

Agenda

Planning and Regulatory Committee

Date: **Wednesday 14 October 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:

Matthew Evans, Democratic Services Officer

Tel: 01432 383690

Email: matthew.evans@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Matthew Evans, Democratic Services Officer on 01432 383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

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

	Pages
PUBLIC INFORMATION	
GUIDE TO THE COMMITTEE	
NOLAN PRINCIPLES	
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive details of any Member nominated to attend the meeting in place of a Member of the Committee.	
3. DECLARATIONS OF INTEREST	
To receive declarations of interests in respect of items on the agenda.	
4. MINUTES	13 - 56
To approve the minutes of the meeting held on 9 September 2026.	
5. CHAIRPERSON'S ANNOUNCEMENTS	
To receive any announcements from the Chairperson.	
6. 260943 - LAND SOUTHEAST OF WOONTON FARM, WOONTON, ALMELEY, HEREFORD	57 - 86
Development of nine dwellings and associated works.	
7. 253316/253317 - 123 THE HOMEND, LEDBURY, HEREFORDSHIRE, HR8 1BP	87 - 102
Part change of use from a mixed residential and retail use, to residential use.	
8. DATE OF NEXT MEETING	
Date of next site inspection – 3 November	
Date of next meeting – 4 November	

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).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Recording of meetings

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

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 9 September 2026 at 10.00 am

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

Councillors: Polly Andrews, Bruce Baker, Jacqui Carwardine, Simeon Cole, Matthew Engel, Catherine Gennard, Peter Hamblin, Stef Simmons, Charlotte Taylor, Richard Thomas, Allan Williams and Mark Woodall

Officers: **Senior Solicitor Planning and Highways and Development Manager Majors Team**

11. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dave Davies and John Stone.

12. NAMED SUBSTITUTES (IF ANY)

Councillor Allan Williams acted as a substitute for Councillor Dave Davies.

13. DECLARATIONS OF INTEREST

There were no declarations of interest.

14. MINUTES

RESOLVED: That the minutes of the meeting held on 29 July be approved.

15. 251908/251909 - LAND AT TOWN WELL STATION ROAD, CREDENHILL, HEREFORDSHIRE, HR4 7DW

Councillor Taylor acted as the local ward member for the application below.

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

In accordance with the criteria for public speaking Mr Burrridge, spoke on behalf of Credenhill Parish Council, Mr Lake, spoke in objection to the application and a statement was read on behalf of the applicant, Ms Peberdy.

In accordance with the Council's constitution, the local ward member spoke on the application and outlined the objections raised by Credenhill Parish Council and neighbouring residents. She explained that members who had visited the site would appreciate the close physical relationship between the proposed development, Town Well, Midsummer Barn and the Dovecote, and the resulting implications for neighbouring amenity. She outlined that the Parish Council had consistently objected to the proposal

throughout five rounds of consultation, citing concerns regarding the effect on the Grade II listed stables and its setting, overlooking and loss of privacy, impacts on natural light, noise associated with the proposed glasshouse extension, concerns regarding the proposed wood burner and parking arrangements, construction impacts on neighbouring occupiers, and the potential future use of the building as short-term holiday accommodation. She questioned whether the revised scheme had adequately addressed concerns regarding residential amenity, privacy and heritage impacts and considered that insufficient information had been provided to enable the committee to properly assess the significance of the heritage asset and the impact of the proposed development. She requested that the committee give careful consideration to the statutory duties relating to listed buildings and to the concerns raised by local residents.

The committee debated the applications and the principal points raised included:

- The relationship between the proposed openings and neighbouring properties had been carefully considered and, in the view of some members, the proposed obscure-glazed and non-opening windows, together with the orientation of the remaining openings, would adequately protect neighbouring amenity.
- Concern regarding noise generated by the glazed extension was not considered to be substantiated by evidence and members noted that neighbouring properties already contained extensive glazing facing towards the application site.
- Members considered it important to place weight on the professional advice of the council's heritage specialists. It was noted that both the Principal Building Conservation Officer and Historic England had raised no objection to the proposal, subject to conditions.
- The proposal would secure a viable long-term use for the Grade II listed building and help ensure its preservation.
- Concerns regarding the possible future use of the dwelling as holiday accommodation were discussed. Members noted that the application before the committee was for a dwellinghouse use and that any future change of use would need to be considered separately as a matter of planning judgement.
- A query was raised over how much weight could be given to policies within the Council's Core Strategy following the introduction of the revised National Planning Policy Framework (NPPF).

The Development Manager provided the following clarification:

- Most Core Strategy policies remain relevant and carry significant weight due to their alignment with current national planning policy, although some housing and sustainable development policies are afforded only limited or moderate weight where they have been partly superseded by the NPPF.
- The application sought permission for a C3 dwellinghouse and that any future consideration of holiday accommodation use would be a separate matter.

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

Councillor Stef Simmons proposed and Councillor Bruce Baker seconded a motion that application 251908 be approved in accordance with the case officer's recommendation.

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

Councillor Stef Simmons proposed and Councillor Bruce Baker seconded a motion that application 251909 be approved in accordance with the case officer's recommendation.

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

RESOLVED:

P251908/F (Planning Permission)

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:

Standard Conditions

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

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

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

List of Approved Plans

- TOW-P-001 REV B – Location Plan;
- TOW-P-002 REV B – Site Plan;
- TOW-P-005 – Drainage Plan;
- TOW-P-015 – Existing First Floor Cross Section;
- TOW-P-020 REV B – Proposed Ground Floor Plan;
- TOW-P-021 REV D – Proposed First Floor Plan;
- TOW-P-022 REV C – Proposed Roof Plan;
- TOW-P-023 REV B – Proposed North-West Elevation;
- TOW-P-024 REV C – Proposed North-East Elevation;
- TOW-P-025 REV D – Proposed South-East Elevation;
- TOW-P-026 REV B – Proposed South-West Elevation;
- TOW-P-027 REV C – Proposed First Floor Cross Section; and
- TOW-P-030 – Proposed Door Detail.

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 Policies DP3 and DP4 of the National Planning Policy Framework.

Pre-Commencement Conditions

3. Prior to the commencement of development, details of fencing between the approved development and Midsummer Barn shall be submitted to and approved in writing by the Local Planning Authority. Details shall include an annotated site plan, proposed elevations and cross-section to an appropriate scale.

The approved fencing shall be erected within 90 calendar days of works commencing on site to implement the permission hereby granted. The fencing shall thereafter be retained and maintained in accordance with the approved details.

If during the lifetime of the development, the fencing needs to be repaired or replaced, it shall be on a like-for-like basis in accordance with the details approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safeguarding residential amenity between current and future occupiers in accordance with Policy SD1 of the Herefordshire Local Plan – Core Strategy and Policies P3, DP3 and DP4 of the National Planning Policy Framework.

4. Prior to any works commencing on site, a soft landscape scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:
- a) All trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012;
 - b) Trees and hedgerow to be removed;
 - c) All proposed new planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details; and
 - d) All proposed hardstanding.

The landscaping shall be carried out in accordance with the following timescales:

- All soft landscaping boundary planting shall be carried out in the first planting season following the approval of such details.
- All other planting, seeding or turf laying in the approved landscaping scheme shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner.
- All hardstanding shall be completed prior to first occupation of the dwellinghouse.

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

Reason: To safeguard and enhance the character and amenity of the area, protect residential amenity and to ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, SD1, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and Policies DP3 and DP4 of the National Planning Policy Framework.

5. Prior to any works commencing on site, details and the location of the following matters shall be submitted to and approved in writing by the local planning authority:
- A method for ensuring mud is not deposited onto the Public Highway;
 - Construction traffic access location;
 - Parking for site operatives;
 - Construction Traffic Management Plan;
 - Site waste prevention and management plan.

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

Reason: In the interests of highway safety and recognising that the treatment/handling of any site waste is a necessary initial requirement before any works are undertaken in the interests of pollution prevention and

efficient waste minimisation and management, to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and Policies M4, M6 TR4 and TR6 of the National Planning Policy Framework.

6. The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow them to observe the excavations and record items of interest and finds.

A minimum of 5 days' written notice of the commencement date of any works shall be given in writing to the County Archaeology Service.

Reason: To allow the potential archaeological interest of the site to be investigated and recorded and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and Policies HE4 and HE6 of the National Planning Policy Framework.

Pre-Occupancy Conditions

7. The ecological protection, mitigation, compensation and enhancement measures set out within the Bat Survey Report prepared by James Johnston Ecology dated July 2025 shall be implemented in full and maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

No works affecting any protected species or their resting places shall take place unless and until any licence required under the Conservation of Habitats and Species Regulations 2017 (as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) has been obtained.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, Policies N2 and N6 of the National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and Herefordshire Council's declared Climate Change & Ecological Emergency.

8. Prior to the commencement of any brickwork repairs, alterations or extensions, a sample of the type of brick proposed shall be submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Policies SD1 and LD4 of the Herefordshire Local Plan - Core Strategy and Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework.

9. Prior to any roof works being undertaken, a sample of new roof materials including ridge tiles shall be submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Policies SD1 and LD4 of the Herefordshire Local Plan - Core Strategy and Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework.

10. No joinery works shall commence until precise details of all external windows and doors to both existing windows and newly created windows and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- Full size or 1:2 details and sections, and 1:20 elevations of each joinery item cross referenced to the details and indexed on elevations on the approved drawings;
- Method & type of glazing; and
- Colour Scheme and Surface Finish

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

Reason: In the interests of the character and appearance of the area, to safeguard residential amenity and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Policies SD1 and LD4 of the Herefordshire Local Plan - Core Strategy and Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby permitted, details of a scheme for the provision of cycle parking facilities within the approved dwelling shall be submitted to the Local Planning Authority for their written approval. The cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and Policies DP3, DP4, TR3 and TR4 of the National Planning Policy Framework.

12. Prior to first occupation of the dwellinghouse hereby approved, evidence demonstrating the installation of a minimum of three bird nesting features and three bat roosting features on the approved building, or on land within the applicant's control, shall be submitted to and approved in writing by the Local Planning Authority. The approved features shall thereafter be retained.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, Policies DP3, DP4 and N2 of the National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy Policies LD1, LD2 and LD3, Environment Act and LURA duty to biodiversity and Herefordshire Council's declared Climate & Ecological Emergency.

13. Prior to the first occupation, or use, of the dwellinghouse hereby permitted, and at all times thereafter, the windows annotated on the approved plans pursuant to Condition 2 shall be glazed with obscure glass only and non-opening as indicated. The obscured glazing shall be retained in perpetuity.
Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and Policies P3, DP3 and DP4 of the National Planning Policy Framework.
14. In the event that the dwellinghouse is occupied for the purposes of short-term holiday accommodation, a Noise Management Plan shall first be submitted to and approved in writing by the Local Planning Authority prior to first use as short-term holiday accommodation.
The approved plan shall thereafter be implemented for the duration of that use.
Reason: To ensure adequate measures are in place to control noise and mitigate for the potential effects on neighbouring residential amenity, in accordance with Policy SD1 of the Herefordshire Local Plan - Core Strategy and Policy P3 of the National Planning Policy Framework.
15. The foul and surface water works shall be completed in accordance with the approved plans pursuant to Condition 2 prior to first occupation of the approved dwellinghouse.
Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and Policies F8 and N6 of the National Planning Policy Framework.

Post-Occupancy Monitoring and Management Conditions

16. Within six months of any of the photovoltaic panels hereby permitted becoming redundant, inoperative or permanently unused, those panels and all associated infrastructure shall be removed and re-used, recycled, the materials recovered, or be finally and safely disposed of to an appropriate licensed waste facility, in that order of preference.
Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy and Policies CC2, CC3, DP3 and DP4 the National Planning Policy Framework.
17. Unless otherwise approved in writing by the planning authority all foul water flows from the approved development shall discharge to the local mains sewer system managed by Welsh Water through their Eign (Hereford) Waste Water Treatment Works. The foul water system shall hereafter be managed and maintained as approved.

Reason: In order to ensure there are no effects on the River 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'), Policies F8, W3, W4, DP3, DP4 and N6 of the National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.
18. All surface water flows from the development permitted under this

permission shall discharge to a Sustainable Drainage System on land under the applicant's legal control. No surface water shall be discharged to the local mains sewer system. The surface water system shall hereafter be managed and maintained as approved and no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and in order to ensure there are no effects on the River 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'), Policies F8, W3, W4, DP3, DP4 and N6 of the National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy Policies SS1, SS6, LD2, SD3 and SD4.

19. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the hours of Mondays to Fridays 8.00 am - 6.00 pm, Saturdays 8.00 am - 1.00 pm.

Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and Policy P3 of the National Planning Policy Framework.

20. No external lighting shall be installed unless and until details of the lighting have been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall include their location; mounting height; light source and specification; light intensity (lumens); colour temperature; beam angle and orientation; measures to control light spill; and hours of operation including overrun time.

All external lighting shall thereafter be installed and operated in accordance with the approved details and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); Policies P3, DP3, DP4 and N2 of the National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3; Environment Act and LURA duty to biodiversity, and Herefordshire Council's declared Climate & Ecological Emergency.

Informatives

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

2. The application site is located close to a military establishment. Future occupants should be made aware that military activity may create noise disturbance in the area. External amenity areas may also be adversely affected by military noise and mitigation may not be possible. The Ministry of Defence would not accept responsibility for any future complaints regarding noise or light which may arise from activity within its estate, on the basis that the applicant (and successors in title) is the 'agent of change' and would be deemed to have full knowledge of the immediate location and the general nature of activities taking place.
3. The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and Natural England should be informed. They can be contacted at: Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ. Tel: 0300 060 6000.

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

4. The applicant may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

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

In accordance with the National Planning Policy Framework, the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption.

5. 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.

6. If you have any queries regarding the archaeological interest of the site or the requirements of the conditions relating to archaeological work, please contact HARC, Fir Tree Lane, Rotherwas, Hereford HR2 6LA (Tel: 01432 260470).
7. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
8. It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
9. This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.
10. Attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:
 - Work on an existing wall or structure shared with another property;
 - Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property; or
 - Excavating near a neighbouring building

The legal requirements of this Act lies with the building/site owner, they must find out whether the works subject to this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local planning authority in such matters. Further information can be obtained from the ODPM publication, The Party Wall Act 1996 - explanatory booklet.

P251909/L (Listed Building Consent)

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 Buildings and Conservation Areas) Act 1990.

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

List of Approved Plans

- TOW-P-001 REV B – Location Plan;
- TOW-P-002 REV B – Site Plan;
- TOW-P-005 – Drainage Plan;
- TOW-P-015 – Existing First Floor Cross Section;

- TOW-P-020 REV B – Proposed Ground Floor Plan;
- TOW-P-021 REV D – Proposed First Floor Plan;
- TOW-P-022 REV C – Proposed Roof Plan;
- TOW-P-023 REV B – Proposed North-West Elevation;
- TOW-P-024 REV C – Proposed North-East Elevation;
- TOW-P-025 REV D – Proposed South-East Elevation;
- TOW-P-026 REV B – Proposed South-West Elevation;
- TOW-P-027 REV C – Proposed First Floor Cross Section; and
- TOW-P-030 – Proposed Door Detail.

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 Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework.

3. Prior to the commencement of any brickwork repairs, alterations or extensions, details of the following matters shall be submitted to and approved in writing by the Local Planning Authority:

- Details of an appropriate scale indicating how the new brickwork will tie into the existing brickwork;
- A sample of the type of the brick proposed;
- The face bond of brickwork;
- Description of the joints proposed; and
- Mortar mix, profile and finish.

The works shall be carried out in accordance with the approved details.

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 Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework.

4. Prior to any roof works being undertaken details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Details of the extent of any stripping or intervention to the existing roof structure and covering;
- Samples of new roof materials including ridge tiles;
- Method of coursing; and
- Elevation drawings of an appropriate scale indicating how the new roof will tie into the existing roof on the south-east elevation and how the courses will be matched.

The works shall be carried out in accordance with the approved details.

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 Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework.

5. Before work begins in relation to the creation of any new window or door openings, details of the materials and form of the heads and cills of all new

window and door openings at a scale of 1:5, shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with Policies within the Herefordshire Local Plan - Core Strategy, Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. No joinery works shall commence until precise details of all external windows and doors to both existing windows and newly created windows and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- Full size or 1:2 details and sections, and 1:20 elevations of each joinery item cross referenced to the details and indexed on elevations on the approved drawings;
- The method & type of glazing; and
- Colour Scheme and Surface Finish

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

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. No rooflight installation shall commence until details of the proposed rooflights, including sections at a scale of 1:2 or 1:5 demonstrating their profile within the roof slope, have been submitted to and approved in writing by the Local Planning Authority.

The approved rooflights shall be traditional low-profile metal conservation rooflights and shall be installed in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Notwithstanding the details on Drawing No. TOW-P-030 - Proposed Door Detail, prior to the second door being introduced to the door frame, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- A cross section through the existing door frame;
- A cross section through the proposed door frame indicating any new materials or modifications to the existing door frame; and
- A cross section through the doorway indicating the relationship of the new door with the door frame when the re-sited doorframe is in a new position.

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

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Prior to any works to the historic ground-floor arched window on the north-west elevation, as shown on Drawing No. TOW-P-023 Rev B – Proposed North-West Elevation, full details of the proposed repair methodology and secondary glazing shall be submitted to and approved in writing by the Local Planning Authority.

The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the listed building, in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. Prior to the opening of the blind windows identified on Drawing No. TOW-P-023 Rev B – Proposed North-West Elevation and Drawing No. TOW-P-026 Rev B – Proposed South-West Elevation, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Methodology for the removal of bricks;
- Full details of repairs and making good to the jambs and window heads, including any new materials to be introduced; and
- Cross-sections through the proposed openings showing the location of the window frames.

The works shall be executed in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Policies SD1 and LD4 of the Herefordshire Local Plan - Core Strategy, Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Prior to the installation of any new or relocated external services, including utility connections, meter boxes, telecommunications equipment, data cabling, external conduits, flues, vents or associated fixtures, details of their position, design and method of installation shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include any proposed routes, means of concealment and fixing methods.

The works shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Policies SD1 and LD4 of the Herefordshire Local Plan - Core Strategy, Policies DP3, DP4, HE4 and HE6 of the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 listed building consent.**
- 2. Listed Building Consent is required for the demolition of a listed building or the carrying out of any works for the alteration or extension of a listed building in any manner that would affect its character as a building of special architectural or historic interest. Failure to obtain consent when it is needed is a criminal offence. Planning (Listed Building & Conservation Areas) Act 1990.**
- 3. This Listed Building Consent relates solely to the plans, drawings, notes and written details submitted with the application, or as subsequently amended in writing and referred to on this decision notice. Any variation of the works or additional works found to be necessary before work starts or while work is in progress may only be carried out subject to approval by the Local Planning Authority. Unauthorised modifications, alterations, or works not covered by this consent may render the applicant, owner(s), agent and/or contractors liable to enforcement action and/or prosecution.**

16. 261671 - TOWN WELL, STATION ROAD, CREDENHILL, HEREFORD, HEREFORDSHIRE, HR4 7DW

Councillor Taylor acted as the local ward member for the application below.

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

In accordance with the Council's constitution, the local ward member spoke on the application and explained that she supported the proposal in the application.

The committee discussed the application and expressed support.

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

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

RESOLVED:

That 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 Buildings and Conservation Areas) Act 1990.

- 2. The development shall be carried out strictly in accordance with the following approved plans and supporting documents except where otherwise stipulated by conditions attached to this consent:**

- Methodology statement received on 31 July 2026;**
- Floor Plan;**
- Proposal Sketch;**
- Heritage Impact Assessment; and**
- Design and Access Statement.**

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 Policies DP3, DP4, HE4, HE5 and HE6 of the National Planning Policy Framework.

- 3. Prior to the relocation of the salting slab, details of the following matters shall be submitted to and approved in writing by the Local Planning Authority:**

- A floor plan of the cellar indicating the relocation of the salting slab;**
- A methodology for its dismantlement; and**
- A methodology for its re-erection.**

The works shall be carried out in accordance with the approved details.

Any variation to the approved details shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing.

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 Policies DP3, DP4, HE4, HE5 and HE6 of the National Planning Policy Framework.

- 4. Prior to the installation of any vents or extracts that may be required in relation to the WC, details of the size, colour and appearance of the vent or extract and its location shall be submitted to and approved in writing by the Local Planning Authority.**

The works shall be carried out in accordance with the approved details.

Any variation to the approved details shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing.

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 Policies DP3, DP4, HE4, HE5 and HE6 of 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 listed building consent.
2. This Listed Building Consent relates solely to the plans, drawings, notes and written details submitted with the application, or as subsequently amended in writing and referred to on this decision notice. Any variation of the works or additional works found to be necessary before work starts or while work is in progress [or required separately under the Building Regulations, by the County Fire Service or by Environmental Health legislation] may only be carried out subject to approval by the Local Planning Authority. Unauthorised modifications, alterations, or works not covered by this consent may render the applicant, owner(s), agent and/or contractors liable to enforcement action and/or prosecution.
3. Listed Building Consent is required for the demolition of a listed building or the carrying out of any works for the alteration or extension of a listed building in any manner that would affect its character as a building of special architectural or historic interest. Failure to obtain consent when it is needed is a criminal offence. Planning (Listed Buildings & Conservation Areas) Act 1990.

There was an adjournment at 10:53 a.m.; the meeting reconvened at 11:04 a.m.

Councillor Taylor resumed her seat on the committee.

17. 260149 - LAND SOUTH EAST OF GREYHOUND CLOSE, LONGTOWN, HEREFORD, HEREFORDSHIRE

Councillor Engel acted as the local ward member for the application below.

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

In accordance with the criteria for public speaking Ms Cecil, spoke on behalf of Longtown Parish Council, Mr Arthur, spoke in objection to the application and Mr John, planning agent, spoke in support.

The local ward member spoke on the application. In summary, he reminded members that planning permission for the development had previously been granted by the committee and explained that the current application sought the removal of Condition 4, which required improvements to the public water supply network before development commenced. He referred to longstanding and well-documented problems with water supply in Longtown and highlighted concerns raised by local residents regarding low water pressure and interruptions to supply. He noted that responses submitted during

the consultation process were based on residents' direct experiences of insufficient water supply and argued that Condition 4 provided an important safeguard for existing residents. He referred to consultation responses from Welsh Water, noting that whilst the statutory undertaker had ultimately withdrawn its objection to the application, it had stated a preference for the condition to remain. He expressed concern that removal of the condition would leave residents without assurance that improvements to the water network would be delivered before development proceeded and requested that the committee retain Condition 4.

The committee debated the application and the principal points raised included:

- Members acknowledged the longstanding difficulties experienced by residents in Longtown regarding potable water supply and recognised the concerns expressed by local residents and the parish council.
- Concern was expressed that removal of Condition 4 would undermine the earlier decision of the planning committee which had determined that the development should only proceed after improvements to the water infrastructure had been secured.
- Other members considered that the committee needed to rely on planning policy and professional advice and noted that Welsh Water had confirmed that sufficient controls existed under the Water Industry Act 1991 to assess future connections and require any necessary mitigation or reinforcement works.
- Members discussed the implications of National Decision-Making Policy DM7 and the requirement not to duplicate controls exercised under separate regulatory regimes.
- Concern was raised that retaining the condition without robust planning grounds could leave the authority vulnerable to a successful appeal.
- Members queried whether condition 4 could be replaced with reference to core strategy policy SD3.
- The possibility of alternative water supply arrangements was discussed, although it was recognised that this would be a matter for the developer and the relevant regulatory authorities outside the planning process.

The Development Manager provided the following clarification:

- Ongoing discussions between Herefordshire Council and Welsh Water concerning water supply issues across the county.
- Whilst local concerns were fully recognised, planning decisions must be made in accordance with the policy framework and that water connections remained subject to separate controls under the Water Industry Act 1991.
- The revised National Planning Policy Framework strengthened the position that planning conditions should not duplicate other regulatory regimes.
- The use of SD3 to amend condition 4 was not possible as there was no reference to potable water in policy SD3.

The local ward member had the opportunity to close the debate and he urged dialogue between interested parties to the application to resolve the areas of contention.

Councillor Richard Thomas proposed, and Councillor Allan Williams seconded, a motion that the application be refused due to the reason set out below:

It is not believed that the separate regime to ensure adequate potable water infrastructure in Longtown will be effective therefore condition 4 should be retained in the extant permission.

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

Councillor Bruce Baker proposed, and Councillor Stef Simmons seconded a motion that the application be approved in accordance with the officer's recommendation.

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

RESOLVED

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

- 1. The development hereby permitted shall be begun before the expiration of 8 July 2028.**
Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 and in having regard to Paragraph: 014 Reference ID: 17a-014-20140306 of National Planning Practice Guidance, planning permission cannot be granted under Section 73 to extend the time limit within which a development must be started.
- 2. 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:**

 - **1001 REV B (Location Plan);**
 - **1102 REV L (Proposed Site Plan);**
 - **1103 REV L (Site Plan);**
 - **1201 REV B (House Type A – Plans);**
 - **1202 REV A (House Type B – Plans);**
 - **1203 (House Type C – Plans);**
 - **1204 REV A (House Type D – Plans);**
 - **1301 REV D (House Type A – Elevations);**
 - **1302 REV C (House Type B – Elevations);**
 - **1303 REV D (House Type C – Elevations);**
 - **1304 REV C (House Type D – Elevations);**
 - **18484_500 REV.03 (Drainage Strategy); and**
 - **18484_501 REV. 02 (Foul Drainage Connection Plan)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area, in accordance with the requirements of Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1 and LGPC2 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
- 3. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: Monday - Friday 7.00am - 6.00pm, Saturday 8.00am -1.00pm nor at any time on Sundays, Bank or Public Holidays.**
Reason: To protect the amenity of local residents and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.
- 4. No works, including any site clearance, materials being brought onto site or groundworks, shall take place until details and the location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:**

 - **A method for ensuring mud is not deposited onto the Public Highway;**
 - **Construction traffic access location;**
 - **Parking for site operatives;**

- Construction Traffic Management Plan;
- Siting of site office/compound/storage area;
- Tree/hedgerow protection; and
- Soil management plan

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

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- No works, including any site clearance, materials being brought onto site or groundworks, shall take place until details of a site waste prevention plan and management measures has been submitted to and approved in writing by the local planning authority.

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

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.
- With the exception of any site clearance, no further works shall take place until visibility splays, and any associated set back splays at 45 degree angles are provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 23 metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC2 and LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
- With the exception of site clearance, formation of visibility splays and groundworks, no further development beyond damp course proof levels shall take place until manufacturers details or samples pertaining to the following matters have been submitted to and approved in writing by the Local Planning Authority:

 - Roof materials to be used externally;
 - Wall materials to be used externally;
 - Materials to be used externally on all windows and doors;
 - Details (i.e. location, design and appearance – including stain colour of any timber fencing) of all means of enclosure (i.e. gates, walls, fencing and other means of enclosure); and
 - Details of all rainwater goods (i.e. design, profile, material & colour).

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

Reason: To ensure a satisfactory appearance to the development and to ensure a quality development, in accordance with policies SS6, LD1 and SD1 of the Herefordshire Local Plan Core Strategy 2011-2031, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
- All parts of the approved development which are to be of stonework shall be of a local stone, properly coursed, laid on its natural bed in a mortar. Details of the stone, coursing details and mortar shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works in relation to

the stonework.

The works shall be carried out in accordance with the approved details and completed prior to first occupation of the dwellinghouse.

Reason: In the interests of conserving the character of the building so as to ensure that the development complies with the requirements of Policies SD1, LD1 and LD4 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

9. Notwithstanding the details which have been provided to date, with the exception of any site clearance, formation of visibility splays and groundworks, no further development beyond damp course proof levels shall take place until an enhanced landscaping scheme is submitted to and approved in writing by the local planning authority. The landscaping scheme shall include a scaled plan identifying:

- a) All proposed new planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details; and
- b) All proposed hardstanding, paving and boundary treatments.

The approved details shall subsequently be implemented as follows in accordance with the following timescales:

- All new soft landscaping boundary treatment planting and new 'orchard' planting shall be carried out in the first planting season following the approval of the landscaping details.
- All hard landscaping shall be completed prior to first occupation of each dwellinghouse.
- All other planting, seeding or turf laying in the approved landscaping scheme, unless otherwise specified above, shall be carried out in the first planting season following the occupation of the first dwellinghouse or the completion of the development, whichever is the sooner.

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

Reason: Having regard to the submitted details to date, an enhanced landscaping scheme is necessary to safeguard and enhance the landscape character and visual amenity of the area including streetscene. Additionally, the condition is to ensure implementation of the subsequently approved landscape scheme in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

10. Prior to relevant works commencing in relation to foul and surface water drainage arrangements, details pertaining to the following matters shall be submitted to and approved in writing by the Local Planning Authority:

- Detailed design/construction drawings of the proposed surface water and foul water drainage systems and proposed features;
- Full network calculations to demonstrate that the proposed surface water drainage system has been designed to prevent the surcharging of any below ground drainage network elements in all events up to an including the 1 in 2 annual probability storm event; and
- Confirmation that the adoption and maintenance of the foul drainage system has been agreed with Welsh Water.

The development shall subsequently be carried out in accordance with the approved details together with the details agreed in the Drainage Strategy Report (DSR) REF: 18484-DSR Revision 3 dated 31 March 2025, and drawing numbers 18484_500 REV.03 (Drainage Strategy) and 18484_501 REV. 02 (Foul Drainage Connection Plan) prior to first occupation of the dwellinghouses hereby approved and thereafter maintained as such for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory drainage arrangements in accordance with policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- 11. Prior to first occupation of each dwellinghouse, the related areas for car parking shall be laid out within the curtilage of each dwellinghouse, in accordance with the approved plans pursuant to Condition 2. The car parking areas shall be properly consolidated, surfaced and drained, in accordance with further details to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each dwellinghouse and subsequently completed prior to first occupation of each dwellinghouse.**

Once first occupied, the car parking areas shall not, thereafter, be used for any other purpose other than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
- 12. Prior to first occupation of any dwellinghouse approved under this permission, a scheme demonstrating measures for the efficient use of water for each dwellinghouse approved under this permission, as per the optional technical standards contained within Policy SD3 of the Herefordshire Local Plan - Core Strategy (or successor policy), shall be submitted to and approved in writing by the Local Planning Authority.**

The development shall be carried out in accordance with the approved details and completed prior to first occupation of each dwellinghouse.

Reason: To ensure compliance with Policies SS7, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
- 13. Works in relation to the provision of road and drainage infrastructure shall not commence until the following details have been submitted to and approved in writing by the local planning authority:**

 - Surface finishes;**
 - Drainage details; and**
 - Future maintenance arrangements**

The works shall subsequently be carried in accordance with the approved details and completed prior to the first occupation of each dwellinghouse hereby permitted, unless an alternative delivery/completion schedule is submitted to and approved in writing by the Local Planning Authority.

Thereafter, these shall be maintained in accordance with the approved details.

Reason: To ensure an adequate and acceptable means of access is available before any dwellinghouse is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
- 14. The construction of the vehicular access shall be carried out in accordance with a detailed specification to be submitted to and approved in writing by the local planning authority, prior to relevant works commencing, at a gradient not steeper than 1 in 12.**

The approved works shall thereafter be implemented and completed prior to first occupation of each dwellinghouse hereby permitted.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning

Policy Framework.

- 15. Prior to first occupation of each dwellinghouse, the driveways and/or vehicular turning areas shall be consolidated and surfaced at a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway. Details of the driveway, vehicular turning area and drainage arrangements shall be submitted to and approved in writing by the local planning authority prior to relevant commencement of any works in relation to the driveway and/or vehicle turning area. The works shall subsequently be carried in accordance with the approved details and completed prior to the first occupation of each dwellinghouse hereby permitted unless an alternative delivery / completion schedule is submitted to and approved in writing by the Local Planning Authority. Thereafter, these shall be maintained in accordance with the approved details. Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.**
- 16. Construction of highway works proposed for adoption shall not begin until details of such works have been submitted to and approved in writing by the Local Planning Authority, following the completion of the technical approval process by the Local Highway Authority. No dwellinghouse shall be occupied until the approved works have been constructed in accordance with the approved details. Reason: To ensure the safe and free flow of traffic on the highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.**
- 17. Prior to first occupation of the first dwellinghouse under this permission, details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwellinghouse shall be submitted to the Local Planning Authority for written approval. The covered and secure cycle parking facilities shall be provided in accordance with the approved details and made available for use upon the first occupation of each dwellinghouse and thereafter maintained. Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policies SS4, SS7, SD1 and MT1 of Herefordshire Local Plan – Core Strategy, Policies LGPC1 and LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.**
- 18. No works in relation to any of the specified highways works shall begin until further details of the drop crossing point on the C1203, as indicated on Drawing Number: 1102 REV L (Proposed Site Plan), have been submitted to and approved in writing by the Local Planning Authority, following the completion of the technical approval process by the Local Highway Authority. No dwellinghouse shall be occupied until the scheme has been constructed in accordance with the approved works. Reason: To enhance pedestrian connectivity, improve highway and pedestrian safety, improve active travel modes and to conform to the requirements of Policies SS4 and MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.**

19. Details of the installation of water butts, to collect rainwater and improve surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any dwellinghouse approved under this permission.
The works shall subsequently be carried out in accordance with the approved details and completed prior to first occupation of each dwellinghouse. Thereafter, these facilities shall be maintained.
Reason: In the interests of improving surface water drainage on-site, measures to address climate change through improved water storage and to accord with Policies SS7 and SD3 of the Herefordshire Local Plan – Core Strategy; Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
20. Prior to first occupation of the last dwellinghouse approved under this permission, evidence of the suitably placed installation on the approved dwellings, or on other land under the applicant's control, of a minimum of EIGHT bird nesting, EIGHT bat roosting features of mixed types and ONE hedgehog home (per dwelling) with hedgehog highways through all impermeable boundary features to be submitted to and approved in writing by the local planning authority; and shall be maintained hereafter as approved, unless otherwise agreed in writing by the local planning authority.
Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3 and Policies LGPC1, LGPC2 and LGPC10 of the Longtown Group Neighbourhood Development Plan.
21. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policies SS6, LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.
22. At no time shall any external lighting, except low power (corrected colour temperature not exceeding 2700K and brightness of 500 lumens or less), 'warm-white' LED lighting on directional down-lighters only with 0 degree tilt angle and 0% upward light ratio and controlled by means of a PIR sensor with a maximum overrun time of 1 minute, that is directly required in relation to the immediate safe use of the dwelling and garage, shall be installed or operated throughout the application site, unless otherwise agreed in writing with the Local Planning Authority.
No permanently illuminated external lighting shall be operated at any time within the application site, without the written approval of the local planning authority. All lighting shall be maintained thereafter in accordance with these details with all lighting installed demonstrating compliance with latest best practice guidance relating to lighting and protected species-wildlife available from the Institution of Lighting Professionals.
Reason: To ensure that all species and local intrinsically dark landscapes are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework (2023), NERC Act (2006),

Herefordshire Local Plan – Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and Policy LGPC10 of the Longtown Group Neighbourhood Development Plan.

- 23. All foul water shall discharge through a connection to the local Mains Sewer network (Longtown Wastewater Treatment Works) and all surface water shall be managed through a Sustainable Drainage System (SuDS) within land under the applicant's control; unless otherwise agreed in writing by the Local Planning Authority.**
Reason: In order to comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4 and Policies LGPC1 and LGPC14 of the Longtown Group Neighbourhood Development Plan.
- 24. Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, AA and E of Part 1 and Class A of Part 2 both of Schedule 2, shall be carried out.**
Reason: In order to protect the character and amenity of the locality, enable re-assessment of impacts upon landscape character, visual amenity and heritage assets, to maintain the amenities of adjoining property and to comply with Policies SD1, LD1 and LD4 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC3, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

INFORMATIVES:

- 1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
- 2. The applicant may need to apply to Dŵr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.Dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist in dealing with the proposal the applicant may contact Dŵr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dŵr Cymru Welsh Water has rights of access to its apparatus at all times. In accordance with the National Planning Policy**

Framework, the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

3. Non Standard
4. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 01432 261800), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved). Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800. Non Standard
5. The developer is required to submit details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations. It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Adequate storm water disposal arrangements must be provided to enable Herefordshire Council, as Highway Authority, to adopt the proposed roadworks as public highways. The applicant is, therefore, advised to submit the engineering and drainage details referred to in this conditional approval at an early date to the Senior Engineer, PO Box 236, Plough Lane, Hereford HR4 0WZ for assessment and technical approval. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into.
6. Non Standard
7. Non Standard
8. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
9. 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.

The meeting ended at 12.14 pm

Chairperson



Supplement to the agenda for

Planning and Regulatory Committee

Wednesday 9 September 2026

10.00 am

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

Schedule of updates

Public speakers

Pages

3 - 16

17 - 18

PLANNING COMMITTEE

Date: 9 September 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

251908 – CONVERSION OF THE STABLES INTO A DWELLINGHOUSE INCLUDING A ONE-AND-A-HALF STOREY SIDE EXTENSION, SINGLE-STOREY REAR EXTENSION, ALTERATIONS AND ASSOCIATED WORKS; AND CHANGE OF USE OF RESIDENTIAL CURTILAGE FOR THE SITING OF A GROUND-MOUNTED ARRAY OF 6 NO. PV SOLAR PANELS

251909 – CONVERSION OF THE STABLES INTO A DWELLINGHOUSE INCLUDING A ONE-AND-A-HALF STOREY SIDE EXTENSION, SINGLE-STOREY REAR EXTENSION, ALTERATIONS AND ASSOCIATED WORKS

AT LAND AT TOWN WELL, STATION ROAD, CREDENHILL, HEREFORDSHIRE, HR4 7DW

For: Justine Peberdy per Ms Hannah Welsh, Merchants House, Wapping Road, Redcliff, Bristol, BS1 4RW

ADDITIONAL REPRESENTATIONS

Also published at : [Planning Application Details - Herefordshire Council](#)

Following publication of the officer report for this agenda item, one additional letter of representation has been received in objection to the proposals (received 5 September 2026). For completeness, it is provided verbatim below with redaction shown where appropriate:

“Good Afternoon, XXXX.

Upon assessing the Report presented for the Town Well application, we have found numerous gaps regarding the Policy requirements of the new NFFP and other details which is of grave concern to us.

First point of discussion is the proposed Fencing as a solution to the intrusive invasion of our families' privacy; we do not condone this as a viable solution at all! We should not be forced into an enclosed, small private garden by an imposing fenceline that the applicant will install, or one that we would have to finance and install ourselves! That is not acceptable in any form.

This solution lacks any detail regarding materials, required height, positioning relative to our dry stone wall (listed via curtilage standards), or how the applicant will gain access to maintain the gap, preventing weeds, foliage growth and debris that could damage the wall over time. Furthermore, this solution isn't referenced in the excessive 55 individual drawings for this application so no representation exists to depict how this will look and affect us.

We would also like to highlight that text on images within the report document is illegible when trying to review it on a computer screen.

Before the Committee meeting on 9th September 2026, we have concluded that we must seek legal advice from a solicitor specialising in this field. We believe that if the committee accepts this application while it is still missing numerous vital independent reports from qualified entities, it will be a clear and obvious show of favoritism toward a council member.

Supporting their self-interest in this manner would be a manipulation of position and authority over the members of the public.

I would also like to make it abundantly clear we are not happy with how this process has exceeded a calendar year with it only now going to committee. The emotional and physical stress and strain this process has weighed upon us as parents within our family home has now taken its toll.

We also want it to be recorded that the applicants, since the initial engagement back at the end of July 2025, have made no attempt to engage in a constructive conversation to find a solution that would satisfy us with their proposed plans for the application.

We have found from this experience xx REDACTED xxxx. We also want to ensure that it is noted that, on the initial application, the applicant withheld the statement that a member of their household or immediate family member was a representative or employee of Herefordshire Council. After stating it was an agent's error, we find it difficult to comprehend that the applicant would not show basic due diligence in understanding the documents before editing a formal application.

We wish for these points to be added to the forthcoming committee meeting report for this application, so that all committee members can review our findings prior to our three minute objection statement in person.

Please see our assessment of the report below. We believe processes have not been followed from the application stage leading up to this point. We feel that this report does not answer any of the main Privacy or safeguarding concerns raised by the Parish Council or ourselves whatsoever.

We await your response on this no later than midday on Monday, 7th September.

Regards

Mr G Lake & Mrs L Lake.

COMMENTS RECEIVED:

Town Well Stables — Faults in the Officer's Committee Report

Applications P251908/F (Planning Permission) & P251909/L (Listed Building Consent)
Planning and Regulatory Committee, 9 September 2026

Prepared as supporting material for a 3-minute objection statement. All references are to page/paragraph numbers in the documents published on the Herefordshire Council planning portal.

Source documents:

- Application page: [Herefordshire Council planning search — 251908](#)
- [Committee Report, 9.9.26](#) (63 pages)
- [Heritage Statement, May 2025](#)
- [Design and Access Statement, June 2025](#)
- Historic England correspondence: [18 July 2025](#), [31 March 2026](#), [4 June 2026](#)

*The "economically vital" claim (Heritage Statement §3.2)
The Heritage Statement's Statement of Need (§3.1–3.2) does not classify or evidence the building as one that genuinely has "no viable use" other than residential conversion — it simply asserts that conversion is "economically vital." Under national heritage policy, a claim that a heritage asset's future can only be secured by allowing harmful change of use has to clear a specific evidential bar, commonly called the "optimum viable use" test (NPPF*

paragraph 215, quoted at Committee Report §7.73 onward, and Historic England Advice Note 2: Making Changes to Heritage Assets). To meet that bar, an applicant would normally need to submit:

- an independent structural/condition survey quantifying the "significant and urgent" roof repairs claimed;
- a costed viability appraisal comparing (a) the cost of minimal repair to keep the building wind-and-watertight in continued ancillary/storage use against (b) the cost of full residential conversion; and
- evidence of a marketing exercise or exploration of alternative viable uses (grant-funded repair via Historic England/National Lottery Heritage Fund, continued ancillary use, low-key commercial use such as a workshop/office) that would cause less harm to the listed fabric. None of this evidence exists anywhere in the application. The Committee Report itself concedes at §7.36: "Whilst a structural report has not been submitted with the application... the structure of the stables is considered reasonably sound." In other words, the council has no independent evidence of the "urgent" disrepair the entire justification rests on — it has simply repeated the applicant's own unverified assertion. That is not a demonstrated classification of economic unviability; it is a bare, self-serving assertion by the applicant's own paid agent, and it should not be given the weight the report gives it.

Separately, §3.2 also blurs together two materially different uses — "rented privately" (a permanent single household) or "as holiday accommodation" (a short-stay commercial letting operation) — as if they were interchangeable. They are not: they generate different occupancy patterns, traffic, noise and turnover, and the report itself admits this uncertainty (see Fault 6 below).

Faults in the Committee Report — bullet list with references

1. Historic England's non-engagement is misrepresented as an endorsement

- Historic England wrote three separate times (18 July 2025, 31 March 2026, 4 June 2026) declining to comment, stating explicitly: "we are not offering advice. This should not be interpreted as comment on the merits of the application." (Committee Report §4.2.1–4.2.3, quoting Historic England's own letters.)

- Despite this express disclaimer, the report's own section heading records this as "Historic England – No objections" (§4.2), and later cites Historic England among the "technical consultees" who raised "no concerns... in relation to the impact of the proposed development" (§7.82).

- This is a material mischaracterisation: Historic England never assessed the merits of the scheme at all. Recasting a national heritage body's explicit refusal to engage as a substantive "no objection" materially overstates the level of external scrutiny this Grade II listed building has actually received, and should be corrected before Members rely on it in the planning balance.

2. The central "economic necessity" claim is unverified and uncritically adopted

- The only evidence for urgent roof disrepair and financial unviability is the applicant's own Heritage Statement (§3.1–3.2) and Design & Access Statement (§2.7), both prepared by the applicant's paid agent (Crown & Canopy).

- The Committee Report admits no structural report was submitted (§7.36), yet elsewhere treats the disrepair/necessity claim as established fact: "Without conversion to a residential dwelling, this designated heritage asset will likely fall into disrepair" (§7.31, repeated at §7.65).

- This falls short of the "clear and convincing justification" required by NPPF paragraph 213 for harm to a designated heritage asset, and of the evidential standard normally expected to demonstrate "optimum viable use" under Policy RA5(1) of the Core Strategy, which requires the applicant to "demonstrate" — not merely assert — that conversion "represents the most viable option."

3. The Statement of Need presents a false choice, ignoring less harmful alternatives

- Heritage Statement §3.2 frames the only options as full residential conversion (private rental or holiday let) versus terminal decay. It does not consider or cost: continued ancillary/storage use with minimal wind-and-watertight repair (fundable by the same owners who already maintain the main listed farmhouse); grant-funded repair (Historic England/National Lottery Heritage Fund grants exist for at-risk listed buildings — no evidence is presented that the building is even on the Heritage at Risk Register); or a lower-impact alternative use (office, studio, workshop) that would not require full C3 residential conversion, extensions, new openings and associated curtilage/parking/amenity impacts.

- No marketing evidence or comparative options appraisal is included anywhere in the application documents.

4. Internally contradictory basis for approval: "no harm" vs "optimum viable use"

- At §7.83–7.84 the report concludes: "no effect has been identified on the significance, experience or setting of Town Well which includes no harm... the relevant 'public benefits' test... need not be undertaken."

- Yet the Summary/Planning Balance at §8.2 still relies on the scheme "securing an optimal viable use for this Grade II Listed Building" as a decisive benefit, and §7.61 states the "decision maker must weigh up the benefits of securing an optimal viable use... and the importance of safeguarding neighbouring amenity."

- These two positions cannot both be true. The "optimum viable use" concept under NPPF §215 only has relevance where harm exists and must be weighed against public benefit. A report cannot simultaneously claim there is no harm requiring justification, and rely on "optimum viable use" as a justification. This is a logical inconsistency in the reasoning used to reach approval.

5. No mechanism to secure the claimed "protection... in perpetuity"

- The applicant's entire justification for permitting harm to the listed fabric rests on securing the building's "protection and maintenance in perpetuity" (Heritage Statement §3.2, §6.4).

- Yet the 63-page report and its recommended conditions contain no condition or legal obligation tying the converted dwelling's occupation or ownership to Town Well, and nothing preventing it being sold immediately as a separate, self-contained open-market dwelling.

- Without such a tie, there is no enforceable guarantee that the stated public benefit (long-term heritage security) will actually be delivered — the applicant's own stated justification for the harm is not secured by anything in the decision.

6. The application's actual proposed use remains unresolved at the point of decision

- The Design and Access Statement (§3.2.1) states only that the application seeks a change of use to "Use Class C" — not a valid standalone classification, since the Use Classes Order defines separate C1/C2/C3/C4 categories.

- The Committee Report itself acknowledges the ambiguity: "the amended application form and description of development implicitly propose the use of the stable block as a dwellinghouse though officers understand the proposed use... may be intended for use as a holiday let" (§1.11), and states officers have simply chosen to assess it as C3 "for avoidance of doubt."

- Determining a heritage change-of-use application without a definitive answer on whether this is a permanent single dwelling or a commercial short-let operation undermines the residential-amenity assessment (§7.59, which relies on the untested assumption that it will only attract "couples rather than larger families/groups") and the "economic necessity" argument itself, which name-checks both uses interchangeably.

7. The Council's own Conservation Officer says the application lacks the detail needed for an informed decision

- The Principal Building Conservation Officer's consultation response records: "the detail contained within the application is considerably less than would usually be required for support for a listed building consent application despite requests for this information... Ideally this information or at least part of it should have accompanied the application in order for an informed decision to be made" (Committee Report §5.4.1).

- Despite this, virtually all technical heritage detail — masonry bonding and mortar mix, roof material samples, window head/cill profiles, joinery sections, and the methodology for reopening the blind windows — has been deferred to post-permission conditions rather than assessed before determination, contrary to the expectation in NPPF paragraphs 207–208 that the significance and impact of works on a designated heritage asset be understood at decision stage.

8. Heritage Statement relies on a superseded version of national policy

- The Heritage Statement (dated May 2025) cites "Paragraph 200 of the National Planning Policy Framework 2021" (§1.4). The Committee Report, assessing the same scheme under the NPPF "as amended on 17 August 2026," cites the equivalent (renumbered) provisions at paragraphs 207–219. The applicant's heritage case was never updated to reflect the current version of the policy it is supposed to satisfy.

9. Sustained, specific objections from the Parish Council and five neighbouring properties were not resolved, only "weighed"

- The report records ongoing, repeated objections through multiple rounds of amendment from Credenhill Parish Council and neighbours at 5 separate properties, covering overlooking/loss of privacy, harm to residential amenity, noise, and heritage impact (§6.1–6.3, §7.57 onward).

- Mitigations proposed in response (obscured glazing, a boundary fence, a noise management plan "if" used for holiday letting) are all left to be secured after permission is granted, via conditions, rather than resolved at application stage — meaning the committee is being asked to approve the principle before the amenity protections are actually fixed in detail.

Town Well Stables (P251908/F & P251909/L) — Privacy & Safeguarding Evidence
For the Planning and Regulatory Committee, 9 September 2026

This sets out, as objectively as possible, what the application documents and the Committee Report themselves record on privacy and safeguarding — including what has been resolved and what has not. All page/paragraph references are to the [Committee Report, 9.9.26](#).
Privacy — what the record shows

Context the report itself establishes: Herefordshire has no adopted Supplementary Planning Document setting minimum separation distances between windows/dwellings (§7.56: "In the absence of a Supplementary Planning Document for Herefordshire which defines acceptable separation distances, it is appreciated that a subjective view needs to be taken"). Credenhill Parish Council separately records that some neighbouring dwellings sit "as close as approximately 2 metres" from the proposed works (§6.1.2, consultation of 24 Dec 2025). So the privacy assessment in this report is explicitly acknowledged by officers to rest on subjective judgement, at genuinely very close range—not on any objective distance standard.

Points with evidence, in order of strength

1. A five-round objection record that privacy concerns remain unresolved at the point of recommendation. Credenhill Parish Council objected on privacy grounds in its 1st (13 Aug 2025), 3rd (21 Apr 2026), 4th (18 June 2026) and 5th (30 July 2026) consultation responses—the last of which states in terms: "none of the previously raised concerns... have been addressed. The revisions do not resolve the significant issues relating to privacy..." (§6.1.5). This is not one objection early in the process that was subsequently resolved—it is a sustained, repeated objection on the same point, maintained right up to the report going to committee.
2. Ground-floor windows on the north-west elevation, reopened from blocked openings, with clear glazing, directly facing Midsummer Barn. The Parish Council's 3rd consultation (21 Apr 2026) specifically objects to reopening previously bricked-up ground-floor windows with clear, openable glazing, stating this causes "directly overlooking into Midsummer Barn's private outdoor space, located immediately opposite... clear views into private living quarters, given the extremely close proximity between the buildings... a substantial loss of privacy for neighbouring residents at ground level" (§6.1.3, Point 1). By the 4th consultation (18 June 2026) the Parish Council confirms this is still live: "the ground floor re-opened windows continue to present significant privacy concerns for neighbouring properties" (§6.1.4).
3. First-floor north-west window left as clear, openable glazing. Officers' own account (§7.64) confirms only one first-floor window has been made non-openable and obscured. The Parish Council's 4th consultation flags this directly: "one window remains clear and openable... These remaining window[s] with clear glazing should be reconsidered, or amended to obscured glazing and/or restricted opening" (§6.1.4). This was not accepted before the report went to committee.
4. First-floor south-east window overlooking 7 Centurion Way, accepted on officer judgement alone, against sustained objection. Raised by the Parish Council in its 2nd (24 Dec 2025) and 4th (18 June 2026) consultations — the latter stating "nothing has been done to mitigate overlooking of the neighbouring property and therefore privacy issues (SD1) have not been addressed" — officers conclude at §7.67 only that the viewing angle is "limited", without imposing any obscuring-glazing condition equivalent to the one used elsewhere in the same scheme (the NW window). No technical assessment (e.g. sightline/overlooking diagram) is referenced to support that conclusion.
5. Elevated structures (balcony, external staircase) identified as a privacy issue from the outset. The Parish Council's first consultation (13 Aug 2025) specifically names "upper-storey windows, balconies, and elevated structures that directly overlook neighbouring gardens and living spaces" (§6.1.1) as a cause of "significant loss of privacy." The applicant's own Design & Access Statement asserts the balcony is positioned "to avoid overlooking," but this is the applicant's own claim, not an independently verified assessment. Safeguarding — what the record shows

This is the more significant gap, and it is worth committee members' particular attention because it was raised formally, in writing, by name — and does not appear to have been answered anywhere in the officer's appraisal.

1. A specific, written safeguarding concern was raised three times and never addressed in the officer's appraisal

Credenhill Parish Council raised the same point in three separate, dated consultation responses:

"Future Use as Short-Term Rental... If the property is developed as intended use as a short-term rental (e.g. AirBnB), could raise potential safeguarding issues for families associated with the nearby military barracks (HQ Hereford Garrison), as well as potential noise and antisocial behaviour affecting surrounding properties within such close proximity." — §6.1.2 (24 Dec 2025)

Repeated in near-identical terms at §6.1.3 (21 Apr 2026): "Concerns remain that short term letting could lead to safeguarding issues, noise, antisocial behaviour, and increased parking pressures. Request: Clarification of intended use, and if necessary, a condition preventing short term holiday letting."

And again flagged as unresolved at §6.1.4 (18 June 2026), listed among the Parish Council's outstanding concerns going into the final rounds of the application.

This safeguarding concern is not mentioned anywhere in Section 7 (Officer's Appraisal), which runs to over 90 numbered paragraphs. The only paragraph addressing holiday-let use at all, §7.59, deals exclusively with noise: "further controls can be secured by condition by way of a noise management plan should the property be used for such purposes." The safeguarding point — raised in writing, three times, by the parish's elected representatives — receives no response, rebuttal, or even acknowledgement.

2. The word "safeguarding" is used elsewhere in the report in a different, unrelated sense — which risks the Parish Council's point being overlooked entirely

The report separately records that the Ministry of Defence has "no safeguarding objections" to the proposal (§4.3.2) and that the site sits within "the technical statutory safeguarding zone surrounding MOD Credenhill." This is a technical planning term referring to protecting defence assets and operations (radar, explosives storage, low-flying corridors) from being compromised by nearby development — it has nothing to do with the welfare or security of families living near the base. A reader moving quickly through the report could mistake the MOD's "no safeguarding objections" for a response to the Parish Council's welfare-safeguarding concern. They are not the same issue, and the MOD's comments do not touch on it at all.

3. The only condition governing holiday-let use addresses noise only, not safeguarding
Condition 14 of the recommended planning permission states: "In the event that the dwellinghouse is occupied for the purposes of short-term holiday accommodation, a Noise Management Plan shall first be submitted to and approved in writing by the Local Planning Authority prior to first use." There is no condition addressing occupant turnover, verification, or any other safeguarding-related control — despite this being the specific, named concern raised by the Parish Council.

4. The application itself leaves the end-use undetermined, which is precisely what makes the safeguarding question live

The Committee Report acknowledges at §1.11 that "officers understand the proposed use of the dwellinghouse may be intended for use as a holiday let" but that they have chosen to assess the application on the basis of ordinary C3 dwellinghouse use "for avoidance of

doubt." This means the very risk profile the Parish Council was concerned about — unknown, rotating short-term occupants living a few metres from neighbouring family homes and next to a Special Forces base — has not actually been assessed on its own terms at all. It has been assumed away.

5. Construction-phase welfare impact on children was raised and only generically mitigated. The Parish Council's 2nd consultation (24 Dec 2025) states that construction disruption "is not acceptable for neighbouring families, who may be forced to restrict their children from using their own gardens for extended periods," citing likely scaffolding, high-level works and "potentially crane operations," and that "continuous noise, dust, and general disruption... will have a detrimental effect on the mental wellbeing of young children and adults living adjacent to the site" (§6.1.2, Point 5). The officer's response is a standard construction working-hours condition (§7.58) — there is no child-specific mitigation, and no acknowledgement of this point in the officer's appraisal narrative.

6. Fire risk and emergency access next to an occupied bedroom was raised three times and delegated outside the planning system

The Parish Council raised concerns in three consultations (24 Dec 2025, 21 Apr 2026, 18 June 2026) that the proposed parking bay sits "immediately beside a neighbouring bedroom wall," citing "fire risk from petrol/diesel vehicles and EVs" and "restricted emergency access due to the tight layout." Officers' response (§7.69–7.70) is that "fire safety considerations relating to vehicle construction, fuels and electric vehicle batteries are primarily addressed through Building Regulations and other legislative controls rather than the planning system" — with no independent fire-risk assessment commissioned or referenced, despite this directly concerning the safety of people sleeping in the adjoining bedroom.

Summary for use at committee

- Privacy: the Parish Council's objection on overlooking has been raised and maintained across five separate rounds of consultation and was still recorded as unresolved in the final round before this report was written. Only one of several contested windows has been fully mitigated (obscured glazing); the rest have been accepted on officer judgement, in the explicit absence of any adopted distance standard, at separations as close as approximately 2 metres.

- Safeguarding: a specific, named safeguarding concern — the risk of unvetted, transient short-term-let occupants living immediately next to families connected to the adjacent MoD site, was raised in writing three times by the Parish Council and does not appear to have been considered anywhere in the officer's 90-paragraph appraisal. The only condition addressing holiday-let use covers noise, not safeguarding. This is a material consideration that appears to have gone unanswered, and is a legitimate matter to put to the committee directly."

The applicants' agent has provided the following correspondence on behalf of the applicant (received 1 September 2026) which is also provided for completeness below.

"The clients have also passed on some comments in relation to the outstanding objections as follows.

'scale of the glass house', 'the structure continues to appear large in scale relative to the listed barn'.

There is an existing greenhouse (12m x 3m). The slight increase in the scale of the glass house from the existing greenhouse was at the specific request of the Heritage Officer in order to be more sympathetic to the heritage building. The glass house is only seen from the

SE elevation, the wall of the walled garden hides the glass house from the SW elevation. This is difficult to show in the drawings.

'proposed addition of a 1st floor window on the south-east elevation remains unchanged. Nothing has been done to mitigate overlooking of the neighbouring property and therefore privacy issues (SD1) have not been addressed'

The proposed window on the SE elevation does not overlook any neighbouring property. The drawing of the SE elevation cannot clearly show the distance of the new window from the neighbouring property because the Barn is not at right angles to the boundary wall.

'remaining windows with clear glazing should be reconsidered, or amended to obscured glazing and/or restricted opening to protect residential amenity'

This remaining historic glazed window is retained at the recommendation of the Heritage Officer.

'That the parking layout be reconsidered to reduce amenity and safety impacts.'

The existing parking arrangement is in front of the existing wall and immediately adjacent to neighbours garden space. This is improved by the removal of the wall and the relocation of the car parking space behind the windowless wall of the neighbours house, out of sight and further away from the neighbours garden and living space.

'Scale and noise impact of glass house'

The proposed accommodation is one bedroom (2 people). The current arrangement is garden space for a 6 bedroomed house. No additional noise impact is anticipated with the new arrangement.

The Tree Officer's further comments mention a 'mature broadleaved tree'... 'The applicant has selected the option for "NO" on both tree related questions in their application.

This appears to be an inaccurate declaration and should require amending before this application can be finalized.' We were advised by the ecologist that this is a tall shrub and it is labelled as a 'tall shrub' on the Bat Survey. This was the reason that we did not mark it as a tree on the application."

OFFICER COMMENTS

The additional third-party representation has been reviewed and officers consider that the majority of the matters raised have either already been addressed within the committee report, matters which can be controlled through recommended planning conditions, or relate to matters that fall outside the scope of the planning regime or are non-material planning considerations. The submission also raises a number of points challenging aspects of the officer assessment and interpretation of national and local planning policy.

In respect of the proposed privacy fencing, Condition 3 as drafted requires the submission and approval of detailed plans, elevations and cross-sections prior to the commencement of any works. This will enable the Local Planning Authority to fully consider the precise siting, height, appearance, relationship with existing boundary features and any associated impacts before any fencing is installed. The submission of details pursuant to this condition does not prejudice the outcome of that assessment, and approval would only be granted where the Authority is satisfied that the proposed works are acceptable. It is also noted that a degree of mutual overlooking between residential properties is not uncommon within built-up environments. The committee report addresses residential amenity matters in detail at paragraphs 7.55 to 7.71, including consideration of representations received from Credenhill Parish Council and neighbouring occupiers. Officers remain of the view that, subject to the recommended conditions relating to obscured glazing, non-opening windows and boundary treatments, the proposal would safeguard residential amenity to an acceptable degree.

Whilst alternative conclusions may reasonably be reached by interested parties, officers consider the assessment set out in the report to be proportionate and consistent with relevant planning policy and guidance including the adopted development plan and having regard to the NPPF, as amended.

Reference is made to the absence of technical assessments relating to overlooking and privacy impacts. There is no Supplementary Planning Document prescribing a specific methodology for assessing such matters. Consideration therefore necessarily involves the exercise of planning judgment having regard to the characteristics of the site and surrounding area. Members are entitled to reach their own conclusions on these matters and members have undertaken a site inspection of the application site on 8 September 2026 to view the subject building and its immediate surroundings.

Concerns regarding the legibility of certain images reproduced within the committee report are noted but the inserted plans are included primarily as an aid to identifying key plans and proposals. Members and interested parties have access to the complete suite of application drawings and supporting documentation published on the Council's website that are linked within the officer report.

Concerns have been raised regarding the absence of a structural appraisal, viability assessment, marketing evidence and alternative use analysis. As set out in the report, officers are satisfied that sufficient information has been submitted to enable the applications to be determined and that the proposals can be assessed against the relevant development plan policies and national planning policy relating to the historic environment. Policy RA5 of the Herefordshire Local Plan – Core Strategy does not prescribe a requirement for the submission of marketing evidence or a formal viability appraisal and whilst acknowledging national decision-making policy HE6 of the NPPF, officers as set out in the report do not consider the proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset. The officer assessment has been undertaken having regard to the condition of the building, its heritage significance, its suitability for continued use or conversion, the development plan, and the specialist conservation advice received.

Members should also note that the reference to securing an "optimum viable use" within paragraph 8.2 of the committee report is not relied upon as determinative justification for approval. Rather, officers have undertaken an overall planning balance in accordance with the relevant national decision-making policies and the presumption in favour of sustainable development as set out within S3 and S4 of the NPPF. Officers have concluded that the proposal would preserve the significance of the designated heritage assets and would not result in harm to their significance. The reference to viable use forms part of the wider assessment under Policy RA5 concerning the long-term conservation of the building.

The representation also highlights that Historic England provided no comments on the application rather than expressly stating that it had no objections. The committee report reproduces consultation responses in full, enabling members to consider those responses in their entirety. In reaching a view on heritage matters, officers have had regard to the advice of the Council's Principal Building Conservation Officer and clearly acknowledge that Historic England offer no bespoke comments.

The representation disputes the conclusion that the proposal secures an appropriate long-term use for the listed building and contends that alternative uses have not been adequately explored. The Local Planning Authority is required to determine the applications before it on their planning merits. It cannot require an applicant to pursue an alternative form of development that has not been proposed. For the reasons set out at paragraphs 7.27 to 7.41 of the committee report, officers remain of the view that the proposed reuse represents an acceptable means of securing the long-term conservation and ongoing use of the building.

Concerns have been raised regarding the amount of detail submitted in support of the Listed Building Consent application. Officers acknowledge that the Council's Principal Building Conservation Officer indicated that further detail would be desirable. However, the consultee advises that sufficient information exists to support the principle of development subject to appropriate conditions. The use of relevant commencement conditions requiring the subsequent approval of more precise details is a recognised and common practice.

The representation questions the proposed end use of the building and raises concerns regarding potential occupation as holiday accommodation. As identified within the committee report, the application has been assessed as a Use Class C3 dwellinghouse. Certain forms of serviced accommodation may also fall within Use Class C3 depending upon their scale and operational characteristics. Whether any future use amounts to a material change of use is ultimately a matter of fact and degree. The recommendation includes Condition 14 requiring a Noise Management Plan should the property be used for short-term holiday accommodation and note that the Council's Environmental Health service also has separate statutory powers and duties under the Environmental Protection Act 1990 in relation to allegations of statutory nuisance.

Concerns relating to safeguarding and the potential implications of short-term occupancy have been noted. In having regard to national decision-making policies P3, P4 and P5 of the NPPF, officers do not consider the proposal to represent an incompatible land use that would give rise to unacceptable impacts on neighbouring occupiers or military operation. No objection has also been received from the Ministry of Defence in its capacity as a statutory consultee and cumulative impacts have also been considered in reaching this view. Subject to the recommended conditions, these matters are considered capable of being appropriately addressed through the planning process. Planning controls relate principally to the use and development of land rather than the identity or personal characteristics of future occupiers.

Potential impacts arising from construction activities, including noise, dust, site operations and working practices have been considered. Conditions are recommended relating to construction management, waste management and construction hours. Any temporary disturbance must also be considered in the context of the finite duration of construction works and the availability of separate regulatory controls where necessary.

Concerns regarding fire safety, parking arrangements and emergency access have been considered though many of these matters are primarily governed through alternative regulatory regimes, including Building Regulations. National decision-making policy DM7 states that decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively. Officers are not aware of evidence demonstrating unacceptable planning harm arising from these raised issues.

The representation also raises concerns regarding the duration of the planning process. Officers are satisfied that the applications have been processed in accordance with statutory requirements and the Council's published procedures. The applications are reported to the Planning and Regulatory Committee in accordance with the Council's Constitution and have been assessed on their planning merits.

In respect of alleged deficiencies relating to policy requirements and validation matters, officers are satisfied that the relevant national validation requirements have been met. Members are also reminded that Annex A paragraph 2 of the revised National Planning Policy Framework (published 17 August 2026) confirms that development plan policies that are materially inconsistent with national decision-making policies should attract limited weight, whereas policies that remain broadly consistent may continue to attract weight according to the decision-maker's planning judgment. The committee report expressly addresses the weight officers consider should be attributed to the relevant development plan policies in light of the revised NPPF. The representation principally also disputes the adequacy, interpretation and weight attributed to certain evidence and planning

considerations. However, these are ultimately matters of planning judgment upon which reasonable persons may reach differing conclusions depending on weight that is afforded to such considerations that is a matter for a decision-maker to give.

Having reviewed the additional submission in full, officers consider that it does not alter the assessment, planning balance or recommendation contained within the committee report unless stated above. Members are nevertheless invited to have regard to the representation as a material consideration alongside all other consultation responses and representations received.

The comments from the applicants' agent on behalf of the applicant raises no new material considerations. These have extensively been covered within the officer report and above.

Finally, with regard to the officer appraisal, Paragraph 7.14 misses off the end of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of decisions on listed building consent application. The relevant legislation ([Planning \(Listed Buildings and Conservation Areas\) Act 1990](#)) is inserted below for avoidance of any doubt:

"16 Decision on application.

(1)Subject to the previous provisions of this Part, the local planning authority or, as the case may be, the Secretary of State may grant or refuse an application for listed building consent and, if they grant consent, may grant it subject to conditions.

(2)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.

(3)Any listed building consent shall (except in so far as it otherwise provides) enure for the benefit of the building and of all persons for the time being interested in it."

NO CHANGE TO RECOMMENDATION

261671 - CREATION OF A WC WITHIN THE UTILITY ROOM ON THE GROUND FLOOR, THE INSTALLATION OF A TOILET AND SINK AND ASSOCIATED WORKS AT TOWN WELL, STATION ROAD, CREDENHILL, HEREFORD, HR4 7DW

For: Mrs Justine Peberdy, Town Well, Station Road, Credenhill, Hereford, Herefordshire HR4 7DW

OFFICER COMMENTS

Members are reminded that, following the publication of the revised National Planning Policy Framework on 17 August 2026, Annex A paragraph 2 confirms that development plan policies which are materially inconsistent with national decision-making policies should be afforded very limited weight, whereas policies that remain broadly consistent should continue to attract weight according to a decision-makers' planning judgement.

The Committee Report expressly addresses the weight officers consider should be afforded to the relevant development plan policies in light of the revised NPPF.

NO CHANGE TO RECOMMENDATION

260149 – REMOVAL OF CONDITION 4 OF PLANNING PERMISSION 240468 (PROPOSED RESIDENTIAL DEVELOPMENT OF 8 NO. DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING) AT LAND SOUTH EAST OF GREYHOUND CLOSE, LONGTOWN, HEREFORD, HEREFORDSHIRE.

For: Ms Price per Mr Geraint John, Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

ADDITIONAL REPRESENTATIONS

Following publication of the officer report for this agenda item, three further letters of representation have been received in objection to the application raising the following issues that have been summarised below:

- Adverse impacts on water supply and water pressure; and
- Sewerage treatment works not fit for purpose, causing waste to leak directly into the river, putting health at risk.

OFFICER COMMENTS

The representations raise no new material considerations. The issues raised have been covered within the officer report appreciating that the condition proposed to be removed does not alter the drainage characteristics of the approved development.

Members are reminded that, following the publication of the revised National Planning Policy Framework on 17 August 2026, Annex A paragraph 2 confirms that development plan policies which are materially inconsistent with national decision-making policies should be afforded very limited weight, whereas policies that remain broadly consistent should continue to attract weight according to a decision-makers' planning judgement. The Committee Report expressly addresses the weight officers consider should be afforded to the relevant development plan policies in light of the revised NPPF.

NO CHANGE TO RECOMMENDATION

PLANNING AND REGULATORY COMMITTEE

9 September 2026

PUBLIC SPEAKERS

Ref No.	Applicant	Proposal and Site	Application No.	Page No.
6	Justine Peberdy per Ms Hannah Welsh	Conversion of The Stables into a dwellinghouse including a one-and-a-half storey side extension, single-storey rear extension, alterations and associated works; and change of use of residential curtilage for the siting of a ground-mounted array of 6 no. PV Solar Panels at LAND AT TOWN WELL, STATION ROAD, CREDENHILL, HEREFORDSHIRE, HR4 7DW	251908/251909	17
		PARISH COUNCIL OBJECTOR SUPPORTER	MR BURRIDGE (Credenhill Parish Council) MR LAKE (Local Resident) MS PEBERDY (Applicant)	
7	Mrs Justine Peberdy per Mrs Justine Peberdy	Creation of a WC within the utility room on the ground floor, the installation of a toilet and sink and associated works at TOWN WELL, STATION ROAD, CREDENHILL, HEREFORD, HEREFORDSHIRE, HR4 7DW	261671	81
		SUPPORTER	MS PEBERDY (Applicant)	
8	Ms Price per Mr Geraint John	Removal of condition 4 of planning permission 240468 (Proposed residential development of 8 no. dwellings with associated access, parking and landscaping) at LAND SOUTH EAST OF GREYHOUND CLOSE, LONGTOWN, HEREFORD, HEREFORDSHIRE	260149	99
		PARISH COUNCIL OBJECTOR SUPPORTER	MS CECIL (Longtown Parish Council) MR ARTHUR (Local Resident) MR JOHN (Applicant's agent)	

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	14TH OCTOBER 2026
TITLE OF REPORT:	260943 - DEVELOPMENT OF NINE DWELLINGS AND ASSOCIATED WORKS AT LAND SOUTHEAST OF WOONTON FARM, WOONTON, ALMELEY For: Mr Mills per Mr Russell Pryce, Unit 5, Westwood Industrial Estate, Ewyas Harold, Hereford, Herefordshire HR2 0EL
WEBSITE LINK:	Planning Application Details - Herefordshire Council
Reason Application submitted to Committee – Public Interest	

Date Received: 27 March 2026**Ward: Castle****Grid Ref: 335150,252085****Expiry Date: 21 October 2026**

Local Member: Cllr Robert Highfield

1. Site Description and Proposal

- 1.1 The application site is part of the agricultural field located immediately southeast of the C1071/U90410 junction opposite Woonton Farm, Pool House and Pool Cottage and is roughly the shape of a distorted parallelogram. The site is outside of but immediately adjacent to the settlement boundary of Woonton, measures approximately 64m x 150M and has an area of approximately 0.99 hectares as shown on the location plan inserted below. The application site is relatively level with a mature hedgerow running along it's boundary with the public highway. There is no existing boundary with the wider field, the PROW is however located immediately beyond the nearest field hedge.
- 1.2 Location Plan (amended) - is inserted below for ease.



- 1.3 This application seeks full planning consent for the development of 9 dwellings. The houses are generally simple in form with modern architectural detailing and offer a variety of sizes and types. Amended plans were submitted on 28/09/26 which show plots 8 and 9 amended to include lean-to roofs over the single storey sections rather than the previous flat roofs.
- 1.4 The submitted Planning Statement describes the houses as being: arranged in a relatively linear manner but with the siting and orientation varied to reflect the mixed pattern of development in the village. The southwestern cluster of houses is a modern interpretation of a small farmstead. The dwellings have a traditional pitched roof form and are primarily two storey but the scheme also includes a bungalow. The proportions and appearance generally adopt an agrarian design theme with materials to match. The development will be set within a strong landscape and Biodiversity Net Gain framework particularly along the rear garden boundaries comprising of native hedges, trees and new orchard.
- 1.5 The proposal also includes a foul and surface water drainage strategy comprising SuDS infiltration crates to manage surface water and package treatment plant and drainage field soakaways to manage foul.
- 1.6 BNG is proposed on land outside of the residential properties but within the red edge where the drainage fields are also proposed – see plan WF-5627-06A
- 1.7 The plans under consideration in this report are:
 - WF-5627-01A
 - WF-5627-02
 - WF-5627-03A
 - WF-5627-04A,
 - WF-5627-05A,
 - WF-5627-06A

The proposed site plan and street scenes are inserted overleaf for ease.



Site plan- Proposed
1 : 500

Revision A- 28.9.26
"Flat" roof elements of plots 8 and 9, each replaced with a lean-to roof.
Windows above each amended roof adjusted to fit.



Street view- Plots 3-8
1 : 200

2. Policies

- 2.1 On the 17th August 2026 the Ministry of House, Communities and Local Government (MHCLG) published a revised NPPF which is effective immediately. The Current National Planning Policy Framework (NPPF) can be viewed by using the following the link:-

[National Planning Policy Framework.pdf](#)

The following policies are considered relevant to this application:

Chapter 3 - Decision-making policies

- DM1 Preparing development proposals
- DM2 Information requirements
- DM3 Determining development proposals
- DM6 Use of planning conditions and obligations

Chapter 4 - Achieving sustainable development

- S3 Presumption in favour of sustainable development
- S5 Principle of development outside settlements
- S6 Neighbourhood plans and the presumption

Chapter 5 - Meeting the challenge of climate change

- CC2 Mitigation of climate change
- CC3 Adaptation to climate change

Chapter 6 – Delivering a sufficient supply of homes

- HO7 Meeting the need for homes

Chapter 12 – Making effective use of land

- L3 Achieving appropriate densities

Chapter 14 – Achieving well-designed places

- DP3 Key principles for well-designed places
- DP4 The design process

Chapter 15 – Promoting sustainable transport

- TR3 Locating development in sustainable locations
- TR4 Street design, access and parking
- TR8 Public rights of way

Chapter 17 – Pollution, public protection and security

- P3 Living conditions and pollution

Chapter 18 – Managing flood risk and coastal change

- F7 Ensuring development is safe from flooding
- F8 Sustainable drainage systems and watercourses

Chapter 19 - Conserving and enhancing the natural environment

- N2 Improving the natural environment
- N3 Trees in new development

Chapter 20 – Conserving and enhancing the historic environment

- HE4 Securing the conservation of heritage assets
- HE5 Assessing effects on heritage assets

- 2.2 The 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 following policies are considered relevant to this application:

SS1	-	Presumption in favour of sustainable development
SS2	-	Delivering new homes
SS3	-	Releasing land for residential development
SS4	-	Movement and transportation
SS6	-	Environmental quality and local distinctiveness
SS7	-	Addressing climate change
RA1	-	Rural housing distribution
RA2	-	Housing in settlements outside Hereford and the market towns
OS1	-	Requirement for open space, sport and recreation facilities
MT1	-	Traffic Management, highway safety and promoting active travel
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
LD3	-	Green Infrastructure
LD4	-	Historic environment and heritage assets
SD1	-	Sustainable Design and energy efficiency
SD2	-	Renewable and low carbon energy
SD3	-	Sustainable water management and water resources
SD4	-	Waste water treatment and river water quality

- 2.3 The site is included within the Almeley Neighbourhood Development Plan area. The NDP was made on 28 June 2019. It now forms part of the Development Plan for Herefordshire.

The adopted NDP can be viewed on the Council's website by using the following link:-
[Almeley Neighbourhood Development Plan - Herefordshire Council](#)

The following policies are considered relevant to this application:

ALM1	–	Promoting sustainable development
ALM2	–	Maintaining and protecting the landscape and its features
ALM3	–	Protecting Heritage Assets
ALM4	–	Protection of local green space
ALM5	–	Design
ALM6	–	Sustainable Design
ALM11	–	Housing development in Woonton
ALM15	–	Highway requirements
ALM16	–	Sewage and Sewerage Infrastructure
ALM17	–	Protection from Flood Risk

- 2.4 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. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision, highways safety and safeguarding features of environmental value (amongst others) – have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

3. Planning History

- 3.1 Pre-planning advice has been provided for this site on two occasions. Application P171294/CE provided advice regarding a development of 4 residential dwellings. Application P252100/CE provided advice regarding a development of 8 residential dwellings. The application site is now slightly deeper than the area covered by this advice but is fundamentally the same.
- 3.2 Planning permission was sought via P173699/F for 5 residential dwellings, the application was refused in September 2019 and an appeal against that decision was dismissed in March 2020. Details of the application and appeal can be found using the following link:
[Planning Application Details - Herefordshire Council](#)

4. Consultation Summary

	Consulted	No Response	No objection	Qualified Comment	Object
Welsh Water	x		x		
Area Engineer (Highways)	x		x		
Ecology	x		x		
Prow Officer	x		x		
The Ramblers	x	x			
Drainage	x		x		
Waste	x		x		

- 4.1 The consultation responses can be viewed on the Council's website by using the following link:-
[Planning Application Details - Herefordshire Council](#)
However representations received are as follows:

4.2 Welsh Water Comments:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

This application is located in an unsewered area and since the proposal intends on utilising an alternative to mains drainage, we would advise that the applicant seek advice from the Environment Agency and the Building Regulations Authority as both are responsible to regulate alternative methods of drainage.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

4.3 Local Highway Authority Comments:

The proposed application seeks the development of nine dwellings and associated works. Planning permission was approved for the site for five dwellings (ref 173699), however, following judicial review, this application was refused due to the site being outside of the NDP settlement boundary. The application was not refused on highways grounds.

Within the previous planning application (ref 173699), the highway authority did not object to the scheme but did outline a number of conditions relating to visibility splays, vehicular access construction, parking, footpath provision, site operative parking and the provision of secure cycle parking.

During the appeal, the Inspector did not consider transport and accessibility issues.

The proposals include the use of an existing access point. It is proposed that the existing access will be widened to allow for two-way vehicle movements. A drawing included in the Planning Statement shows that suitable visibility of 75m southwest and 37.5m northeast can be provided from the access. This is a betterment to the visibility included in the previous application which indicated 33m visibility in each direction, 2.4m back from the nearside edge of the adjoining carriageway.

Pre-application advice was sought for this scheme, specialist advice was not sought from the local highway authority. In the pre-application response, it was recommended that the scheme demonstrate how the site can offer the choice of active travel options and that secure cycle parking should be provided for each dwelling.

It is noted that the proposed development is located in a rural location with no footways in the surrounding village.

Subject to the conditions outlined below, the local highway authority raise no objection to the proposals.

Conditions:

1. Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:
 - a. A method for ensuring mud is not deposited onto the Public Highway
 - b. Construction traffic access location
 - c. Parking for site operatives
 - d. Construction Traffic Management Plan

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

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

2. Prior to the occupation of the development hereby permitted full details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwelling shall be submitted to the Local Planning Authority for their written approval. The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the occupation of any the dwelling houses hereby permitted. Thereafter these facilities shall be maintained;

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

3. Prior to the first occupation of the dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of vehicles which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.

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

4. Visibility at the site access should be provided in line with details provided in the Planning Statement. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

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

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

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

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>

4.4 Ecology Comments 1 – Further Information Required: 07/07/26

Habitat Regulations Assessment

The site is within the River Wye SAC catchment and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out by the LPA. A final HRA 'Appropriate Assessment' completed by the LPA must be formally approved by Natural England PRIOR to any future planning consent being granted.

This HRA process needs to be completed based on all current requirements and considerations and on information supplied in support of this specific application and that is sufficiently detailed to allow any relevant conditions to be secured. The HRA process must be completed with legal and scientific certainty and using a precautionary approach.

From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to "unfavourable declining" by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.

Comments on HRA

The application creates new foul water and surface water flows. No mains sewer connection is available. Infiltration and percolation testing has been undertaken, and the proposal is to utilise SuDS for surface water and a best available technology Haba Bio Easy Flow PTP for each property. These proposals are acceptable however the strategy needs to be approved by the Council's land drainage team from a design perspective, therefore this should be resolved before an HRA is processed to ensure legal and scientific certainty.

Ecology

The application will not impact any designated sites for nature. The site is described as arable (Pure Ecology, 2026) and therefore represents low ecological value. However native species rich hedgerows are present along the site boundary – the biodiversity metric (below) states that no hedgerow loss will take place. No adverse impacts to protected or priority species and habitats are expected providing appropriate planning conditions are in place.

Biodiversity Net Gain

The application is subject to delivering the mandatory Biodiversity Net Gain (BNG) of at least 10% post-development in accordance with the Environment Act 2021. I have reviewed the completed Statutory BNG Metric. This proposal collectively delivers a net gain exceeding 10% in habitat and hedgerow units. These BNG proposals are satisfactory.

Recommended Conditions

Protected Species and Dark Skies (Residential)

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

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

Species Net Gain

Prior to first use of any part of the development works approved under this planning decision notice, photographic evidence of the suitably placed installation on the approved buildings, of a minimum total of three integrated bird nesting boxes and three integrated bat roosting boxes should be supplied to and acknowledged by the Local Planning Authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the Local Planning Authority. Wildlife boxes should be installed under guidance of a qualified ecologist.

Reason: National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the Council's declared Climate Change and Ecological Emergency.

Pre-Construction Check

No works (including site clearance, demolition, or groundworks) shall commence until a suitably qualified ecologist has undertaken a pre-construction check of the site for protected species and other ecological constraints. Any measures identified by the appointed ecologist as necessary to safeguard protected species shall be implemented in full. Within one month of completion of the approved works, a letter of confirmation shall be submitted to the Local Planning Authority from the ecologist confirming pre-construction supervision.

Reason: Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the Council's declared Climate Change and Ecological Emergency.

Hedgerow Protection During Construction

Prior to any works commencing, the existing hedgerows shall be protected by secure fencing in accordance with *BS 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations*. The fencing shall remain in place and be maintained in effective condition for the duration of construction. No soil levels shall be altered, and no vehicles, plant, materials, waste, or equipment shall be stored or operated within the protected area at any time.

Reason: Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the Council's declared Climate Change and Ecological Emergency.

4.5 **Ecology Comments 2: 03/08/26 – No Objection**

The site is within catchment of the River Wye SAC and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out by the LPA, any final HRA 'appropriate assessment' completed by the LPA must be formally approved by Natural England PRIOR to any future planning consent being granted.

This HRA process needs to be completed based on all current requirements and considerations and on information supplied in support of this specific application and that is sufficiently detailed to allow any relevant conditions to be secured.

The HRA process must be completed with legal and scientific certainty and using a precautionary approach.

From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to "unfavourable declining" by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.

HRA Notes

The proposal creates NINE new residential dwellings with associated new-additional foul and surface water flows (nutrient pathways) created.

No mains sewer system is available for connection at this location.

- The supplied drainage strategy proposes plot specific Package Treatment Plants discharging to individual drainage field on land that the dwelling owners will have legal control over.
- Percolation testing has confirmed that drainage fields can be achieved at this location.
- The proposal is to use a HABA Bio EasyFlow package treatment plant for each dwelling.
- The HABA Bio EasyFlow is considered as current 'best available technology' for the natural management of phosphates (nutrients) using natural processes within the main PTP plant. Achieving a certified phosphate at outfall of 0.8mg/litre.
- The use of BAT PTP and drainage fields to manage remaining phosphates in the outfall within natural soil processes

- There is an additional buffer of 500+ metres between drainage fields and any receiving watercourse that is then a minimum of 15km hydrologically from confluence with the Middle Wye. This allows significant natural management of any phosphates in outfall through soil based processes, instream nutrient uptake and additional significant dilution prior to the final discharge into the River Wye SAC.
- No significant additional nutrients from this proposed development are identified as entering the River Wye SAC.
- All surface water can be managed by Sustainable Drainage Schemes and no new or additional nutrient pathways are identified as a result.

With no nutrient pathways identified and all 'mitigation' secured as fully embedded within the project the required HRA can be screened out at stage 1 of the assessment process.

A relevant condition to secure the dwelling specific foul and surface water management arrangements is suggested for complete certainty.

River Wye SAC - Foul Water & Surface Water Management (nutrient mitigation)

Unless otherwise approved in writing by the Planning Authority; all foul water flows created by each dwelling hereby approved shall discharge to a dwelling specific HABA Bio EasFlow package treatment plant (or similar unit achieving a certificated, naturally achieved, phosphate at outfall of $\leq 0.8\text{mg/litre}$) with a final outfall to a drainage field on land under the legal control of each homeowner.

All surface water will be managed through use of permeable surfaces and Sustainable Drainage Systems.

The approved arrangements for foul and surface water management shall thereafter be maintained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the scheme would achieve nutrient neutrality and avoid detriment to the integrity of the River Wye SAC, in accordance with the Conservation of Habitats and Species Regulations (2017), policy LD2, SD3 and SD4 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework

Other previous ecology comments remain relevant and applicable.

4.6 Public Right of Way Comments:

No objection

4.7 Lead Local Flood Authority / Land Drainage Comments – Holding Objection 07/05/26

SITE: Land southeast of Woonton Farm, Woonton, Almeley, Hereford

TYPE: Planning Permission

DESCRIPTION: Development of nine dwellings and associated works.

APPLICATION NO: 260943

GRID REFERENCE: OS 335150 - 252085

APPLICANT: Mr Mills

AGENT: CDB Planning and Architecture

Our knowledge of the development proposals has been obtained from the following sources:

- Application for Planning Permission;

- Location and Site Plans (18/06/2026);
- Site Plan – Proposed Drainage (18/06/2026);
- Drainage Strategy Note.

Site Location

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), May 2026

Overview of the Proposal

The Applicant proposes the construction of 1 x 3 bed bungalow, 2 x 3 bed 2 storey dwellings, 2 x 2 bed 2 storey dwellings and 4 x 4 bed dwellings, comprising 2 sets semi detached dwellings. The greenfield site is relatively level and covers an area of approx. 0.99ha.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low probability Flood Zone 1.

As the proposed development is located within Flood Zone 1, in accordance with Environment Agency standing advice, the planning application does not need to be supported by a Flood Risk Assessment (FRA). This is summarised in Table 1:

Table 1: Scenarios requiring a FRA

Within Flood Zone 3	Within Flood Zone 2	Within Flood Zone 1	
Site area less than 1ha	FRA required	FRA required	FRA not required*
Site area greater than 1ha	FRA required	FRA required	FRA required

**except for changes of use to a more vulnerable class, or where they could be affected by other sources of flooding*

Surface Water Flood Risk

Review of the EA's Risk of Flooding from Surface Water map indicates that the site is not located within an area at risk of surface water flooding.

Other Considerations and Sources of Flood Risk

Local residents may have identified other local sources of flood risk within the vicinity of the site commonly associated with culvert blockages, sewer blockages or unmapped drainage ditches. Review of the EA's Groundwater map indicates that the site is not located within a designated Source Protection Zone or Principal Aquifer.

Surface Water Drainage

The Proposed Drainage Site Plan demonstrates that individual crate soakaways will be used to discharge surface water runoff from each dwelling, within the private plot curtilages.

Whilst soakaway design calculations have not been provided to support this, infiltration testing (two tests were completed) undertaken in 2017, as part of a previous site application (173699), produced an acceptable infiltration rate of 1.19x10⁻⁵m/s.

At the time, the soakaway(s) were designed to manage water from an impermeable area of 80m² and designed for the 1 in 100 + 30% climate change (please note that the guidance has since been updated for climate change allowances).

A crate soakaway is proposed to discharge surface water runoff from the access road, however, we would suggest green SuDS would be preferable from a future management and maintenance aspect. It is unclear how the private driveways will be proposed.

Foul Water Drainage

As there is no public foul water sewer available to serve the site, based on an acceptable Vp rate of 18secs/mm (achieved from percolation testing undertaken in 2017), it is demonstrated on the Proposed Drainage Site Plan that each property will be served by its own package treatment plant and drainage field, to discharge foul water flows to ground.

Three test pits were excavated comprising a 300mm cube hole at the base of a larger hole, total depth of 800mm. Across 3 tests within each hole, this revealed an average Vp of 18.

The Applicant has provided calculations (using a Vp value of 20) to demonstrate that the foul drainage fields have been correctly sized. Based on the housing mix on the indicative proposed layout and applying the ratios in British Water Flows and Loads 4, this requires 22m² for a 4 bed property and 18 m² for the 2 and 3 bed dwellings.

Whilst the package treatment plants are located within the private plot curtilages, the drainage fields appear to be located outside of the curtilage of each residential garden, including pipe networks crossing other plot curtilages.

The land on which the package treatment plants and drainage fields are located should be owned by the respective homeowner. This was made explicitly clear in Land Drainage comments submitted under 173699 and based on the proposed site layout, it is clear that there is sufficient space within the site to ensure that both surface water and foul water drainage are considered properly.

We also note that the proposed layout of the drainage fields is incorrect and the inlet should be made at the end of the drainage field as per the below:

Overall Comment

HOLDING OBJECTION (pending the receipt of additional information/amended plans) / Whilst Land Drainage accepts in principle the proposal to discharge surface water and foul water to ground, the current site layout proposals do not support a sustainable arrangement. We are satisfied that up to date site investigations and subsequent infiltration and percolation test results, which inform drainage infrastructure size calculations, can be conditioned as it currently unclear where the historic testing was undertaken in relation to the proposed location of the drainage infrastructure.

4.8 Land Drainage Comments 2 – 20/07/26 – Conditional No Objection

SITE: Land southeast of Woonton Farm, Woonton, Almeley, Hereford

TYPE: Planning Permission

DESCRIPTION: Development of nine dwellings and associated works.

APPLICATION NO: 260943

GRID REFERENCE: OS 335150 - 252085

APPLICANT: Mr Mills

AGENT: CDB Planning and Architecture

Our knowledge of the development proposals has been obtained from the following sources:

- Application for Planning Permission;
- Location and Site Plans (18/06/2026);
- Site Plan – Proposed Drainage (18/06/2026);
- Drainage Strategy Note.

Site Location

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), May 2026

Overview of the Proposal

The Applicant proposes the construction of 1 x 3 bed bungalow, 2 x 3 bed 2 storey dwellings, 2 x 2 bed 2 storey dwellings and 4 x 4 bed dwellings, comprising 2 sets semi detached dwellings. The greenfield site is relatively level and covers an area of approx. 0.99ha.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low probability Flood Zone 1.

As the proposed development is located within Flood Zone 1, in accordance with Environment Agency standing advice, the planning application does not need to be supported by a Flood Risk Assessment (FRA). This is summarised in Table 1:

Table 1: Scenarios requiring a FRA

Within Flood Zone 3	Within Flood Zone 2	Within Flood Zone 1	
Site area less than 1ha	FRA required	FRA required	FRA not required*
Site area greater than 1ha	FRA required	FRA required	FRA required

**except for changes of use to a more vulnerable class, or where they could be affected by other sources of flooding*

Surface Water Flood Risk

Review of the EA's Risk of Flooding from Surface Water map indicates that the site is not located within an area at risk of surface water flooding.

Other Considerations and Sources of Flood Risk

Local residents may have identified other local sources of flood risk within the vicinity of the site commonly associated with culvert blockages, sewer blockages or unmapped drainage ditches. Review of the EA's Groundwater map indicates that the site is not located within a designated Source Protection Zone or Principal Aquifer.

Surface Water Drainage

The Proposed Drainage Site Plan demonstrates that individual crate soakaways will be used to discharge surface water runoff from each dwelling, within the private plot curtilages.

Whilst soakaway design calculations have not been provided to support this, infiltration testing (two tests were completed) undertaken in 2017, as part of a previous site application (173699), produced an acceptable infiltration rate of 1.19x10⁻⁵m/s.

At the time, the soakaway(s) were designed to manage water from an impermeable area of 80m² and designed for the 1 in 100 + 30% climate change (please note that the guidance has since been updated for climate change allowances).

A crate soakaway is proposed to discharge surface water runoff from the access road, however, we would suggest green SuDS would be preferable from a future management and maintenance aspect. It is unclear how the private driveways will be proposed.

Foul Water Drainage

As there is no public foul water sewer available to serve the site, based on an acceptable Vp rate of 18secs/mm (achieved from percolation testing undertaken in 2017), it is demonstrated on the Proposed Drainage Site Plan that each property will be served by its own package treatment plant and drainage field, to discharge foul water flows to ground.

Three test pits were excavated comprising a 300mm cube hole at the base of a larger hole, total depth of 800mm. Across 3 tests within each hole, this revealed an average Vp of 18.

The Applicant has provided calculations (using a Vp value of 20) to demonstrate that the foul drainage fields have been correctly sized. Based on the housing mix on the indicative proposed layout and applying the ratios in British Water Flows and Loads 4, this requires 22m² for a 4 bed property and 18 m² for the 2 and 3 bed dwellings.

Whilst the package treatment plants are located within the private plot curtilages, the drainage fields appear to be located outside of the curtilage of each residential garden, including pipe networks crossing other plot curtilages. The land on which the package treatment plants and drainage fields are located should be owned by the respective homeowner. This was made explicitly clear in Land Drainage comments submitted under 173699 and based on the proposed site layout, it is clear that there is sufficient space within the site to ensure that both surface water and foul water drainage are considered properly.

We also note that the proposed layout of the drainage fields is incorrect and the inlet should be made at the end of the drainage field as per the below:

Overall Comment

CONDITIONAL NO OBJECTION

Whilst Land Drainage accepts in principle the proposal to discharge surface water and foul water to ground, the current site layout proposals (drainage fields located outside of plot boundaries and drainage infrastructure going through private plots) do not support a sustainable arrangement. However, we are satisfied that these issues can be addressed at Discharge of Condition.

We are satisfied that up to date site investigations and subsequent infiltration and percolation test results, which inform drainage infrastructure size calculations, can be conditioned as it currently unclear where the historic testing was undertaken in relation to the proposed location of the drainage infrastructure.

We recommend that the following information is provided within suitably worded planning conditions:

- Submission of detailed surface water and foul water drainage design plans/constructions drawings and associated calculations. This should be supported by up-to-date infiltration and percolation test results.

5. Representations

5.1 Almeley Parish Council

Expressed concerns raised by residents regarding the cumulative impact of this and other recent development on the character of the settlement and landscape. Particular concerns were raised regarding Highways, Drainage and Historic Impact. Full comments received are provided below:

Thank you for the opportunity to respond to Planning Consultation - 260943 - Land southeast of Woonton Farm, Woonton, Almeley, Hereford.

Almeley's Annual Parish Meeting met last night, a statutory event attended by six parish councillors and a total of 23 electors. Those present asked me to convey to you their considerable concerns about this application.

Woonton has experienced substantial recent housing development and the cumulative impact on the character of the settlement and landscape demands to be adequately assessed.

Those present drew particular attention to the following points:

Highways - residents were particularly concerned by the limited, and dated, 2017 analysis offered by the applicants. The data offered relates to an earlier application envisaging fewer houses. Since 2017 there has been substantial new housing development in Woonton - the settlement has almost doubled in size - and a more serious and substantial analysis is required which takes into account the present circumstances. Electors hoped that the Planning Authority would insist on a contemporary study by a qualified consultant. Without that study there is insufficient information to make a judgement.

Electors believed the narrow rural lanes were unsuitable for the additional traffic movements associated with nine new houses, and the lack of separate footways created additional safety risks. This conflicts with Core Strategy Policies MT1 and SS7.

Drainage - residents were concerned by the brief note on drainage, also dating from 2017 when a smaller development was envisaged, and current weather patterns unforeseen. They expressed a hope that that Planning Authority would insist on a more substantial contemporary surface water drainage analysis, and a foul water treatment solution suitable for a development of this scale. They were not persuaded that the current arrangement of soakaway and package treatment plans would be effective given current rainfall levels and feared consequences for local water quality. Herefordshire Local Plan Core Strategy LD4 is engaged.

Impact on heritage assets - residents were concerned by the evident harm to the setting and context of the Grade II listed Woonton Farmhouse and Grade II listed Pool House. They asked me to draw your attention to the cumulative impact of this proposal, and other recent development, in assessing harm to the character and rural setting. Herefordshire Core Strategy MT1 is relevant, and Almeley Neighbourhood Development Plan ASLM15.

5.2 In addition 20 public representations have been received comprising 18 objections and 1 other comment.

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

[Planning Application Details - Herefordshire Council](#)

The following is a summary of the responses received:

18 Objections

- Previous refusal of fewer dwellings - more houses are proposed now = more harm, nothing substantially changed – cumulative development impact.
- Outside settlement boundary, 9 dwellings would be disproportionate and unsympathetic, undesirable precedent, NDP housing targets have been met, additional dwellings = overdevelopment.
- Damage to local character – Woonton = small hamlet that has already experienced substantial growth, further, an additional 9 dwellings would be significant and disproportionate and would erode the intrinsic character.

- Urbanising impact would detrimentally impact character or area and fails to respect heritage sites.
- Proposed dwellings not agrarian – they appear more suburban.
- Introducing development to village edge would erode transition between village and countryside and block views.
- Unsustainable = greater reliance on private car - provision of electric vehicle charging points does not overcome this.
- Recent Barn Yard and Pool Yard developments, are not comparable and do not set a direct precedence for this planning application. These are both within the settlement boundary and were developed on Brownfields sites.
- Drainage strategy weak and does not set out long-term maintenance arrangements = concern about River Wye SAC.
- Soakaway tests done 2017 and not updated – relate to 5 dwelling proposal
- Road near proposed development floods – 9 additional houses will increase the surface water burden.
- Disruption to springs. Local spring originates in the fields proposed. These springs travel down the hills feeding residents wells from the green all the way down the Almeley road.
- Concern that effluent could find its way into the lane.
- Lack of basic infrastructure inc. mains drainage & local services within 10 mile radius
- Damage to local Heritage sites - Replacing open countryside with a housing development would materially alter how these listed buildings are experienced within the landscape, diminishing their rural context.
- Proposed development will overlook and create noise and disturbance for heritage assets.
- The site lies on Herefordshire's Black and White Village Trail, where traditional built form and landscape setting are of particular visual and heritage importance.
- Safety of non-motorised road users has not been fully considered – surrounding lanes are unsuitable for development.
- The traffic survey dates back to 2017 - Traffic levels have increased due to new housing in the area and more frequent delivery vehicle movements.
- Site entrance is opposite entrance to Woonton House and both are very close to the C1079 'T' junction = may not be possible to create safe and efficient flow of traffic.
- Large agricultural vehicles regularly use the nearby access roads.
- Access to A480 considered dangerous.
- Of the 16 recently built or approved properties in the hamlet, several have struggled to sell = is there a genuine need for development.
- NDP is relevant and should not be overlooked – approval would undermine NDP and create precedent for further expansion.
- NPPF seeks to protect Green Belt.
- Nearby Brownfield site has been overlooked by this application.
- The proposed site is Grade 2 agricultural land = Best and Most Versatile.
- The proposals would irreversibly impact wildlife habitats open space.
- The proposed landscaping would take many years to mature and would not adequately mitigate the immediate visual impact or loss of openness.
- Concern ecology of site not properly assessed.
- No LVIA submitted.
- A map from 1886 showed a pond and orchards in the area for development. The application has no pond and a token area of orchard. Both the pond and some orchards were still on this site until relatively recent years.
- Herefordshire's Dark Skies initiative supported - lighting impact assessment required.
- Not clear whether street lights are proposed – street lights are not supported.
- Concern as to why application 221169 for a single unit, within the village, was turned down and the decision upheld at appeal (APP/W1850/W/22/3312322) yet a nine house development is being considered on a green field site.

Further information on the subject of this report is available from Emma Jones on

- Site visit requested.
- Impact of development cannot be mitigated by planning condition.
- Concern that the updated survey does not provide a complete assessment of the potential highway impacts of the development.
- Concern that updated percolation tests are being undertaken during drought conditions and may overestimate the ground's ability to absorb water.

1 General Comment

- Shame housing being proposed on Grade 2 Agricultural land
- The 'small farmstead' design appears more like a standard cluster of buildings around a cul-de-sac.
- The housing facades look urban rather agrarian.
- The majority of the houses are aligned on a roughly south-west to north-east line, which is not the best for maximising passive solar gain.
- Concern that plots 4, 5, 6 and 7 will look like semi-detached square houses.
- The layout should therefore be tweaked to orientate more of the houses towards a more south-facing aspect so as to increase passive solar gain, which would also produce a more 'varied' layout, at the same time making the intended farmyard group of houses more like a farmyard rather than simply a cul-de-sac.
- Clarity should be sought in the type of windows and doors, the use of lintels or walling above upper storey windows and whether flat roof extensions should be part of the plan.
- The use of mixed brick colours, as the plans suggest, and slate on the roofs, is to be welcomed.
- A spring exists in the field near to the roadside where it bends more southward beyond the western boundary of the site.
- It should be ensured that permeable surfaces are insisted upon.
- Who will the management agreement concerning the orchard will be with? If you wanted to encourage a sustainable community, then the orchard could be given to a Woonton Community Land Trust for local people to look after.
- Could bus shelters be insisted upon as part of the planning gain?
- It would be interesting to update the 2017 traffic survey once all the present houses being built are occupied, this is likely to have a considerable effect on flow numbers.
- Impact upon skyline is well considered in the application.
- NDPs take a huge amount of volunteer time followed by referenda, and with them being considered out of date and inadmissible in planning terms after 5 years, how many parishes will go through the regular effort to update or should be some change to the law surrounding them?

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 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) and the Almeley Neighbourhood Area, which published a made Neighbourhood Development Plan (NDP) on 28th June 2019. The National Planning Policy Framework (NPPF) is also now described as a material consideration of critical importance.

Further information on the subject of this report is available from Emma Jones on

- 6.3 NPPF policy S3 directs that decisions on development proposals should apply a presumption in favour of sustainable development. This means that NPPF Policy S4 should be applied when considering development proposals within settlements and NPPF policy S5 when determining proposals outside settlements.
- 6.4 As described above this proposal is located outside the settlement of Woonton because it is beyond the black settlement boundary line shown on the adopted the policy map for NDP dated January 2019. NPPF policy S5 1.(j) confirms that development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies of the NPPF.
- 6.5 The application site is located outside the defined settlement boundary of Woonton. It is however well related to Woonton which is defined in policy RA2 of the Herefordshire Core Strategy as a settlement. The Council's supply of deliverable housing sites is currently 2.81 years. The supply of housing would weigh significantly in the balance in favour of the proposed development. It is however acknowledged that substantial development has taken place within the village recently and officers note that a number of objectors question the need for development in this context. Officers must however make recommendations based on planning policy. In planning terms Herefordshire's lack of a 5 year housing land supply provides evidence of an unmet need for residential development in this area.
- 6.6 Policy RA2 of the Core Strategy puts Woonton within Figure 4.15 as an other settlement where proportionate housing is appropriate. NDP policy ALM11 recognises this in it's statement that: *New housing within Woonton will be restricted to sensitive infilling within a settlement boundary, sites already granted planning permission and the site allocated at Woonton Farm (ALM12).*
- 6.7 While the NPPF does not overwrite the local development plan NPPF policy S6 does state that: *For development proposals involving the provision of housing, the benefits of approving development are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a neighbourhood plan, provided the following apply:*
- a. *The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
 - b. *The neighbourhood plan contains allocations to meet its identified housing requirement (see policy HO2).*
- In this instance the NDP became part of the development plan more than five years ago and the plan does not contain any allocations to meet the currently (post December 2024) identified housing requirement.
- 6.8 Officers must therefore take account of the planning balance in making a judgement regarding the suitability of development in this location. The location is considered sustainable in that it is located close to the A480 with bus links to Hereford and to Kington, therefore officers are satisfied that the principle of development is fundamentally acceptable in this instance.

Historic Impact, Landscape Impact and PROW

- 6.9 The application area is a relatively level site located to the south west of the existing village. It is generally well screened from the A480 and surrounding viewpoints with the exception of parts of the AM20 PROW. While it is understood that there is a dip and the land rises when approaching Woonton from the south west, substantial buffer planting and a new hedgerow is proposed which

will result in relatively green filtered views (as exist at present) of the site from this direction only. Approximately 1/3 of the application site is given over to new planting including an area of orchard, an area of scrub, wildflower and native tree planting and new hedgerow. The existing mature field boundary along the northwest edge of the site will also be retained. Officers are therefore satisfied that the proposed development will be in accordance with NPPF policies N2 and N3, CS policies LD1 and LD3 and NDP policy ALM2.

- 6.10 As mentioned above, the application site is located opposite the listed buildings of Woonton Farm and Pool House and Pool Common which is designated in NDP policy ALM4 as protected local green space. Far reaching panoramic views to the southeast and southwest are noted as existing from the Common in paragraph 6.5 of the NDP. It is noted that one of the principle objections refers to the setting of these listed buildings. However, on the several occasions that officers have visited the site views were not evident due to the height of the outgrown hedgerow along Logaston Road as well as agricultural buildings associated with Woonton farm located to the southwest. Officers note that the hedgerow is to be retained and the proposed dwellings will be set back from it. In appeal APP/W1850/W/20/3247411 the Inspector noted that *"There is also mature vegetation that screens views of the wider and more open, undeveloped landscape beyond."* And found *"that the proposal would preserve the setting of nearby listed buildings."*
- 6.11 Unlike the plan assessed at appeal, built development would in this case extend further to the south-west. Plot 3 would look directly towards side windows of Woonton Farm at a distance of approximately 50m and filtered by existing mature trees, Plot 1 would overlap slightly with this elevation of Woonton Farmhouse, but it is single storey screened by an existing hedgerow and Plot 2 would have a gable end with upper and ground floor windows facing the garden of Woonton Farm at a point where screening is also provided by mature hedgerow trees. With regard to Pool House and Pool Green dwellings are positioned similarly to the proposal previously assessed and in one case set back further. PROW AM20 and its views to the south not impacted by the proposal.

Design and Appearance

- 6.12 NPPF policy DP3 states that *Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.* This is supported by CS policies RA2, LD1 and SD1.
- 6.13 From the NDP, policy ALM5 states that *development proposals in general terms should achieve good standards of design and architecture throughout the Parish but especially where there is a need to respect local distinctiveness and the traditional qualities of its rural settlements and buildings. This will be achieved by requiring development to:*
- a) Respect the traditional character, where appropriate, by adopting a design approach utilising a range of materials and architectural styles that are sympathetic to the development's surroundings, and incorporating appropriate locally distinctive features;*
 - b) New innovative design or features should be of high quality and fit sensitively within the street scene, village setting or rural location;*
 - c) Respect the scale, massing, density and character of existing properties in the vicinity;*
 - d) Be similar to established building heights, frontages, massing and plot sizes;*
 - e) Protect the amenity of adjacent existing residential properties and ensure new residential development avoids locations where residents may suffer significant adverse effects from adjacent operations;*
 - f) Preserve existing trees, boundary hedges, ponds, orchards and hedgerows and make provision for tree planting with native species.*

6.14 For housing in Woonton specifically, NDP policy ALM11 states that schemes should:

- a) Dwellings shall be of a scale, massing, density, building line and layout compatible with the character, size and form of the particular part of the settlement within which they are located and not adversely affect the amenity of adjacent properties.*
- b) Development shall not result in the loss of important features such as trees, hedgerows, or significant frontage gaps or green spaces that contribute to the unique character of the settlement.*
- c) Development shall not adversely affect heritage assets within the settlement, including their settings.*
- d) There should be safe access for vehicles, and parking arrangements should not detract from the street scene but be an integral part of the overall design.*
- e) Provision should be made for storm water drainage on site and should not lead to or increase flooding of other properties and the highway.*
- f) Special attention shall be given to ensuring foul/waste water drainage does not cause pollution, affect the amenity of other land or properties, or the integrity of any important wildlife habitats.*

6.15 ALM1 also sets out a range of requirements to promote sustainable design and resilience, including part a) which states that the highest priority will be given to retaining the rural character of the Parish and its settlement pattern through requiring development to:

- Fit sensitively into the landscape;*
- Maintain the dispersed settlement pattern of frequent roadside dwellings and farmsteads that avoid clusters of modern houses;*
- Protect views across the River Wye Flood Plain to the Brecon Beacons National Park and Black Mountains;*
- Protect and enhance landscape features such as broadleaved tree cover and mixed species hedgerows;*
- Conserve the organic pattern and character of the local lane network;*
- Strengthen the ecological network of wildlife corridors and patchwork of small wildlife habitats;*
- Maintain or restore the character of the Parish's historic farmsteads, through innovative approaches.*

6.16 Plots 1 – 5 have been arranged to echo an agrarian character of agricultural buildings arranged around a farmhouse. Agricultural style buildings are simple in form and materials have been used to re-inforce the barn style – principally through the use of timber which also helps to maintain the visual cohesion of semi-detached dwellings as a single building. A variety of building heights also help to achieve this. Plot one for example will be single story as is the long stone barn within the curtilage of Woonton Farm and plot 3 is to be of a more traditional domestic shape, built mainly in stone. Modern design detailing is however used throughout including often A-symmetric window detailing which is regularly used in barn conversions.

6.17 Plot 1 will be a single storey dwelling of brick with vertical timber inserts on the eastern elevation under a slate roof – simple in style and grouped to echo an agricultural courtyard with plots 2-5. Plot 2 will be a larger 2 storey dwelling with 2 brick sections and a central vertical timber clad 2 storey section. There will also be; a vertical timber clad attached garage, modern A-symmetric windows and an external chimney to rear which does not extend above the roof ridge to maintain simple agricultural lines. Plot 3 will be a more traditionally shaped dwelling with chimneys incorporated at each gable end. It will be stone under a slate roof with wider vertical timber cladding from 1st floor windows to eaves only. Plots 4 & 5 are semi-detached, brick under slate, with a central section horizontally timber clad on the front elevation and the upper floor horizontally timber clad on the rear elevation.

6.18 A field access is maintained opposite the main site access (which will be in the location of the existing field gate) and plots 6 – 9 to the northeast have a looser form along 2 sides of a cul-de-sac, the area along the northwest boundary being retained for the existing hedge and a wildflower mix margin.

Plots 6 & 7 are semi-detached brick under slate roofs, the upper floor will be horizontally timber clad on all elevations. Plot 8 is detached and will be brick under slate with vertical timber cladding to the upper floor. There will be an attached brick garage with pitched roof and two mono-pitched roofed protrusions one at the front and one at the rear extending ground floor living space. Plot 9 is the same as plot 8 but handed.

Neighbouring Amenity

- 6.19 The proposed development is not considered to cause any unacceptable overlooking, overshadowing or be overbearing to existing neighbouring properties. Within the site the dwelling on plot 2 is situated with 14m of the dwelling on plot 2, however only the gable of single storey plot one will face the northern elevation of plot 2, plots are to be separated by a hedge at ground level and only a small bathroom window and stairway windows face the gable of plot 1 from plot 2. Officers therefore do not anticipate any negative impact in this regard, in accordance with NPPF policies L2 and P3 and CS policy SD1.

Access and Highway Safety

- 6.20 NPPF policy TR3 is concerned with the location of sustainable development and sustainability and policy TR4 with street design, access and parking. Principally development proposals which could generate a significant amount of movement should be in locations that are sustainable or which can be made so and this means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical. And that transport considerations should be integral to the design of development of well-designed places.
- 6.21 Core Strategy Policy MT1 relates to the highways impacts of new development, and requires that proposals demonstrate that the strategic and local highway network can absorb the traffic impacts of the of the development without adversely affecting the safe and efficient flow of traffic on the network It also requires under criterion 4) that developments are designed and laid out to ensure that safe entrance and exit can be achieved and that adequate operational and manoeuvring space is available. From the NDP, policies T1, T2 and T3 require that all schemes should demonstrate that suitable and safe access is achievable within the capacity of the local highway network, promote active travel and ensure that adequate off-street parking is provided for residents and visitors.
- 6.22 In addition policy ALM1 states that development proposals should support local economic development appropriate to the capacity of the highway network, the local landscape and the existing settlement pattern.
- 6.23 The Highway Authority have been consulted on the proposed development. The Authority notes that the previous application was not contested on highway grounds and during the appeal the Inspector did not consider transport and accessibility issues. The Highway Authority note that the existing access point will be utilised and the visibility achievable is greater than that proposed by the previous application and that the proposed development is located in a rural location with no footways in the surrounding village. No objections are raised subject to the imposition of a number of conditions.
- 6.24 It is noted that many of the public objections received include comments that the speed survey data received dated to 2017 and that the situation is likely to have changed since that date due to the completion of additional dwellings. The applicant has therefore submitted 2026 survey data which shows that little has changed. It is not clear where this data was collected as two locations are shown in the 2017 study, however the Highway Authority have not referred to this data in their assessment and officers are satisfied that subject to the recommended conditions the proposed development is acceptable from a highways perspective.

Flood Risk and Drainage

- 6.25 NPPF policies F7 and F8 are concerned to ensure that development is safe from flooding and that Sustainable drainage systems are employed. In relation to foul water, CS policy SD4 sets out a hierarchical approach whereby a connection to the mains sewer is the preferred option of management. In relation to surface water, and CS policy SD3 requires that measures for sustainable water management form an integral element of all new development. It is also noted that there are a number of objections on drainage grounds and the technical advice of the Council's Land Drainage Engineer has therefore been sought.
- 6.26 A holding objection was initially raised regarding drainage fields located outside of plot boundaries and objections received noted the age of the drainage reports submitted and possible sources of surface water flooding. The holding objection was however lifted Land Drainage having concluded that up to date infiltration and percolation tests, which inform drainage infrastructure size calculations (guidelines for which have changed since 2017) can be conditioned and issues can be addressed at discharge of condition stage. Appropriately worded conditions are therefore included below.
- 6.27 Subject to inclusion of the recommended conditions it is not considered that the proposed development will be at risk of flooding, will not increase flood risk elsewhere and will include a sustainable surface water strategy.

Habitat Regulations Assessment

- 6.28 The site is within catchment of the River Wye SAC and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out by the Local Planning Authority (LPA). The supplied drainage strategy proposes plot specific Package Treatment Plants discharging to Individual drainage fields on land that the dwelling owners will have legal control over. Percolation testing has confirmed that drainage fields can be achieved at this location. No significant additional nutrients from this proposed development are identified as entering the River Wye SAC and all surface water can be managed by Sustainable Drainage Schemes. No new or additional nutrient pathways are identified as a result.
- 6.29 With no nutrient pathways identified and all 'mitigation' secured as fully embedded within the project the required HRA can be screened out at stage 1 of the assessment process. A relevant condition to secure the dwelling specific foul and surface water management arrangements is recommended below for complete certainty.

Ecology

- 6.30 Ecological issues are raised in a number of the public objections received. NPPF policy N2 confirms that proposals contribute positively to the natural environment and support nature's recovery. This is supported by local planning policy. The Council's planning ecologist has been consulted and confirms that the application will not impact any designated sites for nature. *The site is described as arable (Pure Ecology, 2026) and therefore represents low ecological value. However native species rich hedgerows are present along the site boundary – the biodiversity metric states that no hedgerow loss will take place. No adverse impacts to protected or priority species and habitats are expected providing appropriate planning conditions are in place.*
- 6.31 Appropriate conditions are recommended below and include protecting Herefordshire's dark skies, undertaking pre-construction checks for protected species and the protection of trees and hedgerow to be retained to ensure that the proposed development is in accordance with NPPF policy N2 and CS policy LD2 in this regard.

Biodiversity Enhancement

Further information on the subject of this report is available from Emma Jones on

- 6.32 The application is subject to delivering the mandatory Biodiversity Net Gain (BNG) of at least 10% post-development in accordance with the Environment Act 2021. The Council's planning ecologist has reviewed the completed Statutory BNG Metric and has found that proposal collectively delivers a net gain exceeding 10% in habitat and hedgerow units. The BNG proposals submitted are satisfactory and the statutory condition will be included on any planning consent given.

Other Considerations

- 6.33 Objectors point to the fact that the proposed is green field development on Grade 2 agricultural land (best and most versatile). NPPF policy N2 states that decision makers should take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible. Officers consider that the proposed development is not significant with regard to this policy. Only a small part of a much larger field is to be utilised.

Conclusion and Planning Balance

- 6.34 NPPF policy S5 weighs very heavily in favour of this application – Herefordshire's lack of a 5 year housing land supply provides evidence of an unmet need for residential development and the site is adjacent to a settlement as defined by CS policy RA2. Consent must be granted without delay unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies of the NPPF.
- 6.35 CS policy RA2's designation of Woonton further suggests that the settlement is a sustainable location. Indeed it is on the A480 with regular bus services to Kington and Hereford. Suggestions that future residents will be reliant on the motor car and nearby services may be unable to cope with demand do not therefore outweigh NPPF policy S5 1.(j)
- 6.36 With regard to heritage impact, the Inspector concluded that appeal APP/W1850/W/20/324741 would not negatively impact the setting of nearby listed buildings nor by implication the adjacent green space. While the current application is larger, the direct setting of Pool House and Pool common will be much the same as understood by the Inspector in 2020. Woonton Farmhouse will see development closer than previous, however this is carefully positioned to make best use of existing mature trees which will filter any views and plot 3 which looks directly towards side windows of the listed Woonton Farmhouse is situated approximately 50m away with a mature hedge and hedgerow trees intervening.
- 6.37 The hedge and existing mature trees are confirmed as being retained by the development. A condition has been recommended to ensure that the trees and hedgerow are protected in accordance with BS 5837:2012.
- 6.38 With regard to design the proposal seeks to echo nearby agricultural layouts without disturbing the mature hedgerow any more than necessary. Building lines are simple and materials traditional. Modern design style has however been utilised. It was felt that modern design elements had been taken too far on plots 8 and 9 with flat roofed protrusions front and back and these have subsequently been replaced with mono-pitched elements and the first floor windows above have been reduced slightly also. This results in a design that is considered appropriate and in accordance with NPPF policy DP3.
- 6.39 The Highway Authority have not objected to the proposals subject to conditions recommended below. Land Drainage have confirmed that although information submitted is out of date they are satisfied that conditions can be imposed to ensure that sustainable drainage is appropriate.
- 6.40 The application has been screened out at stage 1 of the Habitat Regulations Assessment process. It is not anticipated to impact any protected species and the BNG information submitted

is considered appropriate. Conditions have however been recommended to secure each of these objectives.

- 6.41 It is acknowledged that a previous application on this site was refused at appeal and a number of wide ranging objections to the current proposals have been received. Based on the above information however it is not considered that adverse effects of the current application are cumulatively sufficient to outweigh the benefits when assessed against the national decision-making policies of the NPPF.

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:

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

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

2. The development shall be carried out strictly in accordance with the approved plans (drawing nos. WF-5627-01A, WF-5627-02, WF-5627-03A, WF-5627-04A, WF-5627-05A, WF-5627-06A), except where otherwise stipulated by conditions attached to this permission.

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

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

- a. A method for ensuring mud is not deposited onto the Public Highway
- b. Construction traffic access location
- c. Parking for site operatives
- d. Construction Traffic Management Plan

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

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

4. Prior to any works commencing, the existing hedgerows shall be protected by secure fencing in accordance with *BS 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations*. The fencing shall remain in place and be maintained in effective condition for the duration of construction. No soil levels shall be altered, and no vehicles, plant, materials, waste, or equipment shall be stored or operated within the protected area at any time.

Reason: Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies

SS1, SS6, LD1-3; and the Council's declared Climate Change and Ecological Emergency.

- 5. No works (including site clearance, demolition, or groundworks) shall commence until a suitably qualified ecologist has undertaken a pre-construction check of the site for protected species and other ecological constraints. Any measures identified by the appointed ecologist as necessary to safeguard protected species shall be implemented in full. Within one month of completion of the approved works, a letter of confirmation shall be submitted to the Local Planning Authority from the ecologist confirming pre-construction supervision.**

Reason: Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the Council's declared Climate Change and Ecological Emergency.

- 6. Prior to the first occupation of the dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of vehicles which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.**

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

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

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

- 8. Visibility at the site access should be provided in line with details provided in the Planning Statement. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.**

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

- 9. Unless otherwise approved in writing by the Planning Authority; all foul water flows created by each dwelling hereby approved shall discharge to a dwelling specific HABA Bio EasFlow package treatment plant (or similar unit achieving a certificated, naturally achieved, phosphate at outfall of $\leq 0.8\text{mg/litre}$) with a final outfall to a drainage field on land under the legal control of each homeowner.**

All surface water will be managed through use of permeable surfaces and Sustainable Drainage Systems.

The approved arrangements for foul and surface water management shall thereafter be maintained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the scheme would achieve nutrient neutrality and avoid detriment to the integrity of the River Wye SAC, in accordance with the Conservation of Habitats and Species Regulations (2017), policy LD2, SD3 and SD4 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework

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

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

11. Prior to first use of any part of the development works approved under this planning decision notice, photographic evidence of the suitably placed installation on the approved buildings, of a minimum total of three integrated bird nesting boxes and three integrated bat roosting boxes should be supplied to and acknowledged by the Local Planning Authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the Local Planning Authority. Wildlife boxes should be installed under guidance of a qualified ecologist.

Reason: National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the Council's declared Climate Change and Ecological Emergency.

12. No development approved by this permission shall be commenced until a scheme for the provision of surface water and foul water drainage works including plans, construction drawings and associated calculations has been submitted to and approved in writing by the local planning authority. The scheme shall be supported by up-to-date infiltration and percolation test results. The approved scheme shall be implemented before the first occupation of the development hereby approved.

Reason: To ensure that a satisfactory solution can be achieved before the approved layout is fixed on the ground and to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

13. The standard refuse collection vehicle (RCV) used in Herefordshire is 26 tonnes. All roads and turning heads where it is proposed the RCV will travel must be constructed to adoptable standards. If the vehicle is unable to enter the development, a bin collection point area shall be constructed on the junction between the development and the access road.

Bin collection points (areas of hardstanding where residents can place their bins for collection) shall be provided for any plot located over a 25 metre walking distance from where the RCV can safely access. These should be an area of hardstanding that is large enough to position the required number of containers.

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

INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Herefordshire Council has plans to introduce both a fortnightly garden waste and a weekly food waste collection service, with the likelihood being two bins per property may need to be presented on the same day. All bin collection points should be sized to offer each property that has use of the collection point 1.16M of space to allow them to place two bins for collection.

Decision:

Notes:

.....

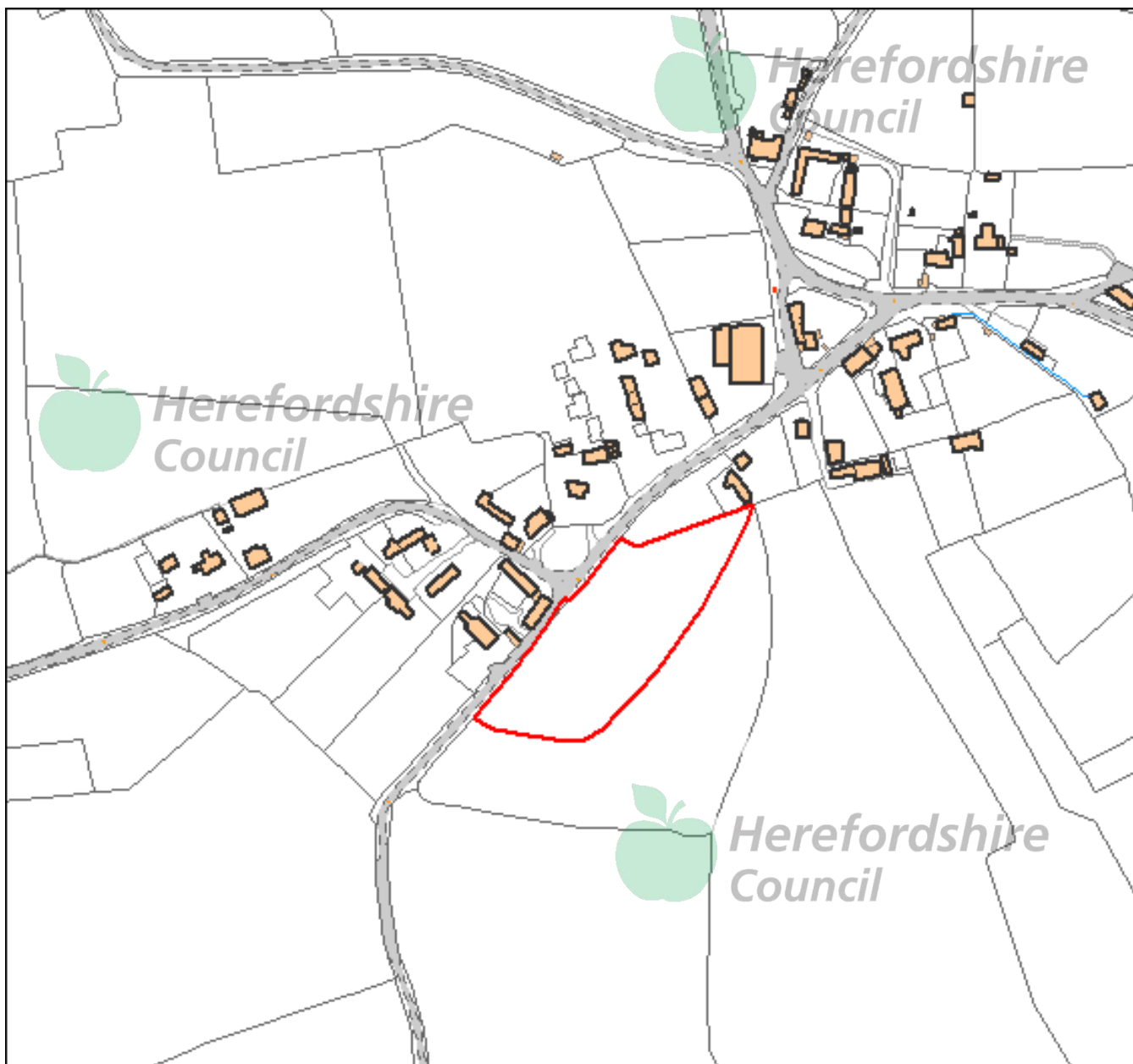
Background Papers

None identified

Useful information

Internal departmental consultation replies – available through the following link:

[Planning Application Details - Herefordshire Council](#)



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

APPLICATION NO: 260943

SITE ADDRESS : LAND SOUTHEAST OF WOONTON FARM, WOONTON, ALMELEY, HEREFORD

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

Further information on the subject of this report is available from Emma Jones on

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	14TH OCTOBER 2026
TITLE OF REPORT:	253316 & 253317 - PART CHANGE OF USE FROM A MIXED RESIDENTIAL AND RETAIL USE, TO RESIDENTIAL USE AT 123 THE HOMEND, LEDBURY, HEREFORDSHIRE, HR8 1BP For: Mrs Isaacs per Mr Tom Assal, 2 Park View, Newbury Park, Ledbury, HR8 1AZ
WEBSITE LINK:	Planning Permission (P253316/F): https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=253316&search-term=253316 Listed Building Consent (P253317/L): https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=253317&search-term=253317
Reason Application submitted to Committee - Unusual or sensitive planning issues	

Date Received: 14 November 2025 **Ward:** Ledbury North **Grid Ref:** 371002,237943
Expiry Date: 11 September 2026 (Extension of time agreement)
Local Members: Cllr Liz Harvey

1. Site Description and Proposal

- 1.1 The application site comprises a Grade II listed building located towards the northern end of Ledbury Town Centre, within the Conservation Area. The building is semi-detached and currently comprises a mixed use with a closed commercial unit at ground floor and a single residential dwelling above, on the first and second floors.
- 1.2 The building is of a traditional architectural style with a pitched clay tile roof and cream painted brickwork external walls.
- 1.3 This report relates to two applications that seek full planning permission (P253316/F) and listed building consent (P253317/L) to change the use of the building from a mixed residential and retail unit to an entirely residential use. This would see the ground floor commercial unit changed to a residential use.
- 1.4 The application has been supported by the following:
 - Design and Access Statement
 - Heritage Impact Assessment
 - Correspondence between the Local Planning Authority and applicant's agent regarding additional supporting information

2. Policies

2.1 National Planning Policy Framework, as amended on 17 August 2026 (NPPF):

Chapter 3: Decision-making policies

- DM1: Preparing development proposals
- DM3: Determining development proposals
- DM6: Use of planning conditions and obligations

Chapter 4: Achieving sustainable development

- S3 Presumption in favour of sustainable development
- S4 Principle of development within settlements

Chapter 6: Delivering a sufficient supply of homes

- HO9 Specialist forms of accommodation

Chapter 8: Ensuring the vitality of town centres

- TC2 Development in town centres

Chapter 12: Making effective use of land

- L2 Making effective use of land

Chapter 14: Achieving well-designed places

- DP3 Key principles for well-designed places
- DP4 The design process

Chapter 15: Promoting sustainable transport

- TR3 Locating development in sustainable locations

Chapter 20: Conserving and enhancing the historic environment

- HE5 Assessing effects on heritage assets
- HE6 Proposals affecting designated heritage assets
- HE9 Conservation areas

The NPPF sets out the government's planning policies for both plan-making and decision-making on development proposals in England. It is a material consideration of critical importance in both contexts. This version now replaces the previous NPPF that was published most recently in December 2024 (including revisions on 7 February 2025). The NPPF can be accessed using the following link: [National Planning Policy Framework - GOV.UK](#)

One of the most notable changes in the recently revised NPPF is the establishment of national plan-making and decision-making policies. The national decision-making policies identified above are considered by officers to be relevant to the determination of this particular application.

Planning law still requires that applications for planning permission are determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in the NPPF are material considerations in making these decisions and should be read alongside the policies in the development plan, albeit ones that the UK Government expects to be given 'critical' importance. Planning decisions must also reflect relevant international obligations and statutory requirements, as must the preparation of development plans.

The NPPF also confirms that planning decisions should contribute towards the achievement of sustainable development through economic, social and environmental objectives which are mutually supportive and should be pursued together.

Some of the national decision-making policies indicate how much weight the government would expect a particular consideration to be given, including cases where it is appropriate to give substantial weight to certain benefits, and the limited circumstances in which it is expected that permission would be refused. The NPPF at Annex A covers implementation of the NPPF for the purposes of decision-making, particularly in relation to existing local plan policies. Paragraph 2 is implicit that:

"Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework."

This applies to all development plan policies, which includes both local plan policies (i.e. Herefordshire Local Plan - Core Strategy); and made Neighbourhood Development Plan (NDP) policies. The same paragraph then goes on to say that,

"Other development plan policies (including policies in made neighbourhood plans) should not be given reduced weight simply because they were adopted prior to the publication of this Framework."

In practice, this means that the Local Plan does not cease to apply simply because it predates the current publication of the NPPF but that each policy must be considered individually. Where policies in the Local Plan and a NDP remain broadly consistent with the national decision-making policies, they can continue to carry weight. Precisely how much weight that amounts to remains something for decision-makers to assess. However, where policies are materially inconsistent with the national decision-making policies, they should carry very limited weight.

Footnote 63 of the NPPF states that the policies set out in Chapter 20 (Conserving and enhancing the historic environment) also relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, which includes applications for listed building consent.

2.2 National Planning Practice Guidance (PPG):

The PPG adds further context to the NPPF and it is intended that the two documents should be read together. The PPG can be accessed using the following link:

[Planning practice guidance - GOV.UK](#)

2.3 Herefordshire Local Plan Core Strategy 2011 – 2031 adopted October 2015 (CS):

SS1	-	Presumption in favour of sustainable development
SS2	-	Delivering new homes
SS4	-	Movement and transportation
SS6	-	Environmental quality and local distinctiveness
LB1	-	Development in Ledbury
E5	-	Town Centres
E6	-	Primary shopping areas and primary and secondary shopping frontages
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
LD4	-	Historic environment and heritage assets
SD1	-	Sustainable Design and energy efficiency
SD3	-	Sustainable water management and water resources
SD4	-	Waste water treatment and river water quality

The 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

3. Planning History

- 3.1 DCN054156/L - Replace existing conservatory, replace first floor window and internal alterations – Approved with Conditions

DCN054155/F – Replacement of existing conservatory – Approved with Conditions

DCN043728/L – Proposed Internal Alterations and replacement conservatory – Refused

4. Internal Consultation Summary

- 4.1 During consideration of the applications, amended plans and additional and/or updated supporting documents have been submitted for consideration. For avoidance of any doubt, all consultation responses are provided below and have been annotated under each consultation response where they are responding to superseded or amended plans.

4.2 Area Engineer Team Leader – No objections – No conditions recommended

- 4.2.1 No objections to the proposed. Ledbury is classes as a sustainable location therefore the lack of the provision of parking is supported by the sustainable location.

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 AMENDED Principal Building Conservation Officer – No objections – Conditions recommended

- 4.3.1 I have looked through this application and confirm there are no objections on heritage grounds. If you are minded to approve please could you include a joinery condition, requesting 1:20 scale elevations of the new windows, with 1:5 cross and vertical sections and a full size drawing of the glazing bar, noting materials and finish.

4.4 PREVIOUS Principal Building Conservation Officer – Objection – Further information required

- 4.4.1 There are very minor internal works proposed to create a bedroom and shower room neither of which will adversely impact on the heritage interest of the property. They do propose slightly widening a small window (photographed here) but there is no elevation or details which should be added to the application. There is also a ground floor window which has replaced a sash window on the front elevation for which no consent was granted so I advised the owner that the application should include a reinstatement with a timber sash. Finally it is proposed to include some internal wall insulation to which there is no reference on the drawings. So in principle I have no objection to the proposal but before it can be determined we will require this additional information.

4.5 Economic Development – No objection

4.5.1 The Economic Development Team has considered planning application 253316 relating to 123 The Homend, Ledbury, Herefordshire, HR8 1BP, and confirms that it supports the proposal.

The premises have historically been occupied by a retail business for many years. The owner lives in the accommodation above the premises. However, the previous owner has now retired, and the shop has subsequently become vacant. These current circumstances therefore appear to reflect the retirement of a long-standing business rather than the loss of a currently trading retail operation.

The location and context of the property are also relevant to the assessment of the proposal. 123 The Homend is situated towards the upper end of the High Street, away from the main concentration of shops and commercial activity within Ledbury town centre. There are no further shops beyond this point on the same side of the road, and the property is immediately adjacent to a block of apartments. The premises therefore occupy a transitional position between the main shopping area and the more predominantly residential part of The Homend.

The Team also notes that there are at least two other vacant retail units within Ledbury town centre. In this context, the proposed change of use is not considered likely to result in a shortage of retail premises or materially diminish the town's retail offer.

From an economic development perspective, bringing a vacant premises back into an active and appropriate use is considered beneficial to the vitality and appearance of the area. Continued vacancy could, in contrast, have a negative effect on the visual appearance and economic activity of this part of The Homend.

Given the property's position at the upper end of the High Street, away from the main shopping area, its location adjacent to residential apartments, the absence of shops beyond the property on that side of the road, and the availability of other vacant retail premises within Ledbury, the Economic Development Team considers that the proposal would not undermine the town's retail function.

Conclusion

The Economic Development Team supports planning application 253316. The proposed change of use is not considered likely to result in a shortage of retail space in Ledbury or adversely affect the vitality of the principal shopping area.

On balance, bringing this vacant premises into an active and appropriate use would make a positive contribution to the local area and support the continued economic vitality of Ledbury. The Economic Development Team therefore raises no objection to the application.

5. **Representations**

5.1 Ledbury Town Council – No objection

5.1.1 No objection

5.2 At the time of completing this report, 3 letters of representation have been received from third parties supporting the application. These are summarised below:

- Footfall has fallen and it can be unviable to keep a shop open
- Concerns over the deterioration of the shop if it remains empty because approval isn't granted

- Applicants are foster carers and the application would allow for the potential fostering of another child

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=253316&search-term=253316>

5.4 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 context and Principle of Development

- 6.1 As set out under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 "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."
- 6.3 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the 'made' Ledbury Neighbourhood Development Plan (NDP).
- 6.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and policy PM2 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. 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.
- 6.5 development proposals in England. It is a material consideration of critical importance in both contexts. This version now replaces the previous NPPF that was published most recently in December 2024 (including revisions on 7 February 2025).
- 6.6 Further to recent revisions to the NPPF, national decision-making policies (NDMP) in the NPPF are a material consideration in decision-making.
- 6.7 Having regard to the above, whilst the CS was adopted in 2015, paragraph 2 of Annex A of the NPPF confirms that development plan policies should not be given reduced weight solely because they pre-date the current NPPF. The weight afforded to individual policies depends on their consistency with the current NDMPs. Precisely how much weight that amounts to remains something for decision-makers to assess, whereas any materially inconsistent policies should be afforded very limited weight.
- 6.8 As set out under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.9 In the context of this proposal, the CS policies relevant to determination of the application have been considered against the NPPF and are viewed by officers to be weighted as follows:

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

- 6.10 Policy SS1 is considered to have limited weight given to it as it has now been superseded by the NPPF presumption in favour of sustainable development and principle of development NDMP S3-S5.
- 6.11 The appraisal is still assessed against the policies of the adopted development plan though any decision will need to be considered in accordance with Policies S3, S4 and HC6 of the NPPF unless material considerations indicate otherwise. This also includes the need to assess the application against the NDMPs of the NPPF.
- 6.12 Listed building consent is governed by a separate statutory code under the Planning (Listed Buildings and Conservation Areas) Act 1990, and the decision is not a development plan-led decision in the same way as a planning application. For Listed Building Consent applications, the key statutory duty is set out under Section 16(2) of the above Act, which requires the decision-maker, when considering whether to grant listed building consent, to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it possesses.

Principle of development

- 6.13 In locational terms Policies SS2 (Delivering new homes) and SS3 (Releasing land for residential development) of the CS clearly set out the need to ensure sufficient housing land delivery across the County. In order to meet the targets of the CS the Council will need to continue to support housing growth by granting planning permissions where developments meet with the policies of the CS, (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans).
- 6.14 The application site is considered to be located in a spatially sustainable locale within the built-up area of Ledbury town, and it is noted that the Core Strategy does not define the settlement boundaries. Policy LB1 of the Core Strategy states that Ledbury will accommodate a minimum of 800 new homes within the plan period.
- 6.15 The NDP policy SD1.2 identifies a settlement boundary for Ledbury where new housing is appropriate, and the application site is found to be within this boundary.
- 6.16 Notwithstanding the above, and the fact the ground floor is currently vacant, the building benefits from a lawful use as a commercial unit (Use Class E) and is located along Ledbury's Primary Shopping Frontage as can be seen in the Figure below and therefore is afforded a level of protection.

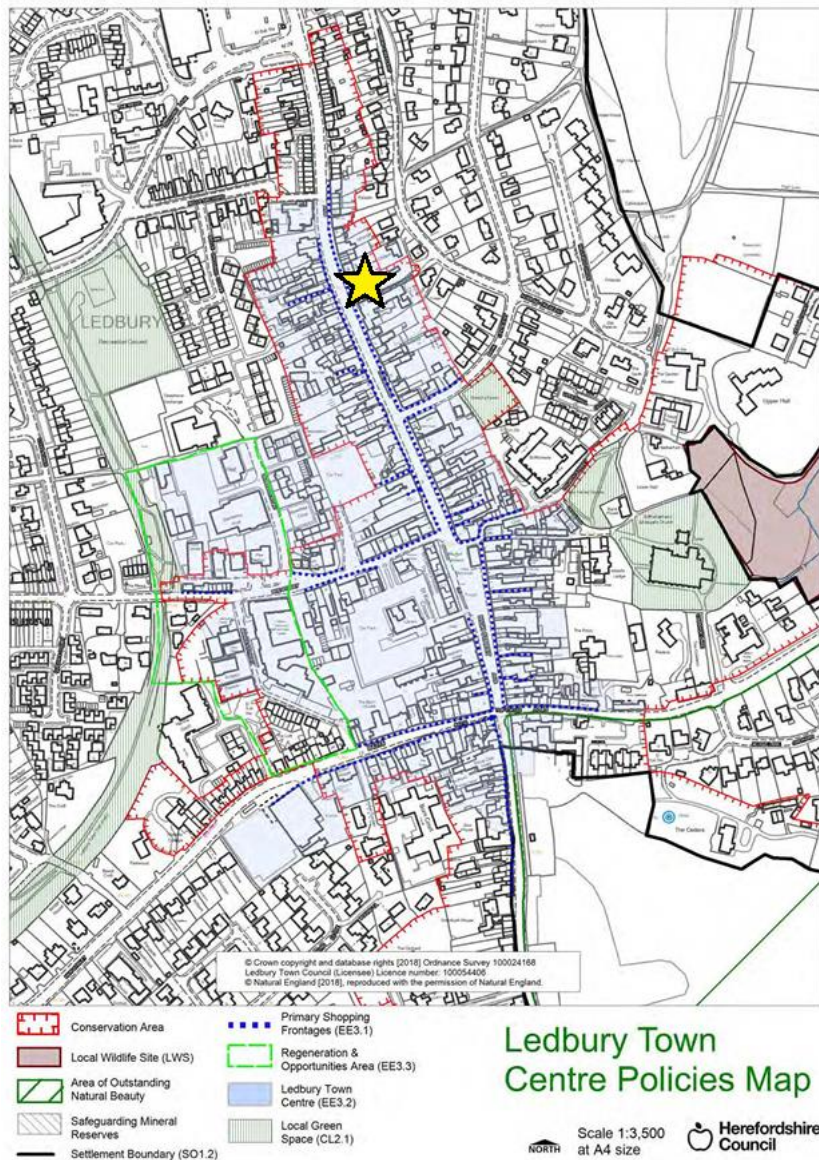


Figure 1- Ledbury Town Centre Policies Map

- 6.17 The latest available evidence ([Town Centre and Retail Assessment Appendix 4](#)) for 2022 show that 16.9% of units in Ledbury Town Centre are vacant, since then we are aware through the Housing Land Survey that there has been an uptake in conversions from retail to residential. However, this has not been reflected as of yet in any update to a Town Centre Health Check.
- 6.18 It should be noted that this was produced towards the end of the Covid-19 pandemic and may not be reflective of the current situation.
- 6.19 NDMP TC2 is relevant to this application. This policy relates to development in town centres and states that: *in considering proposals for development in town centres, substantial weight should be given to the benefits of:*
- Supporting the overall vitality and viability of the centre, including where this can be achieved through the diversification of uses, intensification and provision of residential accommodation (provided this would not conflict with policies in the development plan for specific locations)*
 - Improving or retaining access to local shops and other facilities which provide day-to day services for the local community.*

- 6.20 NDMP L2 is also a consideration. The policy states substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:
- a. *Making better use of vacant and underutilised land and buildings (such as: by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required)*
- 6.21 The reference to “*making better use of vacant and underutilised land and buildings*” requires consideration of what constitutes a “*better use*”. The policy does not define the term, and therefore its interpretation is a matter of planning judgement for the decision-maker. As such, the assessment must consider whether the proposed development would represent a more effective and beneficial use of the site when viewed against the objectives of the development plan and other material considerations as a whole.
- 6.22 Policies E5 (town centres) and E6 (Primary shopping areas and primary and secondary shopping frontages) of the CS focus on the land uses within town centres. Policy E5 states “*Town centres will be the focus for retail, commercial, leisure, cultural and tourism uses*. Policy E6 seeks to protect and enhance primary shopping areas also seeking to protect and enhance primary and secondary shopping frontages. Policy E6 sets out to achieve “*a continuous frontage of no more than two non-retail units and overall proportion of non-retail uses within primary shopping frontages is no more than 25% of the frontages*. In regards to exceptions to E6 the CS states:
- 6.23 *Exceptions to the above thresholds may be considered where:*
- *in primary and secondary frontages the proposal would lead to the appropriate use of vacant or underused premises where it can be demonstrated that the premises are unlikely to be used for retailing and that a business case can be demonstrated for requiring such a location; or in secondary frontages, the proposal results from an expansion of an existing non-retail use or would fall within Class D1-D2; or*
 - *it is demonstrated in the Hereford Area Plan and/or Neighbourhood Development Plans that an alternative threshold would be appropriate”.*
- 6.24 It is considered that E6 is largely consistent with the NPPF and is supported under National Plan-making Policy TC1: Planning for town centres. Therefore, significant weight should be retained for CS policy E6.
- 6.25 It is acknowledged that the application site lies within the Primary Shopping Frontage. However, it is also noted that, to the north along The Homend, retail units become increasingly intermittent, whilst the opposite side of the street exhibits a less varied mix of uses. Immediately to the north of the site is a terrace of residential apartments, comprising Nos. 125–131 The Homend. As such, the introduction of an additional residential unit at the application site would have the effect of extending the non-retail frontage within this section of the street.
- 6.26 Although the loss of the retail unit would not, at present, result in a continuous frontage of more than two consecutive non-retail units, it is material that the adjoining unit, which was formerly combined with the application site, is currently being marketed separately and remains vacant. In these circumstances, the proposal would contribute to the erosion of the retail function of the Primary Shopping Frontage and is considered to conflict with the objectives of Policy E6. Furthermore, the proposal does not satisfy any of the policy exceptions and, having regard to the vacant status of the adjoining unit, it is considered that the requirements of Policy E6 are not met.
- 6.27 Furthermore, under the policy exception E6; “*in primary and secondary frontages the proposal would lead to the appropriate use of vacant or underused premises where it can be demonstrated that the premises are unlikely to be used for retailing and that a business case*

can be demonstrated for requiring such a location". Presently the submitted details do not provide appropriate justification that the premise is unlikely to be used for retail, a level of marketing would be expected to be conducted on the property.

- 6.28 Policy EE3.1 of the Ledbury NDP states planning applications for the change of use of ground floor premises to other use classes within these shopping frontages will be supported only where there are exceptional circumstances. The policy goes on to say *'while appropriate conversions should allow new commercial, business or service uses falling within the prescribed categories within these frontages, development that would result in their loss should be resisted. There may be exceptions, such as those referred to in Herefordshire Local Plan Core Strategy policy E6. These exceptions include provision for medical and health services, should it be decided to pursue a town centre option, and Ledbury Town Council would, in particular, support a frontage providing access to improved health facilities for Ledbury Health Partnership. This Partnership is expected to require new premises during the plan period and options are being investigated. In addition, it is now possible to convert premises falling within Use Class E to dwellings without the need to apply for planning permission, subject to a number of limiting factors, and no justification has been identified that might enable restrictions to be imposed beyond those set nationally within the shopping frontages and primary shopping area'*.
- 6.29 In this case, the applicant's agent has submitted additional supporting information setting out why, in their view, the proposal accords with the requirements of Policy EE3.1. The submission states that the existing commercial use is no longer considered to be commercially viable and that the proposed change of use would enable the provision of accommodation for additional foster children.
- 6.30 I have considered each of these matters in turn. Firstly, while the applicant's comments regarding the viability of the existing retail use are noted, the absence of commercial viability is not, in itself, considered sufficient justification to support the proposed change of use to residential nor is it considered an exemption criteria under CS policy E6 or NDP policy EE3.1. Furthermore, there is insufficient evidence to demonstrate that alternative town centre uses, consistent with the site's location and policy objectives, have been fully explored before seeking a permanent loss of the commercial unit.
- 6.31 Secondly, I have had regard to the Equality Act 2010 and have carefully considered the agents representation that the proposal would facilitate the fostering of additional children. Whilst this is acknowledged as a positive personal and social benefit, it is not considered to outweigh the planning policy objectives that seek to maintain an active commercial frontage within the town centre. The proposal does not, in my view, satisfy the requirements of Policy EE3.1 or provide planning grounds that would justify setting aside the policy's clear presumption against the loss of commercial units in this location.
- 6.32 Accordingly, having given full consideration to the circumstances put forward by the applicant, it is concluded that they do not constitute the exceptional circumstances necessary to warrant a departure from Policy EE3.1.
- 6.33 Overall, whilst the proposal derives some support from NDMP L2, it is contrary to NDMP TC2, which supports development proposals within town centres only where they do not conflict with other policies of the development plan. As set out above, the proposal conflicts with Policy E6 of the CS and Policy EE3.1 of the NDP. Whilst the applicant's comments regarding the viability of the existing retail use are noted, the lack of commercial viability is not, in itself, considered sufficient justification for the proposed change of use to residential. Nor does it constitute an exception under either Policy E6 of the CS or Policy EE3.1 of the NDP. Furthermore, insufficient evidence has been submitted to demonstrate that alternative town centre uses, compatible with the site's location and the objectives of the development plan, have been fully explored prior to seeking the permanent loss of the commercial unit.

- 6.34 In addition, the proposal would not deliver any new residential accommodation but instead represents an extension of an existing upper-floor residential use. As such, it is not considered appropriate to afford significant weight to policies concerned with boosting the supply of housing. Consequently, the proposal would not make a meaningful contribution towards maintaining or enhancing the vitality and viability of the town centre.
- 6.35 Accordingly, whilst the circumstances advanced by the applicant have been carefully considered, they are not considered to amount to the exceptional circumstances necessary to justify a departure from the requirements of NDMP TC2, Policy E6 of the CS, and Policy EE3.1 of the NDP.

Design, Appearance and Heritage Impact

- 6.36 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a general duty with respect to listed buildings in exercise of planning functions both for planning permission and listed building consents upon decision-makers.
- 6.37 The revised NPPF provides clarity in terms of assessing the impact of proposals on designated heritage assets (both above and below ground), dedicating a whole section to conserving and enhancing the historic environment (Chapter 20).
- 6.38 Policy HE4 (Securing the conservation of heritage assets) states:
"1. Heritage assets, as an irreplaceable resource, should be conserved in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:
 a. *Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness; and*
 b. *Avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.*
 2. *Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter.*
 3. *Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the asset should not be taken into account in any decision relating to the asset. 14*
 4. *Proposals for enabling development, which would otherwise conflict with other policies in this Framework and/or those in the development plan, but which would secure the future conservation of a heritage asset, should be considered on the basis of whether the conservation benefits outweigh the disbenefits of departing from the policies concerned."*
- 6.39 Policy HE5 (Assessing effects on heritage assets) states:
"1. Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be referred to in making this assessment, and appropriate expertise employed where necessary.

2. Assessments of the potential effects of development proposals on the significance of heritage assets (including through effects on their setting) should identify whether proposals would be likely to:

- a. Have a positive effect, which is where the significance of a heritage asset would be enhanced, or better revealed; or
- b. Have no effect on the significance of a heritage asset; or
- c. Result in harm to the significance of a heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; or
- d. Cause the total loss of the significance of a heritage asset.

3. In making this assessment it is the effect on a heritage asset's significance rather than the scale of the development which should be considered.

4. Decision-makers should be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals.

5. Where a development proposal involves, or has the potential to involve, a heritage asset with archaeological interest, an appropriate desk-based assessment should be undertaken and, where necessary, a field evaluation. These should be used to help understand the asset's significance and the potential effect of the proposal on this, which should inform the design, mitigation and implementation of the development."

6.40 Policy HE6 (Proposals affecting designated heritage assets) states:

"1. When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial 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 effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

2. Development proposals which would have a positive effect on a designated heritage asset should be supported.

3. Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.

4. Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

5. Where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss, or if all of the following apply:

- a. The nature of the heritage asset would otherwise prevent all reasonable uses of the site;
- b. No suitable use for the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. Conservation by grant-funding or some form of not for profit, charitable or public ownership is not possible; and
- d. The harm or loss is outweighed by the benefit of bringing the asset back into use.

6. Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings, or grade II registered parks or gardens, should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”*

- 6.41 CS Policy SS6 is a strategic policy relating to environmental quality and local distinctiveness. The policy outlines development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, and notes heritage assets and specifically those with environmental designations. CS Policy LD4 requires that development proposals protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance. Additionally, proposals should contribute to the character and local distinctiveness of the townscape or wider environment.
- 6.42 123 The Homend is a Grade II listed building (UID 1082851), the listing description is as follows: C18. Painted brick. Gable-ended roof of new tiles. Brick dentil eaves. 2 storeys. 2 widely saced windows with segmental brick heads, 1st floor 2-light wood mullion/ transom casements. Ground floor right sash with glazing bars. Ground floor left later projecting shop front with hipped tiled roof. Modern addition to match on right.
- 6.43 Whilst policy requires heritage assets to be protected, conserved and enhanced, and requires the scope of the work to ensure this to be proportionate to their significance, it does not include a mechanism for assessing how harm should be factored into the overall planning balance. In order to properly consider the effects of development on heritage assets, recourse should be had to the NPPF in the first instance appreciating that relevant tests are clearly set out as referred to above within NDMP.
- 6.44 The amended proposal realtes to minor interal works to create a bedroom and shower room shows minor internal works to create a bedroom and shower room neither of which will adversely impact on the character and significance of the heritage asset. The proposal also seeks to replace a ground floor sash window to upvc. The Council’s buildings conservation officer has raised no objections to the proposal subject to conditions. This view is supported by your officer such that no effect is identified upon the significance of any designated heritage asset, including their setting. Subject to conditions, there are no objections in built heritage terms.
- 6.45 Notwithstanding the above, the proposal would result in the loss retail unit on Ledbury’s Primary Shopping Frontage without sufficient justification and therefore the alterations are considered be unjustified. The proposed works are considered to be contrary with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, HE4, HE5, HE6 and HE9 of the NPPF and Herefordshire Local Plan - Core Strategy Policies SS1, SS6 and LD4, and Policy BE2.1 of the Ledbury Neighbourhood Development Plan

Highways

- 6.46 Policy SS7 requires proposals to focus development to the most sustainable locations and reduce the need to travel by private car. This aim is reflected by policies SS4 and MT1, which stipulate that proposals should facilitate a genuine choice of travel modes such as a walking, cycling and public transport. These policies are reflective of the National Planning Policy Framework objectives to guide development to sustainable locations.
- 6.47 Core Strategy Policy MT1 relates to the highways impacts of new development and requires that proposals demonstrate that the strategic and local highway network can absorb the traffic impacts of the of the development without adversely affecting the safe and efficient flow of traffic on the network.

- 6.48 The application seeks to change the ground floor of the building to residential, the upper floors are already in residential use, and this proposal will not increase the number of residential units within the building. Ledbury is classed as a sustainable location therefore the lack of the provision of parking is supported by the sustainable location. The Local Highways Authority has raised no objection to the proposal.

Biodiversity Net Gain

- 6.49 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).
- 6.50 In relation to the requirement for mandatory 10% BNG, as the proposal seeks no works to any unsealed surface, tree or hedgerow, the proposal is considered to meet the 'de minimus' exemption for statutory BNG requirements.

7. Conclusion

- 7.1 In relation to the application for planning permission, the NPPF has at its heart the presumption in favour of sustainable development, as per Policy S3. Policy S3 states that Policy S4 in the NPPF applies when considering proposals within settlements, which is the case here.
- 7.2 Policy S4 1) states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework. The application site is located in a spatially sustainable location within a town centre where the principle of residential development is supported.
- 7.3 In terms of highways, ecology and heritage, the proposal is found to be compliant with the relevant policies within the CS and therefore none of these aspects weigh against the proposals.
- 7.4 However, the proposal is considered to be contrary to the development plan as it results in the loss of a retail unit on Ledbury's Primary Shopping Frontage without appropriate justification and as such fails to gain in-principle support under NDMP TC2 of the NPPF, Policy E6 of the CS and policy EE3.1 of the NDP. Accordingly, the application is recommended for refusal.

RECOMMENDATION

That planning permission (P253316/F) be REFUSED for the following reason:

- 1. The proposal would result in the loss retail unit on Ledbury's Primary Shopping Frontage and whilst the applicants circumstances applicant have been fully considered, they are not considered to constitute the exceptional circumstances necessary to justify a departure from the requirements of Policy. The proposal is contrary to Policy TC2 of the National Planning Policy Framework, Core Strategy Policy E6 and Neighbourhood Development Plan Policy EE3.1**

That listed building consent (P253317/L) be REFUSED for the following reason:

1. The proposal would result in the loss retail unit on Ledbury's Primary Shopping Frontage without sufficient justification and therefore the alterations are considered be unjustified. As such, the proposal is contrary to Policy LD4 of the Herefordshire Local Plan Core Strategy, Policy BE2.1 of the Ledbury Neighbourhood Development Plan, and the relevant sections of the National Planning Policy Framework and Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Decision:

Notes:

.....

Background Papers

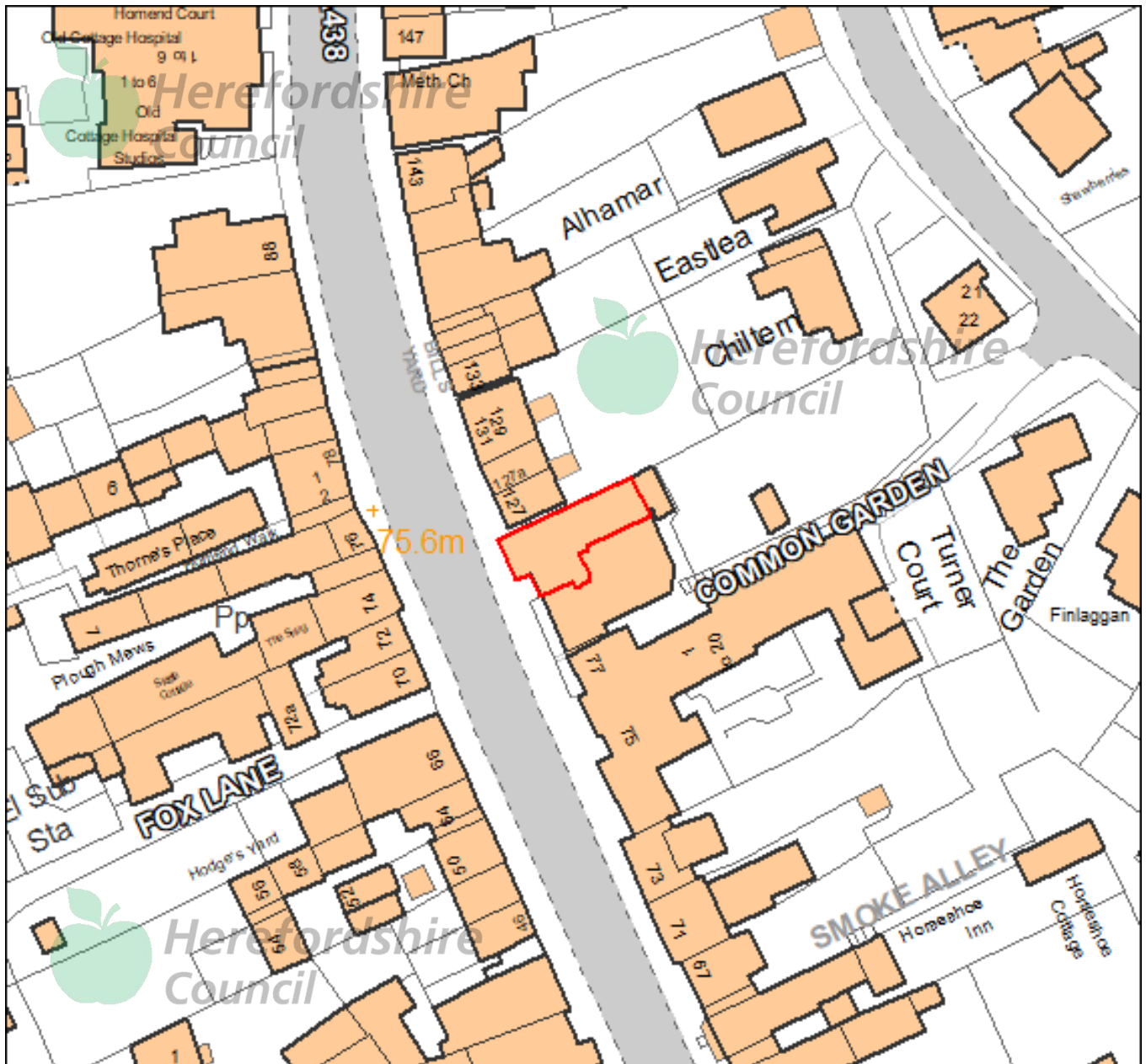
None identified

Useful information

Internal departmental consultation replies – available through the following links:

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=253316&search-term=253316>

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=253317&search-term=253317>.



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

APPLICATION NO: 253316

SITE ADDRESS : 123 THE HOMEND, LEDBURY, HEREFORDSHIRE, HR8 1BP

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005