

Minutes of the meeting of Planning and Regulatory Committee held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Wednesday 4 June 2025 at 10.00 am

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

Councillors: Polly Andrews, Bruce Baker, Dave Boulter, Jacqui Carwardine, Simeon Cole, Catherine Gennard, Peter Hamblin, Stef Simmons, John Stone, Charlotte Taylor and Richard Thomas

In attendance: Councillors Dave Davies (virtual attendee), Durkin and Highfield

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

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Matthew Engel and Mark Woodall.

2. NAMED SUBSTITUTES (IF ANY)

Councillor Dave Boulter acted as a substitute for Councillor Engel.

3. DECLARATIONS OF INTEREST

Councillor Boulter declared a personal interest in agenda item no, 6, application 231806, the applicant's agent was a known associate.

4. MINUTES

RESOLVED: That the minutes of the meeting held on 7 May 2025 be approved.

5. 231806 - HILLCREST, FOY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 6RD (PAGES 17 - 18)

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 Thomas, applicant's agent, spoke in support of the application.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the application was at committee due to the number of significant local objections. Previously the site had been an outdoor activity centre as part of the PGL estate which provided breaks for young people. The activity centre had been open until 2019 and had been considered noisy and was accessed by larger vehicles such as coaches. There had been an expectation that the current application would generate similar levels of noise and traffic movements. However, it was likely that there would be a significant reduction in the level of noise and much smaller vehicles would be accessing the site. The proposed removal of the tower on the

existing site would have a positive impact upon the landscape. It was considered that the proposal would have a neutral impact up on the landscape and it was noted that assessments of the application had determined that the requirements of the CROW act had been met. The site would include a number of environmentally sustainable measures and the proposed improvements to the access would benefit local highways. The addition of a condition requiring a noise management plan was supported. It was felt that the application complied with core strategy policies SS6 and SD1 and the local ward member was in agreement with the recommendation for approval.

The committee debated the application. There was division among the members of the committee regarding the acceptability of the application.

It was the contention of some members that the site would have an unacceptable impact upon the local landscape and it was noted that part of the screening at the site was deciduous which would only be effective when trees were in leaf. The proposal for 12 chalets on the site was an intensification of development and the scale and quantity on site was felt to be excessive. The application did not enhance or protect the national landscape and was felt to be contrary to national planning policy framework (NPPF) paragraph 89. A reduction in the number of chalets was encouraged to improve the impact of the site on the locality. The design of the chalets was not sympathetic to the surrounding area and was felt to be contrary to policy BAF4 of the Brampton Abbotts and Foy neighbourhood development plan (NDP). Due to the impact on the landscape the application was contrary to core strategy policy LD1 and it was not felt that the applicant had adequately addressed the issue of connectivity in order to satisfy core strategy policy E1.

It was the contention of other members that the application would encourage tourism into the county. It was felt that the new use of the site would have less of an impact on the local area in terms of noise and disturbance than its previous use as an outdoor activity centre. The application did not pose an unacceptable impact on the landscape and it was noted that areas of the site were screened by conifers which mitigated the impact of the site on the local landscape.

The local ward member was given the opportunity to close the debate. In summary, he explained that the impact of traffic accessing the site would be reduced with smaller vehicles arriving at staggered times. There would be a reduction in the noise generated by the site and the development would help promote tourism in the county.

Councillor Richard Thomas proposed and Councillor Simeon Cole seconded a motion that the application was approved in accordance with the case officer's recommendation. The motion was put to the vote and was carried by a simple majority.

RESOLVED:

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:

- 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 hereby approved shall be carried out strictly in accordance with the approved plans [drawing nos.821-PL01 Rev D; 821-**

PL06] and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy BAF2 AND BAF4 of the Brampton Abbots and Foy Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Commencement Conditions

- 3 Prior to first commencement of the use hereby permitted, a Noise Management Plan (NMP) shall be submitted to, and approved in writing by the Local Planning Authority.**

The Noise Management Plan should address the following headings:

- **Statement of intent**
- **Brief summary of the premises / site / activities**
- **Location / site plan**
- **Inventory of potential noise sources**
- **Details of noise controls and limits (e.g. site rules)**
- **Site noise monitoring and / or evaluation**
- **Responding to complaints (including actions to be undertaken and recorded)**
- **Management command, communication, and contact details**
- **Periodic NMP review**

The site shall be managed in accordance with the Noise Management Plan from first occupation of the development hereby permitted.

Reason: In order to protect the amenity of occupiers of nearby properties so as to comply with Policies SS6 and SD1 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

- 4 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**
- **Construction Traffic Management Plan**
- **Site compound / site welfare facilities location**
- **Security or other lighting**
- **Waste Management Plan - Removal of redundant equipment and apparatus from the site**

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

- 5 Prior to the commencement of development, details (siting / location / specification) of the following shall be submitted to and approved in writing by the Local Planning Authority**

- a) PV Panels**

b) Air Source Heat Pumps

Installation shall be undertaken in accordance with the approved details prior to the first occupation of the lodge to which it relates.

Reason: To safeguard the landscape character of the area (National Landscape); in the interests of residential amenity in order to conform with policies SS6, SD1, SD3, SD4, LD2 and LD1 of the Herefordshire Local Plan – Core Strategy, Policy BAF4 of the Brampton Abbots and Foy Neighbourhood Development Plan, and the National Planning Policy Framework

- 6** Prior to the commencement of development and an updated hard and soft landscaping plan that reflects the layout of as shown 821-PL01 Revision D and recommendations of Landscape and Visual Assessment Report. Peter Quinn, 22 January 2024 shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include a scaled plan identifying:

- a) Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.
- b) Trees and hedgerow to be removed.
- c) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
- d) All proposed hardstanding and boundary treatment
- e) Vehicle /Cycle /Pedestrian access and circulation areas.
- f) Vehicle parking layouts
- g) A plan showing existing and proposed finished levels or contours

The approved scheme shall be carried out concurrently with the development and shall be completed in the first planting season following the first occupation of the lodges hereby approved or the completion of the development, whichever is the sooner.

Any trees or plants which die, are removed or become severely damaged or diseased within 10 years of planting will be replaced in accordance with the approved plans.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and Policy BAF4 of the Brampton Abbots and Foy Neighbourhood Development Plan, and the National Planning Policy Framework

Prior to occupation conditions

- 7** Prior to the first occupation of the development 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 shall be submitted to and approved in writing by the local planning authority and implemented as approved.

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

- 8** Prior to the first occupation of the holiday lodges hereby approved the following shall be laid out, properly consolidated, surfaced and drained in accordance with details shown on drawing number 8.21.PL01 Rev D:

- an the area shall be laid out within the curtilage of the lodges for parking of one car per lodge.
- The internal access road will be a minimum of 4.1m in width

The parking shall not thereafter be used for any other purpose than the parking of vehicles.

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

- 9** Prior to the first occupation of the lodges hereby permitted details of the future management / maintenance arrangements in relation to:

- a) Road and drainage infrastructure
- b) All open spaces and landscape areas (including boundaries)
- c) Shared cycle store / parking facilities
- d) EV charging points
- e) Arrival and departure information

Shall be submitted to and approved in writing by the local planning authority.

The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: To ensure that shared facilities and adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 10** Before the development is first occupied a schedule of landscape management and maintenance shall be submitted to and approved in writing by the local planning authority. Maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure the successful establishment of the approved scheme, local planning authority and in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

Compliance Conditions

- 11** No hot tubs or other ancillary structures shall be installed on the application site.

Reason: To safeguard the landscape character of the area (National Landscape); in the interests of residential amenity and to maintain control over potential discharges in order to conform with policies SS6, SD1, SD3, SD4, LD2 and LD1 of the Herefordshire Local Plan – Core Strategy, Policy

BAF4 of the Brampton Abbotts and Foy Neighbourhood Development Plan, and the National Planning Policy Framework.

- 12 The unit/s hereby approved shall not be occupied other than for holiday purposes and shall not be used as residential dwelling/s, including any use within Class C3 of the Town and Country Planning(Use Classes) Order 1987 (as amended).**

The unit shall not be occupied for more than 28 consecutive days and shall not be re-occupied by the same occupier following the 28 days consecutive days stay.

Details of the name, permanent home address, vehicle registration shall be kept in a register a copy of which shall be made available to the Local Planning Authority for inspection at any time.

Reason: It would be contrary to Policies SS1, SS6, RA1, RA2 and RA3 of the Herefordshire Local Plan – Core Strategy, and Paragraph 84 of the National Planning Policy Framework to grant planning permission for dwellings in this location

- 13 All foul water flows created by the approved development shall be managed through connection to the existing shared private foul water system; and all surface water managed by on-site Sustainable Drainage Systems; as detailed in the drainage report by Ekoflow Limited 18 May 2023.**

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.

- 14 The ecological protection, mitigation, compensation and working methods scheme including recommended Biodiversity Enhancement, any required European Protected Species Licence, and the mitigations mentioned in the PEA by Wilder Ecology dated 8 March 2023 shall be implemented in full as stated, and hereafter maintained, unless otherwise approved in writing by the local planning authority and Natural England as relevant to the protected species licence.**

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy (2015) policies LD1, LD2 and LD3

- 15 With the exception of downlighters on the entrances to the lodges at no time shall any external lighting be installed on the site without the written approval of this local planning authority.**

No external lighting should illuminate any boundary feature, adjacent habitat or area around the approved mitigation and biodiversity enhancement features.

No external lighting should illuminate any enhancement or boundary feature.

Reason: To ensure that all species and Dark Skies are protected having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS6, LD1, LD2 and LD3 and the Dark Skies initiative (DEFRA-NPPF 2013/18)

- 16 There shall be no more than 12 lodges (caravans) sited within the application site at any one time.

Reason: To define the terms of this permission having regard to the Landscape Character of the area, Residential amenity, highway safety and Nutrient Neutrality and to 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, SD1, LD1, LD2, SD3 and SD4.

INFORMATIVES:

1. 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. 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) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special "Higher Status Protected Species" such as all Bat species, Great Crested Newts, 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. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required 'licences' have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.
3. Herefordshire Council would remind the operators of the units that they will need to make provision for commercial waste arrangements and should not dispose of any waste associated with the use of the holiday units by using the service provided for households. Further advice can be sought from Herefordshire Council.
<https://www.herefordshire.gov.uk/rubbish-recycling/business1waste>

There was an adjournment at 10:41 a.m.; the meeting reconvened at 10:54 a.m.

6. 240349 - LAND AT RAMBLERS WAY, WINFORTON, HEREFORD, HR3 6EP (PAGES 19 - 22)

The principal 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 Colonel Forrest spoke on behalf of Eardisley Group Parish Council, Mr. Roberts, local resident, spoke in objection to the application and Mr. Price, the applicant's agent, spoke in support,

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the site was located within a scenic and sensitive location in Herefordshire. The planning history associated with the site was lengthy and reference was made to the application of April 2022 that was refused and dismissed on appeal. It was commented that very little had changed, in terms of the policy context and circumstances in Winforton, since that previous refusal except an increase in the density of housing proposed in the current application. There was a requirement for extra housing in the county but this should not be located in a village such as Winforton with no infrastructure to support new development. The density of housing proposed in the application was considered excessive and was not felt to be comparable to The Vineyards residential area, proximate to the application site. There was some support in the village for the provision of affordable housing however, the density of development on the proposed site was not acceptable. It was recognised that the site was suitable for development but not at the proposed density of housing.

The committee debated the application. There was frustration among members of the committee that house building targets imposed upon the county had undermined the core strategy and the council's 5 year land housing supply. Without the required land housing supply in place the council was obligated to adopt a presumption in favour of such developments.

There was concern on the committee that the house proposed for construction on plot one was too close to the access road which undermined residential amenity. A distance of 3 metres, as a minimum, was required to protect residential amenity and a delegation to officers to agree a change to the plans was proposed.

The timing of the implementation of the landscaping scheme and the planting of hedgerow was raised by the committee. In order to mitigate the visual impact of the site on the landscape it was required that the landscaping scheme was undertaken at an earlier stage during construction and occupation of the site. Following clarification from the officers it was required that the landscaping scheme and planting of hedgerow was undertaken following occupation of the first unit on the development site.

The local ward member was given the opportunity to close the debate. In summary, he explained that there was not opposition from the local community to any development on the site but objections related to the density of the development proposed. The updated NPPF in December 2024 did not result in any changes to guidelines that affected the previous grounds for refusal of the April 2022 application. The application did not promote sustainable transport; it was likely there would be 18 more vehicles in the village which had no bus service. New developments had already been located in the village and it was unreasonable to expect a community with limited services to take more housing in an attempt to meet housebuilding targets for the county.

Councillor Bruce Baker proposed and Councillor Richard Thomas seconded a motion that the application was approved subject to:

- A delegation to officers to agree a change to the plans to ensure a distance of 3 metres between the house in plot one and the access road; and
- the implementation of the landscape scheme and planting of hedgerow from the occupation of the first unit on the development site.

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

RESOLVED:

That: subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Country Act to secure the delivery of affordable housing and the imposition of the conditions detailed below; a delegation to officers to agree a change to the plans to ensure a distance of 3 metres between the house in plot one and the access road; the implementation of the landscape scheme and planting of hedgerow from the occupation of the first unit on the development site; and any other further conditions considered necessary by officers named in the scheme of delegation to officers that Outline Planning Permission be granted:

Standard Outline Planning Permission Conditions

1 Timescale for Submission of Reserved Matters

Application for approval of reserved matters (appearance and scale) shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

2 Timescale for Implementation

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.

3 Reserved Matters to be Approved

Approval of the details of the scale and appearance of the development (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced. The development shall subsequently be carried out in accordance with the approved details.

Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policies RA2, SD1, LD1 and LD3 of the Herefordshire Local Plan – Core Strategy, policies SD1, H2, H5 and H7 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

4 Development in accordance with Approved Plans

With regards to the matters of access, layout and landscaping, the development hereby approved shall be carried out strictly in accordance with the approved 'Proposed Site Plan PPA-W-03-D' except where otherwise stipulated by conditions attached to this permission.

Reason. To ensure adherence to the approved plans in the interests of delivering a satisfactory form of access and layout which complies with policies RA2, LD1 and MT1 of the Herefordshire Local Plan Core Strategy, policies SD1, T2, H5 and H7 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

Pre- Commencement Conditions

5 Construction Environmental Management Plan

No development shall commence on site until a detailed Construction Environmental Management Plan – including but not limited to an ecological working method statement; and details of the person responsible for the implementation of the CEMP – has been supplied to the LPA 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.

6 Protection Measures for Retained Trees and Hedgerows

Prior to the commencement of the development, a protection plan for retained trees and hedgerows in accordance with BS5837:2012 'Trees in relation to design, demolition and construction' shall be submitted and approved in writing by the local planning authority. The approved protection measures shall subsequently be implemented prior to any development taking place on site and those measures shall remain in place for the duration of the construction phase.

Reason: To safeguard all retained trees during development works and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan Core Strategy, policies SD1, H7 and E4 of the Eardisley Group Neighbourhood Development Plan and the National Planning Policy Framework.

7 Construction Management Plan (Highways)

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
- Construction Traffic Management Plan

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

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of policy MT1 and SS4 of Herefordshire Local Plan Core Strategy, policies H5 and T2 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework

Conditions to be addressed at Reserved Matters stage and/or discharged separately

8 Details of Footway Link

With the exception of site clearance and groundworks, no development shall take place until details of the proposed footway connection between the site and U90632 The Vineyards have been submitted to and approved in writing by the Local Planning Authority. None of the dwellings shall be occupied until the footway link has been constructed in accordance with the approved details and is available for use.

Reason: To ensure the safe and free flow of traffic on the highway and to conform to the requirements of policies SS4 and MT1 of Herefordshire Local Plan Core Strategy Plan, policy T1 and T3 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework

9 Housing Mix

The reserved matters submission pursuant to Condition 1 shall include a scheme setting out the number, size and type of both open market and affordable dwellings to be provided. The scheme shall include a schedule outlining the number of 1, 2, 3 and 4(+) bedroom dwellings to be delivered in both open market and affordable tenures, with the overall mix being in general accord with the Herefordshire Housing Market Needs Assessment 2021 (or any successor document adopted by the LPA). The supplied scheme shall include provision for a minimum of 1 x open market bungalow.

Reason: To ensure the scheme provides a range of open market and affordable housing sizes which reflects local demand and contributes to the creation of balanced communities in accordance with the Council's Housing Market Needs Assessment, policies RA2 and H3 of the Herefordshire Local Plan Core Strategy, SD1 and H5 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

10 Approval of Driveway Specification

Prior to the first occupation of any dwelling to which this permission relates an area for car parking shall be laid out within the curtilage of that property, in accordance with a specification which has first been submitted to and approved in writing by the Local Planning Authority. Those areas shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of policy MT1 and SS4 of Herefordshire Local Plan Core Strategy, policies H5 and T2 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

11 Approval of On-site Roads

Development shall not begin in relation to the provision of on-site roads and highways drainage infrastructure until the following details are submitted to and approved in writing to the local planning authority:

- Construction Specification and Surface finishes
- Drainage details
- Future maintenance arrangements

The development shall be carried out and thereafter maintained in accordance with the approved details

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of policy MT1 and SS4 of Herefordshire Local Plan Core Strategy, policies H5 and T2 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

12 Approval of outstanding Landscaping

Prior to the first occupation of any dwelling hereby approved, the following details shall be submitted to the Local Planning Authority for written approval:

- A detailed planting specification for all new boundary hedgerows
- Details of all new hard boundary features (fences or walls)

The details shall be based on the indicative locations shown on plan PPA-W-03-D.

Reason: In the absence of sufficient or adequate detail on the supplied plans, further information is required in relation to the proposed boundary treatments to ensure these are appropriate to the context and assist the development in assimilating with the surrounding area, as required by policies LD1, LD2 and LD3 of the Herefordshire Local Plan Core Strategy, policies SD1, H7 and E4 of the Eardisley Group Neighborhood Development Plan and the National Planning Policy Framework.

13 Landscape Maintenance

Prior to the first occupation of any dwelling hereby approved, a detailed schedule of landscape maintenance for a period of 10 years shall be submitted to and approved in writing by the local planning authority. The maintenance shall subsequently be carried out in accordance with this approved schedule.

Reason: To ensure the future establishment of the approved scheme, in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, policies SD1, H7 and E4 of the Eardisley Group

Neighborhood Development Plan and the National Planning Policy Framework.

14 Cycle Storage

Prior to the first occupation of the development hereby permitted 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 development hereby permitted. 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, policy T3 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

15 Approval of Foul and Surface Water Drainage

Prior to the first occupation of the development details of the proposed foul and surface water drainage arrangements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first occupation of any of the dwellings hereby permitted and thereafter maintained in perpetuity.

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, policy SD1 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

Compliance and Monitoring Conditions

16 Implementation of Landscaping

The scheme of landscaping shall carried out in accordance with the details shown on approved plan PPA-W-03-D, except where stipulated otherwise by conditions attached to this permission. All planting, seeding or turf laying in the approved landscaping scheme shall be carried out in the first planting season following the first occupation of any dwelling or the completion of the development, whichever is the sooner. 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. The hard landscaping measures shall be carried out concurrently with the development and completed prior to first occupation.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy; policies SD1, H5 and H7 of the Eardisley Neighbourhood Development Plan and the National Planning Policy Framework.

17 Implementation of Biodiversity Enhancement

The scheme of ecological enhancement measures shown on approved plan PPA-W-03-D shall be implemented in full prior to first occupation of any dwelling and thereafter shall be maintained in perpetuity, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that biodiversity enhancement measures are secured 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 and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy (2015) policies SS1, SS6 LD1, LD2 and LD3; and the council's declared Climate Change and Ecological Emergency

18 External Lighting Restrictions

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

19 Hours of Working

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 7.00am - 6.00pm, Saturday 8.00am -1.00pm 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 the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

INFORMATIVES:

1. 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. A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.
3. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 01432 261800), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.

4. This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.
5. The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and Natural England should be informed. They can be contacted at: Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ. Tel: 0300 060 6000.

The attention of the applicant is also drawn to the provisions of the Conservation of Habitats and Species Regulations 2010. In particular, European protected animal species and their breeding sites or resting places are protected under Regulation 40. It is an offence for anyone to deliberately capture, injure or kill any such animal. It is also an offence to damage or destroy a breeding or resting place of such an animal.

6. 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'.

231806 - PROPOSED SITING OF 12 NO. HOLIDAY LODGES FOR USE AS TOURIST ACCOMMODATION ON LAND WITHIN THE ESTABLISHED PLANNING UNIT. AT HILLCREST, FOY, ROSS-ON-WYE, HR9 6RD

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

ADDITIONAL REPRESENTATIONS

None received

OFFICER COMMENTS / UPDATES

The application site is located within the Wye Valley National Landscape (formerly designated as the Wye Valley Area of Outstanding Natural Beauty). As such, the Wye Valley AONB Management Plan 2021–2026 is a material consideration in the assessment of the proposal.

This document can be viewed here:

<https://www.wyevalley-nl.org.uk/wp-content/uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf>

Objective WV-S1 of the Management Plan seeks to encourage and promote the Wye Valley as a sustainable tourism destination. It supports forms of tourism and associated development that are grounded in the conservation, enhancement, and enjoyment of the area's recognised Special Qualities and distinctive landscape features. However, such support is conditional upon compliance with the Habitats Regulations, requiring appropriate assessment at either the plan or project level to ensure that environmental protections are upheld.

Within this context, the proposed development is considered to result in a degree of harm to the visual and landscape character of the Wye Valley National Landscape. This harm derives principally from the uniformity in the design and the formal layout of the proposed holiday lodges. The proposal also presents a number of public benefits which must be weighed in the planning balance. In particular, the development supports the growth of rural tourism, which is a key objective of both national and local policy.

Amendments to Conditions

Following comment and queries raised during the site visit, we would recommend amendments to the following conditions.

In order to address the concerns raised around waste management associated with the removal of the structures on site we would recommend a further element to this condition (in bold).

Condition 4 Shall read:

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
- Construction Traffic Management Plan
- Site compound / site welfare facilities location
- Security or other lighting
- **Waste Management Plan - Removal of redundant equipment and apparatus from the site**

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 amenity, highway safety and landscape impact and character to conform to the requirements of Policies Sd1, LD1, LD2 and MT1 of Herefordshire Local Plan – Core Strategy and the guidance contained within the National Planning Policy Framework.

In order to address the concerns raised around conflict of traffic movements in respect of arrival and departures from visitors we would recommend a further element to condition 9 (in bold).

Condition 9 shall read:

Prior to the first occupation of the lodges hereby permitted details of the future management / maintenance arrangements in relation to:

- A. Road and drainage infrastructure
- B. All open spaces and landscape areas (including boundaries)
- C. Shared cycle store / parking facilities
- D. EV charging points Shall be submitted to and approved in writing by the local planning authority.
- E. Arrival and departure information**

The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: To ensure that shared facilities an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

CHANGE TO RECOMMENDATION

To amend the conditions as detailed above.

APPENDICES

Appendix 2 – Ramblers Way Official Copy (Title Plan) HE52456 (1)

240349 - PROPOSED DEVELOPMENT OF 9 DWELLINGS (6 X OPEN MARKET AND 3 X AFFORDABLE) AT LAND AT RAMBLERS WAY, WINFORTON, HEREFORD, HR3 6EP

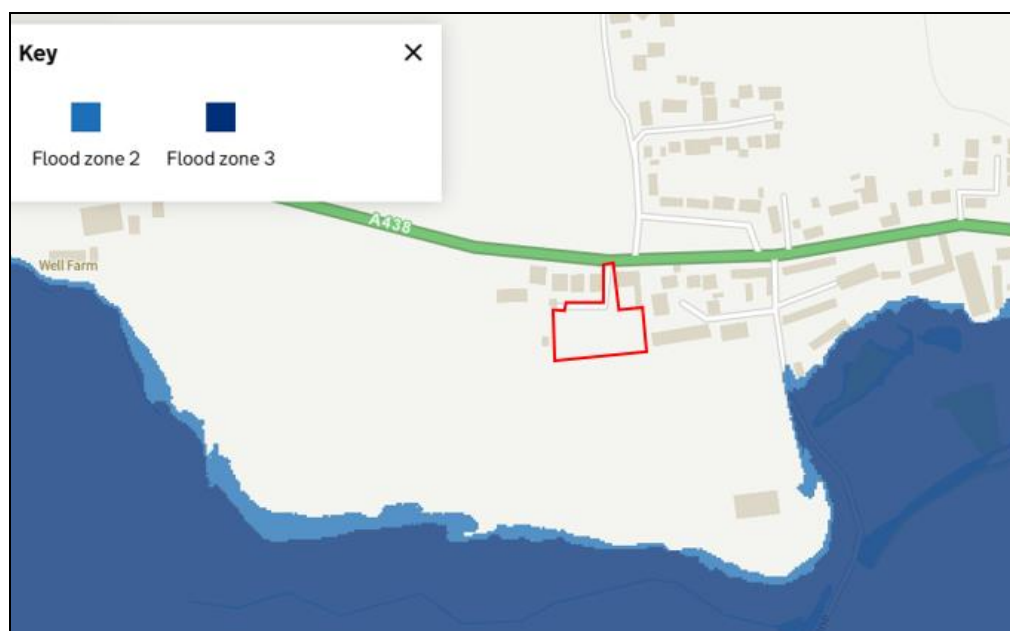
For: Mr Pryce per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Ewyas Harold, Hereford, Herefordshire HR2 0EL

ADDITIONAL REPRESENTATIONS

None received.

OFFICER COMMENTS

A question was raised during the Site Inspection regarding the proximity of the site to the area of flood risk associated with the River Wye, the main channel of which is located around 600m to the south. The matter of flood risk is addressed at Section 6.55 of the Officer Report, where it is noted that the site is located with the Environment Agency (EA) defined 'low risk' Flood Zone 1. For the avoidance of doubt however, an extract of the EA Flood Map for Planning is provided below showing the location of the site relative to Flood Zones 2 (medium probability) and Flood Zone 3 (high probability).



Source: <https://flood-map-for-planning.service.gov.uk/map?cz=329355.4,246919.9,16.563214>

A question was also raised on site regarding the feasibility of delivering a footpath link to the Vineyards in terms of land ownership. This is addressed at Section 6.39 and Figure 5 of the Officer Report. Following the site visit however, the Applicant has also provided a copy of Land Registry Titles confirming that the land in question is within their ownership. A copy of the Tile Plan is included at Appendix 1.

CHANGE TO RECOMMENDATION

No change to recommendation.

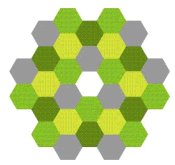
These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 10 March 2025 shows the state of this title plan on 10 March 2025 at 13:04:36. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Telford Office .



© Crown copyright and database rights 2015 Ordnance Survey AC0000851063.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

