

Agenda

Planning and Regulatory Committee

Date: **Wednesday 18 March 2026**

Time: **10.00 am**

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

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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Agenda for the meeting of the Planning and Regulatory Committee

Membership

Chairperson **Councillor Terry James**
Vice-chairperson **Councillor Clare Davies**

Councillor Polly Andrews
Councillor Bruce Baker
Councillor Jacqui Carwardine
Councillor Simeon Cole
Councillor Dave Davies
Councillor Matthew Engel
Councillor Catherine Gennard
Councillor Peter Hamblin
Councillor Stef Simmons
Councillor John Stone
Councillor Charlotte Taylor
Councillor Richard Thomas
Councillor Mark Woodall

Agenda

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To receive any announcements from the Chairperson.	
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The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
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The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council may make an official recording of this public meeting or stream it live to the council's website. Such recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site.

Travelling to the meeting

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station. The location of the office and details of city bus services can be viewed at: <http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services>. If you are driving to the meeting please note that there is a pay and display car park on the far side of the council offices as you drive up Plough Lane. There is also a free car park at the top of plough lane alongside the Yazor Brook cycle track.

Guide to Planning and Regulatory Committee

The Planning and Regulatory Committee consists of 15 Councillors. The membership reflects the balance of political groups on the council.

Councillor Terry James (Chairperson)	Liberal Democrat
Councillor Clare Davies (Vice Chairperson)	True Independents
Councillor Polly Andrews	Liberal Democrat
Councillor Bruce Baker	Conservative
Councillor Jacqui Carwardine	Liberal Democrat
Councillor Simeon Cole	Conservative
Councillor Dave Davies	Conservative
Councillor Matthew Engel	Independents for Herefordshire
Councillor Catherine Gennard	The Green Party
Councillor Peter Hamblin	Conservative
Councillor Stef Simmons	The Green Party
Councillor John Stone	Conservative
Councillor Charlotte Taylor	Independent for Herefordshire
Councillor Richard Thomas	Conservative
Councillor Mark Woodall	The Green Party

The Committee determines applications for planning permission and listed building consent in those cases where:

- (a) the application has been called in for committee determination by the relevant ward member in accordance with the redirection procedure
- (b) the application is submitted by the council, by others on council land or by or on behalf of an organisation or other partnership of which the council is a member or has a material interest, and where objections on material planning considerations have been received, or where the proposal is contrary to adopted planning policy
- (c) the application is submitted by a council member or a close family member such that a council member has a material interest in the application
- (d) the application is submitted by a council officer who is employed in the planning service or works closely with it, or is a senior manager as defined in the council's pay policy statement, or by a close family member such that the council officer has a material interest in the application
- (e) the application, in the view of the service director, regulatory, raises issues around the consistency of the proposal, if approved, with the adopted development plan
- (f) the application, in the reasonable opinion of the service director, regulatory, raises issues of a significant and/or strategic nature that a planning committee determination of the matter would represent the most appropriate course of action, or
- (g) in any other circumstances where the service director, regulatory, believes the application is such that it requires a decision by the planning and regulatory committee.

The regulatory functions of the authority as a licensing authority are undertaken by the Committee's licensing sub-committee.

Who attends planning and regulatory committee meetings?

The following attend the committee:

- Members of the committee, including the chairperson and vice chairperson.
- Officers of the council – to present reports and give technical advice to the committee
- Ward members – The Constitution provides that the ward member will have the right to start and close the member debate on an application.

(Other councillors - may attend as observers but are only entitled to speak at the discretion of the chairman.)

How an application is considered by the Committee

The Chairperson will announce the agenda item/application to be considered. The case officer will then give a presentation on the report.

The registered public speakers will then be invited to speak in turn (Parish Council, objector, supporter). (see further information on public speaking below.)

The local ward member will be invited to start the debate (see further information on the role of the local ward member below.)

The Committee will then debate the matter.

Officers are invited to comment if they wish and respond to any outstanding questions.

The local ward member is then invited to close the debate.

The Committee then votes on whatever recommendations are proposed.

Public Speaking

The Council's Constitution provides that the public will be permitted to speak at meetings of the Committee when the following criteria are met:

- a) the application on which they wish to speak is for decision at the planning and regulatory committee
- b) the person wishing to speak has already submitted written representations within the time allowed for comment
- c) once an item is on an agenda for planning and regulatory committee all those who have submitted representations will be notified and any person wishing to speak must then register that intention with the monitoring officer at least 48 hours before the meeting of the planning and regulatory committee
- d) if consideration of the application is deferred at the meeting, only those who registered to speak at the meeting will be permitted to do so when the deferred item is considered at a subsequent or later meeting
- e) at the meeting a maximum of three minutes (at the chairperson's discretion) will be allocated to each speaker from a parish council, objectors and supporters and only nine minutes will be allowed for public speaking
- f) speakers may not distribute any written or other material of any kind at the meeting (see note below)
- g) speakers' comments must be restricted to the application under consideration and must relate to planning issues

- h) on completion of public speaking, councillors will proceed to determine the application
- i) the chairperson will in exceptional circumstances allow additional speakers and/or time for public speaking for major applications and may hold special meetings at local venues if appropriate.

(Note: Those registered to speak in accordance with the public speaking procedure are able to attend the meeting in person to speak or participate in the following ways:

- *by making a written submission (to be read aloud at the meeting)*
- *by submitting an audio recording (to be played at the meeting)*
- *by submitting a video recording (to be played at the meeting)*
- *by speaking as a virtual attendee.)*

Role of the local ward member

The ward member will have an automatic right to start and close the member debate on the application concerned, subject to the provisions on the declaration of interests as reflected in the Planning Code of Conduct in the Council's Constitution (Part 5 section 6).

In the case of the ward member being a member of the Committee they will be invited to address the Committee for that item and act as the ward member as set out above. They will not have a vote on that item.

To this extent all members have the opportunity of expressing their own views, and those of their constituents as they see fit, outside the regulatory controls of the Committee concerned.

**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Minutes of the meeting of Planning and Regulatory Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 25 February 2026 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, Stef Simmons, John Stone, Charlotte Taylor, Richard Thomas and Mark Woodall

In attendance: Councillors Cornthwaite and Proctor

Officers: Senior Solicitor Planning and Highways, Development Manager Majors Team and Team Leader Area Engineer

61. APOLOGIES FOR ABSENCE

There were no apologies for absence.

62. DECLARATIONS OF INTEREST

There were no declarations of interest.

63. MINUTES

RESOLVED: That the minutes of the meeting held 14 January be approved.

64. 252698 - PONDEROSA, TWYFORD COMMON ROAD, RIDGEHILL, HEREFORD, HR2 8AE

Councillor Dave Davis acted as the local ward member for the application below

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

In accordance with the criteria for public speaking Mr Whurr, local resident, spoke in objection to the application.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the application site was located in a sensitive landscape. Concerns had been raised over the change of use for an old stable block. An initial application had been rejected 30 years previously; images of the site from 2009 and 2012 showed collapsed buildings and significant undergrowth and greenery. More recent pictures of the site, from 2024, show work that had been undertaken to the buildings and clearance of vegetation on the site. The application site was located in the river Wye SAC and was not felt to be suitable as a location for storage of building goods and materials. No tyre marks were discernible on the access to the site which brought

into question its use as a storage site for building materials. There were concerns within the local community of the impact of noise generated from the site and the use of the toilet in the stables discharging effluence during times of heavy rainfall. There was concern that this application was a precursor to building a house and a holiday let on the land. The application did not enhance biodiversity or geodiversity as required by the core strategy. There were more suitable locations for builders storage within Hereford.

The committee debated the application. There was sympathy with local residents regarding the potential uses of the site in the future however the committee acknowledged it was constrained in considering the application before it which was for a change of use of building to storage (class B8). It was noted that any proposal to build a domestic dwelling on the site would be subject to a further planning application and permission. There was concern regarding the steep access to the site and the potential requirement for hard standing to facilitate the access of lorries and trade vehicles to the storage building. It was considered that in the event of a hard standing access to the site a condition would be required to protect the root system of trees on the site.

The Development Manager and the Highways Advisor provided the following clarification:

- an additional condition could be added to the permission for any changes to the access to be submitted and agreed in writing. Account could then be taken at that stage of the protection of the root system for nearby trees;
- it was confirmed that a section 184 licence would be required if there were changes to the access to the site. The requirement for this licence could be added to the permission as an informative.

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

Councillor Bruce Baker proposed and Councillor Stef Simmons seconded a motion that the application be approved with the addition of a condition to require any changes to the access to be agreed in writing and an informative to detail the requirement of a section 184 licence to permit changes to the access.

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, the addition of a condition to require any changes to the access to be agreed in writing, an informative to detail the requirement of a section 184 licence to permit changes to the access and any other further conditions considered necessary by officers named in the scheme of delegation:

1. C06 – Development in accordance with approved plans

The development shall be carried out strictly in accordance with the approved plans, 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 Policies SD1, E1, RA6 and MT1 of the Herefordshire Local Plan – Core Strategy, Policy LB2 of the Lower Bullingham Neighbourhood Development Plan and the National Planning Policy Framework.

2. C52 (Hours of use, vehicle movements and deliveries)

No staff shall be on site and no deliveries shall be taken at or despatched from the site in relation to the approved use outside of the following times:

**07:30 to 17:30 Mondays to Fridays;
07:30 to 14:00 Saturdays**

- Reason: To ensure adequate measures are in place to control noise and mitigate for the potential effects on neighbouring residential amenity, in accordance with policies E1, RA6 and SD1 of the Herefordshire Local Plan Core Strategy, policy LB2 of the Lower Bullingham Neighbourhood Development Plan and the National Planning Policy Framework.**
- 3.**

CNS (Noise Management Plan)

By 30th April 2026, a detailed Noise Management Plan (NMP) shall be submitted to and approved in writing by the Local Planning Authority. The NMP shall provide a comprehensive overview of how the use will be operated to ensure that any potential for adverse neighbouring amenity impact through noise is minimised.

The NMP shall be broken down into and address the following subheadings:

- **statement of intent**
- **a brief summary of the premises / site / activities**
- **a location / site plan**
- **an inventory of all potential noise sources**
- **details of noise controls and limits**
- **site noise monitoring and / or evaluation**
- **mechanism for responding to complaints (including actions to be undertaken and recorded)**
- **management command, communication, and contact details**
- **periodic NMP review**

The approved NMP shall be implemented and thereafter remain in place for the lifetime of the development.

Reason: To ensure adequate measures are in place to control noise and mitigate for the potential effects on neighbouring residential amenity, in accordance with policies E1, RA6 and SD1 of the Herefordshire Local Plan Core Strategy, policy LB2 of the Lower Bullingham Neighbourhood Development Plan and the National Planning Policy Framework.

- 4. C57 (Restriction on use) – Storage (B8)**

The use hereby approved shall be solely used for storage of construction machinery, tools and building materials and for no other use, including any other use within Use Class B8, as defined by the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. Any other use shall not take place without the prior written consent of the Local Planning Authority.

Reason: To secure the specific nature of use applied for in respect of the defined planning unit and to control the nature of the uses in the interests of securing compliance with policies RA6, SD1 and MT1 of the Herefordshire Local Plan Core Strategy; Policy LB2 of the Lower Bullingham Neighbourhood Development Plan and the National Planning Policy Framework.

- 5. CNS (HRA – PTP and Soakaways)**

Unless otherwise approved in writing by the planning authority all foul water flows from the development permitted under this permission shall discharge to a package treatment plant; and all surface water managed by on-site Sustainable Drainage System or soakaways. The foul and surface water management shall hereafter be managed and maintained as approved.

Reason: In order to ensure there are no effects on the River Lugg (Wye) SAC (SSSI) 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.

CNS (Approval of External Lighting)

6. Details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation on site. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of nearby properties so as to comply with policies SD1, LB2 and RA6 of Herefordshire Local Plan Core Strategy, policy LB2 of the Lower Bullingham Neighbourhood Development Plan and the National Planning Policy Framework.

CNS (Retention of Trees)

7. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the construction phase and thereafter for 10 years from the date of occupation of the development for its permitted use, other than in accordance with the plans and particulars approved pursuant to this permission.

Reason: To safeguard the character and amenity of the area and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

CNS (No outside storage)

8. No goods, plant, materials or machinery associated with the approved use of the building shall be deposited or stored outside the building or land within the application red line boundary at any time.

Reason: To protect the character and appearance of the locality, to safeguard residential amenity and to comply with Policies RA6, LD1 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy LB2 of the Lower Bullingham Neighbourhood Development Plan and the National Planning Policy Framework.

INFORMATIVES:

1. IP2 – Application Approved Following Revisions
2. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website:
www.herefordshire.gov.uk/directory_record/1992/street_works_licence
<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>
3. I33 – Ecology (General)

Councillor Dave Davis resumed his seat on the committee

65. 251696 - ST BARNABAS CHURCH, ST BARNABAS CLOSE, HEREFORD, HEREFORDSHIRE, HR1 1DT

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 Mr Phelps and Mr Wood, local residents, spoke in objection to the application Mr Patient, 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 proposed care home was in a residential area and adjacent to two other care homes. It was recognised that the community space contained at the church was the only such facility in the electoral division of College and was a sad loss to local residents. There was a limited number of community buildings within the north of the city. However, it was also recognised that there was a need for high quality care facilities locally. Therefore a balance had to be struck between the need for care facilities and the potential loss of community facilities. It was noted that the rear of the site declined towards Admiral Close and the proposed building represented a significant change to the character of the site. The design represented a mix of materials, ridge heights and outlooks. In the absence of a predominant local vernacular the design was not considered out of keeping and the building would be unobtrusive when viewed from Venns lane. However, the building would overlook residential properties within Admiral Close and whilst it was recognised the windows had been removed to the rear of the building to mitigate overlooking and loss of privacy it was queried whether this was sufficient to address concerns regarding residential amenity. Further, there were concerns regarding the impact of lighting from the site on neighbouring properties, the substantial nature of the building proposed and the impact on the landscape and the view of the area from the city.

In accordance with the council's constitution, the adjacent ward member spoke on the application. In summary, he explained that the church represented a valuable community asset and an example of important local heritage. It was important to act responsibly in respect of the existing church and any decision to demolish was felt to be premature. A community consultation conducted by the diocese was raised in which the overwhelming majority of local residents had asked for the church to remain in use. A requirement in the NPPF that the loss of a community facility must be justified was undermined by the overwhelming support for the retention of the church within the local community. There was demand for facilities and space for local groups from the local community. A Bill, currently passing through parliament, was raised which was of relevance to the current decision to be considered by the committee; the bill concerned the protection of community facilities. The bat survey attached to the application was felt to be invalid as it had been undertaken at a time when bats were hibernating. Photographic evidence had been submitted by local residents which demonstrated the presence of bats on the site. There had been inadequate assessment of the heritage value of the site which was a requirement of the NPPF. The existing church offered a viable space for community use and the local community had expressed an ongoing interest in utilising the site. Any decision to demolish the church will be irreversible and the deferral or refusal of the application was urged to allow for proper ecological surveys, heritage assessments and further examination of alternative facilities for use by local community groups.

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

- There was concern regarding the process to secure certificate B relating to the access to the site which was understood to be across private land. Before any further work on the application was undertaken clarification was required regarding the status of this certificate;
- The scale of the building proposed, the massing on site and the proximity to nearby residential properties in Admirals Close was felt to represent an unacceptable and adverse impact on the landscape and residential amenity. The application was therefore contrary to core strategy policies SD1 and LD1;
- the application was in conflict with core strategy policy SC1, there was an absence of local community facilities locally and the building was still viable as a facility for the use of community groups.

The local ward member was given the opportunity to close the debate. In summary, he explained that the committee had engaged with the issues and whilst it was recognised there was a need for care facilities there was also the need for community facilities in the city.

The adjoining ward member was given the opportunity to close the debate. In summary, he explained the community use of the space had ended in April 2024 however there was local demand for community space.

Councillor Stef Simmons proposed and Councillor Catherine Gennard seconded a motion that the application be refused for the following reasons:

- The scale, massing and the proximity of the building to local residential dwellings represented an adverse impact on residential amenity and the landscape and was contrary to core strategy policies SD1 and LD1;
- The loss of community facilities was contrary to core strategy policy SC; there was an absence of alternative local community facilities and the building was felt to be viable as a space for local community groups; and
- Clarification was required regarding the status of certificate B in relation to the access to the site.

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

RESOLVED – that the application be refused for the following reasons:

- **The scale, massing and the proximity of the building to local residential dwellings represented an adverse impact on residential amenity and the landscape and was contrary to core strategy policies SD1 and LD1;**
- **The loss of community facilities was contrary to core strategy policy SC1; there was an absence of alternative local community facilities and the building was felt to be viable as a space for local community groups; and**
- **Clarification was required regarding the status of certificate B in relation to the access to the site.**

66. 51998 - LAND AT REAR OF MORTIMER COURT, BRIMFIELD, HEREFORDSHIRE, SY8 4NQ

Councillor John Stone acted as a local ward member for the applications below.

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 Mr Harris spoke on behalf of Brimfield and Little Hereford group parish council, Mr Norris, local resident, spoke in objection to the application and Mr Yarnold, 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 site was accessed by a narrow private road and two way movements were very difficult. The proposal for seven dwellings on the application site would generate a number of additional vehicle movements resulting in conflict between vehicles. It would be preferable for fewer dwellings on the application site given the local constraints. The parish council had expressed concerns regarding the application and opposed the proposal due to: road safety; insufficient parking on site; overdevelopment resulting in the loss of privacy in conflict with core strategy policy SD-1; and flood risk with potential for contamination of the land from local sewage infrastructure. The sewage system locally was inadequate with work required to the pumping station to renew its operation. It was recognised there was some support for the proposal which would introduce rental properties to the local area. Whilst the lack of a five year housing land supply required a presumption in favour there was concern that the view of the parish council was not taken into account. The NDP now had less weight as it was now 5 years old and the current application represented piece-meal development locally; local democracy and decision-making was undermined by the centralised imposition of housing targets. The application site was not in a sustainable location; the local area was lacking in services/facilities and local residents were dependent on cars.

The committee debated the application. It was recognised that there were certain constraints regarding the application site however it was acknowledged that there was a need within the county for two and three bedroom dwellings and rental properties. There was concern regarding arrangements for refuse collection from the site and it was felt that condition 13 should be a pre commencement condition that should be agreed in writing prior to construction of the development.

The Development Manager provided clarification that condition 13 could be required as a pre-commencement condition with final details for refuse management agreed prior to the construction of the development.

The local ward member was given the opportunity to close the debate. In summary, he explained that there was concern about the waste collection from the site and the cost to local residents of collection by private waste companies. Whilst it was noted that there was a need for more rental properties in the county these should be located in suitable locations. The objection of the parish council concerned: road safety relating to the access; insufficient parking on the site; uncertainty regarding refuse collection and arrangements on the site; inadequate sewage system; increased risk of flooding caused by hard standing within the development; and the adverse impact on local amenity resulting from the intensive location of properties on the site. The site was not in the NDP and there were better sites within the development boundary of Brimfield and Little Hereford. The view of the parish council was that the adverse impacts of the site outweighed the benefits therefore the presumption in favour could be overridden.

Councillor David Davis proposed and Councillor Peter Hamblin seconded a motion that the application be approved a change to conditions to require condition 13 to be discharged as a pre-commencement condition.

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

RESOLVED – that:

That officers named in the Scheme of Delegation are authorised to grant full planning permission subject to the conditions set out below, a change to conditions to require condition 13 to be discharged as a pre-commencement condition and any other further conditions considered necessary:

STANDARD CONDITIONS

Time limit

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved plans + materials

- 2. The development hereby permitted shall be carried out strictly in accordance with the approved plans listed below, and the materials as indicated on the Design and Access Statement (034 8001 P-00 / July 2025).**

- 0345-501 P-00 Proposed Site Plan**
- 0345-505 P-00 Proposed Ground Floor Plan 1 to 4**
- 034-507 P-00 Proposed First Floor Plan – Houses 1 to 4**
- 034-506 P-00 Proposed Ground Floor Plan – Houses 5 to 7**
- 034-512 P-00 Proposed Elevations**
- 034-509 P-00 Proposed Illustrative Site Plan**
- 034-510 P-00 Proposed Illustrative Site Plan**

Reason: To ensure adherence to the approved plans in the interests of proper planning and for the avoidance of doubt, in accordance with Policies SD1 the Herefordshire Local Plan – Core Strategy, Policies BLH1, BLH8 and BLH9 of the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

CONSTRUCTION PERIOD

Construction Management Plan

- 3. No development, other than site set-up works required for the creation of a site compound, site fencing, welfare facilities and enabling works necessary to facilitate the access-widening works approved under Condition 4, shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not necessarily be limited to:**

- construction traffic routing, HGV management and contractor parking;**
- measures to prevent obstruction of Wyson Lane and the private access road;**
- arrangements for loading/unloading and the storage of plant and materials;**
- dust, noise and vibration control measures;**
- hours of working and deliveries;**

- **pollution-prevention measures to avoid run-off, debris or materials entering the highway;**
- **details of utility installation works and measures to minimise associated disruption;**

The development shall be carried out strictly in accordance with the approved CMP.

Reason: To safeguard highway safety, residential amenity and the local environment during construction, in accordance with Policies MT1, SD1, LD1, LD2, LD3 and SS6 of the Herefordshire Local Plan – Core Strategy, Policy BLH1 of the Brimfield & Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Access widening

- 4. No development, other than site-set-up works and enabling works necessary to facilitate the access-widening, shall take place until the access road has been widened to 4.8 metres for the first 10 metres measured back from the edge of Wyson Lane, in accordance with Drawing T25543.001 Rev A (or any variation approved in writing by the Local Planning Authority).**

Once completed, the widened section shall be retained for the lifetime of the development.

Reason: To ensure safe two-way vehicle movements at the junction throughout the construction and operational phases, in the interests of highway safety, in accordance with Core Strategy Policy MT1, Policy BLH1 of the Brimfield & Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Vegetation clearance / ecology

- 5. No vegetation clearance, including removal of scrub, shall take place until the Local Planning Authority has been provided with written confirmation of the appointment of a suitably qualified ecologist. All vegetation clearance shall thereafter be carried out under the direct on-site supervision of the appointed ecologist, who shall remain present during clearance operations to ensure that no protected species are harmed. Any contingency measures recommended by the supervising ecologist during the works shall be implemented in full.**

Reason: To safeguard protected species and avoid harm to biodiversity in accordance with Policies SS6, LD1, LD2 and LD3 of the Herefordshire Local Plan – Core Strategy, the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Access surfacing / drainage

- 6. Prior to the commencement of any works to the access, a detailed scheme for the surfacing, levels and drainage of the private access road (from Wyson Lane to the development site) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but may not be limited to the following;**

- measures to prevent surface-water run-off onto Wyson Lane;
- permanent arrangements for maintenance.

The access shall be constructed in accordance with the approved details prior to the occupation of any dwelling and shall thereafter be retained.

Reason: To ensure that surface-water is managed appropriately and does not adversely affect highway safety or increase flood risk, in accordance with Herefordshire Local Plan - Core Strategy Policies SD3, MT1 and SD1, Policies BLH1, BLH12 and BLH14 of the Brimfield and Little Hereford Neighbourhood Development Plan and the National Planning Policy Framework.

Landscaping

7. With the exception of any site clearance and groundworks, no development shall take place until a detailed hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- species, planting densities and numbers;
 - details of boundary treatments;
 - surfacing materials;
 - tree and hedge protection measures during construction.

The approved scheme shall be completed in the first planting season following the first occupation of the dwellings or completion of the development, whichever is sooner.

Reason: To safeguard landscape character, visual amenity and biodiversity, in accordance with Policies LD1, LD2, LD3 and SD1 of the Herefordshire Local Plan - Core Strategy, Policies BLH8 and BLH9 of the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

PRIOR TO FIRST USE/OCCUPATION

Visibility splays

8. Prior to the first occupation of any dwelling, the visibility splays shown on Drawing T25543.001 Rev A shall be constructed in full, providing a 2.4 metre x 34.6 metre visibility splay to the west and a 2.4 metre x 33.2 metre visibility splay to the east, as measured from the centreline of the site access onto Wyson Lane.

No structure, vegetation or other obstruction exceeding 0.6 metres in height above the level of the adjoining carriageway shall thereafter be placed or allowed to grow within these visibility splays. All vegetation identified for removal or trimming to achieve the required sightlines on Drawing T25543.001 Rev A shall be cut back prior to first occupation and shall thereafter be maintained to ensure the splays remain unobstructed for the lifetime of the development.

Reason: To ensure adequate emerging visibility from the access in the interests of public highway safety, in accordance with Policy MT1 of the Herefordshire Core Strategy, the Brimfield and Little Hereford Neighbourhood Development Plan and the National Planning Policy Framework.

Water efficiency

- 9. Prior to the first occupation of any dwelling, 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 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

Parking and turning

- 10. Prior to the first occupation of any dwelling, the parking and turning areas serving that dwelling, as shown on the approved plans, shall be laid out, consolidated and surfaced in accordance with the details as approved under Condition 8. These areas shall thereafter be kept available for the parking and manoeuvring of vehicles and shall not be used for any other purpose for the lifetime of the development.**

Reason: To ensure adequate on-site parking and turning facilities are provided and retained in the interests of highway safety and the efficient operation of the local highway network, in accordance with Policy MT1 of the Herefordshire Local Plan – Core Strategy, Policy BLH1 of the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Cycle storage

- 11. Prior to the first occupation of any dwelling, details of secure and covered cycle storage for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be installed prior to the first occupation of the dwelling it serves and shall thereafter be retained and kept available for its designated purpose for the lifetime of the development.**

Reason: To promote sustainable transport, reduce reliance on private vehicles, and ensure appropriate provision for cyclists, in accordance with Policies MT1 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy BLH1 of the Brimfield & Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Swifts

- 12. Prior to the first occupation of any dwelling, photographic evidence demonstrating the installation of a minimum of three integrated swift nesting boxes, positioned in accordance with the approved plans, shall be submitted to and acknowledged in writing by the Local Planning Authority. The swift boxes shall be installed under the supervision of a suitably qualified ecologist to ensure appropriate height, aspect and placement, and shall be retained and maintained as installed for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To enhance biodiversity and provide ecological net gains in accordance with Policies SS6, LD1, LD2 and LD3 of the Herefordshire Local Plan – Core

Strategy, the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Waste strategy

13. Prior to the first occupation of any dwelling, a detailed Waste and Recycling Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- (a) the appointed private waste provider's details;**
- (b) written confirmation of a contract for waste and recycling collection;**
- (c) management arrangements for maintaining the contract;**
- (d) a Bin Collection Plan showing bin storage points, collection points, drag routes, gradients and accessibility;**
- (e) contingency arrangements should the provider withdraw; and**
- (f) an information pack for future residents outlining permanent waste and recycling arrangements.**

The approved scheme shall thereafter be implemented and retained for the lifetime of the development.

Reason: To ensure appropriate, safe and sustainable waste management to protect residential amenity and highway safety, in accordance with Policy SD1, MT1 and SS6 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

COMPLIANCE/OPERATIONAL

Surface water drainage

14. The development shall be carried out strictly in accordance with the approved surface-water drainage strategy, including the provision of plot-level soakaways as indicated on Updated soakaways location plan dated 14 January 2026.

No dwelling shall be occupied until the approved drainage systems serving it have been installed and are fully operational. The systems shall be retained and maintained thereafter.

Reason: To ensure satisfactory drainage, reduce flood risk and prevent pollution, in accordance with Policies SD3 of the Herefordshire Local Plan - Core Strategy, Policies BLH12 and BLH14 of the Neighbourhood Development Plan, and the National Planning Policy Framework.

Foul drainage

15. Foul water from the development shall be discharged to the public foul sewer network. No dwelling shall be occupied until connection to the mains sewer has been completed and is fully operational. The foul-drainage arrangements shall thereafter be retained and maintained for the lifetime of the development.

Reason: To ensure satisfactory foul-water disposal and to prevent additional nutrient pathways to the River Teme SSSI and the hydrologically linked River Clun SAC, in accordance with Herefordshire Local Plan - Core Strategy Policy SD4, the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

PV panels

- 16. The photovoltaic (PV) panels shown on approved drawing 034-512 Rev P-00 shall be removed from the dwellings in full once they become permanently inoperative, obsolete or no longer functional, and all roof surfaces shall thereafter be reinstated using materials to match the host dwelling, unless otherwise first approved in writing by the Local Planning Authority.**

Reason: To ensure that the appearance of the dwellings remains satisfactory in the long term and to safeguard local character, in accordance with Herefordshire Local Plan - Core Strategy Policies SD1, SD2 and LD1, Policies BLH8 and BLH9 of the Brimfield and Little Hereford Neighbourhood Development Plan, and Section 12 of the National Planning Policy Framework.

There was an adjournment at 12:57 p.m.; The meeting reconvened at 12 59 p.m.

67. 252059 - TEMESIDE INN, LITTLE HEREFORD, LUDLOW, HEREFORDSHIRE, SY8 4AT

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 Mr. Harris spoke on behalf of Brimfield and Little Hereford group parish council, Mr Comley local resident and Mr Haslam, CAMRA, spoke in objection to the application and Mr Leonard, the applicant, spoke in support.

In accordance with the councils constitution the local ward member spoke on the application. In summary, he explained that the pub had been closed since February 2020 and the buildings were now in a state of disrepair. There had been a worrying trend concerning the closing of pubs nationally and the closure of the Temeside Inn was a great loss to the village of Little Hereford. The parish council strongly objected to the application which had also received a number of objections. The application was contrary to core strategy policy SC1 as there were no other local facilities as alternatives to the pub. The loss of a local pub also was contrary to core strategy policies RA6 and SS1. Concerns regarding flooding were queried as the impact on a private dwelling would be similar to that on a pub. The pub offered jobs to local people, it was popular with tourists and contributed to the local economy. Other local community facilities, such as village halls were not suitable alternatives to the pub which also help to address isolation and loneliness.

The committee debated the application and was divided regarding the acceptability of the proposals to agree a change of use of the public house to a dwelling house.

It was the contention of some members of the committee that given the flooding of the pub and the inability to secure public liability/flooding insurance that the pub was no longer a viable commercial enterprise and that the application should be approved.

Other members of the committee were concerned that the application represented the loss of a vital community facility for which there was no adequate alternative locally which was contrary to core strategy policy SC1 and policy BLH 6(a) of the local neighbourhood development plan. It was felt that insufficient evidence had been provided that the pub had been adequately marketed recently. The loss of such an important element of a local facility would undermine the retention and development of

accessible local services and community facilities which was contrary to paragraph 88(d) of the NPPF.

The local ward member was given the opportunity to close the debate. In summary, he explained that significant local flood events has occurred in 2007 and 2020. There had been no recent evidence provided of the marketing of the pub. It had not been adequately demonstrated that the pub was no longer required nor that it was no longer viable nor that there were appropriate alternative facilities local to the area.

Councillor Bruce Baker proposed and Councillor Dave Davis 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 lost by a simple majority.

Councillor Matthew Engel proposed and Councillor Simeon Cole seconded a motion that the application be refused for the following reasons:

- insufficient evidence had been supplied with the application that the pub had been adequately marketed recently as an ongoing concern;
- the alternatives to the facility identified were not adequate which was contrary to core strategy policy SC1 and policy BLH6(a) of the Brimfield and Little Hereford neighbourhood development plan; and
- the loss of the pub would undermine the retention and development of accessible local services and community facilities which was contrary to paragraph 88(d) of the NPPF.

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

RESOLVED – that the application be refused for the following reasons:

- **insufficient evidence had been supplied with the application that the pub had been adequately marketed recently as an ongoing concern;**
- **the alternatives to the facility identified were not adequate which was contrary to core strategy policy SC1 and policy BLH6(a) of the Brimfield and Little Hereford neighbourhood development plan; and**
- **the loss of the pub would undermine the retention and development of accessible local services and community facilities which was contrary to paragraph 88(d) of the NPPF.**

68. APPENDIX - SCHEDULE OF UPDATES (PAGES 15 - 32)

The meeting ended at 2.05 pm

Chairperson



Supplement to the agenda for

Planning and Regulatory Committee

Wednesday 25 February 2026

10.00 am

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

Schedule of Updates

Public Speakers

Pages

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17 - 18

PLANNING COMMITTEE

Date: 25 FEBRUARY 2026

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

252698 – CHANGE OF USE OF BUILDING TO STORAGE (USE CLASS B8) (RETROSPECTIVE) AT PONDEROSA, TWYFORD COMMON ROAD, RIDGEHILL, HEREFORD, HR2 8AE

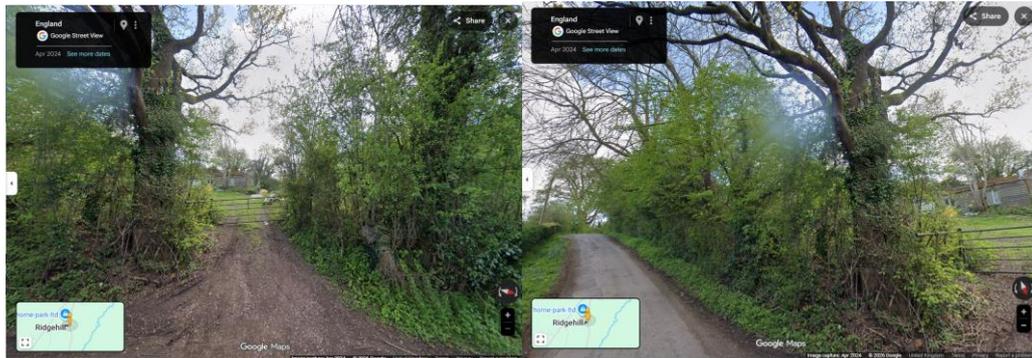
For: Mr & Mrs Shaw per Mr Tom McEwen, The Rough Farm, Garway Hill, Herefordshire, HR2 8HD

OFFICER COMMENTS

In response to a number of queries which were raised during the site inspection:

- Condition 8 of the recommendation states: *“No goods, plant, materials or machinery associated with the approved use of the building shall be deposited or stored outside the building or land within the application red line boundary at any time.”*
- Hardstanding can be installed under permitted development provided it uses porous/permeable materials (e.g., gravel, permeable concrete block, or porous asphalt) that allow water to drain naturally.
- As part of the site clearance that was undertaken during early 2025 which includes part of the site boundaries for this application, a Planning Enforcement officer visited the site to inspect what had been undertaken as part of wider alleged breaches which relate more to the wider site. They sought a second opinion from the Council’s Tree Officer who did not identify that the trees removed would benefit from a Tree Protection Order (TPO). The Council’s Ecologist, whom has been consulted on this particular planning application, has not raised concerns in terms of the Hedgerow Regulations. To assist, photographs taken by the Enforcement officer in April 2025 are provided below along with how the site was prior to works commencing in Streetview images from April 2024:





In terms of mitigation in lieu of the removal of vegetation undertaken, this can be secured by planting and, if needs be, a condition. Officers would emphasise and exercise some caution that this site is small scale and that the application is essentially a change of use only and thus conditions for additional landscaping should be carefully considered in terms of the tests of use of planning conditions.

Members may wish to be aware that there was previously a permitted development right that, subject to Prior Approval under Class P of the General Permitted Development Order (as amended), did allow for change of use from use class B8 (storage and distribution) to use class C3 (residential). However, any application under that prior approval Class P needed to have been granted on or before 10th June 2019 such that development would not be permitted under Class P if an application was made after this date. A link to the relevant legislation can be accessed here:

<https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/3/crossheading/class-p-storage-or-distribution-centre-to-dwellinghouses>

As stated in the officer report, the lawful baseline use of Ponderosa in planning terms is a stable block but there has been no update to Class P through statutory instruments since as far as officers are aware. Given the current status of the General Permitted Development Order (as amended), officers would view that Class P is essentially defunct though members should remember they are only to consider the application that is before them.

NO CHANGE TO RECOMMENDATION

251696 - PROPOSED DEMOLITION OF EXISTING CHURCH. ERECTION OF 52 BED CARE FACILITY ON THREE FLOORS WITH ANCILLARY AREAS AND PARKING AT ST BARNABAS CHURCH, ST BARNABAS CLOSE, HEREFORD, HEREFORDSHIRE, HR1 1DT

For: Mr Patient per Mr Michael Driver, The Old Grain Store, Sir Johns, Hengrave, Bury St. Edmunds, Suffolk, IP28 6NB

ADDITIONAL REPRESENTATIONS

There are two additional representations received:

- 1. See presentation from Simon Patient at Appendix 1**
- 2. Correspondence from Tim Phelps – in full below.**

In my short speaking time slot tomorrow, I will raise an issue alluded to, but not spelled out, by your case officers summary, and on this basis, I reckon the planning committee would almost certainly be in breach of their statutory duties under Core Strategy Policy SC1, if approval were to be given at present.

That SC1 Directive- referred to on pages 71 and 76, sections 6:51-53 and also referring to further para. 5.1.33 of Core Strategy document , obliges you to protect and retain existing social and community facilities except in very specific circumstances, and the proposals before you have completely failed to truthfully demonstrate that these conditions have been met.

Please additionally note: it is NOT acceptable within the terms of the Directive to substitute a nursing home extension in place of demolition and loss of sound community facilities, from which many more people benefit, and for which this Directive affords protection.

I will not be able to outline the many ways in which this proposal fails to align with the Directive's requirements in my short speaking time, and therefore I set them out below, so you have the information available with which to inform your decision making process.

The Policy wording of SC1- Social and Community Facilities, your notes page 76, states Existing facilities WILL be retained unless:

- 1) It can be demonstrated that appropriate alternative facilities are available, or can be provided;*

This has NOT been demonstrated; The largest group previously regularly using this building and site for meetings , several times a week , for groups of up to 100+, despite searching continuously over the last nearly 2 years, since having to leave, have found nowhere close to suitable or equivalent within the whole City of Hereford, of scale, condition and access. That search goes on; the demand is still there.

Hereford is short both of funds and available premises to provide alternative large size community buildings in sound condition.

2) It can be shown that the facility is no longer required, viable or fit for purpose

This has NOT been demonstrated; Yes , the Church of England no longer needs it, but its Church Commissioners and Local Agents have brazenly and deliberately withheld use from other eligible groups and obstructed other Christian groups from continuing to fulfill- possibly as fully as ever in its entire history- the founder and donor's vision that the building should be a centre in this part of town for christian worship and community use.

It is also worth noting in passing, that one of the 120+ robust objections sent to the Church Commissioners when they put forward proposals for closure and demolition, was by the well regarded local vicar of St.Pauls Tupsley, (now retired) who strongly supported the continuation of Oasis Church and other christian groups use of the premises as desirable and appropriate. Sadly the Church Commissioners were not listening, and were only intent on their predetermined course, whatever anyone else said.

The church / community building can be , with updating and maintenance,, and can continue to be ,a community asset fit for purpose, without cost to the council or ratepayers of the district; my understanding of the directive is that in such circumstances, the facility must be retained for community use- and nothing else overrides this statutory requirement.

3) Has been vacant- yes-, but for less than two years, and only because antagonistic policies of owners were intent on maximising profit at sale by demolishing the established building , and forcing out existing other church group users, so it could be marketed as a development site rather than honouring the statutory planning SC1 Directive, where the requirement is that such community assets must not be removed.

4) Has been marketed for community use without success; I understand a significant offer was made by the existing church group using the building, but this was rejected, because owners were intent on profit maximisation, on basis of higher open market price of a development site- although no such permission had been granted- and may not legally be able to be made- for demolition.

5)Finally- your officers report section 6:55; Tensions (of policy directives) are noted.

BUT I contest, the following statement then made:

'But the likelihood of the site being used for its original intended purpose (ie as a centre for christian worship and community use) is negligible'

- for all the reasons outlined above.

As said, I reckon it to be your statutory duty to retain these premises for continued church and community use, as required in the SC1 directive, unless suitable equivalent building, in size and decent condition and access can be provided within the City for continuing and future church and community use.

Possibly the only other way this directive could be complied with, allowing, with regret , this decent local landmark and building and vision to be erased, would be for the developer to be obliged, before demolition can be approved, to provide the council with the full sum, probably of between £500k-£700k, of the open market value of the community asset to be lost,- based on valuation with existing community use permissions- as a ring marked sum

strictly only to build/ upgrade or refurbish an alternative large building within the city available for larger church and community groups for the future.

Please stand up for the whole local community and fulfill your statutory obligations by insisting on the correct full implementation of the spirit and letter of the SC1 Directive, and ensure that deep pocketed developers cannot simply roll you over and rob the community of a valued church and community asset; either insist it is protected and retained , or if not, ensure the community is fully reimbursed, ahead of development, so the council can provide suitable replacement equivalent public premises, funded by the developer.

NO CHANGE TO RECOMMENDATION

251998 - PROPOSED CONSTRUCTION OF SEVEN HOUSES AND ASSOCIATED LANDSCAPING AT LAND AT REAR OF MORTIMER COURT, BRIMFIELD, LUDLOW, HEREFORDSHIRE, SY8 4NQ

For: Mr Yarnold, Bannals Lane, Stoke Bliss, Tenbury Wells, WR15 8RZ

During the Committee Site Visit, a query was raised re the bedroom numbers of the proposed dwellings.

For the avoidance of doubt and to clarify the contradiction between paragraphs 2.1 (incorrect) and 7.26 (correct), it is confirmed that proposal includes 5no. 2-bedroom dwellings and 2no. 3-bedroom dwellings.

NO CHANGE TO RECOMMENDATION

252059 - PROPOSED CHANGE OF USE OF PUBLIC HOUSE TO A SINGLE DWELLINGHOUSE WITH NEW PORCH, PARTIAL DEMOLITIONS AND ASSOCIATED EXTERNAL WORKS AT TEMESIDE INN, LITTLE HEREFORD, LUDLOW, SY8 4AT

For: Mr Leonard per Mr DF Baume, 8 Peak View, Bollington, Cheshire, SK10 5GJ

CORRESPONDENCE RECEIVED FOLLOWING PUBLICATION OF AGENDA / REPORT.

Members of the Planning and Regulatory Committee received email correspondence dated 23 February 2026 making further comments in respect of the application, and the contents of the Committee Report.

It is copied below in full.

Dear Councillor,

I am writing to you on behalf of CAMRA (the Campaign for Real Ale) on the matter of a planning application appertaining to the Temeside Inn at Little Hereford, that is due to be determined by the Planning & Regulatory Committee on Wednesday 25th February. It is quite unprecedented for CAMRA to deem it necessary to write to the members of a council

Schedule of Committee Updates

planning committee, but there are grave concerns that the recommendation by the planning case officer to approve the application to convert the Temeside Inn into a dwelling would result in the unnecessary loss of the pub. I would be very grateful if you would indulge me and read the following. Please note that this letter is also copied to the planning officer, Mr Ollie Jones, as a matter of courtesy.

The officer's report (that supports the recommendation) concedes that alternative provision (i.e. other pubs) are not within walking distance of Little Hereford. Furthermore, he also acknowledges that there has not been any recent effort made to market the premises for sale as a pub business. CAMRA asserts that there would be interest in acquiring the pub if it were to be offered for sale at a realistic price. There are strong reasons to support this position:

- Attached to this e-mail is a statement made by a previous operator of the Temeside Inn. The fact that she ran a successful business there for ~2 years needs to be noted. (this document is cut and pasted from the planning file)
- Due to a history of flooding, the applicant states that he has not been able to obtain insurance to cover the pub premises. However, there are numerous other pubs across the county that have recently been inundated by flood water, including the Dog Inn and Temple Bar in Ewyas Harold and the Bridge Inn at Michealchurch Escley. Whilst it will have been traumatic for the pub-owners at the time, the fact that all these venues promptly re-opened and are successfully trading again demonstrates that it is possible to own and/or operate a viable business in a flood-prone pub.
- Besides the loss of the last commercial social amenity, what also needs to also be considered is the economic impact that would be felt should the Temeside Inn be converted into a house. It offers employment in a rural area; provides demand for goods and services in the supply chain, and as a destination pub it adds to the tourist, day-tripper and the dining offer for Herefordshire.
- A number of Herefordshire pubs that had been closed for periods all longer than the Temeside Inn have recently re-opened. These include the Lamb Inn at Stoke Prior; the Kings Head at Docklow, and the Riverside Inn at Ross. Earlier this month the Cliffe Arms at Mathon was purchased and is now slated for refurbishment ahead of re-opening later this year. Between them these four pubs were closed for a total of over 48 years. It was only the action of Herefordshire Council declining change of use planning applications at various times for all of these pubs that ultimately brought them back onto the pub property market. Without those positive planning interventions all these pubs would have been lost forever. Under new ownership, they are now thriving and serving their local communities once more. Surely, the Temeside Inn now deserves its chance?

For these reasons, it is CAMRA's strongly held view that there is great merit in seeking to see the Temeside Inn marketed for sale as a pub. Whilst there exists a likelihood that long term social and economic harm to the community of Little Hereford can be avoided, this should be considered. However, this outcome can only be achieved if this application is resisted.

Thank you for taking the time to read this letter.

Best regards,

Mark Haslam

On behalf of HEREFORDSHIRE CAMRA

A further letter from **Abbigael Court, 48 Honddu Court, Hereford** has also been received and is copied in full below:

Temeside Inn, Little Hereford

I have been informed that a planning application has been put in to convert the Temeside Inn into a house. Having run this pub from February 2015 to March 2017 I would like to share my experiences of running the business there. Firstly, it needs to be made clear that I ran a successful and profitable business at the pub for the whole time I was there as the leaseholder. It was always very well supported, not just by locals but by visitors too. It helps a lot that it is on a main road, and it's riverside setting made sure it was very busy on fine days in the summer. Also, the hosting of events including private parties by the likes of the local Young Farmers, Weddings, Shoot Dinners, Christmas meals for local business' made for a strong trade across the whole year. We also had 2 pool teams, the Tenbury men's and woman's tug of war team, the local choir, WI, would all use us as a base bringing in lots of trade on quieter days and winter. The locals were so supportive of the pub even after being closed for some time before I reopened. It also got regular trade from the nearby caravan site at Westbrook, the site doesn't have its own clubhouse, so the pub is a major attraction for their visitors. I can't see how the Temeside could suddenly become unprofitable. I think if it were to re-open that there is no reason why it shouldn't do a good trade once more. The things that made it successful have not gone away. Should you require evidence of my successful business at the Temeside Inn, then I would be happy to provide copies of my books for the time I was there.

OFFICER COMMENTS

The correspondence from CAMRA reiterates matters previously raised during the consultation and their representation at that stage, including arguments relating to the continued viability of the public house, the absence of recent marketing, flood risk and insurance considerations, and the social and economic value of the facility. These matters have been fully summarised and addressed in the published Committee Report, particularly within the assessment against Core Strategy Policy SC1 and Policy BLH6 of the Brimfield and Little Hereford NDP.

The officer recommendation does not rely on a conclusion that the public house is no longer viable or required, but instead is based on the alternative-provision limb of the relevant development plan policies. The correspondence does not raise any new material planning considerations and does not alter the officer's assessment or recommendation.

NO CHANGE TO RECOMMENDATION



Heritage Manor – St Barnabas site 25 February 2026

Presentation of plans

Who are Heritage Manor?



- Small group of five nursing homes operating in Herefordshire and Worcestershire for over 30 years;
- Employ over 300 staff, and proud to say runner-up at 2025 Care Employer of the Year for Great British Care Awards;
- Owner of Newstead House in Hereford since 2016, adjacent to the proposed development;
- Newstead won Top 20 home in Midlands three times in last five years, along with Gold Standard Framework for palliative care
- Our homes have a very good reputation with Herefordshire council quality teams, and I believe CQC;
- We are looking to build and then operate ourselves the St Barnabas site for many years to come.



MISSION STATEMENT

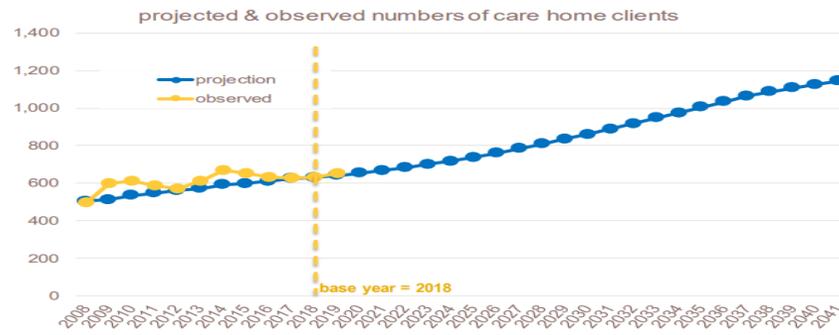
To provide warm and friendly care within a homely environment, delivered by well-trained and motivated staff, to enable residents to live their best lives.



Is Newstead House meeting that mission?



- We are fully staffed, unlike the majority of Herefordshire homes;
- Our challenge now is that not all rooms are en-suite, the home is not purpose-built and access outside can be problematic for certain residents;
- To continue to “enable residents to live their best lives”, we need larger and modern rooms, easy-to-use communal space, better access outside and living space designed for couples;
- Without the ability to adapt, older homes will have to close;
- 2025 H&W ICB figures predict a 50% increase in the over 85 demography to 2030, the key segment that we look after, and HCC figures confirm this. There is a pressing need.



Source: Herefordshire MPS Apr21

Review: My Father was part of the Newstead family, from June 2024, until he passed away in November 2025. We were always welcomed when we visited and, as we live in Yorkshire, we were always kept updated on Dads health. Dad, wasn't one to always join in with the activities, but was always given the option to take part if he wished to. Many of the staff and management, at Newstead, have become friends and their care and compassion for Dad throughout his time there, always made us feel he was safe and secure, when we couldn't be there at all times.

The way they cared for Dad, especially, in the last few days of his life was exceptional, as is the support that we have received, since he passed. Thank you all so much.

Overall Experience ★★★★★	Facilities ★★★★★	Care / Support ★★★★★	Cleanliness ★★★★★
Treated with Dignity ★★★★★	Food & Drink ★★★★★	Staff ★★★★★	Activities ★★★★★
Management ★★★★★	Safety / Security ★★★★★	Rooms ★★★★★	Value for Money ★★★★★

Review: Our Mum lived at Newstead for 4 years and over that time her health condition meant she gradually became more frail until, sadly, she passed away in September 2025. During that time Mum's changing needs were well catered for-even when her involvement in group activities lessened the Activities team would spend time with Mum on a 1:1 basis. The carers were very good and supported Mum with her daily needs and established and maintained a good rapport with Mum and the family. The care Mum received in her final days was exceptional and much appreciated by my sisters and myself. Thank you to all the staff at Newstead.

Overall Experience ★★★★★	Facilities ★★★★★	Care / Support ★★★★★	Cleanliness ★★★★★
Treated with Dignity ★★★★★	Food & Drink ★★★★★	Staff ★★★★★	Activities ★★★★★
Management ★★★★★	Safety / Security ★★★★★	Rooms ★★★★★	Value for Money ★★★★★

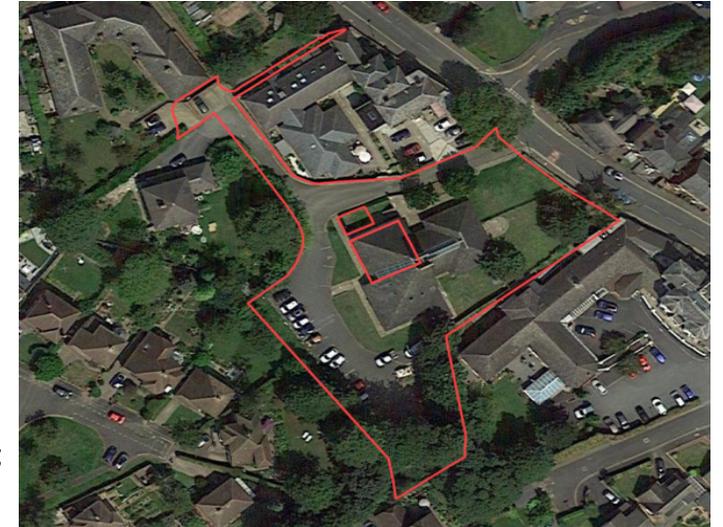
Review: Mum lived at Newstead for over three years before she passed away in July 2025. She was very well cared for throughout the whole time she was there but the care she received at the end of her life was exceptional and she was treated with great dignity and respect. Our family were always welcomed at the home and my father in particular became part of the Newstead family. He visited every day and was encouraged to join in with the activities with Mum and then as an individual when Mum was no longer able to join in (but would sit and watch). In fact he still goes to the home several times a week to join in his favourite activities and is always welcomed as an old friend. It is incredibly, incredibly rare for any bank staff to be on shift and I am sure that this contributes to staff creating a family atmosphere. All staff are friendly and kind - the manager, nursing staff, health care assistants, cleaners and kitchen staff equally and they greet you when you arrive. A really lovely home.

Overall Experience ★★★★★	Facilities ★★★★★	Care / Support ★★★★★	Cleanliness ★★★★★
Treated with Dignity ★★★★★	Food & Drink ★★★★★	Staff ★★★★★	Activities ★★★★★
Management ★★★★★	Safety / Security ★★★★★	Rooms ★★★★★	Value for Money ★★★★★

Journey to today



- Without significant capital investment, the longer term viability of the existing home will become progressively more difficult. An approval will allow us to re-configure the existing home;
- We have spent two years working with Heather Carlisle and her team, going through three pre-apps to produce a design appropriate to the site;
 - Pulled building back from road and neighbours, along with significant reductions in height and mass;
 - Incorporated feedback historic buildings officer and council architect on design;
 - Worked with Councillor Ben Proctor and consulted with Admiral's Close neighbours;
 - Fundamental to the design is access to the outside and fresh air.
- Final design commercially not ideal at 52 beds compared to modern care home builds, but it works complementary to the existing home.
- There will not be a physical link between the two buildings, and we will be offering nursing provision;



PLANNING and REGULATORY COMMITTEE

25 February 2026

PUBLIC SPEAKERS

Ref No.	Applicant	Proposal and Site	Application No.	Page No.
6	Mr & Mrs Shaw per Mr Tom McEwan	Change of use of building to storage (Use Class B8) (retrospective) at PONDEROSA, TWYFORD COMMON ROAD, RIDGEHILL, HEREFORD, HR2 8AE	252698	25
OBJECTOR		MR WHURR (Local Resident)		
7	Mr Patient per Mr Michael Driver	Proposed demolition of existing Church. Erection of 52 Bed care facility on three floors with ancillary areas and parking at ST BARNABAS CHURCH, ST BARNABAS CLOSE, HEREFORD, HEREFORDSHIRE, HR1 1DT	251696	43
OBJECTOR		MR PHELPS & MR WOOD (Local Residents)		
SUPPORTER		MR PATIENT (Applicant)		
8	Mr Yarnold per Mr Mark Yarnold	Proposed construction of seven houses and associated landscaping at LAND AT REAR OF MORTIMER COURT, BRIMFIELD, HEREFORDSHIRE, SY8 4NQ	251998	103
PARISH COUNCIL		MR HARRIS (Brimfield and Little Hereford Group Parish Council)		
OBJECTOR		MR NORRIS (Local resident)		
SUPPORTER		MR YARNOLD (Applicant)		
9	Mr Leonard per Mr DF Baume	Proposed change of use of public house to a single dwellinghouse with new porch, partial demolitions and associated external works at TEMESIDE INN, LITTLE HEREFORD, LUDLOW, HEREFORDSHIRE, SY8 4AT	252059	129
PARISH COUNCIL		MR HARRIS (Brimfield and Little Hereford Group Parish Council)		
OBJECTOR		MR COMLEY (Local resident)		
SUPPORTER		MR LEONARD (Applicant)		

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	18TH MARCH 2026
TITLE OF REPORT:	243167 - PROPOSED IMPROVEMENTS TO EXISTING ACCESS ARRANGEMENTS TO FACILITATE THE LAWFUL USE OF LAND AS ALLOTMENTS AND ANCILLARY WORKS TO INCLUDE SIGNS, SHEDS AND A COMPOSTABLE TOILET AT LAND TO THE REAR OF BOYCOTT ROAD, ROSS ROAD, HEREFORD, HR2 7RL For: Ms Shannon per Mr Ben Greenaway, Po Box 937, Worcester, WR4 4GS
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=243167&search-term=243167
Reason Application submitted to Committee - Redirection	

Date Received: 12 December 2024 Ward: Red Hill Grid Ref: 350616,238885

Expiry Date: 9 December 2025

Local Members: Cllr Dan Powell

1. Site Description and Proposal

- 1.1 The application site lies to the rear of Boycott Road and is accessed off the Ross Road (A49). The private access from the A49 trunk road is well established and is currently secured by a gate at the far end. There is a singular bench and rubbish bin on the site.
- 1.2 The application seeks planning permission for improvements to existing access arrangements to facilitate the lawful use of land as allotments together with ancillary works to include signs, sheds and a composting toilet. There is proposed to be one garden shed sited per allotment with a maximum of 20 allotments.
- 1.3 The application has been supported by the following:
 - Supporting Statement
 - Appendix 1 – Signage details
 - Site Location Plan
 - Amended Proposed Site Plan and Elevations December 2025
 - Supporting Information - letters of support from Connexus and The Aconbury Centre
 - Photographs relating to commencement of use
 - Letter from Hereford Allotment and Leisure Gardener Trustees
 - Preliminary Ecological Appraisal and BNG Assessment
 - The Statutory Biodiversity Metric
 - Baseline habitat map February 2025
 - Proposed habitat map February 2025

Further information on the subject of this report is available from Miss Amber Morris on 01432 260855

- 1.4 The application and background papers can be accessed on the website:
<https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=243167&search-term=243167>

2. Policies

2.1 The Herefordshire Local Plan Core Strategy (CS):

SS1 – Presumption in favour of sustainable development
 SS4 – Movement and transportation
 HD1 – Hereford
 SC1 – Social and community facilities
 OS3 – Loss of open space, sport and recreation facilities
 MT1 – Traffic management, highway safety and promoting active travel
 LD1 – Landscape and townscape
 LD2 – Biodiversity and geodiversity
 SD1 – Sustainable design and energy efficiency
 SD3 – Sustainable water management and water resources
 SD4 – Waste water treatment and river water quality

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

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

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application.

2.2 Hereford Area Plan (HAP):

The Hereford Area Plan was intended to set out detailed proposals to ensure the delivery of the targets for the city in the adopted Core Strategy.

However, on 9 November 2020 the Cabinet Member for Infrastructure agreed that work on the Hereford Area Plan should be stopped with immediate effect and that any elements of the evidence base collected so far should be used as part of the new Local Plan (the revision of the Herefordshire Core Strategy).

2.3 The National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development
 Section 4 – Decision Making
 Section 8 – Promoting healthy and safe communities
 Section 11 – Making effective use of land
 Section 12 – Achieving well-designed places
 Section 15 – Conserving and enhancing the natural environment

https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

3. Planning History

Application no.	Description	Decision
P241928/V	Application for a Lawful Development Certificate for a proposed use of land as allotments.	Approved
P231150/F	Change of use of previously used land as a play area (Class F2), into allotments.	Withdrawn

4. Consultation Summary

Statutory Consultations

4.1 National Highways – 10 March 2025 – Approve with conditions

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

National Highways considers planning applications for new developments under the requirements of the National Planning Policy Framework (NPPF) and DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development (“the Circular”). The latter document sets out our policy on sustainable development and our approach to proposals which may have an impact on our network.

The SRN in the vicinity of the proposed development is the A49 trunk road.

Development Proposal

The application is for the proposed improvements to existing access arrangements to facilitate the permitted use of land as allotments and ancillary works to include signs, sheds and a compostable toilet

Access track

The access track leads directly onto the A49 which is part of the SRN. National Highways note the track and turning circle is going to be excavated and terram membrane will be laid with type 1 granular subbase, which will be compacted with a heavy roller. This will ensure mud and detritus is not taken onto the SRN.

Furthermore, signs are going to be used to advise drivers that vehicles exiting the A49 onto the track have priority. This will require any vehicle on the track to reverse back to the turning circle to allow the oncoming vehicle to exit the A49 safely. This should ensure vehicles are not waiting on the A49 and do not need to reverse back onto the A49. The turning circle within the site will allow vehicles to turn around to ensure vehicles exit the site in a forward gear.

The supporting statement acknowledges that there will be more vehicles using the track during construction than during operation. National Highways will require consulting on a construction traffic management plan (CTMP). The plan will need to include measures for ensuring that there is no mud or detritus tracked or dropped onto the SRN. It will also need to include measures to manage the traffic impact of workers and construction vehicles (including abnormal loads) to avoid the busiest times on the SRN. This can be dealt with through a suitably worded planning condition.

Further information on the subject of this report is available from Miss Amber Morris on 01432 260855

National Highways Recommendation

Condition 1: Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A49 trunk road). The plan shall include as a minimum:

- a. Details of deliveries to site including times (to avoid the peak hours) and types of vehicles.
- b. Details of the equipment that will be used and location of the equipment and vehicles. To ensure that all plant, equipment and vehicles are accommodated within the site, with no parking, materials storage or loading/unloading taking place within the A49 Highway verge or direct accesses.
- c. Clear and detailed measures to prevent debris, mud, detritus and dust being distributed onto the Local highway and SRN. This should include details of wheel washing and dust monitoring.
- d. Waste management.
- e. Protection measures for hedgerows and grasslands.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A49 trunk road and to satisfy the reasonable requirements of road safety.

Internal Council Consultations

4.2 Area Engineer Team Leader

Updated comments 23 April 2025 – Approve with conditions

Following the previous correspondence and comments from the LHA the previous comments are still relevant to the recently submitted amended plans as below

“Following the comments received from National highways the local highways authority makes the following comments.

There is an established lawful use of the site for allotments, and the access lane is currently used by a neighbouring property and for the management and maintenance of the site.

National highways have not raised any objections to the proposed use of the land and are happy with the proposed access arrangements with the priority of entering vehicles onto the site and associated signage but have requested the following condition be attached should the permission be granted.

It is proposed that there will be a drop off area on site and no parking available. It is proposed that the allotments will be offered to local residents who are able to walk to the site or use sustainable modes of transport.

In line with the submitted opinions of National highways, the LHA have no objections to the application with the following conditions.”

Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority

(in consultation with the Highway Authority for the A49 trunk road). The plan shall include as a minimum:

- a. Details of deliveries to site including times (to avoid the peak hours) and types of vehicles.
- b. Details of the equipment that will be used and location of the equipment and vehicles. To ensure that all plant, equipment and vehicles are accommodated within the site, with no parking, materials storage or loading/unloading taking place within the A49 Highway verge or direct accesses.
- c. Clear and detailed measures to prevent debris, mud, detritus and dust being distributed onto the Local highway and SRN. This should include details of wheel washing and dust monitoring.
- d. Waste management.
- e. Protection measures for hedgerows and grasslands.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A49 trunk road and to satisfy the reasonable requirements of road safety.

Further comments 1 January 2026 – Approve with conditions

Following the comments received from National Highways the local highways authority makes the following comments.

There is an established lawful use of the site for allotments, and the access lane is currently used by a neighbouring property and for the management and maintenance of the site.

National Highways have not raised any objections to the proposed use of the land and are happy with the proposed access arrangements with the priority of entering vehicles onto the site and associated signage but have requested the following condition be attached should the permission be granted.

It is proposed that there will be a drop off area on site and no parking available. It is proposed that the allotments will be offered to local residents who are able to walk to the site or use sustainable modes of transport.

In line with the submitted opinions of National Highways, the LHA have no objections to the application with the following conditions

Conditions –

Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A49 trunk road). The plan shall include as a minimum:

- a. Details of deliveries to site including times (to avoid the peak hours) and types of vehicles.
- b. Details of the equipment that will be used and location of the equipment and vehicles. To ensure that all plant, equipment and vehicles are accommodated within the site, with no parking, materials storage or loading/unloading taking place within the A49 Highway verge or direct accesses.
- c. Clear and detailed measures to prevent debris, mud, detritus and dust being distributed onto the Local highway and SRN. This should include details of wheel washing and dust monitoring.

- d. Waste management.
- e. Protection measures for hedgerows and grasslands.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A49 trunk road and to satisfy the reasonable requirements of road safety.

Original comments 5 March 2025 – Further information required

The Local highways authority has considered the submitted documents and makes the following comments.

It is noted that the proposed access to the allotments links onto the A49 Ross Road which is part of the National Highways network and as such National Highways need to be consulted before the LHA can offer comments on the application.

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

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

4.3 **Natural Environment Service (Ecology)** 18 August 2025 – No objection

As agreed with Natural England where 'Full Householder' or similar applications do not create any additional, potentially self-contained residential or overnight accommodation or identified significant additional foul water flows and no other effects are identified they can be considered as screened out from triggering any formal Habitat Regulations Assessment process.

- No new or additional overnight accommodation is being created.
- No new or additional nutrient pathways are created and pathways from proposed composting toilet are considered as already accommodated within the residential allowance for the allotment holders and any other local residents utilising the site.
- Any nutrient pathways from proposed composting toilet will be managed onsite
- No triggers requiring a formal HRA appropriate assessment are identified for this specific development at this location.

Statutory Biodiversity Net Gain

The supplied information seems relevant and appropriate. The approved net gain will be secured by condition for the minimum 30 years. The required statutory BNG 'discharge' will need to be completed subsequent to any grant of planning permission but PRIOR to any permitted use or works commencing. The discharge should include details of how the proposed gains will be delivered, managed and monitored for the minimum 30 year period (simple HMMP) and a final statutory BNG Metric. The BNG scheme must be based on final plans approved.

There are no other ecology comments for this specific application at this location.

4.4 **Open Spaces Planning Officer**

4.4.1 Final comments 12 December 2025 – Further information required

The applicant has submitted further comments in relation to the loss of open space at Boycott Road Hereford for use as allotments and associated ancillary facilities subject to this planning application.

Additional information is required in support of both national and local planning policies: NPPF paragraph 103 requires provision of what open space and, recreational opportunities required in a local area to be based on robust assessments of need and CS policy OS3 requires the loss of open space to result in an equally beneficial replacement or enhanced existing facility to the local community.

My responses are set out below in red:

- 1 The site is not a "pocket park " as has been asserted: it is a small area of moderate quality grassland (see the Preliminary Ecological Assessment and BNG Report submitted in February 2025); the use of the site for allotments will improve the site's quality (see the Preliminary Assessment and BNG Report, paras 5.1 - 5.4, pages 14-16 and the Appendix).

Disagree. The BNG report is entirely separate policy requirement and has no bearing on the requirements of CS policy OS3 and should not be considered as part of policy and associated evidence bases used to determine the requirements for open space.

A pocket park, whilst not a formal typology for the purposes of an assessment of need, is a small accessible greenspace which provides benefits to the community within the immediate vicinity through recreational opportunities and enhancements to the local environment. The 2022 Open Space Assessment zones the space as Provision for Children and Teenagers. However, if to be reviewed now, with the lack of any formal play equipment, the assessment would zone it as Amenity Greenspace. These areas are described as accessible opportunities for informal recreation and community events close to home or work. This can include multi-functional spaces, which offer space for quiet relaxation as well as a range of amenities and activities including children's play for instance. A pocket park fits within this description.

Given the location, size and accessibility of this amenity green space to the surrounding residential area the terminology used to describe the amenity green space as a pocket park is considered acceptable.

- 2 "Overall there is an under provision of allotments in Herefordshire" - (Open Space Assessment Chapter 6, page 60, paragraphs 6.14 and 6.15). Table 6.7 states the under provision in Hereford itself as being 0.070 under the NSALG suggested national standard; using the site as allotments will help reduce Hereford's under supply

The Open Space Assessment recommends:

Review the demand for allotments in Hereford and develop a standard of provision based on this level of need.

- 0.055ha of allotments have been identified in Hereford.*
- Herefordshire County do not hold data on allotment demand centrally.*

Based on the current Core Strategy Evidence, The Open Space Assessment paragraph 6.14 shows that current provision is in deficit by only 0.070ha (700 sq m) based on the NSALG standard of 0.125ha per 1000 population based on an average plot size of 250sq m. That is equivalent to 2.8 allotment plots.

Table 6.7 Current provision for the Hereford location

Location	Area per 1000 of the population	Above/below 0.125ha per 1000 of the population
Hereford	0.055ha	-0.070

The allotments considered in the assessment are sited at:

- Wordsworth Allotments site area 1.73ha – 17300 sq m - NSALG standards: 69.2 allotments
 - Greyfriars Bridge Allotments site area 0.5ha – 5000 sq m – NSALG standards: 20 allotments
 - College Road Allotments site area 0.66ha – 6600 sq m – NSALG standards: 26.4 allotments
 - Ash Avenue Allotments site area 0.3ha – 3000 sq m – NSALG standards: 12 allotments
 - Westfailing Allotments site area 0.2ha – 2000 sq m - NSALG standards: 8 allotments
- Total 135.6

In accordance with the recommendation of the Open Space Assessment, HALGs has provided additional information showing existing provision within Hereford, including several other sites not recorded by the assessment. This is accepted. This would initially imply that there is above the recommended provision, but, HALGS has indicated that the need in Hereford is above the recommended standard as shown below:

National Allotment Society (NAS) guidelines state a size of 250 sq metres per plot, based on those sizes HALGS has the following space. HALGS have been innovative in the use of the allotment space we manage due to our waiting lists and regular enquiries (about 3 per week). Original size allotments have been halved, or quartered so that people new to allotments have a chance to learn how to grow their own food. We now manage 467 allotments in total in this same land which clearly confirms the need for new allotments. The NAS recommends 20 allotments per 1000 households.

Site	Number of plots per site in Hereford using NAS guidelines	Actual number of plots on site
Ash Avenue	8	16
College	23	62
Corporation	26	43

HALGS Trustees The Fred Bulmer Centre Wall Street Hereford HR4 9HP 2

Drybridge	24	62
Eign	8	15
Holmer	45	66
Rockfield	54	100
Westfaling	9	22
Wordsworth	47	81

In support of the case for allotments, NPPF paragraph 103 and CS policy OS3 requires a robust assessment of need. I do have some additional questions set out below for HALGs to respond to.

- Whilst the figures appear to demonstrate substantial over provision of each site in accordance with recommended NSALG standards of provision, the information is incomplete, as there is no indication of the size of each site to substantiate the analysis. I have provided data as included in the Open Space Assessment which does appear to vary with that supplied.

- Submission of this information will help HALGS to demonstrate that there is substantial under-provision in Hereford of more than the 2.8 allotments as per the Open Space Assessment and hence the need for Boycott Road. This will need to be agreed along with information to demonstrate all plots are in use.
- In accordance with CS policy OS3 HALGS will need to demonstrate that the loss of the open space will result in an equally beneficial replacement **for the local community**. It is my opinion that HALGS has failed to provide supporting information sufficient to demonstrate that there will be benefit to residents living within the locality. HALGs has indicated that they receive regular enquiries and has waiting lists, but no detail has been presented in support of this. As previously requested, this should include a breakdown of where the enquiries are from in support of demonstrating that people living locally will benefit.
- In addition, HALGS has still not demonstrated that other sites have been considered or discounted to meet their needs and that the use of this open space is a last resort.

3 The site is not publicly accessible open space for the following reasons:

I am not sure about the legal issues cited below and if they are indeed a material consideration in determining the outcome of the planning application, but I have commented, nonetheless.

- it is not listed (on the relevant map / page on the Council website) as being one of the 64 Parks or Play Areas which the Council has the responsibility to manage and maintain.

The site is not owned or managed by the council, so will not be listed. This does not deter it from being a public open space as they can be owned and maintained by other bodies both public and private including Parish, Town and City Council's, CICs and Housing Associations including Connexus for instance

4 Connexus Homes manages and maintains the site and is not under an agreement with Herefordshire Council.

I am not aware of an agreement, this would need to be checked with our Legal and Estates Team, but nevertheless it does not deter from Connexus managing the site as public open space

- Access to the site has been gated and that five bar gate is locked and has been for a number of years

As part of the 2022 Open Space Assessment, I undertook a site visit to the site and was able to access the greenspace unhindered.

- The site is in private ownership having been transferred out of public ownership by Herefordshire Council to Herefordshire Housing as part of the assets transferred to Herefordshire Housing by the LSVT in 2001 and then subsequently coming into the ownership of Connexus Homes when it took over the business and assets of Herefordshire Housing.

It is understood that the site was transferred to Connexus Homes.

- The LSVT legal agreement in 2001 did not require the site to be kept as a play area or as a publicly accessible open space for some other use: were it the case that it did, then Herefordshire Council would have been in a position to require play equipment be re-provided / updated and the site maintained as a play area or publicly accessible open space for some other use, which it hasn't .

This would need to be checked with our Legal and Estates Team

- the site has not separately or subsequently been dedicated by its private owners (Herefordshire Housing and then Connexus Homes) as a publicly accessible open space and its inclusion in the 2023 OSA document cannot of itself have had the effect of causing it to become publicly accessible open space.

It is identified as open space within the Open Space Assessment irrespective of its ownership. I cannot comment as to why Connexus have failed to dedicate it as public open space for their residents and this falls outside the planning remit.

- 5 Once the site was transferred into private ownership in 2001, without contractual provisions about its future use, it has always been open to the landowner to deal with the site in the manner it sees fit.

Agreed, Connexus has clearly not maintained the site for formal children’s play and that there has been a distinct lack of maintenance given its condition in 2022 when I undertook my site visit. The site has good potential if invested in and properly maintained to a good standard. This is not a reason for the loss of the site as public open space.

- 6 As is evident from the email from Stephen Philips at Connexus attached to our email of 7th August the site, particularly since 2018, fell into disuse and became prone to anti-social behaviour giving rise to complaints to Connexus. The residents of neighbouring properties still advise us that anti-social behaviour is ongoing.

As per my comments above, the site would potentially be a haven for anti-social behaviour because of poor management and maintenance - its perceived lack of use by Connexus and HALGS is most likely due to its poor state of repair and it not being fit for purpose – this is not a reason for it to be lost.

- 7 It is also evident from that same email that Connexus have not granted any rights to any party to use the site (and by extension to enter the site). HALGS are unclear what further clarification the Open Spacer Officer may require of that statement (see the September 2025 amended response from Ruth Jackson in which she fails to explain) as the statement on rights is unequivocal. Whatever ad hoc use may be being made of the site by a very small number of people is without the express agreement of Connexus Homes

I merely wish to understand when Connexus Homes made the decision that “no one has been granted use rights as green space” and what is meant by this. Was this agreed as part of the legal transfer?

- 8 The Certificate of Lawfulness obtained in September 2024 is unimpeachable and is now being implemented, plots have been allocated to local people from our waiting list which consists of around 40 people, laid out and turf stripped to prepare for cultivation. Our Lady's School, the Aconbury Centre and the Child Development Centre have all been contacted about taking up plots.

Can HALGS confirm if any of them have taken up the offer and if so what will the arrangements be?

- 9 Use of the site for allotments is lawful. None of the objectors assert the process leading to issue of the Certificate was flawed or that the Certificate was issued ultra vires the powers of Herefordshire Council, such that it could now be challenged /quashed.

Use of the site as allotments is deemed lawful and HALGS is exercising this right. However, planning approval is required to provide ancillary facilities and as such Core Strategy planning policy OS3 is relevant.

- 10 It is not necessary in determining the current application - which is for works only - to consider and decide whether the effect of the Certificate is to alter the planning status of the site (and if so when). The Certificate exists; it authorises use of the site as allotments and that use is being implemented.

Agreed

- 11 The signs now placed on the existing gate (to exclude public access to the site) have been put in place with the consent of Connexus Homes. No party (whether any one or more of the objectors or lawyers acting on their behalf) have contacted HALGS (or Connexus Homes) to ask that those signs are taken down or that activities to implement the Certificate of Lawfulness cease, ie to stop the turf stripping and site preparation. This lack of communication is consistent with the fact the public have no rights to access and use the site.

Legal will need to advise

- 12 No other proposal with detail eg as to timing, funding, structure, management and land ownership and intended to bring the site back to beneficial use has been put to or agreed with Connexus Homes. Contrary to the observation by the Open Space Officer (in her September 2025 amended response) the onus is not on HALGS to engage with the Friends or with any other objectors as part of its application for permission to carry out works about how the site is to be used - use as allotments has already been established by the Certificate of Lawfulness and HALGS has already secured the agreement of Connexus Homes (who of course control how the site is to be used) to that use.

As the applicant I would suggest that HALGS liaises with Connexus Homes to make appropriate arrangements in support of the application to demonstrate that the Connexus residents have been consulted on the use of the site. This should include questions around accessibility, for example, preference for full use of the site as public open space, restricted use as public open space, along with allotments as proposed by HALGS in the submitted plan and use only as allotments with no public access. A question should be asked around quality, for example, if the site could be improved with investment and good management would the community use it more for recreational purposes – improvements to quality is one of the recommendations taken from the Open Space Assessment.

- 13 This application is about works, not use. The application accords with National and Local planning policies - see the comments of the Open Space Officer in the last two paragraphs of her response dated 10th April 2025. The application does not engage the National and Local policies referred to the Open Space Officer's further reply in September 2025 because lawful use has already been established by the Certificate of Lawfulness. The correct approach to be taken by the Open Space Officer and the policy provisions to be applied to the application are as set out in her 10th April response and not in her September 2025 amended response.

It is agreed that the use as allotments is a lawful use of the site. However, the provision of ancillary facilities requires planning permission and as such National and Local policies for open space are relevant.

- 14 Use of the site for allotments is supported by the local community and brings benefits identified in the attachments to our email of 7th August.

In accordance with CS Policy OS3 the proposal needs to be of equal benefit to the local community, as per my comments above.

- 15 In addition to the letters attached to our email of 7th August, the Child Development Centre adjoining the access to the site asked, through its Specialist Early Years teacher Laura Michael, to have an allotment which HALGS has agreed (the same individual having made the same request previously to Connexus). The petition submitted is not a material consideration for planning purposes particularly given that the signatories connection to the site /application cannot be established. HALGS own canvassing of houses bordering the site revealed only one locally based objection.

The site will remain an open space at the end of the works within application P243167 / F but it will not be a publicly accessible open space; that however is a consequence not of the works but of the fact the site is in private ownership and rights for the public to access and use the site have not been granted nor acquired.

Agreed it would remain a private open space as allotments as this is a lawful use of the site.

- 16 In order to allow some open space within the allotments we offer to amend our application to keep the current gate at the top of the accessway. We will allocate a parcel of land across the top of the allotment as an open space and install a bench for people to enjoy.

The inclusion of a public accessible space is supported. However, the proposal will need to be of a high quality to demonstrate that it is of equal benefit as that of the substantially larger area of the existing site. The applicant has not provided details of the size of the proposed area or how it will look, e.g. what is to be provided in the area in the way of planting, facilities etc to demonstrate enhancement. It looks to be very small and to offer little in recreational value. I would suggest that the proposal is included as part of the consultation with Connexus residents to support CS policy OS3.

- 17 This area will be fenced off to ensure privacy and security for the plot holders. We will make this accessible to local people. This open space would continue to be maintained by HALGS.

If supported, a management agreement would be required as part of any planning approval that this remains in perpetuity

- 18 Ownership of this space remains with HALGS (under its lease) and Connexus and the land being offered is not being offered or dedicated as public open space.

It would be zoned as open space as part of planning policy and associated evidence base to continue its protection

- 19 We also want to clarify that no ball games or other similar recreational use will be allowed because HALGS carries insurance for allotments only. This use will cease if the site ceases to be used as allotments. HALGS offers to set out the open space either by 12 months of completing all the other works or by 24 months from the date of the planning permission

If accepted the open space should provide recreation opportunities for families and children and not be restrictive in order to be compliant with CS policy OS3.

4.4.2 Open Spaces Planning Officer

Further comments 4 December 2025 – Further information required

In my previous comments I requested additional information in support of the Core Strategy Policy OS3 as my objection to the loss of open space still stood. More information was requested from both Connexus and HALGs in support of the application.

In accordance with National Planning Policy paragraph 104 and Core Strategy policy OS3, Boycott Road open space provides an important accessible doorstep green space for children in an area not well provided for as evidenced through the Open Space Assessment 2023 and as such is not considered to be surplus to requirement. Evidence has been presented by the Friends of Redhill Green Space in support of retaining the open space for community benefit and a willingness to enter a conversation with HALGS over continued access should allotments be approved which has not been taken up.

I requested that:

HALGs provided:

- evidence/data held by HALGs demonstrating need for additional allotments, to include waiting lists, location of the target groups/individuals, benefit to the residents, and other sites considered and discounted to meet the needs

Connexus Housing provided:

- supporting information in respect of their comment “no one has been granted use rights as green space”. Confirmation is sought from Connexus if this means that there is restricted access.
- confirmation as to whether Connexus Housing has undertaken a community consultation with their residents and neighbouring facilities as to the value they place on having a doorstep green for recreation and what improvements they would like to see, including whether restricting access by change of use to allotments is supported.

In response to my requirements in accordance with CS Policy OS3 and loss of open space, the following information has been submitted.

Greenway Planning 17 November 2025:

- Notification that Hereford Allotment and Leisure Gardens (HALG) has now commenced use of the land at Ross Road as allotments.
- Allotments are marked out with 3 completed for working. Others on the HALG waiting list are now being contacted for further allotments to be worked.
- Temporary security fencing and notices have been installed

Friends of Redhill 3 October 2025:

- In relation to Connexus' comment "no one has been granted use rights as green space" - we are unsure what this means.
- The site is a play area and has been publicly accessible to members of the public for decades
- The play equipment has been allowed to degrade and been removed in recent years, and not replaced, however this does not mean it is not a play space used for informal, and kick about play (it is used and valued for this type of play)
- The play equipment being removed does not change the public access to the site - there have not been any restrictions on access to the site since the play equipment has been removed, for example no signs stating as such. There have not ever been any signs which state 'Connexus tenants only' (or similar).
- The gate remains open and has not ever been locked.
- The sign on the gate reads ' Connexus No Dogs' , implying that people are allowed to enter and access the space for recreation without their dogs.
- Connexus own and manage a number of other play areas in the county, for example in Much Dewchurch and Upton Bishop- these are freely accessible to members of the public. Members of the public do not need to be 'granted use rights as green space' to access their other play spaces. So we are not sure why Connexus say that members of the public need to be 'granted use rights' to access this particular play area.

- The site was previously managed as a play area by Herefordshire Council, until the large-scale transfer including this piece of land in 2002. The site was managed as a play area by Herefordshire Housing and then by Connexus before Connexus removed the play equipment.
- We are aware that HALGS have submitted further documentation to support the proposal to close the site to members of the wider local community.
- On 6th August 2025 (National Play Day) a group of around 5 families and 9 children got together at the play area to celebrate the importance and value of play. 'Loose parts' play equipment was provided, including balls, frisbee, hula hoops, water chutes with plastic ducks and water toys. Everyone had a wonderful time, connecting socially as families, the children enjoyed playing and running around in the green space (it is safe and enclosed away from roads). Adults enjoyed the sanctuary in nature, walking around and playing with the children. Everyone brought picnics. We all enjoyed the beautiful green space and play area for recreation and play. Photograph evidence of the 'play day' celebrations can be provided if needed.
- The site also has great potential for 'Wildplay' holiday play sessions, and indeed Herefordshire Wildlife trust would like to run WildPlay sessions at the site.
- The importance of play areas and green spaces in urban areas for such use cannot be undervalued. The play area is not 'surplus to requirements'.
- As regards the letters from the two schools, both schools have also shown interest and support for 'Friends of Redhill Green's potential vision for the site, which includes, preserved space for play, an area for individual growers as well as areas of improved biodiversity (eg community orchard area). Both schools could equally potentially access and make use of growing space/ orchard space with the proposals of Friends of Redhill Green, whilst also preserving freely accessible space for play, which we believe is vitally important for communities.
- Our petition in support of saving the play area has also gathered over 400 signatures.
<https://www.change.org/p/save-redhill-green-treasured-hereford-play-area>

Despite the implementation of the certificate of lawful use by HALGs, with no supporting information provided from HALGs and Connexus as requested and additional information provided by Friends of Redhill demonstrating that the site remains a valued open space and play area and the site is still being used as such (December 2025), my objection still remains in accordance with CS policy OS3 as per my previous comments.

4.4.3 **Open Spaces Planning Officer** **Further comments 17 September 2025 – Further information required**

In support of the change of use from accessible public open space to restricted open space use to provide allotments, the applicant is to demonstrate that in accordance with NPPF paragraph 104 and CS Policy OS3 that the resulting loss of Boycott Road open space will result in an equally beneficial replacement or enhanced existing facility for the local community.

Information/evidence is therefore required in support of this which as set out in my previous comment this information should demonstrate:

- The need for allotments within the Hereford area, including details of existing deficiencies e.g. no. of allotments required to accommodate waiting lists and evidence to support that other sites have been explored and discounted.
- That the local community has been consulted and evidence provided that the site is no longer used as public open space, being surplus to requirement.

The agent on behalf of the applicant has provided the following information summarised below in support of this:

- Connexus Housing: Letter submitted in support of allotments reinforcing that point that all play equipment has been removed. The remaining green space is managed by the ground's

maintenance team, but no one has been granted use rights as green space. Complaints have been received due to anti-social behaviour.

- The Aconbury Centre: is a pupil referral Centre in Ross Road supporting vulnerable young people Letter submitted in support of the allotments, reinforcing the social benefit of allotments to pupil development and to the local community. A desire to access their own plot to support healthy living, support science lessons as well as develop personal and social skills
- Our Lady's Catholic Primary School: is adjacent to the site in Boycott Road. Letter submitted in support of allotments as a great local asset and with significant benefit to the school. Currently the school visit allotments at ASDA but these will be nearer and without need to negotiate busy roads. A desire to access their own allotment.

The focus is on support for the allotments. The attached supporting letters from Connexus Housing and 2 primary schools are noted, but do not demonstrate that the proposal will result in an equally beneficial replacement for the local community in accordance with CS policy OS3 as detailed below:

Connexus Housing:

- I would like to understand what is meant by "no one has been granted use rights as green space". Confirmation is sought from Connexus if this means that there is restricted access. Open space can be considered as public or private in accordance with CS policy supporting paragraph 5.1.43 and the Open Space Assessment 2024. Lack of community ownership caused by residents not using it due to limited access or poor management will often result in an area attracting anti-social behaviour and is not a reason for the open space to be lost and does not accord with CS policy OS3.
- I would also like confirmation as to whether Connexus Housing has undertaken a community consultation with their residents and neighbouring facilities as to the value they place on having a doorstep green for recreation and what improvements they would like to see, including whether restricting access by change of use to allotments is supported. In support of CS policy OS3 and loss of open space more evidence is required to demonstrate it is surplus to requirement.
- There are objections to the application and a petition submitted from the Friends of Redhill Green a local resident's group with 136 signatures noted in support of keeping the open space as a valued pocket park. This information is a material consideration in considering CS policy OS3 and loss of open space as providing supporting evidence which demonstrates it is not surplus to requirement.

The Aconbury Centre and Our Lady's Catholic Primary School:

- The ability for the schools to access the allotments (as I understand they will be locked) and the potential to have use of an allotment each or between them will need to be confirmed by HALGS. As it stands while the intent is a good one there is no guarantee and as such does not demonstrate that the proposal will result in an equally beneficial replacement for the local community in accordance with CS policy OS3.
- Improving school access to a local allotment, avoiding crossing busy roads, will displace access for children wishing to use a local doorstep green and result in them having to cross busy roads to use open space which falls outside of acceptable thresholds in accordance with the Open Space Assessment 2024. Therefore, this will not result in an equally beneficial replacement for the local community in accordance with CS policy OS3.

Herefordshire Allotment and Leisure Gardeners Trustees (HALGS) has not provided any information in support of usage. This should include:

evidence/ data held by HALGs demonstrating need for additional allotments, to include waiting lists, location of the target groups/individuals, benefit to the residents, and other sites considered and discounted to meet the needs in support of demonstrating that the proposal will result in an equally beneficial replacement for the local community in accordance with CS policy OS3.

- I understand from correspondence from Buxton Solicitors representing the Friends of Redhill Green that consideration would be given to HALGS “continuing to allow community use co-existing with allotment users” which could be supported by CS policy OS3 if demonstrated that it enhances an existing facility for the local community, but it appears that HALGS has given no further consideration to this potential solution, so it is assumed that this is still not an option to be explored.

Conclusion: More information is required from both Conexus and HALGS in support of the application. As presented the application still does not accord with both the NPPF paragraph 104 and Core Strategy Policy OS3.

Boycott Road open space provides an important accessible doorstep green space for children in an area not well provided for as evidenced through the Open Space Assessment 2023 and as such is not considered to be surplus to requirement. Evidence has been presented by the Friends of Redhill Green Space in support of retaining the open space for community benefit and a willingness to enter a conversation with HALGS over continued access should allotments be approved which has not been taken up.

My objection therefore remains.

4.4.4 **Open Spaces Planning Officer** **Further comments 11 July 2025 – Objection**

Open Space Requirements.

Relevant Policies: In this instance the following national and local planning policies are relevant.

National Planning Policy Framework (NPPF):

- Paragraph 103: Open Space and Recreation: provision of what open space, sports and recreational opportunities required in a local area should be based on robust assessments of need
- Paragraph 104: Open Space and Recreation: Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Core Strategy(CS)

- OS3: Loss of an Open Space/Sports and Recreation Facilities.

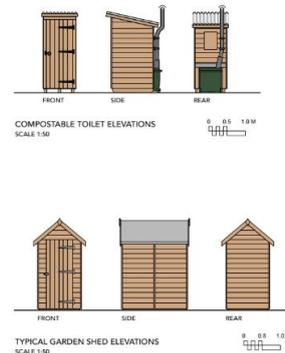
Core Strategy Evidence Base

- Open Space Assessment and Strategy 2023

Proposal: The application proposes an allotment use to accommodate up to 20 with restricted access for this use only. It proposes improvements to the access to allow for vehicular movement, a 2.4m high gate which will be padlocked to prevent unauthorised access a turning area and car parking area shown, and up to 20 storage sheds of no larger than 1.8 x 1.2m footprint. This is shown on Proposed Site Plan and Elevations drawing 2501_001 (A) extract below



- KEY
- ① Two-way access track. Refer to Supporting Statement for construction specification.
 - ② 2.4m high gate at end of access track.
 - ③ Vehicular turning area. Refer to Supporting Statement for construction specification.
 - ④ Purple line denotes post and chain link fencing to perimeter of turning area.
 - ⑤ Pedestrian gate for access into allotments.
 - ⑥ Location of compostable toilet - refer to elevations adjacent.
 - ⑦ Allotments area. Note: 1 garden shed to be sited per allotment with maximum of 20no. allotments. Refer to elevations adjacent.
 - ⑧ Sign at top of access track as you leave turning area - refer to Appendix 1
 - ⑨ Double sided sign at bottom of access track to advise vehicles entering from A49 have right of way, also turn left arrow for vehicles leaving the access and entering the A49 - refer to Appendix 1



While a certificate of lawfulness (planning ref P241928/V) has been approved for allotment use, in accordance with planning legislation the existing use of the site remains as public open space as no change of use has been granted by the Local Planning Authority.

The proposal to restrict access to only authorised allotment users will adversely impact upon the site’s public access for recreational use and in addition green areas will be lost due to the development of the turning/parking area and installation of sheds as shown on the plan extract above thus reducing the overall area of open space not only on the site but in the locality as a whole. The actual quantum has not been calculated by the applicant. As such the proposal constitutes both a loss of access to public open space and a quantum loss of an open space in accordance with NPPF paragraph 104 and Core Strategy policy OS3 and associated evidence base Open Space Assessment and Strategy 2023 which uses quantity and accessibility standards based on Fields in Trust and Natural England standards for the provision of open space.

Both the NPPF paragraph 104 and CS policy OS3 requires proposals that result in the loss of open space, sports or recreation facilities to:

- Provide clear evidence that the open space, sports or recreation facilities is surplus to the applicable quantitative standards
- The loss of open space, sports or recreation facilities results in an equally beneficial replacement or enhanced existing facility for the local community.

Furthermore, the NPPF requires provision of what open space, sports and recreational opportunities required in a local area to be based on robust assessments of need. Boycott Road open space falls within the Hereford Analysis Area in the Open Space Assessment and Strategy.

Quantity: In respect of quantity there is a small surplus of provision in the Hereford Area for children and teenagers and for accessible green spaces there is an excess of provision overall.

Quality: In respect of quality Boycott Road open space was found to be poorly maintained in respect of formal play equipment but providing an area of accessible greenspace for informal recreation largely semi-natural in appearance and poor quality and value rating was given based on Green Flag standards. The assessment did conclude that the site does have potential for improvement with appropriate investment and management.

Accessibility: Boycott Road open space is currently freely accessible to the public providing a pocket park for the nearby residents within a busy built-up residential part of Hereford and avoiding crossing busy roads to other parks and open spaces the nearest of which fall outside of acceptable walking thresholds particularly for younger children.

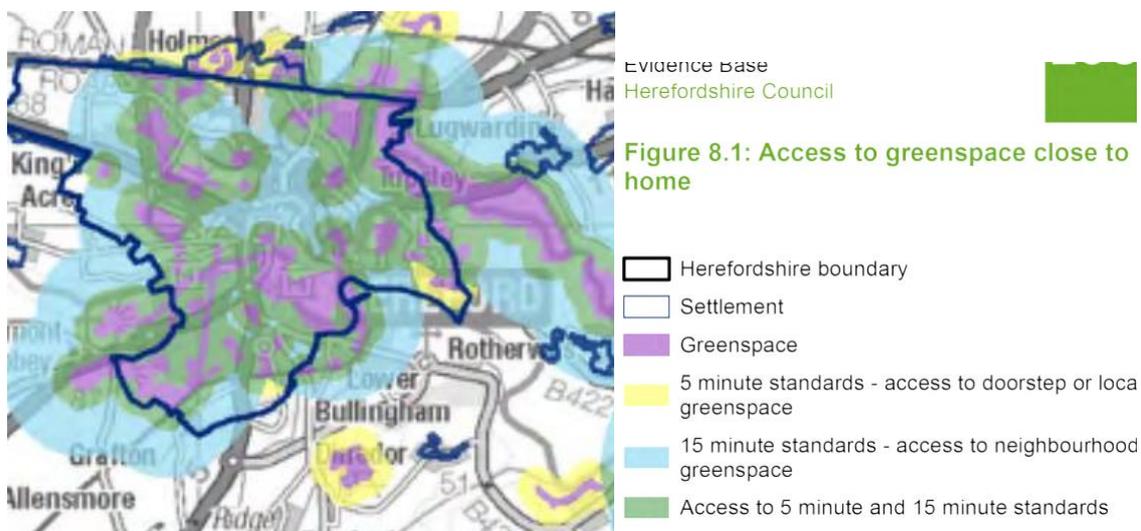
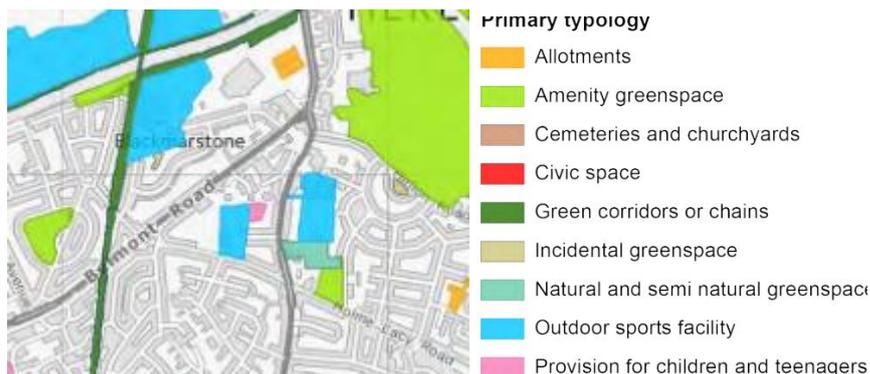
The Open Space Assessment and Strategy recognise that open spaces of different sizes would be expected to provide a different “offer” to users and recognises the need to develop a framework for analysis of open spaces and to set appropriate standards based on a hierarchy of need which include access standards.

Access to greenspace close to home is defined as 5 minutes walking standards and includes doorstep or local greenspace and 15 minutes walking standards which includes neighbourhood green space.

These standards reflect the generally accepted principal that people are willing to travel further to sites with a wider offer of facilities. Alongside this catchment areas for play spaces are also mapped as follows:

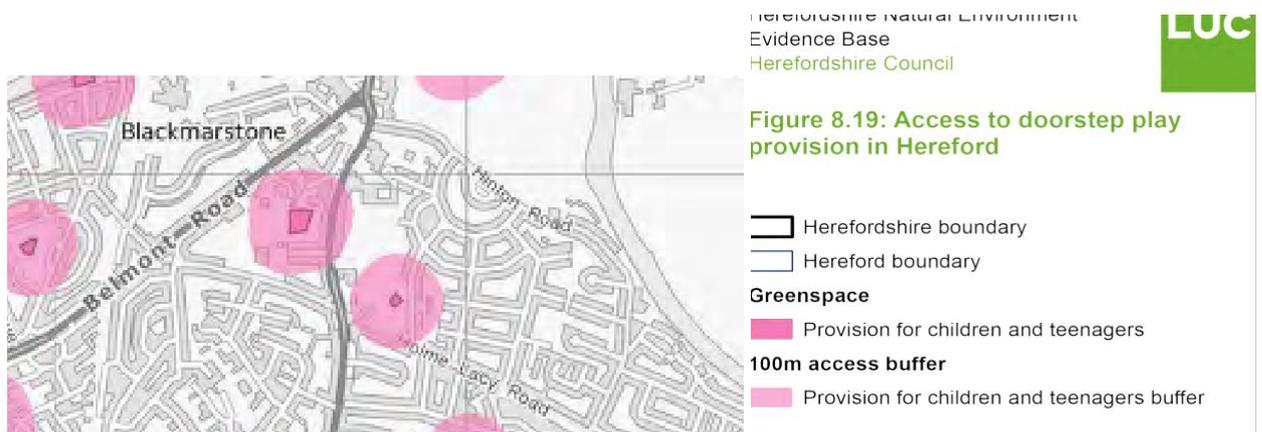
- Neighbourhood, size threshold 0.1 ha, catchment areas (in m) 1000
- Local, size threshold 0.04ha, catchment areas (in m) 200
- Doorstep, size threshold 0.01ha, catchment areas (in m) 100.

The map extracts below show provision for both doorstep play and local greenspace within the locality of Boycott Road. The area is not well served with open space. Access to both doorstep play and greenspace close to home is supported by the provision of Boycott Road when considering access thresholds of between 5 and 15 minutes, showing the importance of the site for this purpose as there are existing gaps in provision particularly for doorstep play access. With the removal of public access to the site this will be exacerbated.



Evidence Base
Herefordshire Council

Figure 8.1: Access to greenspace close to home



The loss of Boycott Road open space is therefore considered not to be surplus to requirement and the accepted quantitative standards and is therefore seen to be contrary to the NPPF paragraph 104 and CS Policy OS3.

Allotments: Allotments are described as being part of the wider green space within the Open Space Assessment and Strategy recognising that they have limited access to the wider community. As such the Open Space Assessment and Strategy use the national standard of provision for allotments (National Society of Allotment and Leisure Gardeners). For the Hereford Area there is a slight under-provision using this standard but in recognising little data was captured at the time of writing the strategy the Open Space Assessment and Strategy recommended that a full review of allotment demand is undertaken via the planning system.

The applicant has not submitted information to support the requirements for 20 additional allotments in the Hereford Area or provided information in support of the loss of Boycott Road as open space.

This should include evidence for the need for allotments within the Hereford area, including details of existing deficiencies e.g. no. of allotments required to accommodate waiting lists and evidence to support that other sites have been explored and discounted. Given that this is a loss of accessible open space, the applicant will need to undertake a consultation with the local community and those who use the site to demonstrate that the use of the site as open space is surplus to requirement.

As such the applicant has not demonstrated the loss of Boycott Road Open space will result in an equally beneficial replacement or enhanced existing facility for the local community. It is therefore seen to be contrary to the NPPF paragraph 104 and CS policy OS3

Conclusion: The application is not supported. As presented it does not accord with both the NPPF paragraph 104 and Core Strategy Policy OS3.

Boycott Road open space provides an important accessible doorstep green space for children in an area not well provided for. It is not surplus to requirement in accordance with applicable standards and the applicant has not demonstrated that the proposal will result in an equally beneficial replacement for the local community.

4.4.5 Original comments 10 April 2025 – Support

This application is for proposed improvements to vehicular access arrangements and provision of ancillary facilities to facilitate the use of the open space as allotments. The open space has secured a planning certificate of lawfulness for the use of the open space as allotments granted by the LPA.

My comments therefore relate only to the impact of the proposed vehicular access arrangements and ancillary facilities to the open space in support of the use as allotments. The Open Space Assessment 2023 classifies Open Space Typology according to the function of the open space and includes allotments as a typology. The GBI Strategy also recognises that allotments form part of the wider GBI multifunctional and varied network providing benefits to health and well-being including food production. The Open Space Assessment 2023 concludes that there is an overall under-provision of allotments within the county.

The proposal is supported by Core Strategy Policies SC1 and OS2 and associated evidence bases detailed above. Open space plays an important role in supporting the health and wellbeing of local communities and the proposal will enhance a locally available community facility through improved accessibility and access and provision of compostable and waterless toilet.

In conclusion, there are identified shortfalls in the provision of allotments in the county and in accordance with Core Strategy policy the proposed access will support the deliverability and long-term sustainability of the allotments to the benefit of the health and well-being of the community and for those wishing to grow their own food.

5. Representations

5.1 Hereford City Council – 27 January 2026 – Objection

Councillors object to this application based on the fact that it contributes to a loss of open space. Having heard concerns from members of the public, Councillors concluded that the area should remain a green space for all to use. In specific regards to this application, which deals with access only, Councillors also object to the car turning area, which is large enough to constitute a car park. Although not its intended purpose, Councillors foresaw that this area would be used to park cars, intruding upon nearby residents. Councillors were also surprised that this application was dealing with access when we have not yet been consulted on a change of use application for this area – it was concluded that the application has been made prematurely. Hereford City Council was also consulted by concerned members of the public who objected to the application.

Third party representations

5.2 A total of 34 representations have been made to the Local Planning Authority, 29 have been in objection, 2 letters of support and 3 general comments.

The responses can be summarised as follows:

Objection

- Loss of a play area and public open space
- The open space is not surplus to requirement
- Green space and play areas are vital to children's development
- Clinical Lead in Community Paediatrics at the Child Development Centre raises concerns over the permanent loss of the public play area
- The proposal would be in conflict with Natural England's Access standards relating to 'doorstep green space' which aims to ensure easy, immediate access to a piece of nature for daily use, including play.
- Site should be shared as allotments and open space
- Access is already difficult from adjacent Child Development Centre
- Lack of parking proposed for allotment users
- The site access track is not sufficient to provide a safe vehicular route nor facility for construction traffic

- The proposal would have a negative impact on wildlife and biodiversity

Support

- Gardens backing onto the application site have experience vandalism
- The walkway to the rear of the Child Development Centre from Southgate Court to this land has been fenced off due to vandalism to properties
- Area has experienced anti-social behaviour
- There are other play areas within walking distance

5.3 Play England – 30 May 2025 – Objection

Play England submits this formal objection to planning application P243167/F. The proposal seeks to remove a longstanding public play space and convert it into private allotments, without any replacement or mitigation. This is inconsistent with national planning policy, results in the loss of vital community infrastructure, and fails to consider the impact on children and families. We urge Herefordshire Council to refuse this application in full.

1. Conflict with National Planning Policy Framework (NPPF) – Paragraph 104 Paragraph 104 of the National Planning Policy Framework (NPPF), revised in December 2024, states:

“Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space to be surplus to requirements; or
- the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.”

This application fails both tests:

- There is no assessment showing the site is surplus to requirements.
- There is no proposed replacement play space.

On this basis alone, the proposal is in direct conflict with national planning policy and should be refused.

2. Loss of Public Open Space and Community Amenity

Redhill Green is a well-used, free-to-access, inclusive community play space. Its proximity to a Child Development Centre and a primary school makes it especially valuable as a safe, local environment for outdoor play and social connection.

The proposed change of use would:

- Remove a key public amenity
- Reduce opportunities for physical activity and social interaction for children
- Replace inclusive public use with exclusive, adult-only use

Herefordshire Council’s planning guidance confirms that the loss of public open space and community infrastructure is a material planning consideration. This proposal would cause clear harm to community amenity.

3. Failure to Justify Alternative Use or Need

The applicant has not provided:

- Any assessment of existing play provision or need in the local area
- Any evidence of demand for additional allotments in this specific location
- Any consideration of alternative sites or options

As a result, the application lacks a clear or credible justification. It does not demonstrate that the proposed use is more necessary, appropriate, or beneficial than retaining the current use as a children's play space.

4. Impact on Children and Equalities Considerations

The loss of a local play space would disproportionately affect:

- Children and families without access to private outdoor space
- Children with disabilities or additional needs, who rely on familiar and accessible environments
- Households with limited access to transport, who cannot easily reach more distant facilities

Under the Equality Act 2010, the Children and Families Act 2014, and the Public Sector Equality Duty (PSED), the Council is required to consider the needs of people with protected characteristics — including children and disabled people. These duties include promoting equality of opportunity and fostering inclusive environments. This application fails to consider those impacts and proposes no mitigating action.

5. Absence of Child Rights Impact Assessment (CRIA)

The removal of a play area is a decision that directly affects children's lives and wellbeing. Under Article 3 of the United Nations Convention on the Rights of the Child (UNCRC), the best interests of the child must be a primary consideration in all decisions that affect them. While not a statutory requirement, conducting a Child Rights Impact Assessment (CRIA) is recognised as best practice in decisions that restrict or remove play opportunities.

No such assessment has been undertaken. Given the site's proximity to children's services and the established use of the space, this is a significant omission. Play England recommends that a CRIA be completed before any planning decision is made.

6. Strategic Context – National Policy Alignment

Play England's national strategy, *It All Starts with Play! (2025–2035)*, sets a clear objective: To restore a play-based childhood for all children in England by 2035.

Achieving this requires councils to:

- Safeguard existing play spaces
- Prioritise play infrastructure in planning decisions
- Embed play provision near homes, schools, and early years settings

This application undermines all three goals. Closing a play area next to a school and Child Development Centre — with no replacement — contradicts both best practice and national direction.

7. Unacceptable Policy Precedent

Approving this application would set a concerning precedent:

- That public play spaces can be removed without assessment, consultation, or replacement
- That private benefit outweighs public value
- That children's spaces are negotiable and would weaken the Council's ability to defend other open spaces from similar pressures and erode community confidence in planning decisions.

8. Lack of Mitigation or Replacement Provision

The application does not include:

- Any proposed alternative play area
- Any enhancements to existing provision
- Any commitment to reinvest in children's infrastructure

This is a clear failure to meet the requirements of NPPF paragraph 104(b) and further reinforces the case for refusal.

Conclusion

This application proposes the permanent loss of a longstanding community play space that:

- Serves children and families daily
- Lies adjacent to schools and early years settings
- Has not been assessed as surplus
- Has no proposed replacement

It conflicts with national planning policy, equality legislation, and local community need. The removal of Redhill Green would cause real, lasting harm to public health, children's wellbeing, and social inclusion.

Play England respectfully urges Herefordshire Council to refuse planning application P243167/F.

5.4 Herefordshire Wildlife Trust – 15 April 2025 – General comment

It has been drawn to the attention of the City Branch of the Herefordshire Wildlife Trust that submissions are being sought regarding the development of Redhill Green as an allotment site (planning permission for this already granted).

One of the guiding lights of the Wildlife Trust is to improve biodiversity throughout our urban area, and the development of the allotment site (under the aegis of The Hereford Allotment and Leisure Gardeners Society) is a real opportunity to work towards that end. We strongly support proposals to limit car use to drop off with no car parking on the site, to ban the use of pesticides, promote nature friendly gardening practices including the provision of hedgehog routes and planting insect friendly wildflower areas, for example.

We understand there has been an offer made to the Child Development Clinic – which is located next to the site - to take over some space there, to which there has been no reply. However, we hope that with the offer of help and support from the City Branch to create a lovely allotment green space, the CDC will be encouraged to take up the offer. Given the paucity of outdoor play spaces for children, and the benefits for children of outdoor play and growing things, we would encourage HALGS to repeat their offer of space to the Child Development Clinic and hope that HALGS and the CDC can come to an agreement.

5.5 **Open Spaces Society**

Latest comments 24 January 2026 – Objection

The readers attention is directed towards the previous Open Spaces Society response made on 3rd December 2025. On a further more detailed examination of the lodged application 243167 the following comments are now made.

- The applicant did not seek pre-application advice.
- The applicant affirmed that the change of use had not been completed.
- The applicant affirmed use of the site as a Recreational Play Area F2.
- Item 25 on the application, Certificate of Ownership Certificate B , only has one redacted name on it. There are a minimum of three landholders who should have received notices from HALG (details provided)
- The amended plans supplied with the application do not appear to conform to Government advice on Plans and Drawings. <https://www.gov.uk/guidance/>

The applicants do not appear to have served notices on every Landholder affected by the proposed development. This may include a Landholder who previously objected to this development and whose expressed permission for vehicular access would now be required.

All of the above are material considerations. Given the failure of this application to comply with Core Strategy OS3 and NPPF para 104, refusal of this application is strongly recommended.

Original comments 3 December 2025 – Objection

Background

The previous planning applications are a material consideration in order to understand the full implications of application 243167/F. In April 2023 application 231150 was made for a change of use of the land from play area open space, to allotments. This application was met with considerable opposition, including planning officer objections, which indicated that the proposal was contrary to planning policies. The application was subsequently withdrawn. A second application was made in July 2024 for a Lawful Development Certificate with a plan showing 24 proposed allotments on the site. This application was successful and a Lawful Development Certificate was granted.

Application 243167 for access arrangements made in December 2024, if successful may result in the loss of a public open space and designated play area.

Current Planning Status of the Land.

In the Herefordshire Local Plan 2021-2041 Map, the land is shown, and very clearly designated as a play space. Despite the previous planning applications, I would contend that the planning status of the land in question is that of a public open space, play area. This has not been changed. The established use of the area as a Play Area /Open Space has not been abandoned. The erection of movable fences and a usable pedestrian gate by HALG, does not constitute established allotment use. There is no current cultivation or allocation of working allotments or building of ancillary buildings. In planning terms the land remains a Public Open Space /Play Area. Finally the planning status of the land is not changed by the granting of a Lawful Development Certificate.

Applicable Policies and Requirements

Core Strategy OS3. The existing open spaces /play area provision is not considered surplus to requirements, and therefore should not be eligible for a change.

Both the NPPF paragraph 104 and CS policy OS3 requires proposals that result in the loss of open space, sports or recreation facilities to:

- Provide clear evidence that the open space, sports or recreation facilities is surplus to the applicable quantitative standards
- The loss of open space, sports or recreation facilities results in an equally beneficial replacement or enhanced existing facility for the local community.

Neither of these two crucial requirements have been met by HALG or Connexus.

The proposal 243167 is therefore objected to.

5.6 **Petition**

The Local Planning Authority is also aware of a local petition on change.org to retain the application site as an open space and play area. At the point of writing this report the petition had 746 signatures.

- 5.7 The consultation responses can be viewed on the Council's website by using the following link: [Planning Application Details - Herefordshire Council](#)

6. Officer's Appraisal

Policy context and Principle of Development

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:
"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration.
- 6.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 34 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and was updated in November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any applications. In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.
- 6.4 As an initial important procedural matter, it is advised that a Certificate of Lawfulness for the use of the land as allotments was granted in respect of the application site under planning reference P241928/V. For the avoidance of any doubt, it is a matter of fact that the use of the land as allotments, which is defined as an agricultural use, does not constitute development. As such the allotment use does not require planning permission and does not form part of this application. It is however, a material consideration which in the context of this application is considered to carry significant weight.
- 6.5 Following submission of the current application, the agent confirmed by email dated 17 November 2025 that the approved use has been implemented through the commencement of the preparation of the ground for allotment use, marking out on site and with three plots completed for working use. These works illustrated in the photographs below.



- 6.6 In light of the lawful status of the allotment use, it is important to set out in clear terms that the assessment of this application is limited to the proposed improvements to vehicular access arrangements to facilitate the lawful use of land as allotments and ancillary works to include signs, sheds and a composting toilet.

Loss of Open Space

- 6.7 As stated above the lawful and current use of the site is as allotments and not open space/ play area. In this regard, whilst the many concerns regarding the loss of the existing recreational open

Further information on the subject of this report is available from Miss Amber Morris on 01432 260855

space identified in the representations section above are acknowledged and understood, there is no mechanism within the Planning legislation to prevent the continued allotment use of the larger part of the site and no means by which the Council can enforce public access to the area. This is essentially a matter within the control of the existing landowners, Connexus. Whilst the use of the land is not under consideration, permission is however required to provide ancillary facilities and access improvements. For ease, an extract of the Block Plan is (2501_001 (B) is inserted below. The allotments areas is number 7 on this plan.



- 6.8 As set out above, many of the objections reference the loss of open space, however, it must be stressed that these relate to a former use of the site and the Local Planning Authority is unable to attribute weight to its historic use in the determination of the application.
- 6.9 Similarly, a number of representations express a preference for the entire site to be retained as open space. Again it must be stressed that the Council is no longer the landowner, and it is not within the remit of the Local Planning Authority to require the landowner to retain or make the land publicly accessible. Clearly this is a source of great concern for many of those who have used the land for its originally intended purpose and who continue to campaign strongly for its continued use. But this is beyond the control of the Council and in its role as the Local Planning Authority.
- 6.10 Although, the policy implications of the loss of recreational open space, are controlled through the implementation of CS policy OS3, this can only be exercised where there is a form of development that results in its loss. In this case, the loss of publicly accessible open space across the vast majority of the site is outside of the control of the Local Planning Authority and your officers view is that in the circumstances of this case, the application of CS policy OS3 cannot be exercised in the same way as if permission was required for the change of use of the whole site. That is not the case and in this context and Officers accept that since the retention of the recreational open space is not possible through Planning controls, providing ancillary facilities for the lawful allotment use of the site, which in itself is a form of open space with community value, is a reasonable expectation.
- 6.11 Furthermore, although not a policy requirement, in response to the concerns raised, the application has been amended to retain an area as open space. Although the Council's Open Spaces Planning Officer objects to the wider loss of recreation open space she supports the inclusion of the publicly accessible space. However, the Officer advises that the proposal must be of a high quality and clearly demonstrate that it provides benefits equivalent to those of the

substantially larger existing area. The application does not include sufficient detail regarding the size of the proposed space or its design and layout, such as the nature of planting, landscaping, or any facilities to be provided (other than a bench), in order to evidence enhancement. The Open Space Planning Officer concludes that the proposed area appears to be very small and of limited recreational value, and advises that a management agreement would be required as part of any planning permission to ensure the space is retained and maintained in perpetuity.

- 6.12 In response to the concerns raised in relation to the quality of the open space being offered, the applicant has clarified that no ball games or other similar recreational use will be allowed because HALGS carries insurance for allotments only. The Open Space Planning Officer objects to this and states the open space should provide recreation opportunities for families and children and not be restrictive in order to be compliant with CS policy OS3.
- 6.13 Nevertheless, it remains the case, that the applicant is under no obligation to retain any element of open space. Its inclusion has been advanced as a benefit for users and in response to objections raised in relation to the proposal.

Design, appearance and character of the area

- 6.14 With regards to the design, Core Strategy policy SD1 is applicable. This states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, proportions, and massing of surrounding development. Furthermore, with regards to landscape impacts policy LD1 applies. This policy explains how development proposals should demonstrate that the character of the landscape has influenced the design, scale, nature and site selection, and should also include new landscaping schemes to ensure development integrates appropriately into its surroundings.
- 6.15 The design of the proposed composting toilet and the typical garden shed elevations are consistent with what would ordinarily be expected on an allotment site and would not be considered out of character within the surrounding area. The design and materiality of the access track are likewise considered appropriate to its intended use and context.

Access and highways safety

- 6.16 Policy MT1 of the development proposals should incorporate the following principle requirements covering movement and transportation demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.
- 6.17 Paragraph 116 of the NPPF reads that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 6.18 Concerns have been raised through representations regarding the potential highway impacts of the proposed development. The site would be accessed via the existing access onto Ross Road (A49), which currently serves a neighbouring dwelling and is used for the ongoing management and maintenance of the site.
- 6.19 The proposal comprises the excavation of the existing track and the formation of a turning circle, together with the installation of a Terram membrane and the laying of a Type 1 granular sub-base, to be compacted using a heavy roller. These measures are intended to ensure that mud and debris are not deposited onto the A49.

- 6.20 Additionally, signage is proposed to indicate that vehicles turning off the A49 onto the access track have priority. Vehicles already on the track would be required to reverse to the turning circle to allow safe access for incoming vehicles. The provision of the turning circle within the site would enable vehicles to manoeuvre effectively and exit in a forward gear.
- 6.21 No parking provision is proposed with the access limited to drop-off only. The allotments are intended to be offered to local residents, particularly those able to walk to the site or travel by sustainable modes of transport.
- 6.22 National Highways has been consulted and has raised no objection to the proposal, subject to the imposition of a condition requiring a Construction Traffic Management Plan. Similarly, the Council's Area Engineer has raised no objection. In light of the above, the proposal is considered to accord with Core Strategy Policy MT1 and the relevant provisions of the National Planning Policy Framework.

Ecology and biodiversity

- 6.23 Policy LD2 of the CS states that all development proposals should conserve, restore and enhance the counties biodiversity assets wherever possible. Amongst other things, this should be achieved through the retention and protection of nature conservation sites and habitats in accordance with their status. In relation to trees and green infrastructure. Policy LD3 of the CS requires that development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure such as trees, woodlands and hedgerows.
- 6.24 The application is supported by a Preliminary Ecological Appraisal & Biodiversity Net Gain Assessment by Sharpe Ecology Ltd dated February 2025. The report confirms that there are no identified effects on local protected species populations or ecological interests from the proposed development. The applicant should be reminded of their and their contractors' legal obligation to wildlife protection afforded at all times through the Wildlife and Countryside Act.

Biodiversity Net Gain

- 6.25 The requirement for qualifying developments to deliver a mandatory 10% net gain to biodiversity value relative to pre-development conditions came into force on 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 6.26 The supplied information shows a 30.47% net gain in the habitat units (+0.31 habitat units), thereby satisfying the trading rules and exceeding the mandatory minimum 10% net gain. The approved net gain will be secured by imposed condition for the minimum 30 years. The Council's Ecologist has not raised any objection in this regard.

Drainage and Habitat Regulations

- 6.27 Policy SD4 of the CS aims to ensure wastewater treatment and river water quality is maintained or enhanced as a result of development proposals. Proposals should aim to achieve water efficiency and/or reduction in surface water discharge and where possible connect to the existing mains wastewater infrastructure. Proposals should specifically seek to maintain or improve the integrity of the River Wye SAC and its subsidiary drainage basin.
- 6.28 The application here proposes the creation of a composting and waterless toilet. Allotment holders will be resident within the city and so no additional Phosphate loading will be generated. As agreed with Natural England where applications do not create any additional, potentially self-contained residential or overnight accommodation or identified significant additional foul water flows and no other effects are identified they can be considered as screened out from triggering

any formal Habitat Regulations Assessment process. It is considered that there are no adverse effects on the integrity of the River Lugg (Wye) SAC from the proposed development.

Other matters

- 6.29 I note the representation submitted by the Open Spaces Society asserting that an incorrect ownership certificate has been served. The representation alleges that National Highways owns part of the access track; however, no supporting evidence has been provided to substantiate this claim.
- 6.30 Certificate B was served, and Connexus was listed. It is understood that the applicants engaged in pre-application discussions with National Highways who were also consulted as part of this application process. No concern was raised regarding potential encroachment onto land owned by National Highways and no comments or objections were received on this basis.
- 6.31 The red line boundary terminates prior to the footway crossing and does not extend onto the public highway or any land understood to be within the ownership of Herefordshire Council or National Highways. On the basis of the information submitted to and available to the Local Planning Authority, it is considered that the appropriate Certificate has been served.

Conclusion

- 6.32 The use of the land as allotments has been lawfully established under a Certificate of Lawfulness. Accordingly, the principle of allotment use is not under consideration. This application relates solely to access improvements and ancillary works to support that lawful use.
- 6.33 The proposed sheds, composting toilet and access works are modest in scale and appropriate to an allotment setting, with no unacceptable impact on character or appearance. No objections have been raised on highways grounds, subject to conditions, and the proposal complies with Policy MT1 and the National Planning Policy Framework. Ecological impacts have been satisfactorily addressed, with no identified harm to protected species or the River Lugg (Wye) SAC, and a biodiversity net gain can be secured by condition.
- 6.34 There are no other matters pertinent to the proposal which requires discussion or assessment and taking the above into account, it is considered that the proposal generally accords with the provisions of the Herefordshire Local Plan – Core Strategy together with the overarching aims and objectives of the National Planning Policy Framework. The application is accordingly recommended for approval subject to the conditions as set out below.

RECOMMENDATION

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

That planning permission be granted subject to the following conditions:

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 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 rev. A 05/06/2025
- 2501_001 rev (B)

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

Pre-Commencement Conditions

3. Construction Traffic Management Plan

Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A49 trunk road). The plan shall include as a minimum:

- a) Details of deliveries to site including times (to avoid the peak hours) and types of vehicles.
- b) Details of the equipment that will be used and location of the equipment and vehicles. To ensure that all plant, equipment and vehicles are accommodated within the site, with no parking, materials storage or loading/unloading taking place within the A49 Highway verge or direct accesses.
- c) Clear and detailed measures to prevent debris, mud, detritus and dust being distributed onto the Local highway and SRN. This should include details of wheel washing and dust monitoring.
- d) Waste management.
- e) Protection measures for hedgerows and grasslands.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A49 trunk road and to satisfy the reasonable requirements of road safety.

4. Open Space details

With the exception of any site clearance and groundwork no further development shall commence until detailed plans for the provision for open space shall be set out in accordance with the standards adopted by the local planning authority and shall be submitted to and approved in writing by the local planning authority. These details should include:

- a) Surfacing,
- b) Landscaping,
- c) Means of enclosure,
- d) Street furniture.

The open space shall be constructed in accordance with the approved plans and retained in perpetuity thereafter.

Reason: In order to comply with policies OS1 and OS2 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

Pre-Occupancy Conditions

5. Management and Maintenance Details

Before the development is first brought into use a schedule of management and maintenance of the open space 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: In order to comply with policies OS1 and OS2 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.

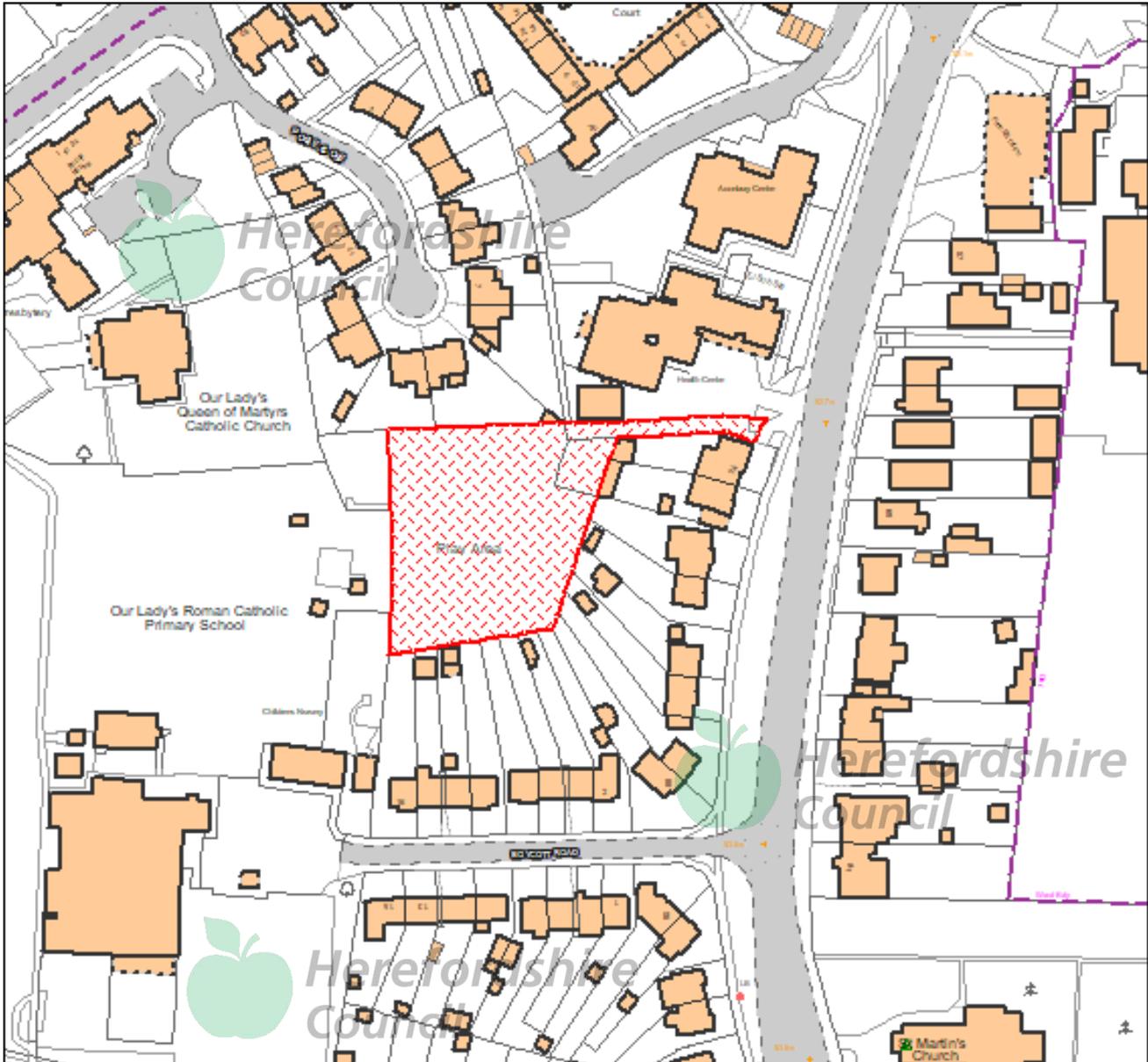
Decision:

Notes:

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Background Papers

None identified.



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

APPLICATION NO: 243167

SITE ADDRESS : LAND TO THE REAR OF BOYCOTT ROAD, ROSS ROAD, HEREFORD, HR2 7RL

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Further information on the subject of this report is available from Miss Amber Morris on 01432 260855

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	18 MARCH 2026
TITLE OF REPORT:	253584 - REPLACEMENT OF AN EXISTING GAS HEATING BOILER AND BALANCED FLUE WITH A NEW GAS BOILER AND FLUE TOGETHER WITH ASSOCIATED REPAIRS AND ALTERATIONS AT THE OLD HOUSE, HIGH TOWN, HEREFORD, HEREFORDSHIRE, HR1 2AA For: Mr Macklin per Mr Stephen Peel, 7.01 The Shell Store, Canary Drive, Skylon Park, Hereford HR2 6SR
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=253584
Reason Application submitted to Committee – Council application/Council owned property	

Date Received: 12 December 2025 Ward: Central Grid Ref: 351081, 240032
Expiry Date: 19 February 2026 (Extension of Time until 19 March 2026 requested)

Local Member: Cllr Catherine Gennard (Central Ward)

1. Site Description and Proposal

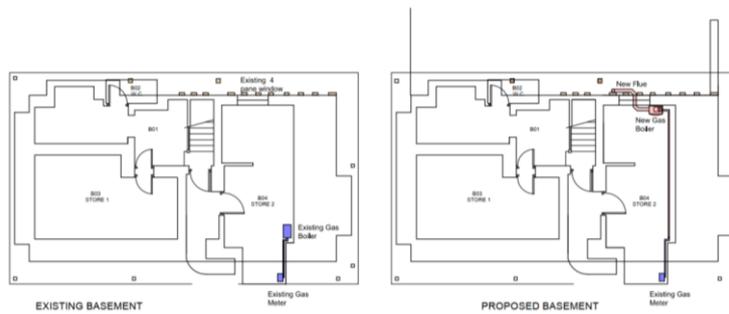
- 1.1 The Old House is a 17th century timber-frame Grade I listed building which occupies a prominent position in Hereford City Centre at the junction of St Peters Street with Commercial Street and High Town. Built as part of Butchers' Row, the three-storey building with attic and cellar was originally used as a butchers and residence and has been in other uses including stints as a bank and ironmongers. It presently is in use as a museum.
- 1.2 This application seeks Listed Building Consent to replace the existing gas heating boiler in the cellar and existing balanced flue with a new gas boiler and flue to exit at the north-east (rear) elevation together with associated repairs and alterations. The application is submitted as the existing gas boiler in the cellar has reached the end of its design life and due to current gas safety regulations, an alternative solution to an existing balanced flue which exits at floor level on the street is required.
- 1.3 It is proposed to move the boiler from its current location on the south-west wall of the cellar to the north-east wall which would enable a new flue to exit the cellar through a small 19th century window below street level facing St Peters' Street (north-east elevation) that was subsequently filled in with pieces of plywood that were then rendered. The central piece of plywood would be removed, and replaced with a new piece of plywood that has a hole cut for the flue through the centre, and two 125mm diameter cast aluminium grilles installed on either side of the flue to provide ventilation. All of the above would be painted black. Once the flue is through the wall it would then travel horizontally before rising up the adjacent vertical timber, emerging above the existing single-storey tiled canopy at the north-east elevation at street level. The flue would be painted black and restrained by brackets that are fixed into the plaster infill panels (understood to be of 20th century origin).

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

- 1.4 For comparison, the existing balanced flue utilises a similar arrangement, exiting the building through a piece of plywood painted black although directly at floor level. The existing flue would be removed as part of the proposed works and the plywood replaced by a similar piece of timber, also painted black.
- 1.5 The location plan together with the existing and proposed cellar floor plans and north-east elevation are inserted below which illustrates the proposed works for which consent is sought:



Site Location Plan



Existing and Proposed Cellar Floor Plans



Existing and Proposed North-East Elevation

- 1.6 This application is to be considered in accordance with the completed application form, together with supporting documents including a Statement of Significance, Heritage Impact Assessment (subsequently amended to reflect the amended plans submitted), details of cantilever arms and a brochure of the intended proposed flue.

2. Policies

2.1 Herefordshire Local Plan - Core Strategy 2011-2031 adopted October 2015 (CS)

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

SS1 – Presumption in favour of sustainable development
 SS6 – Environmental quality and local distinctiveness
 HD1 – Hereford
 HD2 – Hereford city centre
 LD1 – Landscape and townscape
 LD4 – Historic environment and heritage assets
 SD1 – Sustainable design and energy efficiency

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Paragraph 34 of the revised National Planning Policy Framework requires a review of local plans be undertaken at least every five years. In order to determine whether the plan policies and spatial development strategy are in need of updating and should then be updated as necessary. The CS was adopted on 15th October 2015 and a review was required to be completed before 15th October 2020. The decision to review the CS was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. The CS policies together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link:- https://www.herefordshire.gov.uk/downloads/download/123/adopted_core_strategy

2.2 National Planning Policy Framework - amended on 7 February 2025 (NPPF)

2 – Achieving sustainable development
 12 – Achieving well-designed places
 16 – Conserving and enhancing the historic environment

The NPPF sets out the government's planning policies for England and how these are expected to be applied in plan-making and decision-making. The NPPF can be viewed using the following link: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

2.3 National Planning Practice Guidance (NPPG)

National Planning Practice Guidance (PPG) adds further context to the NPPF and it is intended that the two documents should be read together. The PPG can be accessed through the following link: <https://www.gov.uk/government/collections/planning-practice-guidance>

2.4 Other relevant guidance:

Historic England – Historic Environment Good Practice Advice in Planning – Note 3: The setting of Heritage Assets
 Historic England – Historic Environment Good Practice Advice in Planning – Note 2: Managing Significance in Decision-Taking in the Historic Environment.

3. Planning History

- P242744/XA2 – Application for approval of details reserved by condition 4 & 7 of planning permission 211691 – Approved
- P241731/XA2 – Application for approval of details reserved by conditions 4, 7 & 8 attached to listed building consent 211691 – Approved
- P231775/XA2 – Application for approval of details reserved by condition 3 attached to planning permission 211691 – Approved
- P211691/L – Proposed repairs to external joinery, frame and infill panels of 1st floor, 2nd floor & attic level elevations – Approved with conditions
- P191939/L – Proposed repair and replacement of timber-frame infill panels and both externally and internally – Withdrawn
- P183784/L – Proposed conservation work to two wall paintings – Approved with conditions
- P174205/L – Upgrade to existing fire alarm and emergency lighting provision and electrical rewire to comply with current regulations – Approved
- HC940323ZZ – General repairs to east elevation roof & chimneys. Removal of ply panels & replacing with wattle & daub. Taking out oriels for repair & re-installing – Approved with conditions

- HC940512ZZ – Repairs to sole plates, post & various small repairs to north, south & west elevations – Approved
- HC910606LA – Removal of wall painting, to be restored & rehung, repairs to adjoining post. Damage & detachment of panels to be replaced in wattle & daub – Approved
- HC890735ZZ – Replacement of timbers – Approved
- HC880378ZZ – Works to stone plinths & railings – Approved

4. Consultation Summary (statutory and internal council consultations)

During consideration of this application, amended plans and updated supporting documents have been submitted. For avoidance of doubt, all consultation responses are provided below and have been annotated under each consultation response where they are responding to either the superseded plans or amended plans.

4.1 Historic England – No objections

1st consultation 23 January 2026 (Superseded Plans)

“Thank you for your letter of 4 January 2026 regarding the above application for listed building consent. Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/> It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.”

2nd consultation (Amended Plans) 11 February 2026

“Thank you for your letter of 9 February 2026 regarding further information on the above application for listed building consent. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.”

4.2 Building Conservation Officer – No objection

1st consultation 9 February 2026 (Amended Plans)

“Thank you for sending me through the amended drawings which I confirm are acceptable to me. I do not require any further conditions to the standard planning conditions. Please let me know if you need further comment.”

5. Representations

5.1 Hereford City Council - Objection

1st consultation 27 January 2026 (Superseded Plans)

“Councillors object on the grounds that this historic, listed building will be negatively impacted by the intrusive nature of the proposed flue. Several questions were asked, such as why it is outside, and why it isn’t suggested that it is painted black (to better blend in). As it impinges on the exterior of the building, Councillors had no choice but to object. This is one of Hereford’s most iconic buildings, and should be respected as such”

2nd consultation (Amended Plans) – No response received

5.2 No third party representations have been received to the superseded or amended plans to date.

5.3 All consultation responses can be viewed on the Council’s website using the following link:-
<https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=253584>

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

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

Policy and legislative context

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows: "*If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*" In this instance, the adopted development plan comprises the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is a significant material consideration.
- 6.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and Paragraph 34 of the NPPF require a review of local plans to be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating. The CS was adopted in October 2015 and a decision to review the CS was taken in November 2020.
- 6.3 Herefordshire Council is currently in the process of preparing a new local plan. A draft was published in March 2024 for Regulation 18 consultation. Following planning reforms including revisions to the NPPF by the UK Government in December 2024, the Council decided to cease further work on the Draft Regulation 18 Local Plan as a new spatial strategy is required to address a significant uplift in housing growth. The Council will progress its Local Plan under the new plan making process introduced by the Levelling up and Regeneration Act (LURA) 2023. No draft of the plan under the new plan making system has yet been published and as such, there is no emerging plan to which any weight can currently be attributed.
- 6.4 In reaching any decision, the level of consistency of policies of the adopted development plan against the NPPF will need to be taken into account with due weight given according to their degree of consistency, as per Paragraph 232 of the NPPF. From reviewing those policies within the CS applicable to the determination of this application, they are generally consistent with the guidance contained within the NPPF particularly in terms achieving well-designed places and conserving and enhancing social and environmental assets. As such, significant weighting should continue to be afforded to these relevant policies.
- 6.5 Regard needs to be had to the statutory duty of Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 (<https://www.legislation.gov.uk/ukpga/1990/9/section/16>) which states that "*in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*"
- 6.6 The NPPF provides clarity in terms of assessing the impact of proposals on designated and non-designated heritage assets (both above and below ground), dedicating a whole section to conserving and enhancing the historic environment (Chapter 16).
- 6.7 Paragraph 207 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's significance and no more than is sufficient to understand the potential impact of the proposal on their significance.

- 6.8 Paragraph 208 identifies local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).
- 6.9 Paragraph 210 advises that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness, amongst other things.
- 6.10 Paragraph 212 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.11 Paragraph 213 outlines that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 6.12 Paragraph 214 deals with considering proposals which would lead to substantial harm. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 6.13 Paragraph 215 states "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*".
- 6.14 The NPPF context is generally consistent with relevant CS policies identified in Section 2 above including SS1, SS6, HD1, HD1, LD1, LD4 and SD1.

Assessment

- 6.15 The application acknowledges that The Old House is a Grade I listed building and clearly describes and demonstrates its significance. In evidencing this, your officer refers to the submitted Statement of Significance which clearly outlines the listing, sets out an appropriate history of the building, as well as detailing the proposed works in the updated heritage impact assessment.
- 6.16 The submitted amended plans and supporting documents is sufficient for a decision-maker to understand the potential impacts of the proposal on the significance of this designated heritage asset. The proposal is clearly viewed to meet the Paragraph 207 test of the NPPF in that the level of detail submitted is proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 6.17 The existing terminal is directly against the wall at ground level so whilst fairly discreet, a change in gas safety regulations means any new flue must extend a minimum of 2 metres above the exit point in the building. It was originally proposed to take the flue up a post supporting the lean-to

roof and bending it around the eaves. Following initial reservation raised by the Council's Building Conservation Officer, at the request of your officer, amendments have been sought to now position the external flue against the rear wall at the north-east elevation and take it through the single-story roof tiled canopy.

- 6.18 The works are to continue to provide heating to the building which makes an important contribution to the heritage of Hereford City, ensuring not only the continued comfort of visitors/users of the building whilst on-site, but ensure optimum conditions exist in terms of temperature and humidity. This is to enable the long term preservation of both the building and its contents which provide architectural and historical value and contribute towards the buildings significance as a designated heritage asset.
- 6.19 The proposed alterations, as amended, are viewed to contribute to the continued preservation and conserving of the building. The proposed works would not result in the unjustified loss of any historic fabric albeit limited to that absolutely necessary to achieve the required scope of works as applied for. There is also a need to appreciate that the proposal is of an appropriate scale, form, massing and design and uses appropriate materials and methods of construction which are compatible with the character and construction of this important listed building which will become at risk of damage through damp and associated issues should the works not be undertaken.
- 6.20 The actual boiler and flue will be fixed to 19th century elements of the structure, rather than the original 17th century elements, although it is not disputed that the level of impact the proposed works would amount to a level of minor to moderate degree of adverse harm to the significance of the Old House although this clearly can be considered to amount to a level 'less than substantial harm' to the significance of the designated heritage asset.
- 6.21 As set out in NPPG (Reference ID: 18a-020- 20190723), the NPPF requires any identified harm to the significance of designated heritage assets to be weighed against the 'public benefits' of the proposal, following the test set out in Paragraph 215 of the NPPF. NPPG goes on to state that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF (paragraph 8), and not just simply needing to be related to or focused on heritage. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit that benefits an applicant only. However, benefits do not always have to be visible or accessible to the public in order to be genuine e.g. works to a listed private dwelling which secure its future as a designated heritage asset could reasonably amount to a public benefit.
- 6.22 Examples of heritage benefits may include:
- sustaining or enhancing the significance of a heritage asset and contribution of its setting
 - reducing or removing risks to a heritage asset
 - securing the optimum viable use of a heritage asset in support of its long term conservation
- 6.23 The view reached of 'less than substantial harm' does not mean that the preservation of the setting or significance is diminished, as well established in case law. In isolation of the material facts in relation to the setting, experience and significance of the this designated heritage asset, there is no doubt that several wider public benefits would accrue including the quality of the development in terms of its design approach; economic benefits from development in the creation of construction during the construction phase, which could benefit local tradespersons; the continued socio-economic benefits to the city of Hereford as a whole including tourism/visitors to the museum; and being able to record and advance the understanding of the significance of the building (wholly or in part) and to make this evidence or archive generated publicly accessible and improve understanding of the heritage asset and ensure that the new system can be implemented with the lowest intervention.

- 6.24 Notably, the proposal would enable the continued use of the building, providing a warm and welcoming environment to visitors which will conserve the overall public perception of the building. Whilst the historic and architectural value of these are acknowledged, the harm caused by the proposals is limited in both their nature and particularly their extent. The design approach has clearly sought to preserve and enhance key elements of nearby historic fabric and setting, thereby ensuring that the significance of the heritage asset is not fundamentally compromised to a substantial degree.
- 6.25 Taking all things into consideration, the level of ‘less than substantial harm’ to the significance of The Old House, is considered to be outweighed by the identified public benefits. The proposal therefore is viewed to ‘pass’ the Paragraph 215 test of the NPPF and is accordingly considered to accord with Policies SS6, HD1, LD1, LD4 and SD1 of the CS, which is consistent with Sections 2, 12 and 16 of the NPPF. The statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, are also viewed to be dutifully discharged.

Other considerations

- 6.26 It is not within the remit of the decision-maker to consider other matters beyond the relevant considerations when assessing an application for listed building consent.
- 6.27 Notwithstanding this, the amended heritage impact assessment has considered a summary of alternative options. This includes consideration of replacing the boiler with a more sustainable system such as a heat pump appearing that this is a more sustainable solution and may lead to lower long-term running costs. However, this has been weighed against the points that capital costs are likely to be greater, external unit and internal tanks would be required, the external unit would likely have a similar or possibly more significant detrimental impact upon the visual experience of the building. Due to the lower operating temperature, new radiators and pipework would be required and given the relatively low thermal performance of historic fabric, this means that system would likely work at lower efficiency than anticipated. Other considerations such as doing nothing, replacement with a new electric boiler and the use of plug-in electric heaters have also been considered but discounted.

Summary and Conclusion

- 6.28 The proposed works are appropriate and submitted with clear and convincing justification. The works would end a maintenance defect which could otherwise put an element of this important historic structure at risk, appreciating the contribution the building provides to the heritage of Hereford City Centre, together with its associated social and economic benefits. There are no technical consultee objections including that of the Council’s Building Conservation Officer and Historic England. Accordingly, it is recommended that listed building consent be granted.

RECOMMENDATION

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

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

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Building & Conservation Areas) Act 1990.
2. **The works shall be carried out strictly in accordance with the approved plans and supporting documents, except where otherwise stipulated by conditions below.**

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policies SD1 and LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 3. **Unless otherwise agreed in writing with the Local Planning Authority, the new external flue shall be coloured black.**

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

INFORMATIVES:

- 1. **IP2 – Application approved following amendment**
- 2. **I69 - LBC**
- 3. **I66 – Extent of Permission Listed Building Consent**

Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 253584

SITE ADDRESS : THE OLD HOUSE, HIGH TOWN, HEREFORD, HEREFORDSHIRE, HR1 2AA

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