

PLANNING COMMITTEE

17 July 2013

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.

S123592/O - PROPOSED OUTLINE PERMISSION FOR A RESIDENTIAL DEVELOPMENT OF 15 NO. DWELLINGS WITH ASSOCIATED INFRASTRUCTURE INCLUDING ALTERATIONS ON A438 + DRAINAGE AND LANDSCAPING WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS AT LAND OFF BREINTON LEE, KINGS ACRE ROAD, HEREFORD

For: Mr Wakeley per Foxley Tagg Planning Ltd, Normandy House, 305-309 High Street, Cheltenham, Gloucestershire, GL50 3SH

ADDITIONAL REPRESENTATIONS

Breinton Parish Council have made the following comments:

Most of the original points and concerns raised in previous correspondence have still not been adequately addressed in the additional and re-amended plans supplied by Foxley Tagg and RJ Fillingham Associates Ltd. Having discussed this application at our public meeting on 3rd July – which was observed but not contributed to in any way by a representative of the developer – I wish to confirm that Breinton Parish Council still objects most strongly to this planning application for the original reasons provided.

In particular, the Parish Council is of the opinion that the proposed development lacks sustainability, with regards to energy, sewerage, flooding, drainage, water supply and access as well as posing a real threat of ecological damage. The Parish Council responds to the letters from Foxley Tagg (latest dated 27 June 2013) and the additional information provided by them (including Planning statement addendum - 2nd scheme amendment and the Proposed foul water and surface drainage strategy addendum no 2) as follows:

Land use

1. While the Strategic Housing Land Availability Assessment (SHLAA) does consider the site as a suitable development site at some point and central government is pressing for further housing development; these are not sufficient reasons in our view. Until the planning framework changes definitively in Herefordshire, the site remains Greenfield and outside the settlement boundary, amongst the grounds for applications to have been rejected in past years.

2. Close inspection of the evidence strongly suggests that the site is not suitable for further housing development. The proposed site is grade 2 agricultural land and is therefore a nationally scarce resource. It is in the top 25% of most fertile soil and is therefore adaptable to a huge range of agricultural uses. The danger of piecemeal development using such land when other is available is emphasised by the NFU in its

current campaign for improved food security in the UK. Although the current owner has not chosen to farm this land, it has historically always been used for agriculture. It was previously a mature orchard used by Wyevale Nurseries – as shown in the historic photograph provided by the developers to support their application - whereas more recently the plot has been used for turning heavy agricultural machinery to access farmland beyond.

3. The provisions of the National Planning Policy Framework (NPPF) should be taken as a whole. In our view those parts which appear to support unsustainable development such as this one are over emphasised including the lack of a five year land supply. A simple examination of the 2011 Census indicates that this is not a problem of the magnitude frequently described. Paragraph 112 of the NPPF states “Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.” and should not be dismissed so lightly. Lower Grade agricultural land in the county, including around Hereford itself, should be considered for development prior to development of a site such as this.

4. Greenfield sites should only be used for housing development once existing brown field sites have been developed. Such sites exist in Breinton. The brown field site of the former Whitecross School on Baggallay Street elsewhere in Hereford is a prime example of available land for development and is a lot closer to the proposed play area on Westfaling Street than this site. It should be noted that such contributions to community infrastructure should this development proceed are of little or no value to Breinton residents and do not address local issues.

Drainage

5. It is noted that the proposals in paragraph 8.12 of the original drainage report - to extend and re-profile the ditches along the south and west sides of the site (and bordering 2 properties in Breinton Lee) remain. However, as is evidenced by the experience of the residents in the properties along Breinton Lee (and evidenced by the report and photographs from Turnwater Ltd) the water run-off from the land to the south of the site does contain substantial amounts of sediment. This leads to the ditches becoming silted up very quickly during periods of rain, so these ditches, even if re-dug, will require regular maintenance which is not guaranteed in any of the papers provided.

6. It is this silt that forms the debris which settles in the existing drainage system and causes this system to block, as seen in the Turnwater report. This deposition of silt will continue to be an issue with the drainage system. Contrary to the comments at 4.4 of the R J Fillingham’s original report, the slope does provide for flash overland flood run-off following heavy rain. 2m high fences have been demolished as demonstrated by the photographs viewed by the Planning Committee on 5 June 2013.

7. Surface water regularly collects along the northern edge of the fields - on the boundary with Breinton Lee and the proposed development site.

8. It is the Parish Council’s view that the various reports provided make inadequate mention of who will have responsibility for the maintenance of these ditches. Indeed, following the original ditch being dug out in 2000, the landowner subsequently requested that it be filled back in again. It is our understanding that although the existing southern ditch is within the development site the proposed 50m extension and western ditches will not be on the applicants land or that of the existing residents of Breinton Lee. There are no guarantees or funds to ensure these ditches will be adequately maintained and remain effective in the future?

9. Para 2.6 of the original Planning Statement Addendum goes on to say that these “may not be hugely effective in exceptionally wet periods given the clayey nature of the sub-strata”. As the problem is the substrata of the land which is a fluvial plane, this fundamental situation will continue, even with the proposed ditching by the applicants.

10. The original surface water drainage report (R J Fillingham) describes a general lack of maintenance and repair of the ditches; pipework, gullies and culvert throughout the drainage system to the receiving ditch that on the opposite side of KAR between nos. 304 and 306a KAR. The Turnwater (Drainage) Report

refers to a sizeable difference in pipe levels beneath the property of 343 KAR, and as the 'upstream' pipe is below the 'downstream' pipe, there is always a level of water that cannot drain away. The report concludes that the issue of pipe levels must be addressed for it to function properly. The applicants are still not in any position to sanction redress of this situation despite proposing; second – a pipe underneath the road at Breinton Lee and now third - larger balancing ponds.

11. At para 2.8 of the same report, it is accepted that improvement of the drainage system relies on improvements in other areas not owned by the applicant. In which case the applicants cannot rely upon these third parties to carry out these further works, so cannot guarantee the effectiveness of the drainage system to prevent flooding of the proposed development site or properties in Breinton Lee. Any development will mean that the existing system will have to contend with a much greater volume of surface water passing through the system. The lack of guarantees means that any failure to ensure the upkeep of the drainage system will lead to flood damage on the proposed development site as well as the existing properties in Breinton Lee.

12. As there is a sizeable amount of impermeable ground being created by the proposed development, there is less ground for surface water to soak away, which will increase the pressure on the drainage system. Herefordshire Council records show that Amey already frequently repair the drainage system in this area of Kings Acre Road. Over the last 18 months, Amey have responded to the following incidents: - blocked culverts parallel to Breinton Lee; blocked gullies along Kings Acre Road (4 instances); blocked gullies outside 333 Kings Acre Road and the Breinton Lee turning. Residents have been forced to dig a trench to prevent flooding off the farmer's field and have requesting sandbags from the Councils emergency stores.

13. This is indicative of the difficulties in trying to maintain an adequate drainage system for the existing houses. The difficulties will be made much worse by further housing development in the area and the fact that drainage improvements to the nature reserve uphill from the proposed development site will actually increase the speed at which water flows to the site boundaries and possibly the volume as well.

14. The review into the 2007 flood disaster in Herefordshire, Gloucestershire and Worcestershire produced for the Government by Sir Michael Pitt repeatedly makes the point that a considerable amount of damage was caused on sites like this by inadequate drainage solutions and not by river floods. These lessons should not be forgotten so soon and small site specific schemes are not the answer. The drainage scheme proposed now does not provide a solution for the wider area as claimed in the letter from Foxley Tagg dated 27 June 2013. Until there is a comprehensive solution for drainage and sewerage can be funded across this part of Breinton and Stretton Sugwas parishes, the probability of flooding remains unacceptably high and, like many others locally this site is not developable as described in the SHLAA. There are no proposals for such comprehensive solutions in Welsh Water's recently announced investment plans.

15. The potential to change the water balance for the worse may affect Wye-Vale nurseries across the main road from the proposed development site. As the major local employer any concerns that they express should be taken extremely seriously.

16. The revised plans proposals to be considered by the Planning Committee in July are the developer's third attempt to convince elected members that drainage problems can be solved. However, close examination of the latest proposals by local residents including the calculations and assumptions indicate major weaknesses exist. The Parish Council fully supports the resident's objections contained in their letters to Herefordshire Council but, for reasons of space will not repeat them here.

Balancing ponds

17. Based on our reading of the revised proposals it appears that one of the proposed balancing ponds remains is higher than the surrounding area, so this will not collect surface water from the lower ground surrounding it but from outside the development site. This appears to be no more than an excavated extension of the ditch with a restricted discharge back into it. There are doubts still if this will cope with the volumes of water involved as no doubt, local residents, letters will make clear.

18. Although enlarged from the original proposals, the balancing ponds capacity is limited, so in any prolonged periods of rain – as can be expected through climate change - the ponds will be full before any further surface water will have drained into them.

19. It remains likely that the balancing ponds will become filled with debris, agricultural chemicals, sediment and weeds so will require regular maintenance and dredging. The act of dredging will prevent any ecological benefit accruing from the existence of these water features. Foxley Tagg has advised that 'for the vast majority of time the ponds will be damp at worse with no significant standing water'. They will thus have little ecological water feature value.

20. The ponds will also provide a health and safety hazard to residents living in the area, and in particular to children not least as breeding grounds for mosquitoes and midges. In many residential areas such ponds have been prohibited due to the hazards they pose.

21. In short, bigger, deeper ponds require better fencing irrespective of the amount of water they contain and as there is no management or maintenance plan provided for these structures the Parish Council has no confidence that they will prove to be effective.

Access and road layout

22. It is agreed the lay-by on Kings Acre Road, south of the junction to Breinton Lee is frequently used as a parking area for local residents and large lorries. To improve the visibility for traffic emerging from Breinton Lee, it is proposed to change the lay-by.

23. We repeat that there are currently accesses into 2 adjoining properties from the lay-by. It will be necessary to discuss any proposed changes with the owners of those properties that adjoin the lay-by before any alterations are made.

24. Contrary to the assertions in the FoxleyTagg letter dated 27 June 2013, it has never been claimed that the lay-by was provided to give allocated parking spaces for them. As the historic photograph provided by them shows, the lay-by is a long-standing one presumably needed when the former nursery was a flourishing business to keep deliveries etc off the road. What is clear is that reductions to the size of the lay-by as proposed will result in vehicles parking on the road itself. This will a) negate the hoped for improvement to highways safety (thus danger of collision remains), b) create a similar 'pinch-point' equivalent to that which already exists further down King's Acre Road by the sub post-office where smooth traffic flows along the A438 are already frequently disrupted. The proposed solution simply does not work and it is surprising that the Highways Authority and its technical advisers do not recognise this.

25. There are also visibility issues when people pull up opposite the post box to the north of the junction. With additional traffic emerging from Breinton Lee, there is more likelihood of collisions. These already happen as the existing junction is opposite the busy entrance to Wye-Vale nurseries and there is frequently glass / Perspex fragments in the gutter indicating damage to vehicles.

26. The drawings and reports regarding the access from Breinton Lee into the proposed development site make no mention of the separate gated entrances into Lambourne Gardens and Breinton Lee themselves. Cars waiting to enter Breinton Lee already block access to Lambourne Gardens while the key pad is operated (impossible while sitting in a vehicle). As the proposed entrance to the development is directly opposite the gates into Lambourne Gardens this pinch-point is further exacerbated and will cause problems for vehicles entering or leaving the proposed site. There are potential safety issues around this area, such as with the delays whilst vehicles enter and depart from those properties. Access for the emergency services and utility vehicles may be impeded by the layout of the access.

27. Herefordshire Councils own long-term plans seek to reduce car traffic flows down King's Acre Road, not least so that more sustainable transport measures can be introduced. This development adds to those flows. There is a park and share site across the A438 provided by Wye-Vale nurseries which has fewer places than the parking envisaged in the new development. It is simply not joined up policy making to approve developments that add vehicles direct opposition to other local policies designed to reduce car borne travel.

Biodiversity

28. At para 4.5, the original report states: "We would not agree that the majority of the vegetation has been removed." This is demonstrably untrue - refer to the photos taken from Google Earth in 2000 and Schedule of Committee Updates

subsequent years. As previously stated at 2 above this was a mature fruit orchard planted in the 1930s as part of the nurseries and it was only removed by the applicant in the last couple of years prior to this application. The history is shown by the photograph provided by Foxley-Tagg. In more recent years the site has been degraded, presumably to reduce any environmental objections to development.

29. The application proposes that a fruit tree is planted in each of the gardens. Yet at para 4.9, it acknowledges that securing the longevity of habitat creation within residential gardens, cannot be guaranteed. This demonstrates a complete lack of respect and determination to take seriously the issue of biodiversity and is purely cosmetic.

30. There is an extensive family of badgers in the area, which are a protected species. The existing badger sett appears to be very close to the location of one of the proposed balancing ponds. What assurances are given to ensure the safety of the badgers and the sett? It is difficult to see how these will be protected with the current proposals to develop this site. If the development is approved and the appropriate licence obtained from the Government, the badgers will quite simply be killed.

31. The response in the Planning Statement Addendum to the ecologists comments on clearance of vegetation on the site is to say that "the majority of the trees... were either not native (e.g. leylandii) or not mature". The Parish Council stands by its original position i.e. that this statement is clearly untrue - please refer to the photographs taken from Google Earth (in 2000 and subsequent years) submitted in the previous submission to the Planning Officer and the historic one provided by Foxley-Tagg. These photos clearly show extensive and mature trees growing on the proposed site and, historically an orchard which was considered worth mapping by the People's Trust for Endangered Species.

Sustainability

32. The proposals do specify certain amounts for off-site public amenities, but it is noted there are no amounts destined for sustainable transport - specifically to help support the bus service. This is considered inadequate by local people, particularly in evenings and weekends as shown by the parish Council's recent consultation exercise. Much is also made of a contribution towards the proposed cycleway along Kings Acre Road. This would show a commitment towards sustainable transport and help alleviate potential traffic problems resulting from any development. However this cannot be used in support of the sites sustainability as it has been de-prioritised by Herefordshire Council, removed from its plans and is unlikely to be build.

33. As the report states the use of SUDS is not appropriate due to the drainage problems on this site. The biodiversity and ecology of this site has been seriously devastated prior to this planning application and nothing in the plan indicates any commitment by the applicant to create a "sustainable" development. There are few jobs locally, no school, general shops, doctors or dentists within the Breinton. This is a development that relies on the substantial use of cars.

Conclusions

34. Alternative brownfield sites include the nearby site of the former Whitecross School on Baggalley Street as an alternative to this development and which has suffered significantly less flooding than the area surrounding Breinton Lee. There are potentially suitable brown field sites within Breinton.

35. This development is likely to increase flooding along King's Acre Road and to 304 King's acre Road in particular as a result of less field water being retained and water discharged from the development site itself. These are detailed in letters of objection from Wyevale and Mr Lane, the occupier of 304 King's Acre Road.

36. The earlier drainage report concludes that "the implementation of the above measures should ensure the existing flooding problems are alleviated as far as can be reasonably expected". It is simply not credible to say that the now we are on the third set of proposals that they 'will not lead to any off site flooding issues and that as far as is reasonably possible those issues would be rectified'. (Foxley-Tagg letter dated 27 June). Planning applications should not be determined on such a risky basis. What would have happened if everything went according to plan with approval of the first proposals which the developers also appeared to have full confidence in? The Parish Council remains to be convinced that there is any capacity in the system to accommodate anything other than regular conditions, enough to cater

for periods of prolonged, heavy rain, or adequate assurances that blockages of the system (of which there are many – see the evidence from Amey) will not occur. We believe there will continue to be flooding of properties, not only of properties in Breinton Lee and Kings Acre Road, but also on the proposed development site itself.

37. Should the application be approved it will be necessary to establish a Management Company to oversee and fund maintenance of the balancing ponds, as well as the ditches and drainage system throughout. However, it will be dependent on third parties carrying out certain works in respect of the drainage system. In our view it is unlikely that such a management system will be effective or active enough to maintain the drainage system particularly as the restricted discharge mechanisms proposed will be prone to clogging. Unless regularly maintained they are likely to be ineffective when actually required.

38. The reports provided to support the application make reference to other parties having the responsibility to ensure the drainage system is kept in good repair, one of whom is I E Developments, being the builders of the properties in Breinton Lee. I E Developments were given the option to build further properties, but declined to do so because of the flooding and drainage issues that beset the local area. The evidence suggests they were right in not attempting to develop the site further. Perhaps the applicants and Foxley Tagg may wish to reconsider their proposals.

For all the above reasons, Breinton Parish Council continues to object to this planning application.

If however; Herefordshire Council are minded to approve this application the points made in our earlier objection remain regarding S106 funds and the requirement for the imposition of conditions on the application. These should include an indemnity from either the developers or funded by Herefordshire Council itself to guard against the possibility that potential buyers will not be able to gain mortgages or insurance on floodable properties.

Additional Neighbour Representations:

The closing date for comments on the amended drainage Strategy was the 12th July 2013.

17 Additional letters of objection were received that reiterate many of the issues previously raised. Additional / new information can be summarised as follows:

Flooding

- Flooding remains the primary objection. Do not think that the proposals would be adequate to cope with the enormous volumes of water that run off the fields
- The use of ponds is a last resort and demonstrates rates the faults of the previous suggested schemes.
- One of the major causes in the silt build up – responsibility for this being passed to adjoining land owners.
- No evidence of any sort of management company / maintenance
- Report does not recognise properly the problems of surface water run off / increase
- The size of the pond will not cope with the existing and proposed situation and will cause flooding on the site
- The fact that the drainage has been adjusted discredits their previous proposals and schemes. There have been several 'knee jerk reactions' to concerns that have been raised.
- At present rainfall on the development site just soaks away into the ground. It is, therefore, certain that the creation of 2,880 square metres of impermeable surface will, at 5 l/s, ADD water to the existing ditches/culvert. It is totally unsustainable for the applicant to argue development will, because of a larger balancing pond, result in a 'status quo' position; quite wrongly, this has been accepted by the Planning Officer.
- This additional water will further adversely affect residents living south of Kings Acre Road(No. 304) and Wyevale Garden Centre
- It is essential to consider the effect of further rain when the surrounding fields are saturated and the balancing ponds will already be holding a quantity of water. The proposed pond attenuation system will obviously be far less effective at such times.

- In the above situation, only 12.5 mm (half inch) of rain will potentially generate some 1.8 MILLION litres of water from the agreed 14.2 Ha catchment area. In comparison, the 260,000 litre capacity of a properly maintained Pond A is a 'drop'.
- The consultants regularly refer to their proposed system coping with 1 in 100 year events. The problem is, as a minimum, in the years 2000 and 2012 this has actually happened i.e. 2 in 12 years!
- Neither the applicants nor Planning Officer detail how required essential, regular and costly maintenance work will be organised/paid for; nor, how the adjacent third party owner(s) of the ditches will be held responsible for proper maintenance of them (deemed essential by the drainage consultants).

The Planning Officer's Condition 7 states "The recommendations in the ecologist's report dated 19 June 2012 should be followed." In paragraph 5.23, this report refers to "creation of a pond habitat". However, the applicant has advised me "The ponds will only hold water in times of heavy and/or prolonged rainfall. For the vast majority of time, they will be damp at worst with no significant standing water. This is a major contradiction; instead, the ponds are much more likely to become lush weed patches with no ecological benefit.

The Planning Officer does not refer to the potential dangers to children posed by the two large ponds; nor, in view of (g) above, the 'wet' ponds becoming happy breeding places for mosquitoes and midges.

- All these points cast serious doubt on the rigour of the proposals put forward by the applicant to cope with an area which often sees significant quantities of flood water; together with risks faced by future house owners, development can only exacerbate these problems unless there is enlargement of the culverts and subsequent disposal of the water direct to the Yazor Brook.
- It is proposed that the overflow from the two holding ponds will be released and what is claimed will be controlled rate, via a culvert under Kings Acre road and into the adjacent ditches at 304 Kings Acre Road. The Council fails to appreciate that the ditch on my property terminates at the end of the garden and that there isn't anywhere for it to go. It is not part of a watercourse, so therefore, even if the floodwater is released at a controlled rate onto my property there isn't anywhere for this to go, thus leading to a greater accumulation and increasing the flood risk. Building on the site will displace water that would have been harmlessly held, and will significantly increase the changes of serious flooding of property (304 Kings Acre Road)

Highways

- Layby is the only parking available for residents at 222 Kings Acre Road and is used by visitors and residents, as well as trades and lorries overnight.
- Traffic counts are three years out of date and not realistic.
- Kings Acre Cycleway is no longer a priority and does not have funding
- If the layby is not there then vehicles will just park on the highway.

Environment and Biodiversity

- Concern about comments from Ecologist
- Concern over lack of management plan being provided
- Very active badger sett on site.

Leisure and Countryside

- Concern about lack of detail in respect of Management Company and its function / role.
- Ponds would bring mosquitos / smells / chemical silt laden water

Other

- Noise levels from vehicles entering and leaving the site are also considered to be unacceptable.

CHANGE TO RECOMMENDATION

None

N123316/F - ERECTION OF POLYTUNNELS TO COVER CHERRY ORCHARD AND CONSTRUCTION OF A BALANCE POND AT LOWER HENGOED, HUNTINGTON, KINGTON, HR5 3QA

For: Mr RC Hammond, Lower Hengoed, Huntington, Kington, Herefordshire, HR5 3QA

CORRECTION TO COMMITTEE REPORT

Paragraph 1.9 refers to the height of poly tunnels as between 3.4 and 6,4 metres high. This should read between 3.4 and 4.65 metres high.

CHANGE TO RECOMMENDATION

None

S122524/F - CHANGE OF USE OF DWELLING INTO 3 NO APARTMENTS AT FERRYMEAD, 14 VILLA STREET, HEREFORD, HR2 7AY

For: Mr Ballantyne per Mr Daniel Forrest, Court Cottage, Bartestree, Hereford, HR1 4DA

ADDITIONAL REPRESENTATIONS

One additional letter of support has been received which states that Villa Street goes all the way to Golden Post and that the most dangerous part is the blind bend / corner at Villa Street, Vaga Street. Vehicles often reverse back around the corner and comparatively Ferrymead will be no problem at all.

CHANGE TO RECOMMENDATION

None

131292/FH - PROPOSED ALTERATIONS TO DRIVEWAY AT THE HOLT, VILLA STREET, HEREFORD, HR2 7AY

For: Mr Ballantyne per Mr Daniel Forrest, Court Cottage, Bartestree, Hereford, HR1 4DA

ADDITIONAL REPRESENTATIONS

6 letters of support have been received that make the following comments:

- Changes will make things safer.
- An opportunity for enhanced safety for pedestrians and cyclists

3 letters of objections have also been received that make the following comments:

Blocking garage reduces the number of parking spaces to 1 which is too low for a family house. Not enough space for visitors or a second car/

Extra vehicles will be reversing over 100 m towards Wallis Avenue and hoping to park in an area which has a shortage of parking spaces.

This area of Villa Street has only about 6 on-road parking spaces and eight house without off-road spaces. This situation already leads to drives being obstructed and hedges damaged. This can also lead to disputes.

Proposal will lead to danger to pedestrians and cyclists. Villa Street is an important thoroughfare for pedestrians and cyclist and is promoted as such by the Council.

The application increases the risk of insufficient parking spaces being available and of vehicles being forced to reverse the length of this narrow pavement less carriageway.

CHANGE TO RECOMMENDATION

None

131071/F - PART RETROSPECTIVE CHANGE OF USE OF REARING OF GAME BIRDS, COLD STORAGE OF ASSOCIATED EQUIPMENT, STORAGE OF ANIMAL FEEDS AND AGRICULTURAL CHEMICALS, SEED AND FERTILISER, INCLUDING THE ERECTION OF 2 FEED SILOS AT LAND AT LEYS FARM, TARRINGTON, HEREFORD, HR1 4EX

For: Mr Coleman per Mr Alexander Clive, 8A High Street, Ledbury, Herefordshire, HR8 1DS

ADDITIONAL REPRESENTATIONS

Conservation Manager

There is no landscape objection to the reuse of this building. The introduction of the two feed silos, almost 7m high, will have a visual impact, however when seen against the existing agricultural frame building on higher ground immediately to the south they will be of a similar height. It would be useful to know the proposed colour and finish of these, as a dark green or brown would blend in with the background more suitably than a light colour which would stand out as an intrusive element to this historic setting.

The site is adjacent to the boundary of Stoke Edith Grade II Registered Park and Garden. I am concerned that this application does not address the cumulative impact of many changes surrounding the application building. This is a sensitive landscape and the spread of development should be restricted. It is clear that the use of pens are linked to the business necessities and are suitably located adjacent to the existing buildings, however it would be particularly useful to have a site plan showing the land where these structures will be limited to. In particular if there were to be spread any further west this would be within the boundary of the registered parkland, where many historic parkland features have already been lost and further degradation would not be acceptable.

There is also an opportunity to provide landscape enhancement, through additional hedgerow and tree planting to the site boundaries. The historic maps show that there would have been many more mature trees around the site and the land immediately to the south was previously two fields including an orchard. There appears to be scope for mixed native hedgerow planting along the access drive, at the base of the earth mounds. Mixed native hedgerow, with oak tree planting, would also be particularly welcome along

the boundary with the public footpath and on the far west boundary at the end of the temporary pens. Any native tree and hedgerow planting would be welcome to increase biodiversity, enhance the landscape character and to reflect the historic parkland.

OFFICER COMMENTS

A condition can be added to the recommendation to control the colour of the silos. The other elements referred to in the second and third paragraphs above, as previously set out in the body of the report, 6.2, do not require planning permission. Any further conditions would therefore be ultra vires.

CHANGE TO RECOMMENDATION

Additional condition

Within 3 months of the date of this permission, the silos shall have been painted in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity to comply with policy DR1 of the Herefordshire Unitary Development Plan.