

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	13th MARCH 2024
TITLE OF REPORT:	240148 - PROPOSED REPLACEMENT OF EXISTING REAR CONSERVATORY AND TERRACE WITH A LARGER SINGLE STOREY EXTENSION AND TERRACE. AT THE PILGRIM HOTEL, MUCH BIRCH, HEREFORD, HR2 8HJ For: Mr Fisk per Mr V Fisk, The Pilgrim Hotel, Much Birch, Hereford, Herefordshire HR2 8HJ
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240148&search-term=240148
Reason Application submitted to Committee – Staff Relation application	

Date Received: 17 January 2024

Ward: Birch

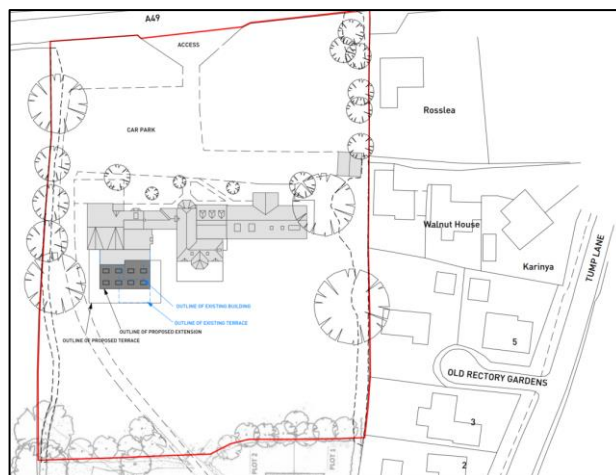
Grid Ref: 350005,230835

Expiry Date: 18 March 2024

Local Members: Cllr Toni Fagan

1. Site Description and Proposal

- 1.1 The application site relates to The Pilgrim Hotel which is located immediately south of the A49 within the village of Much Birch. The site is understood to have been converted to a hotel in the 1970's and has been used for that purpose consistently since. There is a large car park to the front with grounds to the rear.
- 1.2 The proposal is for the removal of the existing rear conservatory and its replacement with a larger single storey extension and terrace.



Proposed Block Plan

Further information on the subject of this report is available from Ms Laura Smith on 01432 383244

2. Policies

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

SS1	-	Presumption in favour of sustainable development
SS5	-	Employment provision
RA3	-	Herefordshire's countryside
RA6	-	Rural economy
SC1	-	Social and community facilities
MT1	-	Traffic Management, highway safety and promoting active travel
E1	-	Employment provision
E2	-	Redevelopment of existing employment land and buildings
E4	-	Tourism
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
SD1	-	Sustainable Design and energy efficiency

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

2.2 Much Birch Neighbourhood Development Plan (MBNDP)

The Much Birch Neighbourhood Development Plan was made on 7 June 2021. It now forms part of the Development Plan for Herefordshire.

MB1 – Promoting Sustainable Development
MB2 – Conserving the landscape and the Natural Environment
MB10 – Housing design and appearance
MB13 – Protecting and enhancement of community facilities
MB15 – Rural enterprises, diversification and tourism

2.3 National Planning Policy Framework (NPPF)

Chapter 2 – Achieving sustainable development
Chapter 4 – Decision making
Chapter 6 – Building a strong, competitive economy
Chapter 9 – Promoting sustainable transport
Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed and beautiful places

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

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

2.5 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision, highways safety and safeguarding features of environmental value (amongst others) – have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

3. Planning History

3.1 **DS054010/F:** Single storey restaurant extension to rear of existing hotel. Approved with conditions.

DS061885/F: Conversion of roof space to managers flat. Approved with conditions.

DS063537/F: Erection of 8.no single storey hotel accommodation suites. Withdrawn.

DS080338/F: Erection of 4.no single storey hotel accommodation suites. Approved with conditions.

4. Consultation Summary

4.1 Statutory Consultations

4.2 **National Highways**

Referring to the consultation on a planning application dated 26th January 2024 referenced above, in the vicinity of the A49 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we: a) offer no objection

4.3 Internal Council Consultations

4.4 **Area Engineer Team Leader**

The proposed development is at the rear of the site and appears to have plentiful parking. Therefore, the proposal is unlikely to have a material impact on the surrounding highway. As such, the Local Highway Authority has no objections to this application.

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

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

4.5 **Principal Natural Environment Officer (Ecology)**

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

From information supplied and available to the LPA this 'exemption' would be applicable in respect of this current application and the Rive Wye SAC as no new units of residential/overnight accommodation are proposed and any additional foul water flows due to increased use of facilities are considered to be within the existing commercial operations of the existing hotel

Other ecology comments

From supplied and available information the LPA has sufficient information to consider that the development will not have a detrimental effect on the local population of protected species (eg bats) subject to condition to ensure no disturbance on local populations due to additional lighting

is included on any permission granted. An informative to remind the applicant of their and their contractors' obligations to wildlife protection during demolition and construction is suggested.

4.6 **Environmental Health Officer (Noise/Nuisance)**

Comments are made from a nuisance perspective. No objections

4.7 **Environmental Health Officer (Contaminated Land)**

I refer to the above application and would make the following comments in relation to contaminated land and human health issues only. I've no comments to make

5. **Representations**

5.1 **Much Birch Parish Council** - Much Birch Parish Council are in support of the proposed conservatory replacement at the Pilgrim Hotel as detailed in the application

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=240148&search-term=240148

6. **Officer's Appraisal**

Policy context and Principle of Development

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:
"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Much Birch Neighbourhood Area, which published a made Neighbourhood Development Plan (MBNDP) on 7 June 2021.
- 6.3 Policy SS5 of the Herefordshire Core Strategy (CS) states that the continuing development of the more traditional employment sectors such as farming and food and drink manufacturing will be supported. The diversification of the business base, through the development of knowledge intensive industries, environmental technologies and creative industries as well as business hubs, live-work schemes and the adaptive design of residential development, will be facilitated where they do not have an adverse impact on the community or local environment.
- 6.4 CS Policy RA6 states that employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:
- 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 in rural areas, such as village shops, petrol filling stations, garden centres and public houses;
 - involve the small scale extension of existing businesses;
 - promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;

- promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;
- support the retention of existing military sites;
- support the retention and/ or diversification of existing agricultural businesses;

- 6.5 CS Policy E4 states that Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county's unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including, the development of sustainable tourism opportunities, capitalising on assets such as the county's landscape, rivers, other waterways and attractive rural settlements, where there is no detrimental impact on the county's varied natural and heritage assets or on the overall character and quality of the environment. Particular regard will be had to conserving the landscape and scenic beauty in the Areas of Outstanding Natural Beauty. Also where they retain and enhance existing, and encouraging new, accommodation and attractions throughout the county, which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying overnight. In particular proposals for new hotels in Hereford will be encouraged.
- 6.6 CS policies SD1 and LD1 states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, proportions and massing of surrounding development. The proposal should also safeguard the amenity of existing and proposed residents in terms of overlooking, overshadowing and overbearing. LD1 requires that the character of the landscape/townscape has positively influenced the design and scale of development, amongst other matters. These policies accord with the National Planning Policy Framework (NPPF), with regards good design and ensuring a high standard of amenity for existing and future occupiers.
- 6.7 Policy MB13 of the MBNDP seeks to safeguard community facilities and supports proposals which fit with the rural setting and do not create unacceptable noise. Policy MB15 also supports proposals to expand existing businesses and the development of tourism related businesses, where they are suitable in terms of scale and character.

Design and Visual Impact

- 6.8 The proposal will replace an existing conservatory on site with a new rear single storey extension to accommodate additional dining space for the restaurant, subsequently freeing up space within the existing bar area to provide a more relaxed lounge area for customers. The existing conservatory will be demolished and the single storey extension will extend from the rear elevation to the south-west of the site. The extension will have a contemporary design with walls comprising timber cladding under a flat roof and wide window openings, similar to what exists currently, maximising the view to the rear. The proposal also entails an extension of the existing terraced area which will surround the new extension with a glass balustrade. The hotel has had several later additions namely to each side elevation from what was the original building, a contemporary designed rear extension is not considered to cause an adverse visual impact and is considered to harmonise with the building and wider site.



Proposed Elevation

Residential amenity

- 6.9 The extension will have an overall ridge height of 3 metres width of 14.1m and length of 12.6m resulting in approximately 88sqm of internal space. The roof will have a slight overhang to each side creating a small undercover space. It is noted the dwellings to the rear of the site which are currently under construction would be considered most impacted by the proposals however given the relative distance of over 50 metres, along with the established use and the small scale nature of the proposal this is not considered to cause any adverse impact to residential amenity in accordance with CS policy SD1.

Highway impacts

- 6.10 The Area Engineer Team Leader and National Highways have been consulted on this application and both provide a no objection response. The extension is not considered to alter any parking provision on site with plentiful spaces available nor will it adversely impact access to and from the site with good visibility from the main entrance to the A49.

Noise/contamination risks

- 6.11 The Environmental Health team have been consulted in regard to noise, nuisance and contaminated land and offer no objection to the scheme and it is considered that enhancing the current use will not result in any unacceptable additional noise impacts.

Biodiversity

- 6.12 The proposal will not create any additional, potentially self-contained residential accommodation, new holiday accommodation or identified significant additional foul water flows and no other effects are identified. As such the Ecologist has confirmed that there are no triggers requiring a formal Habitat Regulations Assessment process.
- 6.13 It is also not considered that the development will have a detrimental effect on the local population of protected species and an informative note is recommended below to remind the applicant and their contractors of their obligations to wildlife protection.

Conclusion

- 6.14 The Pilgrim Hotel is an important venue for local residents and provides wider tourism and associated economic benefits and a range of local employment opportunities. The extension is not considered to cause any adverse visual impacts or to unacceptably affect the residential

amenity of neighbouring properties. The proposed development will allow the business to grow whilst harmonising with its existing setting and is therefore recommended for approval subject to the conditions stated below. Officers would conclude that the proposal complies with the requirements of the Development Plan policies .

RECOMMENDATION

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

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

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

2. **Development in accordance with approved plans and materials**

The development hereby approved shall be carried out strictly in accordance with the approved plans (drawing nos. 024-001_007, 024-001_05) and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
2. **The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special “protected species” such as Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.**

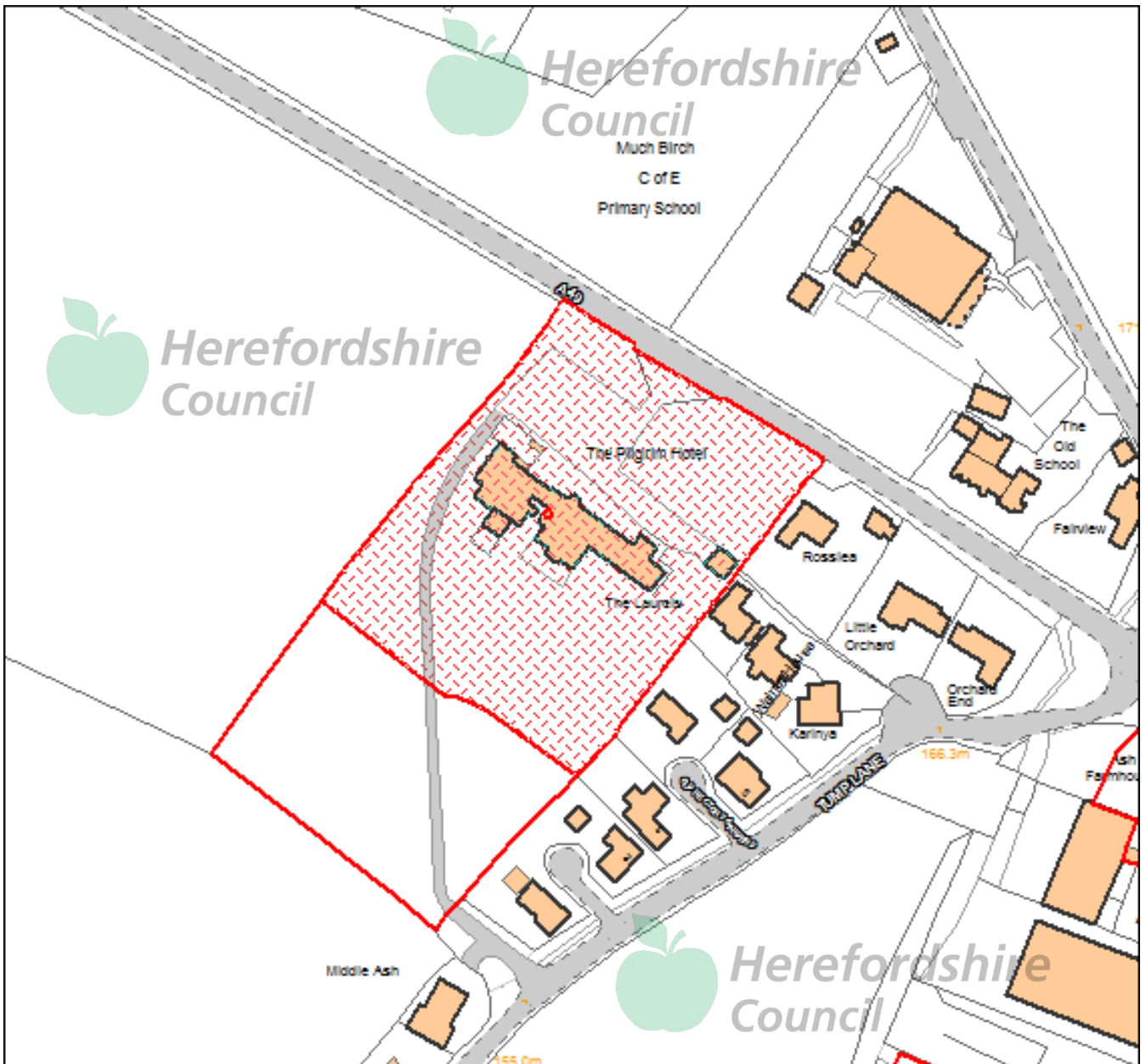
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 240148

SITE ADDRESS : THE PILGRIM HOTEL, MUCH BIRCH, HERFORD, HEREFORDSHIRE, HR2 8HJ

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Further information on the subject of this report is available from Ms Laura Smith on 01432 383244