

Minutes of the meeting of Planning and Regulatory Committee held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Wednesday 11 December 2024 at 10.00 am

Present: Councillor Terry James (chairperson)
Councillor Clare Davies (vice-chairperson)

Councillors: Bruce Baker, Chris Bartrum, Simeon Cole, Frank Cornthwaite, Elizabeth Foxton, Peter Hamblin, Liz Harvey, Stef Simmons, John Stone, Richard Thomas and Mark Woodall

In attendance: Councillors Barry Durkin and Charlotte Taylor

Officers: Development Manager Majors Team, Highways Adviser and Legal Adviser

35. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Polly Andrews, Dave Boulter, Jacqui Carwardine, Dave Davies and Catherine Gennard.

36. NAMED SUBSTITUTES (IF ANY)

Councillor Frank Cornthwaite acted as a substitute for Councillor Dave Davies.

Councillor Liz Harvey acted as substitute for Councillor Dave Boulter

Councillor Chris Bartrum acted as a substitute for Councillor Polly Andrews

37. DECLARATIONS OF INTEREST

Councillor Stef Simmons declared a personal interest in agenda item no.6, Sapness Farm; the family of the applicant was known to Councillor Simmons.

38. MINUTES

RESOLVED: That the minutes of the meeting held on 23 October be approved.

39. CHAIRPERSON'S ANNOUNCEMENTS

**40. 202258 - SAPNESS FARM, WOOLHOPE, HEREFORD, HEREFORDSHIRE, HR1 4RJ
(PAGES 13 - 14)**

The Senior Planning Officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking Mr Slocombe spoke on behalf of Woolhope Parish Council, Mr Loyd, local resident, spoke in objection to the application and Mr Willis, the applicant's agent, spoke in support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that there were concerns over the lack of planning controls on the site, resulting from a retrospective application, and the history of certificates of lawful development. The application had previously been deferred by the committee but the reports requested, as part of the deferral, had not been produced. The site was within a sensitive location and was close to an AONB; Core Strategy Policies LD1 and LD2 were relevant. The highway network around the site was not suitable for large vehicles and the defined route to the site, as specified in the travel plan, was not consistently observed by vehicles. This impacted adversely upon highways safety, posing a risk to pedestrians, and the lowering of the weight limit in the travel plan was proposed to reduce the risk of accidents. The increase in the number of horses on the site resulted in additional associated vehicle movements. The collection of manure should be undertaken on a more regular basis.

The committee debated the application. The following principal points were raised during the debate:

- Concern was expressed regarding the nature of the application as a retrospective application and the cumulative development on site that was occurring without following correct planning process.
- The inclusion of a requirement for a site-wide Landscape Management Plan within the conditions was raised.
- It was noted that the hedgerow around the turnout area had been damaged by horses and it was suggested that conditions for the application could be strengthened to ensure the protection of the hedges. Further, it was suggested that a condition to ensure hedgerow diversity on the site should be included in any permission granted.

The Development Manager and the Legal Adviser provided clarification regarding the suggested conditioning of a comprehensive Landscape Management Plan on the site and explained that such a requirement was considered unreasonable. It was confirmed that the management intention for the hedgerow at the paddock and turnout area could be reviewed.

The local ward member was given the opportunity to close the debate. He explained that the landscape assessment and the travel plan for the site required review. The removal of manure from the site should be undertaken more frequently than twice yearly and the local landscape required protection from the site.

Councillor Bruce Baker proposed and Councillor Richard Thomas seconded a motion that the application be approved in accordance with the case officer's recommendation.

The motion was put to the vote and was carried by a simple majority.

RESOLVED -

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

- 1. Time limit for commencement (full permission)**
- 2. The development shall be operated in accordance with the Traffic Management Plan dated February 2024.**

Reason: In order to ensure that the development is carried out

without adversely affecting the safe and efficient flow of traffic and that traffic impacts are managed and shared spaces encouraged to mitigate any adverse impacts from the development. Thereby conforming with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

3. Within 6 months of the date of this permission a landscape scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying all proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, Policy WNDP1 of the Woolhope Neighbourhood Development, and the National Planning Policy Framework.

- 4.

All planting, seeding or turf laying in the approved landscaping scheme shall be carried out in the first planting season following its approval.

Any trees or plants which die, are removed or become severely damaged or diseased within 10 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework

5. At no time shall any external lighting be installed on the site without the written approval of this local planning authority.

Reason: To ensure that all species and Dark Skies are protected having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS6, LD1, LD2 and LD3 and the Dark Skies initiative (DEFRA-NPPF 2013/18)

6. Within 3 months of the date of this permission evidence (such as photos/signed Ecological Clerk of Works completion statement) of the suitably placed installation of a minimum of three bat roosting box; three bird nesting boxes; two pollinating insect habitat homes and two hedgehog home on land, buildings or trees under the applicant's control should be supplied to and acknowledged by the local authority. These features and shall be maintained as approved thereafter.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006. Dark Skies Guidance Defra/NPPF 2013.

- 7. Within 6 months of the permission being issued, a scheme for the provision of surface water drainage works shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented within 12 months of agreeing the details.**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

- 1. The Local Planning Authority has acted positively and proactively in demining 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. The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special “protected species” such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required ‘licences’ have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.**
- 3. The permission does not authorise the stopping up or diversion of a public right of way. A right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.**
- 4. The proposed development does not have access to mains water and is reliant on a private water supply. The officer notes that the extraction of Private Water Supplies is controlled by separate legislation notably the Private Water Supplies (England) Regulations 2016 (as amended) and the Water Supply (Water**

Quality) Regulation 2016 and may require separate permission from the Environment Agency for extraction.

Councillor John Stone left the meeting at 10:55 a.m.

There was an adjournment at 10:55 a.m.; the meeting reconvened at 11:11 a.m.

41. 241746 - LAND AT SUGWAS POOL HOUSE, SWAINSHILL, HEREFORDSHIRE, HR4 7QD (PAGES 15 - 16)

The Senior Planning Officer gave a presentation on the application and the updates/representations received following the publication of the agenda, as attached to these minutes.

In accordance with the criteria for public speaking Mr Robinson spoke on behalf of Stretton Sugwas Parish Council, and Mr Vaughn, the applicant's agent, spoke in support of the application.

In accordance with the criteria for public speaking the local ward member spoke on the application. In summary, she explained the frustration caused by the submission of the application after the appeal upheld by the Planning Inspectorate for a development close to the application site. The lane to the application site formed a dangerous junction with the A438 and the addition of a further house in this area created potential risk to highways safety. The junction with the A438 was unsafe with compromised sight lines. The lane to the application site required additional passing places to address highway safety concerns and extra car movement on the lane would cause an adverse impact on the local Wye Valley Walk public right of way.

The committee debated the application. The highway safety concerns relating to the site and nearby junction with the A438 were understood. There was frustration that the recently upheld appeal for another application locally had overturned the earlier objection from the Highways Team to further development in the area.

The local ward member was given the opportunity to close the debate. In summary, she explained that it was disappointing that the safety of local residents could not be taken into account due to the appeal upheld on a local development site.

Councillor Bruce Baker proposed and Councillor Richard Thomas seconded a motion that the application be approved in accordance with the case officer's recommendation.

The motion was put to the vote and was carried by a simple majority.

RESOLVED –

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

Standard Conditions

1. C01 – Time Limit for Commencement

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. C06 – Development in accordance with approved plans

The development shall be carried out strictly in accordance with the approved plans, except where otherwise stipulated by conditions attached to this permission.

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policies SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

3. CBK – Restriction on working hours during construction

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy, Policies SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Commencement Conditions

4. CAT – Construction Traffic Management Plan

Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway
- Construction traffic access location
- Parking for site operatives
- Construction Traffic Management Plan

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

5. CKM – Construction Environmental Management Plan

Before any work; including site clearance or demolition begin or equipment and materials are moved on to site, a Construction Environmental Management Plan (CEMP) including a full Ecological Working Method Statement and a specified 'responsible person', shall be supplied to the local planning authority for written approval. The approved CEMP shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed; unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan – Core Strategy Policies LD1, LD2 and LD3.

Relevant Commencement Conditions

6. CAB – Visibility Splays

Visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 33 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

7. CAD – Access Gates

Any new access gates/doors shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards only.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

8. C13 – Samples of External Materials

With the exception of any site clearance and groundwork, no further development shall take place until samples of materials to be used externally on walls and roofs of the approved dwelling and garage have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policies SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Occupancy Conditions

9. CNS – Non-standard condition

Prior to first use of any development approved under this planning permission, evidence of the suitably placed installation on the approved building, or on other land under the applicant's control, of a minimum of THREE bird nesting features and THREE bat roosting features, of mixed types, should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No

habitat boxes should be located in Ash trees due to future effects of Ash Dieback Disease and likely loss of these trees.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

10. CE6 – Efficient Use of Water

Prior to the first occupation of the development a scheme demonstrating measures for the efficient use of water as per the optional technical standards contained within Policy SD3 of the Herefordshire Local Plan Core Strategy shall be submitted to and approved in writing by the local planning authority and implemented as approved.

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy, Policies SS2 and SS4 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

11. CB2 – Implementation of secure cycle storage

Prior to the first occupation of the development hereby permitted, the covered and secure cycle parking facilities shall be carried out in strict accordance with drawing number 559-32 (Proposed Site Layout) and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SS4, SD1 and MT1 of Herefordshire Local Plan – Core Strategy, Policy SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

12. CK4 – Landscaping Implementation

All planting, seeding or turf laying in the approved landscaping scheme (drawing number: 559-32) shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner.

Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, Policies SS1, SS2, SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

13. CK5 – Landscaping Maintenance Plan

Before the development is first occupied, a schedule of landscape maintenance for a period of 5 years shall be submitted to and approved in writing by the local

planning authority. Maintenance shall be carried out in accordance with this approved schedule.

Reason: To ensure the future establishment of the approved scheme, in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, Policies SS1, SS2, SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

14. CNS – Non-standard condition

The development hereby permitted shall not be occupied until the means of access for vehicles has been constructed in accordance with details as shown on drawing number 559-32. The access shall be retained thereafter.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

15. CNS – Non-standard condition

The development hereby permitted shall not be occupied until an area for the parking and turning of vehicles to serve each dwelling has been constructed in accordance with drawing number 559-32. These areas shall be kept clear of obstruction and available for such uses in perpetuity thereafter.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

16. CNS – Non-standard condition

Unless otherwise agreed in writing by the Local Planning Authority as detailed in the supplied plans and application form, all foul water flows created by the approved development shall be managed through a connection to the local mains sewer network; and all surface water managed through a Sustainable Drainage System, details of which shall be submitted to and agreed in writing by the local planning authority. The system shall be implemented in full accordance with the approved details and shall be retained as such thereafter in perpetuity. The approved foul and surface water scheme shall be managed and maintained as approved for the lifetime of the development it supports.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan – Core Strategy policies SS1, SS6, LD2, SD3 and SD4, and Policies SS1, SS3, SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan.

17. CNS – Non-standard condition

The dwelling hereby permitted shall be constructed as a self-build dwelling within the definitions of self-build and custom housebuilding in the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

The first occupation of the dwelling hereby permitted shall be by a person or persons who have had a primary input into the design and layout of the dwelling and two months prior to the first occupation of the unit, the Council shall be notified of, and shall agree in writing, details of the persons who intend to take up first occupation. The dwelling shall be occupied in accordance with the approved details.

Reason: The approved development is granted on the basis that it complies with the Self-Build and Custom Housebuilding Act 2015 and is consequently exempt from the requirements to submit a Biodiversity Gain Plan in accordance with the provisions of Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Post-Occupancy/on-going compliance conditions

18. CNS – Non-standard condition

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policies SD1, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policies SS1, SS3, SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

19. CNS – Non-standard condition

No external lighting shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3; Herefordshire Council's declared Climate Change and Ecological Emergency, and Policies SS1, SS2, SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan.

20. C58 – Domestic use only of garage

The garage hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwellinghouse as such and not for the carrying out of any trade or business.

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling and to comply with Policies MT1 and SD1 of the Herefordshire Local Plan

– Core Strategy, Policies SS4 and SS7 of the Stretton Sugwas Neighbourhood Development Plan and the National Planning Policy Framework.

Informatives

1. IP1 – Application Approved Without Amendment

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. INS – Non-standard informative

The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as all Bat species (roosts whether bats are present or not), Badgers, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.

3. I05 – No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

4. I10 – Access via a public right of way

Access to the site is via a public right of way and the applicant's attention is drawn to the restrictions imposed by Section 34 of the Road Traffic Act 1988 regarding the prohibition of driving motor vehicles elsewhere than on roads.

5. I11 – Mud on highway

It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

6. I45 – Works within the highway

This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.

7. I50 – Vehicular use of public rights of way

The development hereby approved may result in vehicles being driven across or along a Public Right of Way. As a result, notification should be given to the Highway Authority before the permission is implemented. In addition, where public and private rights co-exist, permission should be sought from the landowner in order to obtain lawful authority to drive on the Public Right of Way. For further information, contact Balfour Beatty (Managing Agent for Herefordshire Council) Public Rights of Way Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800).

8. INS – Non-standard informative

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The meeting ended at 11.45 am

Chairperson

202258 - RETROSPECTIVE ERECTION OF TWO PAIRS OF STABLES AND WOODCHIP TURNOUT PADDOCKS AT SAPNESS FARM, WOOLHOPE, HEREFORD, HR1 4RJ

For: Mr Lacey per Mr Marc Willis, 30 The Causeway, Chippenham, Wiltshire, SN15 3DB

OFFICER COMMENTS

Following the site visit, it was observed that six additional structures had been constructed to provide protection from wind and rain. These matters have been referred to enforcement, and it falls within their jurisdiction to determine the appropriate course of action to be taken by the Local Planning Authority. These do not fall within the scope of the present application.

NO CHANGE TO RECOMMENDATION

**241746 - PROPOSED SELF-BUILD DWELLING AND GARAGE
AT LAND AT SUGWAS POOL HOUSE, SWAINSHILL,
HEREFORDSHIRE, HR4 7QD****For: Mr James per Mr Stephen Vaughan, The Heathers, 74
Ross Road, Hereford, Herefordshire, HR2 7RL****ADDITIONAL REPRESENTATIONS**

One further letter of representation has been received, the material planning considerations of which is as follows:

“With this being the last piece of land a new build can be built on, and after 4 have now been approved on the lane over the recent years, nothing has been done to improve safety at the junction which has been raised before on previous applications. Of which the planning inspectorate says no more should be built until improvements have been made.”

OFFICER COMMENTS

The additional representation raises no new material planning considerations and the highway aspects of the proposal are discussed extensively between paragraphs 6.33 and 6.44 of the officer report inclusive.

Further to a query raised during the site inspection meeting by members, a research of accident data via the Local Highway Authority has been undertaken and there have been no accident records for the A438 Sugwas Pool junction over the preceding 5 years (1/1/2019-10/12/2024). The last accident recorded was in 2015.

The Planning Inspector in respect of the appeal decision at Appendix 1 does not view that no further development should be permitted. It is for the decision-maker to assess each application on its own merits and constraints.

NO CHANGE TO RECOMMENDATION

