

# PLANNING COMMITTEE

8 August 2012

## Schedule of Committee Updates/Additional Representations

**Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.**

**8 N121348/F - NEW BUILDING FOR THE CARE OF THE ELDERLY MENTALLY INFIRM (DEMENTIA UNIT) PROVIDING ACCOMMODATION FOR 30 RESIDENTS AT PENCOMBE HALL REST HOME, PENCOMBE, BROMYARD, HEREFORDSHIRE HR7 4RL**

**For: Mr Cope per Mr Richard Harris, Georgian House, 24 Bird Street, Lichfield, Staffs, WS13 6PT**

Members are advised that the Council's decision to invalidate the RM application N112554/RM is subject to a Legal Challenge, but for the purposes of this application the Committee should not have regard to that challenge and the Council's decision on the RM application should be considered a valid decision.

### ADDITIONAL REPRESENTATIONS

The Planning Ecologist has updated his Habitats Regulation Assessment Screening Report due to further investigations being undertaken. The highlighted changes of the report are as follow;

*There will be a significant increase in water resource use from the proposed development through the conventional mains foul drainage system. The proposed use of a package sewage treatment works (PTW) to a soak-away places indirect impacts on local ecology and receiving waters with a small risk of potential disturbance to qualifying features of the SAC which rely on good water quality. These risks could be from subsequent increase in ground water levels for a non-mains foul discharge and from the level of phosphate given that these may be 2 mg/l at outfall from the PTW.*

*The use of the alternative PTW discharging to a soak-away would impact much less phosphate to the natural environment if coupled with a reed-bed system. The risk of the latter remains unknown as do flow rates and phosphate overspills/outfall from a reed-bed system but as understood, there is limited capacity for the establishment of such a wet system within the landscaping.*

*A foul discharge connection could be established from the proposed package sewage treatment works to main sewage treatment works (STW), via a new connection. With treatment through the PTW facility the optimal 2 mg/l discharge of phosphate could significantly reduce the load upon the sewage treatment works (STW) from the existing system. EA consents for those STWs with phosphate stripping technology allow for discharge concentrations of 1 mg/l of phosphate, confirmed by EA's recent review of consents of STWs which are Habitat Regulation compliant. The local STW Pencombe sewage treatment works, has EA consent for discharges in excess of this.*

### OFFICER COMMENTS

The HRA screening report is clear that a connection with the mains drainage to the public sewage treatment works would ensure levels reaching the receiving watercourses including the R. Wye SAC are via EA's current Habitat Regulation compliant consents for STWs. However it is understood that this position is

potentially subject to change. Therefore it is recommended that should planning approval be given a condition is attached requiring further plans/specifications identifying the treatment of foul and surface water drainage from the whole site before any work commences.

## **CHANGE TO RECOMMENDATION**

That condition 9 be amended as detailed below:

9. The development hereby approved shall not commence until a plan/specification identifying the treatment of foul and surface water drainage from the whole site, based on sustainable drainage principles, has been submitted to and approved by the Local Planning Authority. The plan shall give projected flow rates for foul discharge and shall also ensure nutrient out-fall is below the consented threshold. The scheme shall thereafter be implemented in accordance with the approved details and retained thereafter.

Reason – To protect the water environment, ensure foul drainage complies with consented minimum discharges and to conform to Policy DR4 of the Herefordshire Unitary Development Plan and Habitats Regulations 2010.

That the following informative note be added:

### **Informative:**

1. The applicant is advised to contact the Local Planning Authority in relation to condition 9 above prior to submitting details so that advice can be given in relation to nutrient out fall and the consented thresholds.

**9 S112612/F – RESIDENTIAL DEVELOPMENT COMPRISING OF 29 DWELLINGS, WITH ASSOCIATED ACCESS, CAR PARKING, LANDSCAPING AND OPEN SPACE AT LAND NORTH WEST OF ATTWOOD LANE, HOLMER, HEREFORD, HR1 1LJ**

**For: Crest Nicholson South West, C/O D2 Planning Limited, Suites 3 & 4 Westbury Court, Church Road, Westbury on Trym, Bristol, BS9 3EF**

## **ADDITIONAL REPRESENTATIONS**

Amended plans have been received relating to:

- 1) Changes to the alignment of the access road and adjoining footpaths
- 2) Amendments to some house elevations to introduce surveillance over the public open space and footpaths
- 3) Submission of slab levels details
- 4) Submission of a great crested newt mitigation strategy which includes two newt tunnels
- 5) Increases in the sizes of all garages to accommodate a parked car and cycle storage

In response, the Conservation Manager (Ecology) and Traffic Manager both confirm acceptance of the amended plans and information.

An email has been received from Bill Wiggin MP referring to a telephone conversation with a local resident who requests the development should not be approved until the historic drainage network has been adopted.

The applicants have also confirmed that a pumping station would be required as part of the new foul drainage infrastructure.

## OFFICER COMMENTS

The amended plans address all the design and layout issues raised in the report.

The adoption of the historic drainage network is dealt with independently of the Council and the resolution of this process would not be a justifiable planning reason to withhold permission on this site.

## CHANGE TO RECOMMENDATION

An extra condition requiring the submission of details of the pumping station is required.

## **12 S121627/F - PROPOSED REPLACEMENT DWELLING AT IVY GREEN COTTAGE, ABBEYDORE, HEREFORD,**

**For: Mr & Mrs Bowen per Mr Mark Owen, Second Floor Front Office, 46 Bridge Street, Hereford, Herefordshire, HR4 9DG**

## ADDITIONAL REPRESENTATIONS

The applicant's appointed ecologist has submitted a Method Statement as required by condition 12 in the recommendation to this report. This statement sets out the timetable for works on the site in the interests of biodiversity. The Council's Planning Ecologist has confirmed that the Method Statement submitted recently is satisfactory and accordingly a condition requiring submission of a method statement is no longer needed.

The Planning Ecologist recommends the following condition:

*The recommendations set out in the Method Statement documents dated 6 August 2012 should be followed in relation to the identified species and the work shall be implemented as approved.*

*An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.*

*Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended) the Conservation of Habitats and Species Regulations 2010 and to comply with Policies NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan*

## OFFICER COMMENTS

The applicants have met the requirements of condition 12, which is the standard condition attached to planning permissions that are the subject of biodiversity appraisals such as this item on the agenda.

## CHANGE TO RECOMMENDATION

New condition 12 as set out above.