

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	26 JULY 2023
TITLE OF REPORT:	204242 & 204243 - DEMOLITION OF EXISTING BARNs WITHIN THE GROUNDS OF A LISTED BUILDING. PROPOSED NEW FARM SHOP AND CAFE AND OFFICE ACCOMMODATION BUILDINGS WITH ASSOCIATED CAR PARKING AREA AT WARHAM COURT FARM, BREINTON, HEREFORD, HR4 7PF For: Mrs McMinn per Mr Nick Carroll, 42 Broad Street, Worcester, WR1 3LR
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=204242&search-term=204242
Reason Application submitted to Committee – Redirection	

Date Received: 2 February 2020

Ward: Credenhill

Grid Ref: 348662,239222

Expiry Date: 10 February 2023

Local Members: Cllr Matthews

1. Site Description and Proposal

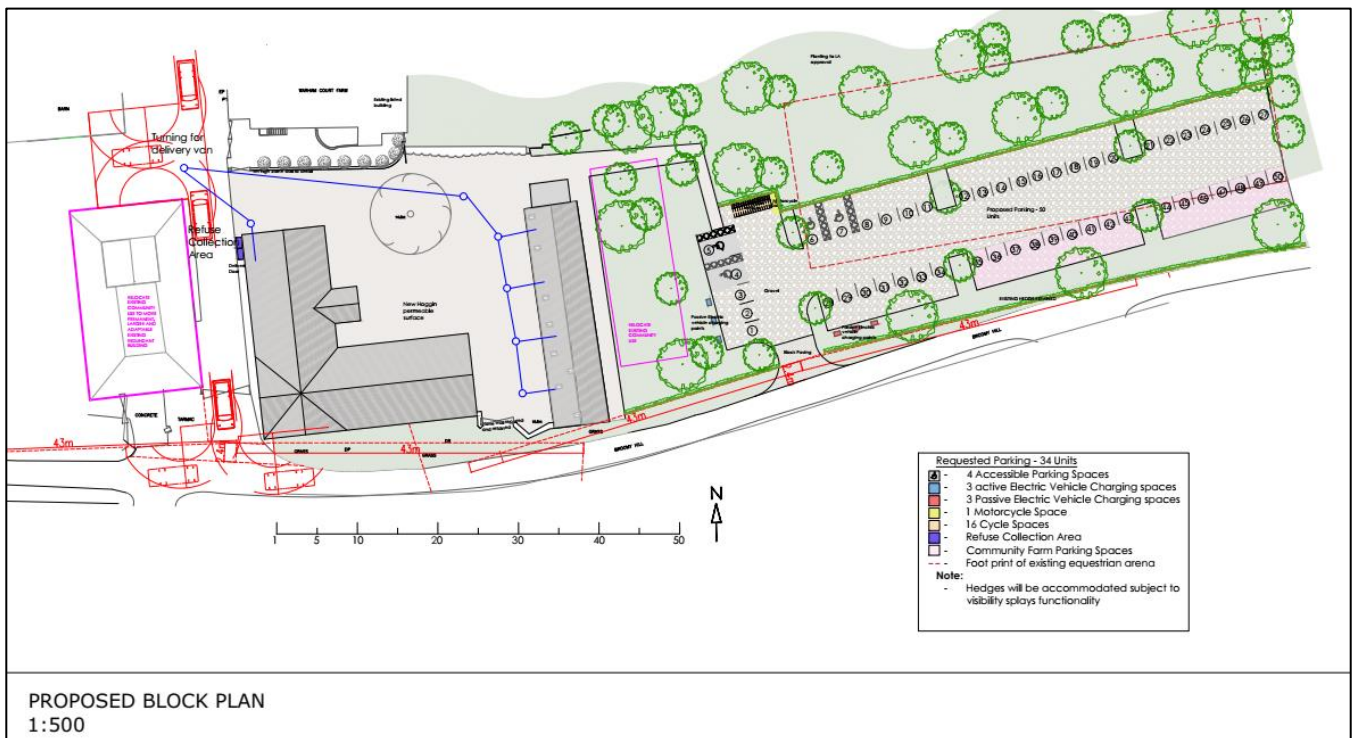
- 1.1 The site lies on the northern side of the unclassified road at Warham and within the Parish of Breinton, which is located to the southwest of Hereford. It forms part of the wider Warham Court Farm complex which also accommodates a community farm (Hereford Community Farm). The existing farmhouse is listed but does not form part of this application.
- 1.2 The site comprises a number of agricultural buildings, both traditional and modern. The site is relatively flat.
- 1.3 The site is not subject to any landscape designations but is rural in nature and surrounded by agricultural land.
- 1.4 Both a full application and Listed Building Consent application are to be considered. The proposal is for a rural diversification project to reuse and convert an existing barn and replace two other modern barns, in order to provide a new shop / café and business units, with associated parking.
- 1.5 The existing timber barn running north to south on the eastern side of the courtyard will remain and be converted with minor alterations to ensure it is fit for purpose. Internally the barn will be separated into four units for use as Use Class E (g) (formally B1 use class). The two modern metal barns, one that is adjacent to the roadside (running east to west) and the other that is on the western side of the courtyard, will be removed and replaced with a new barn of similar footprint which will be used as farm shop and café. The layout of the proposal will maintain the existing three sided courtyard facing towards the farmhouse.

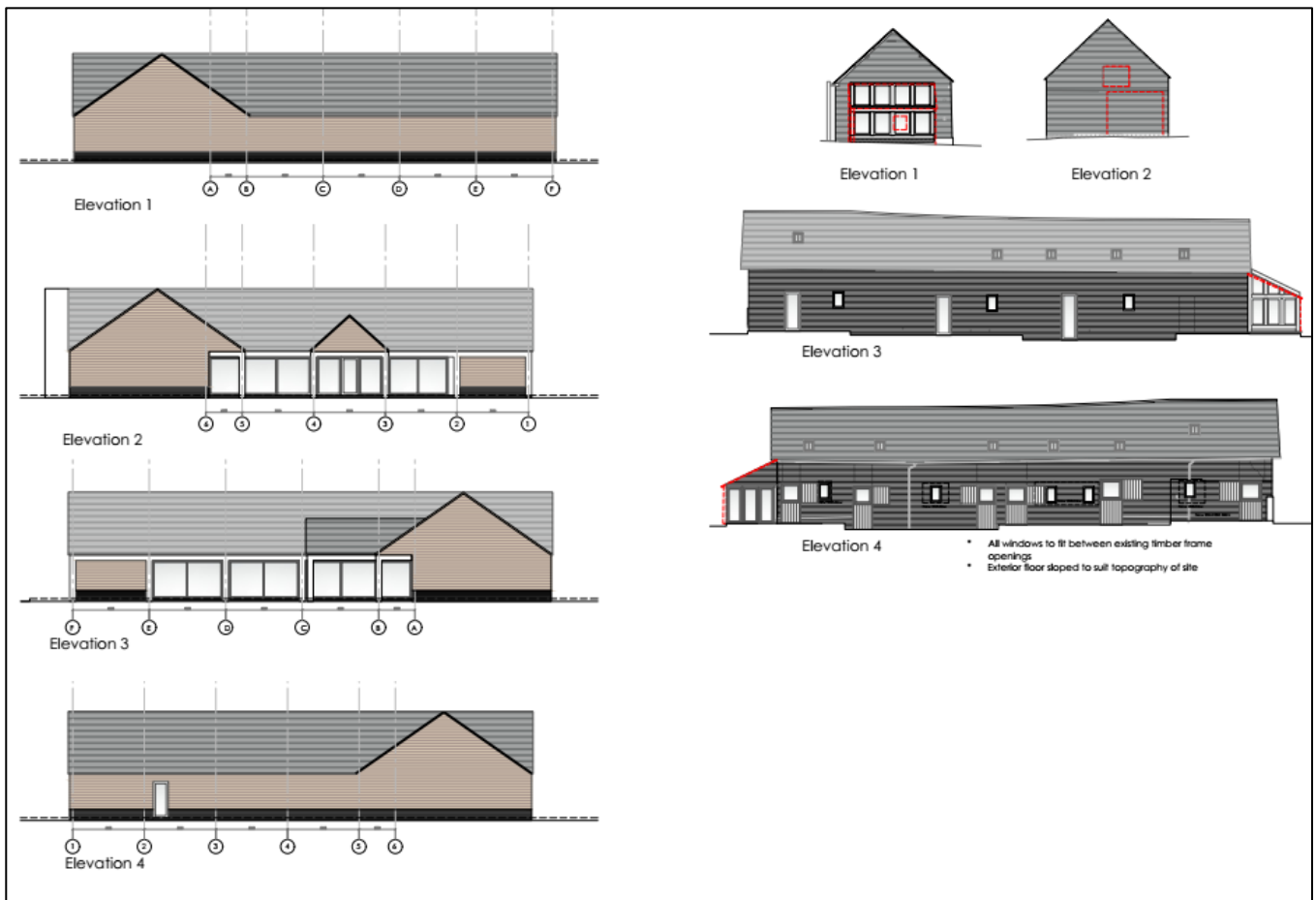
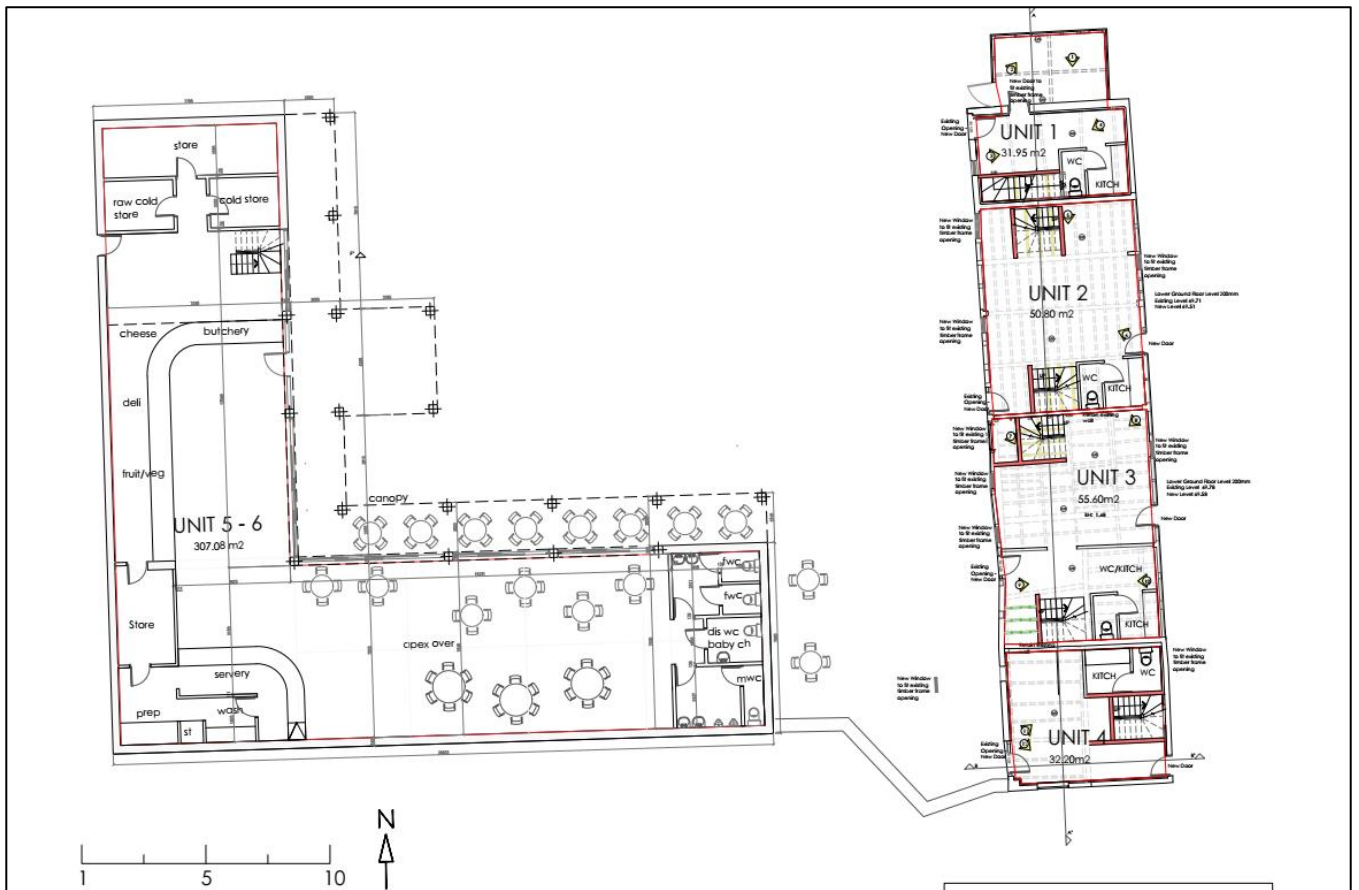
Further information on the subject of this report is available from Mrs G Webster on 01432 261803

- 1.6 A larger parking area will be located to the east of the buildings on land that was formally the horse exercise arena. There will be 50 spaces allocated which includes accessible parking spaces, electric vehicle charging spaces and cycle parking.
- 1.7 A similar scheme was approved in 2016 (161280/F) for replacing one modern steel framed barn with a new building of a similar footprint and incorporating a farm shop, with the Herefordshire Community Farm remaining in the portable cabin. The amended and updated proposal incorporates land and building to the west of the buildings which will be retained in use as a community farm
- 1.8 This full and listed building application has been submitted for some time and has had a number of amendments to overcome the objections raised from both technical consultees and local objection.
- 1.9 The site plan and elevation plans below shows the latest amended scheme that has taken on board all of the consultee comments, including moving the car parking further to the south and adding more landscaping to the site overall.

Below are extracts from the submitted Plans including:

- Block Plan
- Floor Plans
- Elevations





Further information on the subject of this report is available from Mrs G Webster on 01432 261803

1.10 The applications are supported by a Bat Survey, Ecological Survey, Transport Statement, Design and Access Statement and Heritage Statement.

2. Policies

2.1 The Herefordshire Local Plan Core Strategy (CS) 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

SS1	-	Presumption in Favour of Sustainable Development
SS4	-	Movement and Transportation
SS5	-	Employment Provision
SS6	-	Environmental Quality and Local Distinctiveness
SS7	-	Addressing Climate Change
RA5	-	Re-use of Rural Buildings
RA6	-	Rural Economy
SC1	-	Social and community facilities
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
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	-	Wastewater Treatment and River Water Quality

2.2 Breinton NDP was made 1 December 2016. The following policies are relevant to this application:

B4	-	Re-use of empty buildings for housing and community assets
B6	-	Sustainable design and energy efficiency
B10	-	Moving around Breinton
B13	-	Countryside recreation
B15	-	Local distinctiveness
B16	-	Protecting important public views

2.3 National Planning Policy Framework (NPPF)

The following chapters of the NPPF are considered to be pertinent to this application:

1. Introduction
4. Decision-making
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
11. Making effective use of land
12. Achieving well designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

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 was taken

Further information on the subject of this report is available from Mrs G Webster on 01432 261803

in November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any 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.

3. Planning History

3.1 The following history is relevant to the application site:

P160280/F & 163943/L – Change of use and alterations to barns from agricultural to therapeutic activities and skills training. Demolition of agricultural building for replacement building to be used as a tea room/ farm shop – Approved with conditions

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water

We would request that if you are minded to grant Planning Consent for the above development that Advisory Notes provided are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

SEWERAGE

Dwr Cymru Welsh Water are not the sewerage operator for this area and it appears the applicant does not propose to connect to the public sewer, we therefore have no further comments regarding sewerage.

However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application.

SURFACE WATER

With respect to the disposal of surface water flows from the proposed development, the developer is required to explore and fully exhaust all surface water drainage options outlined under Sections 3.2 and 3.4 of Part H of the publication 'Building Regulations 2000. Disposal should be made through the hierarchical approach, preferring infiltration and, where infiltration is not possible, disposal to watercourses in liaison with the Land Drainage Authority, Natural England and/or the Environment Agency

4.2 Natural England

No objections

Internal Council Consultations

4.3 Team Leader Area Engineer comments received 18 January 2022

Further to the receipt of additional information in the form of a Technical Letter and the proposal of three passing bays the local highway authority (LHA) agrees that the passing bays would form a suitable method of mitigation for the proposed increase in traffic as a result of the development proposals.

Having reviewed the positioning of the passing bays on site the LHA agree that the eastern passing bay (inset 3) can be provided within the highway extent, however, the other two proposed bays would need to encompass some of the applicant's land in order to achieve them. Whilst on plan it would appear they could be provided within highway land once on site it is clear that the hedge encompasses some of the highway land and so would need to be moved back into the applicant's land in order to achieve the necessary carriageway width to incorporate the passing

bay. In terms of the central passing bay (inset 2) this would involve grading some of the bank into the field if kept in the proposed position, however, if the bay was to be moved approximately 10m to the west then less grading would need to be undertaken. What is clear is that three passing bays can be provided and the technical detail can be undertaken at the S278 technical approval stage. Therefore if the applicant agrees to utilise their land to incorporate the passing bays then the LHA has no objection.

The LHA is also offers no objection to the other matters addressed within the Technical Letter subject to suggested conditions.

Further comments received 12 July 2023 following amended plans

The previous comments dated 18/01/22 still stand.

Regarding the comments from the Parish Council stating that the traffic figures are under estimated, it should be noted that the traffic generation figures proposed by the applicant's Transport Consultant are derived using the industry standard database of traffic surveys and are therefore considered to be as accurate a prediction as is possible.

4.4 Principal Natural Environment Officer (Ecology) comments received 14 February 2023

I have read the Percolation/Infiltration Test [22/7/2022], the Phase 1 Ecological Survey [4/8/2020], the Bat Risk Assessment [28/9/2020], the AMENDED Surface and Foul Water Management Scheme 12.5.22, and I have seen the AMENDED Block Plan – Location Plan 5.1.23,

The site is within the hydrological catchment of the River Wye Special Area of Conservation (SAC); habitats recognised under the Habitats Regulations, (The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) as being of international importance for its aquatic flora and fauna.

Sufficient and detailed information will be required to be submitted with any future outline or full applications to allow the authority to assess the proposal through its Duty of Care under NERC Act and Habitat Regulations. Natural England will also need to be a statutory consultee and will require sufficient information, like ourselves, to formally undertake a Screening Assessment for 'Likely Significant Effects' and then subsequently undertake a relevant Appropriate Assessment to determine and recommend relevant and appropriate Conditions to secure that the development(s) will have NO 'likely significant adverse effects' on the relevant SAC.

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.

Habitats Regulations Assessment and Impacts upon Designated Sites

The development involves the creation of additional foul and surface water flows. The proposal is to manage surface flow by making all the hardstanding surfaces permeable on site, followed by discharge to an existing clean surface water attenuation pond with a managed overflow discharge to local watercourse.

Foul water flows are proposed to be managed through installation of a new package treatment plant with discharge to a horizontal flow Reed Bed (constructed wetland) to provide tertiary treatment prior discharge to the existing clean surface water attenuation pond.

The percolation tests carried out by William Stokes Consulting on 20th July 2022 demonstrated the poor percolation conditions of the soil on and around site, which make a discharge to ground not technically achievable. Therefore, the discharge of foul water outfall to the clean surface water attenuation pond provides the greatest ecological benefit achievable.

Discharging foul water outfall to any enclosed 'pond' may well require a discharge licence to be obtained from Environment Agency as this type of system is not compliant with General Binding Rules. Any license requirement is outside of planning controls and any HRA associated with this planning application. The applicant is advised to seek advice directly from the Environment Agency.

The supplied CEMP, when implemented alongside the ecological working methods in supplied ecology reports appears sufficient to ensure there are no unmitigated effects from the construction process on the River Wye SAC. A condition to secure implementation can be included on any planning permission finally granted.

It is noted that the HRA process for this application has been completed and that Natural England has responded having no objection to the application.

Habitat Regulations (River Wye SAC) – Foul Water

Unless otherwise approved in writing by the planning authority, all foul water created by any development permitted under this permission shall discharge through connection to a new private foul water system (Package Treatment Plant) discharging to a 15x20m Reed bed and then to the clean surface water attenuation pond located on land under the applicant's control, as shown in Figure 4 f the surface water management scheme statement Rev B by Nick Carroll Architects dated May 2022.

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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD4.

Habitat Regulations (River Wye SAC) – Surface Water

Unless otherwise approved in writing by the planning authority, all surface water from the development permitted under this planning permission shall discharge through a 'clean surface water' attenuation pond with managed overflow to local watercourse as detailed in supplied surface water management scheme statement Rev B by Nick Carroll Architects dated May 2022.

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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD3.

Habitat Regulations (River Wye SAC) Construction Environmental Management Plan (CEMP)

The CEMP by Nick Carroll Architects and the ecological working methods in the ecology reports by Naturally Wild and HEC shall be implemented in full 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 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.

Other Ecological comments:

The supplied ecology report by H.E.C. dated August 2020 and the associated Bat Risk Assessment by Naturally Wild dated September 2020 are noted and refers. It is noted that no

local biodiversity records centre search appears to have been undertaken to support this report – however based on data available to LPA Ecology in this specific case this is not considered to have been detrimental to the final report that includes relevant Optimal Period bat surveys and relevant consideration for potential presence of protected species within this ‘brownfield’ development area.

The mitigation measures supplied in both ecological reports and identified ‘Higher Status’ protected species licence required to be granted by Natural England prior to any approved works commencing should be secured by Condition on any planning consent finally granted.

Based on the submitted evidence, the proposed activity is not deemed to be detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range. Therefore, no further protected species surveys are required by the LPA. It should be noted that additional ‘update’ surveys may be required by NE prior to any protected species licence application being submitted/registered.

Ecological Protection & Protected Species

The ecological protection, mitigation, compensation and working methods scheme including any required Protected Species Licence (Bats), as recommended in the ecology report by Naturally Wild dated September 2020 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 that all species are protected and habitats enhanced 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 and LD2.

To obtain Biodiversity Net Gain

Prior to first use of any part of the development works approved under this planning decision notice, evidence of the suitably placed installation within the site boundary or on other land under the applicant’s control of ‘permanent’ Bat roosting, bird nesting, hedgehog home and pollinating insect breeding enhancements, should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. All tree and shrub planting associated with the development must only consist of locally characteristic, native species.

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.

Protected Species and Lighting (Dark Skies)

At no time shall any external lighting except in relation to safe use of the approved or existing buildings 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.

4.5 **Principal Historic Buildings Officer Comments received 7 March 2023**

Notwithstanding previous amended drawing iterations, the following recommendations and heritage comments are based on Drawing No.'s 2011/P/06E; 2011/P/04E; 2011/P/05E; 2011/P01/M.

Subsequent to the last site meeting, amendments to the proposed barn conversion and parking layout now present a scheme which is supportable from a heritage perspective.

As a consequence, the requirements to preserve special architectural and historic interest, and setting, as set out Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, are now satisfied.

Although this latest scheme has not been directly informed by any additional analysis of the existing timber-framed structure, as previously advised, investigations on site have established that, from a conversion perspective, amended proposals can retain all existing fabric of historic significance.

However, in order to execute that conversion there will inevitably be a degree of repair which will be required, and as this level of detail has not been provided with this application it will need to be detailed in a comprehensive *Timber-Frame Repair Schedule*, to be submitted and approved by way of condition.

In addition, the presence of a number of historic features associated with the barn's former agricultural function have not been recorded on the 'as existing' or 'as proposed' drawings, and as these will need to be retained and incorporated into the conversion scheme a schedule detailing their retention and re-use will be required.

4.6 **Principal Natural Environment Officer (Landscape) comments received 8 March 2023**

I have previously commented on this development, dated 29/12/2021.

I note that in terms of hard landscape, the pavement is proposing hoggin for the building areas, and gravel for the car parking area. This is acceptable, with assurance that the material and colour are appropriate in terms of appearance in relation to the historic and landscape setting.

I note comments previously made with regards to the projection of the existing trees, in accordance with BS5837:2012 (suitable protection, adequate aeration, and sufficient water infiltration requirements). This still stands.

It is recommended to provide additional planting around the buildings to enhance the landscape amenity.

Access and Car park

The car park impacts the landscape setting of the heritage buildings, however it does replace existing hard stand associated with horse training, and provides additional new trees reducing the visual harm over time. I note that the layout has been drawn closer to the lane. This is a concern impacting on the character of a country lane. What is the rationale for this change of layout?

The layout of the trees is indicative, without reference to species. Ensure native trees with a mix of species (including large specimens, such as oak). See below recommendations.

Additional soft landscape detail is required, such as a final layout, species, sizes, planting conditions and maintenance requirements.

In principle the development is acceptable in terms of landscape, if more space could be maintained between the land and car park (as original proposed). However, should the current proposal proceed, the following conditions apply.

Conditions:

Landscape Scheme

Prior to completion of the approved development, 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.

Maintenance Plan

Before the development is brought into use a schedule of landscape maintenance for a period of five (5) years shall be submitted to and approved in writing by the local planning authority. Maintenance shall be carried out in accordance with this approved schedule.

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

Landscape Materials

The external landscape materials to the development shall aim to match in colour, form and texture those of the existing building and rural character, and be submitted as part of the landscape scheme.

Reason: To ensure the satisfactory appearance of the development so as to ensure that the development complies with the requirements of Policy LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Recommended tree and hedgerow 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. From a farming perspective, hedgerow trees provide additional valuable shade and shelter for farm livestock.

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)

Wildflower Mix

Plant wildflower mixes that are appropriate to their site specification locations and shade tolerances, to attract pollinators and provide habitats for a fauna.

4.7 Principal Planning Officer – Minerals and Waste

The site is within an area identified for the safeguarding of Minerals due to the presence of a sand and gravel resource, however given the nature of the existing site and that of the proposal, I would raise no objection in relation to the safeguarding of Minerals.

With regards to waste, the development does involve the demolition of the existing buildings and therefore will produce a stream of waste materials. Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised. However, if the demolition materials need to be disposed of off site it will become a waste which must be disposed of in accordance with all relevant waste management legislation.

Additional comments received 27/1/22 following amended plans

No further comments to make

4.8 Environmental Health Manager - Noise and Nuisance

In January 2021 and January 2022 our department commented that we had no objections to this proposal on noise and nuisance grounds. We have been re-consulted with regard to amended plans. Please be advised that we have no objections to these proposals.

4.9 Land Drainage consultant

Our knowledge of the development proposals has been obtained from the following additional sources since our previous comments in January 2022:

- Amended Surface & Foul Water Scheme Statement 12.4.22;
- Email from Mr N Carroll 12.4.22;
- Percolation/Infiltration Test Report 1.8.22;
- Amended Site Layout showing Section D-D provided via email on 31.8.22;
- Email correspondence with the Agent between 19.5.2022-31.8.2022.

Overview of the Proposal

The Applicant proposes the demolition of existing barns within the grounds of a Listed Building and the construction of a new farm shop and cafe and office accommodation buildings, with associated car parking area. The site covers an area of approx. 0.4335ha and is currently metal barns and existing hardstanding. The River Wye flows approx. 400m to the south of the site. Two ponds are located nearby to the west of the site. An ordinary watercourse is located approx. 380m to the west of the site. The topography of the site gently slopes down from the northeast to the southwest by approx. 3m.

Site Location

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), January 2022



Flood Risk

Fluvial Flood Risk

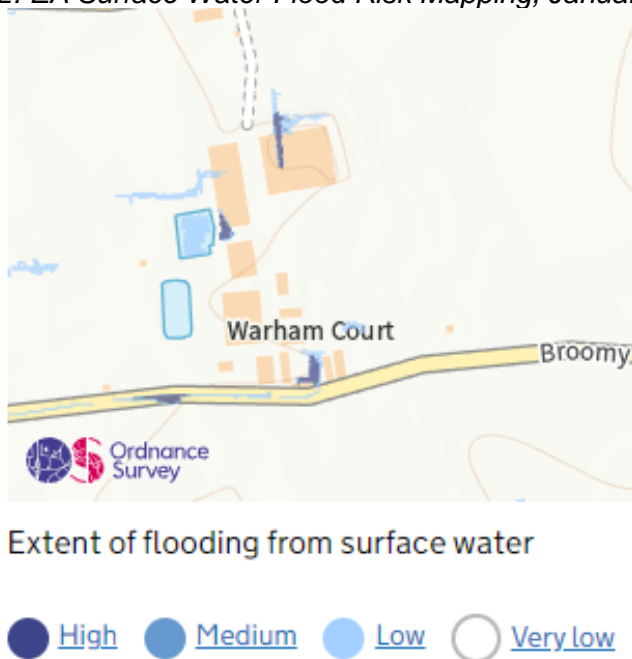
Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low risk Flood Zone 1. As the proposed development is less than 1ha and is

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 some areas of the site are at risk of surface water flooding, likely to be associated with surface water ponding on the existing hardstanding.

Figure 2: EA Surface Water Flood Risk Mapping, January 2022



Other Considerations

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 and Foul Water Drainage

Infiltration and percolation testing have been undertaken at the site however all tests were abandoned due to poor ground conditions. The Drainage Scheme states that, at the site, there is a previously approved dirty water lagoon to collect the brown water from the farm, and a surface water attenuation pond to collect the roof water.

The existing surface water attenuation pond is 35m x 20m in size, lined with a geotextile membrane and can hold 395,000 gallons. It is stated that in extreme weather conditions the pond has an additional capacity of 230,000 gallons. The pond collects water from the roof areas and aims to recycle all available stormwater for use in the development, using the pond as a buffer tank. We understand that the pond water is recirculated 3 times a year. The excess water from the site is shown to be piped under the road to the existing overflow drainage pond and ditch.

We note proposals for the surface water from the new buildings is to be collected via new manholes and diverted to into the existing attenuation pond.

As the roof area is not being increased as part of the proposed development, the existing drainage arrangements are assumed to have adequate capacity.

Further explanation has specified proposals for the existing concrete hardstanding to be lifted and replaced with permeable surfacing. Any additional hardstanding to be constructed will also be permeable.

It has now been clarified that the foul water is to be treated by a new package treatment plant and reedbed (15m x 20m), before discharging to the existing attenuation pond. We understand that the foul water pipework will be separate from the surface water, however both will discharge to the same pond. Whilst we accept the principle of using a Reed Bed (a Constructed Wetland), this will be subject to a detailed design.

Overall Comment

In principle we do not object to the proposals, however we recommend that the following information is provided within suitably worded planning conditions:

- Submission of detailed surface water and foul water (including horizontal flow wetland) drainage design drawings/construction plans which includes cross sections (where needed), cover levels, invert levels, pipe diameters, manhole schedule, etc poor ground conditions.

5. Representations

5.1 Breinton Parish Council – Representation received 17 February 2023

Breinton Parish Councillors considered these applications for a third time on 15th February 2022 in the light of your further consultation, the new information provided by the applicants as well as the additional comments provided by Herefordshire Councils officers / statutory consultees. Thank you for extending the consultation deadline to allow our meeting to take place as scheduled.

The Council's view is unchanged. We remain absolutely opposed to this application for the reasons set out in our letters of February 2021 and January 2022.

We will not repeat our detailed objections again as you already have these to consider as you form your recommendation to the Planning Committee. Despite another year passing it is extremely frustrating that, despite the weight of planning grounds against their proposal, the applicant does not appreciate that it is quite simply the wrong kind of development in the wrong place.

The Council's purpose in writing again is to focus on the information that we had not previously seen provided by various agents on behalf of the applicant. Once again, we feel all their additional work actually strengthen our original objections.

Highways

We note that there is still no updated response from your Highways colleagues available to the public on the planning portal. Nor can we see any amendments that change the previous totally unacceptable proposal for three laybys east of Warham Court Farm towards residential Broomy Hill.

Previously we stated that:

- The applicants deal solely with access / egress from the east and ignore the western lanes through rural Breinton. Even if this application were acceptable on other grounds – which it most certainly is not - this omission remains a major flaw in this application.
- The hypothetical trip generation figures were based on completely inappropriate TRICS comparators and hopelessly under-estimated the number of visitors that the proposed development would need to generate in order to become a commercial success. No amount of modelling can disguise that the fact that many, many more visits by car than forecast will be necessary to make this application economically viable. That in turn leads the Parish Council to

assert once again that Warham Court Farm is a totally unacceptable location for the volume of traffic needed to make such a speculative venture profitable.

Faced with this clear under estimation of the traffic movements likely to be involved, it is worth repeating that:

- The applicants explicitly acknowledge the potential for vehicle conflict even on their limited vehicle forecasts.
- Little if any consideration is given to conflict with much more vulnerable groups such as walkers, dog owners, joggers, runners, cyclists, horse riders or those following the Wye Valley Way.
- The lanes in Breinton are used every day by ever-increasing numbers of people from the local area and from Hereford city for whom the parish has historically been a 'green lung'. Breinton's highway network is extremely constrained for all users consisting entirely of narrow, winding single-track C and U class lanes with an extremely limited number of metalled passing places, soft verges, ditches and numerous blind bends. Unfortunately, the national speed limit of 60mph still applies.

Breinton Parish Council continue to assert that there are many highways and transportation reasons for refusing this application. In our view it is impossible to engineer the local lanes to accommodate the amount of traffic this proposal will undoubtedly generate if it were to go ahead. This is a car reliant development in a rural area.

Environmental sustainability

Breinton Parish Council has always objected to this development because of issues regarding drainage and sewerage. We note that the Surface and Foul Water scheme has been amended. However, despite this we continue to maintain that the information provided is totally inadequate to be anywhere close to a comprehensive justification for what is being proposed, let alone sufficient for planning consent to be given.

As we understand the proposals 'clean' water will be discharged into an existing clean water attenuation pond with managed overflow into a local watercourse. Foul water will move through a packaged treatment plant and reed beds before reaching the same pond and then flowing into the local water course. Given the proximity and sensitivity of the Wye Valley SAC, we cannot believe that this proposal could possibly be approved without the provision of detailed plans and design drawings in advance. It is simply not sufficient for these to be a condition attached to any approval as the Land Drainage officers suggest. At that point the principle of the entire development would have been accepted and discussions would simply about the detail of water management. In contrast, we believe that the principle that this Surface and Foul Water scheme actually working should not be accepted until the detail is available for study.

We have not seen any comments from the Environment Agency, if indeed they have finally been sought. We understand that the Environment Agency investigated a possible pollution incident locally in the past two years and it seems that their local knowledge and findings may be highly relevant to this application. We believe that their approval will be required for the proposed discharges into the watercourse. Again, their approval should be sought by the applicants before this application is determined. Should it not be given then this application should be rejected.

We have previously expressed our concern about inadequate ditch maintenance locally particularly to the west of Warham Court Farm close to Warham House. The whole Surface and Foul Water scheme appears to assume that the existing system capacity and quality is sufficient for the new development and will continue to be well maintained. As all ditches lead directly into the River Wye it would seem important that these assumptions are checked prior to approval being given. Can we be assured that this system is truly adequate and running properly for the new purpose and will provide adequate protection for a very sensitive environment that is already suffering degradation?

Concluding comments – economic case, heritage objection and Core Strategy SC1

There is still no attempt by the applications to justify their proposal economically. It would seem to us that there are substantial sums of money to be invested without any evidence of sufficient revenue being generated for this to be worthwhile. We repeat, in the absence of any sensible information to judge the economic viability of this proposal it is not possible to strike the necessary Planning Balance between the applications environmental, social and economic benefits/disbenefits. Should approval be given and the proposal eventually fail would this lead to a future applications for expansion or changes of use?

We note that the Councils own Heritage Officer continues to object to the proposals despite all the various reports that the applicant has commissioned over many years seeking to justify their treatment of one of Breinton's heritage assets. We support the heritage objection. As the Breinton Neighbourhood Development Plan makes very clear, the agricultural history of the area is very important to local people, to Herefordshire and, primarily through the works of Brian Hatton, nationally. It is not acceptable for this to be damaged.

Finally, we have read various papers concerning compliance with Core Strategy Policy SC1 – Social and community facilities; and would comment as follows;

- It would appear to us that this proposed development runs the risk of actually damaging existing social and community infrastructure in Breinton,
- Warham Court Farm is in open countryside, not in a settlement and
- Warham Court Farm is not currently safely accessible by foot, by cycle and public transport. It will be made even less safe should this proposal be approved.

We trust that you will take our further objections to this application fully into account

5.2 In response to the public consultation a total of 42 objectors and 1 support comment, and support from Hereford Community Farm have been received throughout the process. The objections detailed the following points:

- Increase in traffic on the lanes
- Concerns for the future of the community farm
- Unsustainable area
- Farm shops already nearby so not needed (Wyevale and Oakchurch)
- Impact upon landscape and wildlife from additional people in the area
- Limited passing places
- Community farm building being demolished where will it be relocated?
- Larger area of hardstanding
- Unknown hours of opening
- Waste storage and collection not detailed
- Parking for 60 cars seems excessive
- Impact upon listed building
- Increase in noise and nuisance from traffic
- Poor design
- Loss of mature plants and trees
- Where will produce come from?
- Warham lane floods on both sides of Warham court farm
- Farm doesn't grow enough produce for shop / café
- Impact on walkers and cyclists using the lanes
- Speeds should be restricted to 40 mph

The support detailed the following points:

- Farm shop and café in the area is welcomed
- HCF states that they feel reassured that they can continue on the 5 acre site and support the diversification scheme

5.3 Following the latest round of public consultation on the amended plans and additional details, a further 1 objection was received, the objection detailed the following points:

- Narrow roads in the area
- Impact upon walkers / cyclists using the lanes
- No proper passing places
- National speed limit on the lanes, no speed restrictions in place

5.4 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=204242&search-term=204242

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 made Breinton Neighbourhood Development Plan. National Planning Policy Framework (NPPF) is also a significant material consideration.

6.3 Policy RA5 states that the sustainable re-use of individual or disused buildings, which contributes to residential development will be permitted where:

1. Design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long term conservation and enhancement of any heritage asset affected, together with its setting;
2. Design proposals make adequate provision for protected and priority species and associated habitats;
3. The proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;
4. The buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and
5. The building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.

6.4 Breinton NDP policy B4 – Re-use of empty buildings for housing or community assets reflect Core Strategy policy RA5 above. In addition NDP policy B13 Countryside recreation, states that re-use or conversion of existing buildings for outdoor recreation and tourism related uses appropriate to the tranquil and unpolluted open countryside will be encouraged.

6.5 Furthermore Core Strategy Policy RA6 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

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 The proposed farm shop and cafe uses are considered to complement the existing activities on the site and are considered to be a positive re-use of the buildings/site. The additional small scale business units will help to provide additional employment to the area and will provide start up units for small businesses. The proposals will allow further farm diversification to take place beyond the Community Farm and will seek to employ/retain 7 full time staff and 15 part time staff. These are positive economic and social benefits that should be afforded significant weight in the planning balance.

6.7 There are no neighbours directly adjacent to the proposal other than the farmhouse and there are considered to be no inherently noisy elements to this proposal that would result in additional noise over and above the general farm noise associated with existing day to day use of the site. However a condition is recommended below to ensure the 4 independent units are limited to Class E (g) use to maintain control over changes to potentially noisier activities and to ensure that sound levels are kept to a minimum and remain consistent with the rural location. For clarity Class E (g) is for –

- (i) *An office to carry out any operational or administrative functions,*
 - (ii) *the research and development of products or processes, or*
 - (iii) *any industrial process,*
- being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

In addition, a time limit on opening hours will be conditioned to ensure that residential amenity for the properties accessed from the local highway network are protected.

6.8 This proposals in particular supports, strengthens and diversifies the rural economy and would contribute to and protect the vitality and viability of existing commercial facilities. It is considered to be of an appropriate type and scale. In this regard, the principle of the proposal is supported by RA6 of the CS and policy B13 of the NDP.

6.9 Whilst the demolition of two of the metal modern barns is proposed, the replacement buildings will be timber clad on a brick plinth, which will be more in keeping with the traditional courtyard and in this sense is reflective of the setting of the listed farmhouse which is considered to be

enhanced. The timber barn to the east of the courtyard will be retained with minor enhancement works to ensure it is suitable for the proposed new use. The proposal is now considered to be a sensitive example of a barn conversion maintaining the original structure and character in compliance with Policy RA5.

- 6.10 Core Strategy Policy SC1 states that development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. It goes on to set out that existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected or that viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility.
- 6.11 A particular concern for locals and the Parish Council was the potential loss of the Hereford Community Farm, so as part of amendments the applicant has responded to this and the amended site plan now identifies the land and building to the west under the applicants' ownership (and importantly within the area approved for the use under Planning Permission P160280/F) being retained for this purpose.
- 6.12 This allows the existing Hereford Community Farm to be retained onsite and whilst the current building to the east of these proposals is a temporary building (mobile unit) that is becoming unfit for purpose, the 2016 permission (P161280) provided planning permission across the site to the west of this proposal for the use of the land for the purposes of the Community Farm such that the use can be relocated. This will provide an enhancement and continuity to the existing facilities for the Community Farm and overcome the concerns raised in regards to the loss of the community facility. A condition to ensure retention and relocation of the Community Farm prior to first use of these units will be imposed, ensuring the proposal is in accordance with Core Strategy policy SC1.

Heritage

- 6.13 Chapter 16 of the NPPF discusses the requirements to maintain heritage assets, and that they should be conserved in a manner appropriate to their significance.
- 6.14 Core Strategy Policy LD4 mirrors the NPPF, in that it states that heritage assets should be protected, conserved and where possible enhanced, emphasising the original form and function where possible. Development proposals should seek the retention and repair of heritage assets.
- 6.15 This proposal seeks to retain the barn on the eastern side of the courtyard. Following a number of amendments and alterations to the proposed works to the barn, to ensure all existing fabric of historic significance can be retained, the applications have the support of the Building Conservation Officer. Furthermore changes have been made to the car parking layout to better preserve the overall setting of the listed building. The scheme now presented is supportable from a heritage perspective.
- 6.16 It is acknowledged that in order to execute the conversion there will inevitably be a degree of repair which will be required, and as this level of detail has not been provided with this application it will need to be detailed in a comprehensive Timber-Frame Repair Schedule, to be submitted and approved by way of condition.
- 6.17 In addition, the presence of a number of historic features associated with the barn's former agricultural function have not been recorded on the 'as existing' or 'as proposed' drawings, and as these will need to be retained and incorporated into the conversion scheme, a schedule detailing their retention and re-use will be required and will be secured by condition.
- 6.18 Overall, the requirements to preserve special architectural and historic interest and setting, as set out Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, are now

satisfied, and the proposal complies with Core Strategy policy LD4 and the associated section of the NPPF

Highways

- 6.19 Policy MT1 of the CS and NPPF policies require development proposals to give genuine choice as regards movement. NPPF paragraph 108 requires local planning authorities to facilitate the use of sustainable modes of transport and paragraph 110 refers to the need to ensure developments generating significant amounts of movement should take account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where 'the residual cumulative impacts of development are severe.'(NPPF para. 111).
- 6.20 The proposal is considered to provide sufficient parking (50 spaces on a gravel area) and turning to the east of the barns ensuring that there will be no parking on the roadside. This parking will include accessible spaces, electric vehicle charging points and cycle parking provision is also made. It is acknowledged that there may be some increased car journeys to access the shop/cafe and businesses however, this would be somewhat offset by the number of journeys made by local people to access shops and employment in Hereford as there is no current facilities within the locality.
- 6.21 The Transport Statement supplied with the application has been considered by the Area Engineer Team Leader, who notes the comments made by the Parish Council and objectors and has stated that the trip generation figures used are those derived using the industry standard database of traffic surveys and are therefore considered to be as accurate a prediction as is possible.
- 6.22 The Area Engineer Team Leader has stated that whilst noting some traffic will approach the site from the west, it is likely that the majority of traffic will come from the east which is the most populated area. In addition, this route has limited single track lanes, in comparison to the route to the west and therefore the proposed passing bays are considered acceptable, with no objections raised from Highways in regards to highway safety. Therefore, the proposal complies with CS policy MT1 and the NPPF.

Drainage/Habitat Regulations

- 6.23 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).
- 6.24 The proposal is to manage surface flow removing the existing hardstanding surfaces, and replacing with permeable surfaces across the site with controlled discharge to an existing clean surface water attenuation pond with a managed overflow discharge to local watercourse. In addition, there is no overall increase in the roof area and therefore no increase in surface water from the development as proposed.
- 6.25 Foul water flows are proposed to be managed through the installation of a new package treatment plant with discharge to a horizontal flow reed bed (constructed wetland) to provide tertiary treatment prior to discharging to the existing clean surface water attenuation pond. Percolation tests submitted demonstrated the poor percolation conditions of the soil on and around site, which

Further information on the subject of this report is available from Mrs G Webster on 01432 261803

make a discharge to ground not technically achievable. Therefore, the discharge of foul water outfall to the clean surface water attenuation pond provides the greatest ecological benefit achievable. Further details are required through condition for the detailed design and drawings of the proposed foul and surface water system.

- 6.26 The supplied Construction Environment Management Plan (CEMP), when implemented alongside the ecological working methods in supplied ecology reports is considered sufficient to ensure there are no unmitigated effects from the construction process on the River Wye Special Area of Conservation (SAC). A condition to secure implementation is recommended. It is noted that the HRA process for this application has been completed and that Natural England has raised no objection to the application.
- 6.27 With no 'effects' on the integrity of the River Wye SAC being identified for this project; and no additional mitigation measures outside of those embedded within the application being required or proposed it is appropriate to consider that this application can be 'screened out' from requiring any further detailed appropriate assessment.
- 6.28 The land drainage consultants have no objections to the proposals, subject to conditions and as such the proposal is considered to comply with CS Policies SD3 and SD4.

Ecology

- 6.29 Policies LD2 and LD3 of the Core Strategy are applicable in relation to ecology and the impact on trees. These state that development proposals should conserve, restore and enhance the biodiversity and geodiversity asset of the County and protect, manage and plan for the preservation of existing and delivery of new green infrastructure.
- 6.30 The application is accompanied by an Ecological Assessment and Bat Survey. The Council's Ecologist has reviewed this and is content with the findings and recommendations, subject to these being conditioned on any approval.
- 6.31 From available data and information there is no reason to consider that the proposed development will have any significant effect on local protected species populations and other wildlife subject to the 'intrinsically dark landscape that benefits local amenity and nature conservation' is concerned. It is considered that this can be mitigated and maintained through the use of a condition to ensure all external lighting is minimised and designed with wildlife and dark skies considered.
- 6.32 The proposal is found to comply with the aims of policies LD2, LD3, SD3 and SD4 and all reasonable and responsible measures have been taken such so as to ensure the Council's legal duty of care has been exercised.

Landscape impacts

- 6.33 The site is not located with a designated landscape but the locality undoubtedly represents an attractive landscape context and setting for the site and it is recognised that any intensification of use and hard landscaping can impact upon this. There are trees and soft landscaping proposed on the site plans and a detailed landscaping scheme can be conditioned to ensure the most site appropriate trees and shrubs are provided and to ensure mitigation against the increased use of the site.
- 6.34 Whilst no objections are raised by the Landscape Officer, it is noted that a query as to the amended location of the car park being closer to the southern boundary with the hedgerow has been raised. On this point, it is advised that a balance has been sought between landscape impacts and the desire to reduce the impact of development upon the setting of the listed building. A condition ensuring the protection of the hedgerow during construction is recommended below and in addition to the proposed planting it is considered that the proposed car parking will not

have an adverse impact upon the overall character of the lane nor the rural setting in accordance with Core Strategy policy LD1.

Conclusion

- 6.35 Overall the proposal will provide for an appropriately scaled rural diversification and also a positive re-use of buildings facility within the Parish, offering a shop and other facilities, helping to improve the sustainability of the locality. Although some additional car journeys will be made to access the shop this will, in part at least, be offset by the movements reduced for local people travelling further afield to shop. In addition, it will provide the opportunity for further local employment through the small scale units. The concerns about traffic generation are acknowledged but not born out in terms of technical advice from the Area Engineer Team Leader and in the overall balance to economic, social and environmental benefits arising are considered to outweigh any harm identified. The viable use of the farm buildings is a matter that should be afforded great weight and furthermore the updated application makes clear the intention to retain the community farm use alongside the proposed uses thus continuing to promote social progress with uses that will compliment this existing activity.
- 6.36 The proposal will reuse a rural building, maintaining its upkeep without significantly altering its appearance, and ensuring the setting of the listed building is protected.
- 6.37 Officers have carefully considered the matters representations raised in response to publicity of this application and the applicants have sought to address technical issues and concerns during the process. Officers are mindful of the lack of technical objections from internal and statutory consultees and following assessment and consideration conclude that the proposal is compliant with the policies of the Development Plan and consider that there are no material planning considerations or issues that would lead to a conclusion that planning permission should not be granted.
- 6.38 In assessing the three indivisible dimensions of sustainable development as set out in the CS and NPPF, officers are of the opinion that the scheme is representative of sustainable development. The scheme will bring forward 4 small business units, a café and farm shop along with the associated economic and social benefits that farm diversification schemes in rural settlements support.

RECOMMENDATION

204242/F

That planning permission be granted subject to the following 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 approved plans [drawing nos. 2011/P/05E; 2011/P/04E; 2011/P/04E; 2011/P/01N; 2011/P/07A; 2011/P/08A; SK01 Rev A], 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. **With the exception of any site clearance and groundwork, no further development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

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 43 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 and the National Planning Policy Framework.

5. **Any new access gates/doors shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards only.**

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. **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.

7. **Prior to the first use of the units hereby approved an area shall be laid out within the curtilage of the site for the parking and turning of 50 cars which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.**

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

8. **Development shall not begin in relation to any of the specified highways works until details of the passing bays as per CTP drawing SK01 Rev A have been submitted to and approved by the local planning authority in writing following the completion of the technical approval process by the local highway authority. The development shall not be occupied until the scheme has 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 Plan and the National Planning Policy Framework.

- 9. Prior to first use of the development hereby approved, full details of the relocation and siting of the Hereford Community Farm use and any associated structures shall be submitted and approved by the local planning authority.**

Reason: To ensure retention of an important local community facility in order to conform with policy SC1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 10. The CEMP by Nick Carroll Architects and the ecological working methods in the ecology reports by Naturally Wild and HEC shall be implemented in full 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 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.

- 11. Unless otherwise approved in writing by the planning authority, all foul water created by any development permitted under this permission shall discharge through connection to a new private foul water system (Package Treatment Plant) discharging to a 15x20m Reed bed and then to the clean surface water attenuation pond located on land under the applicant's control, as shown in Figure 4 f the surface water management scheme statement Rev B by Nick Carroll Architects dated May 2022.**

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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD4.

- 12. Unless otherwise approved in writing by the planning authority, all surface water from the development permitted under this planning permission shall discharge through a 'clean surface water' attenuation pond with managed overflow to local watercourse as detailed in supplied surface water management scheme statement Rev B by Nick Carroll Architects dated May 2022.**

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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2 and SD3.

- 13. The ecological protection, mitigation, compensation and working methods scheme including any required Protected Species Licence (Bats), as recommended in the ecology report by Naturally Wild dated September 2020 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 that all species are protected and habitats enhanced 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 and LD2.

- 14. Prior to first use of any part of the development works approved under this planning decision notice, evidence of the suitably placed installation within the site boundary or on other land under the applicant's control of 'permanent' Bat roosting, bird nesting, hedgehog home and pollinating insect breeding enhancements, should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. All tree and shrub planting associated with the development must only consist of locally characteristic, native species.**

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.

- 15. At no time shall any external lighting except in relation to safe use of the approved or existing buildings 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.

- 16. Prior to completion of the approved development, 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.

- 17. Before the development is first brought into use, a schedule of landscape maintenance for a period of five (5) years shall be submitted to and approved in**

writing by the local planning authority. Maintenance shall be carried out in accordance with this approved schedule.

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

18. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

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

19. Prior to the occupation of the development details of the proposed foul and surface water drainage design/construction plans (to include cross sections, where needed; cover levels; invert levels; pipe diameters; manhole) 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 Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

20. The café/farm shop hereby permitted shall not be open to customers outside the hours of 09:00 and 18:00 Monday to Sunday, and the Office units hereby permitted shall not be in use outside of the hours 08:00 and 18:00 Monday to Friday.

Reason: In the interests of the amenities of existing residential property in the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

21. The premises (units 1-4) shall be used for Class E (g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

22. The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. Application Approved Following Revisions

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

2. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps; some sewers 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 us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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

3. Any waste produced as part of this development must be disposed of in accordance with all relevant waste management legislation. Where possible the production of waste from the development should be minimised and options for the reuse or recycling of any waste produced should be utilised. Use of waste on the site will also require suitable authorisation issued by the Environmental Agency in accordance with the Environmental Permit Regulations (England and Wales 2010).

204243/L

That Listed Building Consent be granted subject to the following conditions:

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 approved plans [drawing nos. 2011/P/05E; 2011/P/04E; 2011/P/04E; 2011/P/01N; 2011/P/07A; 2011/P/08A; SK01 Rev A], 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. With the exception of any site clearance and groundwork, no further development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 4. Notwithstanding details on drawing no.'s 2011/P/04E and 2011/P/05E consent is not granted for the removal of the timber feed trough and stone cobble/brickwork flooring; before work begins in relation to any of those specified features, a schedule showing their retention/re-use 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 ensure that special regard is paid to specific architectural features or fixtures and to ensure the fabric is protected from damage during the course of works under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 5. Before work begins in relation to the specified features drawings to a scale of 1:20 fully detailing the following new features 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.**

- New gates/infill treatment between existing stone entrance walls (west of barn);**
- New gates for stone wall (north of new build range);**

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

- 6. No demolition works shall begin until details and the methodology to secure the safety and stability of those parts of the building to be retained are submitted to and approved in writing with the Local Planning Authority. The works are to be carried out fully in accordance with the approved methodology and details. The methodology and details shall include:**

- Strengthening any wall or vertical surface;**
- Support for any floor, roof or horizontal surface, and provision of protection for the building against the weather;**

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning

(Listed Buildings and Conservation Areas) Act 1990 and in accordance with policy LD4 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

- 7. No development approved by this permission shall commence until a Level 2 Survey, as defined in Historic England's guidance 'Understanding Historic Buildings: A Guide to Good Recording Practice' of the building has been submitted to and approved in writing by the Local Planning Authority. A copy of the approved record survey shall be submitted to the Herefordshire Historic Environment Record within 1 month of approval.**

Reason: This information is required before development commences to record the historic fabric of the building prior to development in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 8. Before any works in relation to the materials specified below begins, details of the following construction materials shall be submitted to and approved in writing by the Local Planning Authority:**

- Sample/s of the type of roofing material proposed;**
- Treatment of gables, verges, eaves, ridges, barge boards and so forth;**
- Means of ventilating the roof;**

And as shown on drawings to a scale of 1:10 or 1:5 as applicable.

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 the National Planning Policy Framework.

- 9. No works in relation to any of the features specified below shall commence until a sample panel of all new facing stonework is provided on site at a minimum size of 1m x 1m and showing the proposed –**

- Stone types, sizes, colour, texture, face-bond, mortar mix, joint thickness and finish profile.**

Confirmation of the materials and methods shall be approved in writing with the Local Planning Authority and carried out accordingly. The approved sample panel(s) shall be retained on site until the work is completed.

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

- 10. No pointing or repointing of existing brickwork or stonework shall commence until a drawing identifying the affected areas, details of the method of removing the existing**

mortar and details and samples of the new mortar mix and joint finish have been submitted to, inspected and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

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

11. Before work begins to provide new window or door openings, precise details of the materials and form of the heads and sills of the new window and door openings in relation to surrounding historic timberwork, at a scale of 1:5, should 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, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. No joinery works (metal or timber) shall commence until precise details of all external windows and doors and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- 1:5 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;
- Colour Scheme/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, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. The roof windows shall be of the traditional low profile metal pattern and details at 1:5 shall be submitted to and approved in writing by the Local Planning Authority before commencement of relevant works. 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, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. Details of the proposed external decorative finishes and colour scheme shall be submitted to and approved in writing by the Local Planning Authority before commencement of relevant decoration works. 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, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. Details of the material, sectional profile, fixings and colour scheme for Rainwater goods (gutters, downpipes, hopper-heads and soil pipes) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of this element of works. The development 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 the National Planning Policy Framework.

16. Before the relevant section of work begins, the following details about the cladding of the external walls shall be submitted to and approved in writing by the Local Planning Authority:

- Window/door openings/corner details/base of walls at a scale of 1:5.

The development 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 the National Planning Policy Framework.

17. Prior to commencement of works to the timber frame, a fully detailed scheme of timber frame repairs shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- Method statement, having regard to the structural integrity of the frame;
- Plans, sections and elevations at a scale of not less than 1:50 showing full details of the components to be repaired or replaced with the location of new timber cross referenced with separate detail drawings at 1:5 or 1:10 scale of the type of jointing used;
- Details of treatment of infill panels including those to be retained in-situ;
- Complete specification for replacement timbers and proposed methods of repair;
- Details of surface treatments or decorative finishes to be applied;

The works shall be completed 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, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

18. Unless otherwise agreed beforehand in writing by the local planning authority the existing fabric of the building shall be stabilised, maintained, repaired and adapted as approved in situ and the approved conversion scheme shall be carried out without

dismantling the timber frame (including the roof) or rebuilding the brickwork or masonry.

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

19. All routes for mechanical and electrical services and drainage shall be arranged to be visually unobtrusive and cause the minimum disturbance to historic fabric. Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant sections of works.

These shall include types, sizes and positions of soil and vent pipes, waste pipes, rainwater pipes, boiler flues and ventilation terminals, meter boxes, exterior cabling etc.

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, the National Planning Policy Framework and under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

20. A schedule of works shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. No work shall be carried out other than in accordance with the approved schedule. All existing fabric and features shall be retained in situ unless it is specifically shown on the approved plans that they are to be removed.

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

21. Details including a specification, scale drawings and dew-point analysis of new heat insulation is to be submitted to and approved in writing prior to the commencement of the relevant section of works. 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 and the National Planning Policy Framework.

INFORMATIVES:

1. 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 removal of fabric, 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.

2. **THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL** under the Building Regulations 2010. The works may also require Building Regulations approval.

In relation to energy efficiency and thermal upgrades, Approved Document Part L1B states,

'Work to a dwelling in paragraph 0.8 must comply with the energy efficiency requirements where this would not unacceptably alter the dwelling's character or appearance. The work should comply with standards in this approved document to the extent that it is reasonably practicable.'* And,

'...energy efficiency...should be improved only if doing so will not cause long-term deterioration of the building's fabric or fittings. In particular, this applies to historic and traditional buildings with a vapour permeable construction that both absorbs moisture and readily allows moisture to evaporate.'

Additional guidance on appropriate materials and specifications can be found online in the following document:

Energy Efficiency and Historic Buildings - Application of Part L of the Building Regulations to historic and traditionally constructed buildings; Historic England, 2015.

3. During the works, if hidden historic features are revealed they should be retained in-situ. Works shall be halted in the relevant area of the building, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be submitted in writing to the Local Planning Authority to determine if Listed Building Consent is required. Failure to do so may result in unauthorised works being carried out and an offence being committed.

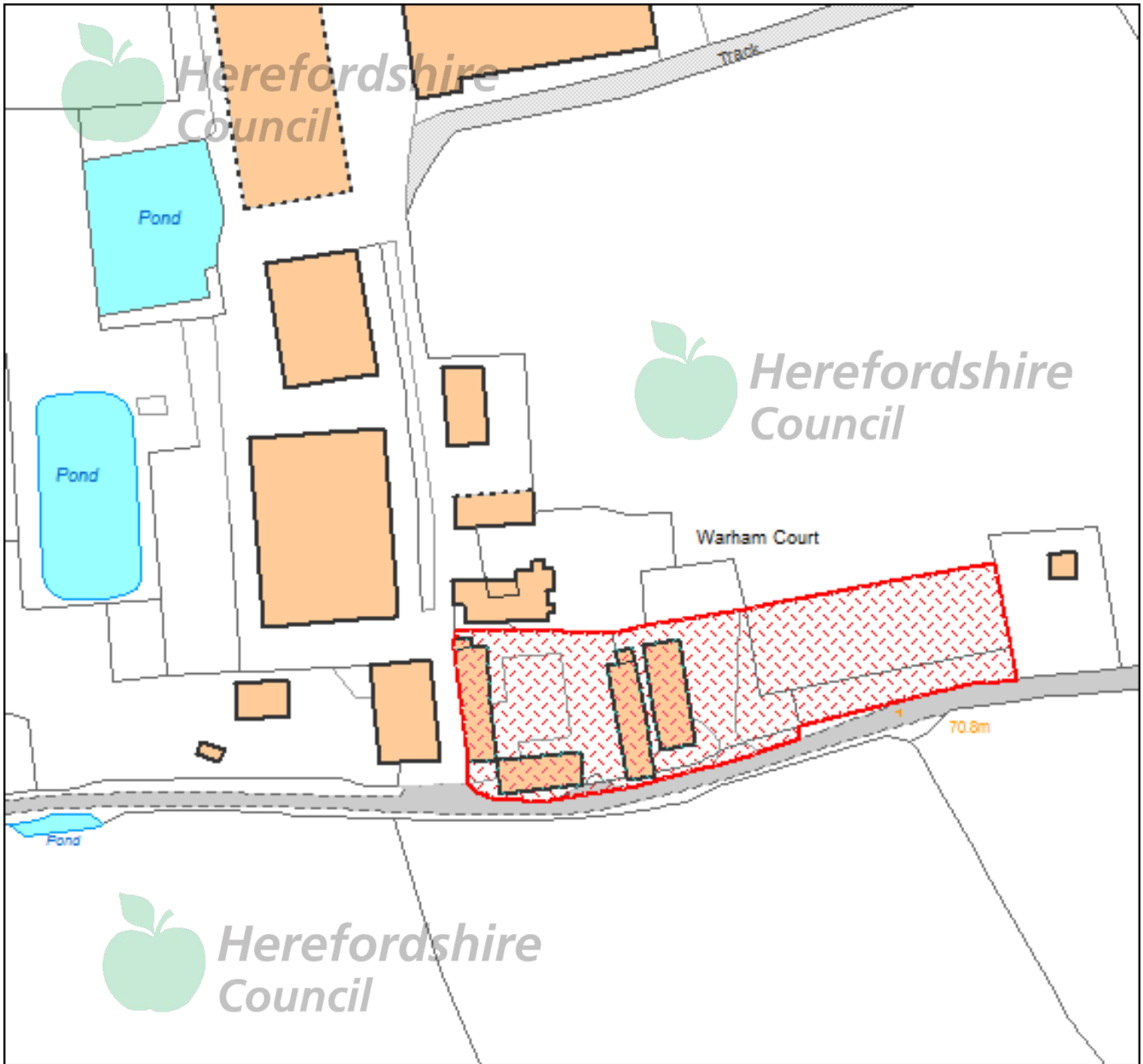
Decision:

Notes:

.....

Background Papers

None identified.



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

APPLICATION NO: 204242 & 204243

SITE ADDRESS : WARHAM COURT FARM, BREINTON, HEREFORD, HEREFORDSHIRE, HR4 7PF

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 Mrs G Webster on 01432 261803