

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	8 APRIL 2026
TITLE OF REPORT:	<p>251666 AND 251667 - PROVISION OF SECURITY CAMERAS FIXED TO THE EXTERIOR OF THE BUILDING AND PROVISION OF BOUNDARY FENCING FOR SAFEGUARDING PURPOSES AT CHURCHILL HOUSE, 3 VENNS LANE, HEREFORD, HEREFORDSHIRE, HR1 1DE.</p> <p>For: Mr Rogers per Mr Andrew Baker, Walnut House, Wellington, Hereford, Herefordshire HR4 8AZ</p>
WEBSITE LINK:	Planning Application Details - Herefordshire Council Planning Application Details - Herefordshire Council
Reason Application submitted to Committee – Council Owned	

Date Received: 4 June 2025

Ward: College

Grid Ref: 352052,240711

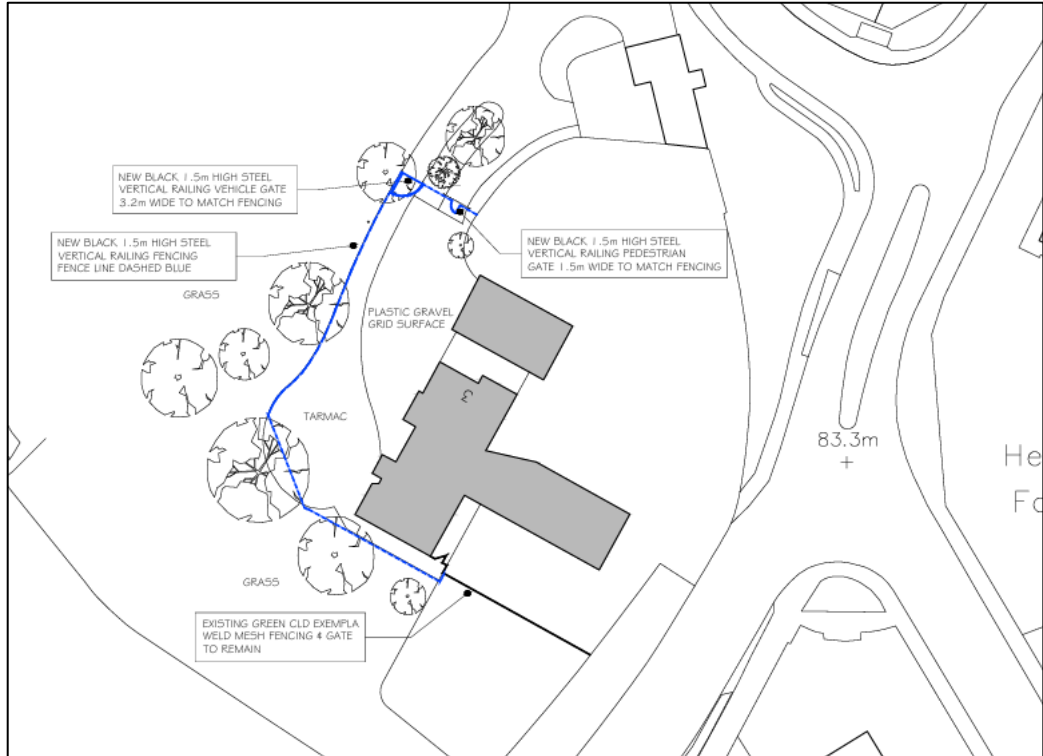
Expiry Date: 5 September 2025

Local Member: Cllr Ben Proctor. Adjoining Ward Members: Cllr Frank Cornthwaite and Cllr Adam Spencer

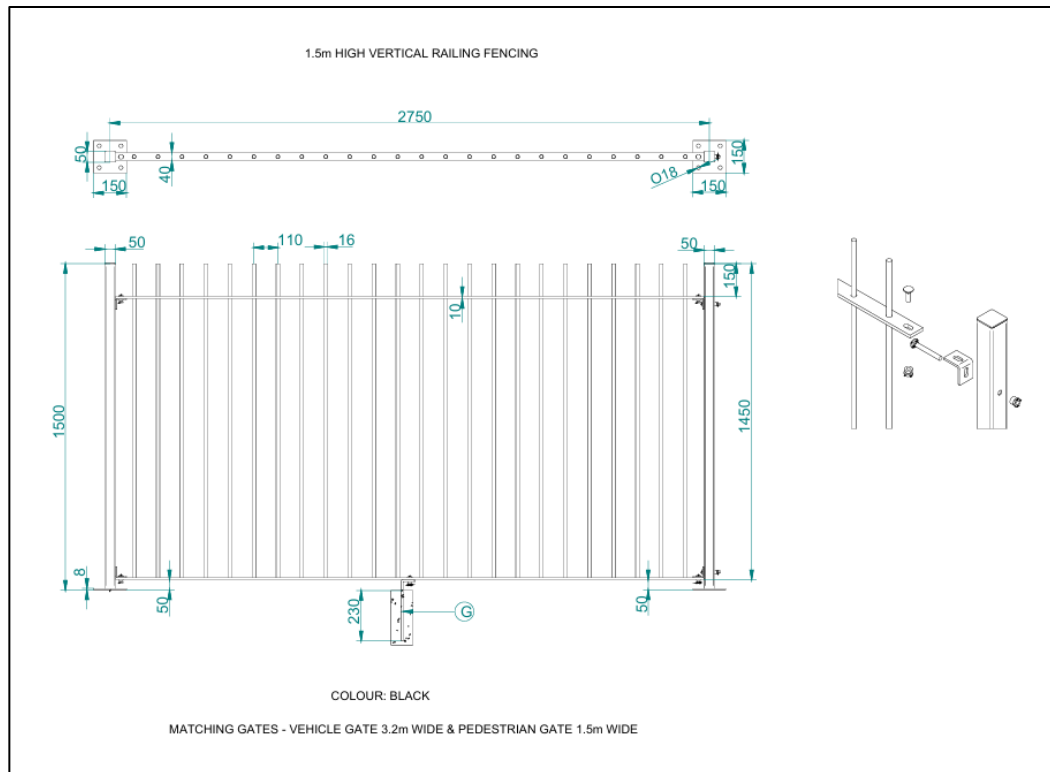
1. Site Description and Proposal

- 1.1 The application site comprises Churchill House, a Grade II listed building together with its associated grounds. The site is situated within Churchill Gardens, a public open space located to the north-east of Hereford City centre and within the Aylestone Hill Conservation Area. Vehicular access is via a driveway to the west of Venns Lane which also serves a small public parking area along the site's boundary with Venns Lane.
- 1.2 Churchill House is a Council owned property and had been vacant for a number of years but was previously used as offices and a training centre and prior to that was a museum. It has recently been occupied by the Heart of Mercia Multi-Academy Trust.
- 1.3 This is a joint Planning and Listed Building report in respect of the proposal for the installation of security cameras to be fixed to the exterior of the building and for the provision of fencing along the southern and western boundaries of the site. The proposed works are intended to provide security and improve safeguarding for the users of the building.
- 1.4 An extract of the proposed site plan (383-04 Rev B) and proposed fencing details (Drawing 383-09) are inserted below for ease

Further information on the subject of this report is available from Ms Heloise Hardwick on



Site plan (383-04 Rev B)



Fencing Details (383-09)

- 1.5 The proposed 7no. security camera positions are detailed on the existing and proposed elevation plans as inserted below along with the details of the appearance of the camera that can be found in the Design and Access Statement.



2. Policies

2.1 The Herefordshire Local Plan – Core Strategy (CS)

Policy SS1	–	Presumption in Favour of Sustainable Development
Policy SS6	–	Environmental Quality and Local Distinctiveness
Policy SC1	–	Social and Community Facilities
Policy MT1	–	Traffic Management, Highway Safety and Promoting Active Travel
Policy LD1	–	Landscape and Townscape
Policy LD2	–	Biodiversity and Geodiversity
Policy LD3	–	Green Infrastructure
Policy LD4	–	Historic Environment and Heritage Assets
Policy SD1	–	Sustainable Design and Energy Efficiency

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

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

2.2 The National Planning Policy Framework (NPPF)

Chapter 2	–	Achieving Sustainable Development
Chapter 4	–	Decision-Making

Further information on the subject of this report is available from Ms Heloise Hardwick on

- Chapter 12 – Achieving Well-Designed-Places
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

2.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS as listed below have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

3. Planning History

3.1 P160537/F – Proposed provision of additional staff car parking – Approved with conditions.
[Planning Application Details - Herefordshire Council](#)

4. Consultation Summary

Statutory Consultations

4.1 None

Internal Council Consultations

4.2 **Historic Buildings Officer – Original Comment – Objection**

Sympathetic re-use of Churchill House is acknowledged as being fundamental to its on-going conservation, and plans presented which enable this positive outcome to be achieved are welcomed.

However, whilst the introduction of security cameras as proposed and specified can be supported from a heritage perspective, given their minimal visual impact and degree of reversibility, and whilst the introduction of some form of new boundary treatment which is appropriate to the historic context of the property could also potentially be supported, the proposed erection of *CLD Exempla* security fencing surrounding Churchill House's primary elevation unfortunately attracts a heritage objection as it is considered such a treatment would be visually detrimental in its obtrusiveness, and wholly unrepresentative in this historic context.

Consequently, it is considered this aspect of the proposed works in its submitted form would fail to preserve the setting of the Grade II listed building, and the character and appearance of the Aylestone Hill Conservation Area in this sector, contrary to statutory requirements of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policy LD4 of the Herefordshire Core Strategy.

The level of harm identified in both instances is ***less than substantial***, which case law has deemed represents a *substantial* objection in planning terms, and as per Paragraph 212 of the NPPF, should be afforded two counts of ***great weight*** in the planning balance when set against any public benefits this aspect of the scheme may realise.

Although a short length of CLD Exempla fencing and a corresponding security gate has previously been installed this is situated in a more discreet position to the south-west rear-side of the building and is well screened from public viewpoints (previous consent for this addition has not yet been identified).

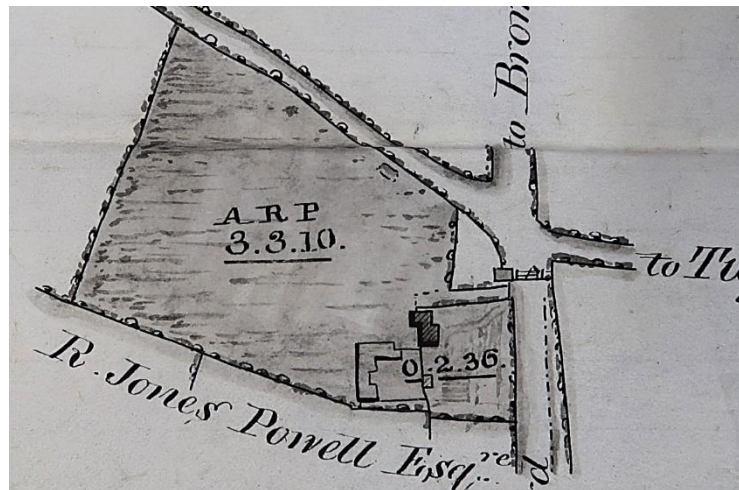
Given the primary elevation of the property has historically remained open to the formal garden area surrounding it, and with no intervening planting of any particularly solid form, there do not appear to be any mitigative measures which could be employed to neutralise or sufficiently reduce the level of impact which would be experienced from numerous viewpoints as a consequence of the proposed security fencing option.

However, if boundary fencing and gateway treatments whose design and materiality were appropriate for the broader historic context of the mid-19th century period, and in keeping with the aesthetic character of the building and its setting, were to be proposed this could potentially satisfy the relevant statutory and policy requirements.

Heritage Background:

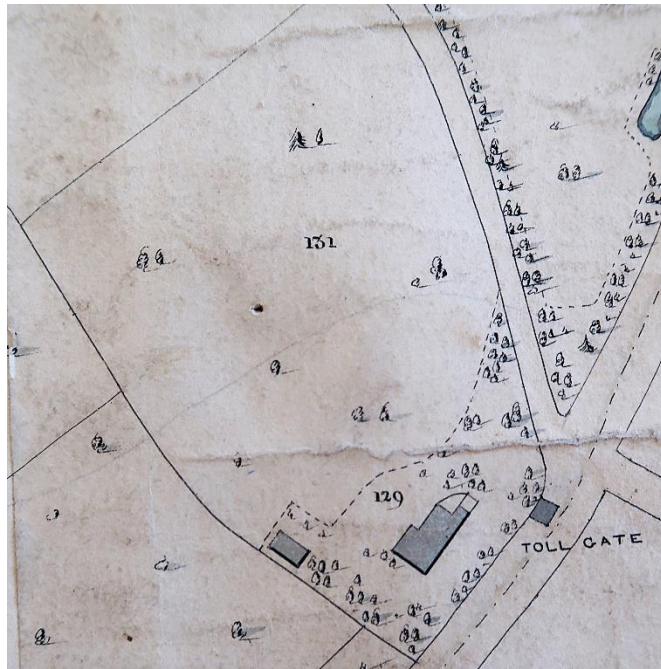
Churchill House (formerly *Penn Grove*) is a Grade II listed property of c.mid-19th century origin set within generous grounds which now form Churchill Gardens Park; it represents one of the Hereford's earliest suburban villa developments to the north-east of the city walls, although it appears to have replaced an earlier building on the site, itself part of a larger group believed to have been the Whey Tavern, with its associated stabling/barns.

An Indenture of 1832 contains a site plan which identifies the tavern/stable group and illustrates two land plots similar to those represented on the 1841 All Saints Tithe Map, but by this latter date the tavern and stabling appear to have been partly demolished and replaced with a new dwelling house and detached outbuilding c.40m to the south-west (no longer extant).



1832 - Indenture Plan

Apportionment details identify the specific land parcels (129 & 131) as *House & Garden* and *Meadow*, both within the ownership of Rev. John Evans.



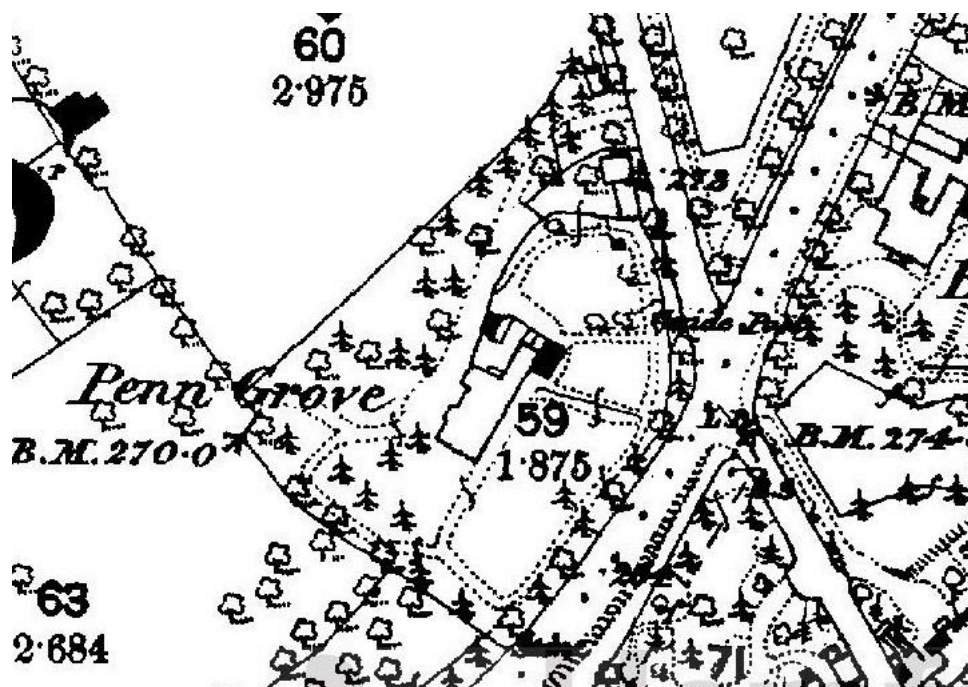
1841 - Tithe Map Extract

This arrangement also appears on Thomas Curley's 1858 Map of Hereford, with some further revisions to the form of the house and two small outbuildings now sited immediately to the north-east creating a small yard area.



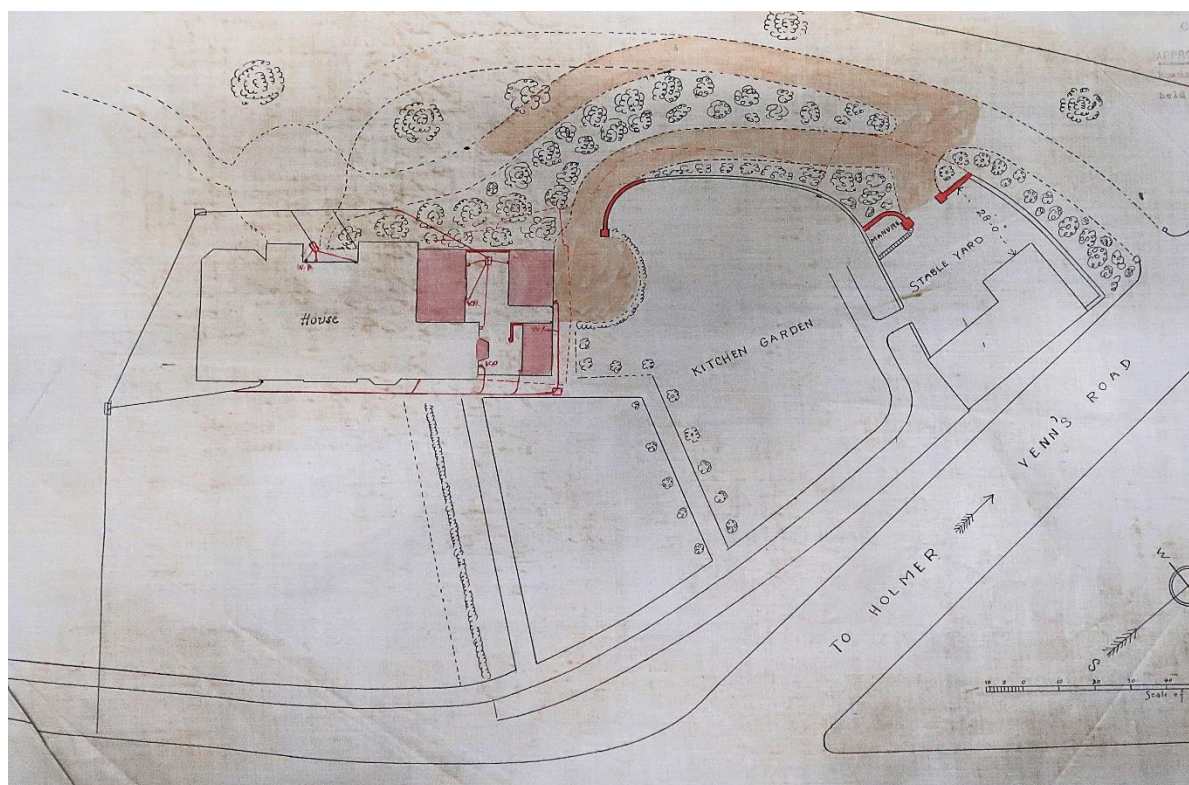
1858 - Curley's Map of Hereford Extract

By 1885, the 25" OS map illustrates the house having been adapted and extended again, and also illustrates a new coach house and stable block building added to the north-east (currently No.1 Venns Lane), alongside the entrance carriageway, garden pathway layouts and perimeter boundaries of the site.



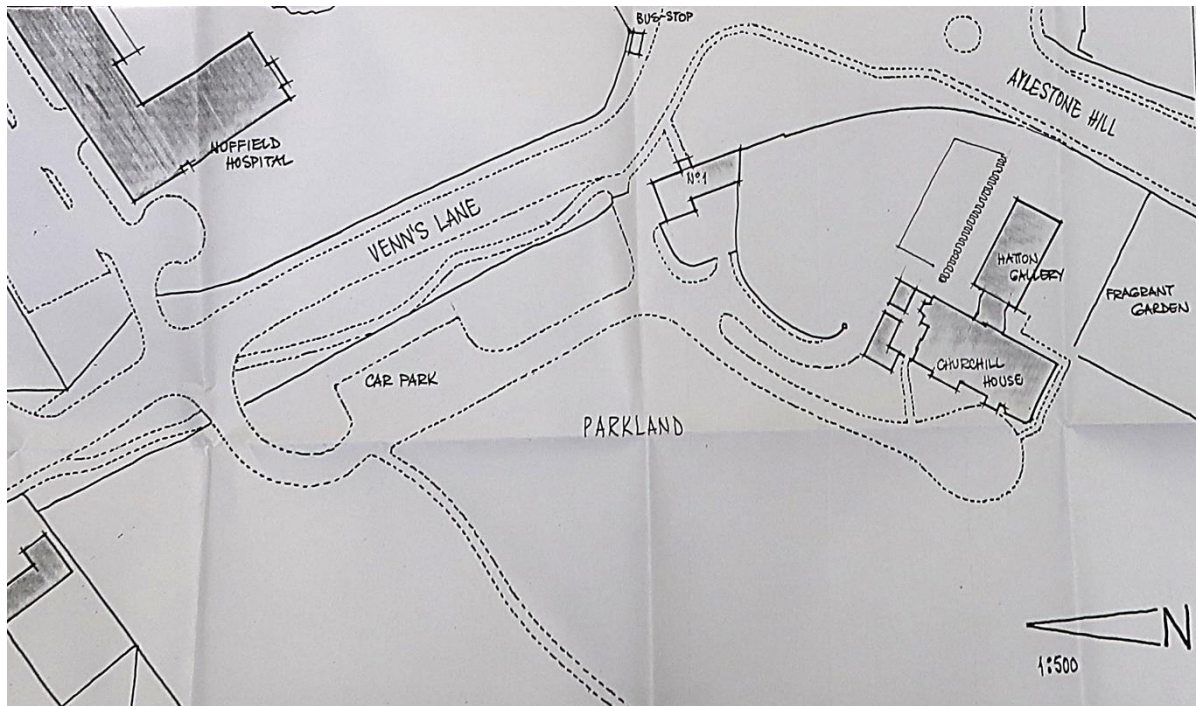
1886 – OS Map Extract

In 1907 the last historic phase of change occurred, and a site plan illustrates further extensions and service building additions to the north-east side of the site, and revisions to the treatment of carriageway routes to accommodate a new service area turning circle.



1907 – Proposed Site Alterations Plan

Excepting certain late-20th century additions/alterations, this is the form which largely remains today.



Late-20th Century Site Plan Extract

Significance & Setting:

Churchill House's significance lies primarily in its historical (illustrative), aesthetic (designed) and communal (social) values, and aspects of its setting which contribute positively to those values form part of that significance – such as the visual relationship between the house and its garden.

Its setting encompasses the surroundings within which it is experienced, and those aspects which were clearly designed reinforce its significance values as they enable understanding of the intended aspirations of the owner, and the range of mechanisms chosen to realise them – such as orienting the property so that its primary elevation faced away from the thoroughfare of Aylestone Hill in order to look out over the formal garden area and meadowland beyond.

Aside from additional parkland to the south-west not historically associated with Churchill House, its designed setting remains largely intact today and defines the character of this sector of the Aylestone Hill Conservation Area.



View of Churchill House Museum from south-western parkland approach – c.1980s

Direct views of the building are afforded from multiple vantage points along the public pathway through the park, heightening its visual sensitivity.





Views of Churchill House frontage from within parkland - 2025

Heritage Comments:

Design & Access and Heritage Statement:

Unfortunately, whilst the submitted statement provides a basic overview of the site and a listed building description, there has been no identification or articulation of its significance, and any contribution made by its setting, or any assessment of potential impact the proposed works might have on that significance or setting, nor the Aylestone Hill Conservation Area in this sector, all of which is required under Paragraph 207 of the NPPF.

In terms of justification for the works, it indicates their need is to secure the site and improve user safeguarding from episodes of vandalism and break-ins, yet it doesn't provide any details or insight into these specific incidents, nor acknowledge what influence the building remaining empty may have had on it becoming a target, and how re-accommodating it might alter that situation; as a consequence, and from a heritage perspective, the justification presented is not considered *clear and convincing* as required under Paragraph 213 of the NPPF.

A revised heritage statement would be required to address this aspect.

Entrance Gates & Fencing:

From 1858 onwards historic mapping and site plans consistently illustrate the main entrance into the property as being located on Venn's Lane and whilst this entrance does remain to serve garages at No.1 Venn's Lane, the current main entrance to Churchill House introduced in the late-20th century is now c.70m further north, and is defined as an untreated break in the existing stone boundary walling with a modern metal swing-arm gate set within the northern side, and a low timber post fence bounding the right side for c.20m.

Siting a new set of entrance gates further into the site, as proposed, would not replicate or re-instate an earlier historic arrangement, and so, if this were to be feasible, the new gate arrangement would need to sit comfortably alongside the listed building in terms of both its

aesthetics and materiality, and this suggests a more traditional gate and fencing design would be warranted.

In order to meet this requirement, and minimise the perception of physical exclusion between the house and wider gardens, a low stone-capped plinth wall with cast or wrought iron spindle or panel railings with backstays (c.1300mm in combined height) and matching gate and side-gate designs would be the advised approach.

The combination of the building and its immediate grounds being returned to permanent occupation again, coupled with the addition of seven CCTV cameras as proposed, should ensure a degree of both passive and active security which is sufficient to address anti-social behaviour issues experienced in more recent times without the need for uncharacteristic containment security fencing in such a prominent location.

It is noted that Hereford Sixth Form College currently employs stone walling and hedgerow planting along the length of its boundary on Folly Lane and Wittern Way, and only appears to utilise security fencing similar to that proposed along its north-eastern boundary with Aylestone School's playing fields, which is situated on private land with no public access.

A similarly sympathetic approach to the frontage of Churchill House would also be welcomed in this instance given the sensitivity of the site.

Further Information Required:

- Revised heritage statement (requires *appropriate expertise* to compile); describing the *'significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'* (Para.207, NPPF)
- Amended plans fully detailing any alternative gate/fencing approach as advised.

4.3 Historic Buildings Officer – Amended Comment – No Objection

The proposal

The application relates to the provision of security cameras fixed to the exterior of the building and provision of boundary fencing for safeguarding purposes.

The site

The property is a listed building UID 1297453 included on the statutory list on 28/01/1994
<https://historicengland.org.uk/listing/the-list/list-entry/1297453>

The site lies within the Aylestone Hill Conservation Area
https://www.herefordshire.gov.uk/media/ujtjvk0z/aylestone_hill_conservation_area.pdf

Legislation Policy and Guidance

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This statutory duty obligation does not prevent change from occurring but merely requires that change is properly informed so not to not affect any special architectural or historic interest.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special regard to preserving listed buildings and their setting. This obligation does not prevent change from occurring but merely requires that change is properly informed to not affect any special architectural or historic interest.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Primary legislation is repeated in National Planning Policy Framework and Core Strategy Policies.

- Paragraph 135 of NPPF advises that planning policies and decisions should ensure developments should;
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit

Paragraph 207 of NPPF advises that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”

Paragraph 208 of NPPF advises that a “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

Paragraph 212 of NPPF advises “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 213 of NPPF advises “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 215 of NPPF advises “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Paragraph 219 of NPPF advises “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those

elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

Policy SS6 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires that development proposals should:

- conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular landscape, and heritage assets and especially those with specific environmental designations Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant.

LD1 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires that development proposals should:

- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;
- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including ... conservation areas; through the protection of the area’s character and by enabling appropriate uses, design and management.

Policy LD4 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires development proposals affecting heritage assets and the wider historic environment should:

- Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible.

Assessment of Proposal

The proposed works require planning permission for the cameras and fence as the cameras are attached to a listed building the fence is in the curtilage of a listed building.

Further to the Built Heritage Comments of 26/08/2025 where objections were raised to the original proposals, the amended plans received on 26/01/2026 are duly noted;

- Dwg No 383-04B Proposed Site Plan
- Dwg No 383-09 Proposed Fencing details.

The concerns raised previously by built heritage are duly acknowledged, and the amended plans have sought to address those concerns, in that the fence originally proposed was utilitarian security fencing and not respectful of the setting of this grade II listed building, in its original grounds which is now well used as a public park and garden.

The provision of fencing in the location so proposed would be contrary to the existing character and appearance of the property which was built as a large private house within large grounds, thereby not requiring fencing separating the house from the grounds.

The building was more recently used as a museum for which the grounds no doubt played a part in the visitor experience, however the current proposed use is for educational use. The reuse of the building is greatly welcomed as it has been vacant for some time. Nonetheless the proposed fencing will separate the house from the grounds to enable the building and grounds to operate independently. Whilst it would be preferable for the house and buildings to remain in a use that retained the land with the house, it is acknowledged that should a proposed use for the building also require use of the grounds then this would sever public use of the gardens which would not

be desirable or appropriate, and could lead to the request for more secure perimeter fencing which would be unacceptable in this location. However, this is not proposed, and it is understood the park is to remain as public park and garden, which requires the fencing around the premises.

As Churchill Gardens has been used as a public park for some years, it displays some qualities of a public park, benches, waste bins, bollards etc, and the choice of fencing to be more reminiscent of Local Authority Public Park fencing is duly noted, and is not uncommon in Registered Parks and Gardens where the grounds are used for public use and the main building for a use not by the general public.

The proposal by virtue of the erection of a fence in that location will result in less than substantial harm to the setting of listed building. As less than substantial harm has been identified this trigger requires consideration under section 215 of NPPF where the public benefits of the proposal have to be weighed against the harm caused.

It is considered that attempts to mitigate the harm have been made by “parkland” fencing, which whilst not preferable in respect of the setting of the listed building is appropriate for a public park and garden. The re-use of the building for a single use and not subdivided between occupiers is also welcomed. In addition, the fence whilst assumed to be a permanent feature whilst the building is in educational use, could be removed in the future without harm to historic fabric.

Taking all of the above into consideration, the proposal so amended does not raise a built heritage objection. However, care would need to be taken in respect of the colour and a matt soft black (not gloss) similar to the Farrow and Ball Colour Railings is suggested as a suitable colour for railings. However the colour can be conditioned if preferred.

<https://www.farrow-ball.com/paint/railings>

4.4 **Tree Officer Comment – Original Comment**

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

The property is situated within a Conservation area and has many mature specimen trees within the grounds. The proposals to install security cameras will have no impact to retained trees and therefore acceptable from an arboricultural perspective.

The proposals also include the installation of a 2 metre security fence as well as a new access gate in to the site. No information has been submitted in regards to the trees on site and therefore it is difficult to make comments in relation to whether impacts to existing trees as a direct result of the proposals have been considered and addressed.

To allow an assessment of the potential impacts to the existing trees, a BS5837:2012 tree survey should be undertaken. This information will identify all trees within the development area and confirm their quality and overall condition. This information should then be utilised to produce an Arboricultural Impact Assessment (AIA), Method Statement (AMS) and Tree Protection Plan (TPP). These will assess the potential impacts to retained trees and set out guidance to how these impacts will be managed to an acceptable level. This should be requested as additional information to support the application.

4.5 **Tree Officer Comment – Amended Comment – No Objections**

Comments: I have reviewed the submitted Tree Report (Arbor Tech – 10th July 2025) and have the following comments.

Further information on the subject of this report is available from Ms Heloise Hardwick on

The report confirms the location of the proposed new security fencing which will be positioned within the existing tarmac drive way. This will ensure minimal impact to adjacent trees. No information is included within the report if roots are encountered during the works, but this could be addressed through supervision during the works.

Therefore, I consider that adequate information has been provided to ensure minimal impact to retained trees during the construction. A condition should be applied to ensure adherence with the approved Tree Report.

Condition

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: Tree Report – Arbortech – 10th July 2025.

All excavations for post holes within root protection areas of retained trees should be supervised by an appointed Arboriculturist for the works specified.

Reason: To ensure that the development is carried out only as approved by the Local Planning Authority and to conform with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

4.6 **Tree Officer – Further Amended Comment (following receipt of revised plan) – No Objections**

The amended layout of the security fencing presents no further risk to the existing trees on site. For this reason I refer to the previous Tree Consultation comment made by Andrew Cunningham. I have included this below for convenience.

Comments: I have reviewed the submitted Tree Report (Arbor Tech – 10th July 2025) and have the following comments.

The report confirms the location of the proposed new security fencing which will be positioned within the existing tarmac drive way. This will ensure minimal impact to adjacent trees. No information is included within the report if roots are encountered during the works, but this could be addressed through supervision during the works.

Therefore, I consider that adequate information has been provided to ensure minimal impact to retained trees during the construction. A condition should be applied to ensure adherence with the approved Tree Report.

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All excavations for post holes within root protection areas of retained trees should be supervised by an appointed Arboriculturist for the works specified.

Reason: To ensure that the development is carried out only as approved by the Local Planning Authority and to conform with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

4.7 **Ecologist – No Objections**

The installation works could temporarily affect/disturb local bat roosting or roost access and the applicant should be reminded of their and their contractors' legal obligation to wildlife protection afforded at all times through the Wildlife & Countryside Act. There are records of multiple bats and other protected species within the wider locality.

Wildlife Protection 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.

4.8 **Environmental Health Officer (Contamination) Comment – No Objections**

Given what's proposed, we've no comments to make.

4.9 **Area Engineer (Highways) Comment – No Objections**

The Local Highway Authority has no objections to the development proposals.

All applicants are reminded that attaining planning consent does not constitute permission to work in the highway. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website:

www.herefordshire.gov.uk/directory_record/1992/street_works_licence
<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>

5. **Representations**

5.1 **Hereford City Council – February 2026 - Objection**

Although Hereford City Council did not submit a response in respect of the applications following the initial consultation period, the below response in relation to the Full Planning Application has been submitted following the re-consultation period.

HCC has concerns about the proposed style of fencing and the impact this will have on not only the listed building but also the setting within which the building sits, with it not being in keeping with the local character.

5.2 **Third Party Representations**

Following the initial consultation period in respect of the Full Planning Application, there was 1 representation made by a third party which objected to the proposal. Following the re-consultation period, there was 1 further objection made.

The concerns raised are summarised below:

- Bright white casting colour of the proposed security cameras
- Design and appearance of the fencing
- Principle of the fencing to secure the building
- Construction of the entrance gate posts
- Impact upon nearby trees and their root systems

Following the initial consultation period in respect of the Listed Building Consent, there was 1 representation made by a third party which objected to the proposal. Following the re-consultation period, no further objections were made, however the original objection has not been withdrawn.

The concerns raised are summarised below:

- Impact of the proposed fencing the trees and their root systems

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

[Planning search - Herefordshire Council](#)

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

6. Officer's Appraisal

Policy Context and Principle of Development

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows: "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework is a significant material consideration.
- 6.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any applications.
- 6.4 The proposed works to install security cameras to the exterior of the host building together with fencing along the southern and western boundaries of the site are intended to provide enhanced security for users of the building and improve safeguarding by deterring anti-social behaviour. By securing the site, the proposal would enable the building to continue in operational use, thereby contributing positively to the long-term vitality of the heritage asset and preventing further deterioration of the historic fabric associated with its recent vacancy.
- 6.5 Accordingly, the proposed works facilitate the continued use of the building as a community facility and as such Policy SC1 of the Herefordshire Core Strategy is applicable to this application. Policy SC1 states that development proposals which protect, retain or enhance existing social and community infrastructure or ensure that facilities are available as locally as possible will be supported.
- 6.6 In this regard, the building is appropriately located within walking distance from Hereford Sixth Form College with which the occupiers are associated. The principle of development to provide for the identified security needs of the building and enabling the long vacant building back into occupation is supported and fully accords with Policy SC1.

Design, Appearance and Heritage Considerations

- 6.7 When considering the design and built heritage impacts of the proposed conversion, Paragraph 131 of the NPPF is significant as it states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In doing so, all proposals should take into account the local context and site characteristics. In more specific terms, Policy LD1 of the Herefordshire CS emphasises that development proposals should demonstrate that the character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas.
- 6.8 The host building is a Grade II building and is located within the Aylestone Hill Conservation Area. The impact of the proposed works upon the historic fabric of the building and its setting is therefore a significant consideration to the acceptability of the proposal. The relevant legislation and policies relating to development affecting heritage assets and the wider historic environment are applicable and are set out below.
- 6.9 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be paid to the desirability of preserving listed buildings and their setting which is of considerable weight and importance within local and national policy. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 further requires that special regard shall be paid to preserving or enhancing the character or appearance of buildings within a conservation area.
- 6.10 Policy LD4 of the Herefordshire CS makes clear that development proposals should protect, conserve and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible.
- 6.11 Accordingly, the Council's Historic Buildings Officer was consulted in respect of the application and following the submission of revised plans, the initial concerns raised have been addressed and no objections are raised subject to a condition imposed requiring the fencing to have a matt soft black finish. In more specific terms, while it is acknowledged that the fencing would separate the host building from its grounds which would be contrary to the historical layout of the wider site, the fencing would enable the building and grounds to operate independently providing better security for the proposed use of the building for education purposes. The reuse of the vacant building is welcomed and weighs in favour of the proposal in this regard.
- 6.12 Noting Paragraph 215 of the NPPF, it is clear that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this instance, it is considered that the proposed works are appropriately designed for their intended use to provide security to the building. These measures would facilitate the reuse of the building which would mitigate further deterioration of the heritage asset associated with its vacancy whilst also supporting its long-term conservation. The whilst the proposal can be considered to result in *less than substantial harm* there would be benefits arising from the proposed works in terms of securing the optimum viable use of the building.
- 6.13 With that said, following concerns raised by the Historic Building Officer in relation to the design and appearance of the fencing, the revised vertical railing fencing is considered to be more appropriately designed in relation to the historical context of the setting and would not result in

any undue harm to the character of the Grade II listed building and the Aylestone Hill Conservation Area.

- 6.14 Additionally, in relation to the proposed installation of the security cameras, while the third party objection in regard to the colour is duly acknowledged, the Historic Buildings Officer raised no concerns in this regard and it is not considered that the proposed security cameras would result in any harm to the historic fabric and character of the heritage asset.

Trees and Biodiversity

- 6.15 CS Policy LD2 states that development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire. Policy LD1 further emphasises that development proposals should maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.
- 6.16 It is noted that the site is located within the Aylestone Hill Conservation Area and there are existing mature trees within close proximity to the proposed fencing and access gate. As such, the Tree Officer was consulted in respect of the application and following the submission of a Tree Report, it is considered that the proposal would result in minimal impact to adjacent trees.
- 6.17 A condition is recommended to ensure adherence with the approved Tree Report, and for all excavations for post holes within root protection areas of retained trees to be supervised by an appointed Arboriculturist. In this regard, the proposal is considered to be acceptable from an arboricultural perspective.
- 6.18 Furthermore, the Ecologist raises no particular concerns in regard to the proposal, however given there are records of bat and other protected species within the wider locality, an informative note is recommended to remind the applicant's to their obligations under the Wildlife and Countryside Act.
- 6.19 The proposed works would benefit under the 'de minimis exception' (development below the threshold) with regards to mandatory BNG.

Neighbouring Amenities

- 6.20 Paragraph 135 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.21 It is not considered that the proposed works would result in any adverse impact to the amenity of users of the adjacent public open space and owing to the nature of the vertical railing fencing proposed, would not create isolated or "hidden zones" which would exacerbate existing anti-social behaviour within the park, but would provide security for users of the host building.

Access and Parking Arrangements

- 6.22 CS Policy MT1 states that development proposals should ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services.

- 6.23 The proposal would retain the existing access to the site and is not considered to adversely impact upon the existing parking provision. The proposed works would have no adverse impact to the local highway network.

Conclusion

- 6.24 When assessing the proposed development against the relevant policies, it is clear that the principle of enhancing the security of the host building is supportable and can be afforded weight as a public benefit in relation to securing the optimum viable use of the heritage asset and with no technical objections raised, the proposal is not considered to be in conflict with the Development Plan and is considered acceptable. The applications are therefore recommended for approval.

RECOMMENDATION

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

PLANNING APPLICATION (REFERENCE NO. 251666)

1. Time limit for commencement

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

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

2. Development in accordance with approved plans

The development shall be carried out strictly in accordance with the approved plans (383 – 05; 383 – 06; 383 – 07; 383 – 03; and 383 – 09; 383 – 04 REV B (received via email 26th January 2026) 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.

3. Development in accordance with approved Tree Report

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: Tree Report – Arbortech – 10th July 2025.

All excavations for post holes within root protection areas of retained trees should be supervised by an appointed Arboriculturist for the works specified.

Reason: To ensure that the development is carried out only as approved by the Local Planning Authority and to conform with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

LISTED BUILDING CONSENT (REFERENCE NO. 251667)

That Listed Building Consent 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

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

Reason: Required to be imposed by Section 18 (1) of the Planning (Listed Building & Conservation Areas) Act 1990.

2. Development in accordance with approved plans

The development shall be carried out strictly in accordance with the approved plans (383 – 05; 383 – 06; 383 – 07; 383 – 03; and 383 – 09; 383 – 04 REV B (received via email 26th January 2026) except where otherwise stipulated by conditions attached to this permission.

Reason: To ensure adherence to the approved plans and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

3. Fencing – Appearance

The fencing hereby permitted shall have a matt soft black finish which shall be maintained thereafter.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with policy LD4 of the Herefordshire Local Plan – Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

INFORMATIVES:

PLANNING APPLICATION (REFERENCE NO. 251666)

1. 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. Wildlife Protection Informative

Further information on the subject of this report is available from Ms Heloise Hardwick on

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 advised that advice from a local professional ecology consultant is obtained.

3. Biodiversity Net Gain (Not Required) Informative

Decision:

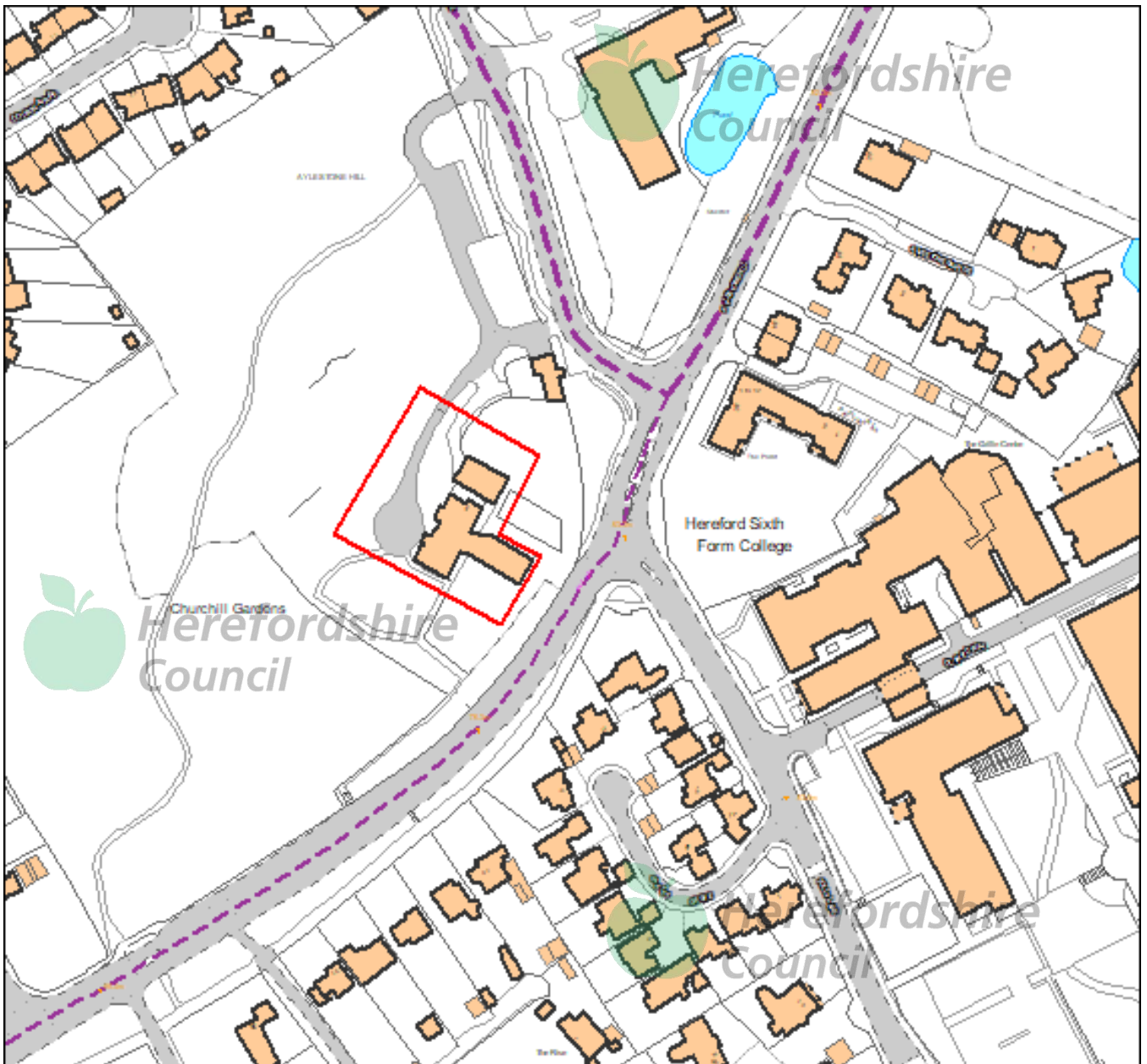
Notes:

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Background Papers

The respective applications have been considered in line with the following list of supporting documents:

- Application Form
- Site Location Plan
- Proposed Site Plan (received by email 26th January 2026)
- Proposed Fencing Details (received by email 26th January 2026)
- Proposed Floor Plans
- Proposed Elevations
- Tree Report
- BNG Statement



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: 251666

SITE ADDRESS : CHURCHILL HOUSE, 3 VENNS LANE, HEREFORD, HEREFORDSHIRE, HR1 1DE

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Further information on the subject of this report is available from Ms Heloise Hardwick on