

Minutes of the meeting of Planning and Regulatory Committee held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Wednesday 19 March 2025 at 10.00 am

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

**Councillors: Polly Andrews, Bruce Baker, Jacqui Carwardine, Simeon Cole,
Dave Davies, Matthew Engel, Catherine Gennard, Peter Hamblin,
Stef Simmons, Charlotte Taylor, Richard Thomas and Mark Woodall**

In attendance: **Councillors Bartlett, Bramer, Proctor and Swinglehurst**

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

48. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Stone.

49. NAMED SUBSTITUTES (IF ANY)

No substitutes were present at the meeting.

50. DECLARATIONS OF INTEREST

Councillor Stef Simmons declared a personal interest in agenda item no. 6, application 231390, Land to the South of Peterstow Gas Compressor. The site was approximately 2 miles from Cllr Simmons home but the impacts of the site on her property were not deemed significant.

Councillor Simeon Cole declared that he had received a telephone call from a representative of the applicant for agenda item no. 6, application 231390, Land to the South of Peterstow Gas Compressor, on the evening before the committee meeting but had not entered into a discussion about the application.

Councillor Peter Hamblin declared that he had received a telephone call from a representative of the applicant for agenda item no. 6, application 231390, Land to the South of Peterstow Gas Compressor, on the evening before the committee meeting but had not entered into a discussion about the application.

Councillor Richard Thomas declared that he had received a telephone call from a representative of the applicant for agenda item no. 6, application 231390, Land to the South of Peterstow Gas Compressor, on the evening before the committee meeting but had not entered into a discussion about the application.

Councillor Bruce Baker declared that he had received a telephone call from a representative of the applicant for agenda item no. 6, application 231390, Land to the South of Peterstow Gas Compressor, on the evening before the committee meeting but had not entered into a discussion about the application.

51. MINUTES

RESOLVED: That the minutes of the meeting held on 28 January be approved.

52. 231390 - LAND TO THE SOUTH OF PETERSTOW GAS COMPRESSOR STATION, HENTLAND, HEREFORDSHIRE (PAGES 43 - 58)

Councillor Dave Davies left the committee to act as the adjoining ward member for the following application.

The Principal Planning Officer minerals and waste 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 Roe spoke on behalf of Peterstow Parish Council, Mr Wheeler, local resident, spoke in objection to the application and Mr Turner, the applicant, spoke in support.

In accordance with the Council's constitution the local ward member spoke on the application. In summary, she explained that she was speaking on behalf of local residents and Peterstow Parish who opposed the application. The parish council had considered the application and had determined that the development was not in a suitable location. It was noted that the landscape officer had made an objection to the application which remained unresolved. The impact of the application on the landscape was contrary to core strategy policies SS7, LD 1, LD2 and paragraph 187 of the NPPF. The location of the site was in a steep field and significant earth moving would be required. This would result in significant change to the character of the area. The development represented a major and adverse impact on the landscape and the local right of way. The application proposed the use of grade 2 agricultural land. This would result in the loss of arable land and was therefore contrary to core strategy policy SS7 and paragraph 174 B of the NPPF. The battery storage site would be located next to a gas line; this was hazardous and posed significant safety risks. It was noted that there were water tanks on site in case of fire but these would only discharge water flow for two hours; there was concern that there would be insufficient capacity to address larger fires. The Environment Agency provide advice that such proposals should not be situated near to rivers however the application site was close to local water courses which fed the River Wye. The application was contrary to the neighbourhood development plan policies PTS 1, 2, 3 and 17. It was contended that the application was not in the right place, represented a loss of farmland, contributed to the industrialisation of the area and therefore posed an adverse impact on the landscape.

In accordance with the Council's constitution the adjoining local ward member spoke on the application. In summary, he explained that the importance of the application to contribute towards energy storage and renewable energy was acknowledged however it was questioned whether the application was in the right location due to the loss of farmland and the impact on the landscape.

The committee debated the application. There was division among the members of the committee. Some members of the committee supported the application as an important element of the local electricity infrastructure and did not consider the impact of the development upon the landscape to be adverse. Other members of the committee considered the impact of development upon the local landscape to be unacceptable and that more suitable locations for the development existed within the county.

The Development Manager Service Manager explained that guidance from the chief fire officer had been followed in assessing the suitability of the fire precautions on site and the fire service had been consulted during the application. The water held on site would be used to treat thermal runaway and the drainage system proposed would contain the

water avoiding its discharge into local water courses. There was a need within Herefordshire for additional energy capacity and the development would provide energy security.

The local ward member was given the opportunity to close the debate. She explained that there was a conflict between the benefits contained in the application and the impact it posed to the landscape. It was commented that due regard should be paid to the neighbourhood development plan; this application was contrary to policies within that NDP. The objection from the landscape officer to the impact of the development on the landscape was unresolved and there remained concerns regarding drainage and the safety of the site.

Councillor Bruce Baker proposed and Councillor Peter Hamblin 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)

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. Approved Plans

The development shall be carried out strictly in accordance with the approved plans and drawings as stated below:

- **Applicaion Plan – S0/415/12**
- **Development Layout – S0/415/07 L**
- **Development Platforms Elevation Cross Sections – SO/415/08 D**
- **Landscape & Ecological Mitigation Plan – S0/415/11 C**
- **132kV Substation Compound – Layout_132kV-Sub-Type A_P03**
- **Onsite Water Storage – Elevation_Water-Storage_P03**
- **Elevation_Fense-Pallisade-Type-A-2400_P02**
- **Energy Storage System – Elevation_Energy_Storgae_Systme_P02**
- **Customer Substation – Elevation Customer-Sub-Type A_P01**
- **Control Room – Elevation_Control-Room_P02**
- **Communication Mast – Elevation_Comms_Mast-15000_P02**
- **Drainage Addendum – 415 SP09 dated 4/12/2024**

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, Policy PTS17 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework.

3. Decommissioning should use cease

In the event the development ceases to export electricity to the grid for a continuous period of 12 months, a scheme of restoration for the removal of the Battery Energy Storage Facility and any associated equipment, shall be submitted to and approved in writing by the local planning authority within 3 months from the end of the 12-month period. The restoration scheme shall include details of the retention of any approved boundary treatment(s) and planting. The approved scheme of restoration shall then be fully implemented within 6 months of written approval being given.

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy, Policy PTS2 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Commencement Conditions

4.

Construction Traffic Management Plan

Prior to the commencement of any development on site, a detailed Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

- Provision of wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway,
- Construction traffic access location,
- Parking and turning for vehicles of site operatives and delivery vehicles
- Timings of deliveries of construction infrastructure and materials

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 PST10 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework.

5. 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 fully detailed and specified Ecological Working Method Statement and details of an appointed Ecological Clerk of Works, a section on works near the watercourse should include but not limited to detailed ecological working methods and consideration of all environmental effects, including biosecurity and direct water quality protection measures for all operations 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 and Policy PTS3 of the Peterstow Neighbourhood Development Plan.

6. Earthing report

Before any work, including site clearance begin or equipment brought onto the site, a risk assessment/earthing report shall be submitted to and approved by the Local Authority, in consultation with national gas transmission. The report shall examine the effects of the earthworks, touch and step voltage, dc fault current and transfer potentials that the nearby pipeline may be exposed to, in normal operations and in the event of a fault.

Reason: To prevent damage or an impact to the nearby High Pressure Gas Line and to conform to Policies SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

With the exception of site clearance and groundworks

7. Detailed Battery Safety Management Plan

With the exception of site clearance and groundwork, no further development shall take place until a Detailed Battery Safety Management Plan which builds upon the Outline Battery Safety Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to the following:

- A statement on the battery system specifications, including fire detection and suppression system;**
- A statement on operational procedures and training requirements, including emergency operations;**
- A statement on the overall compliance of the system with applicable legislation;**
- An environmental risk assessment to ensure that the potential for indirect risks (e.g., through leakage or other emissions) is understood and mitigated;**
- An emergency plan covering construction, operation and decommissioning phases developed in consultation with Herefordshire and Worcestershire Fire and Rescue, to include the adequate provision of firefighting equipment on-site**

The development shall be implemented in accordance with the approved details and shall be maintained as such thereafter.

Reason: In the interest of fire safety and to conform to Policies SD1 and SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. Landscaping Scheme

With the exception of site clearance and groundworks, no further development shall take place until a landscape scheme is submitted to and approved in writing by the Local Planning Authority. The scheme shall

include a scaled plan identifying:

- a. All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
- b. All proposed hardstanding, boundary treatment and access gates.

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 PTS3 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework,

Before Development is brought into use

9. Biodiversity Net Gain and Maintenance Plan

Before the development is first brought into use, a schedule of landscape maintenance based on the Biodiversity Metric that includes full details and specifications for biodiversity net gain habitat enhancements, planted species, and management for a period of 10 years shall be submitted to and approved in writing by the local planning authority.

The approved enhancements shall be implemented in full with all new planting completed within 2 planting seasons and hereafter maintained as approved unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that all protected species are considered and habitats enhanced 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 and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy (2015) policies SS1, SS6 LD1, LD2 and LD3 and Policy PTS3 of the Peterstow Neighbourhood Development Plan

10. Drainage Scheme Verification

Prior to the first use of the development hereby approved, a Drainage Verification Report, pertaining to the SuDS details shown and illustrated on approved plan SUDS Design, number SO-415-14 (dated 27 April 2023) and the details within the Flood Surface Water Management Plan, as outlined within the Addendum dated 4/12/2024 (prepared by Corylus), shall be prepared by a suitably competent person, and submitted to the Local Planning Authority for approval. The report shall demonstrate that the drainage system has been constructed in consistent with that which was approved. The report shall contain information and evidence (including photographs) of the details and location of inlets, outlets and control structures; full as built plans; and a management and maintenance schedule for the lifetime of the development.

Reason: In the interests of the visual amenity of the area; To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure risks to nearby water course and ecological systems are minimised the and to comply with Policy SD3 and LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy

Framework.

11. External lighting

Prior to first beneficial use of the Battery Energy Storage System hereby approved an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site prior to first beneficial use of the development, and retained as such thereafter.

Reason: In the interest of visual amenity and to safeguard local amenities in accordance with Policies LD1 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy PTS9 of the Peterstow Group Neighbourhood Development Plan and the National Planning Policy Framework.

Compliance

12.

Ecological Protection (including Protected Species)

The recommendations in the Great Crested Newt Reasonable Avoidance Measures by Aurochs Ecology dated 28/02/24, the Badger working method by Aurochs Ecology dated 07/03/24, and the PEA by Midland Ecology dated August 2022 in respect of ecological interests on the site, biodiversity net gain and habitat enhancement recommendations, including mitigation-compensation measures and requirement for any relevant protected species licences from Natural England, shall be implemented in full and hereafter maintained as approved 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 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and the council's declared Climate Change & Ecological Emergency.

13. Working Hours of construction

The hours during which construction work may take place shall be restricted to 0700 to 1900 Mondays to Fridays and 0800 to 1300 on Saturdays. There shall be no such working on 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.

INFORMATIVES:

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Herefordshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of [article 2\(1\) of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)) where:

- i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

- 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

- 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

- 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

- 4.5 Self and Custom Build Development, meaning development which:
 - i) consists of no more than 9 dwellings;

- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Additional 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. 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. 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

“Higher Status 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 is 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. 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.

4. In relation to condition , the limits are set within BS EN 50121-1 which is the railway standard and sets the safe limits for non-electrically trained personnel, as well as NGT specifications ECP1 and ECP2. If you need contact the National Gas Transmission Asset Protection Team regarding the requirements of the condition please email Box.AssetProtection@NationalGas.com or phone :0800 970 7000.

There was an adjournment at 11:00 a.m.; the meeting reconvened at 11:13 a.m.

Councillor Dave Davies resumed his seat on the committee.

53. 232807 - FIELD ADJACENT TO TUMP LANE, TUMP LANE, HEREFORD, HEREFORDSHIRE, HR2 8HW (PAGES 59 - 62)

Councillor Jennie Bartlett acted as local ward member for the application below. She was acting as a proxy for the local ward member for Birch who had declared an interest in the application.

The Principal 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 James, local resident, spoke in objection to the application and Ms Shaw, the applicant, spoke in support.

In accordance with the Council's constitution the proxy local ward member spoke on the application. In summary, she explained that the application proposed a co-housing model which incorporated affordable housing elements with a priority for local residents of Much Birch. The development would contribute to the overall housing strategy in Herefordshire and locally, in accordance with the neighbourhood development plan (NDP) policy MB9. The development was environmentally sympathetic, existing planting would be maintained and additional planting would be provided on site. There would be an extension to the childrens' play area and new equipment would be provided as part of the application. During the consultation period the applicant had replied positively to

correspondence from consultees and to all queries received. Although there was no immediate plan to adopt the internal road as part of local authority highways it would be built to a high standard that could be adopted in future if appropriate. As part of the application, improvements to highway safety along Tump Lane had been proposed including a new footway. This was in accordance with NDP policy MB1. The applicant had attempted to address all concerns regarding the development including objections to the loss of garages which had been mitigated by the provision of new parking spaces on the site. There was a good level of support for the application and the site formed part of NDP policy MB8. The local parish council had no objections to the proposal and no objections had been raised at the parish council meeting at which the application was considered. The principle for development on the site had been established, the conditions provided a good framework to regulate the development and support was expressed for the production of a construction management plan.

The committee debated the application. There was support for the application across the committee. The committee raised the importance of protecting the existing play area during construction and the inclusion of a condition relating to EV charging on the site.

The proxy local ward member was given the opportunity to close the debate. She explained that the protection of the existing play area during construction was welcomed and the proposal included provision for 8 electric charging points in the communal parking area.

Councillor Richard Thomas proposed and Councillor Dave Davis seconded a motion that the application be approved with a change to the conditions to protect the existing play area during construction and to require the provision of EV charging points.

The motion was put to the vote and was carried unanimously.

RESOLVED –

That subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement, officers named in the Scheme of Delegation to Officers are authorised to grant planning permission, subject to a change to the conditions to protect the existing play area during construction and to require the provision of EV charging points and subject to the conditions below and any other further conditions considered necessary

STANDARD CONDITIONS

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

**00-4001 P1 Site Location Plan
1163-101 B Site Layout Sheet 1 of 2
1163-102 B Site Layout Sheet 2 of 2
1163-110 A Section 278 Works Overall Layout
00-4102 P2 Proposed Site Entrance Plan
00-4004 P2 Proposed Wider Site Plan**

00-4005 P2 Proposed Site Plan House Plots
00-4006 P3 Proposed Site Landscape & Roof Plan
00-4007 P2 Proposed Site Plan House Details
00-4014 P1 Communal House Proposed Plan
00-4015 P2 Communal House Proposed Elevations
00-4009 P1 Type A – Proposed 1 Bed Flat
00-4010 P1 Type B – Proposed 2 Bed Flat
00-4011 P1 Type C – Proposed 2 Bed House
00-4012 P1 Type D - Proposed 3 Bed House
00-4013 P1 Type E – Proposed 4 Bed House
00-4008 P1 Proposed Long Elevations
00-4018 P1 Proposed East West Elevations (Type B & C) Sheet 1 of 2
00-4019 P1 Proposed East West Elevations (Type D & E) Sheet 2 of 2
00-4207 P1 Proposed Open Space Plan
00-4204 P1 Proposed Waste Management Plan Sheet 1 of 3
00-4205 P1 Proposed Waste Management Plan Sheet 2 of 3
00-4206 P1 Proposed Waste Management Plan Sheet 3 of 3

Reason: To define the terms of the permission and ensure the development is carried out in strict accordance with the approved plans, in the interests of proper planning and to secure a satisfactory form of development in accordance the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the relevant provisions of the National Planning Policy Framework.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. Prior to any development commencing on site the applicant shall submit a Resource Audit to identify the approach to materials. The Resource Audit shall include the following;
 - The amount and type of construction aggregates required and their likely source;
 - the steps to be taken to minimise the use of raw materials (including hazardous materials) in the construction phase, through sustainable design and the use of recycled or reprocessed materials;
 - The steps to be taken to reduce, reuse and recycle waste (including hazardous wastes) that is produced through the construction phase;
 - The type and volume of waste that the development will generate (both through the construction and operational phases);
 - End of life considerations for the materials used in the development; and
 - Embodied carbon and lifecycle carbon costs for the materials used in the development.

Construction works shall thereafter be carried out in full accordance with the details of the approved Resource Audit unless agreed in writing by the Local Planning Authority.

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework and emerging policy SP1 of the Herefordshire Minerals and Waste Local Plan.

4. Prior to the commencement of development, including site preparation or enabling works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall be prepared no earlier than twelve months prior to the commencement of works and shall include, but may not be limited to the following:

- Detailed ecological working methods and mitigation measures to safeguard protected species and habitats.
- Measures to minimise environmental impacts arising from construction activities, including noise, dust, lighting, and pollution prevention.
- Procedures for monitoring and compliance throughout the construction phase.

The development shall be carried out in full accordance with the approved CEMP for the duration of the construction period, unless otherwise agreed in writing by the local planning authority.

Reason: To protect biodiversity and minimise environmental impacts, in accordance with Policies SS1, SS6, LD1, LD2, and LD3 of the Herefordshire Local Plan - Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework (2024).

5. Prior to the commencement of development, a Construction Management Plan incorporating a method statement shall be submitted to and approved in writing by the Local Planning Authority and shall provide for:

- A method for ensuring mud is not deposited onto the public highway
- 24 hour emergency contact number
- Construction traffic access location
- Parking for site operatives
- Measures to control noise and dust impact;
- The use of a consolidation operation or scheme for the delivery of materials and goods
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of the neighbouring properties during construction):
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Any necessary temporary traffic management measures;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses;

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 and the National Planning Policy Framework.

6. Prior to the commencement of development, a detailed landscaping and external works scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following:

- a) A plan showing existing and proposed finished levels or contours.**
- b) A drawing detailing proposed hard surfacing materials.**
- c) Details of boundary treatments and means of enclosure.**
- d) Information on artefacts and structures, including but not limited to street furniture, play equipment (excluding dedicated play provision where details are required under Condition 6), and water features.**
- e) Identification of trees and hedgerows to be removed.**
- f) Identification of trees and hedgerows to be retained**
- g) A comprehensive planting scheme, including a written specification detailing species, size, quantity, density, and planting arrangements.**
- h) Details of retaining features, including walls, embankments, or other structural elements, and their design;**
- i) schedule of landscape maintenance for a period of 10 years**

The approved scheme shall be implemented in full in accordance with the approved details and within the first available planting season following the commencement of development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development contributes to the enhancement of the local environment and provides high-quality and well-maintained landscaping, in accordance with Policies LD1, LD2, and SS6 of the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

7. No development shall commence, including demolition, and no site huts or temporary buildings, machinery, or materials shall be brought onto the site until a Tree and Hedgerow Protection Plan has been submitted to and approved in writing by the Local Planning Authority. This plan must include:

a) Root Protection Areas (RPAs): The identification and delineation of RPAs for all retained trees, hedgerows, or groups of trees in accordance with BS5837:2012 – Trees in Relation to Design, Demolition and Construction – Recommendations. The RPAs must be clearly shown on a site layout plan.

b) Protective Fencing Details: Specifications and locations of temporary protective fencing to be installed around each retained hedgerow, tree, or group of trees. The fencing must be at least 1.25 metres in height and fully enclose the RPAs, with its type and form agreed in writing with the Local Planning Authority.

c) Site Restrictions: Confirmation that no excavation, trenching, soil stripping, or ground level alterations will take place within the RPAs of any retained hedgerow, tree, or group of trees without the prior written approval of the Local Planning Authority. Additionally, no storage of soil, waste, or construction materials shall occur within these areas.

d) Construction Exclusion Zone: Confirmation that no site huts or buildings, vehicles, plant machinery, fuel, or construction equipment will be placed or operated within the RPAs of any retained hedgerow, tree, or group of trees.

e) Burning Restrictions: A commitment that no burning of materials will take place within 10 metres of the outermost edge of any retained hedgerow or the crown spread of any retained tree or group of trees.

f) Pruning and Tree Works: Details of any proposed pruning or tree works, which must be carried out in accordance with BS3998:2010.

The approved protection measures must be implemented in full before any development commences and shall be retained for the duration of the construction works.

Reason: To safeguard the amenity, biodiversity, and landscape character of the area by ensuring the retention and protection of existing hedgerows and trees, in accordance with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan, and the National Planning Policy Framework 2024.

CONDITIONS THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

- 8.** With the exception of any site clearance and groundwork, no further development shall commence until full details of the play area have been submitted to and approved in writing by the local planning authority. The details shall include, but are not limited to, the following:

- Play equipment,
- Surfacing,
- Landscaping,
- Means of enclosure,
- Accessibility features,

The play area shall be constructed in strict accordance with the approved details and made available for use prior to the first occupation of any dwelling hereby approved. The play area shall thereafter be retained and maintained in accordance with the approved scheme, unless otherwise agreed in writing by the local planning authority.

Reason: In order to comply with Policies OS1 and OS2 of the Herefordshire Local Plan Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

- 9.** No development shall commence in relation to any specified highways works indicated on plan reference: 1163-110 A Section 278 Works Overall Layout, until full details of the works have been submitted to and approved in writing by the local planning authority, following the completion of the technical approval process by the local highway authority. The development shall not be occupied until the highway works have been completed in full accordance with the approved details.

Reason: To ensure the safe and free flow of traffic, enhance pedestrian safety, and improve connectivity on Tump Lane to Much Birch and Wormelow, in accordance

with Policy MT1 of the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

10. Prior to any construction work above damp proof course a specification and annotated location plan for proposed biodiversity net gain enhancement features including significant and meaningful provision of ‘fixed’ habitat features including a range of bird nesting boxes, bat boxes (or similar roosting features), hedgehog homes and hedgehog highways through all impermeable boundary features, must be supplied to and approved in writing by the local authority. The approved scheme shall be implemented in full and hereafter maintained as approved unless otherwise agreed in writing by the local planning authority.

Reason: To secure biodiversity net gain and ensure the long-term protection and enhancement of local wildlife habitats, in accordance with Policies SS1, SS6, LD1, LD2, and LD3 of the Herefordshire Local Plan - Core Strategy, the Much Birch Neighbourhood Development Plan, and the National Planning Policy Framework (2024).

11. With the exception of site clearance and ground works, no development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system. The drainage scheme shall:

i) Provide information on the design storm period and intensity, the method for delaying and controlling surface water discharge from the site, and measures to prevent pollution of receiving groundwater and/or surface waters;

ii) Include a timetable for its implementation;

iii) Provide a management and maintenance plan for the lifetime of the development, including any arrangements for adoption by any public authority or statutory undertaker, and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surface water drainage works shall thereafter be implemented in accordance with the approved details.

Reason: To manage surface water effectively, reduce flood risk, and ensure that sustainable drainage practices are incorporated into the development, in accordance with Policy SD3 of the Herefordshire Local Plan - Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

12. With the exception of any site clearance and groundwork, no further development shall take place until details or samples of materials to be used externally on walls and roofs 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, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

13. Prior to the first occupation of the development hereby approved, a Travel Plan promoting alternative sustainable transport options for occupiers and visitors,

has been submitted to and approved in writing by the local planning authority. The Travel Plan shall be implemented in accordance with the approved details. A detailed written record of the measures undertaken to promote sustainable transport shall be kept, and the Travel Plan shall be reviewed annually. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

Reason: To promote sustainable transport initiatives and reduce reliance on private car use, in accordance with Policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

14. Prior to the first occupation the development hereby approved, full details of the scheme for the provision of covered and secure cycle parking facilities as indicated on plan reference: 00-4004 P2 Proposed Wider Site Plan, shall be submitted to and agreed in writing by the local planning authority. The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details 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 SD1 and MT1 of Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

15. No dwelling hereby permitted shall be occupied until the details of the respective car parking areas as indicated on 4004 P2 Proposed Wider Site Plan, including its consolidation, surfacing, and drainage, have been submitted to and approved in writing by the local planning authority. The car parking shall then be laid out in accordance with the approved details prior to the first occupation of the dwellings and shall thereafter be retained solely for the parking of vehicles.

Reason: To ensure adequate parking provision and maintain highway safety, in accordance with Policy MT1 of the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

16. Prior to the first occupation of the development hereby approved, a schedule of management and maintenance of all non-private areas (including wildflower meadow, and allotments) shall be submitted to and approved in writing by the Local Planning Authority. All management and maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure the successful establishment of the approved scheme, Local Planning Authority and in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework.

17. Prior to the first occupation of any of the residential development hereby permitted written evidence / certification demonstrating that water conservation and efficiency measures to achieve the 'Housing – Optional Technical Standards – Water efficiency standards' (i.e. currently a maximum of 110 litres per person per day) for water consumption as a minimum have been installed / implemented shall be submitted to the Local Planning Authority for their written approval. The development shall not be first occupied until the Local Planning Authority have

confirmed in writing receipt of the aforementioned evidence and their satisfaction with the submitted documentation. Thereafter those water conservation and efficiency measures shall be maintained for the lifetime of the development

Reason: In order to ensure that water conservation and efficiency measures are secured to safeguard water quality and the integrity of the River Lugg (Wye) SAC in accordance with policies SS6, SD2, SD4 and LD2 of the Herefordshire Local Plan Core Strategy, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations (2017) and NERC Act (2006).

CONDITIONS WHICH ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

18. No more than one external LED down-lighter shall be installed above or beside each external door, positioned below eaves height. Each light shall have a Corrected Colour Temperature of no more than 2700K and a brightness not exceeding 500 lumens. Lights shall be directed downwards with a 0-degree tilt angle and 0% upward light spill. All external lighting shall be fitted with a PIR sensor set to a maximum over-run time of one minute and shall be maintained in accordance with these details thereafter.

Reason: To protect biodiversity and preserve the area's dark skies, in accordance with Policies SS1, SS6, LD1, LD2, and LD3 of the Herefordshire Local Plan - Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework (2024).

19. The hours during which construction work may take place shall be restricted to 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. There shall be no such working on 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.

20. 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.

21. All planting, seeding or turf laying in the approved landscaping scheme approved under Condition 6 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, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework

22. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent re-enactment thereof, no boundary walls, fences,

gates, or other means of enclosure shall be erected, constructed, or altered on the site without the prior written approval of the Local Planning Authority.

Reason: To ensure that the appearance of the boundary treatment is appropriate and in keeping with the character and visual amenity of the area, and to ensure a high quality form of development is maintained, in accordance with Policy SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, the Much Birch Neighbourhood Development Plan and the National Planning Policy Framework 2024.

INFORMATIVES:

1. 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 “Higher Status 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 is 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.
2. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under Section 106 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
3. The applicant is also advised that some public sewers and lateral drains may not be recorded on our 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 us 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.
4. The applicant is advised that under Section 185 of the Water Industry Act 1991, any works affecting a public sewer or other asset, including the diversion of a mains sewer, require approval from the relevant water undertaker (in this case, Welsh Water). The applicant must submit a formal

application to Welsh Water (or any succeeding asset owner) for the diversion of the asset. This process is separate from the planning permission process and must be completed before the development can proceed in accordance with the approved plans. The applicant is reminded that failure to secure the necessary diversion approval will prevent lawful implementation of the development

5. In accordance with National Planning Policy Framework (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.
6. 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.
7. No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. Please contact the Senior Engineer, PO Box 236, Plough Lane, Hereford HR4 0WZ to progress the agreement.
8. It is the responsibility of the developer to arrange for a suitable outfall or discharge point. It cannot be assumed that the highway drainage system can be used for such purposes.
9. In connection with Condition 13, the applicant is advised that advice on its formulation and content can be obtained from the Travel Plan Team at Herefordshire Council's Transportation Team, PO Box 236, Plough Lane, Hereford HR4 0WZ.
10. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
11. Biodiversity Net Gain Standard Informative

54. 231202 - LAND NORTH OF A40 (GLOUCESTER ROAD) AND EAST OF HUNSDON MANOR, WESTON UNDER PENYARD, HEREFORDSHIRE

The principal planning officer provided a presentation on the application.

In accordance with the criteria for public speaking Mr White spoke on behalf of Weston under Penyard parish council and Ms McPherson, the applicant's agent, spoke in support of the application.

In accordance with the Council's constitution the local ward member spoke on the application. In summary, he explained that an earlier application concerning the site proposed a controlled crossing across the A40. The current application should contain an identical provision in order to protect local residents from Penyard Gardens and the proposed development. The crossing would protect local residents from significant

highway safety risks posed by the road. The road was straight and vehicles had been recorded travelling in excess of 70 MPH and sometimes 100 MPH in the 30 MPH speed limit zone. A pedestrianised crossing was a much wanted and needed element of the earlier application which had now been removed from the current application. The current application contained a roundabout which was positioned off line from the existing road and was intended to deflect and slow cars. However, the position of the roundabout would not deflect or slow traffic travelling from Gloucester. The effectiveness of the roundabout had also been questioned in the applicant's own assessments. The local parish council had asked for a review of the roundabout but this had been refused. The inclusion of a roundabout in preference to a signalised crossing in the application was considered a cost saving measure. It was requested that a pedestrianised crossing should be required as part of the application which should be refused until such a measure was included.

The committee debated the application. There was division among members of the committee regarding the process to be followed to consider and potentially implement a signalised pedestrian crossing on the A40. The committee considered the importance of the roundabout in slowing traffic and discussed the preferred location of a pedestrianised crossing to protect the highway safety of local residents and contribute to an effective traffic calming scheme. The committee considered the heads of terms to be incorporated in the section 106 agreement, the transport contribution in the heads of terms which could be allocated towards a pedestrian crossing and the road safety audit. It was the contention of some members of the committee that the application should not be approved without the inclusion of pedestrian crossing whilst other members of the committee felt that the provision of a crossing should be taken forward as part of the section 106 agreement process following approval of the application.

The Development Manager Service Manager explained that the earlier application had concerned outline permission for the site and a crossing had been included in drawings but the crossing had not been secured in the section 106 agreement or in conditions. Funding had already been secured in the heads of terms towards the transport contribution, £86,000, which could be allocated to works for a pedestrian crossing but it was acknowledged that additional funding would need to be found.

The highways advisor explained that the road safety audit had concluded that the highway scheme proposed in the application including the mini roundabout was acceptable. Any proposed crossing would need to be technically achievable on the site and the precise cost of a crossing was open to a number of variables.

The local ward member was given the opportunity to close the debate. He explained that the objection to the application concerned the safety of local residents whilst using the A40. It was requested that a pedestrian crossing was provided across the A40 in the plans for the site before the application was approved. The proposed mini roundabout would not slow traffic significantly as the deviation from the line of the highway was not sufficient.

Councillor Bruce Baker proposed and Councillor Peter Hamblin 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 subject to either the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the Heads of Terms stated in the report, or a condition requiring the completion of an agreement prior to the

commencement of development, officers named in the Scheme of Delegation to Officers are authorised to grant full planning permission, subject to the conditions below and any other further conditions considered necessary:

STANDARD

1 Time:

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 Drawings:

The development shall be carried out strictly in accordance with the approved plans:

P22-2340-P101 SITE LAYOUT PLAN REV J
P22-2340-P102 MATERIALS DISTRIBUTION PLAN REV E
P22-2340-P103 PARKING STRATEGY PLAN REV E REV E
P22-2340-P104 BOUNDARY TREATMENT PLAN REV F
P22-2340-P105 STOREY HEIGHTS PLAN REV E
P22-2340-P106 REFUSE STRATEGY PLAN REV D
P22-2340-P201 BUSHMILLS BRICK (SO & FH) GA PLANS AND ELES REV A
P22-2340-P202 BUSHMILLS RENDER (SO & FH) GA PLANS AND ELES REV B
P22-2340-P203 CAVAN SEMI (SO&FH) RENDER GA PLANS AND ELES REVB
P22-2340-P204 CAVAN TERRACE (AR) BRICK GA PLANS AND ELES REV B
P22-2340-P206 GREENCASTLE GA PLANS AND ELEVATIONS REV B
P22-2340-P207 HILLTOWN GA PLANS AND ELEVATIONS REV C
P22-2340-P208 KNIGHTSTOWN GA PLANS REV
P22-2340-P209 KNIGHTSTOWN GA ELEVATIONS REV B
P22-2340-P210 KINGSCOURT GA PLANS REV
P22-2340-P211 KINGSCOURT GA ELEVATIONS REV B
P22-2340-P212 KINNEGAD GA ELEVATIONS (STONE) REV B
P22-2340-P214 KINNEGAD GA PLANS REV A
P22-2340-P215 KINNEGAD GA ELEVATIONS (BRICK) REV C
P22-2340-P216 LIFFORD GA PLANS REV A
P22-2340-P217 LIFFORD GA ELEVATIONS REV B
P22-2340-P218 PORTSALON GA PLANS REV
22-2340-P219 PORTSALON GA ELEVATIONS (BRICK) REV B
P22-2340-P220 GARAGE STUDIO GA PLANS & ELEVATIONS REV A
P22-2340-P223 GARAGE G1 SINGLE GA PLANS & ELEVATIONS REV A
P22-2340-P224 GARAGE G2 TWIN GA PLANS AND ELEVATIONS REV A
P22-2340-P225 GARAGE G3 DOUBLE GA PLANS & ELEVATIONS REV A
P22-2340-P226 BANTRY BUNGALOW (STONE) GA PLANS & ELES REV C
P22-2340-P227 KNIGHTSTOWN (STONE) GA ELES REV B
P22-2340-P230 PORTSALON (STONE) GA ELEVATIONS REV B
P22-2340-P231 KATESBRIDGE CT (STONE) GA PLANS & ELES REV C
P22-2340-P232 KATESBRIDGE CT(RENDER) GA PLANS & ELES REV B
P22-2340-P233 BUSHMILLS AR (BRICK) GA PLANS & ELES REV B
P22-2340-P234 BUSHMILLS AR&SO (STONE) GA PLANS & ELES REV A
P22-2340-P300 STREET SCENES REV F

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].

Pre commencement

3 Contaminated Land

No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- a) a Preliminary Risk Assessment report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice**
- b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors**
- c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.**

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy, and Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

4 CEMP

No longer than twelve months prior to any works or site preparation commencing a detailed, comprehensive, Construction Environmental Management Plan – including but not limited to detailed ecological working methods, Risk Avoidance Measures Scheme for Reptiles, retained tree and hedgerow protection scheme and consideration of all environmental effects of construction processes shall be supplied to the Local Planning Authority for written approval. The approved CEMP shall be implemented in full for the duration of all construction works at the site.

Reason: To ensure that all species are protected and habitats enhanced 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 (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3, Weston Under Penyard Neighbourhood Development Plan and the council's declared Climate Change & Ecological Emergency.

5 Resource Audit

Prior to commencement of development, a Resource Audit to identify the approach to materials shall be submitted to and approved in writing by the Local Planning Authority. The Resource Audit shall include the following;

- The amount and type of construction aggregates required and their likely source;
- The steps to be taken to minimise the use of raw materials (including hazardous materials) in the construction phase, through sustainable design and the use of recycled or reprocessed materials;
- The steps to be taken to reduce, reuse and recycle waste (including hazardous wastes) that is produced through the construction phase;
- The type and volume of waste that the development will generate (both through the construction and operational phases);
- On-site waste recycling facilities to be provided (both through the construction and operational phases);
- The steps to be taken to ensure the maximum diversion of waste from landfill (through recycling, composting and recovery) once the development is operational;
- End of life considerations for the materials used in the development; and
- Embodied carbon and lifecycle carbon costs for the materials used in the development.

Construction works shall thereafter be carried out in full accordance with the details of the approved Resource Audit unless agreed in writing by the Local Planning Authority.

Reason: This condition is required pre-commencement as the treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policies SD1 and SP1 of the Herefordshire Local Plan – Core Strategy, Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.

6 CMP/CMS

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:

- method for ensuring mud is not deposited onto the public highway
- 24 hour emergency contact number
- Construction traffic access location
- Parking for site operatives
- Measures to control noise and dust impact;
- The use of a consolidation operation or scheme for the delivery of materials and goods
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of the neighbouring properties during construction):
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Any necessary temporary traffic management measures;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses;

- Submission of tree protection plan in accordance with BS5837:201
- Detailed Construction Method Statement (CMS) containing
 - Hours of operation;
 - The methods and materials to be used to ensure that the generation of noise is minimised;
- Choice of plant and equipment to be used:
 - The use of prefabricated materials wherever possible;
 - Regarding optimum site layout, noise generating activities to be located away from sensitive receptors; and
- Good housekeeping and management, to include.
 - a) Review of plant and activities to ensure noise minimisation measures are in place and operating;
 - b) Public relations, e.g. provision of telephone numbers for complaints, pre-warning of noisy activities including activities that might generate perceptible vibration, sensitive working hours;
 - c) Controlling of site traffic and setting up of access routes away from sensitive receptors; and
 - d) Provision of noise monitoring during activities likely to affect sensitive receptors.

The development shall be carried with full implementation of all noise and overheating mitigation recommendations outlined in the acoustic assessment reference 26942-ENV-0401, carried out by MEC, dated March 2023.

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 tree protection and protect amenity of occupiers of nearby properties so as to comply with Policies SS6 and SD1 and Policy MT1,LD1 and LD3 of Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

7 Archaeology Protection

Prior to commencement of the development hereby permitted the area detailed as archaeological no go zone natural green space on P22-2340-P101 SITE LAYOUT PLAN REV J shall be protected by appropriate robust fencing. Once these protective measures have been erected but prior to commencement of the development a suitably qualified archaeological consultant appointed by the developer shall inspect the site and write to the Local Planning Authority to confirm that the protective measures are in-situ. Upon confirmation of receipt of that letter by the Local Planning authority the development may commence but the tree protective measures must remain in-situ until completion of the development.

Reason: To ensure suitable protection to the extensive archaeological remains of high significance in accordance with LD4 of Herefordshire Local Plan – Core Strategy, and Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

No development to take place, with the exception of any site clearance and groundworks.

8 Foundation detail

With the exception of site clearance and groundworks, no development shall take place until a detailed design and method statement for the foundation design and all new groundworks has been submitted to, and approved in writing by, the Local Planning Authority. The development hereby permitted shall only take place in accordance with the detailed scheme pursuant to this condition.

Reason: The development affects a site on which archaeologically significant remains survive and a design solution is sought to minimise disturbance through a sympathetic foundation design in accordance with LD4 of Herefordshire Local Plan – Core Strategy, and Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

9 Electric Vehicle Charging

With the exception of site clearance and groundworks, no development shall commence until written and illustrative details of the number, specification and location of electric vehicle charging points, has been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points serving each plot shall be installed prior to first occupation of that plot and be maintained and kept in good working order thereafter as specified by the manufacturer.

Reason: To address the requirements policies in relation to climate change SS7, MT1 and SD1 of the Herefordshire Local Plan Core Strategy, to assist in redressing the Climate Emergency declared by Herefordshire Council, Weston Under Penyard Neighbourhood Development Plan and to accord with the provisions of the National Planning Policy Framework.

10 BNG

Prior to any construction work above damp proof course a specification and annotated location plan for proposed biodiversity net gain enhancement features including significant and meaningful provision of ‘fixed’ habitat features including a range of bird nesting boxes, bat boxes (or similar roosting features), invertebrate homes, reptile hibernacula, hedgehog homes and hedgehog highways through all impermeable boundary features (except adjacent to main highways), must be supplied to and approved in writing by the local authority. The approved scheme shall be implemented in full and hereafter maintained as approved.

Reason: To ensure that biodiversity net gain is secured and habitats enhanced 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 and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy (2015) policies SS1, SS6 LD1, LD2 and LD3; and the council’s declared Climate Change and Ecological Emergency and Weston Under Penyard Neighbourhood Development Plan

11 Materials

With the exception of any site clearance and groundwork, no further development shall take place until details or samples of materials to be used externally on walls and roofs (including details of any solar panels) 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 Policies SD1, of the

Herefordshire Local Plan and Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

12 Highway works

Development shall not begin in relation to any of the specified highways works:

- New Access Road
- New Footway(s)
- Relocated Bus Stop
- Over run area
- Visibility Spays
- Mini Roundabout

until details of the works have been submitted to and approved by the Local Planning Authority in writing following the completion of the technical approval process by the Local Highway Authority. The development shall not be occupied until the scheme has been constructed in accordance with the approved details as submitted in drawing 24470-02-7 rev E.

Reason: To ensure the safe and free flow of traffic on the highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy Plan, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

13 Road details

Development shall not begin in relation to the provision of road and drainage infrastructure until the following details are submitted to and approved in writing to the Local Planning Authority:

- Surface finishes
- Drainage details
- Future maintenance arrangements

The development shall be carried out and thereafter maintained in accordance with the approved details prior to the first occupation.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

14 Landscape Scheme

With the exception of site clearance and groundwork, no further development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

(delete as appropriate)

- a) A statement setting out the design objectives and how these will be delivered.
- b) A Soil Resource Survey (SRS) and Soil Resource Plan (SRP) in accordance with the 'Construction Code of Practice for the Sustainable Use of Soils in Construction Sites' (DEFRA 2009).
- c) A plan showing existing and proposed finished levels or contours.
- d) A drawing detailing hard surfacing materials

- e) Detailed construction drawings of....
- f) Boundary treatments and means of enclosure.
- g) Artefacts and Structures e.g. street furniture, play equipment, water features.
- h) Vehicle /Cycle /Pedestrian access and circulation areas.
- i) Vehicle parking layouts
- j) Lighting and CCTV
- k) Trees and hedgerow to be removed.
- l) Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.
- m) All proposed planting, accompanied by a written specification setting out species, size, quantity, density and cultivation details.
- n) A plan detailing water attenuation schemes.
- o) An environmental plan for the protection of sensitive landscapes during the construction phase.
- p) An Environmental Colour Assessment (ECA), to inform the choice of external colour of the development/feature/building.
- q) An implementation programme – setting out phasing of work where appropriate.

The development shall be carried out and thereafter maintained in accordance with the approved details prior to the first occupation.

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, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

Prior to occupation

- 15 Before the development is first occupied or brought into use, 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, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

16 Landscape Scheme

Before the development is first occupied or brought into use, 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, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

17 Surface Water drainage

Before the development is first occupied or brought into use, the provision of a revised surface water drainage strategy shall be submitted and approved in writing by the Local Planning Authority.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

18 Floor levels

Before the development is first occupied or brought into use details of an as-built topographical survey of the proposed raised ground north of Plots 41, 42 and 43, that demonstrates that finished ground levels are above 72.50m AOD shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority. The survey shall be implemented following a suitable duration as deemed appropriate to allow adequate consolidation of the fill.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

19 Car Parking

Prior to the first occupation of [any or the] dwellings to which this permission relates an area for car parking shall be laid out within the curtilage of that property, in accordance with the approved plans (P103) which shall be properly consolidated, surfaced and drained, in accordance with details to be submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

20 Open Space

Prior to the first occupation of the development hereby approved details of the Management Company should be submitted. Details to include a written scheme detailing:

- the future management and maintenance requirements for the open space facilities
- how the Management company will be set up in order to fulfil its ongoing obligations and functions in relation to the open space facilities

The Management and maintenance shall be implemented in accordance with the approved details and be available for use prior to the first use of the dwelling to which it relates.

Reason: To ensure the successful establishment of the approved scheme, Local Planning Authority and in order to conform with policies OS2, OS3, SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, the Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

21 Cycle Parking

Prior to occupation of the development hereby permitted full details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwelling shall be submitted to the Local Planning Authority for their written

approval.

The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the dwelling to which it relates. 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 SD1 and MT1 of Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

22 Refuse

Prior to first occupation of the development, refuse and recycling collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and be available for use prior to the first use of the dwelling to which it relates.

Reason: To ensure satisfactory bin collection arrangements in line with Herefordshire Local Plan – Core Strategy Policies SD1 and MT1 Weston Under Penyard Neighbourhood Development Plan

23 Water Efficiency

Prior to the first occupation of any of the residential development hereby permitted written evidence / certification demonstrating that water conservation and efficiency measures to achieve the 'Housing – Optional Technical Standards – Water efficiency standards' (i.e. currently a maximum of 110 litres per person per day) for water consumption as a minimum have been installed / implemented shall be submitted to the Local Planning Authority for their written approval. The development shall not be first occupied until the Local Planning Authority have confirmed in writing receipt of the aforementioned evidence and their satisfaction with the submitted documentation.

Thereafter those water conservation and efficiency measures shall be maintained for the lifetime of the development

Reason: In order to ensure that water conservation and efficiency measures are secured to safeguard water quality and the integrity of the River Lugg (Wye) SAC in accordance with policies SS6, SD2, SD4 and LD2 of the Herefordshire Local Plan Core Strategy, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations (2017) and NERC Act (2006).

24 Contaminated Land

The Remediation Scheme, as approved pursuant to condition no. (3) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to comply with policy SD1 of the

Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

Compliance

25 Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

26 Access

The construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the Local Planning Authority, at a gradient not steeper than 1 in 12.

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

27 Archaeological Protection

No materials shall be stored, no vehicles or machinery stored or parked and no fires lit within the fenced areas referred to in condition 7 above.

Reasons: To ensure that there is no damage during the construction phase to the trees on the site to be retained and that are recognised to be of amenity value, in accordance with Policy LD4 of Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

28 Surface Water

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.

29 Noise Assessment

The recommendations set out in the noise assessment carried out by Mewies Engineering Consultants Limited (MEC), report reference 26942-ENV-0401 shall be implemented in full and hereafter maintained as approved.

Therefore believe that compliance can be achieved on this site providing that the recommendations within the above referenced report are implemented

Reason: To protect amenity in line with Herefordshire Local Plan – Core Strategy

Policies SD1 of the Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

30 Foul Water

All foul water flows created by the approved development shall be managed through connection to the Welsh Water mains sewer network managed by the Lower Cleeve Waste Water Treatment Works; and all surface water shall be managed through onsite Sustainable Drainage Systems.

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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

31 External Lighting

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

32 Boundary Treatments

Notwithstanding the approved plans, no works in relation to any boundary treatments required by this condition shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, type, design and materials of any boundary treatment to be erected. The boundary treatment shall be completed before the dwellings hereby permitted are occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, to ensure the development has an acceptable standard of privacy and to conform to Policies SD1, LD1, of the Herefordshire Local Plan – Core Strategy, and Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework.

33 Solar Panels

Within six months of any of the [solar panels/photovoltaic panels] hereby permitted becoming redundant, inoperative or permanently unused, those panels and all associated infrastructure shall be removed and re-used, recycled, the materials recovered, or be finally and safely disposed of to an appropriate licensed waste facility, in that order of preference.

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy, Weston Under Penyard Neighbourhood Development Plan and the National Planning Policy Framework

INFORMATIVES:

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 “Higher Status 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 is 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.

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. Revised documents have been submitted during the course of the application assessment 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.

This planning permission is issued pursuant to a Section 106 Town & Country Planning Act 1990 obligation agreement (Date of agreement to be inserted upon issue of permission).

The CEMP does not preclude the requirement for the applicant and their contractors to comply with all statutory ecological protection legislation that lies above any planning permission process. The CEMP should include consideration for all potential environmental effects and a helpful guide to all relevant considerations for a CEMP can be found at:

https://www.designingbuildings.co.uk/wiki/Construction_environmental_management_plan

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 our 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 us 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.

In accordance with National Planning Policy Framework (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

There was an adjournment at 1:08 p.m.; the meeting reconvened at 1:19 p.m.

Councillor Peter Hamblin left the meeting at 1:08 p.m.

55. 241536 - THE CHOUGHS, 68 PENN GROVE ROAD, HEREFORD, HEREFORDSHIRE, HR1 1BT

The senior planning officer provided a presentation.

In accordance with the criteria for public speaking Mr Jones, local resident, spoke in objection to the application and a statement was read on behalf of the applicant's agent, Mr Baume, in support of the application.

In accordance with the Council's constitution the local ward member spoke on the application. In summary, he explained the application was located in a distinctive part of Hereford with a mixture of different styles and character of houses. There were three key considerations with the current application, design, scale and location. It was noted that the City Council was not positive about the design of the house. The proposed was striking and substantially larger than the existing dwelling. Although the current house was not small it did not dominate its location. The proposed property was much bigger and closer to the road. The proposed dwelling would also be closer to the neighbouring property, number 66, which would be overlooked and imposed upon. The new house would impose upon the street frontage, the local area and other local properties. Due to the substantially negative impact of the proposed house the application should be refused.

The committee debated the application. There was division among members of the committee. The majority of the members deemed the application acceptable; contrary to this support other members did not support the demolition of an existing and habitable property.

The local ward member was given the opportunity to close the debate.

Councillor Stef Simmons proposed and Councillor Bruce Baker seconded a motion that the application be approved in accordance with the case officer's recommendations.

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 or amendments to the suggested conditions in the report that are considered necessary by officers named in the scheme of delegation to officers:

Standard conditions

1. C01 - Time limit for commencement (full permission)

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. Development in accordance with approved plans

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

6551-10-A (Location and Block Plan);
6551-11-A (Proposed Site Plan);
6551-12-A (Proposed Dwelling – Floor Plans); and
6551-13-A (Proposed Dwelling – Elevations)

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.

Pre-Commencement Conditions

3. Notwithstanding the details which have been provided, no works including any site clearance or demolition shall take place until the tree report protection plan (Mackley Davies Associates Ltd – April 2024) is updated to reflect the amended site layout which shall be submitted and approved in writing by the Local Planning Authority. The tree and hedgerow protection shall thereafter be carried out in accordance with these approved details and remain implemented for the duration of the construction phase of the approved development.

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 and the National Planning Policy Framework.

4. Construction Environmental Management Plan

Before any works; 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.

5. Landscape Scheme

Notwithstanding the details provided to date, no works shall commence until 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, setting out measures for their protection during construction, in accordance with BS5837:2012;
- b) Trees and hedgerow to be removed;
- c) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details; and
- d) All proposed hardstanding and boundary treatment.

All planting, seeding or turf laying in the approved landscaping scheme 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.

Hard landscaping and Boundary Treatments (d) shall be completed prior to the occupation of the dwelling.

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

Relevant commencement or prior to first occupation conditions

6. 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 and the National Planning Policy Framework.

7. Samples of external materials

With the exception of any site clearance and groundwork, no further development shall take place until details or samples of materials to be used externally on walls, roofs, windows and external door of the replacement dwellinghouse 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 and the National Planning Policy Framework.

Framework.

8. Secure covered cycle parking provision

Prior to the first occupation of the replacement dwelling, details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of the replacement dwelling shall be submitted to the Local Planning Authority for written approval.

The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the replacement dwelling 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 SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. Obscure glazing to windows

Prior to the first occupation of the replacement dwellinghouse, and at all times thereafter, the first floor bathroom windows at the north elevation shall be glazed with obscure glass only and shall be non-opening.

The obscured glazing shall be retained in perpetuity.

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

10. Drainage in accordance with approved plans

The drainage arrangements for replacement dwellinghouse shall be completed prior to first occupation in accordance with the Surface Water Management and Foul Drainage Strategy for 68 Penn Grove Road, Herefordshire, HR1 1BT Rev. 6 Contract Ref: FD150A dated 07/02/2025.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

11. Efficient use of water

Prior to the first occupation of the replacement dwelling, 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 (or successor policy) shall be submitted to and approved in writing by the local planning authority and implemented as approved.

Reason: To ensure water efficiency requirements are compliant with Policy SD3 of the Hereford Local Plan – Core Strategy and the National Planning Policy Framework.

12.

Self Build

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 replacement dwellinghouse 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 monitoring and management/compliance conditions

13. Surface Water

Surface water flows from the development shall only communicate with the public (combined sewer / surface water sewer) through an attenuation device that discharges at a rate not exceeding 2l/s.

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 SS6, LD2, SD1, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

14. Foul Water

Unless otherwise agreed in writing by the Local Planning Authority all foul water flows created by the approved development shall be managed through connection to the local DCWW mains sewer system; and all surface water managed by onsite infiltration-Sustainable Drainage Systems.

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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

15. Lighting

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

16. No conversion of garage to habitable accommodation

The garage and access thereto must be reserved for the garaging or parking of private motor vehicles and the garage shall at no time be converted to habitable accommodation.

Reason: To ensure adequate off street parking arrangements remain available at all times and to comply with Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

17. Retention of existing trees

No retained tree or hedgerow, shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the construction phase and thereafter for 10 years from the date of first occupation of the replacement dwellinghouse for its permitted use, other than in accordance with the approved plans and particulars.

Reason: To safeguard the character and amenity of the area and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

18. Removal of householder permitted development rights (Class A, AA, B and E of Part 1; Class A of Part 2 Schedule 2 only)

Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015,(or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, AA, B and E of Part 1; and Class A of Part 2, both of Schedule 2, shall be carried out.

Reason: In order to protect the character and amenity of the locality, to maintain the amenities of adjoining property and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. IP2 – Application approved following revisions

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. 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 us 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.

In accordance with National Planning Policy Framework, the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. The applicant should liaise with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

3. 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 Great Crested Newts, all Bat species, 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 is advised that advice from a local professional ecology consultant is obtained.

4. INS – Non-standard informative

This permission does not authorise any works to trees included in the Tree Preservation Order. Any such work shall be the subject of an application for consent to the Local Planning Authority, in accordance with the provisions of the Tree Preservation Order and the law on Tree Preservation Orders in force at the time of the application.

5. 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.

6. 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.

Councillor Thomas left the meeting room at 1:51 p.m. as the applicant of the next item.

Councillor Clare Davis left the meeting room at 1:51 p.m.

Councillor Stef Simmons left the meeting room at 1:51 p.m.

**56. 242804 - HILLSIDE, ST WEONARDS, HEREFORD, HEREFORDSHIRE, HR2 8NX
(PAGES 63 - 64)**

The planning officer provided a presentation on the application.

In accordance with the Council's constitution the local ward member provided a statement to be read to the committee. In summary, she explained that there were no objections to the application.

The committee debated the application.

Councillor Bruce Baker proposed and Councillor Polly Andrews 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 unanimously.

RESOLVED –

That planning permission be granted subject to the following conditions:

1. Time limit for commencement (full permission)

2. Development in accordance with approved plans and materials

The development hereby approved shall be carried out strictly in accordance with the approved plans (drawing nos. HS2 A and HS4 A and document entitled Site Plan) and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

3. Matching brickwork

The external walls of the extension to the north and west elevation shall be constructed with facing bricks of the same type, texture and colour as the external walls of the existing building.

Reason: In the interests of visual amenity so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

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.

2. Wildlife 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) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special “Higher Status 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.

Biodiversity Net Gain (Exemption Informative)

The meeting ended at 1.56 pm

Chairperson

PLANNING COMMITTEE

Date: 19 MARCH 2025

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

231390 - INSTALLATION OF AN ENERGY STORAGE SYSTEM, SUBSTATION AND ASSOCIATED WORKS AT LAND TO THE SOUTH OF PETERSTOW GAS COMPRESSOR STATION, HENTLAND, HEREFORDSHIRE,

**For: Turner per Mr Phillip Duncan, The Old Dairy, Yanworth,
Cheltenham, GL54 3LQ**

Officer Update

Corrections to report

Paragraph 6.11 should read as follows:

- 6.11 *Policy SD2 of the CS deals specifically with renewables and low carbon energy generation. Although the proposal doesn't generate renewable energy, given the objective of supporting the transition towards a low carbon energy generation, the policy is considered relevant in this case. The policy supports developments that seek to deliver low carbon energy where they do not adversely impact upon international or national designated natural and heritage assets; do not adversely affect residential amenity; do not result in any significant detrimental impact upon the character of the landscape and the built or history environment; and can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on site to meet the needs of a specific end user.*

Corrections to recommended conditions, with correct Neighbourhood Development Plan Policies identified and plan numbers.

1. Time limit for commencement (full permission)

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. Approved Plans

The development shall be carried out strictly in accordance with the approved plans and drawings as stated below:

- **Applicaion Plan – S0/415/12**
- **Development Layout – S0/415/07 L**
- **Development Platforms Elevation Cross Sections – S0/415/08 D**
- **Landscape & Ecological Mitigation Plan – S0/415/11 C**
- **132kV Substation Compound – Layout_132kV-Sub-Type A_P03**
- **Onsite Water Storage – Elevation_Water-Storage_P03**
- **Elevation_Fense-Pallisade-Type-A-2400_P02**
- **Energy Storage System – Elevation_Energy_Storgae_Systme_P02**
- **Customer Substation – Elevation Customer-Sub-Type A_P01**

- Control Room – Elevation_Control-Room_P02
- Communication Mast – Elevation_Comms_Mast-15000_P02
- Drainage Addendum – 415 SP09 dated 4/12/2024

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, Policy PTS17 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework.

3. Decommissioning should use cease

In the event the development ceases to export electricity to the grid for a continuous period of 12 months, a scheme of restoration for the removal of the Battery Energy Storage Facility and any associated equipment, shall be submitted to and approved in writing by the local planning authority within 3 months from the end of the 12-month period. The restoration scheme shall include details of the retention of any approved boundary treatment(s) and planting. The approved scheme of restoration shall then be fully implemented within 6 months of written approval being given.

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy, Policy PTS2 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Commencement Conditions

4.

Construction Traffic Management Plan

Prior to the commencement of any development on site, a detailed Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

- Provision of wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway,
- Construction traffic access location,
- Parking and turning for vehicles of site operatives and delivery vehicles
- Timings of deliveries of construction infrastructure and materials

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 PST10 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework.

5. 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 fully detailed and specified Ecological Working Method Statement and details of an appointed

Ecological Clerk of Works, a section on works near the watercourse should include but not limited to detailed ecological working methods and consideration of all environmental effects, including biosecurity and direct water quality protection measures for all operations 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 and Policy PTS3 of the Peterstow Neighbourhood Development Plan.

6. Earthing report

Before any work, including site clearance begin or equipment brought onto the site, a risk assessment/earthing report shall be submitted to and approved by the Local Authority, in consultation with national gas transmission. The report shall examine the effects of the earthworks, touch and step voltage, dc fault current and transfer potentials that the nearby pipeline may be exposed to, in normal operations and in the event of a fault.

Reason: To prevent damage or an impact to the nearby High Pressure Gas Line and to conform to Policies SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

With the exception of site clearance and groundworks

7. Detailed Battery Safety Management Plan

With the exception of site clearance and groundwork, no further development shall take place until a Detailed Battery Safety Management Plan which builds upon the Outline Battery Safety Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to the following:

- **A statement on the battery system specifications, including fire detection and suppression system;**
- **A statement on operational procedures and training requirements, including emergency operations;**
- **A statement on the overall compliance of the system with applicable legislation;**
- **An environmental risk assessment to ensure that the potential for indirect risks (e.g., through leakage or other emissions) is understood and mitigated;**
- **An emergency plan covering construction, operation and decommissioning phases developed in consultation with Herefordshire and Worcestershire Fire and Rescue, to include the adequate provision of firefighting equipment on-site**

The development shall be implemented in accordance with the approved details and shall be maintained as such thereafter.

Reason: In the interest of fire safety and to conform to Policies SD1 and SD3

of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. Landscaping Scheme

With the exception of site clearance and groundworks, no further development shall take place until a landscape scheme is submitted to and approved in writing by the Local Planning Authority. The scheme shall include a scaled plan identifying:

a. All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.

b. All proposed hardstanding, boundary treatment and access gates.

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 PTS3 of the Peterstow Neighbourhood Development Plan and the National Planning Policy Framework,

Before Development is brought into use

9. Biodiversity Net Gain and Maintenance Plan

Before the development is first brought into use, a schedule of landscape maintenance based on the Biodiversity Metric that includes full details and specifications for biodiversity net gain habitat enhancements, planted species, and management for a period of 10 years shall be submitted to and approved in writing by the local planning authority.

The approved enhancements shall be implemented in full with all new planting completed within 2 planting seasons and hereafter maintained as approved unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that all protected species are considered and habitats enhanced 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 and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy (2015) policies SS1, SS6 LD1, LD2 and LD3 and Policy PTS3 of the Peterstow Neighbourhood Development Plan

10. Drainage Scheme Verification

Prior to the first use of the development hereby approved, a Drainage Verification Report, pertaining to the SuDS details shown and illustrated on approved plan SUDS Design, number SO-415-14 (dated 27 April 2023) and the details within the Flood Surface Water Management Plan, as outlined within the Addendum dated 4/12/2024 (prepared by Corylus), shall be prepared by a suitably competent person, and submitted to the Local Planning Authority for approval. The report shall demonstrate that the drainage system has been constructed in consistent with that which was approved. The report shall contain information and evidence (including photographs) of the details and location of inlets, outlets and control structures; full as built plans; and a management and maintenance

schedule for the lifetime of the development.

Reason: In the interests of the visual amenity of the area; To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure risks to nearby water course and ecological systems are minimised the and to comply with Policy SD3 and LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

11. External lighting

Prior to first beneficial use of the Battery Energy Storage System hereby approved an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site prior to first beneficial use of the development, and retained as such thereafter.

Reason: In the interest of visual amenity and to safeguard local amenities in accordance with Policies LD1 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy PTS9 of the Peterstow Group Neighbourhood Development Plan and the National Planning Policy Framework.

Compliance

12.

Ecological Protection (including Protected Species)

The recommendations in the Great Crested Newt Reasonable Avoidance Measures by Aurochs Ecology dated 28/02/24, the Badger working method by Aurochs Ecology dated 07/03/24, and the PEA by Midland Ecology dated August 2022 in respect of ecological interests on the site, biodiversity net gain and habitat enhancement recommendations, including mitigation-compensation measures and requirement for any relevant protected species licences from Natural England, shall be implemented in full and hereafter maintained as approved 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 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and the council's declared Climate Change & Ecological Emergency.

13. Working Hours of construction

The hours during which construction work may take place shall be restricted to 0700 to 1900 Mondays to Fridays and 0800 to 1300 on Saturdays. There shall be no such working on 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.



Grid Scale Battery Energy Storage System planning – Guidance for FRS

Grid scale Battery Energy Storage Systems (BESS) are a fundamental part of the UK's move toward a sustainable energy system. The installation of BESS systems both in the UK and around the globe is increasing at an exponential rate. A number of high profile incidents have taken place and learning from these incidents continues to emerge.

In the UK, approval for the majority of BESS installations takes place through the Local Authority planning process. Fire and Rescue Services (FRSs) may be engaged throughout the planning process, but this is not a statutory requirement. However, the National Fire Chiefs Council would encourage early engagement with the local FRS, continuing throughout the planning process.

The NFCC's expectation is that a comprehensive risk management process must be undertaken by operators to identify hazards and risks specific to the facility and develop, implement, maintain and review risk controls. From this process a robust Emergency Response Plan should be developed.

Given the rapidly developing nature of the technology, and ever evolving understanding of risks and mitigation measures, there is a need for guidance to support FRSs in providing consistent and evidence-based contributions to the planning process.

The guidance does not seek to provide a full specification or opinion on the entirety of a BESS system design. Instead, the aim is to limit the content to such matters that directly relate to facilitating a safe and effective response, by the fire and rescue service, to a fire or vapour cloud release involving a BESS installation. This includes factors such as facilities for the fire and rescue service, and design factors that contribute to reducing the escalation in the severity of an incident.

This guidance relates specifically to grid scale (typically 1 MW or larger) BESS in open air environments, using lithium-ion batteries.

The guidance is based upon a range of supporting materials including academic research, national and international standards, case studies, and industry guidance. The content of this document is the result of analysis of that supporting material with subsequent professional judgement applied. Every BESS installation will be different and fire and rescue services should not limit themselves to the content of this guidance. Particular reference has been made to the following:

- State of Victoria (County Fire Authority) (2022), *Design Guidelines and Model Requirements: Renewable Energy Facilities*
- FM Global (2017) *Property Loss Prevention Data Sheets: Electrical Energy Storage Systems Data Sheet 5-33*
- NFPA (2023) *Standard for the Installation of Stationary Energy Storage Systems*

Further advice and guidance can be obtained through the NFCC Alternative Fuels and Energy Systems lead officer.

This document contains guidance on:

1. Information requirements
2. System design, construction, testing and decommissioning
3. Detection and monitoring
4. Suppression systems
5. Site access
6. Water supplies
7. Emergency plans
8. Environmental impacts
9. Recovery

Principles

This guidance has been developed with the safety of the public and emergency responders in mind. It is based on trying to help reduce the risk as far as reasonably practicable, whilst recognising that ultimate responsibility for the safe design and running of these facilities rests with the operator.

The guidelines are a starting point and cannot cover every eventuality or type of design.

In developing these guidelines the hazards and risks from lithium-ion batteries, identified in National Operational Guidance, has been considered.

The following principles should be considered by Fire Services, when liaising with owners and operators, and form the basis of this guidance¹:

1. Effective identification and management of hazards and risks specific to the siting, infrastructure, layout, and operations at the facility.
2. Impact on surrounding communities, buildings, and infrastructure.
3. Siting of renewable energy infrastructure so as to eliminate or reduce hazards to emergency responders.
4. Safe access for emergency responders in and around the facility, including to energy storage infrastructure and firefighting infrastructure.

¹ State of Victoria (County Fire Authority) (2022), *Design Guidelines and Model Requirements: Renewable Energy Facilities*, p.4

5. Provision of adequate water supply and firefighting infrastructure to allow safe and effective emergency response.
6. Vegetation sited and managed so as to avoid increased bushfire and grassfire risk.
7. Prevention of fire ignition on-site.
8. Prevention of fire spread between site infrastructure (solar panel banks, wind turbines, battery containers/enclosures).
9. Prevention of external fire impacting and igniting site infrastructure.
10. Provision of accurate and current information for emergency responders during emergencies.
11. Effective emergency planning and management, specific to the site, infrastructure and operations.
12. Owner to have a comprehensive Emergency Response Plan, showing full understanding of hazards, risks, and consequences.

Information Requirements

Grid scale BESS should form part of FRS planning in accordance with arrangements required under section 7(2)(d) of the Fire and Rescue Services Act (2004). Site Specific Risk Information (SSRI) should be made available to crews in the form of an effective Emergency Response Plan.

Details of any site access arrangements, such as key codes, should be provided to the FRS.

System design, construction, testing and decommissioning

Information is required as early as possible from the applicant /developer/designer/manufacturer etc., to allow an initial appraisal of the BESS to be made. This information should be provided to the FRS (via the Local Authority Planners in the first instance), with appropriate evidence provided to support any claims made on performance, and with appropriate standards cited for installation.

Such information should also be made available to FRSs for inclusion in Site Specific Risk Information (SSRI) records.

System design and construction

Information required:

1. The battery chemistries being proposed (e.g. Lithium-ion Phosphate (LFP), Lithium Nickel Manganese Cobalt Oxide (NMC)). Because:
 - a. Battery chemistries will directly affect the heat released when a cell goes into thermal runaway²
 - b. Battery chemistries will influence vapour cloud formation.

² https://www.nasa.gov/sites/default/files/atoms/files/nabw20_fire_gas_char_studies_liion_cells_batt_djuarez-robles.pdf

- c. An understanding of the battery chemistry is useful when requesting scientific advice during an incident.
2. The battery form factor (e.g. cylindrical, pouch, prismatic)
3. Type of BESS e.g. container or cabinet
4. Number of BESS containers/cabinets
5. Size/capacity of each BESS unit (typically in MWh)
6. How the BESS units will be laid out relative to one another.
7. A diagram / plan of the site.
8. Evidence that site geography has been taken into account (e.g. prevailing wind conditions).
9. Access to, and within, the site for FRS assets
10. Details of any fire-resisting design features
11. Details of any:
 - a. Fire suppression systems
 - b. On site water supplies (e.g. hydrants, EWS etc)
 - c. Smoke or fire detection systems (including how these are communicated)
 - d. Gas and/or specific electrolyte vapour detection systems
 - e. Temperature management systems
 - f. Ventilation systems
 - g. Exhaust systems
 - h. Deflagration venting systems
12. Identification of any surrounding communities, sites, and infrastructure that may be impacted as a result of an incident.

Testing

Details of any evidence based testing of the system design should be requested, for example, results of UL 9540A testing.

Design

Design features should be made clear. These may include:

- Rack layout and setup
- Thermal barriers and insulation
- Container layout and access arrangements

Detection and monitoring

An effective and appropriate method of early detection of a fault within the batteries should be in place, with immediate disconnection of the affected battery/batteries. This may be achieved automatically through the provision of an effective Battery Management System (BMS) and/or a specific electrolyte vapour detection system.

Should thermal runaway conditions be detected then there should be the facility in place for the early alerting of emergency services.

Detection systems should also be in place for alerting to other fires that do not involve thermal runaway (for example, fires involving electrical wiring).

Continuous combustible gas monitoring within units should be provided. Gas detectors should alarm at the presence of flammable gas (yes/no), shut down the ESS, and cause the switchover to full exhaust of the ventilation system³. Sensor location should be appropriate for the type of gas detected e.g. hydrogen, carbon monoxide, volatile organic compounds.

External audible and visual warning devices (such as cabinet level strobing lights), as well as addressable identification at control and indicating equipment, should be linked to:

1. Battery Management System (when a thermal runaway event is identified)
2. Detection and suppression system activation

This will enable first responders to understand what the warning is in relation to. This will aid in their decision-making.

Suppression systems

Suitable fixed suppression systems should be installed in units in order to help prevent or limit propagation between modules.

Where it is suggested that suppression systems are not required in the design, this choice should be supported by an evidence based justification and Emergency Response Plan that is designed with this approach in mind (for example, risk assessed controlled burn strategies, and external sprinkler systems).

Whilst gaseous suppression systems have been proposed previously, current research indicates the installation of water based suppression systems for fires involving cell modules is more effective.

The installation of gaseous suppression systems for electrical fires that do not involve cell modules may be appropriate but should be built into a wider suppression strategy.

FM Global cite the following reasons for not recommending gaseous protection systems⁴:

1. **Efficacy relative to the hazard.** As of 2019, there is no evidence that gaseous protection is effective in extinguishing or controlling a fire involving energy storage systems. Gaseous protection systems may inert or interrupt the chemical reaction of the fire, but only for the duration of the hold time. The hold time is generally ten minutes, not long enough to fully extinguish an ESS fire or to prevent thermal runaway from propagating to adjacent modules or racks.

³ FM Global (2017) *Property Loss Prevention Data Sheets: Electrical Energy Storage Systems*, para. 2.5.5.2

⁴ FM Global (2017) *Property Loss Prevention Data Sheets: Electrical Energy Storage Systems*, para. 3.3

2. **Cooling.** FM Global research has shown that cooling the surroundings is a critical factor to protecting the structure or surrounding occupancy because there is currently no way to extinguish an ESS fire with sprinklers. Gaseous protection systems do not provide cooling of the ESS or the surrounding occupancy.
3. **Limited Discharge.** FM Global research has shown that ESS fires can reignite hours after the initial event is believed to be extinguished. As gaseous protection systems can only be discharged once, the subsequent reignition would occur in an unprotected occupancy

The choice of a suppression system should be informed by liaison with a competent system designer who can relate the system choice to the risk identified and the duration of its required activation. Such a choice must be evidence based.⁵

Any calculations for sufficient water supply for an appropriate suppression system will need to be completed by a competent person considering the appropriate risk and duration of any fire.

Water run-off and potential impact on the environment, along with mitigation measures, should be considered and detailed in the Emergency Response Plan.

Lack of sufficient water supplies at a particular site location should not be considered as the basis for a suppression system choice. Such an approach could result in potentially ineffective and/or dangerous system designs.

Deflagration Prevention and Venting

BESS containers should be fitted with deflagration venting and explosion protection appropriate to the hazard. Designs should be developed by competent persons, with design suitability able to be evidenced.⁶ Exhaust systems designed to prevent deflagration should keep the environment below 25% of Lower Explosive Limit (LEL).

Flames and materials discharged as a result of any venting should be directed outside to a safe location and should not contribute to any further fire propagation beyond the unit involved or present further risk to persons. The likely path of any vented gasses or materials should be identified in Emergency Response Plans to reduce risk to responders.

Explosion/deflagration strategies should be built into the emergency plan such that responders are aware of their presence and the impact of their actions on these strategies.⁷

Where emergency ventilation is used to mitigate an explosion hazard, the disconnect for the ventilation system should be clearly marked to notify personnel or first responders to not disconnect the power supply to the ventilation system during an evolving incident.⁸

⁵ NFPA (2023) *Standard for the Installation of Stationary Energy Storage Systems*, para C.3

⁶ BS EN 16009:2011 *Flameless Explosion Venting Devices*; BS EN 14373:2021 *Explosion Suppression Systems*; BS EN 14797:2007 *Explosion Venting Devices*.

⁷ UL FRSI (2020) *Four Firefighters Injured in Lithium-ion Battery Energy Storage System Explosion – Arizona*, pp. 47-49

⁸ NFPA (2023) *Standard for the Installation of Stationary Energy Storage Systems*, para G.1.4.3.3

Access

Site access

Suitable facilities for safely accessing and egressing the site should be provided. Designs should be developed in close liaison with the local FRS as specific requirements may apply due to variations in vehicles and equipment.

This should include:

- At least 2 separate access points to the site to account for opposite wind conditions/direction.
- Roads/hard standing capable of accommodating fire service vehicles in all weather conditions. As such there should be no extremes of grade.
- A perimeter road or roads with passing places suitable for fire service vehicles.
- Road networks on sites must enable unobstructed access to all areas of the facility.
- Turning circles, passing places etc size to be advised by FRS depending on fleet.

Access between BESS units and unit spacing

In the event of a fire involving a BESS unit, one of the primary tactics employed will be to prevent further unit to unit fire spread. Suitable access for firefighters to operate unimpeded between units will therefore be required. This should allow for the laying and movement of hose lines and, as such, access should be free of restrictions and obstacles. The presence of High Voltage DC Electrical Systems is a risk and their location should be identified. Exclusion zones should be identified.

A standard minimum spacing between units of 6 metres is suggested⁹ unless suitable design features can be introduced to reduce that spacing. If reducing distances a clear, evidence based, case for the reduction should be shown.

Any reduction in this separation distance should be design based by a competent fire engineer. There should be consideration for the fire separation internally and the total realistic load of fire. Proposed distances should be based on radiant heat flux (output) as an ignition source.

The NFCC does not support the stacking of containers/units on top of one another on the basis of the level of risk in relation to fire loading, potential fire spread, and restrictions on access.

Distance from BESS units to occupied buildings & site boundaries

Individual site designs will mean that distances between BESS units and occupied buildings/site boundaries will vary. Proposed distances should take into account risk and mitigation factors. However, an initial minimum distance of 25 metres is proposed prior to any mitigation such as blast walls. Reduction of distances may be possible in areas of lower risk (e.g. rural settings). Where possible buildings should be located upwind.

⁹ FM Global (2017) *Property Loss Prevention Data Sheets: Electrical Energy Storage Systems*, para. 2.3.2.2

Site Conditions

Sites should be maintained in order that, in the event of fire, the risk of propagation between units is reduced. This will include ensuring that combustibles are not stored adjacent to units and access is clear and maintained. Areas within 10 metres of BESS units should be cleared of combustible vegetation and any other vegetation on site should be kept in a condition such that they do not increase the risk of fire on site. Areas with wildfire risk or vegetation that would result in significant size fires should be factored into this assessment and additional cleared distances maintained as required.

Water Supplies

Water supplies will depend on the size of the installation. In the majority of cases, initial firefighting intervention will focus on defensive firefighting measures to prevent fire spread to adjacent containers. As a result, proposals for water supplies on site should be developed following liaison with the local fire and rescue service taking into account the likely flow rates required to achieve tactical priorities. This should also take account of the ability of/anticipated time for the fire and rescue service to bring larger volumes of water to site (for example through the provision of High Volume Pumps).

IP ratings of units should be known so that risks associated with boundary cooling can be understood.

As a minimum, it is recommended that hydrant supplies for boundary cooling purposes should be located close to BESS containers (but considering safe access in the event of a fire) and should be capable of delivering no less than 1,900 litres per minute for at least 2 hours. Fire and rescue services may wish to increase this requirement dependant on location and their ability to bring supplementary supplies to site in a timely fashion.

Water supply for any automatic suppression system will be covered by the relevant standard/design depending on which system chosen as appropriate for the risk. For manual water, amounts should come from performance based requirement rather than a reference to a code, unless it can be proven that the code specifically covers BESS. Regarding water storage tanks, volumes will again need to be informed on a performance-based need. Isolation points should be identified.

Any static water storage tanks designed to be used for firefighting must be located at least 10 metres away from any BESS container/cabinet. They must be clearly marked with appropriate signage. They must be easily accessible to FRS vehicles and their siting should be considered as part of a risk assessed approach that considers potential fire development/impacts. Outlets and connections should be agreed with the local FRS. Any outlets and hard suction points should be protected from mechanical damage (e.g. through use of bollards).

Consideration should be given, within the site design, to the management of water run-off (e.g. drainage systems, interceptors, bunded lagoons etc).

Signage

Signage should be installed in a suitable and visible location on the outside of BESS units identifying the presence of a BESS system. Signage should also include details of:

- Relevant hazards posed
- The type of technology associated with the BESS
- Any suppression system fitted
- 24/7 Emergency Contact Information

Signs on the exterior of a building or enclosure should be sized such that at least one sign is legible at night at a distance of 30 metres or from the site boundary, whichever is closer¹⁰.

Adherence to the Dangerous Substances (Notification and Marking of Sites) Regulations 1990 (NAMOS) should be considered where the total quantity of dangerous substances exceeded 25 tonnes.

Emergency Plans

Site operators should develop emergency plans and share these with the Fire and Rescue Service. These include:

A Risk Management Plan should be developed by the operator, which provides advice in relation to potential emergency response implications including:

- The hazards and risks at and to the facility and their proposed management.
- Any safety issues for firefighters responding to emergencies at the facility.
- Safe access to and within the facility for emergency vehicles and responders, including to key site infrastructure and fire protection systems.
- The adequacy of proposed fire detection and suppression systems (eg., water supply) on-site.
- Natural and built infrastructure and on-site processes that may impact or delay effective emergency response.

An Emergency Response Plan should be developed to facilitate effective and safe emergency response and should include:

- How the fire service will be alerted
- A facility description, including infrastructure details, operations, number of personnel, and operating hours.
- A site plan depicting key infrastructure: site access points and internal roads; firefighting facilities (water tanks, pumps, booster systems, fire hydrants, fire hose reels etc); drainage; and neighbouring properties.

¹⁰ NFPA (2023) *Standard for the Installation of Stationary Energy Storage Systems*, para G.1.4.2.1.1

- Details of emergency resources, including fire detection and suppression systems and equipment; gas detection; emergency eye-wash and shower facilities; spill containment systems and equipment; emergency warning systems; communication systems; personal protective equipment; first aid.
- Up-to-date contact details for facility personnel, and any relevant off-site personnel that could provide technical support during an emergency.
- A list of dangerous goods stored on site.
- Site evacuation procedures.
- Emergency procedures for all credible hazards and risks, including building, infrastructure and vehicle fire, grassfire and bushfire

Environmental impacts

Suitable environmental protection measures should be provided. This should include systems for containing and managing water runoff. System capability/capacity should be based on anticipated water application rates, including the impact of water based fixed suppression systems.

Sites located in flood zones should have details of flood protection or mitigation measures.

Recovery

The operator should develop a post-incident recovery plan that addresses the potential for reignition of ESS and de-energizing the system, as well as removal and disposal of damaged equipment.¹¹

¹¹ FM Global (2017) *Property Loss Prevention Data Sheets: Electrical Energy Storage Systems*, para. 2.8.2.3

SCHEDULE OF COMMITTEE UPDATES

232807 - PROPOSED ERECTION OF 20 DWELLINGS, WITH ASSOCIATED NEW ACCESS (VIA TUMP LANE), CAR PARKING ARRANGEMENTS, COMMUNAL HOUSE, NEW POS (EXTENSION OF EXISTING PLAY AREA) AND NEW STRETCHES OF FOOTPATH WITH PASSING PLACES (NORTH AND WEST BOUND ALONG TUMP LANE) AT FIELD ADJACENT TO TUMP LANE, TUMP LANE, HEREFORD, HR2 8HW

For: Ms Shaw per Mr John Renshaw, 90a Constitution Street, Edinburgh, EH6 6RP

Update:

One additional representation has been received (refer to Appendix 1), but it raises no new material considerations beyond those already addressed in the report; therefore, there is no change to the recommendation.

NO CHANGE TO RECOMMENDATION



TUMP LANE, MUCH BIRCH, MONDAY 2nd DECEMBER 2013 APPROX 3.20pm
 WITH NO CONTINUOUS FOOTPATH UP TUMP LANE AND NO SAFE ROUTE
 TO SCHOOL, MOTHERS AND YOUNG CHILDREN ARE DANGEROUSLY EXPOSED
 TO TRAFFIC. CARS COMING UP TUMP LANE (SUCH AS CAR MADE "A")
 HAVE NO WARNING OF PEDESTRIANS AROUND THE SLIGHT BEND.
ASH FARM, TUMP LANE IS NO LONGER SINGLE USER.
 FROM REPURPOSED FARM BUILDINGS PLANNING
 PERMISSION WAS GRANTED FOR INDUSTRIAL SCALE
 AGRICULTURAL SALES, HIRE AND SERVICING
 INCLUDING 7 TON TRACTORS

SCHEDULE OF COMMITTEE UPDATES

**242804 - PROPOSED TWO STOREY EXTENSION AT HILLSIDE,
ST WEONARDS, HEREFORD, HR2 8NX**

**For: Mr R Thomas, Sheepcote, St Owens Cross, Hereford,
Herefordshire HR2 8JU**

ADDITIONAL REPRESENTATIONS

St Weonards Parish Council: Supports this application

NO CHANGE TO RECOMMENDATION

