

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>31 AUGUST 2022</b>
<b>TITLE OF REPORT:</b>	<p><b>212199 - PROPOSED RURAL TOURISM VENTURE, TO INCLUDE: CONVERSION OF TWO BARNs TO PROVIDE 2 NO. HOLIDAY LETS, PROPOSED 3 NO. NEW HOLIDAY LET UNITS, PROPOSED RECREATION BARN WITH INDOOR SWIMMING POOL AND SEPARATE PROPOSED BBQ PAVILION, USE OF EXISTING BUNGALOW AS HOLIDAY LET, CAR PARKING AND LANDSCAPING AT CAERWENDY FARM, ST WEONARDS, HEREFORD, HR2 8QF</b></p> <p><b>For: Mr Sheppard per Miss Eleanor Watkins, No2 Questmoor Farm, Eardisley, Hereford, Herefordshire HR3 6LN</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=212199&amp;search-term=212199">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=212199&amp;search-term=212199</a>
<b>Reason Application submitted to Committee - Redirection</b>	

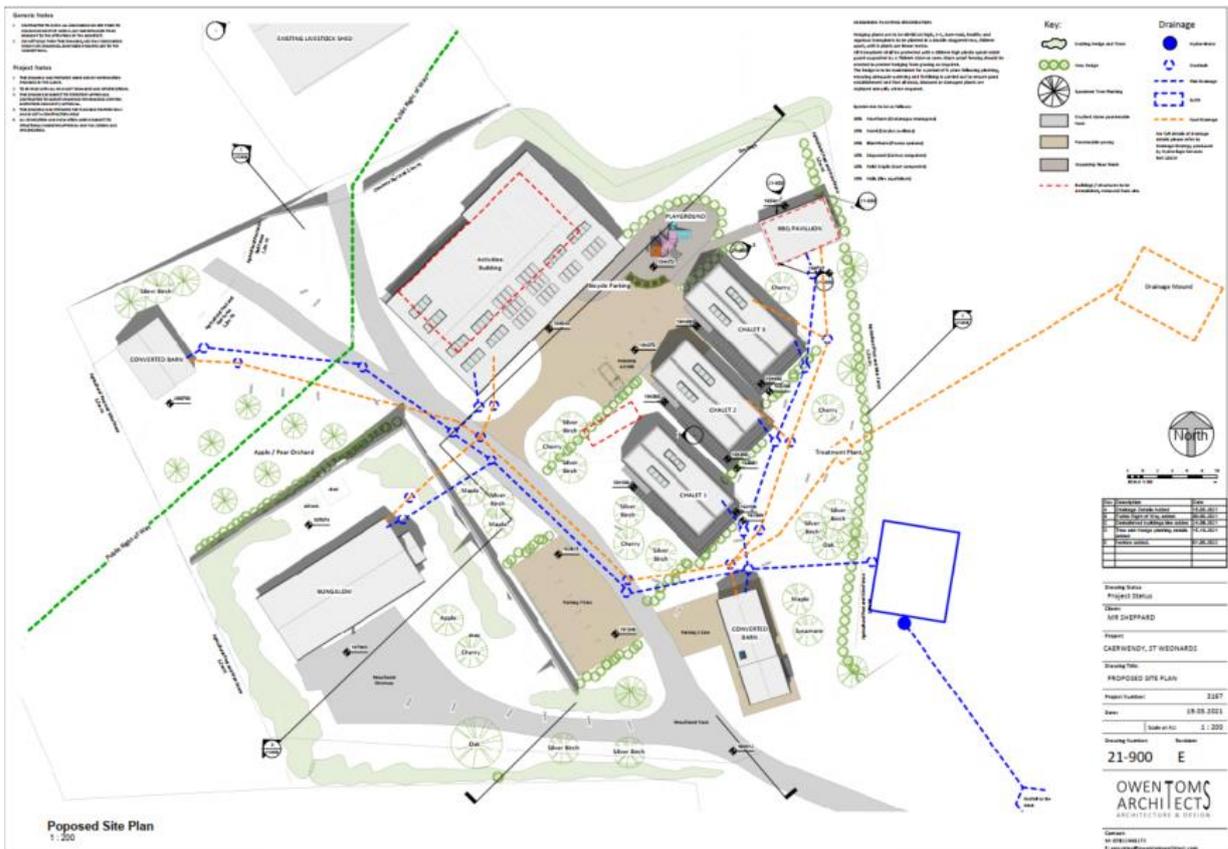
**Date Received: 1 June 2021**  
**Expiry Date: 26 August 2021**  
 Local Members: Cllr Toni Fagan

**Ward: Birch**

**Grid Ref: 346524,225051**

## **1. Site Description and Proposal**

- 1.1 Caerwendy Farm is a small farmstead located approximately 1.8 miles to the west of St Weonards, accessed off a private drive from the C1236. Caerwendy Farm is run as part of a larger agricultural business operated by the applicant, comprising 3 other principal neighbouring holdings with the farmland run as a single unit. The site is located 2.3 miles west of the A466 Monmouth-Hereford road and 9.4 miles to the east of Ross on Wye.
- 1.2 The site is found within open-countryside, though the wider area is characterised by a scattering of farmsteads and wayside dwellings. The site occupies an elevated position in the landscape within a context of undulating fields, allowing views towards St Weonards.
- 1.3 The proposal includes the conversion of two traditional barns into holiday accommodation, construction of 3 chalet units for holiday accommodation, conversion of pole barn to indoor recreation area for guests and the use of the existing bungalow on the site as a holiday accommodation unit. The scheme includes associated landscaping and groundworks for the parking and recreation areas, as well as the construction of a new entrance point onto the private road with improved visibility and the resurfacing of private access road leading up to the application site.



## 2. Policies

### 2.1 Herefordshire Local Plan – Core Strategy (CS)

- SS1 - Presumption in favour of sustainable development
- SS4 - Movement and transportation
- SS6 - Environmental quality and local distinctiveness
- RA3 - Herefordshire’s countryside
- RA6 - Rural economy
- MT1 - Traffic management, highway safety and active travel
- E4 - Tourism
- LD1 - Landscape and townscape
- LD2 - Biodiversity and geodiversity
- LD3 - Green infrastructure
- 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](https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy)

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the

Core Strategy was made on 9th November 2020. 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 policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.

## 2.2 **St Weonards Neighbourhood Development Plan is at pre-drafting stage**

## 2.3 **National Planning Policy Framework (NPPF)**

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 6 - Building a strong competitive economy
- Chapter 11 - Making effective use of land
- Chapter 12 - Achieving well-designed places
- Chapter 15 - Conserving and enhancing the natural environment

## 3. **Planning History**

- 3.1 DS070223/S - Feathering, processing and chilled storage of poultry units – prior approval refused February 2007

## 4. **Consultation Summary**

### Statutory Consultations

### 4.1 **Welsh Water**

As the applicant intends utilising a private treatment works we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

### 4.2 **Natural England**

Your appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of the sites in question. Natural England agrees with the assessment conclusions.

### Internal Council Consultations

### 4.3 **Ecology**

#### *Habitat Regulations Assessment:*

The site is within the catchment of the River Wye SAC and the LPA must complete a relevant Habitat Regulations Assessment process and submit the appropriate assessment for formal consultation and approval by Natural England prior to any planning consent being granted.

The following notes were in respect of HRA process:

#### Foul Water

- A new private foul water system will be installed to manage all foul water from the proposed development.
- The proposed foul water system is a package treatment plant that delivers foul water to a drainage mound. Percolation tests indicated that the Vp value is 10s/mm – a rate too quick for the drainage field to have enough time to clean the foul water (building regulations state that a drainage field should not use a Vp value of 12s/mm or less). Consequently, a drainage

mound is proposed for cleaning the foul water utilising imported sand which has a Vp of 15, a rate which will enable the microorganisms to clean the foul water.

- The LPA has no reason to consider that the proposed system is not suitable or sufficient to manage the effluent discharged by the new.
- The proposed private foul water system can be secured by condition on any planning consent granted.

#### Surface Water

- Infiltration testing using trial pits of 1m and 1.2m depths failed indicating that a discharge of surface water to ground is not viable.
- Therefore, a 32m<sup>2</sup> attenuation pond with a restricted discharge of 2l/s to an existing drainage ditch is proposed. The LPA has no reason to consider that this surface water management scheme cannot be achieved at this location.
- The proposed surface water management scheme can be secured by condition on any planning consent finally granted.

#### *Additional ecology comments:*

#### Protected Species

The supplied bat report by Ecology Services dated September 2019 is noted. The report confirms the presence of non-breeding common pipistrelle bat, soprano pipistrelle bat and brown long-eared bat occasionally roost in Barn 2. The pipistrelles were associated with the external fabric of the building whilst a single brown long-eared bat was recorded roosting in the internal roof apex of the barn. As the proposed development will impact bat roosting and activity at the site and a relevant higher status protected species mitigation licence will be required from Natural England PRIOR to any works commencing but can only be applied for once a planning permission has been granted.

While the development proposals include the creation of gaps and cavities suitable for crevice roosting bat species under new soffit and barge boarding/weather boarding and under ridge tiles additional compensatory roosting features are suggested to include four Schwegler Bat boxes (or similar approved design) to be incorporated into the external fabric of the renovated barns (two per barn). These compensatory measures should be adopted and details supplied as to designs and specification to ensure the compensatory bat roosting provided will remain fully undisturbed at all times and is secure for the lifetime of the development are requested. The finally approved plans must be securable for the lifetime of the development through a relevant condition. In addition all mitigation and enhancement measure detailed in the Preliminary Ecological Appraisal by Pure Ecology dated April 2021 should be adopted.

#### 4.4 **Environmental Health Officer (Noise and nuisance)**

From a noise and nuisance perspective our department has no objections to this proposal.

#### 4.5 **Environmental Health Officer (Housing)**

The comments below from the Environmental Health Housing team are informative. They are to assist the applicant, and to save time and money should the application go ahead. They are provided to assist any future occupants of these flats, including the housing landlords, and to prevent complaints to the Environmental Health Housing team, who enforce the housing Act 2004, and other Acts of Parliament in relation to domestic premises. We inspect against 29 Hazards, and all of these premises should be free of Category 1 Hazards, under Part 1 of the Act.

##### 1. Damp and mould growth (Hazard 1)

Extraction systems in kitchens and bathrooms in this application must be suitable and sufficient to prevent build-up of black mould.

2. Excess cold : (Hazard 2)  
The heating system must be suitable, sufficient and efficient (cost effective for the occupant) to run.  
The applicant must provide a fixed form of affordable and controllable space heating to all rooms including bedrooms, Bathrooms and kitchen/living rooms that is capable of achieving a room temperature of 21°C within one hour of being turned on when the air temperature outside is -1°C. Central heating is the preferred option, however an electric heater or a balanced flue gas heater or open flue gas fire with oxygen depletion cut off device are also acceptable. Electrical appliances must have a dedicated socket. Heating should be available at all times and be under the control of the occupier.
3. Radiation (Hazard 8)  
If the property is in a Radon affected area, suitable mitigation measures should be put in place.
4. Crowding and Space (Hazard 1)  
All bedrooms should meet the minimum room sizes laid out in the DCLG Technical Housing Standards.
5. Outdoor space for the storage and collection of waste: Domestic Hygiene, Pests and Refuse Hazard 15)  
Include adequate provision for the storing and disposal of household refuse, with the requirement to separate domestic waste into recycling and general waste. There must be sufficient space provided both in kitchens and outside to facilitate this.
6. Fire safety (Hazard 24)  
The building will have to comply with the fire safety requirements of the Housing Act 2004. In addition, an appropriate automatic fire detection system should be fitted to cover the whole development. The proposed plans should include for fire escape windows from the bedrooms. If there is more than a 4.5 meter drop from the windows, then an alternative layout should be provided so that persons can exit the property in the event of a fire.

#### 4.6 Public Right of Way Officer

Providing public footpath SW6 is not obstructed, and any disturbance to the surface is reinstated PROW will not object to the conversion.

#### 4.7 Landscape Officer - *Initial Comments*

In terms of landscape character and appearance, the development takes depilated buildings and converts these into new buildings; takes an existing large shed, demolishes and builds a new larger shed for indoor recreation use; adapts a smaller shed into a BBQ shelter; and changes an existing bungalow into a self-catered holiday accommodation.

The development adds new buildings, increasing the built mass in agricultural landscape setting. The applicant responds to visual impacts from public footpaths (through the site and nearby to the north) and other vantage points with tree planting with the aim to mitigate the impacts.

The chalets individually have a form that is similar to the existing traditional farm buildings (but of a larger scale). The collection of these buildings appear cramped in the plan, but in the view may generate enough variation in shape, together with the existing converted buildings to make an overall interesting cluster. The applicant states, that it is indented that the proximity of the 3 buildings will merge in the view to appear like one large architectural shed. This is difficult to ascertain without visuals. What is needed is a visual that groups all the buildings, with and without the trees to understand the visual impacts, and then the proposed integrated landscape (mitigation) proposal.

A note, regarding colour. Colour is an important consideration in how the buildings relate to the landscape, and how well the buildings appropriately blend in with the landscape. The roof is a key visual surface, however the colour for some of the buildings is not indicated on the drawings or written material. It is assumed, that the slate tiled roofs will be a dark/ charcoal colour. Please specify otherwise. Colour also relates to the ground plane, such as road and parking surfaces.

Please provide:

- 1) A visual showing the buildings in the landscape, without proposed landscape, and with proposed landscape from a key receptor.
- 2) Information relating to the colour scheme, and appropriateness in the landscape.
- 3) Clarification of existing building footprints and proposed building footprints. The planning statement indicates that the pole shed upgrade to a recreation building is only a relatively small increase in scale, but it appears larger (Refer overlay exercise, figures 1 to 3).
- 4) An updated landscape plan with further information pertaining to species, planting sizes and planting methods. (Including a maintenance schedule for 5-10 years pending species and conditions). Note, some of this information is in the written material, but for ease of communication and coordination, please add this to the plan. In terms of the layout and species, take into consideration the wider landscape characteristics of the Wooded Hills Farmlands (north of site), and Sandstone Farmlands (south of site).

**Landscape Officer** – *Further comments following submission of requested information*

I refer to the additional views as requested, and thank the applicant for providing these images to help further understand the plan.

It is apparent that the new buildings are of a large scale and in my opinion need to be grounded to make them appear more integrated in the landscape setting. I recommend that the landscape has an important factor in reducing the scale, and overall making the development have landscape character more appropriate for the hedgerow rural landscape of Herefordshire. The addition of native hedgerows and hedgerow trees will also boost the biodiversity and green infrastructure potential of the site, adding to a sustainable ethos, that visitors I am sure would appreciate.

The submittal of a comprehensive landscape plan and specification would be required to support this application (Suggested information is provided below).

Likewise confirmation of item 3) in relation to the scale of the recreation building from my previous comments would be appreciated.



Figure 1: Suggested use of hedgerows and hedgerow trees to assist in creating an overall landscape setting. Note: Ensure that what is shown on the views is replicated on plan, and vice versa.



Figure 2: Suggested hedgerow planting along the frontage of the new buildings to 'ground' them, and maintain a rural hedgerow landscape character.



*Figure 3: Suggested use of native hedgerows, and hedgerow trees to enhance the landscape setting, assist in screening cars, and enhance the biodiversity potential of the development.*

Suggested planting specification;

#### Hedgerow

Hedging plants are to be 60-80 cm high, 1+1, bareroot, healthy and vigorous transplants to be planted in a double staggered row, 450mm apart, and 7 plants per linear metre. Species mix to be as follows:

40% *Crataegus monogyna* (Hawthorn)

30% *Corylus avellana* (Hazel)

10% *Prunus spinosa* (Blackthorn)

10% *Acer campestre* (Field Maple)

10% *Ilex aquifolium* (Holly)

All transplants shall be protected with a 400mm high plastic spiral rabbit guard supported by a 750mm stake or cane. Stock proof fencing should be erected to protect hedging from grazing as required. The hedge is to be maintained for a period of 5 years following planting, ensuring adequate watering and fertilising is carried out to ensure good establishment and that all dead, diseased or damaged plants are replaced annually where required.

#### Suggested Species

Only native and locally characteristic species should be used or species that can reinforce the local landscape character.

Common native, thorny species:

*Crataegus monogyna* (Hawthorn)

*Ilex aquifolium* (Holly)

*Prunus spinosa* (Blackthorn)

Non thorny species:

*Acer campestre* (Field Maple)

*Carpinus betula* Hornbeam)

*Corylus avellana* (Hazel)

*Cornus sanguinea* (Dogwood)

*Euonymus europaeus* (Spindle)

Viburnum lantana (Wayfaring Tree)

Viburnum opulus (Guelder Rose)

Notes:

- Dog Rose (*Rosa canina*) can be planted as an additional non woody species but is not considered part of the 5-7 plants per metre. This species will also quickly colonise naturally.
- Elder should not be planted in a new hedge it will out compete/kill other species and quickly develop in to a thin and gappy hedgerow.
- Honeysuckle should not be planted as it does not 'grow with the tree' leading to strangulation and its climbing habit can cause woody species to collapse.
- Ivy will colonise naturally but excessive growth may need to be managed to ensure excessive shading of woody species does not occur.
- Thorny species should be avoided next to pedestrian paths.

Foot of the hedgerow (Ground flora)

The hedgerow should be considered holistically and that goes for establishing the herbaceous vegetation at the foot of the hedge, including species such as cow parsley and hedge mustard with coarse grasses and pending on the location, woodland flora.

Hedgerow trees

Single mature trees in hedgerows enhance Herefordshire's landscapes and are very important for wildlife. Research reveals that trees substantially boost the numbers of insects, and so their predators like birds and bats, in landscapes. They also make it easier for many animals to move across the countryside. From a landscape character perspective they are intrinsic to Herefordshire.

Suggested species

Only native and locally characteristic species should be used or species that can reinforce the local landscape character.

*Acer campestre* (Field Maple)

*Acer pseudoplatanus* (Sycamore) \*Non-native, introduced in 1500's

*Euonymus europaeus* (Spindle)

*Quercus robur* (English Oak)

*Sorbus torminalis* (Wild Service Tree)

Individual trees shall be planted as follows: Trees should be planted in areas previously cleared of all weeds, grass and vegetation. The trees are to be of 'Standard' size, 12-14 cm girth, approximately 3.0 metres tall, bareroot or rootballed and healthy and vigorous. Trees should be planted in planting holes 1.2m. x 1.2m. x 900mm deep, with the topsoil mixed with a minimum of 20 litres of suitable tree planting compost and replaced carefully around the roots and lightly compacted every 150mm layer. Trees should be supported with a treated timber stake and rubber ties and protected from both rabbit and stock damage. This may require the construction of sufficiently robust timber guards of a size appropriate for the type of stock kept in the field. A water regime is to be followed to ensure the health of the tree is maintained during the establishment period.

- Space the trees far enough to let crowns develop without competing or producing too much shade
- Space far enough apart so the gaps between trees can be easily trimmed with a mechanical flail
- Use irregular spacing to create a more natural landscape - look at the local landscape to see what is appropriate
- Young trees need to be clearly marked for at least 5 years so that hedge cutters can see and avoid cutting them.

#### Stand-alone trees or groups

Placed in strategic locations, individual trees or groups of trees can assist in the choreography and design of the landscape to integrate the building into the landscape, or assist in mitigating the visual impacts of the building.

#### Suggested species

Only native and locally characteristic species should be used or species that can reinforce the local landscape character.

Acer pseudoplatanus (Sycamore) \*Non-native, introduced in 1500's

Betula and Sorbus species or similar quick growing, pioneering trees.

Pinus sylvestris (Scots Pine)

Quercus robur (English Oak)

#### **Landscape Officer** – *Final comments following revised landscape scheme*

I refer to the revised Proposed Site Plan, DWG 21-900, Rev E. I am satisfied in the most part with the intent of the landscape, and this includes the addition of the hedgerows, as recommended in my previous comments, dated 29/10/2021. The specification information related to the hedgerows is satisfactory, however it is recommended to provide additional information regarding the management of the hedgerow. It is going to be layed?; what is the cutting regime? (I.e. to form a well-structured and wildlife rich hedgerow); and how high will the hedgerow be? etc.

It is also recommended to plant, and encourage hedgerow ground flora (flowers and grasses) at the base to support wildlife.

Trees are provided, but lacking in specification detail (I.e. species, size, quantity, density with cultivation details).

There is no specific mention of the ground condition. Biodiversity enrichment could be achieved with native wildflower and grasses. For example planted throughout the apple and pear orchard, and surrounding the chalets.

In terms of hard landscape requirements, the use of permeable paving is supported, however there is no mention of materials and colours.

I recommend that conditions CK3, CK4, CK5 and CK8 are submitted in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

#### **4.8 Area Engineer Highways** – *Further comments following additional information received*

The proposed visibility splays for the new access are agreed, the changes regarding the gate are a private matter as it's not part of the adopted highway.

The proposed movements for the new development and existing agricultural tasks would not be classed as severe under the NPPF.

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

#### 4.9 **Land Drainage** – *Further comments following request for additional information*

##### **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 risk Flood Zone 1. As the proposed development is less than 1ha and 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).

##### **Surface Water Flood Risk**

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

##### **Other Considerations and Sources of Flood Risk**

There may be a risk of surface water flooding from higher land to the west and north west. The Applicant would need to consider the likely flow routes in the vicinity of the proposed development site. It may be necessary to raise the threshold levels slightly to prevent ingress.

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**

It is understood that infiltration testing using trial pits of 1m and 1.2m depths failed and that a discharge of surface water to ground is not viable. Therefore, it is proposed to construct a 32m<sup>2</sup> attenuation pond with a restricted discharge of 2l/s to an existing drainage ditch.

We note that the proposed orifice diameter of 71mm is smaller than we usually accept (75mm), however, as this is a rural development and the proposed holiday lets will remain in the same ownership, should a blockage occur, then it would be the applicant's responsibility to ensure it is effectively cleared and maintained.

It is understood that although the proposed attenuation pond and drainage ditch is outside of the red line boundary, it is within the blue ownership boundary and as the proposed development is for holiday lets, the surface water drainage system will be maintained by the owner.

##### **Foul Water Drainage**

As infiltration testing at depth failed, a gravity fed drainage mound is proposed to discharge treated effluent. Testing undertaken at shallow depths (300mm), established that percolation was viable with a Vp rate of 12s/mm recorded. However, as this is a fast rate and outside of the acceptable 100-12s/mm threshold for a discharge of treated foul water to ground, a Vp rate of 15 sec/mm (filter sand) has been used to size the drainage mound).

We accept that a drainage mound is likely to be a viable solution for the discharge of treated foul water at this site. Should any issues occur, we acknowledge that the proposed location is in a rural location and the impact to third parties is likely to be negligible. However, at Discharge of Condition stage, we request that further testing is undertaken at 600mm bgl, in the area proposed for the drainage mound. The Vp rate recorded from this test pit should then be used to confirm the size of the drainage mound.

It has been recognised that as the maximum daily discharge will exceed 2m<sup>3</sup> per day, an Environment Agency permit will be required.

It is understood that although the proposed drainage mound is outside of the red line boundary, it is within the blue ownership boundary and as the proposed development is for holiday lets, the foul water drainage system will be maintained by the owner.

## **Overall Comment**

In principle we have no objections to the proposed development, however we recommend that the following information is provided in suitably worded conditions:

- Confirmation of the proposed drainage mound size using a Vp rate established during testing at 600mm bgl.
- Detailed drainage plans/construction drawings of the proposed surface water and foul water drainage infrastructure.
- Confirmation that an EA permit for a discharge of treated foul water drainage to ground has been granted.

## **5. Representations**

### **5.1 St Weonards Parish Council – Comments received 28 September 2021**

St Weonards Parish Council have visited the proposed site at Carwendy Farm and feel that the proposed plans are acceptable as to what is planned to make the site into a rural tourism venture.

The Parish Council do share the same concerns as the local community on the following areas:

- 1) Public Safety - With regards to the increased volume of traffic on the existing narrow lanes in and around the site. There will be an increase not only in vehicular traffic but cyclists and walkers, potentially with young families as well. The area is a rural area with lots of large agricultural traffic travelling the roads.
- 2) Noise pollution from the site to the surrounding local community.
- 3) Access - the proposed access is right next to an existing dwelling and straight on to a narrow rural road, so care needs to be taken in its location to reduce impact on this property. There was also confusion over the exact location of the access - may be the applicant would be able to clarify this please.
- 4) The proposed site and access is very intrusive to an existing dwelling which is located next to the proposed site and access. There is real concern to the immediate impact on the privacy to this dwelling and its occupants.

### **5.2 Ramblers Association**

The proposed development would not appear to affect the public footpath once works are completed. However, if the works are likely to present a health & safety hazard to members of the public passing along public footpath SW6 through the site, then the applicant should apply to the highway authority for a Temporary Closure Order.

5.3 In response to the public consultation a total of 14 objectors commented on the application throughout the process, this includes 2 additional comments made, the objections detailed the following points:

- Parish Council was not to meet within this time frame and no yellow notice displayed on highway – democratic process at risk due to delays and public not able to give comment in time
- Planning Statement makes conflicting and unclear statements, including: reference to both small scale and moderate scale rural tourism, no clarification for where the existing livestock building will be re-located and no details regarding sports court, states car park will be in one area but drawing shows otherwise, references bus routes with no information
- Passing places are needed on the road and proposed driveway
- Neighbour's land required for visibility splay
- Existing retaining wall by bungalow does not have planning consent
- Major tourist attraction overwhelming local road system, the nature and intensity of the proposal is not appropriate in quiet rural location

- Roads not suitable for walking and cycling with no bicycle routes and is not well served by footpaths – exacerbated by more planning permissions granted in the village
- Roads are used by agricultural vehicles, therefore commuting times are not entirely relevant
- Impact of sound and visibility on surrounding neighbours, the access being located close to dwellings and site in a natural amphitheatre
- Likely to attract large groups for celebrations which would be noisy, appears more suited to adults than families and children
- Where will bins be located?
- External lighting impact on bats and dark skies
- Job creation would be minimal
- Application fails to recognise vehicle movements of deliveries, employees and service vehicles only focusing on the guests
- With Covid restrictions lifted people will more likely go abroad, if the scheme fails will it become a residential group? Limited justification for the units
- Would this open opportunity for more development across the holdings? At risk of losing rural tranquillity that attracts people to stay
- Dust from the track impacting visibility at the junction
- Traffic could be diverted away from the houses at the end of the drive
- Road C1236 becomes flooded in heavy rainfall and run off from fields erodes the roadsides
- Removal of hedgerow not supported and wildlife will be disturbed
- Additional vehicles put people in risk when needed emergency services and will put animals and children in danger
- Guests likely to rely on car for closest shop and activities, longer stays are more likely to require more movement, leisure facilities are located in towns and settlements
- Commitment to re-using rain water is vague

Further comments:

- Suggestion that the re-positioning of steel portal framed buildings should be included in this application
- The Transportation Officer comments should be backed up with data, unsure how it is concluded that the movements would not be classified as severe under the NPPF
- No reference to width of C road that would connect proposal to B road, drawing shows new entrance as less than 3 metres in width

5.4 One comment received was non-committal stating:

“While not wishing to oppose a business project, there are concerns about the increase in traffic and the dreadful state of our roads which will be exacerbated by additional vehicles. Roads approaching this proposed development are narrow with few passing places, deep ruts each side of the carriageway and countless pot holes. If permission is granted, it is essential that consideration is given to improving the roads from St Weonards village to this site. It would also be helpful if the contractors were instructed to drive slowly with due care to and from the site, in view of local inhabitants, animals and cyclists.”

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

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=212199&se-arch-term=caerwendy%20farm](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=212199&se-arch-term=caerwendy%20farm)

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). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the St Weonards Neighbourhood Area, which is currently at pre-drafting stage and therefore afforded no weight.

6.3 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 CS was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the CS was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the relevant policies to the determination of this planning application are considered consistent with the NPPF and therefore can be attributed significant weight.

6.4 Policy RA6 of the CS states that employment generating development proposals which help diversify the rural economy such as business diversification projects will be supported in cases where they;

- Support and strengthen local food and drink production
- Support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale
- Involve the small scale extension of existing businesses
- Promote sustainable tourism proposals where in accordance with CS Policy E4
- Support the retention and/or diversification of existing agricultural businesses

6.5 With reference to diversification schemes, the policy proceeds to state that such development proposals can be supported where they;

- Ensure that development is of a scale which is commensurate with its location and setting;
- Do not cause unacceptable adverse impacts to the amenity of neighbouring residents (i.e - noise, dust, lighting smell etc)
- Does not generate traffic movements which the local highway network cannot accommodate
- Does not undermine the achievement of water quality targets as set out in CS Policy SD3/SS4

6.6 Following the above policy commentary, CS Policy E4 provides the framework as to the criterion for the support of development proposals which relate to tourism in Herefordshire. It is stated that the county will be promoted as a destination for sustainable tourism. Development proposals would be supported where;

- It is ensured that there is no detrimental impact on the county's varied natural and heritage assets and the overall character and quality of the environment

- there would be new accommodation and attractions throughout Herefordshire which would diversify the tourist provision and extend the tourist season and increase the number of visitors staying overnight.
- regards are had to the visual amenity of public/cycling routes such as Public Rights of Way (PROW)

6.7 The postscript to policy E4 acknowledges that many visitors to the county come to enjoy the beautiful countryside and there is likely to be a demand for new facilities and accommodation associated with this. It goes on to state that whilst some small scale tourism associated development may be appropriate in rural areas, any significant new development for accommodation and facilities should be focused in Hereford and the market towns to maximise sustainable transport opportunities and to protect environmental amenity.

6.8 The foregoing is supported by Chapter 6 of the NPPF which comments that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It goes on to touch on tourism specifically saying that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 84 of the NPPF states:

*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist*

6.9 It is clear that, from the above policy assessment, there is broad support for tourist accommodation, truly designed for holiday purposes, even if in open countryside locations. Providing such accommodation does not have an undue impact upon the environment, landscape or heritage values.

6.10 However, they also make it clear that in order to benefit from this support, proposals must be 'sustainable' when having regard to relevant development plan policies and the three objectives of sustainability as set out at paragraph 8 of the NPPF. The applicant has provided a sustainability appraisal to detail how the development has taken sustainability into account in the location. Officers are mindful of potential benefits of UK residents holidaying at home, instead of flying to continental Europe or further on account of the ongoing health-crisis and uncertainty over post Brexit travel and people being more conscious to avoid unnecessary flights and personal CO2 emissions. The provision of three units would deliver some economic benefits to local services and amenities.

6.11 The NPPF advises at paragraph 102 that development proposals should promote walking, cycling and public transport use, whilst policies SS4, SS7 and MT1 of the Core Strategy require that proposals should focus development to the most sustainable locations'; reducing the need to travel by private car; and facilitate a genuine choice of travel modes.

6.12 The application site is located approximately 3 kilometres to the east of St Weonards and 1.1 kilometres to the south west of Orcop, both identified under policy RA2 of the Core Strategy as sustainable settlements appropriate for proportionate residential development. With this in mind, the site occupies a location within open-countryside. The site does not benefit from safe pedestrian access and therefore, it would be unreasonable to expect future occupiers to walk to

reach facilities in either village. They are both within reasonable cycling distance. Ross-on-Wye is the nearest service centre and realistically offers the range of services required for day-to-day living. The site can therefore not be considered sustainable in a locational sense. However, with the provision of holiday accommodation of this nature comes a certain expectation of rural living, and it has been widely accepted through the granting of numerous permissions across the county that applications for tourist accommodation will not necessarily be in the same sustainable locations as one might expect for permanent domestic dwellings. Furthermore, facilities are provided on the site by way of BBQ area, swimming pool and leisure space. Providing entertainment on site for guests reduces requirement for movement outside of the site, whilst offering space to enjoy the rural location.

- 6.13 Given the location of the site in open countryside, it is accepted that future guests will need to arrive by car. However, the applicant has provided a detailed review of the local PROW network and demonstrated that while staying at the site guests would have ready access to local footpaths. It is also noted that the style of accommodation is suited to long stay. Overall it is considered that with the addition of cycle storage and with bus route available to the guests the scheme provides a genuine range of sustainable transport options and while it is noted that there will be a reliance upon the private motor vehicle to access the site and shopping facilities while staying this will be weighed against the benefits of the scheme.

### **Conversion to Holiday Let**

- 6.14 The application includes the conversion of two traditional stone barns to 1no. open plan 1 bedroom unit and 1no. two storey 2 bedroom unit. Regardless of the location of the site, Policy RA5 of the CS is the principal determining criteria of the development plan which sets out that state that the re-use of disused and redundant rural buildings will be permitted whereby;

- It respects the character and significance of the redundant/disused building and it is demonstrated that it is the most viable long-term option.
- Provision is made for protected and priority species and other associated species and no other undue environmental impacts arise from the development.
- The buildings proposed for re-use are of permanent and substantial construction which are capable of conversion without the requirement to undertake major or complete reconstruction.
- The building is capable of accommodating the proposed new use without the need for substantial extension, alteration or through the formation of additional ancillary buildings or areas of hardstanding which would adversely impact the existing character of the area

- 6.15 Given their scale and construction, it is evident they are no longer suitable for modern farming practice and therefore considered redundant. The buildings are in sound condition and appear capable for conversion, the supporting structural survey concludes that both barns are substantially intact requiring some repair and remedial works. Whilst Barn 2 requires some restoration to the southern end, this would not be considered substantial rebuilding being within the remit of conversion. The application proposes a sympathetic conversion that would keep the number of new openings to the minimum necessary such that the character of the original building would be retained.

- 6.16 The application also includes the use of existing bugalow on the site as tourist accommodation, given the existing unrestricted residential use, this is considered acceptable within the wider aims of the site.

### **Appearance and Landscape**

- 6.17 CS policy SD1 requires that new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the

architectural diversity and character of the area including, where appropriate, through innovative design.

- 6.18 The Core Strategy seeks, via policy LD1, to ensure development proposals demonstrate how the character of the landscape and townscape has positively influenced the design, scale, nature and site selection of the proposal. Development should be integrated appropriately through the use of landscape schemes and their management. Furthermore LD1 seeks to and extend tree cover where important to amenity.
- 6.19 The chalets would be of a simple rectangular form with steep pitched profile metal roof, clad in vertical timber boarding. The design is contemporary and generally responds to the agricultural form of the surrounding buildings. Whilst larger than the typical chalet as a result of the prominent ridge-lines, the scale and overall massing of the units would not be considered such that they would be read as out-of-scale in context of surrounding development.
- 6.20 The scheme includes the construction of a BBQ pavillion and rebuild of the existing pole barn to provide an activities building. Both buildings would maintain agricultural form with minimal visual impact in the wider setting, the pole barn utilising existing scale and the pavillion being of subservient mono-pitch design.
- 6.21 The site is visible from public vantage points, namely the adjacent PROW footpath, Coppice Road between St Weonards and Garway and St Weonards village. The submitted Landscape and Visual Impact Assessment concludes that the sensitivity from these aspects are considered to be medium. The site occupies an elevated position, but sits below the skyline reading within the rising topography of surrounding land with mature boundary features. Amended site plans have been submitted in line with the recommendations of the Landscape Officer. This includes the addition of native hedgerow and trees to surround the new built form and integrate this into the setting. The Landscape Officer raises no objection to the amendments recommending conditions for detailed landscape scheme and maintenance plan.

### **Amenity**

- 6.22 Policy SD1 and RA6 of the CS looks to ensure that development proposals are commensurate with their setting and would not cause any undue harms. The closest property, Northgate Farm, is located approximately 430 metres to the south west of the site and Upper Cottage is located over 600 metres to the south east. As such, given the distance there is not considered to be a demonstrable impact with regards to loss of privacy or noise and nuisance. This is confirmed by the lack of objection from Environmental Health Officer. Furthermore, the site is contained within vegetative boundary with inside space provided for communal activity. In addition to this, it is recognised there would be increased vehicle movements along the existing driveway, however the proposal to construct a new access further west would relocate movement away from the existing Upper Cottage and alleviate noise nuisance.

### **Highways**

- 6.23 The NPPF sets out at paragraph 110 that applications for development should ensure opportunities to promote sustainable transport have been taken, safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network or highway safety can be mitigated. Policy MT1 of the Core Strategy is reflective of this approach, as it seeks to promote active travel and development that without adversely affecting the safe and effective flow of traffic on the highway network. Further at paragraph 111 the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

- 6.24 The site is currently accesses off a private driveway off the C1236 with good visibility along the single track given the topography of the land, it is sited adjacent to dwelling known as Upper Cottage. The proposal includes the resurfacing of the track with the inclusion of passing places to facilitate the additional movements, however this would not require planning permission. It is proposed to construct a new access 3.5 metres to the west of the existing, creating approximately 4 metres of new access road. This will distance the movements from the existing dwelling alleviating noise impact, whilst offering improved visibility splays than the existing access. Public Right of Way footpath runs through the north of the site, the development will not impact use of the site being located around existing buildings.
- 6.25 The proposed access, parking and turning space has been reviewed by the Local Highways Authority Area Engineer who confirmed that subject to conditions the proposal was considered to adhere to CS MT1 and the published highways design guidance. The vehicular uplift is not considered to be severe in accordance with the NPPF, the local network having capacity to accommodate the movements, as such this does not direct the decision-maker to refusal.

### **Drainage**

- 6.26 Policy SD3 of the Core Strategy states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water. For waste water, policy SD4 states that in the first instance developments should seek to connect to the existing mains wastewater infrastructure. Where evidence is provided that this option is not practical alternative arrangements should be considered in the following order; package treatment works (discharging to watercourse or soakaway) or septic tank (discharging to soakaway).
- 6.27 The site is located in low risk Flood Zone 1 and the proposed development is less than 1 hectare, as such Flood Risk Assessment is not required. Surface water is proposed to be managed via sustainable drainage system with attenuation pond and drainage ditch, located within the applicant's ownership. The supporting documentation also states rainwater collection will be used where possible for site irrigation. As such, the application demonstrates that there is a sustainable solution for dealing with surface water and there would not be an increased risk of flooding elsewhere. In terms of foul water, in accordance with the hierarchy for dealing with foul water as set out at policy SD4 of the CS, the proposal seeks to connect to utilise a private treatment method noting there is no mains connection available. The application proposes the installation of a private package treatment plant discharging to a single drainage mound. The Council's Land Drainage Engineers have been consulted, raising no objection to the methods and percolation testing with technical details required through condition, as such the proposal is considered in adherence with policies SD3 and SD4 of the Core Strategy.

### **Ecology**

- 6.28 In terms of ecology, Policy LD2 is of direct pertinence. This generally requires that proposals protect, conserve and enhance the county's biodiversity assets and make adequate provision for protected species.
- 6.29 The site is located within the River Wye Special Area of Conservation, as such Habitat Regulation Assessment has been undertaken finding no adverse effects on the integrity of the River Wye SAC. Natural England have been consulted and raise no objection to the conclusions. The application is supported by Ecological Appraisal and Bat Report, the Ecologist raises no objection to the findings and the mitigation and enhancement measures within are secured by condition. Conditions restricting lighting to protect dark skies and securing submission of Construction Environmental Management Plan are included as per the Ecology recommendations. The

proposal, subject to conditions is therefore considered acceptable, according with policy LD2, SD4 and SS6 of the Core Strategy.

## **Conclusion**

- 6.30 The application proposes a rural tourism development in open-countryside location, whilst this may not be considered sustainable in purely locational sense, it is accepted that the rural character of the area is appealing to tourists, this is reflected in policy E4 and this alone would not direct the decision-maker to refusal. When assessing the proposal against the three themes of sustainability it is considered that the proposal would result in some modest economic benefits through increased local expenditure and job creation through the servicing of the units. Social benefits are considered to be neutral, and any harms in an environmental sense; most notably through the creation of a new access, can be mitigated through the implementation of a landscaping scheme. The proposal includes the re-use of traditional agricultural buildings of architectural merit with contemporary chalets integrated into the agrarian character and rural setting, providing a unit of tourist accommodation for long stays with leisure and activity facilities on site for guests.
- 6.31 Matters raised with respect to highway safety, landscape, ecology and drainage can either be addressed through the imposition of conditions, or have been through revisions to the scheme throughout the application process. It therefore concluded that the proposal accords with the principal determining criteria of the Herefordshire Local Plan – Core Strategy and the overarching principles of the National Planning Policy Framework, and the application is therefore recommended for approval.

## **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. C01 - Time limit for commencement (full permission)**
- 2. C06 - Development in accordance with approved plans**
- 3. C13 - Samples of external materials**
- 4. Before any other works hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be 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 139.5 metres west and 104.6 metres east along the nearside edge of the adjoining carriageway (as shown on drawing no. 3167-23-902). 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.**

6. Prior to the first use of the buildings hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of cars, as shown on drawing no. 21-900, 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. Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

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

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

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

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

9. With the exception of site clearance and groundworks, no further development shall commence until a landscape scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:

- a) Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.
- b) Trees and hedgerow to be removed.
- c) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
- d) All proposed hardstanding and boundary treatment.

**Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.**

- 10. All planting, seeding or turf laying in the approved landscaping scheme (insert drawing no if appropriate) shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner.**

**Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.**

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

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

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

- 12. At no time shall any external lighting except in relation to safe use of the approved development and its stated use be installed or operated in association with the approved development and no permanently illuminated external lighting shall be operated at any time, without the written approval of this local planning authority.**

**All lighting installed shall demonstrate 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 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**

- 13. Before any work a Construction Environmental Management Plan (CEMP) including a full Ecological Working Method Statement and a specified 'responsible person', shall be supplied to the local planning authority for written approval. The approved CEMP shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed; 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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3.**

- 14. The ecological protection, mitigation, compensation and working methods scheme including recommended Biodiversity Enhancement and any required European**

Protected Species Licence (Bat), as recommended in the ecology report by Ecology Services dated September 2019 shall be implemented in full as stated, and hereafter maintained, unless otherwise approved in writing by the local planning authority and Natural England as relevant to the protected species licence.

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

15. Within 3 months of completion of the approved works evidence of the suitably placed installation within the site boundary including 4 Schwegler Bat boxes (or similar approved design) to be incorporated into the external fabric of the renovated barns (two per barn); 2 bird nesting boxes for a site appropriate range of bird species; 1 hedgehog home; and 4 insect hotels, should be supplied to the local authority and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority.

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

16. The ecological protection, mitigation and compensation methods including Biodiversity Enhancements, as recommended in the Preliminary Ecological Appraisal by Pure Ecology dated April 2021 shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policy LD2.

17. None of the units shall be occupied until the following drainage details have been provided:

- Confirmation of the proposed drainage mound size using a Vp rate established during testing at 600mm bgl
- Detailed drainage plans/construction drawings of the proposed surface water and foul water drainage infrastructure
- Confirmation that an EA permit for a discharge of treated foul water drainage to ground has been granted

Details shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first use of any of the buildings hereby permitted.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy SD4 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. **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.**
3. **This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford, HR2 6JT (Tel: 01432 261800), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.**

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

4. **It is the responsibility of the developer to arrange for a suitable outfall or discharge point. It cannot be assumed that the highway drainage system can be used for such purposes.**
5. **The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.**
6. **The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special "high status protected species" such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required 'licences' have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.**

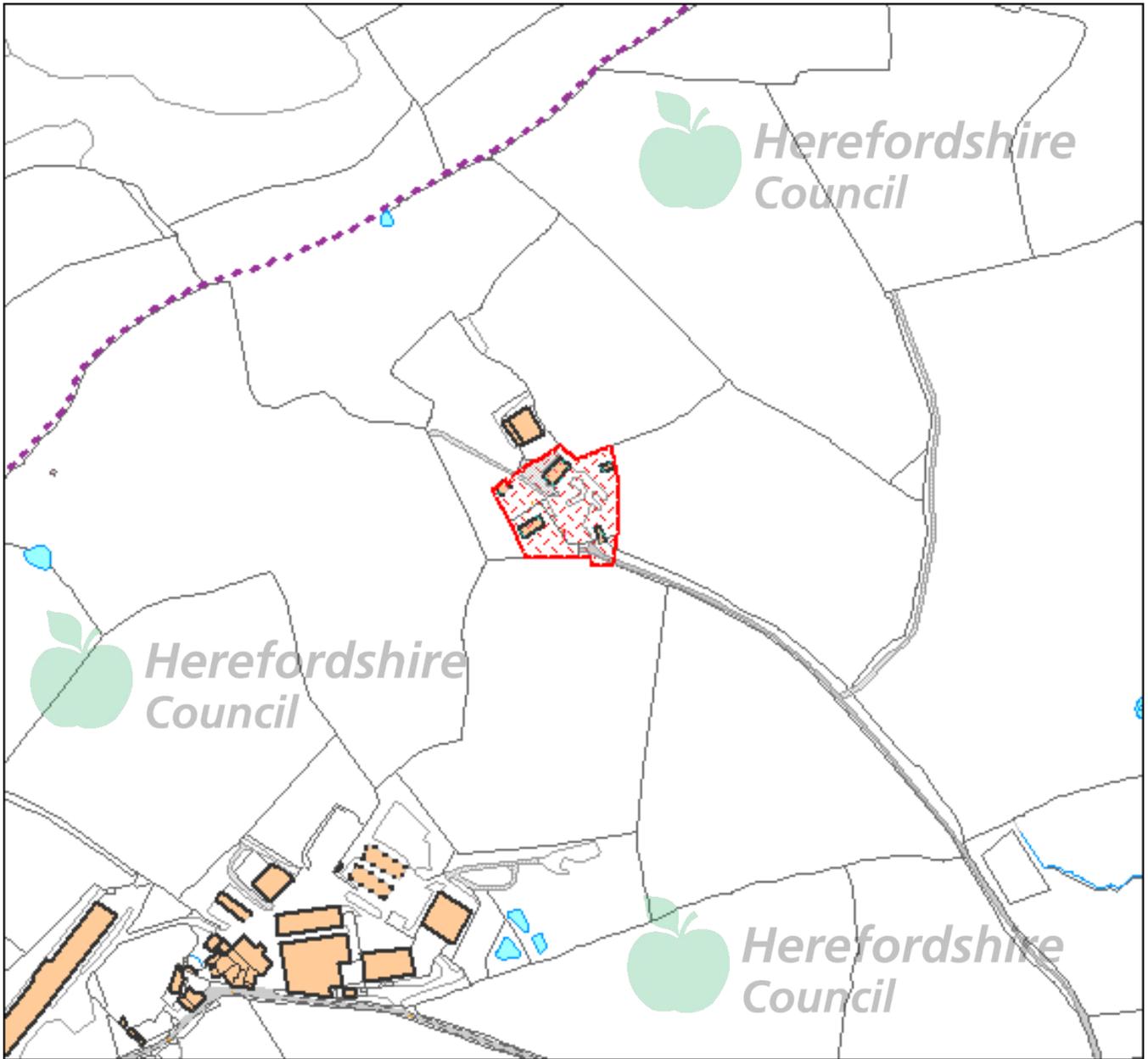
Decision: .....

Notes: .....

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## **Background Papers**

None identified



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**APPLICATION NO:** 212199

**SITE ADDRESS :** CAERWENDY FARM, ST WEONARDS, HEREFORD, HEREFORDSHIRE, HR2 8QF

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Further information on the subject of this report is available from Ms Elsie Morgan on 01432 260760