook would not be impacted;
 - all chambers would be double-sealed to eliminate water penetration;
 - all essential electrical controls would be placed at up to 600 mm above extreme flood levels;
 - The site would be included within the Environment Agency's flood warning system;
 - A fail-safe alarm would alert operators in the event of electrical failure;
 - A similar alarm system would alert operators to any pump failure, and there would be more than adequate freeboard of storage capacity of foul drainage;
 - The effects of climate change have been taken into account.
- 6.17 The report concludes that the proposal would conform to flood risk requirements and guidelines, that flood storage capacity and risk would not be exacerbated, that the installation design would be flood-proofed to provide adequate protection, and overall flood risks could be managed to an appropriate level. The Environment Agency has accepted this report and has not asked for any further information. On that basis there is no conflict with UDP policy DR7 or the Technical Guidance to the NPPF.

Emergency discharge

- 6.18 All sewerage requires emergency contingency measures to be deployed in the event of a breakdown or failure. This application states that under such circumstances there would be discharge to the nearby watercourse. Local residents have questioned the wisdom of this in light of the stated purpose of the proposal to prevent pollution. The applicant has responded, stating that such measures are standard but 'only to be used in extreme circumstances'. They are subject to Environment Agency consent and specific control standards. The overflow would be fitted with a screen. According to the applicant these measures, along with in-built storage freeboard and auxiliary pumping arrangements, would enable a 2-hour window within which DCWW should be able to rectify any fault before the emergency outfall would be deployed. The outfall would need to be in existence but only in very extreme circumstances would it be required. The Environment Agency would set the regulatory standards and has not expressed any concerns about the proposed arrangements. On that basis no conflict with UDP policies DR1, DR4 or CF1 is implicated.

Odour, noise

- 6.19 Local concerns regarding possible odour and noise are addressed in the Design and Access Statement. This states that pumps would be below ground and noise would be negligible, and that the pumping station would be sealed such that there would be no odour impact from the unit. It goes on to state that 'air relief valves on the rising main would be within sealed

chambers with a water supplement system to prevent odour' and further mitigation measures are available if deemed necessary. Officers take the view that these assurances are adequate to address local concerns, and note that other rural areas have pumping stations with no adverse effects.

Conclusion

- 6.20 Planning law requires that planning applications be determined in accordance with adopted policy unless material considerations dictate otherwise. However, much of the work of sewerage undertakers and water companies is either Permitted Development, and/or regarded as a necessary provision under separate legislation. Consequently, national and local planning policies barely mention this type of development and do not seek to control it. In this case the fencing, access and kiosks require permission but need to be viewed in the light of the above key point.
- 6.21 This report indicates that whilst there are objections to the proposal there is also significant support. Likewise, whilst there is some conflict with planning policy in terms of visual amenity, highways and landscape impact, the above-ground development would be low-key and small scale. Traffic generated by the development would be extremely low. The applicant has demonstrated that alternative sites and options were considered and rejected for technical reasons. Furthermore, the wider environmental benefits from future-proofed mains sewerage provision, the requirements of the Water Framework Directive through the Environment Agency, and the imminent decommissioning of existing sewerage arrangements for the properties at Wood View, are over-riding factors which outweigh any perceived harm from these conflicts. On the basis of these points the proposal is recommended for approval subject to conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. B01 Development in accordance with the approved plans**
- 3. No development shall take place unless or until a Ground Investigation has been carried out in accordance with the proposals in section 5 of the submitted Geotechnical Desk Study report dated 27 October 2011 and the results, including any mitigation measures or amendments to the submitted plans and specifications, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved findings.**

Reason: To ensure a satisfactory form of development in the light of actual ground conditions, to prevent pollution of the water environment, to safeguard the amenity of the area and to comply with the requirements of policies S1, S2, S11, DR4, and CF5 of the Herefordshire Unitary Development Plan.

- 4. Before the development hereby permitted begins, a habitat protection and biodiversity enhancement scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following in particular:**
 - (i) That an appropriately qualified and experienced ecological clerk of works shall be appointed to oversee the ecological mitigation work;**
 - (ii) That all of the four recommendations set out in the submitted Extended Phase 1 Ecological Survey report (Section 6, page 6) shall be followed in full;**
 - (iii) Measures to be implemented during the construction phase to protect the watercourse, unaffected length of the roadside wall, and all field margins,**

- hedges and trees, around the application site and including along the route of the cross-field pipeline;
- (iv) Confirmation that construction works will avoid the bird nesting season with particular reference to ground-nesting birds
 - (v) Proposals for creating or enhancing biodiversity and habitats
 - (v) Timescales for all the above, and provision for review and tool-box talks.

The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that all species under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulation 2010 are protected; to comply with the National Planning Policy Framework, Circular 06/2009, the NERC Act 2006 and policies NC1, NC7, NC8 and NC9 of the Herefordshire Unitary Development Plan.

5. Before the development hereby permitted begins a Method Statement for the removal of the section of stone wall required for the new access shall be submitted to and approved in writing by the local planning authority. The Method Statement shall include the following in particular:
- (i) Preliminary checking of biodiversity associated with the wall, with particular reference to the possible presence of European Protected Species;
 - (ii) Protective measures and mitigation to be implemented in the event of such protected species being found to be present;
 - (iii) Methodology for dismantling the wall, storage of materials etc;
 - (iv) Details of the works necessary to make good the remaining wall and new terminals on both sides of the access;
 - (v) An assessment of the volume of surplus stone arising;
 - (vi) How the surplus stone and other materials would be disposed of (see informative).
 - (vii) Timescales for the above, and provision for review and tool-box talks.

The Method Statement shall be implemented in accordance with the approved details.

Reason: To minimise the production of waste, to ensure a satisfactory form of development including in the interests of any European Protected Species, and to ensure compliance with policies S1, S2, S7, S10, DR1, NC1, NC7 and NC9 of the Herefordshire Unitary Development Plan.

6. **G10 Landscaping scheme**
7. The development hereby permitted shall not be brought into use unless or until the mitigation measures recommended in the submitted Flood Risk Assessment dated 3 November 2011 (page 10, section 12) are implemented in full.

Reason: To ensure satisfactory flood protection measures are in place in accordance with policies S2, DR4 and DR7 of the Herefordshire Unitary Development Plan.

8. **H05 Access gates**
9. **H15 Turning and parking**

Reason for Approval:

The proposal has been considered with regard to the need for the development, its essential nature, the requirements to comply with EU legislation, site choice options, access and highways, landscape and visual impact, pollution prevention, groundwater protection and flood risk. The impact from partial conflict with certain elements of local policies, with particular reference to visual impact and highways concerns, has been carefully considered by the applicant and officers, and moderated and minimised as far as possible by the revised plans. In particular, policies DR1 parts (1) and (2), DR2 part (4), LA2 and CF1 part (1) of the Herefordshire Unitary Development Plan are relevant. Notwithstanding this, the site is small, the identified impacts are limited, and the overriding need for a new sewerage facility to serve Pontshill is a significant material consideration which outweighs any conflict. Various alternative options have been considered by the applicant in terms of site choice and methodology, but the conclusion has been that the scheme as proposed is a viable option for sustainable development, which would meet requirements, would be capable of appropriate mitigation and would comply with relevant legislation. In light of the above, the proposal is considered to accord overall with policies S1, S2, S11, DR3, DR4, DR7, NC1, NC7, NC8, NC9, CF2 and CF5 of the Herefordshire Unitary Development Plan, and the requirements of the National Planning Policy Framework.

INFORMATIVES:

1. The applicant is urged to consider provision of a robust alternative foot/stock bridge over the watercourse at a suitable location to the north/north-west of the proposal site to facilitate movement of livestock for the landowner, in accordance with the details set out in the submitted Design and Access Statement and subject to negotiation with the landowner. The existing stock bridge close to the road bridge should then be decommissioned and removed.
2. N11A Wildlife and Countryside Act 1981 (as amended) - Birds
3. N11C General
4. Required proposals for habitat creation and biodiversity enhancement in condition 4 are acknowledged as likely to be limited to a very small space. However any gesture would be welcomed, such as the planting of fruit trees or a patch of bee-friendly perennial (low maintenance) flowering plants within the compound (if practical to do so). Any further mitigation that may be negotiated with the landowner would also be welcomed in a submitted scheme.
5. With regard to point (vi) of condition 5 of this permission, all soils and the materials from the stone wall in particular should remain within the farm holding as a priority. Care is needed to minimise the volume of waste arising from this development and to conserve seedbanks and other biodiversity associated with the wall. Only as a last resort should any material be removed from the holding. Stone may be useful in creating a small habitat area within the application site.

Decision:

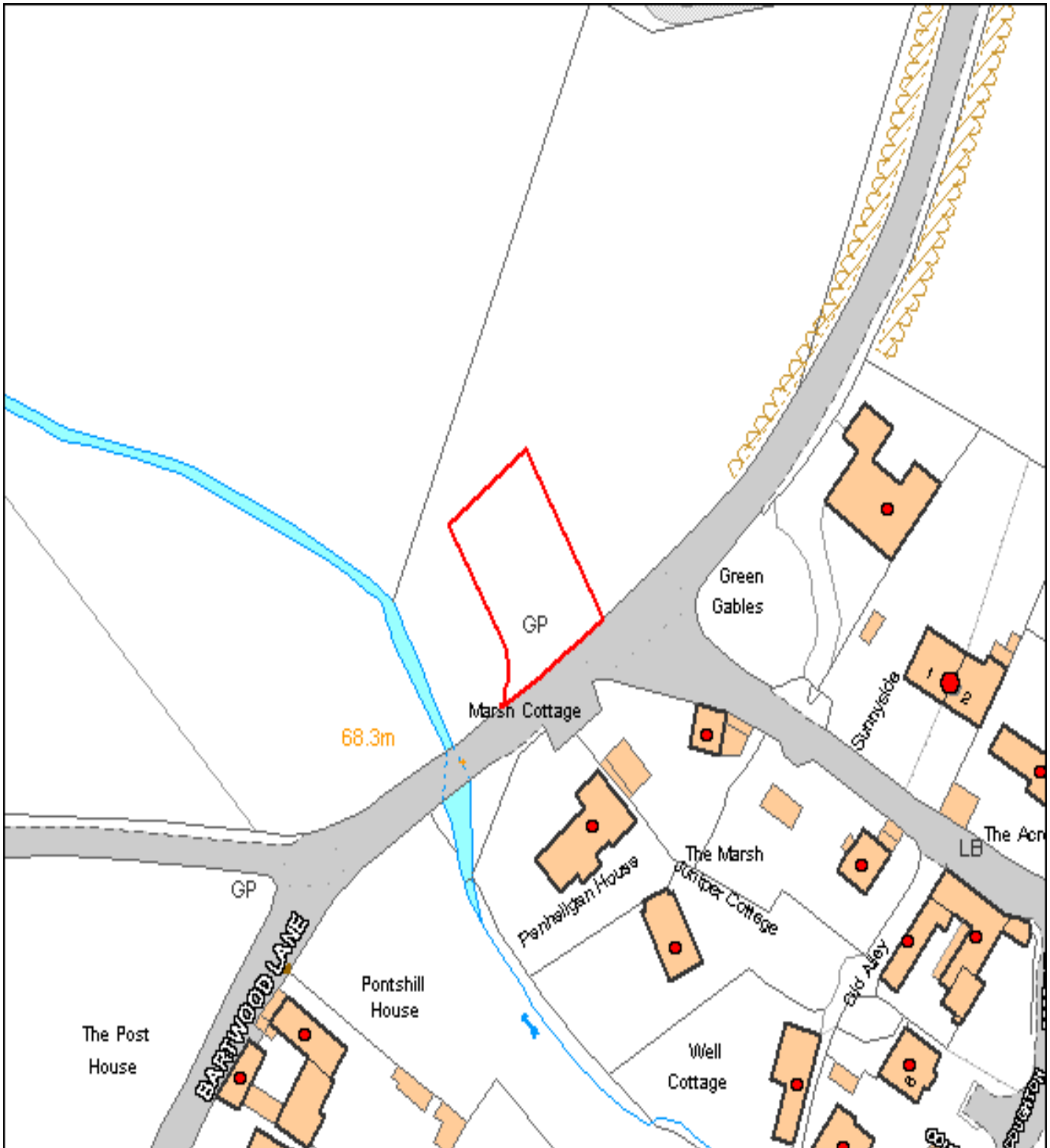
Notes:

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Background Papers

Internal departmental consultation replies.

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



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APPLICATION NO: S/121015/N

SITE ADDRESS : LAND NORTH OF PENHELIGAN HOUSE, PONTSHILL, HEREFORD

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