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| MEETING: | PLANNING AND REGULATORY COMMITTEE |
| DATE: | 28 JANUARY 2025 |
| TITLE OF REPORT: | <p>242591 - CHANGE OF USE OF LAND TO PLANT HIRE BUSINESS AND ERECTION OF A POLE BARN ASSOCIATED WITH THIS USE, AND ERECTION OF AN ADDITIONAL BUILDING FOR A MIXED USE OF PLANT HIRE BUSINESS AND DOMESTIC USE (RETROSPECTIVE) AT LAND AT LOWER WOODEND, STOKE LACY, HEREFORDSHIRE, HR7 4HQ</p> <p>For: Willis per Mr Lee Marbury, Unit D Lunesdale, Upton Magna Business Park, Shrewsbury, SY4 4TT</p> |
| WEBSITE LINK: | https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=242591&search-term=242591 |
| Reason Application submitted to Committee - Redirection | |

Date Received: 8 October 2024

Ward: Three Crosses

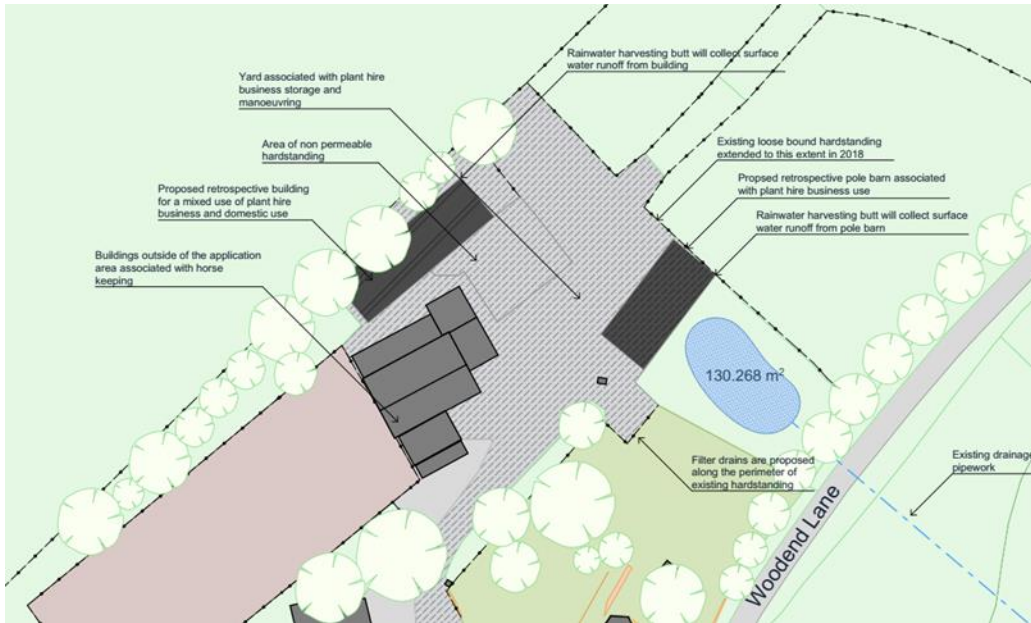
Grid Ref: 361820,250369

Expiry Date: 1 January 2025

Local Members: Cllr Jonathan Lester

1. Site Description and Proposal

- 1.1 The site is accessed via a private access track off Woodend Lane. Woodend Lane runs south west onwards to provide access to private properties and a farm. The lane is a dead end with no through access for vehicles. Woodend Lane is accessed directly off the A465 the Bromyard to Hereford Road.
- 1.2 The site shares an access track with a private residential property, within the applicants ownership, and also to a stable block.
- 1.3 The proposal is to the rear of the residential property, with agricultural fields to the north and east. The stable block and arena are to the west of the site.
- 1.4 The proposal is for the change of use of land to plant hire business and erection of a pole barn associated with this use, as well as the erection of an additional building for a mixed use of plant hire business and domestic use.
- 1.5 This is a retrospective application. A previous application was sought to retain the unauthorised development and was refused which this application seeks to address. There are two buildings on the site in association with the business. The proposed site plan is shown below for context:



2. Policies

2.1 National Planning Policy Framework (NPPF)

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision making
- Chapter 6 – Building a strong and competitive economy
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

2.2 Herefordshire Local Plan – Core Strategy (CS)

The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council’s website by using the following link:-

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

- SS1 – Presumption in favour of sustainable development
- SS4 – Movement and transport
- SS5 – Employment provision
- SS6 – Environmental quality and local distinctiveness
- RA6 – Rural economy
- MT1 – Traffic Management, highways safety and promoting active travel
- E1 – Employment provision
- LD1 – Landscape and townscape
- LD2 – Biodiversity and geodiversity
- SD1 – Sustainable design and energy efficiency
- SD3 – Sustainable water management and water resources
- SD4 – Waste water and river water quality

2.3 Stoke Lacy Neighbourhood Development Plan (SLNDP) (Made 17 Feb 2023):

- Policy SL1 – Protecting and enhancing local landscape character and Biodiversity

- Policy SL2 – River Wye Special Area of Conservation (SAC)
- Policy SL6 – Achieving and promoting good and sustainable design in development
- Policy SL10 – Tourism and rural enterprise

2.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 34 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision, highways safety and safeguarding features of environmental value (amongst others) – have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

3. Planning History

| Application No. | Description of Development | Decision |
|-----------------|--|-------------------------|
| DCNC2005/2829/F | Proposed change of use of land to extend existing ménage area | Approve |
| DCNC2008/2418/F | Proposed two storey and single storey extensions, conservatory and detached BBQ hut. | Approve with conditions |
| P172398/FH | Proposed two storey and single storey extensions. | Approve with conditions |
| P230446/F | Change of use of land to plant hire business and erection of a pole barn associated with this use, and erection of an additional building for a mixed use of plant hire business and domestic use. | Refused |
| P242892/ENF | Enforcement Appeal | Appeal Pending |

4. Consultation Summary

4.1 Statutory Consultations

| | Consulted | No Response | No objection | Qualified Comment | Object |
|-------------|-----------|-------------|--------------|-------------------|--------|
| Welsh Water | X | | X | X | |

4.1.1 Welsh Water Comment:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

There seems to be no proposal to connect to the public sewerage system for this proposed development and therefore Dwr Cymru Welsh Water have no objection to this proposed application. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is proposed we must be re-consulted on this application.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

4.2 Internal Council Consultations

| | Consulted | No Response | No objection | Qualified Comment | Object |
|--------------------------|-----------|-------------|--------------|-------------------|--------|
| Area Engineer (Highways) | x | | x | x | |
| Trees | x | | x | x | |
| Ecology | x | | x | | |

4.2.1 **Team Leader Area Engineer comments:**

The application proposed does not seem significantly different from the previous application, therefore the comments raised before can be submitted.

The proposals are for a retrospective planning application to support the change of use of the site for use as a plant hire business.

The applicant states that the application would see an intensification of use but that the access would be acceptable as it is existing. No details have been provided with regard to visibility. Although the application is retrospective the visibility to the south is below standard, this can be improved significantly by cutting back of the hedge / vegetation and maintained thereafter. It is noted that the land either side of the access that would be required to achieve appropriate visibility is within the control of the applicant. It is therefore considered that appropriate visibility splays can be conditioned as part of any planning permission.

Subject to the following conditions the local highway authority therefore has no objections to the proposed development. It should, however, be noted that due to the site being accessed via a narrow single track lane with limited passing places the local highway authority would be unlikely to support further intensification of use of this site.

4.2.2 **Principal Natural Environment Officer (Trees) comments:**

I have reviewed the submitted information and have the following comments in relation to the arboricultural resource within the site.

As this is a retrospective application, damage to the trees on site may have already occurred. From aerial imagery, the largest trees are located on the northern boundary which is close to where one of the two new barns were constructed. If this was a proposed planning application, I would have requested information in the form of a BS5837:2012 tree survey and arboricultural impact assessment (AIA). This will identify the trees on site, confirm their quality and set out guidance to how the development would be implemented with minimal impact to the retained trees. It is unclear to whether any trees were removed to implement the development or if and where new trees were planted.

As the works have already been completed, I do not see any logic in requesting tree survey/AIA information. I do however consider that a landscaping plan should be submitted to indicate where trees have already been planted and where additional trees can be planted to increase the green infrastructure within the site. New tree planting will help mitigate any decline in existing trees as a direct result of the proposals already carried out. The landscaping plan can be requested as a planning condition if retrospective consent is granted.

4.2.3 Principal Natural Environment Officer (Ecology) comments

As agreed with Natural England where 'Full Householder' or other similar applications do not create any additional, potentially self-contained residential accommodation or identified significant additional foul water flows and no other effects are identified they can be considered as screened out from triggering any formal Habitat Regulations Assessment process.

From information supplied and available to the LPA this 'exemption' would be applicable in respect of this current application and the River Lugg SAC.

As a retrospective application it is not considered to require consideration for statutory Biodiversity Net Gain requirements.

It is noted that all construction is retrospective and any impacts on protected species due to construction will already have occurred and are not a matter for consideration by the LPA in respect of this application.

The potential for additional ecological disturbance due to any 'permanent' external lighting being operated in association with the proposed development is identified. A relevant condition to manage and control use of external lighting at or associated with use of the permitted development can be controlled and mitigated through an appropriate condition on any planning permission granted.

5. Representations

| | Consulted | No Response | No objection | Qualified Comment | Object |
|---------------------------|-----------|-------------|--------------|-------------------|---------|
| Stoke Lacy Parish Council | x | | | x | |
| Public Consultation | x | | 4 x SUP | | 9 x Obj |

5.1 Stoke Lacy Parish Council comments:

Stoke Lacy Parish Council considered this application at an extraordinary meeting held on Monday the 9th December 2024 which was attended by eleven members of the public including the two applicants. The parish council resolved to support this application but request that the planning case officer take the following concerns into consideration:

1. The business operating hours should not negatively impact nearby neighbours, therefore the parish council request that the LPA make this a condition should they approve the application. Page 10 of the Planning Statement dated October 2024 submitted by the applicants states that the business universally operates within standard working hours of 7.30am to 5pm. Page 6 of the Planning Statement dated February 2023 submitted by the applicants previously further states the business will operate Monday to Friday. The parish council consider these to be reasonable operating hours.
2. The vehicles operated by the business should not create undue difficulty for residents and other road users, therefore the parish council request the LPA obtains confirmation from Highways that the access road (Woodend Lane) is suitable to support the vehicles operated by the business. Should Highways determine that additional passing places might be useful, perhaps the LPA might consider a S106 agreement.

5.2 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=242591&search-term=242591

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

5.3 Comments made by local residents in objection to the application are summarised as follows:

- Public Highway unsuitable with insufficient passing places
- Future expansion of the site
- Noise and inappropriate working hours
- Surface water onto the public highway a potential flood risk
- Landscape impact from the type of development
- Adverse impact upon local residential amenity
- Inappropriate development within an otherwise residential area
- Damage to highway
- Surface water drainage report does not cover the existing bore holes nearby
- Use of the lane and surrounding footpaths is unsafe due to frequency of vehicle movements.
- Light pollution

5.4 Comments made by local residents in support of the application are summarised as follows:

- The site has had many previous uses
- Local business should be encouraged
- Policy supports rural businesses
- Proximity to other commercial sites including brewery
- Size of vehicles used by the business is relatively small
- Doesn't spoil amenity due to being relatively isolated
- No different to nearby farms which would use and clean bigger machinery

6. Officer's Appraisal

Policy context and Principle of Development

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the Stoke Lacy Neighbourhood Development Plan (SLNDP). The National Planning Policy Framework (NPPF) is also a significant material consideration.

6.3 In considering the principle of development the most up-to-date development plan document relevant to this site is the Stoke Lacy Neighbourhood Development Plan (SLNDP), specifically policy SL10.

6.4 Policy SL10 states that the following:

Development proposals for small scale tourism and rural enterprise will be supported in Stoke Lacy Parish where they conform to the relevant Design Codes and:

1. *Development comprises the sensitive conversion of former agricultural buildings or where new development is proposed, development is of a high design quality which is sensitive to the character of the surrounding rural area;*
2. *Schemes provide visitor accommodation or small business units to support local rural diversification and employment opportunities;*

Further information on the subject of this report is available from Mr Jack Dyer on 01432 260000

3. *Suitable and safe access is provided that encourages active travel modes as the preferred mode of transport, and there is adequate on-site car and cycle parking for visitors and occupants;*
4. *Applicants can demonstrate that the local highway network is adequate in terms of design and capacity to cater for any increases in traffic generation; and*
5. *The amenity of any neighbouring residential areas is protected, and noise, odour and light pollution are minimised.*

Of particular importance in this instance are points One, Four and Five of policy SL10 and constitute material planning considerations that shall be fully addressed below but noting also that these constitute forming the principle of development as well.

- 6.5 Policy SL10 of the SLNDP is echoed by policy RA6 of the Herefordshire Core Strategy (CS) whereby support is afforded proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported.
- 6.6 Policy RA6 goes on to state that local food and drink production, support/protect local commercial facilities – e.g. petrol stations, village shops, public houses and garden centres. Additionally support is offered to appropriate extensions to existing buildings, sustainable tourist proposals and the retention and diversification of existing agricultural businesses.
- 6.7 Policy RA6 goes on to state that planning applications submitted in order to diversify the rural economy will be permitted where they:
 - ensure that the development is of a scale which would be commensurate with its location and setting;
 - do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting and smell;
 - do not generate traffic movements that cannot safely be accommodated within the local road network; and
 - do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.
- 6.8 Finally the NPPF is also a material consideration, recently reviewed and updated in December 2024. Para 88 states that planning decision should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing and well-designed new buildings. Paragraph 89 goes on to states that decision should recognise that sites to meet local business and community needs in rural areas may have to be located outside settlement boundaries and may not be well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.
- 6.9 Paragraph 89 also states that the use of previously development land, and sites that are physically well related to existing settlements, should be encouraged where opportunities exist.
- 6.10 In considering the type and nature of the business subject to this application, while the specific business itself is not specifically identified within policy SL10 or RA6, these policies do offer a level of support in general to the diversification of the rural economy. Additionally the NPPF offers support for *all types* of business in rural areas where these business uses are sustainable and appropriate within the local context.
- 6.11 Therefore in principle, subject to an appraisal of the material considerations as above, a general level of support in policy can be found for the proposed change of use and retention of both buildings.

6.12 Highways

In considering highways matters in regard to this proposal, policies SL10, RA6 are relevant and outline that proposals should demonstrate that the access and local highways network is capable of supporting any intensification in use. Similarly policy MT1 of the CS specifically deals with access and highways safety and states the following:

6.13 Policy MT1 of the CS requires that all development proposal take into full consideration their potential impact upon the local highway network, including and effects on highways safety and to include measure where appropriate to encourage sustainable and active forms or transportation.

6.14 I note the level of representation specifically regarding the unsuitability of Woodend Lane to accommodate the business use proposed and therefore the local highways authority have been consulted with their full comment as above. It is noted that the planning statement accompanying the application states that the proposal would result in an intensification of the existing use. The question here is whether the local highway network, particularly Woodend Lane can accommodate this use. The LPA's Highways Engineer did not offer an objection to the proposed scheme however, noted the limited number of possible passing places along a narrow single track road, no further intensification of the site would be supported.

6.15 It is also noted that no details of the visibility splay were provided and appropriately worded condition recommended in order to provide these details and any improvements to the visibility splay as required.

6.16 Ecology, Trees and statutory BNG

In considering the effects this proposal may have upon local ecology and trees, policies SL1 and SL2 of the SLNDP and policies SS6, LD2 and LD3 of the CS are relevant along with chapter 15 of the NPPF.

6.17 In considering the potential impacts upon local ecology as a result of the proposal, the LPA's Ecologist has been consulted and offer a response produced above.

6.18 In summary the proposal, as a commercial use and as agreed with Natural England is screened out of the Habitat Regulations Assessment process and given the retrospective nature of the application, is exempt from providing the statutory 10% Habitat biodiversity net gain uplift.

6.19 No objection to the application was offered however, in order to protect the intrinsically dark skies in and around the site location, a condition controlling the level of external illumination was suggested, benefitting the local ecology and landscape from inappropriate light pollution.

6.20 Given the location of previous trees on site and the likely removal of some in order to provide for the mixed residential and commercial use building, the LPA's tree officer has been consulted in order to address the likely impacts upon local green infrastructure.

6.21 While noting the retrospective nature of the application and the fact that trees were likely removed to accommodate building works, the LPA's Tree officer has indicated that a tree report would have been sought prior to works commencing.#

6.22 However, taking a positive and proactive approach to the application and in order to mitigate the potential harm in the loss of onsite green infrastructure, the LPA's Tree officer has suggested a condition securing a detailed soft landscape scheme to provide mitigation and enhancement for the potential loss of trees on site.

6.23 Drainage

Policy SL2 of the SLNDP as well as policies SD3 and SD4 of the CS outline specifically the need for proposals to sufficiently demonstrate that no adverse impact upon flood risk or potential pollution of water courses is likely as a result of development.

- 6.24 In the previous application 230446/F one of the reasons for refusal was a lack of information in relation to surface water drainage for the site. This application seeks to address this through the submission of a surface water drainage report. The report satisfactorily demonstrates that a surface water drainage scheme as proposed can accommodate the increase in surface water runoff as a result of the development proposed. As such, a condition to secure the full implementation of the proposed surface water runoff scheme is suggested.
- 6.25 Landscape and Design
Policies SL1 and SL6 of the SLNDP as well as policies LD1 and SD1 of the CS seek to conserve and protect landscape character as well as secure good and sustainable design.
- 6.26 The inherent nature of the proposed business use is likely to lend itself to some adverse impact upon the landscape character as a result of storing plant machinery and welfare units etc in the open.
- 6.27 Having visited the site and surrounds, the site itself is relatively well screened from publically accessible viewpoints and neighbouring dwellings however, the site is visible from the road near the Wye Valley brewery and the usual high visibility colouring of plant machinery would mean that there is likely to be some adverse impact upon the landscape as a result of the proposal.
- 6.28 It is considered that the previously suggested soft landscaping scheme can mitigate this adverse impact to a degree that would be supportable and therefore should be considered in accordance with policies SL1 and LD1 of the statutory development plan.
- 6.29 In considering the design of both buildings as part of this application, both are designed and constructed in a manner and with materials that are commonly found within a rural and agricultural setting, ensuring congruity with neighbouring land uses.
- 6.30 Amenity and other matters
The application seeks retrospective planning permission for a change of use of land from equestrian to business use for an established plant hire business. This comes with an intensification of vehicle movements along the highway with vehicles that also contribute to an increase in noise levels. As reported within letters of representation there are adverse impacts upon the private residential amenity of the local residential dwellings as a result of traffic movement along the lane, especially at inappropriate hours both during the week and weekends.
- 6.31 Woodend lane is an unclassified, adopted public highway with several different uses along it. However, the use of the land in question for plant hire business operations is accepted to cause an intensification in use of the highway for deliveries to and from the site with large vehicles. However, the applicant has reported that the usual hours of operation are between Monday and Friday between the hours of 07:30 and 17:00. Business operations outside these times especially the movement of plant machinery would result in an unacceptable adverse impact upon the private residential amenity of local residential dwellings as a result of the intensification of larger vehicles operating within the site and along Woodend Lane.
- 6.32 While Environmental Health colleagues have not commented on this application, they had made comment on the previous application which of itself is a material planning consideration. Their comment offered no objection to the proposal subject to an hours of operation and lighting condition to be imposed.
- 6.33 As such a compliance condition limiting vehicle movements within the red edge of the location plan, in association with the proposed business use is suggested. This would limit the hours where vehicles can operate on site and along the land to within 07:30 and 17:00 Monday-Friday inclusive.

- 6.34 Additionally the red line of the application site is such that it leaves little scope for further expansion whereby limiting any intensification in the use of the site and lane beyond the level considered within this application. Further intensification would not be supported due to adverse impact upon amenity and highway safety concerns.
- 6.35 Planning Balance
In considering the application here issues including the appropriateness of the local highway to cope with traffic use for the business, adverse impacts upon the residential amenity of nearby properties and the loss of green infrastructure should be balanced against the benefits of development at the site. These benefits include support for an established local business, inherently supportive of the local built development industry, diversification of the rural economy and securing enhancement for local green infrastructure.
- 6.36 In considering the issues material to the site as a whole and the suggested conditions as detailed below, the identified adverse impacts can be sufficiently controlled via condition to a degree that would effectively mitigate these impacts to find accordance with the NPPF and relevant statutory development plan policies.
- 6.37 Conclusion
In considering the application as a whole, including appropriate conditions to control identified impacts, on balance the application is recommended for approval subject to conditions.

RECOMMENDATION

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:

That planning permission be granted subject to the following conditions:

1. Development in accordance with the approved plans

The development shall be carried out strictly in accordance with the approved plans (22_1235A – 001 REV 03, 22_1235A – 003 REV 02, 22_1235A – 005 REV 01, 22_1235A – 006 REV 01), 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 and the National Planning Policy Framework.

2. Landscape Scheme

Within 3 months of the date of this permission, a landscape scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:

- a) Trees and hedgerow to be retained**
- b) Trees and hedgerow that have been removed.**
- c) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.**
- d) All proposed and existing boundary treatment.**
- e) A schedule of landscape maintenance for a period of 5 years**

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 SL1 of the Stoke Lacy Neighbourhood Development Plan and the National Planning Policy Framework.

3. Implementation

All planting, seeding or turf laying in the approved landscaping scheme shall be carried out in the first planting season following the discharge of condition 2 of this permission. 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, Policy SL1 of the Stoke Lacy Neighbourhood Development Plan and the National Planning Policy Framework

4. Within 3 months of the date of this permission, evidence that the surface water drainage scheme as proposed within the Sustainable Drainage Assessment by GeoSmart (dated 15/04/2024) has been implemented in full. The surface water drainage arrangements shall be maintained as approved thereafter.

Reason: To prevent the increased risk of flooding and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

5. Within 3 months of the date of this permission, 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 30 metres in each direction. Due to the narrow nature of the access road the visibility splay will be permitted to be measured to the centreline of the adjoining carriageway. Thereafter, nothing shall be planted, erected and/or allowed to grow on the triangular area of land 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 and the National Planning Policy Framework.

6. Within 3 months of any planning permission being granted the development hereby permitted shall provide full details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of the business. This shall be submitted to the Local Planning Authority for their written approval. Once approved the covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use by staff. 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 to the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

7. No more than the 3 vans confirmed to operate from the site shall operate from or be stored at the site at any one time.

Reason: To prevent any further intensification of the use of the site and Woodend Lane, which would result in an adverse impact upon the safety of the public highway and to accord with policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 8. The loading and unloading of delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 0730 to 1700 Mondays to Fridays nor at any time on Saturdays, Sundays, Bank or Public Holidays.**

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 9. No artificial lighting features, including but not limited to floodlighting and other internal or external lighting associated with the approved development shall be illuminated across any period between sunset and sunrise without the prior written approval of the local planning authority. The use of ‘low glow’ or ‘no glow’ infrared security lighting associated with security for the commercial use of the site is acceptable.**

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, LD1-3; ; and the council’s declared Climate Change and Ecological Emergency

INFORMATIVES:

- 1. Application Approved Without Amendment**

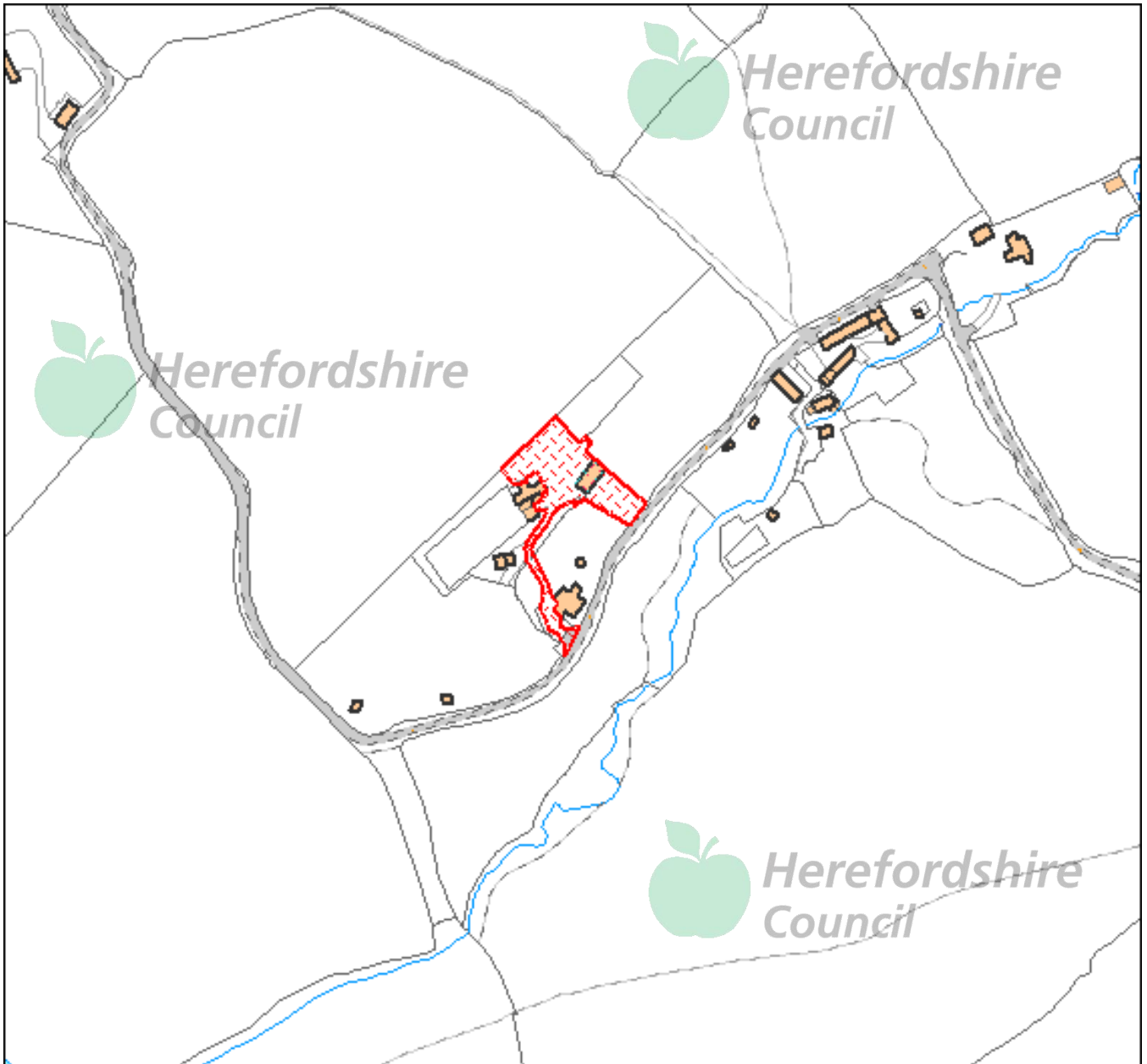
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Decision:

Notes:

Background Papers

None identified.



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APPLICATION NO: 242591

SITE ADDRESS : LAND AT LOWER WOODEND, STOKE LACY, HEREFORDSHIRE, HR7 4HQ

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