

The Editor
Hereford Times
Holmer Road
Hereford

Dear Editor

TOWN AND COUNTRY PLANNING ACT 1990

**Application
Reference & Site
Address:**

213042 - Land forming Green Farm, Lyonshall, Kington, HR5 3JY

**Description of
development:**

Hybrid planning application; Full planning application for the proposed erection of a new poultry site with solar panels, associated buildings & development and connection to the A480. Outline planning application for a poultry managers' dwelling including Access and Layout with matters of appearance, landscaping, and scale reserved.

Appellant's name:

Mr Kinsey Hern

Appeal reference:

APP/W1850/W/22/3307561

I write to inform you that Mr Kinsey Hern has appealed to the Secretary of State against the refusal of Herefordshire Council to permit the development described above.

The Secretary of State has directed this appeal will be the subject of a Hearing. The Hearing will open on **31 January 2022** and will be held at **Herefordshire Council, Plough Lane, Hereford, HR4 0LE**. The Hearing is scheduled to last for **1 day** and will start at **10:00am**. The name of the Inspector is **Wayne Johnson BA(Hons) DipTP DipUDR MRTPI**. You may wish to publish this information and/or attend the hearing.

The reason(s) for the refusal were:

1 Insufficient information has been submitted with the application to demonstrate that the development proposed will not have any adverse impact or cause harm to Sites of Special Scientific Interest (SSSI) and Special Areas of Conservation (SAC). Therefore, the proposal has failed to demonstrate that there will not be any material harm to the biodiversity interests in the surrounding area as a result of the development and has not satisfied the Habitats Regulations Assessment process and is therefore contrary to the Conservation of Habitats and Species Regulations 2017 (as amended), policies SS1, SS6 and LD2 of the Herefordshire Local Plan Core Strategy, Lyonshall Neighbourhood Development Plan policy LE2 and paragraphs 179-182 of the National Planning Policy Framework.

2 The application has not provided sufficient information that through a proposed drainage strategy the proposal is suitably served by implementable and technically adequate drainage infrastructure. The proposal has not demonstrated it will not increase the risk of surface water flooding hereabouts and has not adequately addressed the management

of foul water or that it is capable of incorporating sustainable drainage systems appropriate to its hydrological setting. Therefore the application is considered contrary to section 14 of the National Planning Policy Framework, Policy SS6, SS7 and SD3 of the Herefordshire Local Plan Core Strategy 2015 and Lyonshall Neighbourhood Development Plan. PQE Page 2 of 3.

3 The proposal would result in the unjustified loss or deterioration of ancient woodland and furthermore be liable to result in further adverse impact on ancient woodland hereabouts contrary to Herefordshire Core Strategy policy LD2, Lyonshall Neighbourhood Development Plan policy LE2 and National Planning Policy Framework, paragraph 180.

4 As a consequence to all of the refusal reasons individually and cumulatively, the proposal represents the unjustified creation of a dwelling in an open countryside location contrary to Herefordshire Core Strategy policies SS1, RA3 and RA4 and paragraph 80 of the National Planning Policy Framework.

5 Insufficient arboreal information has been submitted to demonstrate the proposed development would not have an unacceptable impact on trees which could potentially be affected by the development contrary to Core Strategy Policies SS6, LD1, LD2, LD3, together with advice contained in the National Planning Policy Framework

All documents will be published to the Council's website. Appeal documentation can be viewed on the Council's website by using the following link <https://www.herefordshire.gov.uk>.

Anyone wishing to attend Hearing must make that interest known to **Herefordshire Council by 13 January 2023** by **email** after reading the Hearing Attendance Information set out below.

Herefordshire Council will set up a Microsoft Teams meeting for anyone who wishes to **observe only** (there will be no opportunity to take part in the Hearing via the Teams link). Anyone wishing to join via Teams will need to make their interest known to **Herefordshire council by email before 13 January 2023**, only those registered will be admitted to the Teams conference call.

When registering your interest to **observe** via Teams please confirm your name, email address and telephone number. The joining instructions will be sent to your confirmed email in due course.

Please quote the following Herefordshire Council Reference: 213042 Green Farm Appeal

Email: Planning_appeals@herefordshire.gov.uk

All documents will be published to the Council's website. Appeal documentation can be viewed on the Council's website by using the following link <https://www.herefordshire.gov.uk>.

When the appeal has been determined the decision will be published on the Council's website and online at <https://www.gov.uk/appeal-planning-inspectorate>.

Yours faithfully

Ms Tracy Carroll
SUPPORT SERVICES OFFICER

All personal data held is processed in accordance with data protection law. For further information please see our website

https://www.herefordshire.gov.uk/info/200142/planning_services/62/apply_for_planning_permission/3

Hearing Attendance Information

To observe using video, participants will need to have access to Microsoft Teams (via an app or web browser). This link gives further information: <https://support.office.com/en-gb/teams>

Alternatively you can take part by telephone. Calls would be to an 020 number which will incur charges: <https://www.gov.uk/call-charges>

You should note that the event may be recorded for training and quality assurance purposes.

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