

**MINUTES of the meeting of Planning Committee held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Wednesday 18 November 2015 at 10.00 am**

**Present:** Councillor PGH Cutter (Chairman)  
Councillor J Hardwick (Vice Chairman)

**Councillors:** BA Baker, PJ Edwards, DW Greenow, KS Guthrie, EL Holton, TM James, JLV Kenyon, FM Norman, RJ Phillips, AJW Powers, A Seldon, WC Skelton, J Stone, EJ Swinglehurst and LC Tawn

**In attendance:** Councillors PD Price

*(The Committee observed a minute's silence in memory of the victims of the terrorist attacks in Paris on 13 November 20015.)*

**96. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors CR Butler and JA Hyde.

**97. NAMED SUBSTITUTES**

Councillor RJ Phillips substituted for Councillor CR Butler and Councillor J Stone for Councillor JA Hyde..

**98. DECLARATIONS OF INTEREST**

**Agenda item 11: Land at Applewood House, Bridstow, Ross-on-Wye**

Councillors PGH Cutter, J Hardwick and EJ Swinglehurst declared non-pecuniary interests as members of the Wye Valley AONB Joint Advisory Committee.

**99. MINUTES**

In relation to Minute 93: 151189 – Land off Fernbank Road, Ross-on-Wye, a Member commented that it had been requested that the access into the paddock should be for agricultural use only. The Development Manager confirmed that a sign would be erected at the turning circle to make clear that the access was only for agricultural access.

**RESOLVED:** That the Minutes of the meeting held on 28 October 2015, as amended, be approved as a correct record and signed by the Chairman.

**100. CHAIRMAN'S ANNOUNCEMENTS**

None.

**101. APPEALS**

Clarification was sought as to why an appeal against non-determination had been lodged in relation to application 143609. The Development Manager commented that the planning department had been awaiting responses from consultees. The applicant had decided to go

to appeal rather than await the outcome believing that offered them a greater chance of a successful outcome.

The Planning Committee noted the report.

**102. 150990 - THE MEADOWS, ALMELEY, HEREFORD, HR3 6LQ**

*(Proposed erection of two agricultural buildings, feed bins and associated development for pig rearing.)*

The Case Officer gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking, Mr Hall, of Almeley Parish Council spoke in opposition to the Scheme. Mr J Crippin, a local resident, spoke in objection. Mr G Clark, the applicant's agent, spoke in support.

In accordance with the Council's Constitution, the local ward member, Councillor WC Skelton, spoke on the application.

He made the following principal comments:

- He invited the Development Manager to indicate on the slides on the screen where other buildings were situated in relation to the Scheme and commented on the distances involved.
- Vehicles would be unable to use the junction by the church.
- The applicant had been farming for a number of years, was settled in the community and was seeking to diversify the business.
- The Council had approved a similar application some 4 kilometres away at Quebb, near Eardisley. A 1900 pig unit at Wigmore had been approved in 2011. He had visited both farms and outlined to the Committee how the operation worked.
- The site at Wigmore used a passive ventilation system which worked well. There had been no dust emitted.
- The main objections related to pollution, dust and smell. He had been unable to detect smell or odour once over 50 metres away from the units.
- The site was served by narrow lanes. If the application were to be approved traffic should be required to avoid going through the village itself.
- The waste management plan would be important. Residents needed to be assured that with a waste management plan in place their amenity would not be affected.
- He noted that the farm at Wigmore he had visited ran a successful bed and breakfast operation within 100 metres of the pig units.

In the Committee's discussion of the application the following principal points were made:

- Key issues were the odour from the site and the removal of waste. If the site were to be approved a travel plan would be required that prevented any waste being transported through the village of Almeley. The way in which dirty water from the site was to be managed also needed to be clearly prescribed.
- In relation to odour, the response from the Environmental Health Officer had stated that it was not considered that the estimated level of odour would result in any significant loss of amenity. The prevailing wind should blow odour away from the village.
- The proposed development, which in scale equated to a factory, was simply too close to Almeley.
- The proposal was not sustainable. It potentially involved the transportation of a considerable amount of waste from the site requiring a large number of heavy vehicle movements along very narrow lanes. The transportation of materials to the site would also involve a lot of traffic.
- The Committee lacked the information it needed to make a decision. In particular the Committee had not had sight of the manure and waste management plan. There were also a number of other matters referred to in the proposed conditions that were central to the application and the Committee needed to see these before it could consider it. These included the habitat plan, noise management measures, drainage proposals, the operation of the roof fans and the transport plan. Changes to the proposal were continuing to be made. The committee update, for example, contained a new proposal on the management of waste.
- The transportation of waste was of particular concern. Moving the manure off site did not remove the need to consider the environmental impact, noting the poor condition of the River Wye and the risk to the Special Area of Conservation.
- The application demonstrated the need for a supplementary planning policy governing applications for intensive operations of the kind proposed to assist the Committee.
- It was of concern that the development was at the maximum scale permitted below the threshold that would require an environmental permit. It was suggested that the Environment Agency's lack of formal objection did not carry the weight attributed to it in the report.
- Natural England had originally objected to the application.
- The site did not appear to plan to use the passive ventilation system that had been used to good effect at the sites visited by the local ward member.
- There were alternatives to intensive farming. Intensive farms had an adverse effect on animal health and welfare, and caused pollution through dust, smell and noise leading to a loss of amenity.
- The late suggestion that all manure could be removed off site did not include the removal of dirty water. The estimates of the quantity involved varied significantly.

- Greater weight should have been given in the report to the adverse impact of noise generated from pig farms. The Environmental Health Officer commented that the evidence in the report suggested that an automated feeding system would be used.
- There was demand for manure from farms in the County and the removal of all the manure off site would be possible.
- There was a need to support the British pig industry.
- It was noted that the applicant could convert his existing buildings to pig farming without seeking planning permission.

The Case Officer observed that the comments of the Environment Agency were set out in full in the report. He remained of the view that these represented no objection. Natural England had originally objected to the application. However, the application had been revised and Natural England no longer objected.

The Development Manager commented that the technical advice from officers was that the proposal was acceptable. Technical concerns that had been expressed during the processing of the application had been addressed. If Members considered that they required additional information in order to make a decision it was open to them to defer determination of the application.

The local ward member was given the opportunity to close the debate. He had no additional comments.

A motion that determination of the application be deferred was lost.

A number of grounds were advanced for refusing the application.

**RESOLVED: That planning permission be refused and that officers named in the Scheme of Delegation to Officers be authorised to finalise the drafting of the reasons for refusal for publication, based on the Committee's view that the following should be the reasons for refusal: policies SD3, SD4, SS1, SS6, SS7, MT1, and LD2, and Section 11 of the National Planning Policy Framework in particular paragraph 109.**

*(The meeting adjourned between 11.42 am and 11.48 am.)*

**103. 132707 - LAND ADJOINING HAWTHORN RISE, PETERCHURCH, HEREFORDSHIRE**

*(Site for the erection of up to 89 dwellings including affordable housing, construction of vehicular access and other associated works.)*

The Principal Planning Officer gave a presentation on the application, and updates/additional representations received following the publication of the agenda were provided in the update sheet, as appended to these Minutes.

In accordance with the criteria for public speaking, Mrs L Haskins, a local resident, spoke in objection to the application. Mr P Smith, the applicant's agent, spoke in support.

In accordance with the Council's Constitution, the local ward member, Councillor PD Price, spoke on the application.

He sought clarification on precisely what the Committee was being asked to determine because there appeared to some confusion in the documentation. The Development Manager confirmed that the Committee was being asked to determine the principle of development and the means of access only.

On that basis the local ward member made the following principal comments:

- He questioned whether the sewerage proposals were satisfactory and the capacity of Welsh Water's facilities.
- Drainage of the south-eastern part of the site itself was a concern as was drainage of surface water from the site as a whole.
- There were doubts over the capacity of the water supply in the area.
- The minimum number of houses required in the Golden Valley during the life of the Core Strategy was 54 dwellings taking account of recent permissions. The proposal for up to 89 dwellings represented overdevelopment.
- There was insufficient employment in the area, road infrastructure was poor and there was a lack of bus services. Local schools were over capacity.
- There was no funding in the draft S106 agreement for a necessary increase in the size of the community centre.
- He expressed a number of reservations about the detail of the layout and design of the proposed development which he considered unacceptable. He noted that these issues would need to be the subject of a separate application.
- In conclusion, he was not opposed to the development subject to the concerns he had outlined being addressed.

The Development Manager commented that following an initial objection from Welsh Water the applicant had agreed to provide funding to enable Welsh Water to upgrade the Peterchurch Waste Water Treatment Works. Reserved matters would be subject to discussion with the Parish Council, the local ward member and the Chairman of the Committee.

In the Committee's discussion of the application the following principal points were made:

- In principle the development appeared appropriate for the site and sustainable.
- The Parish Council had commented constructively, appeared to have no objection in principle, and indicated support if the concerns they had identified could be addressed. It was essential that they were fully consulted at the reserved matters stage.
- It was to be hoped that the upgrade by Welsh Water would include the provision of phosphate strippers.
- The proposed affordable housing needed to be integrated into the site.
- Bus service provision needed to be addressed as part of the S106 agreement.

- The development was too large and disproportionate and would have an impact on the village, particularly with no phasing of development. The application also had implications for other villages in the Golden Valley.
- As had been observed at the last meeting the Core Strategy now contained minimum housing targets and did not afford the Committee the power to control housing growth as it had at times been suggested that it would.
- Housing needed to be appropriate for the demographic of the area.
- The design of housing needed to be good and energy efficient.
- In relation to the proposed public open space this was a further example where there was an unsatisfactory proposal regarding the funding of its management. An answer was still awaited from the executive on its policy on this matter.
- There was no proposal to provide employment land as part of the development.
- A Member expressed support for the Parish Council's suggestion that a roundabout should be installed at the Hawthorn Rise/B4348. The Transportation Manager commented that a range of traffic calming measures were proposed but a roundabout was not considered feasible.
- An informative should be included to make clear the Committee's expectation that layout of the development should comply with policy requirements and be subject to full consultation.

The Development Manager commented that there was no policy requirement for a developer to provide employment land. There was an industrial estate at Peterchurch. A statement of community involvement was being redrafted. Consultation with the Parish Council and the community would take place on reserved matters. The Committee was being asked to consider if the site was acceptable for development or whether there were significant constraints. The density of development was relatively low at 22 dwellings per hectare. The treatment of sewage and phosphates would have to be approved by the Environment Agency as part of the license for the treatment works. The applicant had paid for a feasibility study. Funding had been identified in the S106 agreement for a transport package and school infrastructure.

The local ward member was given the opportunity to close the debate. He commented on the importance of providing employment opportunities. He emphasised that it was essential that the developer engaged fully with the local community on the reserved matters.

**RESOLVED: That subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the revised Heads of Terms attached to this update, [incorporating a 'Welsh Water' contribution] officers named in the Scheme of Delegation to Officers are authorised to grant outline planning permission, subject to the conditions below and any other further conditions considered necessary**

1. **A02 Time limit for submission of reserved matters (outline permission)**
2. **A03 Time limit for commencement (outline permission)**
3. **A04 Approval of reserved matters**

4. **B01 Development in accordance with the approved plans**
5. **G03 Retention of existing trees/hedgerows**
6. **G04 Protection of trees/hedgerows to be retained**
7. **G09 Details of boundary treatments**
8. **G10 Landscaping scheme**
9. **G11 Landscaping scheme - implementation**
10. **E01 Site investigation archaeology**
11. **H06 Vehicular access construction**
12. **H11 Parking-estate development (more than one house)**
13. **H17 Junction improvement/off site works**
14. **H18 On site roads -submission of details**
15. **H19 On site roads- phasing**
16. **H20 Road completion in 2 years**
17. **H21 Wheel washing**
18. **H27 Parking for site operatives**
19. **H29 Secure covered cycle parking provision**
20. **H30 Travel plans**
21. **Prior to commencement of the development, a reptile survey should be conducted with results and any mitigation necessary submitted to, and be approved in writing by the local planning authority and the work shall be implemented as approved.**
22. **No development shall take place until a foul drainage scheme to satisfactorily accommodate the foul water discharge from the site has been submitted to and approved in writing by the local planning authority. No part of the development shall be brought into use and no dwelling shall be occupied until the approved foul drainage system has been constructed, completed and brought into use in accordance with the approved scheme.**
23. **I20 Scheme of surface water drainage**
24. **I21 Scheme of surface water regulation**
25. **I16 Restriction of hours during construction**
26. **No dwellings hereby approved shall be beneficially occupied until necessary improvements to the Peterchurch Waste Water Treatment Works**

to accommodate the foul flows from the development hereby approved (in accordance with the requirements as outlined in Dwr Cymru's Feasibility Study) has been completed and confirmed in writing by the Local Planning Authority.

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system

27. Foul water and surface water discharges shall be drained separately from the site.

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

28. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

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.

29. Land drainage run-off shall not be permitted to discharge, either directly or indirectly into the public sewerage system.

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

30. No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved by the Local Planning Authority.

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

#### **INFORMATIVES:**

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. HN08 Section 38 & Drainage details
3. HN07 Section 278 Agreement
4. HN04 Private apparatus within highway
5. HN28 Highways design Guide and Specification



6. **HN27 Annual Travel Plan Reviews**
7. **HN25 Travel Plans**
8. **S106**
9. **The Committee's expectation is that layout of the development should comply with policy requirements and be subject to full consultation.**

**104. 152240 - LAND AT FERNLEIGH, EAU WITHINGTON, HEREFORD**

*(Proposed erection of a replacement dwellinghouse and the erection of 1 no. new dwellinghouse within the curtilage.)*

The Planning Officer gave a presentation on the application.

In accordance with the criteria for public speaking, Mr S Barter, the applicant's agent, spoke in support of the application.

In accordance with the Council's Constitution, the local ward member, Councillor DW Greenow, spoke on the application.

He began by reading a submission from Bartestree with Lugwardine Group Parish Council. This reinforced the Parish Council's support for the application, commenting on and challenging the conclusions in the report on transportation and the principle of development.

He then made the following principal comments:

- The applicants were seeking to provide a bungalow for their elderly parents.
- The access was the safest of the accesses to properties in the immediate area. There was no record of any accident in the area. The proposal would not generate any extra traffic. There was already planning permission for the access to the existing property that was being redeveloped.

In the Committee's discussion of the application the following principal points were made:

- One view was that the national speed limit applied on this stretch of the A465 and the access was dangerous. A contrary view was that the development would not change the current situation for which there was planning permission.
- Some support was expressed for approving the development to enable the family to care for their elderly patients.
- The Parish Council supported the proposal and there were 21 letters in support.
- The Development Manager commented that the personal circumstances of the applicant were not a material consideration. The correct approach if the aim was to provide care for relatives was to seek permission for an annex. The current proposal was for two dwellings in the open countryside in an unsustainable location.

- The local ward member was given the opportunity to close the debate. He reiterated his view that the views expressed about transportation represented grounds for refusal and there was merit in enabling a family to care for elderly relatives.

**RESOLVED: That planning permission be refused for the following reasons:**

1. **The application site is situated away from any public services or facilities and is considered an unsustainable location for new residential development. The proposed new dwelling fails to meet any of the criteria for permitting housing outside of settlements and is subsequently contrary to Policy RA3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.**
2. **The proposed replacement dwelling is substantially larger than the existing bungalow. This form of intensification within a countryside setting is contrary to Policy RA3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.**
3. **The intensification in the use of the vehicular access presents an unacceptable risk to highway safety, contrary to part 4 of Policy MT1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.**
4. **The parking provision is in excess of Council standards, encouraging dependency on the motor vehicle. This is contrary to part 6 of Policy MT1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.**

**Informative:**

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations and identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which have been clearly identified within the reason(s) for the refusal, approval has not been possible.**

*(The meeting adjourned between 13:32 and 14:00)*

**105. 152246 - 1 ST MARTINS STREET, HEREFORD, HEREFORDSHIRE, HR2 7RD**

*(Proposed conversion of former pub function rooms into 6 self-contained apartments and external stair to north elevation.)*

The Planning Officer gave a presentation on the application.

In accordance with the criteria for public speaking, Mr A Lee, a local resident, spoke in objection to the application.

In the Committee's discussion of the application the following principal points were made:

- The main concern appeared to relate to pressure on residents parking spaces in the locality. It was acknowledged that this could not be regulated by a planning condition.
- Consideration also needed to be given to waste and recycling provision. The Development Manager suggested that a condition could address this point.

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

1. **A01 - Time limit for commencement (full permission)**
2. **H29 - Covered and secure cycle parking provision**
3. **D02 - Approval of details:**
  - A) **Detailed design of windows;**
  - B) **Detailed design of staircases.**
  - C) **Waste and Recycling Storage**
4. **B02 - Development in accordance with approved plans and materials (Drawing nos. 2270-05, 2270-06 and 2270-07)**
5. **I16 - Restriction of hours during construction**

**INFORMATIVES:**

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **N11C – General**
3. **N11A – Wildlife and Countryside Act 1981 (as amended) – Birds**
4. **ND02 – Area of Archaeological Importance**
5. **W02 – Welsh Water rights of access**

**106. 151630 - LAND AT APPLEWOOD HOUSE, BRIDSTOW, ROSS ON WYE**

*(Proposed erection of one dwelling.)*

The Principal Planning Officer gave a presentation on the application.

In accordance with the criteria for public speaking, Mr P Newton, a local resident, spoke in objection to the application. Mr P Smith, the applicant's agent, spoke in support.

In accordance with the Council's Constitution, the local ward member, Councillor EJ Swinglehurst, spoke on the application.

She made the following principal comments:

- Referring to the foreword to the National Planning Policy Framework she questioned the merit of the development of a house in the front garden of an existing property with access off an unadopted road.
- The Parish Council had objected to the proposal as had a number of local residents.
- The proposal would have a negative impact on the amenity of existing properties contrary to relevant paragraphs of the Core Strategy and the NPPF. It failed to meet points 1, 3 and 4 of the criteria for development set out in Policy RA2. The proposal was also contrary to policies LD1 and SS6.
- The development was inappropriate in the AONB. Contrary to paragraph 64 of the NPPF it was out of poor design and did not improve the character of the area.
- It was inappropriate development of a residential garden contrary to paragraph 53 of the NPPF.
- The access via an unadopted road was very narrow with limited turning space. An application for development on the site had been refused in 2007.
- She had seen the sewer crossing the site.
- If the Committee was minded to approve the application she requested that the established hedge should be retained as far as possible.

In the Committee's discussion of the application the following principal points were made:

- There had to be some concern that a sewer pipe did run underneath the property given Welsh Water's comments about ensuring no detriment to Welsh Water's assets.
- The Transportation Manager had withdrawn his objection to the access in the light of an Inspector's view expressed at an earlier appeal on an adjoining site.
- If planning permission was granted permitted development rights should be removed.
- The proposal represented overdevelopment to the detriment of neighbours.
- Regard should be had to the grounds for objection advanced by the local ward member.
- The development did not represent change for the better and was not appropriate within the AONB.

The Development Manager commented that the site did have constraints but formed part of an existing settlement. The highway safety issues were not significant enough to warrant refusal. If the application were to be approved he suggested that conditions should be added relating to slab levels, hedge maintenance and the removal of permitted development rights.

The local ward member was given the opportunity to close the debate. She had no additional comments.

**RESOLVED:** That planning permission be granted subject to conditions relating to slab levels, hedge maintenance, the removal of permitted development rights and the following conditions:

1. **A01 - Time limit for commencement (full permission)**
2. **B02 - Development in accordance with approved plans**
3. **Foul water and surface water discharges shall be drained separately from the site.**

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

4. **No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.**

**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.

5. **H06 - Vehicular access construction**
6. **H11 - Parking - estate development (more than one house)**
7. **H13 - Access, turning area and parking**
8. **H27 - Parking for site operatives**
9. **H29 - Secure covered cycle parking provision**

**INFORMATIVES:**

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **HN01 - Mud on highway**
3. **HN04 - Private apparatus within highway**
4. **HN05 - Works within the highway**
5. **HN10 - No drainage to discharge to highway**
6. **HN28 - Highways Design Guide and Specification**
7. **HN24 - Drainage other than via highway system**

**107. DATE OF NEXT MEETING**

The Planning Committee noted the date of the next meeting.

## **Appendix 1 - Schedule of Updates**

The meeting ended at 2.57 pm

**CHAIRMAN**

# **PLANNING COMMITTEE**

**Date: 18 November 2015**

## **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.**

## SCHEDULE OF COMMITTEE UPDATES

**150990 - PROPOSED ERECTION OF TWO AGRICULTURAL BUILDINGS, FEED BINS AND ASSOCIATED DEVELOPMENT FOR PIG REARING AT THE MEADOWS, ALMELEY, HEREFORD, HR3 6LQ**

**For: Mr & Mrs Griffiths per Mr Clark, Berrys, Newchurch Farm, Kinnersley, Hereford, Herefordshire HR3 6QQ**

### ADDITIONAL REPRESENTATIONS

**The following responses have been received as a result of comments raised at 5.7 of the report relating to manure and its dispersal:-**

Highways Officer – no change to recommendation –within capacity of access and highway network.

Environmental Health – Methodology to predict amount of land required for spreading appears reasonable.

Additional condition re velocity of fans.

**Following the site inspection** by members the following information was received from the agent

I write to advise you that the applicant has been speaking to local farmers who have expressed an interest in taking manure from the proposed pig unit at The Meadows, Almeley.

As previously advised it is currently proposed that 50% of the manure produced from the proposed pig unit would be taken off-site by third parties. However, following discussions with local farmers it has been established that 100% of the manure could be taken off-site.

I therefore write to confirm that should it be felt that it would be beneficial for the proposal that all the manure from the pig unit is taken off-site that this can be achieved. This would obviously form part of the proposed Manure Management Plan which is to be a condition of any planning approved.

Two farmers, Chris Price, Moor Court Farm and Martin Meredith, Lyonshall have confirmed that they would be able to take all of the manure (50% each) produced by the proposed pig unit. Discussions with these farmers has included the claim by Marches Planning that the amount of manure produced could be in excess of 3,000 tonnes / cubic metres.

Furthermore I can also confirm the following;

- Both farmers have 18 tonnes trailers which are sealed and sheeted, and both have hardstanding areas where manure can be stored prior to being spread.
- Vehicles would not travel through the village of Almeley.
- Both farmers have land available outside of the parish and have arable land which is ploughed.



- Based on 3,000 tonnes of manure and 18 tonne trailers there would be 167 visits required to The Meadows over a 12 month period.
- Records would be kept of these movements from the farm
- The two farmers taking the manure would still be required to follow DEFRA procedures for storage and spreading etc.

11 further letters have been received from different respondents

1. Traffic information inaccurate , there will be more traffic
2. Continue to dispute agents submissions – waste water/manure.
3. Contest officer advice – Ecology/ Environmental Health / Landscape
4. Inaccuracies and omissions in report including comment that Environment Agency did not say no objection and failure to include Natural England condition on dirty water. Failure to include landscape officer condition re size of trees. Failure to consider Great Crested Newt habitats.

### **OFFICER COMMENTS**

The Environmental Health Officer has requested a further condition:- To ensure that roof fans of sufficient velocity to achieve the standards reported in the ES a condition agreeing details of the fans to be fitted is required.

The 'no objection' comment attributed to Environment Agency in the report was an officer summary, however the full text of the response is in the report.

A dirty water condition is included as condition 6 in the recommendation.

The landscape requirement re size of trees is encompassed in condition 9 of the recommendation.

The Ecologist has further advised that the consideration of habitats is in accordance with the Council's Biodiversity SPG.

### **CHANGE TO RECOMMENDATION**

Additional condition.

Before the development hereby permitted is commenced details of the roof fans to be fitted shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

**P132707/O - SITE FOR THE ERECTION OF UP TO 89 DWELLINGS INCLUDING AFFORDABLE HOUSING. CONSTRUCTION OF VEHICULAR ACCESS AND OTHER ASSOCIATED WORKS AT LAND ADJOINING HAWTHORN RISE, PETERCHURCH, HEREFORDSHIRE,**

**For: Mr Peter Smith per Mr Paul Smith, 41 Bridge Street, Hereford, HR4 9DG**

## **ADDITIONAL REPRESENTATIONS**

Seven letters of objection have been received including one from the School Governors the issues raised are addressed in the report.

## **OFFICER COMMENTS**

The provision of footpaths around the site in close proximity or otherwise to the primary school will be a matter determined at the detailed/reserved matters stage. The key issue of foul drainage disposal which has protracted the determination of this application will be incorporated in a Section 106 Agreement. This will secure funding for the necessary upgrading of the Waste Water Treatment Works in Peterchurch. Treatment of foul drainage will also be addressed by relevant conditions set out in the recommendation.

Surface water drainage details will be scrutinised in accordance with conditions set out in the recommendation to this report. SUDS management is sought by the applicant and this will be encouraged including the provision of soakaways.

There are no overriding grounds for removing all power-lines in the light of responses from the Council's Conservation Manager

There is recognition by the Council's Transportation Manager that there will need to be improved pedestrian and cycle linkages from the site, as well the creation of a gated village.

Changes to Committee Report and Section 106 Planning Obligation:

Reference is made in Section 4.9 of the report – Parks & Countryside to Policies RST4, RST5 and H19 of HUDP. This consultee response should now refer to Policies OS1 and OS2 in the Core Strategy and Section 3 of the Planning Obligation should now refer to Policy OS2 of Core Strategy.

Revised Draft Heads of Term attached.

## **CHANGE TO RECOMMENDATION**

Subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the revised Heads of Terms attached to this update, [incorporating a 'Welsh Water' contribution] officers named in the Scheme of Delegation to Officers are authorised to grant outline planning permission, subject to the conditions below and any other further conditions considered necessary