

dg

## Planning Enquiries

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 10 May 2016 19:30  
**To:** Planning Enquiries  
**Subject:** Planning application comment was submitted

The following is a objecting comment on application P160959/F by Andrew Coultas:

"

Ref - Planning Application 160959 - Land to the East of the Rambles, Shelwick, Hereford, HR1 3AL

Dear Planning Committee,

Further to the above planning application 160959 I would like to lodge my points and objections to the planning application above.

I have detailed my points and objections below in my main summary detailing each document supplied in the planning application. My points raised are again raised under each document description and sub numbers.

I have concerns that in summary are;

- The village is a rat run as it is and no traffic assessment has been taken into account. Adding more cars in a 60 mph single carriage highway is a potential for accidents to the public. There is also no noise assessment in the proposal despite train track being in close proximity.
- Ecologically – The ecological assessment and ecological enhancement proposal was taken in the day – why when bats, owls etc are regularly seen at night. Also bats are currently in hibernation.
- The village currently has houses one deep in the village and the proposal is for two deep so this is not in context of 95% of the village. Also there are bungalows which are not reflected in the proposal.
- Environmental agency have not been informed of discharge from proposed development and also asbestos in hedgerows. Also the development will have hazardous substances which could run in the water causeway yet no mention of these in the application.
- Flooding of the area is not declared in the proposal despite (pictures attached) the applicant stating no floods have occurred and the proposed works and drives through this area daily for the agriculture work he carries out.
- Safe guarding the current residents 20 metre privacy exclusion

Detailed main summary;

Planning, design and access statement

Planning Policy

Shelwick, Munstone and Holmer fall under the HMA's and comments that 9 dwellings are required by 2031. They are in the process of building opposite Holmer Church and also have planning passed for other developments in the Parish so this already puts us over the 9 dwellings required. Also with the development of the Furlongs off Roman road we have exceeded the expectations of this policy.

Policy RA2;

1. The design is not the same as adjacent buildings as these are bungalows and also the how are 4 or 5 bedrooms contributing to the social well-being of Shelwick?

3. How can they make a positive impact to the surrounding environment when they block the adjoining and adjacent people's views of the countryside. Planning needs to safeguard privacy of current residents to 20 metres and these houses will be closer than that (although no details are on the plans) and intrude into people's personal living space. They are also being planned to be built on a field where the sewage station spreads its effluent and overflows onto the field where the proposal of houses is suggested. The water cause is also closer than 20 metres and has flooded on several occasions although the applicant has said it never floods on planning application (see attached photos taken over the last two years)

4. Local demand is also affordable housing so how is this reflected in the proposal? Also are these houses designed for the people of Hereford or people from away looking for country residence?

#### Proposed Development

On the drawing there is no detailed drawing of pedestrian access or a safe pathway for the public to walk on. With 4 houses and usually two cars per household this will add 8 cars to a country road which is already not passable with a car coming in each direction. This is a safety concern and will add to the chance of accidents with cars exiting on a roadway which is 60mph.

The proposed development does not reflect all the houses adjacent to the proposed development. Some are Tudor style houses, bungalows with a wealth of character and established in this small hamlet village. How does this reflect the proposal when the homes opposite are also bungalows. Also the current Shelwick village has at least 95% of the village housing in one singular row off the main through row. This development is to go two deep so this does not reflect the village existing layout as stated

#### Conclusion

The drawings do not demonstrate safe access to public or cars in a 60 mph area or no traffic assessment carried out. They are gaining access over a council owned water causeway which has continual steady stream of water all year round and floods as per the attached photos (applicant although daily driving and working his farm in this area has stated on the planning application the area does not flood) Are the council happy that no safe access onto a 60mph highway will be granted and are they giving permission for the applicant to use their land? The surface water from the new proposed development will naturally enter this water causeway causing environmental and ecological damage to the River Lugg. This will have a profound impact on the local wildlife etc and downstream into the river.

We currently have buzzards, owls and bats which regularly visit this site for their wellbeing and foraging habitat.

We also have train tracks in close proximity but no noise assessment has been carried out.

#### Ecological Assessment & Ecological Enhancement Proposals for MR J. Spreckley

##### 1. Introduction

1.1.3. The site was surveyed on the 7th March 2016. What time was the survey? The report further in makes no comment to the wildlife which is regularly seen at dusk/night-time. These are Owls, bats, buzzards and hawks.

1.1.7. As my above comments – Bats, owls, buzzards and hawks regularly catch their prey in these fields and the buzzards nest in the tree to the eastern boundary. This will spoil their habitat and we will lose these birds of prey as they will be forced out of the countryside.

1.1.10 – The hedgerow apart from a 4 metre patch will remain? The hedge row is 2m deep in places and how do you propose to support the entrance into the drainage ditch (not seen on planning application). This will block off roads and access to the village from the Sutton side of the village and the reports say no road closures will take place?

##### 1.2. Summary

1.2.1. Again the report was completed at what time to make this statement. There are bats, owls, buzzard, hawks, woodpeckers etc regularly seen in dusk / night-time hunting activity and the report does not mention any of this.

1.2.2. It makes no mention of the sewage treatment plant which has its spreaders and overspill into the field. Plot no.3 on the plans is regularly saturated in human excrement. How does the proposal of the applicant get around this and where on the plans is the location of the applicants' package treatment plant?

1.2.3, 1.2.4. & 1.2.5. How can the biodiversity action plan result in a net gain when the habitat of the animals i.e. bats, owls etc is being removed.

##### 2. Survey Methodology

Bats are well known in the area and roost in the surrounding buildings. We need a bat survey completed.

### 3. Ecological Features

3.1. Bats are still in hibernation so the information is not accurate. Another survey is required

3.2.7. This water causeway runs all year round and the proposed development would add contamination to downstream rivers and water causeways due to pollution caused. Where is the surface water and drainage proposing to go? If it goes into this council owned water cause will the planning committee be happy to see it approved?

### 4. Wildlife use of the site

4.1.6. [REDACTED]

#### 4.2. Bats

4.2.5., 4.2.6. Bats are everywhere on this site and surrounding fields. The survey was carried out in March when hibernation is taking place. The proposed development is where the bats feed on insects etc which are clearly evident around the water causeway which is proposed to be the entrance to the development.

#### 4.5. Birds

The survey time is critical (only stated as 7th March) as we have bats and owls in the evening times. We have buzzards, hawks, lapwings and skylarks who nest in the proposed development trees and fields. By taking away their nesting and feeding habitat how are we supposed to protect the wildlife and biodiversity of these creatures.

### 5. Ecological assessment & Ecological Enhancement Proposal

5.3.2. The large oak trees and barn support the bats hibernation

5.3.6., 5.3.7. The survey time is critical (only stated as 7th March) as we have bats and owls in the evening times. We have buzzards, hawks, lapwings and skylarks who nest in the proposed development trees and fields. By taking away their nesting and feeding habitat how are we supposed to protect the wildlife and biodiversity of these creatures.

How will new bird boxes entice buzzards and hawks? I have never seen these species nest in public places or built up houses. The statement of "net gain in nesting opportunities" is unfounded.

### 6. Conclusions

6.6. How will the ditch be retained as it will need to be dug out for foundations under building regulations? This is council owned land and as such are you giving permission for this to be taken away and given to the applicant for unsafe access rights onto the highways of 60mph?

6.7. The site has bats but they are in hibernation at point of survey. The site has owls, buzzards, hawks and woodpeckers daily so the statement is incorrect.

6.8. Asbestos pieces are found all along the proposed entrance and water causeway. Have soil samples been undertaken to investigate contamination?

Herefordshire Council – Application for planning permission town and country planning act 1990

### 6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered pedestrian access proposed to or from the public highway – (Answered NO) No pedestrian access on the plans. This is joining a 60 mph highway where two cars can't pass as it is and is currently unsafe and is a rat run for people cutting through the village at all parts of the day. Comments have been sent in from the Parish council and Cllr Sally Robertson dating back from 2014 and as yet no speed restrictions or changes have been made. We have seen no traffic assessment on this application and this is a major health and safety issue to all parishioners and public alike walking dogs and young children in the village.

Are there any new public rights of way to be provided within or adjacent to the site? (Answered NO) – Exit road on to main 60 mph highway so there must be right of way requirements

Do the proposals require any diversions/extinguishments and/or creation of rights of way? (Answered NO)

When materials are delivered and lorries are in attendance the roads will be shut so there will be a requirement for diversions. How does the applicant propose to enter the field to gain entrance as this will require machines and excavators? This farm track by the side is owned privately and is allowed for farm traffic only not commercial vehicles or machines.

### 7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (Answered NO) – Where are the materials and hazardous wastes going to be stored on building. Have COSHH and MSDS sheets been

submitted for materials to be stored on site. These again can get into the water causeway and create an environmental risk. Have the Environmental Agency been made aware of any discharge from the new sewage treatment plant suggested in the proposal.

Have arrangements been made for the separate storage and collection of recyclable waste? (Answered NO) – Where will waste produced from the build be stored then? Is it all to be taken off site every night?

#### 10. Vehicle Parking

Does this mean only eight cars are ever allowed to park on this application?

#### 11. Foul Sewage

Package treatment plant is not identified in the plans. Also the existing village sewage plants overflow goes onto plot 3 and is regularly saturated in human waste and fluids how can you build on this with building regulations? The Environmental Agency are not aware of any discharge from this applications sewage plant.

#### 12. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

Will the proposal increase the flood risk elsewhere?

All the above were answered NO. The water causeway running where the entrance has been suggested has flooded previously and is within 20 metres of the proposed development (see attached pictures of floods over the last couple of years). The surface water from the proposed development will also go into this water causeway creating contaminated pollution to the water stream and push flooding risk further down the road. How will surface water be disposed of? Sustainable drainage system (ticked) – Where do the drains intend to come out and also as it mentions no road closures or diversions how is this possible without disruption to the highways? Again have the EA been made aware of the extra environmental risk to downstream water causes.

#### 13. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species b) Designated sites, important habitats or other biodiversity features c) Features of geological conservation importance

All the above were answered NO. How can this be as the applicant is fully aware of Owls in his properties and bats seen. We have buzzards and hawks nesting in the applicants other owned areas in this vicinity and they can always be seen.

#### 14. Existing Use

Land which is known to be contaminated?

Land where contamination is suspected for all or part of the site?

A proposed use that would be particularly vulnerable to the presence of contamination?

All the above were answered NO. There is evidence of asbestos sheeting parts in the proposed entrance boundary. Why have these not been declared and a soil sample survey been conducted? Again the Environmental Agency need to be aware of contamination to the land.

#### 16. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste?

The above was answered NO. How do the contractors propose to remove unused waste which require COSHH, MSDS or Hazardous risk assessments? Have they got trade waste licenses and are they registered with the environmental waste authorities?

#### 20. Hours of Opening

Hours of work not submitted. If successful application we can't have machines and builders on site all evening due to noise pollution of residents.

#### 22. Industrial or Commercial Processes and Machinery

No machinery listed on site. If left are these machinery items harrised fences off to stop misuse, thefts or accidents.

23. Hazardous Substances

Is any hazardous waste involved in the proposal? (Answered NO)

You will have toxic waste, explosive gases and flammable substances on site and these have been answered no. This is a risk to surrounding area and environmentally unsafe to have nothing mentioned or quantities left on site.

Please could my objections be noted and put on the minutes and investigated where appropriate.

"

Their contact details are as follows:

**First name:**

Andrew

**Last name:**

Coultas

**Telephone:**

Unspecified

**Email:**

[REDACTED]

**Postcode:**

Unspecified

**Address:**

Unspecified

**Link Id:**

160959