

Minutes of the meeting of Planning and Regulatory Committee held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Wednesday 9 April 2025 at 10.00 am

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

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

In attendance: Councillor Toni Fagan

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

57. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Polly Andrews and John Stone.

58. NAMED SUBSTITUTES (IF ANY)

Councillor Chris Bartrum acted as a substitute for Councillor Andrews.

59. DECLARATIONS OF INTEREST

There were no declarations of interest.

60. MINUTES

RESOLVED: That the minutes of the meeting held on 19 March be approved.

61. 243018 - LAND AT HELENSWOOD FARM, KINGSTHORNE, HEREFORDSHIRE, HR2 8AL (PAGES 13 - 14)

Councillor Richard Thomas acted as the local ward member for the application below

The senior planning officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking Mr Corbett, representative for local residents, spoke in objection to the application and Mr Tompkins, the applicant's planning agent, spoke in support.

In accordance with the council's constitution the adjoining local ward member spoke on the application. In summary, she explained that the application was a reserved matters application with issues such as type and scale of the proposed properties to be determined at a later application. However, the indication in the current application was that the two properties would be of a significant scale. Local objectors' foremost concern with the application related to the issue of access. Contrary to the national planning policy framework (NPPF) paragraphs 110, 111 and 112 the proposal in the application had an adverse impact upon highway safety. The inadequacy of detail regarding visibility

splays and driver sightlines from the access track to the application site posed a risk to drivers and pedestrians using the local highway network. The status of the track leading to the application site was also a concern as it was not in the ownership of the applicant but was across unregistered land. Contrary to NPPF paragraphs 8 and 119, the lack of an agreement for the use of the track to serve the application site undermined the sustainability and viability of the site; there was no guarantee that the applicant would have an indefinite right of access along the track. Responsibility for the maintenance of the track was unclear; deterioration of the surface of the access could pose a risk to all users. The application could be refused due to its unacceptable impact on highway safety and there was precedent for refusal on access grounds. The site also posed a risk to vulnerable local ecology and there would be drainage issues from any new development.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that there would be a significant excavation and removal of earth from the site to facilitate the development. During construction this would pose unacceptable impact upon local residential amenity. The application was outline only and should not be approved as it was not suitable. It was out of character with other local houses and a full application should be required for consideration.

The committee debated the application. There was division among the members of the committee but the majority accepted the principle of development of the site and the officer recommendation for approval. There was concern expressed regarding the movement of soil from the site during construction.

The development management service manager explained that condition 5 of the permission could be updated to ensure that the construction management plan incorporated a soil and waste management plan.

The adjoining ward member and the local ward member were given the opportunity to close the debate.

Councillor Bruce Baker proposed and councillor Dave Davis seconded a motion to approve the application with a change to condition 5 to incorporate a soil and waste management plan.

The motion was put to the vote and was carried by a simple majority.

RESOLVED:

That outline planning permission be granted subject to: an update to condition 5 to include details for a soil and waste management plan; the following conditions; and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

1. C04 – Approval of reserved matters

Approval of the details of the layout, scale, appearance, access and landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

2. Time limit for submission of reserved matters (outline permission)

3. Approval of reserved matters

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last reserved matters to be approved, whichever is the later.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

4. Development in accordance with the approved plans

The development shall be carried out strictly in accordance with the approved plans (LOCATION PLAN), 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.

5. Construction Management Plan

Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway;
- Construction traffic access location;
- Parking for site operatives; and
- Construction Traffic Management Plan
- Siting of site offices / compound / storage area
- Tree / Hedgerow protection

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

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

6. Construction Environmental Management Plan

No demolition or construction shall commence on site until a detailed Construction Environmental Management Plan including details of the person responsible for the implementation of the CEMP – has been supplied to the Local Planning Authority for written approval.

The measures of the approved CEMP shall be implemented prior to any development commencing on site and all construction works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit)

Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and the council's declared Climate Change & Ecological Emergency.

7. Restriction on hours during construction

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. Details/Samples of External Materials

With the exception of any site clearance and groundworks, no further development shall take place until details or samples of materials to be used externally on the walls, roofs, windows and doors of the dwellinghouses and garages, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. Secured Covered Cycle Provision

Prior to the first occupation of each dwellinghouse, full details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwelling shall be submitted to the Local Planning Authority for their written approval.. The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the dwelling to which it relates. Thereafter these facilities shall be maintained.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

10. Scheme of Foul and Surface Water Drainage Disposal

Any reserved matters application(s) relating to the reserved matter of 'layout' submitted pursuant to Conditions 1 and 2, shall be accompanied by a detailed scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be managed. The submission shall be based on the indicative Surface and Foul Water Drainage Strategy Revision A dated 11 September 2024 by H&H Drainage and shall, at a minimum, additionally include the following details:

- Demonstrate consideration of the management of overland flow and any necessary protection to the proposed dwellings and surface water drainage systems;
- Evidence to show why the site layout cannot accommodate individual drainage infrastructure in the first instance, or at a minimum, share drainage infrastructure sited within the shared open space;
- An additional infiltration test to be completed, in accordance with BRE 365, at a depth between 0.5 metres – 0.7 metres BGL in the confirmed infiltration basin location to prove viable soakage, and to inform the sizing calculations with a more representative rate, including oversizing the basin, as required, to include proposed volumes and dimensions to be clarified in relation to the infiltration basin; and
- Should the site layout result in amendments to the indicative foul water drainage infrastructure location, additional percolation testing shall be undertaken in accordance with BS 6297 and results provided to determine the viability of the revised layout given the varying soakage observed across the site.

The approved strategy shall thereafter be completed prior to first occupation of each dwellinghouse and maintained thereafter for the lifetime of the development.

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

11. Prior to first occupation of the dwellings approved under planning permission, evidence of the suitably placed installation on the approved buildings, or on other land under the applicant's control, of a minimum total of FOUR bird nesting boxes, TWO bat roosting boxes, ONE insect box, ONE hedgehog home and ONE hibernacula (or similar features), as recommended within the ecological report by HEC (2024), shall be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No habitat boxes should be located in Ash trees due to future effects of Ash Dieback Disease and likely loss of these trees.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

12. Scheme of refuse storage (residential)

Prior to the first occupation of each dwellinghouse, a scheme for the provision of storage, prior to disposal, of refuse for each dwelling hereby permitted shall be submitted to and be approved in writing by the local planning authority.

The approved scheme shall be implemented prior to the first occupation of the development hereby permitted.

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

13. Efficient Use of Water

Prior to the first occupation of each dwellinghouse, a scheme demonstrating

measures for the efficient use of water as per the optional technical standards contained within Policy SD3 of the Herefordshire Local Plan – Core Strategy (or successor policy) shall be submitted to and approved in writing by the local planning authority.

The approved details shall be implemented and completed prior to first occupation of each dwellinghouse and thereafter maintained for the lifetime of the development.

Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy and the National Planning Policy Framework

14. Self Build requirement (BNG exemption)

The dwellinghouses hereby permitted shall be constructed as self-build within the definitions of self-build and custom housebuilding in the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). The first occupation of each dwellinghouse hereby permitted shall be by a person or persons who have had a primary input into the design and layout of the dwelling and two months prior to the first occupation of the unit, the Council shall be notified of, and shall agree in writing, details of the persons who intend to take up first occupation.

The dwelling shall be occupied in accordance with the approved details.

Reason: The approved development is granted on the basis that it complies with the Self Build and Custom Housebuilding Act 2015 and is consequently exempt from the requirements to submit a Biodiversity Gain Plan in accordance with the provisions of Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

15. CNS – Non-standard condition

Unless otherwise agreed in writing by the Local Planning Authority as detailed in the supplied plans and application form, all foul water flows created by the approved development shall be managed through a shared Haba Bio Easy Flow package treatment plant discharging to a drainage field; and all surface water managed through a Sustainable Drainage System. The approved foul and surface water scheme shall be managed and maintained as approved for the lifetime of the development it supports.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

16. CNS – Non-standard condition

No external lighting shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency

17. C59 – No conversion of garages to habitable accommodation

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

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

18. CNS – Non-standard condition

All vehicles associated with the use of both dwellinghouses hereby granted shall solely use an access point off the C1263 only, which shall be maintained for the lifetime of the development.

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

INFORMATIVES:

1. IP2 - Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. INS – Nonstandard informative

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>

3. I05 – No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development

shall be allowed to discharge into any highway drain or over any part of the public highway.

4. I11 – Mud on highway

It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

5. I35 – Highways Design Guide and Specification

The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.

6. INS – Non-standard informative

Any applicant who intends to submit any approval of reserved matters application should clearly review statutory and internal technical consultee responses to understand the level of details expected to accompany any application.

There was an adjournment at 10:57 AM; the meeting reconvened at 11:11 AM.

Councillor Richard Thomas resumed his seat on the committee

**62. 243062 - 7 BLACKFRIARS STREET, HEREFORD, HEREFORDSHIRE, HR4 9HS
(PAGES 15 - 16)**

The senior planning officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking Mr Wroe, local resident, spoke in objection to the application, and Ms McSherry, on behalf of the applicant, spoke in support.

The committee debated the application and there was widespread support for the proposal. The need for additional accommodation in Hereford to address homelessness was recognised. Queries were raised regarding the appearance of the pod to be located on the site.

The development management service manager explained that the additional condition regarding the requirement for a floor plan could be amended to incorporate the requirement for an updated drawing of the proposed elevations before the pod was brought onto site.

Councillor Catherine Gennard proposed and Councillor Mark Woodall seconded a motion that the application be approved with the change to condition 9 in the update sheet to require the submission of an updated drawing of the proposed elevations of the pod prior to its location on site.

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

RESOLVED:

That planning permission be granted subject to: a change to condition 9 to require the submission of an updated drawing of the proposed elevations of the pod prior to its location on site; the following conditions; and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

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

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

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

**Location Plan;
TBA-TA_0.3A (Proposed Block Plan);
TBA-TA_0.4 (Proposed Layout Plans); and
TBA-TA_0.5 (Proposed Layout Elevations)**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 3. Prior to first use as transitional temporary accommodation, the secure cycle parking facilities, as shown on drawing number TBA-TA_0.3A dated Nov 2024, shall be installed and available for use. Thereafter these facilities shall be maintained for the lifetime of the development.**

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SS4 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 4. Prior to first use as transitional temporary accommodation, evidence such as photographs or ecologists report of the suitably placed installation on the application site, or on other land under the applicant's control, of a minimum of TWO bird nesting features and TWO bat roosting features, of mixed types, shall be submitted to and acknowledged by the local planning authority. Thereafter, these shall be maintained as approved unless otherwise agreed in writing with the local planning authority.**

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

5. The apartments and 'container' hereby approved shall not be occupied other than by individuals requiring transitional temporary accommodation.

Reason: To clarify the terms of the permission and enable further consideration to be given should alternative forms of supported living be required in future and to comply with Policy SD1 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

6. Once first occupied, the 'container' shall thereafter be sited for a maximum time period of 5 calendar years, after which the use as transitional temporary accommodation hereby approved shall cease and the 'container' shall be removed from the site altogether. The applicant shall provide written confirmation of the first occupation of the container as soon as practically possible.

Details, to include the timescale for removal of the 'container', shall be submitted to and approved in writing by the Local Planning Authority no less than two calendar months before the use of the 'container' as transitional temporary accommodation expires. The removal of the 'container' shall thereafter be carried out in strict accordance with the approved timetable.

Reason: To enable the local planning authority to give further consideration to the acceptability of the container after the temporary period has expired in the interest of adequate amenity and wider townscape effects and to comply with Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. Unless otherwise agreed in writing with the Local Planning Authority, all foul water flows created by the approved development shall be managed through a connection to the local mains sewer network. The approved foul water scheme shall be managed and maintained as approved for the lifetime of the development.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan – Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

8. No surface water from any increase in the roof area of the building, installation of the container or impermeable surfaces within the application site shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to accord with Policies SS6, LD2, SD1, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. Prior to first occupation of the 'container' as transitional temporary accommodation, an updated proposed floor plan of the 'container', or photographic evidence to confirm the installation of the bedroom; kitchen/living area; and bathroom/shower area for future occupiers, shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, these shall remain in situ for the lifetime of the development.

Reason: To ensure that there is sufficient amenities and liveability for future occupiers in terms of the accommodation being provided and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework”.

INFORMATIVES:

1. IP2 – Application Approved Following Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. INS – Non-standard informative

The 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.

3. INS – Non-standard informative

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 and
<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>

4. INS – Non-standard informative

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If

the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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

The meeting ended at 11.41 am

Chairperson

243018 – OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR THE PROPOSED ERECTION OF TWO SELF-BUILD DWELLINGS AT LAND AT HELENSWOOD FARM, KINGSTHORNE, HEREFORDSHIRE, HR2 8AL

For: Ms M Jones & Mr R Boney per Mr Matt Tompkins, Lane Cottage, Burghill, Hereford, Herefordshire HR4 7RL

ADDITIONAL REPRESENTATIONS

Members will note at Section 1.8 of the officer report that an additional consultation period, in relation to the amended location plan received, ended on 2 April 2025.

For completeness, there has been one further representation, received on 8 April 2025. It has been sent directly to members of the committee by its author but is repeated verbatim below:

"Dear Councillors

I would kindly ask you for support to Mary Hill's objection to the proposed planning at Helenswood Farm as below. As Mary is unable to attend I have asked Councillor Richard Thomas to read out Mary's objection.

Kind regards

Joanne Bridgen

Stepdaughter to Mrs Mary Hill, "Blue Haze" Kingsthorne.

Land at Helenswood Farm HR2 8AL (2 Dwellings) P243018/O OBJECTION FROM Joanne Bridgen on behalf of Mrs Mary Hill, Blue Haze, Kingsthorne, Herefordshire.

Thank you Councillors, for giving me the opportunity of raising an objection to this proposal. I am writing on behalf of my Stepmother, Mary Hill who is unable to attend in person as she is currently unwell. Sadly, I am also unable to attend as I reside in Dorset. Mary has lived at Blue Haze since the 1980's and both she and my late father Derek Hill have been pillars of their community in the parish of Much Dewchurch. It was of great shock to Mary, who is now 92 years of age to hear of this proposal.

Therefore, I briefly outline a list of her valid objections;

- *Mary and Derek paid substantial fees to solicitors in the mid 1980's which was a huge part of their income. This was to set up the grant of easement with the owner of the land to guarantee their easement and access to the land. The spreaders are in the middle of the proposed development, which has been overlooked by the drainage experts.*
- *The access is not wide enough for cars and construction equipment. We understand the owner of "Ivy Cottage" owns the hedgerow adjoining her property and she would have to allow use of her land to assist with the access.*
- *The properties proposed are "palatial mansions" of unacceptable height and scale. They are completely overbearing to the existing properties of "Blue Haze" and "Ivy Cottage". Mary will lose her privacy, light, and the enjoyment of her property.*
- *The properties are incongruent with the character of the area.*
- *Loss of ancient woodland and grade 2 agricultural land.*
- *Increased light pollution.*

Over the past three months since submission of this application, Mary's health has deteriorated due to the stress and worry caused by the proposed development.

I would sincerely ask the councillors to consider her objections before making the decision.

Thank you for listening,

Joanne Bridgen on behalf of Mary Hill"

OFFICER COMMENTS

The additional representation received raises no new material planning considerations. The considerations have already been highlighted and/or discussed throughout the officer report.

In response to questions which were raised during the Site Inspection held on 8 April 2025:

- An explanation as to the relevant Ownership Certificate and Agricultural Land Declarations can be found here: <https://www.gov.uk/guidance/making-an-application> (please refer to Paragraph: 026 Reference ID: 14-026-20140306). For the avoidance of doubt, Ownership Certificate D has been signed by the applicant and officers consider that this is procedurally correct;
- Reserved Matters are explained in further detail at Section 1.4 of the officer report;
- The Ancient Woodland 'Buffer Zone' of 15 metres has been shown previously albeit on the now superseded plans; and
- ATC Survey Results (taken between 13/3/24 – 19/3/24) are available under Supporting Documents on the application webpage.

NO CHANGE TO OFFICER RECOMMENDATION

243062 - PROPOSED CHANGE OF USE FROM A SINGLE DWELLINGHOUSE (C3) TO 4 NO. APARTMENTS FOR THE USE AS ACCOMMODATION FOR TRANSITIONAL TEMPORARY ACCOMMODATION, TO DEMOLISH THE EXISTING DETACHED GARAGE TO SITE A BESPOKE 'CONTAINER' CONVERTED FOR AND USE AS ACCOMMODATION FOR TRANSITIONAL TEMPORARY ACCOMMODATION, AND ASSOCIATED OPERATIONAL DEVELOPMENT AT 7 BLACKFRIARS STREET, HEREFORD, HEREFORDSHIRE, HR4 9HS

For: Mrs Powell per Mr Robert Scott, Herefordshire Council, Plough Lane Offices, Plough Lane, Hereford, Herefordshire, HR4 0LE

OFFICER COMMENTS

In response to questions which were raised during the Site Inspection held on 8 April 2025, the applicant wishes to provide the following response:

“Thank you for the email. It’s unfortunate that members are still focussing on the word container, what we are looking at is a modular pod. We haven’t settled on a provider yet but I have attached a few photos of what the inside of a pod could look like.”



We are proposing a self-contained one bed unit, it will have a bedroom, kitchen, living area and bathroom. It is essentially a flat but separate from the main house. It will have all the facilities of a home and its own private access. The pod could be used for up to 2 years for each tenant. It will be highly insulated and if possible have a renewable source of energy.”

To aid in terms of intended visualisation of its possible appearance, a photograph from the existing mobile building on Symonds Street, Hereford, is provided below:



Finally, and in light of the additional comments raised by the applicant above, to therefore ensure that the proposed 'container' provides sufficient accommodation for future occupiers, an additional condition is now recommended.

CHANGE TO RECOMMENDATION – additional recommended condition:

"Prior to first occupation of the 'container' as transitional temporary accommodation, an updated proposed floor plan of the 'container', or photographic evidence to confirm the installation of the bedroom; kitchen/living area; and bathroom/shower area for future occupiers, shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, these shall remain in situ for the lifetime of the development.

Reason: To ensure that there is sufficient amenities and liveability for future occupiers in terms of the accommodation being provided and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework".