

Minutes of the meeting of Planning and Regulatory Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 15 October 2025 at 10.00 am

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

Councillors: Polly Andrews, Bruce Baker, Jacqui Carwardine, Simeon Cole,
Dave Davies, Matthew Engel, Catherine Gennard, Peter Hamblin, John Stone,
Charlotte Taylor, Richard Thomas, Diana Toynbee and Mark Woodall

In attendance: Councillors Jonathan Lester, Philip Price and Rebecca Tully

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

31. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Stef Simmons.

32. NAMED SUBSTITUTES (IF ANY)

Councillor Diana Toynbee acted as a substitute for Councillor Simmons.

33. DECLARATIONS OF INTEREST

Councillor Matthew Engel declared an interest in agenda item no. 9, application 251363, as a close personal associate of the family of the applicant.

34. MINUTES

RESOLVED: That the minutes of the meeting held on 3 September be approved.

35. 223128 - BARNS AT MONKS BURY COURT, MONKHIDE, VILLAGE ROAD, MONKHIDE, HR8 2TU

The planning officer provided a presentation on the application and provided the following verbal update to the committee:

A further email regarding the application had been received which raised 2 points:

On the foul water drainage strategy, the proposal is to lay a discharge pipe from the package treatment plant to the River Lodon to the east. The applicant states that he has the relevant ownership. However, he only has ownership to the culvert / ditch immediately to the east of the site and not to the river tributary itself some further distance away. He cannot discharge into the culvert as this is dry for part of the year and subject to flooding in periods of heavy rain. This needs clarification as I am not sure everyone understands the nature of what is being proposed. Indeed,

I am fairly sure that Land Drainage believe discharge will be into the river and not the culvert whereas the developer is intending to use the culvert.

On the traffic, paragraph 6.60 of your report is technically incorrect.

Traffic from the site cannot turn right through Monkhide as this access is private and restricted with access only being granted to the residents of Monksbury Court itself, the emergency services, and Herefordshire Council's utility services. I believe the owner of LTF Properties (applicant) has a similar right. Furthermore, you will note from the approval of the 7 houses adjacent (192765) that there is a planning condition that residents may only use the access onto the A417 to avoid any increase in traffic on the narrow and twisty road between Monkhide and the A4103. This followed previous concerns of the Highways department in relation to an earlier refused planning application in Monkhide itself. You may wish to make note of this as the condition should also apply to any additional housing as now proposed.

A response to the email had been provided by the agent to the application:

With regards the comments in respect of foul drainage, you will note that the proposal is for the package treatment plant to discharge to the ditch to the east of the site and not to the River Lodon as suggested. This is documented in the submitted 'Surface Water Management Plan, Flood Risk Assessment and Foul Drainage Strategy: Barns at Monksbury Court Rev. 2' and has been confirmed as acceptable by the Council land drainage officer. The applicant owns the necessary land and permissions for this without the need to cross any third party land.

Relevant extracts:

'Broadlands Road is to the East of the site which is a private road and has a ditch on the Eastern side. The ditch is an ordinary watercourse.' (Foul Drainage Strategy)

'Treated effluent from the Package Treatment Plant should be discharged to the watercourse. The base of ditch level is approximately 97.36mAOD and the site is 98.87mAOD. Therefore the package treatment plant can drain via gravity to the ditch.' (Foul Drainage Strategy)

The Applicant has confirmed that they own the land between the redline site boundary and watercourse, so no third party permissions to lay the discharge pipe are required. (Land Drainage Officer Comments)

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the key considerations for the committee were whether the application site was in the right place and if the layout on the site was appropriate. It was highlighted that Yarkhill Parish Council had made extensive representations on the application containing a significant number of objections. Among objections was the issue of flooding which continued to be a serious concern for the parish council. A key issue centred on whether the proposal made best use of the land in which it was located. The existing housing on the site was felt to be very compact and cramped. There was concern that the current application would introduce another portion of housing within a restricted space which would also feel cramped. In particular, the gardens of the proposed houses were very small. It was understood that an argument could be posed that the proposed housing was in keeping with the vernacular due to the newer houses won on appeal but this was not felt to be a persuasive argument and should not be used to set a precedent. The use of the land on the site plan and the layout of the houses in the application was queried. It was questioned whether the plan would result in acceptable residential amenity for existing and new residents on the site.

It was also queried whether the relationship of the houses to the historic converted barns was appropriate; the new housing proposed was very close to the barns. It was felt that there was scope on the site to change the plans in order to lessen the impact of the new housing on the historic barns and to produce a layout which was less restricted; this would help mitigate the potential impacts on residential amenity to new and existing residents.

The committee debated the application. The following principal points were raised:

- The proposed design of the houses was felt to be out of keeping in the local area. There would be an unacceptable impact on the locality and the landscape posed by the design of the houses and alternative materials for the proposed housing should be considered.
- The proposed houses were sited in very close proximity to existing properties on the site and lack of privacy and overlooking were concerns. There was concern that the proposed houses would be overbearing on the barn conversions as a consequence of the ridge heights which were too high. It was felt that existing dwellings on the site would overlook the houses proposed in the application. The proposed houses were in a lower position on the site to those houses that had been approved at appeal. There were no trees planned between housing on the site to provide screening or mitigate the impact of overlooking and loss of privacy. The restricted and cramped nature of the layout would have an unacceptable impact on residential amenity. It was noted that there was scope on the site to change the layout to mitigate the cramped nature of the housing proposed.
- The layout of the site was felt to be very cramped and it was noted there was no rear access to the houses proposed.
- A condition should be added to any permission that was provided to ensure that renewable and sustainable facilities were included in the houses on the site.

The local ward member was given the opportunity to close the debate. He explained that during decision-making consideration needed to be made of existing and new residents whose amenity should be protected. The houses won on appeal on the site did not set a precedent and there were material considerations for the committee to determine during decision making.

Councillor Bruce Baker proposed and councillor Dave Davis seconded a motion to approve the application in accordance with the officer's recommendation and an extra condition to ensure renewable and sustainable facilities were provided in the houses built on the site.

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

Councillor Polly Andrews proposed and councillor Richard Thomas seconded a motion that the application be deferred, to allow for changes to the application which take account of the following issues identified by the committee:

- The scale of the houses was excessive and would cause overlooking of the historic barns resulting in an unacceptable impact on residential amenity;
- The layout of the site was excessively restricted and cramped. The new houses would be located too close to those won on appeal which would be overbearing and cause overlooking resulting in an unacceptable impact on residential amenity;
- The design of the houses was out of keeping with the local vernacular and resulted in an unacceptable impact on the landscape. A better use of materials and improved design was required to mitigate the impact of the Development on the landscape and to ensure that it was in-keeping with the local area.

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

RESOLVED:

That the application is deferred, to allow for changes to the application which take account of the following issues identified by the committee:

- **The scale of the houses was excessive and would cause overlooking of the historic barns resulting in an unacceptable impact on residential amenity;**
- **The layout of the site was excessively restricted and cramped. The new houses would be located too close to those won on appeal which would be overbearing and cause overlooking resulting in an unacceptable impact on residential amenity;**
- **The design of the houses was out of keeping with the local vernacular and resulted in an unacceptable impact on the landscape. A better use of materials and improved design was required to mitigate the impact of the Development on the landscape and to ensure that it was in-keeping with the local area.**

There was an adjournment at 10:49 a.m.; The meeting reconvened at 10:59 a.m.

36. 242922 - LAND TO SOUTH OF RECTORY LANE, CRADLEY, HEREFORDSHIRE, WR13 5LH

The senior planning officer provided a presentation on the application.

In accordance with the criteria for public speaking, Mr Lowder, local resident, spoke in objection to the application Mr Pratley, the applicant, spoke in support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, she explained that the engagement between the applicant and local residents had not been sufficient and therefore a number of local objections remained to the proposal. It was understood that the proposed site would result in the loss of the allotments which may not be a material consideration but would pose an adverse impact on the local community. The planning history associated with the site was a material consideration and it was noted that previous applications had been refused. Highway safety concerns regarding the application also persisted. Clarity was required as it was not felt that the neighbourhood development plan had been adhered to given the excessive size of the houses. The results of the ecological report were questioned given that they appeared to be at odds with the experience of the local community; it was queried how the outcomes of the report could be challenged or questioned. The size of the proposed dwellings was not required within the local area; housing was required for first time buyers and elderly residents.

The committee debated the application. The following principal points were raised:

- The size and scale of the houses were in-keeping with other properties in the area and the design of the buildings and the materials used would be sympathetic to the local area;
- A query was raised regarding which trees would be retained on site;
- The definition of the development as self build was queried; and
- It was noted that the local parish council objected to the application.

The development manager provided the following clarification:

- Condition 5, proposed in the report, provided for an arboricultural impact assessment to be undertaken prior to the commencement of the development;
- The applicant would have an input into the design of the houses which would comply with the definition of self build or custom build development.

The local ward member was given the opportunity to close the debate. In summary, she explained that concerns regarding traffic and access to the site persisted. It was not felt that the proposed development served the needs of the people of Cradley and it was queried whether the proposed houses were in an appropriate location.

Councillor Dave Davies proposed and Councillor Peter Hamblin seconded a motion that the application be 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. C01 – Time Limit for Commencement

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

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

2. C06 – Development in accordance with approved plans

The development hereby approved 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 |
| - | AL.P.001 rev. B |
| - | AL.P.010 rev. B |
| - | AL.P.110 rev. D |
| - | AL.P.111 rev. D |
| - | AL.P.113 rev. A |
| - | AL.P.112 rev. D |

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, Policies SS4 and SS7 of the Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

3. CBK – Restriction on working 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, Policies SS4 and SS7 of the Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Commencement Conditions

4. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

5. Prior to the commencement of the development, the submitted Arboricultural Impact Assessment Method Statement and Tree Protection Plan (JJH Arboriculture_JJH_AIA_MS_TPP_V1_27.05.25) shall be updated to explore the part retention of tree group G4 and pruning required to T1. This will then be re-submitted and approved by the local planning authority and thereafter implemented in accordance with the approved details for the duration of the construction phase.

Reason: To ensure the proper care and maintenance of the trees and to conform with Policy LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Relevant Commencement Conditions

6. C13 – Samples of External Materials

With the exception of any site clearance and groundwork, no further development shall take place until samples of materials to be used externally on walls and roofs of the approved dwelling and garage 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, Policies SS4 and SS7 of the Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

7.

CA1- Landscape Scheme

With the exception of site clearance and groundworks, no further development shall commence until a landscape scheme shall be submitted 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.

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, Policy CNDP9 of the Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

Pre-Occupancy Conditions

8.

Driveway gradient

Prior to the first occupation of the dwellings hereby approved the driveway and/or vehicular turning area shall be consolidated and surfaced at a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway. Details of the driveway, vehicular turning area and drainage arrangements shall be submitted to and approved in writing by the local planning authority prior to commencement of any works in relation to the driveway/vehicle turning area.

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.

9.

Parking – single/shared private drives

Prior to the first occupation of the dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of 2 cars which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area 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.

10. CB2 – Implementation of secure 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 and the National Planning Policy Framework.

11. CE6 – Efficient Use of Water

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, Policies SS2 and SS4 of the Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

12. CNS – Non-standard condition

Prior to first occupation of the dwelling approved under this planning permission, evidence of the suitably placed installation on the approved building, or on other land under the applicant's control, of a minimum of TWO bird nesting features of mixed types and TWO bat roost features, should 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.

Post-Occupancy/on-going compliance conditions

13. Landscape Implementation

All planting, seeding or turf laying in the approved landscaping scheme (Condition 7) shall be carried out in the first planting season following the occupation of the building 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.

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, Policy CNDP9 of the Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

14. 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

15. C58 – Domestic use only of garage

The garage hereby permitted shall be used solely for the garaging of private vehicles and for purposes incidental to the enjoyment of the dwellinghouse as such and not for the carrying out of any trade or business.

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling and to comply with Policies MT1 and SD1 of the Herefordshire Local Plan – Core Strategy, Policies SS4 and SS7 of the Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

16. Removal of Permitted Development rights

Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, AA and E of Part 1 and Class A of Part 2 both of Schedule 2, shall be carried out.

Reason: In order to protect the character and amenity of the locality, enable re-assessment of impacts upon landscape character, visual amenity and heritage assets, to maintain the amenities of adjoining property and to comply with Policies SD1, LD1 and LD4 of the Herefordshire Local Plan – Core Strategy, Cradley Neighbourhood Development Plan and the National Planning Policy Framework.

17. Self-build

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 dwellinghouses 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.

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. Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Our records indicate that there are no assets that may be affected by this proposal, however it is the duty of the site owner to confirm this is the case before any work takes place.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

3. The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special "protected species" such as Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times

of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained.

4. 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. 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.

6. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate 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.

7. 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'.

There was an adjournment at 11:38 a.m.; the meeting reconvened at 11:47 a.m.

**37. 243176 - LAND OFF WELLBROOK ROAD, PETERCHURCH, HEREFORDSHIRE
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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, a statement was read on behalf of Mr Gibbs, local resident, in objection to the application and Mrs Boaz, the applicant, spoke in support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the application had received objections from local residents and the parish council. A number of objections had concerned flooding and drainage and a lot of work had been undertaken to address these concerns. The positioning of the application site in relation to Saint Peter's holy well had been raised as an issue but this concern had been addressed with clarification as to where the barn would be positioned on the site. The location of the barn on the site would be below and positioned away from St Peter's holy well and so would not have an impact on this water supply. The positioning of the barn would have no additional impact on surface water flooding from the application site.

The committee debated the application. It was noted that the application was for an agricultural building on agricultural land. The barn would not be positioned close to Saint Peter's holy well and would be set at a level below this water source. Concerns raised regarding manure were not felt to be compelling given the agricultural nature of the site. It was noted that local residential properties were set at 400 metres from the site.

Councillor Peter Hamblin proposed and councillor Richard Thomas seconded a motion that the application be approved in accordance with the case officer's recommendation.

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

RESOLVED:

That planning permission be granted subject to the following conditions and any further conditions considered necessary by officers named in the Scheme of Delegation to Officers:

1. Time limit for commencement

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

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

2. Development in accordance with approved plans

The development shall be carried out strictly in accordance with the approved plans (drawing no. 8396/1 and document entitled "Planning Statement"), 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, the Peterchurch Neighbourhood Development Plan and the National Planning Policy Framework.

3. Vehicular Access Construction

The construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.

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.

4. Access Construction

The first 10m of the access off the highway should have a bound surface such as tarmac, gravel is not acceptable for the first 10m.

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.

5. Protected Species and Dark Skies (external illumination)

Unless otherwise agreed in writing by the planning authority, no external or internal lighting associated with the permitted development shall be permanently illuminated between dusk and dawn except in an emergency.

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.

6. Surface Water Drainage Strategy

The development shall be carried out in accordance with the approved details (Surface Water Drainage Strategy received by email 14th August 2025) for the duration of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. Application Approved Following Revisions

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

2. Wildlife Protection Informative

The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.

3. Biodiversity Net Gain Informative

Councillor Matthew Engel left the meeting at 12:08.

38. 251363 - THE COTE, LOWER CROSSWAYS FARM, DORSTONE, HEREFORDSHIRE, HR3 6AT

The senior planning officer provided a presentation on the application.

In accordance with the criteria for public speaking Mr Phillips spoke on behalf of Dorstone parish council and Mr Goodwin the applicant 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 a large number of representations had been received in support of the application. The proposal was for a modest building which had a minimal impact on the landscape. The development met the requirements of core strategy policy SS1 and there should be a presumption in favour of sustainable development.

The committee debated the application. The following principal points were raised;

- There was no impact from the development on the local landscape and the work undertaken restored an historic agricultural building in accordance with core strategy policies LD1 and LD4;
- The application supported sustainable agricultural communities in accordance with core strategy policies RA2, RA3 and RA4;
- It was considered that the proposal complied with the requirements of core strategy policy RA5 (5) and in the view of the committee the existing building was not subject to substantial alteration and extension and the proposal would not adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.

The local ward member was given the opportunity to close the debate.

Councillor Richard Thomas proposed and councillor Polly Andrews seconded a motion that the application be approved for the following reasons and authority be delegated to officers to draft appropriate conditions to the permission:

- There was no impact from the development on the local landscape and the work undertaken restored an historic agricultural building in accordance with core strategy policies LD1 and LD4;

- The application supported sustainable agricultural communities in accordance with core strategy policies RA2, RA3 and RA4;
- It was considered that the proposal complied with the requirements of core strategy policy RA5 (5) and in the view of the committee the existing building was not subject to substantial alteration and extension and the proposal would not adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.

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

RESOLVED:

That the application is approved for the following reasons and authority be delegated to officers to draft appropriate conditions to the permission:

- **There is no adverse impact from the development on the local landscape and the work undertaken restored an historic agricultural building in accordance with core strategy policies LD1 and LD4;**
- **The application supports sustainable agricultural communities in accordance with core strategy policies RA2, RA3 and RA4;**
- **the proposal complies with the requirements of core strategy policy RA5 (5) and in the view of the committee the existing building is not subject to substantial alteration and extension and the proposal will not adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.**

The meeting ended at 12.41 pm

Chairperson

PLANNING COMMITTEE

Date: 15 October 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

243176 - ERECTION OF AN AGRICULTURAL BUILDING ON AGRICULTURAL LAND AT LAND OFF WELLBROOK ROAD, PETERCHURCH, HEREFORDSHIRE

For: Mr & Mrs Boaz per Mr Ed Thomas, 13 Langland Drive, Hereford, Herefordshire, HR4 0QG

ADDITIONAL REPRESENTATIONS

Further to the publication of the officer report, an email was sent to all members of the committee on 13 October 2025 on behalf of the applicant. This is repeated verbatim below:

“Dear Chairman, Vice-chair & Members of the Planning & Regulatory Committee,

RE: Agenda Item No.8 - 243176 - Land off Wellbrook Road, Peterchurch, Herefordshire

We write as applicants for agenda item. Our proposal is the erection of an agricultural building on our permanent pasture at Peterchurch.

We run a farming business which for the past 10 years has focussed on the establishment of a high health pedigree herd of Hereford cattle.

Unfortunately, our Landlords at Turnastone Court have decided to end our tenancy, where we have rented land and buildings since 2013, meaning we are in desperate need of an agricultural building. Without a building the business is not sustainable, and we would most likely have to sell the herd, which we have worked for ten years to develop.

The application has benefitted from and followed pre-application advice. We have therefore been surprised and disappointed at the position taken by the Parish Council and the hostility expressed by one or two members of the local community, who have undertaken leaflet drops with the express intent of generating sufficient opposition to render it necessary to bring the application to Committee.

We can assure Members that we are very proud of our business and the community within which we work and would never undertake a proposal if we felt it significantly detrimental to the environment or third parties.

We sincerely hope that Members will accept the officer recommendation and grant planning permission for a building that is essential to the continuation of a small-scale, traditional, family-run farming business.

Yours sincerely,

Gareth and Madeleine Boaz”

OFFICER COMMENTS

The representation raises no new material planning considerations which are discussed within the officer's report.

In response to a matter raised by the Ward Councillor in respect of the risk of potential impacts upon the private water supply for parts of Peterchurch, it is advised that there is no inherent risk associated with the construction of the building and the lawful use of the land for grazing livestock.

Nevertheless, in the event of unforeseen matters arising, it should be noted that there is separate legislation in the form of the Private Water Supplies (England) Regulations 2016 (as amended) that would regulate such matters. This would be a matter that colleagues in the Regulation and Technical Services team to investigate and enforce as required.

Further to the queries raised on site regarding surface water drainage, I draw your attention to no objections raised by the LPA's Land Drainage Consultant.

NO CHANGE TO RECOMMENDATION

