

**Supplement to the agenda for**

# **Planning and Regulatory Committee**

**Wednesday 10 December 2025**

**10.00 am**

**Conference Room 1 - Herefordshire Council, Plough Lane  
Offices, Hereford, HR4 0LE**

**Schedule of updates**

**Public speakers**

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# **PLANNING COMMITTEE**

**Date: 10 DECEMBER 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

### **6 230432 - PROPOSED ERECTION OF 7 TOWNHOUSES WITH ASSOCIATED DEVELOPMENT AT LAND TO THE REAR OF PROSPECT PLACE, ST MARTINS AVENUE, HEREFORD.**

**For: Mr Tobin per Mr Bernard Eacock, 1 Fine Street, Peterchurch, Hereford, Herefordshire HR2 0SN**

#### **ADDITIONAL REPRESENTATIONS**

Further to the publication of the officer report, an additional 4 letters of representation have been received from 1 interested party. They have been published on the application webpage although are also provided below for convenience:

##### Representation 1 (2 December 2025)

*"Dear Mr. Bailey, It has just been brought to my attention that the Council has not required the applicant to provide an Update to the submitted Preliminary Ecological Assessment originally produced 2019. The Council's Ecologist states in their July response that*

*"With no PRFs present and no change in very low likelihood of presence of protected species the LPA has no reasonable cause to require an updated ecological assessment prior to determination."*

*This response contradicts the CIEEM Advice Note on the 'Lifespan of Ecological reports & Surveys' (April 2019) (see attached). This Note states that with reports between 18 months and 3 years that*

*"The likelihood of surveys needing to be updated increases with time, and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken".*

*For reports more than three years old "The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist".*

*I am reliably informed that any data search from the Council's resources undertaken in 2019 would now be out of date. The site also lies in proximity of the River Wye SSSI (at least 110 metres) and the possible mobility of European Protected Species since 2019 renders the report out of date and in need of updating. Can I ask that your Council reconsider its acceptance of this six year old Assessment given the foregoing?*

*Thank you.  
Paul Smith MRTPI"*

##### Representation 2 (2 December 2025)

*"Dear Mr. Bailey,*

*I have just received the attached. Can you advise me how you intend to address the issue of the unregistered land along the alleyway access? Has this matter been resolved?*

*Regards,  
Paul Smith MRTPI*

##### Representation 3 (3 December 2025)

Schedule of Committee Updates

*"Dear Mr. Bailey,*

*Thank you for seeking a response from the applicant over the legal position over the alleyway access. I see that you have added the Certificate D Notice to the application file but not the Certificate D itself. Can you arrange for the removal of the Certificate A dated 1 February 2023 from the application form and add the Certificate D (and not just the Notice) to the file to render the application correct and valid? Certificates A and D are mutually exclusive. Further, Certificate D requires the applicant to confirm that reasonable steps have been taken to find the names and addresses of everyone else who on the day 21 days before the date of the application was the owner to which the application relates. How can this be confirmed before the Planning Committee on 10 December?*

*Your sincerely,  
Paul Smith"*

Representation 4 (4 December 2025)

*"Dear Mr. Bailey,*

*Regarding the forthcoming site visit by councillors, to whom should submit a request that councillors view the proposal from the rear garden of no. 21 St Martins Street regarding the issue of overlooking?*

*Regards,  
Paul Smith"*

**OFFICER COMMENTS**

Matters pertaining to the validity of the ecological survey is discussed at 7.134 of the report. For avoidance of doubt, an update letter submitted in 2023 advises that the extended Phase 1 ecology survey, written and reviewed in 2019, is still an accurate representation of the site. The Council's Ecologist in their most comments of 31 July 2025 advises that with no potential roosting features present and no change in the very low likelihood of presence of protected species, the Local Planning Authority has no reasonable cause to require an updated ecological assessment prior to determination of this application from the applicant.

With regards to the unregistered land along the alleyway access, the local planning authority received a completed Notice under Article 13 (Notice of applications for planning permission) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 on 28 November 2025 from the applicants' agent. A signed Certificate D was subsequently received by the Local Planning Authority on 3 December 2025 again from the applicants' agent. Notice under Article 13 regarding the ownership certificate went into the Local Press on 4 December 2025. As a result of the change to the ownership certificate, officers erected new site notices around the application site on 9 December 2025 and this consultation expires on 5 January 2026. In reaffirming 7.151 of the report, this procedural matter does not prevent the Committee from being able to make a resolution, it simply it means that no formal determination of the application would be made until 6 January 2026 at the earliest.

Requests to visit and view proposals from third party properties is at the discretion of the Chairperson of the Planning & Regulatory Committee (or the substitute Chairperson at the Planning Site Inspection in the absence of the Chairperson of the Planning & Regulatory Committee). Members who attended the site inspection did visit the application site and surrounding public receptors, including St Martins Avenue and Bishops Meadow, to be able to consider both the site setting and its surroundings which includes consideration of impacts on residential amenity.

Given ii) of the original officer recommendation has been complied with, a revised officer recommendation is proposed as set out below.

## CHANGE TO RECOMMENDATION

*That 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 by officers, subject to:*

- i) the completion of a Section 106 Town & Country Planning Act 1990 planning obligation agreement to secure financial contributions towards the management costs of flood risk infrastructure as operated by the Environment Agency (with draft agreement to be published for a minimum of 10 working days prior to determination of the application); and*
- ii) no new material planning considerations arising which may otherwise lead to a revised officer recommendation.*

**7     240309 - THE PROPOSED ERECTION OF 2 NO. DWELLINGS AND ASSOCIATED WORKS INCLUDING ACCESS, LANDSCAPING AND DRAINAGE AT LAND NORTH OF LEYS HILL, BISHOPSWOOD, ROSS-ON-WYE**

**For: Thomas per Mr Ed Thomas, 13 Langland Drive, Hereford, Herefordshire, HR4 0QG**

## ADDITIONAL REPRESENTATIONS

A further representation has been provided by Walford Parish Council in lieu of their inability to address the Planning Committee in person. The summary of comments is as follows:

- 1. Inadequate Housing Needs:** The proposed development comprises two large, four bedroom dwellings that fail to address the identified local community housing needs outlined in the Walford Neighbourhood Development Plan and the Core Strategy.
- 2. Conflict with Local Character and Landscape Quality:** The development is deemed incompatible with the local character and landscape quality of the area. It would negatively impact the appearance and setting of the rural landscape.
- 3. Inappropriateness of Dwellings:** The characteristics of the proposed dwellings, including their size, scale, massing, and urbanising effects, are deemed inappropriate for the local vernacular of small wayside cottages and individual dwellings in the area.
- 4. Negative Impact on Surrounding Views:** The Principal Natural Environment Officer has expressed concerns that the proposed dwellings would stand out as negative features and exacerbate the incongruity of the development in surrounding views.
- 5. Driveway Construction:** Parish Council is concerned that the driveway now goes higher up the hillside, and adds to the concerns it already has over surface water drainage.
- 6. Inadequate Junction:** In 2016, the highways officer reported that the junction to the lane was dangerous and substandard. While council is awaiting the introduction of an experimental 30mph speed limit which it is hoped will improve safety, four bedroom

houses may lead to a disproportionate number of additional vehicles using the lane and junction

#### **OFFICER COMMENTS**

For the avoidance of doubt, Officers wish to clarify that the proposed height of the ground floor slab levels above road level is around 8.5-9 metres

#### **NO CHANGE TO RECOMMENDATION**

**8 242748 - PROPOSED ALTERATIONS TO AND CHANGE OF USE OF EXISTING BUILDING TO ALLOW OCCUPATION FOR CLASS E(B)/SUI GENERIS (HOT FOOD TAKEAWAY) USE, INCLUDING THE PROVISION OF DESIGNATED CAR PARKING AREA AND ALTERATIONS TO EXISTING ELEVATIONS. AT 30 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JB**

**For: NNA Ltd per Ms Polly Mason, De La Bere House, Bayshill Road, Cheltenham, GL50 3AW**

#### **ADDITIONAL REPRESENTATIONS**

Officers have received and are aware that Members have also received an email attaching a 'Briefing note' and 'Good Neighbour Document' (See Appendix 1) from the applicants Strategic Communications Consultant.

Officers do not consider the documents to raise any new material considerations not already addressed within the officers' report.

#### **OFFICER COMMENTS**

Officers have reviewed the plans submitted and note the inconsistency with respect to the 3 trees represented on the plan, not conforming to the annotated no. 4 trees to be planted. As such, Officers recommend a change to condition 8 as set out below.

#### **CHANGE TO RECOMMENDATION**

**Change to condition 8 as follows:**

**Condition 8:**

**Notwithstanding plan number 0000/2023/G121 Rev F – Proposed site plan, A landscape scheme to include a tree planting specification shall be submitted to and approved in writing by the local planning Authority, prior to first use of the site as approved.**

**All planting, seeding or turf laying shall be carried out in the first planting season following completion of the development in accordance with the approved scheme.**

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 soft landscaping approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, policy LANP9 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

**9    243059    -    THE    ERECTION    OF    ONE    SELF-BUILD  
AGRICULTURAL WORKER'S DWELLING AND ASSOCIATED  
WORKS    AT    LAND    AT    GRENDON    MANOR    FARM,  
BREDENBURY, BROMYARD, HR7 4TH**

**For: Mr & Mrs Piggott per Mr Matt Tompkins, Lane Cottage,  
Burghill, Hereford, Herefordshire HR4 7RL**

Officers note that the 'Appendix 1' as referenced in paragraph 4.9 of the Committee Report had not been published with the papers. This has been published with the papers and the application today and is appended to these updates for ease of reference.

It is noted that the documents had previously been published to the website here since February 2025: <https://myaccount.herefordshire.gov.uk/documents?id=b9db6307-f356-11ef-908b-005056ab11cd>

**NO CHANGE TO RECOMMENDATION**

**Appendices**

Appendix 1 (a) – Item 8 (242748) – Good Neighbour document

Appendix 1 (b) – Item 8 (242748) – Briefing Note

Appendix 2 – Item 9 (243059) – Rural Planning Appraisal (listed as appendix 1 in original report)





# OUR COMMITMENT TO BEING A GOOD NEIGHBOUR

Think you know about KFC – the nation's favourite, and original finger lickin' chicken? Think again.

With great chicken (and we know we have great chicken!), comes great responsibility. We are committed to being a Good Neighbour in the heart of the communities where we have restaurants. As a business with more than 1,000 restaurants across the UK and Ireland, we know we have an active and important role to play in promoting social responsibility. The jobs that we create and the footfall we drive play a crucial role in supporting the local jobs market and the regeneration of high streets across the country. Local jobs mean local investment and growth. But at KFC, we are so much more than that. We believe in feeding people's potential, investing in the next generation and creating a more sustainable and equitable future for young people.

## KFC - AT A GLANCE

- In 2022, we launched Hatch, a pre-employment training programme, in partnership with UK Youth.
- The KFC Youth Foundation has provided over £10 million of charitable grants (so far!)
- Over 2,500,000 meals donated via our partnership with FareShare
- Over 50,000 bags of litter collected in partnership with Keep Britain Tidy.

**HATCH**  
UK YOUTH x KFC

## HATCH

- In 2022, we launched Hatch in partnership with UK Youth, a pre-employment training programme. The Hatch programme has been designed to support 16-24-year-olds, who have faced barriers to employment to find work.
- Our programme offers 1-2-1 training, support, and practical work experience, with a guaranteed interview for a role at KFC upon graduation. Now in its third year, Hatch has supported over 1,000 young people with pre-employment training. Hatch is now run directly by KFC and KFC Youth Foundation to enable the scheme to be more adaptive and flexible.
- Our experience with Hatch shows that pre-employment training has a huge role to play in helping young people to successfully enter the world of work. By 2030, KFC aims for a third of all new hires to be young people through Hatch.



100% of our chicken on the bone comes from British Red Tractor farms.

## OUR FOOD

- As a leading UK restaurant business, we have a role to play in helping people have access to nutritious, good food. Food that is fast does not have to be junk, and we are proud of our work to date to improve the nutritional content of our food.
- Our chicken is freshly prepared and hand breaded in restaurant every day by our talented chefs.
- In 2024 we launched our Nutrition Update. The report will be published annually to update where we are in our nutrition journey, as well as report on our progress and set ambitious goals. Through this work we want to be open and transparent about our food and how we are delivering meaningful improvements to our menu and for our customers.
- Changes we have already delivered include; reformulating our fries and removing salt from them – thereby removing 13 billion calories a year from our menu; removing full-sugar Pepsi from our menu, removing a further 8 billion calories from our menu each year; the first QSR to launch a Vegan Burger; increasing our menu range to give more balanced choice for our customers, including '600 kcals or less' options like Riceboxes, Twister Wraps and Salads.
- We want to go further and continue to innovate across our menu. Our annual Nutrition Report will set out further changes.





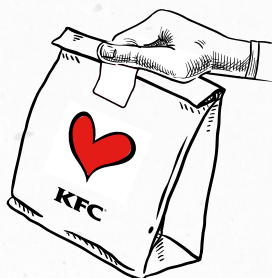
## KFC YOUTH FOUNDATION

- KFC Youth Foundation was set-up to empower young people in the UK to fulfil their potential by providing safe spaces, build life skills and provide mentoring to help them build a positive future.
- Since 2020, there have been more than 300 grants (over £10 million) given out via the KFC Youth Foundation programme to youth charities and organisations across the UK.
- In 2024 we have opened a permanent KFC Youth Foundation centre in Middlesbrough, which will aid young people with tools and skills to find sustainable employment, self value and belief in themselves. The Foundation is planning to open five Youth Hubs across the country in areas that need them most by 2030.



## FOOD DONATION

- Over 7 million people in the UK are struggling to afford to eat. As a food business, we strongly believe that no child should ever go to bed hungry.
- Since November 2021, KFC has partnered with the charity FareShare on a nationwide food redistribution programme, redistributing the equivalent of over 2,500,000 meals and supporting a network of over 925 charities and community groups across the UK.
- The partnership was FareShare's first venture into frozen food, diversifying the food available to people facing hunger and providing much needed protein.



## LITTER PREVENTION

- We've stepped up our efforts to address littering in our local communities with a litter commitment, we've provided; more litter-picking around our restaurants, more communication with our customers, including anti-littering messaging signage and in-restaurant audio to encourage responsible behaviour.
- Our partnership with Keep Britain Tidy has been running over the past 5 years, annually taking part in the Great British Spring Clean campaign, which has seen over 50,000 bags of litter collected thus far.
- In 2023, we provided a £45,000 grant to support hundreds of local litter picking groups and help them to buy new litter picking equipment.
- In 2023, we worked with charity Hubbub on a behaviour change campaign around litter prevention. Together we created solar-powered Big Ballot Bins that asked members of the public to vote, using their litter, on topical subjects – in Manchester we asked locals who they preferred, Noel or Liam. The litter captured by Big Ballot Bins was analysed and on average, drinks litter was reduced by approximately 70% and food litter by around 60% within 20 metres of the bins.



## ANIMAL WELFARE

- You won't be surprised to know that at KFC, great tasting chicken matters. Our chickens, like all animals, deserve to be treated well – it's as simple as that. That's why chicken welfare is a key priority for our business.
- We use fresh wholesome chicken across all our restaurants. 100% of our chicken on the bone comes from British Red Tractor farms.
- When it comes to eggs, 100% of all ingredient and processed egg used within KFC UK&I products is sourced from cage free systems. We do not use any fresh shell eggs.
- We work closely with experts in the field, including Compassion in World Farming (CIWF), FAI Farms and other organisations to continually improve our standards.



Planning and Regulatory Committee:

**P242748/F 30 SOUTH STREET, LEOMINSTER, HR6 8JB**

**Wednesday 10th December**

## ABOUT THE **APPLICANT**

**THE APPLICATION HAS BEEN BROUGHT FORWARD BY NNA LTD,  
AN AWARD-WINNING FAMILY-OWNED FRANCHISE BUSINESS.**

NNA Ltd is run by Gerard and Martina Nicholas, who live in the Forest of Dean and this year marked their 43rd year as key franchise partners for KFC and Gerard's 50th year working for the brand.

As a locally based business, they employ over 380 staff across the region and have won a number of prestigious awards in recognition of their high standards and performance. Recent award wins include; KFC Heart Led Leader award at the KFC Global Franchisee Convention; Partner of the Year (2024), Area Coach of the Year (2024) and Operational Excellence (2024). To top this all off, they have just recently won UK Franchisee of the Year 2025!



**GERARD AND  
MARTINA NICHOLAS**



KFC are proud to have been able to serve our customers over the past 60 years by offering fresh, quality food at great value. We have a responsibility to our customers and the communities in which we are situated for the food we serve, and it is one that is taken very seriously. That is why we are committed to being open and transparent about what goes into our menu.

## KFC BRAND SUPPORT

NNA Ltd are backed by the KFC brand who support and bolster their own experience. In addition to KFC's commitment to serving great chicken and food, it is committed to feeding people's potential, investing in the next generation and creating a more sustainable and equitable future for young people.

In 2024, we published our first Nutrition Update where we set ourselves measurable ambitions to improve our menu. We were very pleased to report in our March 2025 update that 67% of our permanent menu is now classified non-HFSS (High in fat, sugar or salt), well on our way to our target of 70% by the end of the year.



# BENEFITS

THE PLANS WOULD PROVIDE A RANGE OF BENEFITS, INCLUDING:



## TOWN CENTRE REGENERATION

Bringing back into good use a vacant, underutilised building that is at risk of long-term vacancy and degradation.



## SIGNIFICANT ECONOMIC BENEFITS

Every KFC restaurant delivers on average 32.5 new jobs and a £620,000 economic (GVA – Gross Value Added) uplift for the local area.



## CREATING A VIABLE AND ATTRACTIVE FUTURE

For a sustainably located town centre site that would increase footfall in the town centre by promoting active travel and transport to the site.



## FILLING AN UNMET MARKET NEED

For high quality food options, providing wider choices for the Leominster community.



## A CAREFULLY CONSIDERED SCHEME DESIGN

Maintaining key elements of the existing building, including the Art Deco Facade, in keeping with the Conservation Area.



## BUSINESS RATES CONTRIBUTIONS

A thriving, considerably managed restaurant would deliver business rate contributions to the council, compared to its current vacancy.

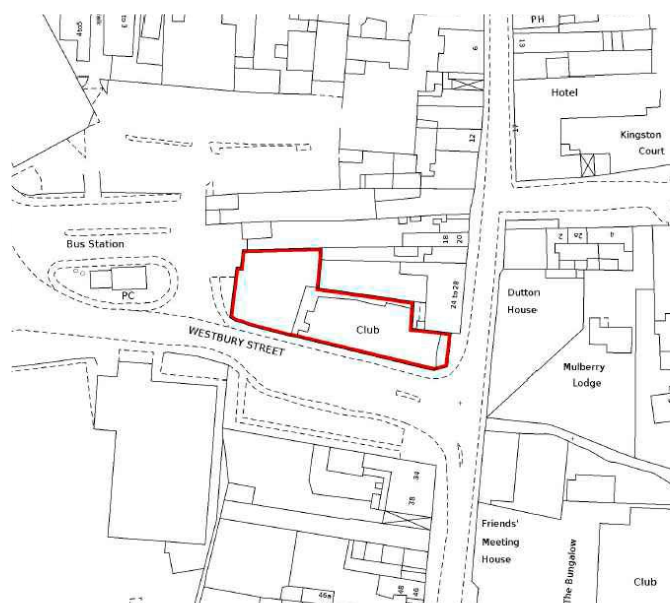
# THE SITE, IN NEED OF REGENERATION

**THE BROWNFIELD SITE, 30 SOUTH STREET, LEOMINSTER, COMPRISES A FORMER BINGO HALL (PREVIOUSLY A CINEMA) WHICH HAS BEEN VACANT EVER SINCE THE PANDEMIC.**

**The use of the building for its historic purposes as a bingo hall / cinema is no longer viable.** From September 2022 – March 2024 when the building was advertised for sale, there was **no interest from bingo hall or cinema operators.**

Planning policies state in Leominster town centre, development for retail and commercial uses will be encouraged where there is sympathetic re-use and improvement of existing premises.

**An alternative use has to be secured to avoid the continued long term vacancy and degradation of this key town centre site.**



# THE SITE CURRENTLY



View of site from South Street. The current art deco facade of the cinema will be retained.



View of the site from Westbury Street.

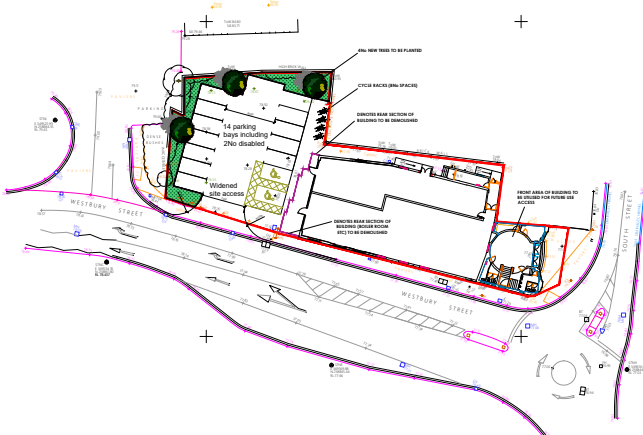
## THE PROPOSALS

**THE CHANGE OF USE APPLICATION IS FOR “ALTERATIONS TO AND CHANGE OF USE OF EXISTING BUILDING TO ALLOW OCCUPATION FOR CLASS E(B) / SUI GENERIS (HOT FOOD TAKEAWY) USE, INCLUDING THE PROVISION OF DESIGNATED CAR PARKING AREA AND ALTERATIONS TO EXISTING ELEVATIONS”.**

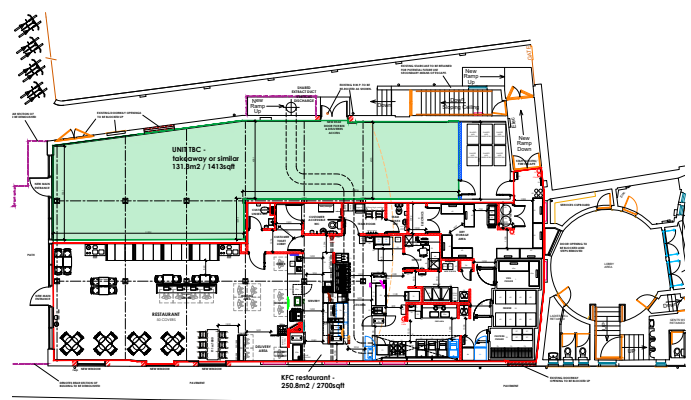
The plans include one 250m<sup>2</sup> drive-to KFC, a 131m<sup>2</sup> takeaway or similar unit and a 14-space staff car park and widened site access from Westbury Street.

No discussions have been had to date with a potential operator of the additional unit.

The proposal will be complementary to the established retail and leisure uses in the local area and Leominster town centre. The planning consent would allow a significant visual upgrade to the western elevation that will act as a catalyst and generate interest in the additional unit.



RED LINE SHOWING THE APPLICATION AREA



PROPOSED GROUND FLOOR GENERAL ARRANGEMENT

# DESIGN AND HERITAGE

## CAREFUL CONSIDERATION HAS BEEN GIVEN TO THE CONSERVATION AREA AND ADJACENT LISTED BUILDING.

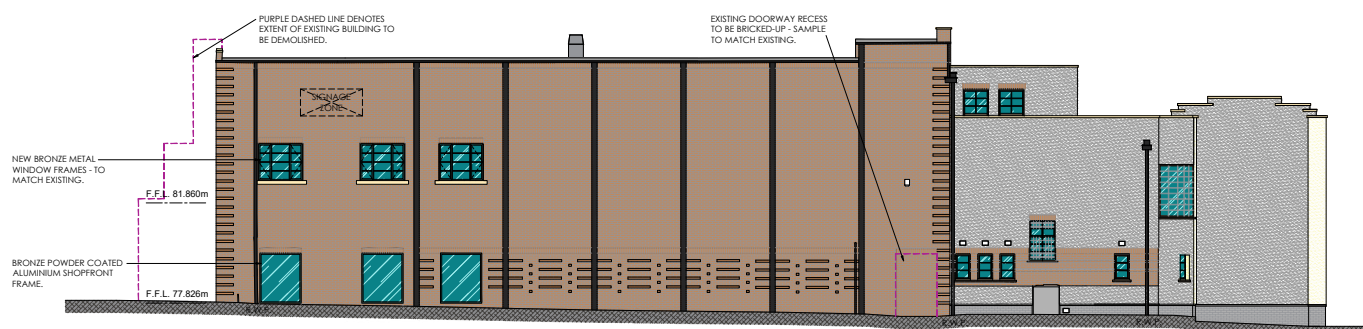
The proposals will not have a significant impact on the character and appearance of the Conservation Area or adjacent listed building, and indeed the regeneration of the currently vacant site will have a number of benefits for the town centre.

The proposals do not include works to the existing foyer / lobby space on the corner of Westbury Street and South Street, preserving and protecting the existing Art Deco Façade and interiors.

Since submitting the application, key design changes have been made to incorporate feedback relating to heritage, including the removal of some upper floor windows fronting Westbury Street. As a result, the plans have no objection from Hereford Council's Building Conservation Officer.



PROPOSED ELEVATION FROM SOUTH STREET, SHOWING THE RETENTION OF THE EXISTING FACADE



PROPOSED ELEVATION FROM WESTBURY STREET, SHOWING A SLIGHTLY REDUCED BUILDING MASSING TO CURRENT BUILDING

# ACCESS, HIGHWAYS AND PARKING

**THE SITE IS IN A HIGHLY SUSTAINABLE LOCATION AND THERE ARE OPPORTUNITIES FOR THE USE OF SUSTAINABLE MODES OF TRANSPORT TO GET TO THE SITE E.G. ARRIVING ON FOOT AND VIA BICYCLE, BUS OR RAIL.**

The Transport Statement concluded the proposals would not create any significant or material increase in traffic generation. The KFC restaurant would cater primarily for shoppers that are already in the locality and walk in trade. It is not expected to specifically cater to people travelling to the site by vehicle from further distances.

In-line with Highways officer feedback, the proposed parking spaces would be exclusively for staff parking and deliveries. Customer parking would be accommodated within existing town centre public car parks.

As a result of both the carefully considered scheme design and updates that have been made to the proposals following officer engagement, including the removal of proposed customer parking, transport officers have said that the plans are acceptable.

## CONCLUSION

**The proposal before you would deliver substantial investment by a locally based family-owned business committed to sensitively regenerate the site and secure its long term future.**

The previous uses of the former Clifton Cinema/Bingo are no longer appropriate, have seen no interest by operators and would not deliver the investment needed. Enabling a new appropriate use that would revitalise the site and bring back economic activity should be encouraged.

Since submitting the application, numerous members of the public have submitted comments in support of the application. Key themes include the economic benefits including job creation, alongside attracting further footfall and investment to Leominster town centre.

It is clear that this application would deliver significant benefits and enable the revitalisation of an underutilised building within the town centre, aligning with the strategic objectives of national and local policy.

**We hope you will grant your approval to the significant new investment to revitalise a key town centre site, filling a market need, and delivering local economic benefits.**

# KFC







**FOX RURAL**

PLANNING & LAND MANAGEMENT

**HEREFORDSHIRE COUNCIL**  
**RURAL PLANNING APPRAISAL**

**PROPOSED RURAL WORKER'S DWELLING**

**AT**

**GRENDON MANOR  
BREDENBURY**

**PLANNING REFERENCE – 243059**

## **REFERENCE**

FOX RURAL has been commissioned to provide an appraisal of the justification of a new farm worker's dwelling at Grendon Manor, Bredenbury, further to an outline planning application.

Previously I had met the applicant (Massie Piggott) and family members, together with their agent, plus Amber Morris and Ollie Jones in attendance, on 2<sup>nd</sup> July 2024, in relation to an application for pre-application advice on the proposal for a new dwelling. As a result, it was agreed that a desktop appraisal was appropriate on this occasion.

## **1.0 OVERVIEW**

### **1.01 Location**

The farmstead is situated to the south of the A44 just to the west of Bredenbury.

OS Grid Reference - SO595567.

### **1.02 Background and History**

There are currently two dwellings on the farm, and an outline application was submitted in 2023 (P223950/O) for a further rural worker's dwelling. I was then commissioned to undertake an essential need appraisal which I submitted to the authority on the 26<sup>th</sup> April 2023. I concluded that there was no essential need for a further dwelling at Grendon Manor. The application was withdrawn in July 2023.

The situation then changed with one of the dwellings, previously not available to the farming business becoming available, since the recent death of the applicant's father. In addition, the applicant had made the decision to retire as from August 2024, with the intention to hand over the management of the farm to his son ■■■.

It was in light of these changes/proposals that the applicant wanted to explore the possibility of applying again for a worker's dwelling, which would be a residence for ■■■, whilst the applicant would continue to reside in the farmhouse.

An application for pre-application advice was submitted (241281), and despite the change in circumstances, the conclusion was that there was no essential need for a further dwelling.

The applicant has now applied for the dwelling based on an opinion that there is an essential need, whilst raising issues with regard the Fox Rural pre-application appraisal.

This appraisal will look afresh at the case taking into account the latest submitted documents.

## **2.0 CURRENT SITUATION**

### **2.01 Ownership and Occupation**

Grendon Manor consists of dwellings, modern farm buildings and c250 acres.

A further 150 acres nearby is farmed on a Share Farming Agreement.

All is farmed by the farming partnership 'MG, SJ & JJ Piggott' which consists of Massie Piggott, his wife ■■■ and son ■■■.

### **2.02 Enterprises**

#### ***Arable***

Around 350 acres of arable crops are grown each year, which include Winter Wheat, Winter Barley, Oil Seed Rape, and Oats.

### ***Sheep***

There is c50 acres of grass leys and pasture on which the family run a flock of c300 ewes which include North Country Mules and other commercial breeds. Charolais and Texel tups are used. The flock is lambled in two batches spanning February to April.

The lambs are finished and sold either direct to [REDACTED] or through Hereford Market.

### ***Poultry***

The family had reared Turkeys for nearly 30 years but have now changed over to Broilers through converting the existing sheds. These sheds now produce 168,000 broilers per flock and c7.5 flocks each year i.e. 1.26 million birds per annum with the partnership still contracted to [REDACTED].

[REDACTED] supplies the day-old chicks. There would then would typically be a thinning of approximately 30% of the flock at around 30 days with the remainder killed at 36 to 40 days. The removal of smaller birds, maintains the stocking density in accordance with regulations and also satisfies markets for smaller birds.

The sheds are automated with regard feed and water. They are insulated and equipped with automated ventilation and heating systems to maintain house temperatures on or close to the optimum temperature appropriate for the age of the birds, regardless of outside temperature.

There is a wood chip biomass boiler that provides the heat with gas back up in case of blockages or issues with electricity supply.

As the birds grow and the live mass increases, the heat given off from the birds increases and the houses require less heat input. This will of course depend on the time of year, and the system relies on constant automated adjustment.

Prior to slaughter, broilers are “caught” before being transported to the works. This work is carried out at night, so as to minimise stress to livestock. Catching staff and transport is provided by [REDACTED], whilst the family would be responsible for overseeing the process in order to ensure bird welfare.

Following the transport of birds off farm, extensive cleaning and maintenance is required before the next crop arrives. These works include removal of litter, cleaning the sheds and putting down fresh bedding. Automated systems including feeders, heating and water supply are maintained and primed during this period. This work is organised by the family, and typically, there would be c7 days between crops.

To combat the issue of automated system failure, the sheds are connected to an alarm system as installed by [REDACTED]. The system monitors the temperature in the sheds and triggers alarms for unintended climate changes, and also production equipment failures eg feed and water lines. In the event of a power cut there is an automated generators that kicks in.

Whenever there is a 'breakdown' there is an audible alarm for each of the sheds. In addition, the alarm system is monitored by [REDACTED] Ltd who via a tumbledown system dial in turn the Poultry Manager then [REDACTED], and continue dialling until a response is received that a member of staff is aware of the alarm. If the audible alarms are

heard first then the person responsible has to ring Custodian and submit a code to stop/prevent the dialling.

Once aware, then the person responsible would have to get to the sheds as soon as possible to identify and rectify the situation. It should be noted that temperature response levels are set within parameters to allow sufficient notice and time to take appropriate action.

### **Animal Feed**

The family produce a variety of animal feed mixes for sale utilising home grown arable crops and their own mill and mix unit.

I understand that they have been providing this service for local livestock farmers since the mid 90's. The buyers have to collect the feed from Grendon Manor.

### ***Bed & Breakfast***

The family has built up a successful B&B business, annexing the southern wing of the house and creating 5 ensuite bedrooms. This enterprise has been boosted by the nearby and recently created wedding venue of Bredenbury Court Barns.

### **2.03 Labour**

Massie Piggott [REDACTED] was full time on the farm, [REDACTED]  
[REDACTED] he has now retired from physical farm work. A full-time farm labourer is being sourced to fill this gap.

■■■ Piggott ■■■ is now managing the day to day running of the farm, especially in respect of the Arable, Sheep and Feed enterprises, and helps out with the broiler unit, which was one of the roles his father undertook.

■■■ Piggott, will I understand continue to manage the B&B business and oversee the farm accounts.

The partnership also employs a Poultry Manager and a General Farm Worker, with contractors used for round baling and hedge cutting.

## **2.04 Buildings and Equipment**

There is a range of modern buildings at Upper House Farm yard including:

- 6 poultry sheds
- Grain storage
- Straw storage/ Livestock Shed
- Machinery Store and workshop
- Fertiliser and Chemical storage
- Wood Chip Biomass boiler.

## **2.05 Dwellings**

Mr & Mrs Piggott and their son ■■■ live in the main part of the farmhouse.

There is a 3-bedroom bungalow called 'Sticking Field' which is owned by ■■■ Piggott and was occupied by Massie's father until he recently passed away. It is understood that the applicant's daughter has temporarily moved in.

The family also own a house in Bromyard namely [REDACTED] Winslow Road, Bromyard, [REDACTED] which is occupied by the Poultry Manager. The general farm worker lives in Bartestree.

The plan is for the poultry manager to move into 'Sticking Field' and the proposal as per the application would be to develop a new dwelling at the farm for [REDACTED].

## **4.0 ESSENTIAL NEED APPRAISAL – RURAL WORKER'S DWELLING**

### **4.01 Approach**

As way of background, Clause 88 of the National Planning Policy Framework (NPPF) states that local planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses;

In accordance with Clause 84 of the NPPF, planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more circumstances apply including where:

***a) “there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside”***

The reference to the “essential need for a rural worker..... to live permanently at or near their place of work”, originated from clause 10 of PPS7, which went on to recommend that planning authorities should follow the guidance in Annex A to PPS7.

Despite the NPPF having superseded Annex A of PPS7, Annex A did provide clear criteria to assessing the 'essential need' for a rural worker's dwelling. This guidance is tried and



trusted, and it is sometimes used as further reference by professionals and planning inspectors.

In July 2019, further guidance was added to the Planning Practice Guidance (PPG) under the *Rural Housing* section of *Housing Needs of Different Groups*, with regard to considerations that might be relevant to take into account, when applying paragraph 79(a) of the NPPF 2018, (which is the same wording as paragraph 84(a) of the NPPF 2021).

These are:

- “• evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products;*
- the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.*

Importantly *Policy RA4* of the Core Strategy – *Agricultural, forestry and rural enterprise dwellings*, clearly reflects similar criteria of justification.

In summary, paragraph 84(a) of the NPPF, now read in conjunction with the recent PPG guidance, plus CS Policy RA4, all reflect similar areas of requirement in making a case for there being an essential need, all of which I shall cover.

#### **4.02 Functional Need**

The most frequent reason for a functional need for a rural worker to be permanently based on a site, is so that there is somebody experienced to be able to deal quickly with emergency issues, most frequently revolving around the welfare of livestock, and which are likely to arise throughout the majority of the year, and during the middle of the night.

There would not normally be a functional requirement for there to be somebody on site with respect to an arable enterprise. The main issue here would be the matter of security.

#### ***Security***

Security and rural crime is always an issue for farms and of course it is going to be a factor when considering functional need.

There are already two dwellings at the farm, which would be a significant deterrent to intruders, and in any case, although security is a factor, it can never be an overriding.

Security can be a contributing factor and every situation must be judged individually. This farm for instance would not be considered as vulnerable as one on an urban fringe or in a particularly remote location. In addition, if farms are considered particularly vulnerable to intrusion, there are always steps that can be taken to make a yard, buildings and equipment more secure.

## ***Sheep***

For the majority of the year the sheep will be out grazing and brought back to the yard for dipping, treatment, shearing, and lambing.

The important point to make here is that whether there is a dwelling available on site, does not affect the welfare of the ewes and lambs during the lambing period, since lambing is something that is planned for, and the duties to be actually in and around the lambing ewes can be likened to shift work. In other words, a dwelling nearby is superfluous when comes to the practicalities of lambing, since the person responsible will be in and around the ewes as and when required.

Many sheep businesses station a touring caravan on the farm to house a student (typically veterinary or agricultural) during seasonal lambing. Not because there is a functional need for onsite accommodation, but to provide “off shift” accommodation for that person who might have come far, and the business not being in a position to source short term accommodation, plus of course provision of basic facilities where they are not already on site.

## ***Poultry***

The day-to-day management of a broiler unit has to be meticulously planned for, with routines varying with each stage of flock development. When birds are ‘in’, this will involve checking the birds a few times a day and sometimes late, depending at what stage, plus monitoring the automated systems and the bio-mass boiler.

During normal working hours, and during the periods when birds are in, there would be a worker in and around the poultry buildings. The need for a worker to be based nearby therefore arises mainly during the night time hours when there could conceivably be an

electricity supply and/or breakdown in the automated system or issues with the biomass boiler.

Issues relating to temperature and ventilation cause particular issues particularly during hot weather with large birds or conversely during cold weather with young birds. Failure of ventilation/heating can certainly affect the feed conversion ratio and loss of birds if left too long.

In the case of a feed line stopping then the birds can start to drink more to compensate which has the effect of flushing the food out of their system which can lead to mortalities.

In terms of adequate heating, which is particularly important with young chicks, a worker would need to be available to deal with issues relating to the biomass boiler, such as a blocked augur. Other typical issues may be a power-cut in which case a worker would be needed to ensure the back-up generator was functional.

However unlikely it might be that a system failure actually results in a welfare emergency, there is always the potential every time the alarm is raised, and therefore there is considered to be a functional need for somebody to be based close enough to be able to get to the site sufficiently quickly during those periods the houses are occupied to assess the situation, which is a scenario that could occur anytime in the year.

Bio-security is an increasing consideration when looking at the location of key workers for the prevention of diseases such as Avian Flu, and generally more stringent requirements of supermarkets. Bio security measures are still also expected to be adhered to for accessing the sheds in case of emergencies which has to be factored in.

It is difficult to assess what the maximum response time required from being aware of the alarm activation to presence at the site for welfare of the birds, since the

circumstances will vary. One comes across so many figures but I am aware of 20 minutes timescale within which to attend broiler housing the housing having been used/accepted in the past when considering rural worker's dwellings.

However, since my last report I am now aware of a Red Tractor Assurance maximum response time of 15 minutes, as referred to in the supporting letter from [REDACTED].

Although I failed to locate this figure within the Red Tractor Assurance Scheme Manual for Broilers & Poussin 1<sup>st</sup> October 2017 (Updated 1<sup>st</sup> October 2019), I am happy to accept this as the required response time for the purposes of this application.

Overall, there would be a functional requirement for a broiler unit of this scale to have an experienced employee based on site, or within a few minutes' drive of the farm.

There will be required back up labour to the poultry manager for the day-to-day management of the unit, however given the automated nature of broiler farming, we do not consider there to be a functional requirement for more than the primary worker to be based within easy access overnight. With a properly functioning alarm and custodian system, one person is considered sufficient to respond to automatic system failure within a 15-minute timeframe.

Having a second worker based within easy access, might be convenient and potentially financially advantageous, however there is not considered to be a functional need for more than one person living close to the housing.

If for some reason during a crop cycle, the farm manager had to stay away, it would be possible for somebody, to stay on site as temporary short-term cover if that second person

was not based close enough. This scenario could be house sitting, staying in a touring caravan, or in this case in one of the B&B rooms.

#### **4.03 Full Time Labour**

The proposed dwelling is destined for ■■■ Piggott who is already fully employed on the farm.

#### **4.04 Establishment and Viability**

I have previously seen the partnership accounts and consider the business to be viable and likely to remain as such for the foreseeable future.

#### **4.05 Alternative Dwellings**

The approach is to firstly investigate the availability of existing dwellings and ensure that, to quote Paragraph 3 (iv) of Annex A, “the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned”.

Taking this into account, one would normally look at the potential availability of any other relevant dwelling(s), in the light of the need of the enterprise. To quote Paragraph 1 of Annex A to PPS7, “Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved”.

However, it is clear from cases such as Keen and Cussons, that personal circumstances of individuals with regard their homes, can be considered. In this particular case I do not feel that one can attach any weight to the farmhouse, if the intention is for the applicant to shortly retire and continue to reside here.

In essence, one is looking at whether there are any dwellings available or potentially available to the farming business, that would render the proposal of a new worker's dwelling non-essential.

The main functional requirement would be to have somebody readily available to deal with issues arising out of hours in respect of the broilers.

However, since the Poultry Manager will be moving onto the farm, then a case has not been established that he could not undertake the primary responsibility of attending in the case of an alarm.

We have also to consider the potential role of the dwelling in Winslow Road. This dwelling is on the eastern fringes of Bromyard and c3.6 miles from the farm yard and the question to be asked is whether this property could also fulfil the functional requirement, or to be more specific whether it is close enough and sufficiently accessible to Grendon Manor to enable quick enough response to alarms in connection with the broiler housing or the Bio Mass boiler.

It is accepted that the demands of both the broilers and the Bio-Mass boiler might require regular attendance and monitoring during unsociable hours, and that it would be much more convenient, if that person was within easy walking distance as opposed to relying on motorised transport.

However, it would seem inconceivable that somebody living in Winslow Road could not get to the broiler unit or AD Plant well within 10 minutes and at the very least, and provide support to the primary person based at Grendon Manor.

There is at the start a few metres of 30mph limit after which the journey would mean travelling within the national speed limit of 60mph on the A44. If one takes the distance

to be 4 miles then the journey at an average of 50 miles per hour the time taken would be under 5 minutes. It would be inconceivable that somebody based at Winslow Road could not get to the broiler unit within 15 minutes.

There are also properties for sale within and close to Winslow Road which could equally cover the functional need.

Another consideration would be to create a further dwelling out of the main farmhouse. This would inevitably have serious consequences for the B&B enterprise which is an important diversification enterprise. However, it is an option that could be explored further in the event of there being an essential need to provide further independent accommodation for a worker at the farm in the future.

In summary there is considered enough housing options to cover the welfare of the broiler flock. To have a further dwelling at Grendon Manor might be considered convenient and ideal for the family, however the requirement is to assess whether the proposal is **essential** not whether it is reasonable.

## **5.0 OTHER PLANNING MATTERS**

### **5.01 Succession**

Paragraph 80 of the NPPF introduces a new element to the exception circumstance of essential need for a rural worker to live on site, where it refers to “**those taking majority control of a farm business**”.



The PPG refers to the consideration of “ **whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process**”.

This is taken to mean that the requirement for the dwelling(s) might also be linked to business succession, and thereby enabling the continuing essential need for a permanent presence to be fulfilled by a suitable and eligible person, (say a son or daughter), whilst the retiring relative(s) can continue to reside in the original dwelling.

■ is ■ with a good number of years of farming experience under his belt, and would no doubt be considered suitable and eligible to take over the management of the farm.

With the applicant basically retired and his intention to remain in the farmhouse, it is clear that ■ will need a dwelling of his own on or within a quick commute of the farm. What is also clear, is that there are options to achieving this, aside creating a new dwelling at Grendon Manor, without affecting “continued viability” of the farm.

## **6.00 Conclusion**

In accordance with planning policy and guidance, there is no essential need for a new dwelling at Grendon Manor.

Signed \_\_\_\_\_

**Robert Fox BSc (Hons) FAAV**

**Date: 7<sup>th</sup> February 2025**



# PLANNING and REGULATORY COMMITTEE

**10 December 2025**

## PUBLIC SPEAKERS

Ref No.	Applicant	Proposal and Site	Application No.	Page No.
6	Mr Tobin per Mr Bernard Eacock	Proposed erection of 7 townhouses with associated development at <b>LAND TO THE REAR OF PROSPECT PLACE, ST MARTINS AVENUE, HEREFORD</b>	230432	75
CITY COUNCIL		MR MILLN (Hereford City Council)		
OBJECTOR		MR IRWIN (Local Resident)		
SUPPORTER		MR EACOCK (Applicant's agent)		
7	Thomas per Mr Ed Thomas	The proposed erection of 2 no. dwellings and associated works including access, landscaping and drainage at <b>LAND NORTH OF LEYS HILL, BISHOPSWOOD, ROSS-ON-WYE, HEREFORDSHIRE</b>	240309	171
PARISH COUNCIL		WALFORD PARISH COUNCIL		
OBJECTOR		MR SAUNDERS (Local Resident)		
SUPPORTER		MR THOMAS (Applicant's agent)		
8	NNA Ltd per Ms Polly Mason	Proposed alterations to and change of use of existing building to allow occupation for Class E(b)/sui generis (hot food takeaway) use, including the provision of designated car parking area and alterationsto existing elevations at <b>30 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JB</b>	242748	201
SUPPORTER		MR PEACH (Applicant's agent)		
9	Mr & Mrs Piggott per Mr Matt Tompkins	The erection of one self-build agricultural worker's dwelling and associated works at <b>LAND AT GRENDON MANOR FARM, BREDENBURY, BROMYARD, HR7 4TH</b>	243059	235
PARISH COUNCIL		MR HULSE (Bredenbury Group Parish Council)		
SUPPORTER		MR TOMPKINS (Applicant's agent)		

