

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	17 JULY 2024
TITLE OF REPORT:	<p>230385F and 230286L - PROPOSED RENOVATION AND ADAPTATION OF THE EXISTING HEREFORD MUSEUM AND LIBRARY TO BECOME A DEDICATED AND ENHANCED FACILITY FOR HEREFORDSHIRE MUSEUM SERVICE AND VIABLE FOR THE FUTURE. THIS WOULD COMPRISE A MUSEUM, EDUCATION SPACE, GALLERIES, CAFE, AND STAFF FACILITIES. AT MUSEUM, HEREFORD LIBRARY, BROAD STREET, HEREFORD, HEREFORDSHIRE, HR4 9AU</p> <p>For: Mr Allonby per Mr Paul Neep, Upper Twyford, Twyford, Hereford, Herefordshire HR2 8AD</p>
WEBSITE LINK:	https://myaccount.herefordshire.gov.uk/documents?id=e92c62e6-ac7a-11ed-9067-005056ab11cd
Reason Application submitted to Committee - Council Owned Land/Building	

Date Received: 6 February 2023

Ward: Central

Grid Ref: 350895,239841

Expiry Date: 19 July 2024

Local Member: Cllr Catherine Gennard

1. Site Description and Proposal

- 1.1 The applications seek both full planning permission and listed building consent for renovation and improvements to the Hereford Museum and Art Gallery in Hereford to refurbish and renew the Hereford Museum and Art Gallery to become a dedicated and enhanced facility for Herefordshire Museum Service. The proposed works consist of a museum, education space, galleries, cafe, and staff facilities.
- 1.2 The site is located as part of a terrace of retail and commercial units within a prominent position on Broad Street within the city of Hereford. The host building is an impressive and visually prominent building located on the west side of Broad Street close to and opposite Cathedral Close. The building covers the full depth of the plot from Broad Street through to Aubrey Street to the rear, the property is Grade II Listed and fronts the main road and pedestrian pavement. This can be seen within Figures 1 and Figures 2 overleaf.
- 1.3 The development is proposed by Hereford Council and this application will be supported through the Government's Stronger Towns' Fund as it was part of Hereford's successful bid for £22.4m to support 15 projects which all aim to create a greener, fairer city. It is also being supported by the Heritage Lottery Fund.

The application submission contains a range of supporting documentation:-

- Design and Access Statement
- Heritage Report
- Archaeology and Heritage Desk Based Assessment
- Bat Report
- Conservation Management Plan
- Structural Report
- Windows and Doors Report
- Visual Impact Assessment
- Ecology Checklist
- Climate Change Checklist
- Heritage Report
- Archaeological Observation
- Conservation Management Plan
- Response to Civic Society



Figure 1: Site location Plan

- 1.4 A brief architectural description of the library and museum can be found in Brooks' update of Pevsner's architectural guide on Herefordshire which states:

"Public Library and Museum, Broad Street. By F.R.Kempson 1872-1874. Of blue grey Pontypridd sandstone, narrow coursed, with golden Campden ashlar dressings. The style is 'Anglicised Venetian Gothic,' according to The Builder, 1875. Three Storeys. Ground

floor with five-bay arcade on Radyr stone piers; the two upper floors with windows arranged 2:3:2, trefoil-headed on the second floor...

Otherwise much dogtooth and other ornament, plus an astonishing array of fauna and flora... those of the ground-floor capitals represent Europe, Asia, Africa and America. Beasties even break out from the quatrefoiled parapet. The first-floor Woolhope room has two fireplaces with fine Godwin tiles in early Morris Style. The second-floor museum was originally top-lit. Rear extension by Groome & Bettington 1911-12...red brick, large segment-headed mullioned-and-transomed windows, linked by hoodmoulds." (Brooks & Pevsner 2012).

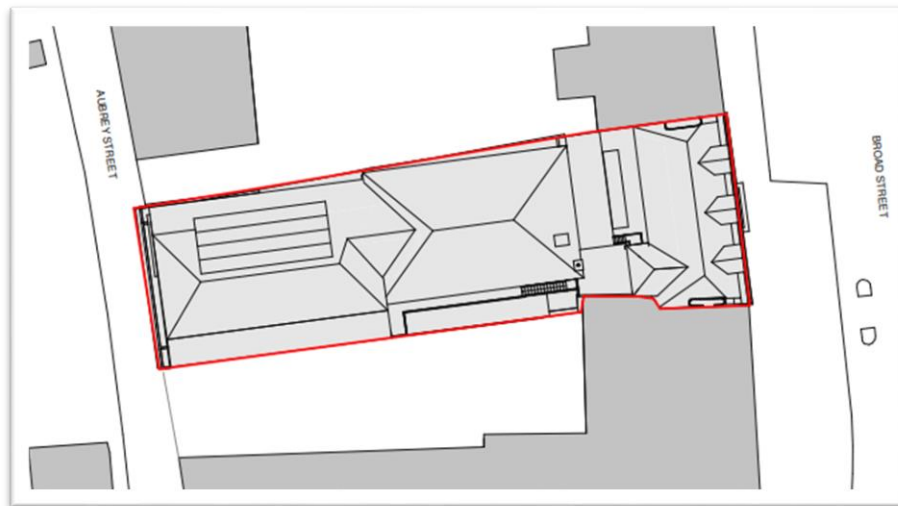


Figure 2: Block Plan

- 1.5 Hereford city is an 'Area of Archaeological importance' (AAI) based on evidence of continuity of occupancy from the 7th Century, much of which is deeply stratified, with well-preserved Saxon and medieval defences. The AAI was designated under the Ancient Monuments and Archaeological Areas Act (1979). The site also lies within the Hereford Conservation Area and the nearest scheduled monuments are the city walls, ramparts and ditch and Wye Bridge.
- 1.6 The host building is Grade II listed and this reflects its architectural interest of the building as an example of work of local architect FR Kempson and its historical interest that it was funded by Sir James Rankin and incorporates the reading room which has served as the home of the Woolhope Naturalists Field Club
- 1.7 The Museum falls into three main parts:
 1. The ornate architectural set piece of the Broad Street range, built in 1874 and designed to impress, and incorporating the Woolhope Club reading room;
 2. The 1874 gallery range designed on a more purely functional basis;
 3. The 1912 extension which is also more functional in character but is architecturally distinct and exemplifies the progression of architectural fashion that had taken place since the 1870s.
- 1.8 While all contribute to the architectural and historic interest of the listed building, the greatest significance lies in the original Broad Street range.
- 1.9 The Museum makes a positive contribution to the architectural and historic interest of the conservation area as an attractive part of Hereford's rich streetscape and roofscape, which in this instance is seen in the context of the Grade I listed Cathedral including in important views from the Cathedral tower roof.
- 1.10 The constraints notably influencing the determination of this application include:-

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

- Area of Archaeological Importance – Hereford City
- Grade I listed building – Hereford Cathedral (lying to the north-west)
- Hereford (Central) Conservation Area

1.11 The proposal is for both full planning permission and listed building consent. Please see below an overall of the proposal following submission of revised drawing and supporting documentation:

Basement:

- Front basement outside thermal envelope, not tanked, made good where required, existing walls retained, insulated at ceiling level, refuse store removed. Only light ventilation required to manage damp. Confirm services requirements and plant space.
- Only element of basement in thermal/airtightness envelope will be the stairs.
- Lift not taken down to basement, basement instead used for lift pit so no need to excavate (removing concern around unknown archeology).
- Rear basement changed from close controlled environmental space to storage/office environment. Existing wall and strong room door retained. Office moved internally and reduced in size.
- Aubrey Street stair significantly simplified, now has simple stair design, space to existing windows, no breakout spaces, a single vertical fire compartment line and reuses the existing Aubrey Street door opening instead of creating a new one and blocking in the previous.
- Goods lift reduced in size to simplify response to existing foundations and retention of heritage fabric.
- New floor design in middle exhibition space amended to allow for raised access floor to allow for potential encapsulation of asbestos.

Ground Floor

- Openings either side of entrance area reduced in height, roller shutters omitted and replaced with simple glazed wall and doors (not shown on new plan yet – under development).
- WC under stairs reduced in size to existing size (note not now sized as disabled wc – this can be found at first floor level).
- Historic Stair, note opening up works have found a steel stair structure of significant heritage quality, this will need a new approach to remove linings and expose.
- Breakout room from first floor moved to space previously shown as store.
- Exhibition 02 increased in size as a result of stair and goods lift re-design.
- The need for new structural columns to reinforce existing piers can now hopefully be avoided due a change to the structural strategy for the top floor,
- Secondary doors to lift changed to flush (hidden doors).
- Aubrey Street stair simplified, note as basement.
- Goods lift reduced in size, note as basement.
- Likely need to introduce 2 sets of doors on entrance to this space, first a secure, heritage type door and then a simple automatic glazed sliding door to enable better control of internal environment (and simplified services design).
- Door moved to align with middle arch of original 3 arch screens between rooms. Arch either side to be referenced in surface finish (ie slight recess).

First Floor

- WC, Staff Kitchenette and Changing Places WC re-planned to better respond to new window opened up, show heritage features, increase WC provision and experience.
- Top level of stone tracery window (currently blocked up), to be opened up to form window into Staff Kitchenette.
- Glazed screen added to door into toilet area (within size of existing window opening).
- Aubrey Street stair simplified, note as basement.
- Goods lift reduced in size, note as basement.

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

- Reduced window to stair core.

Second Floor – no changes proposed

Third Floor

- Store off central exhibition omitted, replaced with plant external plant space (note change of insulation line, this space will have a perforated corten screen to allow airflow but appear as part of the same elevation). Formation of door opening through historic fabric no longer required.
- Exhibition 04 increased in size as a result of stair and goods lift re-design.
- Secondary doors to lift changed to flush (hidden doors).
- Glazed screen adjacent door to rear stair omitted.
- Aubrey Street stair simplified, note as basement.
- Goods lift reduced in size, note as basement.
- Likely need to introduce 2 sets of doors on entrance to this space, first a secure, heritage type door and then a simple automatic glazed sliding door to enable better control of internal environment (and simplified services design).
- Reduced window to stair core.

Fourth Floor

- Reduced window to stair core.
- Plant space to south, see third floor note.

Fifth Floor

- Beacon relocated to be accessed from lower terrace, café and education space. Changed to unheated space within glazed box to reduce fabric cost as well as size and impact, whilst improving views out.
- Dormer designs simplified and reduced in number/rationalized in response to HBO comments.
- Education space rotated and increased in size, using large picture window dormer.
- WC's moved into new lift lobby area that can also be used as cloakroom for school groups or events.
- Aubrey Street stair simplified, note as basement.
- Goods lift reduced in size, note as basement.
- General Store changed to Cleaners Store off cafe

Roof Level:

- Beacon relocated to be accessed from lower terrace, café and education space. Changed to unheated space within glazed box to reduce fabric cost as well as size and impact, whilst improving views out.
- As new beacon design allows for maintenance access to flat roof and PV's, the roof access hatch can be omitted.
- Roof terrace increased in size as a result of relocating beacon (terrace design in abeyance until Landscape Architect appointment)
- Lift overrun roof element changed from corten to tiled
- Now PV area is more visible, proposed to change to simple low level sedum roof between pv's to enhance biodiversity / environmental element as well as make more visually attractive

Changes to elevations:

Key Changes:

- Beacon relocated to be accessed from lower terrace, café and education space. Changed to unheated space within glazed box to reduce fabric cost as well as size and impact, whilst improving views out.
- Dormer designs simplified and reduced in number/rationalized in response to HBO comments.

- Lift overrun roof element changed from corten to tiled.
- Solid balustrade with cut outs changed to lower solid element and glazed balustrade above to reduce impact and improve views for children and wheelchair users.
- New fish scale type tiles replaced with approach to re-use existing tiles where possible.
- Corten façade simplified in detail and perforated panel elements used for air flow to plant equipment and in front of some windows.
- Dark render and brick to low level replaced with light sand coloured render.
- Corten band around base of mansard roof replaced with extension of brick to cover ring beam.

1.12 To assist with visualization please see elevation drawings as submitted:

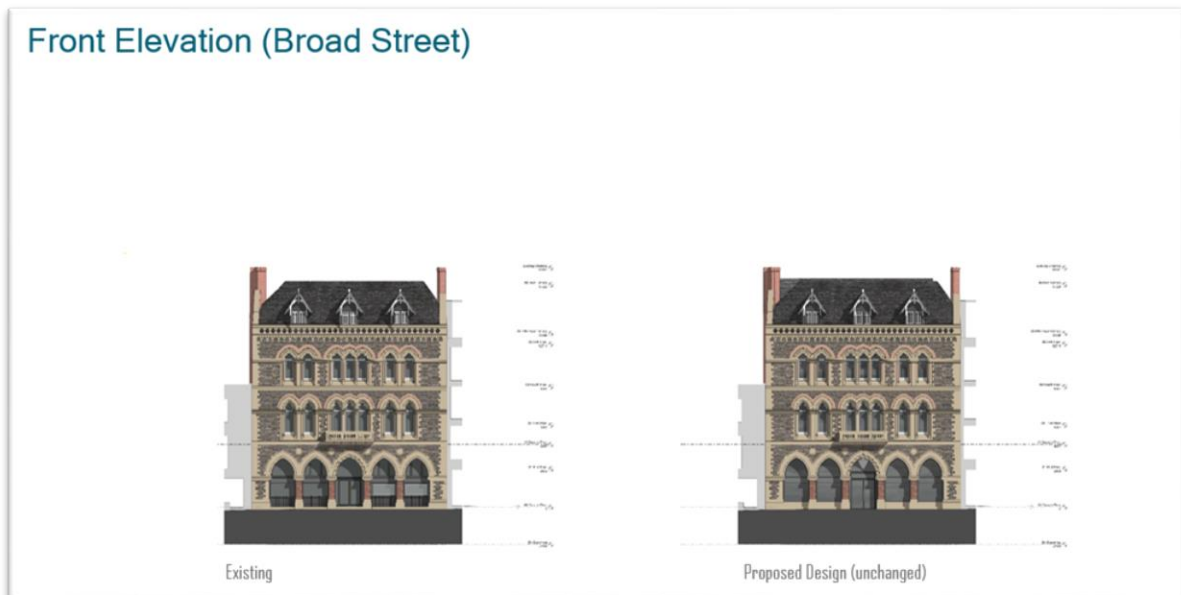


Figure 3 : Front Elevation



Figure 4 (South Elevation) above:

West Elevation (Aubrey Street)

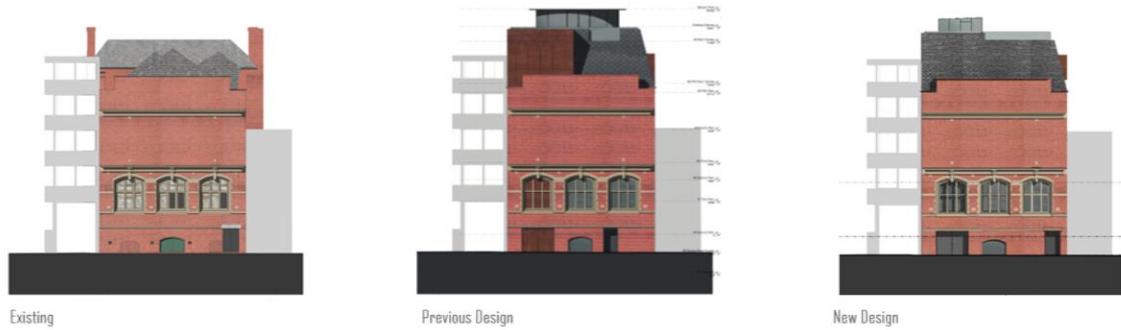


Figure 5: West Elevation

North Elevation



Figure 6: North Elevation

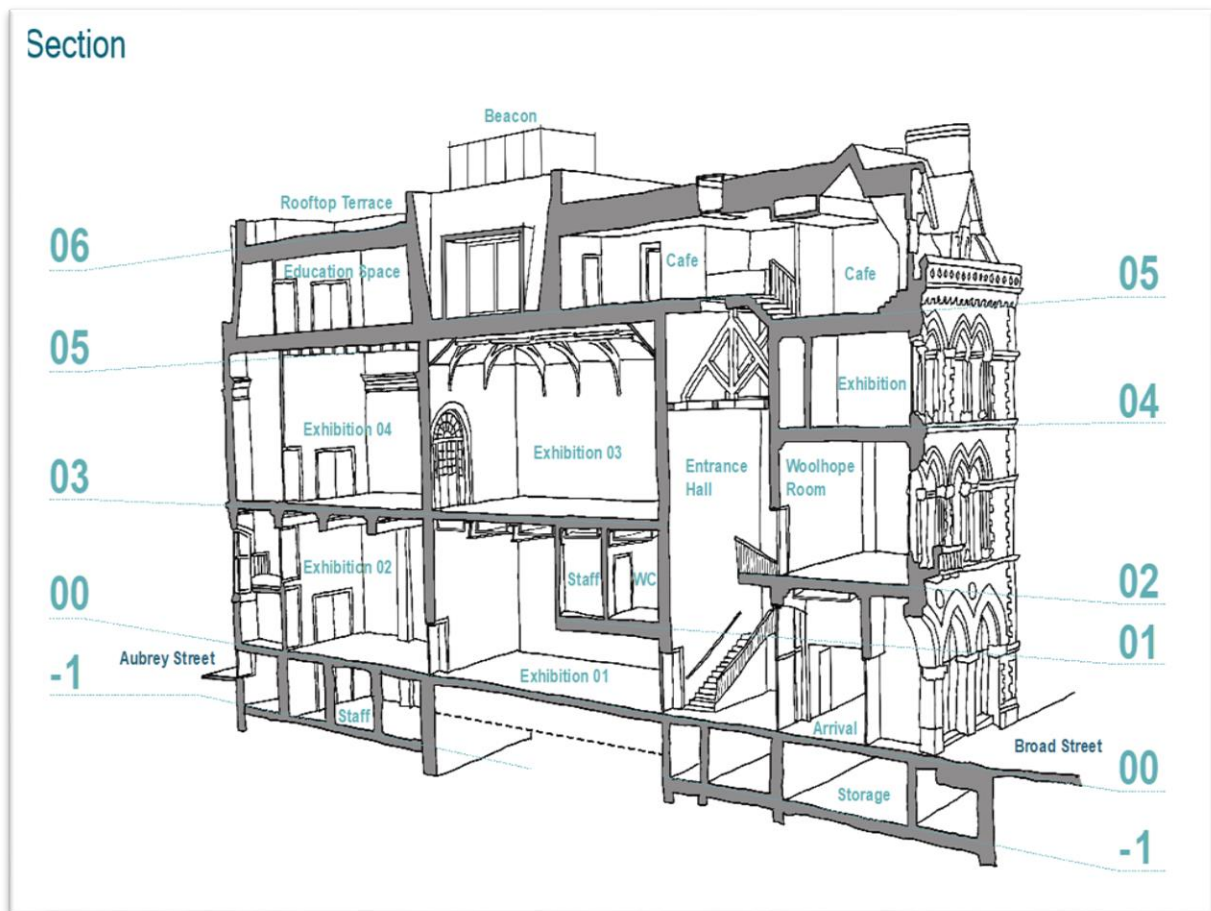


Figure 7: Section Drawing

- 1.13 In order to facilitate the creation of a dedicated museums and art gallery space the library provision is to be relocated to the Shire Hall.

2. Policies

Herefordshire Local Plan:Core Strategy

- SS1 – Presumption in favour of sustainable development
- SS6 – Environmental quality and local distinctiveness
- SS7 – Addressing climate change
- HD1 – Hereford
- HD2 – Hereford city centre
- SC1 – Social and community facilities
- LD1 – Landscape and townscape
- LD2 – Biodiversity and geodiversity
- LD3 – Green Infrastructure
- LD4 – Historic environment and heritage assets
- SD1 – Sustainable design and energy efficiency
- SD3 – Sustainable water management and water resources
- SD4 – Waste water treatment and river water quality
- MT1 – Traffic management, highway safety and promoting active travel

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and paragraph 33 of the NPPF require 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

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

Strategy was adopted on 15th October 2015 and a review was required to be completed before 15th 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 relevant policies have been reviewed, are considered consistent with the NPPF and therefore attributed significant weight.

2.1 The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:- https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.2 **Minerals and Waste Local Plan (MWLP): Adopted March 2024**
<https://www.herefordshire.gov.uk/local-plan-1/minerals-waste-local-plan>

Policy SP1: Resource Management

2.3 **National Planning Policy Framework (December 2023)**

- Section 2 – Achieving sustainable development
- Section 4 – Decision making
- Section 6 – Building a strong, competitive economy
- Section 7 – Ensuring the vitality of town centres
- Section 8 – Promoting healthy and safe communities
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

2.4 The NPPF, together with relevant documents and revisions, can be viewed via the link below: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

2.5 NPPG: The associated Planning Practice Guidance (PPG) can be accessed through the following link: <https://www.gov.uk/government/collections/planning-practice-guidance>

2.6 **Other relevant guidance:**

Historic England – Historic Environment Good Practise Advice in Planning – Note 3 The setting of Heritage Assets.

Historic England – Historic Environment Good Practise Advice in Planning – Note 2 Managing Significance in Decision-Taking in the Historic Environment.

Legislative Context

2.7 Listed Buildings and Conservation Area

- Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area,

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area

3. Planning History

3.1 193462/L: Listed Building Consent. Granted 21st November 2019. Widening of the existing door and forming an additional opening in the wall between the room and the library mezzanine. Opening up of the two internal window spaces. Inserting glazed screens within openings with photographic images of Hereford. Inserting glazed screens to form office space and providing a kitchenette. Repairing the existing lath and plaster soffit and plastered walls with lime plaster. Uncovering and restoring/displaying the gothic window. Adding ceiling mounted Breathing Building natural Ventilation system. The existing window W1 is to be removed and replaced with a shallower fixed double glazed window to match existing.

163166/L: Listed Building Consent: Granted 10 November 2016: Minor alterations and refurbishment after removal of asbestos from property.

152044- Full various internal works, to incorporate new service provision for adult wellbeing and independent living. Granted 13 August 2015

4. Consultation Summary

Statutory Consultations

4.1 **Historic England: No objection: Comments dated June 2024**

Thank you for your letter of 28 May 2024 regarding further information on the above application for listed building consent. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Historic England: No objection: Comments dated July 2023

Thank you for your letter of 27 June 2023 regarding further information on the above application for listed building consent. On the basis of this information, we do not wish to offer any further comments than those already expressed in our letter of 16 March 2023. We suggest that you seek the views of your specialist conservation adviser. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Historic England: No objection: Comments dated March 2023

Thank you for your letters of 24 February 2023 regarding the above applications for listed building consent and planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the applications.

Summary

The proposals are for a comprehensive suite of works to renovate, adapt and extend the Grade II listed Hereford Museum & Art Gallery in order for it to become a dedicated and enhanced facility for Herefordshire Museum Service and viable for the future. Historic England was involved in substantive discussions at pre-application stage, during which most of the issues that we raised were addressed through the development of the design. The remaining issues have now been addressed through the application submissions.

We recognise that the proposals will cause harm to the significance of the Museum building, particularly through the loss of historic fabric linked to the extensions and changes at roof level. However, we acknowledge that convincing justifications have been submitted for the works and that there are clear public benefits, including heritage benefits, and we can see some very positive aspects of the scheme overall.

Therefore, we have no objection to the applications on heritage grounds.

Historic England Advice

Significance of the heritage assets

The Hereford Museum & Art Gallery, which currently also incorporates the Library, is listed Grade II (List Entry Number 1280595). The building is located within the Central Area Hereford Conservation Area and the Hereford Area of Archaeological Importance. Its Grade II listing reflects its architectural interest as an example of the work of the local architect F.R. Kempson in a Venetian Gothic revival style typical of the 1860s-70s, as well as its historic interest as a philanthropic gift to the people of Herefordshire by Sir James Rankin and as the home of the renowned Woolhope Naturalists Field Club.

The Museum falls into three main parts:

1. The ornate architectural set piece of the Broad Street range, built in 1874 and designed to impress, and incorporating the Woolhope Club reading room;
2. The 1874 gallery range designed on a more purely functional basis;
3. The 1912 extension which is also more functional in character but is architecturally distinct and exemplifies the progression of architectural fashion that had taken place since the 1870s.

While all contribute to the architectural and historic interest of the listed building, the greatest significance lies in the original Broad Street range.

The Museum makes a positive contribution to the architectural and historic interest of the conservation area as an attractive part of Hereford's rich streetscape and roofscape, which in this instance is seen in the context of the Grade I listed Cathedral including in important views from the Cathedral tower roof.

Given Hereford's particular archaeological importance and the proximity of the site to the ancient core of the city, it is likely that the ground below the building holds potential archaeological significance.

Impact of the proposals

The proposals are for a comprehensive suite of works to renovate, adapt and extend the existing building in order for it to become a dedicated and enhanced facility for Herefordshire Museum Service and viable for the future. The building will provide a museum, education space, galleries, café, and staff facilities. The Library is to be relocated elsewhere.

Historic England has been involved in pre-application discussions regarding the proposals since 2021. We provided Initial Pre-application advice on the RIBA Stage 2 proposals, followed by Extended Pre-application advice focused on outstanding heritage concerns, such as the loss of the rear gallery ceiling. Our Extended Preapplication advice included input from our Engineering Team.

The pre-application discussions were constructive and many of the issues that we raised at earlier stages were addressed through the development of the design. We reached a position where we were broadly supportive of the proposals and accepted the principle of roof extension and the general massing and design approach.

We acknowledged that the reordering of spaces and the roof extensions would entail loss of historic fabric, which would cause harm to the significance of the building. However, we could see

that the proposals were likely to be justified by public heritage benefits associated with opening the building up to greater numbers of visitors and making it more accessible, as well as improving circulation, fire safety and thermal efficiency.

A small number of concerns remained outstanding at the conclusion of our Extended Pre-application discussions (the applications were submitted before we were asked to send our concluding written advice):

1. Removal of 1912 exhibition room ceiling in rear block

We requested additional justifications for the removal of the 1912 ceiling in the rear exhibition room, and evidence that all alternative options for its retention had been explored. We note the submission of the further options appraisal and justifications in the Heritage Statement and the technical note by Barnsley Marshall, which confirm the viability issues with retention of the ceiling. Installing a new structure above the ceiling to support it would lead to a 1.2m increase in the height of the roofs, which would create additional levels of harm to views from within the cityscape. On balance, therefore, we accept the justifications for removal of the ceiling.

2. Windows on main Broad Street elevation

We raised concerns about proposals to install secondary glazing on the first and second floor windows of the Broad Street elevation. We recommended an alternative combination of repairs to the historic window frames with double-glazed panes. We note from the Architype Windows and Doors Report that it is no longer proposed to install secondary glazing into the Broad Street windows. The existing window frames will be retained and repaired, with slimline vacuum insulated glazing to replace the existing glazing. This addresses the concerns we raised at pre-application.

3. Rear block Library windows facing south

We raised concerns about the boxing in of the proposed secondary glazing with the wall insulation and suggested placing the secondary glazing within the window reveal. We note from the Architype Windows and Doors Report that the new secondary glazing in the south windows is to sit within the depth of the window reveal, retaining the aesthetic of the original window/wall plane relationship. The new sections of insulation will stop short of decorative moulding details such as coricing and corbels. This addresses the concerns we raised at pre-application.

Archaeological impacts

The Museum site is located within the historic core of the city, and in particular, on a feature known as the King's Ditch. The King's Ditch is a natural stream valley running north-south that retains important archaeological information on the development of settlement. The information is likely to enrich our understanding of the settlement from its earliest stages through the Roman, early Medieval and Medieval period and will contribute to the significance of the Hereford Area of Archaeological Importance (AAI).

We note the comments by your authority's planning archaeologist on these applications. Through their detailed knowledge of the AAI, they are best placed to provide advice on the necessary detail required to support the application and also to minimise harm. We therefore recommend that they continue to be closely involved in the specification of assessment work, your assessment for determination, and the detailing of appropriate mitigation.

Relevant statute and policy considerations

In considering whether to grant listed building consent and planning permission, local authorities are required under Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Paragraph 194 of the National Planning Policy Framework (NPPF, July 2021) states that local authorities should require applicants to describe the significance of any heritage assets affected by their proposals, including any contribution made by their setting, in a level of detail sufficient to understand the potential impact of the proposals on their significance. Paragraph 195 of the

NPPF requires local authorities themselves to identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Historic England position

We have considered the proposals in light of the statute and policy considerations outlined above, and in light of the substantive engagement we had at pre-application stage.

We recognise that the proposals will cause harm to the significance of the Grade II listed Museum, particularly through the loss of historic fabric linked to the extensions and changes at roof level. This harm will be less than substantial and should be weighed against the public benefits of the proposal. We acknowledge that convincing justifications have been submitted for the works and that there are clear public benefits, including heritage benefits. We can see some very positive aspects of the scheme overall.

Therefore, we have no objection to the applications on heritage grounds.

We defer to the views of your authority's conservation officer on matters of detail, and whether the impact of the roof extension proposals on wider views of the city have been addressed at a sufficient level.

We recommend that your authority's planning archaeologist continues to be closely involved in the specification of assessment work, your assessment for determination, and the detailing of appropriate mitigation.

Recommendation

Historic England has no objection to the applications on heritage grounds. We consider that the applications meet the requirements of the NPPF, in particular paragraph numbers 194, 195, 200 and 202.

Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decisions in due course.

4.2 Welsh Water: No Objection: Comments dated May 2023

Having reviewed the submitted proposed drainage layout drawing no. HMAG-BML-XX-XX-DR-C-0500 P03 we are happy to remove our holding objection and offer the below comments.

We can advise that Eign WwTW has a phosphate permit. This matter will need to be considered further by the local planning authority. Notwithstanding this, we can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

Turning to surface water, given this proposal is for the regeneration of an existing building with site constraints which would not allow for any sustainable options for the disposal of surface water, we are happy to continue accepting surface water into the combined public sewer as per existing.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Condition and Advisory Notes listed below are included within the

consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

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

Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011.

The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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

Welsh Water: holding objection comments dated March 2023

Having reviewed the submitted proposed drainage layout drawing no. HMAG-BML-XX-XX-DR-C-0500, the proposed connections are unsuitable due to the connection from the rainwater pipe connecting against the flow of the public sewer. In addition, the layout refers to a proposed pumping station which would result in a pumped foul water connection directly into the sewer, with no upstream break chamber, which we would not allow. We would therefore request that a HOLDING OBJECTION is placed on this application at this time until a revised drainage layout has been submitted and we are re-consulted.

- 4.3 **Cadent Gas: No objection: Comments dated March 2023:**
Request addition of an informative note.

Internal Council Consultations

- 4.4 **Historic Buildings Officer: No objection: Comments dated June 2024**
Summarised as follows and full comments in Appendix 1

Summary

The applications are for the renovation and adaptation of the existing Hereford Museum and Library a listed building to become a dedicated and enhanced facility for Herefordshire Museum. This would comprise a museum, education space, galleries, cafe, and staff facilities. The existing

fabric and services are to be upgraded to improve the museum environment and energy efficiency of the building while maintaining, and aiming to enhance, the key historic value.

The building is prominently sited within the Herefordshire Conservation Area and is listed and in proximity to other listed buildings.

The proposal would need to be assessed against Section 16 and 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of the protection of listed buildings and their setting, and in addition Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990, which places a duty on Local Planning Authorities in the exercise of their duties to preserve or enhance the character or appearance of a conservation area. This statutory duty is repeated in Herefordshire Local Plan Core Strategy 2011 – 2031 including; policies SS6, LD1 and LD4.

The applications have received comments previously which have resulted in a new suite of plans, which seek to address the previous concerns, and also resolve the need for further information/investigation work via conditions wherever possible.

I acknowledge the level of information provided with the application and the consideration given to addressing the issues, most notably the relocation of the viewing beacon to a less visible location when viewed from key viewpoints, and the external appearance of the new build element, which would be considered as an improved design change in terms of the prominence of the building and its impact on King Street, and when viewed from wider distances.

The works include a degree of insulation that is not readily acceptable in listed building as a result of the visual impact the insulation would have on the architectural features of the interior. However it is duly acknowledged that the building works are to facilitate a public building for public use, and maintain the museum artefacts in appropriate climatic conditions and as such different considerations would apply in this instance in respect of the works to the historic fabric, which are to improve the museum exhibitions and artefacts in appropriate climatic and light controlled conditions. As such the insulation utilised is a bespoke solution to maintaining this building for the use it was originally constructed, and should not be considered as a precedent in other cases where different considerations would apply.

The works to the building are quite substantive and will involve the removal of some historic fabric; the roof over the later additions, the glass ceiling in the rear upper floor museum, the private stairs to the librarian quarters, and the opening of some walls. Some features will not be removed but will be obscured by insulation, such as the skirting's boards, and library windows. These would be considered as less than substantial harm to the listed building when considered individually and cumulatively. This triggers the balancing exercise in paragraph 208 of NPPF "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." As such a balancing exercise has to be undertaken where the public benefits of the proposal are weighed against the harm. In weighing up the public benefit of the proposal consideration should be given to the benefits to the listed building in terms of; the removal of modern features such as suspended ceilings in the stairwell, re-instatement of blocked up windows on the northern elevation and the western elevation facing Aubrey Street, the wider use of the building for its original intended use, and any public benefits accruing from the development.

Many of the previous drawings have been superseded, and/or additional plans submitted. As such to provide clarity I am not repeating my previous summary table, merely providing a summary of previous comments, but have retained the item number to enable cross referencing between responses. The plans I understand to be superseded have been crossed through.

Whilst the planning considerations and balance will be made by others, in terms of the balancing exercise in respect of the listed building and conservation area only I would not raise a built heritage objection on the latest set of plans, which have evolved in response to previous concerns raised. Whilst a substantive amount of investigative works and plans have occurred, I would still recommend a few conditions be considered in respect of the listed building considered, which are below the summary table

Historic Buildings Officer: Objection: Comments dated June 2023: Full comments in Appendix 2

Historic Buildings Officer: No objection: Comments dated April 2023 full comments in Appendix 3

4.5 Archaeology Advisor comments: No objection:

Comments dated June 2024

There may be, but are unlikely to be, particular new implications for the below ground resource as a result of the changes.

Unless new concerns are manifest (I shall advise you very shortly if any are) I do not need to provide any further comments, and you should progress matters accordingly.

Archaeology Advisor comments: No objection

Comments dated April 2023

With reference to my previous comments on this application (memo of 03/03/2023) I can confirm that the requested further information [relating to geotechnical evaluation and foundation design] has now been supplied in full, and that this documentation is acceptable. My initial concerns have been allayed.

Accordingly, I am now able to advise approval of the application, as far as archaeology is concerned.

However under LD4 of the Core Strategy and Para 205 of the NPPF, it will be essential to attach the following archaeological conditions to any permission that may be granted.

- Standard condition C48 (archaeological survey and recording)
- Standard condition C50 (Submission of foundation design)

The overall purpose of the conditions here is to ensure that ground disturbance is kept to a minimum within the current design parameters, and to secure a suitable high level archaeological mitigation project prior to/during any construction works.

Archaeology Advisor comments:

Comments dated March 2023

Although a significant amount of acceptable information has been submitted with this application, further limited information is nevertheless required, for policy purposes, for the public record, and to allow for better advice to be given prior to determination:

1. *Full details need to be provided of the exploratory geotechnical ('GI') works undertaken in the latter part of last year (i.e. the exploratory works undertaken to assess the load bearing capabilities of the current foundations). Those GI works were subject to an archaeological watching brief, the final results of which need to be properly described within the application.*

2. *Full details need to be provided of the current strategy for such enhanced / new foundations and other groundworks now thought to be necessary to safely construct the upward extension of the building as envisaged. As things stand, minimal information relating to this has been provided in the application, and more is sought. The risks are currently unclear.*

I would consider 1 and 2 above as being fundamental to this key question for Hereford AAI: what degree of below-ground harm will be caused by the projected new build, and how could this harm be suitably reduced or mitigated?

DETAILED COMMENTS

In making detailed comments on this application I am - as is normal in relation to proposals for the historic city - focussing on archaeology as commonly understood, i.e. finds, below ground remains and the extent to which such remains may be affected. That is not to say the evident additional issues relating to above ground form, appearance and 'setting' are unimportant, but that those issues will be more appropriately addressed by others, including (e.g.) my colleagues in Conservation and by Historic England. It is strongly emphasised that the whole site is at the heart of the designated Hereford Area of Archaeological Importance or 'AAI', and that - as currently proposed - there will be an appreciable impact on the high value remains the museum and library building is sat upon.

The proposal to renovate and adapt the building has of course been in the offing for some time, and clearly there should be significant public benefits involved. In fact, in this case, there will be *direct* archaeological benefits, linked to improvements in the curation and display of key finds relating to the county and beyond. In the more general sense, it will be important to ensure that such benefits stay at the heart of the new vision, rather than becoming peripheral. In earlier iterations, it seemed that the scheme was not ground invasive – indeed, pre application advice was given on that basis (26/7/2021). However, it has recently become apparent that appreciable groundworks will in fact be necessary, and this changes things.

As is acknowledged and discussed in the application, the building is situated in a particularly sensitive location within the AAI (Ancient Monuments and Archaeological Areas Act 1979), very close to the cathedral. Topographically, in antiquity, what was to become the cathedral site was formed of a slightly raised gravel 'terrace' to the south east. What was to become the site of the [now lost] church of St. Nicholas, at the junction of King Street and St Nicholas Street, occupied a similar terrace to the west. The land between consisted of a large essentially prehistoric feature, a since gradually infilled North – South wet 'valley' - a buried feature referred to in previous studies as "The Kings Ditch".

This Ditch is the most significant and potentially problematic feature that the works will impact on, especially as regards the eastern portion of the building footprint, where it exists as a deep archaeological 'channel' crossing beneath the existing build. As is described in the submitted desk based assessment and elsewhere in the application, the nature and configuration of this ditch has been subject to numerous observations along its length as it runs down (eventually) to the Wye. It should be remembered moreover that this ditch may not be the only archaeological feature to be affected; it is possible, within the historic city, that a whole range of Roman to Medieval period finds and structures will be encountered.

Having said that, this ditch is plainly the principal concern. The challenge, having regard to the nature of the feature, and of the proposals, is how best to conserve /enhance it 'by record', were a planning permission to be granted. Although full details have not yet been provided - as was requested- of the likely groundworks, it would appear that the following broad methodology is favoured: Some grout- strengthening of existing footings would be used, in combination with the proportionate insertion of new pile rows and clusters, and occasional pits where new lift works etc. are required. I can confirm that I have been involved in initial discussions around foundation design, and how a good quality archaeological excavation and

recording project might operate in tandem. Nevertheless, there is currently a deficit in terms of the information actually submitted.

In my estimation, The Kings Ditch, whilst it may intermittently manifest some localised complexity, will mainly comprise successive large scale layers of various kinds of infill through the ages. In that sense, it will manifest a simpler sequence than many other stratigraphic sequences found in the AAI. On the other hand, because of the likelihood of preserved organic materials from prehistory onwards being present (e.g. important peat deposits, medieval leatherworking debris etc.), there will be an imperative to properly *sample* the deposits encountered during any excavation works following any permission. Given the depths involved, this may be challenging and expensive, but certainly in a national context the kind of archaeology ultimately needed here is well understood and precedented.

On the whole, I would regard the application as being broadly compliant with Para 194 of the National Planning Policy Framework, as it relates to archaeology and the provision of information describing the significance of heritage assets affected. However, it is not just a simple understanding of *the site* that needs to be arrived at, but a proper understanding also of the below ground works needed, and thereby *the impact of the proposal on that significance*.

In conclusion,

1. I note that much of the initial work /reports needed in updating the GI watching brief, and putting forward the details of groundworks, has actually been done, but the data relating to it has not been provided in a comprehensive and meaningful way within the actual application. Stand-alone reports are needed as soon as possible.
2. As the application progresses toward determination it is likely that I will need to provide further advice on the technical specifics of what has been, or continues to be, submitted. A question that might arise is whether there is any need for, or value in undertaking, any additional exploratory works prior to determination – i.e. some more extensive field evaluation. In my view, that will not be necessary or even beneficial, given the very good potential baseline that already exists, and the risk of damaging what we are seeking to protect.
3. Without prejudice, if the concerning issues I have raised above are satisfactorily addressed, and a decision is ultimately taken to permit and proceed with this development, it will be necessary for me to consider what mitigation measures would be appropriate via planning. That would of course be a matter for another day, but I think it is helpful to at least consider the possibilities in advance.

Other matters

- **AAI Notification.** *If* the application is approved, it will be necessary for a valid notification to be made under Section 35 of the 1979 Act, prior to any ground disturbing works forming part of the development. The reason I am raising this matter now is the particular and unusual circumstances involved, which may make this less straightforward than is generally the case. In the vast majority of other instances, such notification is of course made to myself, as normal representative of the administering and ‘investigating authority’.

However, because in this case the developer is explicitly named as Herefordshire Council itself, the required notification will very likely need to go to the Secretary of State instead under the rarely used provisions of subsection (5) (c), i.e. “where the developer is any such council or local authority”. In essence, I cannot notify myself. It is recognised that this is a rather arcane procedural matter, but it is nevertheless an important one. In effect,

it will mean going though Historic England, and I am currently in discussions with them regarding the way forward.

4.6 Environmental Health Service Manager (Noise/Nuisance): No Objection:
Comments dated May 2024.

From a noise and nuisance perspective, I have no objections to this application.

4.7 Economic development: No objection.
Comments dated February 2023

The Economic Development Team expresses strong support for the application. This is a flagship project in the Town Investment Plan.

<https://strongerhereford.co.uk/wpcontent/uploads/2021/02/S20098D-Hereford-TIP-Document-NEW-FINAL-1.pdf>

The application is focussed on supporting the regeneration of the city centre and will be a key footfall driver. The project is identified as a priority in the Big Economic Plan and Delivery Plan, supporting the growth of tourism in the county, by creating a distinctive regional attraction. The majority of visitors to the county do not visit the city centre and this project will provide a key attraction to generate city centre visits, extending stays and spend.

The development will also enhance the county's cultural offer, creating a more attractive place to live, work and study. Enabling local people to access their heritage, as well as world class exhibitions

4.8 Principal Natural Environment Officer (Ecology) (Comments January 2024). No objection.
Comments dated March 2023

The site lies within the catchment of the River Wye SAC and a Habitat Regulations Assessment process is triggered by this application. The appropriate assessment completed by the LPA should be subject to consultation with Natural England prior to any final grant of planning permission. The HRA process must be undertaken with legal and scientific certainty and with a 'precautionary approach.

Notes in respect of HRA

The proposal is for the renovation and adaptation of the existing Hereford Museum and Library to become a dedicated and enhanced facility for Herefordshire Museum Service

- The proposal is to manage foul water through existing connection to the local DCWW mains sewer system
- At this location the mains sewer network is managed through DCWW's Hereford (Eign) Wastewater Treatment works.
- The Eign WWTW discharges in to the 'lower middle' section of the River Wye SAC.
- Natural England have not currently advised this LPA that this catchment area is failing its conservation status.

- No additional surface water is likely to be created as the proposed development will not change the existing non-permeable surface area for the site and all surface water will be managed through the existing systems serving the site

- The agreed foul water and surface water management systems can be secured by condition on any planning consent granted.

The relevant stated factors considered relating to foul water are embedded within the project as proposed and assessed and can be assured through relevant conditions on any planning permission granted.

Based on the information and notes above there are no identified effects from the proposed development that trigger the requirement for an additional 'Stage 2' HRA appropriate assessment process. There is no reason to require a formal consultation response from Natural England to the completed HRA process.

Suggested conditions to secure embedded HRA certainty.

Habitat Regulations (River Wye SAC) – Foul Water

All foul water shall discharge to the existing mains sewer connection; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with 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, SD3, SD4 and LD2.

Other ecology comments

The Bat and Nesting Bird Survey Report by Acer Ecology dated January 2023 is noted.

The report indicated that there are numerous potential access points for bats to gain entry into the interior of the building and bats and that adjacent areas were used for commuting and foraging. Overall the building was assessed as having moderate suitability for use by crevice-dwelling and roof-void dwelling bats and negligible suitability for use by direct access species. However, survey found no evidence that the building was being used by bats. Furthermore, due its construction of the building and thermal instability the building in considered unlikely to provide overwintering (i.e. hibernation) roosts for bats. Consequently, the report concluded that the development would have no negative direct or indirect impacts on bats.

Similarly, no evidence of past or current nesting by birds was observed it was concluded that the development would have no negative direct or indirect impacts on nesting birds.

Based on supplied and available information there are no specific likely effects on protected species identified as part of the proposed development. There is recorded bat roosting in the wider Hereford City Centre locality. The applicant should be aware that if the existing building is subject to any opportunistic bat roosting this is protected whether bats are present or not under the Wildlife & Countryside Act that sits above any planning requirements. In this specific case the LPA has no reason to request any additional information as part of the planning process but a relevant advisory note is requested.

Wildlife Protection Informative

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 all Bat species (roosts whether bats are present or not), Badgers, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.

As identified in the NPPF, NERC Act and Core Strategy LD2 all developments should demonstrate how they are going to practically enhance (“Net Gain”) the Biodiversity potential of the area. To secure these enhancements a relevant Condition is suggested:

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 a minimum total of TWO ‘permanent’ Bat roosting boxes (or similar roosting features) and TWO bird nesting boxes (mixed types), 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.

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 LD1, LD2 and LD3.

4.9 Team Leader Area Engineer: No objection

Comments dated April 2023

The local highway authority has no objection to the proposals. It is noted that the building is currently used as the museum and library therefore the use won’t materially change or intensify, however, if there is scope to include an internal store for staff cycle storage then it would encourage staff to travel by sustainable modes.

5. Representations

5.1 Hereford City Council: No comments received

5.2 Hereford Civic Society: July 2024: No comments received on revisions as of July 2024:

5.3 Hereford Civic Society: November 2023: Objection

Summary of comments:

- Is there sufficient space in Shire Hall to locate the art Gallery there. Thus providing more museum space in Broad Street Museum building?
- Pleased that the current design incorporates a number of suggestions made
- Support intention to preserve much of the original building. In particular the front faced on Broad Street, the retention of the Broad Street facing dormer windows and the removal of the ground floor window display cases.

Exterior:

- Concerned the building does not have a street presence.
- Question the removal of the modern iron railings

Entrance Foyer/Lobby

- Entrance foyer/lobby is cramped. What is the area to be used for? Casual retail/exhibition area.
- Signage will require careful consideration
- Visitor flow
- Storage for visitor possession
- Removal of the roller shutter is welcomed
- Lack of natural light. By fold glasses suggest made of clear glass
- Counter in the retail area occupies more than 25% of the space devoted to retail

Height of Building

- Increase effect on Hereford skyline. Do not impact on views

5.4 Publicity

The proposal due to it affecting a listed building and being located in a conservation area has been advertised in the local press (Hereford Times). As well as numerous site notice displayed around the application site over 3 consultations. In addition, statutory consultees have been consulted.

- 5.5 In response to the public consultation a total of 12 comments were received on the application throughout the process, detailing the following points

One letter of objection: Summary of comments

- Welcome the overall project intention and appreciate the huge amount of excellent work put in by the Architects and consultants. It is good to see that the recently revised submission satisfactorily addresses many of the issues previously raised.
- Previously raised specific objection to the proposal to remove the four well made wrought iron art deco dado height screens from the front of the building. These date to c.1900 or perhaps a shade earlier and while not original make an important contribution to the character and appearance of the building. Integral with the left hand screen is a gate relict of the side entrance to the building which would seem to have been stopped up in the late Victorian period. It is a significant piece of evidence for the development of the building.
- No case has been put forward for removal of these screens (drawing 1 0265 ART XX OO DR A 1 6000) beyond a vague claim that their removal would make the building more open and welcoming and closer to the originally intended colonnade type arrangement. This is very much a point of view starting, as it does, with the notion that their contribution is negative because they were not there in 1 874, a point of view which contrasts with our evaluation of the slightly later extension and alterations at the back of the building. It is not the intention to restore the originally intended open colonnade arrangement or the early modification to allow for small shops either side of the entrance, so the argument that removal of the screens is justified in the name of restoration is fallacious. The screens provide some protection to the display windows and to a hydrant point while not obscuring them.
- They should therefore remain for these reasons and for the reason that their removal is considered to be a Policy LD4 conflict.

10 letters of support

- A modernised museum in the centre of the city, with expanded facilities for the community, is a wonderful plan. County has rich history, attract visitors from further afield.
- Museum has been hidden away, roof space is inspired as it will be a wonderful draw for tourists (and local residents) that will encourage both to physically walk through the museum to gain access to this space. Amazing way for people to view wonderful city Hereford from high up. Will become one of the must see attractions for any visitor.
- Exciting development which will foster long-term interest and knowledge of our local history. With pressure on curriculum time in secondary schools access to a resource such as that proposed will enable people to explore and gain understanding of their culture and will further enhance the tourism offer of the city.
- Considerable future benefit to the City and the ideal use for such a fine building.
- Massive improvement to the current museum and art gallery on Broad St. Good quality artworks are unable to be displayed plus how the building is in need of urgent repair and modernisation. It will make a massive difference to Hereford City Centre and visitors' appreciation of our small city.

- Great development for the city of Hereford and the wider county. The old building in Broad Street can blossom as a museum and gallery hub in the heart of the city. The city centre use is changing; retail is struggling so this is a positive move to occupy prime sites with renewed purpose.
- The 'completed works' will enhance and improve "visitor/customer" satisfaction, as well as improving the facilities and display space for the museum. As a frequent visitor, I feel it will certainly improve my visits, as well as making me want to visit more often.
- Support the plans. Hereford deserves and needs this unique prime location building to bring visitors, commerce employment, education and community cohesion to our city. We want a venue to be proud.
- Woolhope Naturalists' Field Club: register full support for the detailed plans that are displayed here. We have been fully consulted at each stage of this project and feel our place in the new institution has been fully considered and even our most arcane desires have been taken seriously. We are certainly getting an enhanced club Room/Library, which will be a major asset in developing the Club's role in the wider community. Indeed, we feel we have been given a new part to play in the cultural development of Herefordshire, which we could not have envisaged a few months ago. We are confident that we can play a significant role in putting the Museum and will create a wonderful new cultural heritage facility for Hereford and enable the long overdue building maintenance to proceed.
- Art Gallery on the cultural map of England. The project will unlock the latent resources of The Woolhope Club, which have hitherto accumulated in our Transactions (and elsewhere) since our foundation in 1851. At that date we ran the Museum, now we are prepared to be an active partner, sharing our extensive experience and resources with the new institution for the benefit of the people of Herefordshire and beyond
- Hereford Museum service Support Group. Provide an educated facility for Herefordshire Museum services including public galleries for the display of the extensive county Museum and art collections as well and dedicated spaces for educational and engagement activities, a café, shop and staff facilities. It will protect key heritage aspects of the site (including the Woolhope Room and façade). Create a welcoming functional modern space
 - Safeguard the future heritage asset for community use.
 - Currently no disabled access
 - Local communities are being denied opportunities to access their Heritage
 - Museums are widely recognised as a key part of vibrant visitor economy with the potential to attract national and international visitors. Support the roof top café, shop and viewing beacon, temporary display and educational spaces.

Consultation responses can be viewed in full via the Councils Website using the link above.

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." In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (Core Strategy).
- 6.2 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 was updated in November

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

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

6.3 Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 state the following respectively:-

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

6.4 The National Planning Policy Framework (NPPF) is also a significant material consideration. The Hereford Area Plan (HAP) was intended to set out detailed proposals to ensure the delivery of the targets for the City in the adopted Core Strategy. However, following the decision to update the Core Strategy, a decision was taken to stop work on the HAP.

Hereford Core Strategy

6.5 Core Strategy Policy SS1 identifies a presumption in favour of sustainable development. This means, when considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy.

6.6 Policy SS6 then states in its list of criteria states *Development proposals should be shaped through an integrated approach and based upon sufficient information to determine the effect upon landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty.*

6.7 Core Strategy Policy SS7 – Addressing climate change states Development proposals will be required to include measures which will mitigate their impact on climate change.

At a strategic level, this will include:

- focussing development to the most sustainable locations;
- delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport;
- designing developments to reduce carbon emissions and use resources more efficiently;
- promoting the use of decentralised and renewable or low carbon energy where appropriate; supporting affordable, local food production, processing and farming to reduce the county’s contribution to food miles.
- protecting the best agricultural land where possible

Key considerations in terms of responses to climate change include:

- taking into account the known physical and environmental constraints when identifying locations for development;
- ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading; minimising the risk of flooding and making use of sustainable drainage methods;
- reducing heat island effects (for example through the provision of open space and water, planting and green roofs);
- reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites; and
- developments must demonstrate water efficiency measures to reduce demand on water resources.

- 6.8 Core Strategy Policy MT1 – Traffic management, highway safety and promoting active travel states Development proposals should incorporate the following principle requirements covering movement and transportation:
1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;
 2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;
 3. encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities;
 4. ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services;
 5. protect existing local and long distance footways, cycleways and bridleways unless an alternative route of at least equal utility value can be used, and facilitate improvements to existing or provide new connections to these routes, especially where such schemes have been identified in the Local Transport Plan and/or Infrastructure Delivery Plan; and
 6. have regard to with both the council's Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan - having regard to the location of the site and need to promote sustainable travel choices. Where traffic management measures are introduced they should be designed in a way which respects the character of the surrounding area including its landscape character. Where appropriate, the principle of shared spaces will be encouraged.
- 6.9 Core Strategy Policy LD1 – Landscape and townscape criteria requires new development should achieve the following:
- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, including protection and enhancement of the setting of settlements and designated areas;
 - conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, through the protection of the area's character and by enabling appropriate uses, design and management
- 6.10 Core Strategy Policy LD2 Biodiversity and geodiversity. Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire.
- 6.11 Core Strategy Policy SC1 – Social and community facilities requires 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...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 it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility...” The policy does not however contain a definition of what facilities are to be treated as ‘social and community facilities’. However, the supporting text states that: “Social and community facilities can be defined as physical facilities for different individuals and communities, which are provided by a range of organisations (public, private and voluntary). They provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community. These facilities play an important role in the development of a vibrant community by creating a sense of place and providing a place for people to meet and interact socially.

6.12 They also offer services that are essential for education, health and well-being; and support community cohesion and benefit the general quality of life of residents. Social and community facilities can include: public services, community centres and public halls, arts and cultural facilities including theatres, public art and heritage centres; policing and criminal justice facilities, fire and ambulance services, health and education facilities including GP surgeries and NHS walk-in centres; public houses, local shops, public toilets, youth centres, social care facilities including day centres and child care facilities; places of worship, and services provided by the community and voluntary sector - for example scout and guide

6.13 Core Strategy policy LD4 – *Historic environment and heritage assets* sets out as relevant to this appeal that Development proposals affecting heritage assets and the wider historic environment should:

1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible

2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design. Where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas

National Planning Policy Framework: December 2023

6.14 The NPPF has ‘sustainable development’ central to planning’s remit and objectives. The NPPF also seeks positive improvements in the quality of the built, natural and historic environment and in regards people’s quality of life. The National Planning Policy Framework has been considered in the assessment of this application. The following sections are considered particularly relevant:

- 2. Achieving Sustainable Development
- 4. Decision Making
- 6. Building a Strong Economy
- 7. Ensuring the Vitality of Town Centres
- 8. Promoting Healthy and Safe Communities
- 9. Promoting Sustainable Transport
- 11. Making Effective use of Land
- 12. Achieving Well-Designed and Beautiful Places
- 14. Meeting the Challenge of Climate Change, Flooding and Coastal Change
- 15. Conserving and Enhancing the Natural Environment
- 16 Conserving and enhancing the historic environment

6.15 NPPF Paragraph 131 states The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 outlines Planning decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

- 6.16 NPPF section 16 sets out the position regarding conserving and enhancing the historic environment. Specific principles and policies relating to the historic environment and heritage assets and development are found in paragraphs 195– 214.
- 6.17 Paragraph 205 advises that When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.18 Paragraph 209 states; The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.19 NPPF paragraph 191 states Planning Policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 6.20 The general principle of enhancing the use and accessibility of the Museum, with a view to making it an attractive destination as part of the 'Stronger Hereford: Town Investment Plan', is afforded support at a strategic level, under Policy HD2 of the Core Strategy. This promotes a wide range of opportunities to enhance Hereford's role and whilst this does not refer specifically to the Museum offers support to proposals that will provide new and improve existing attractions that protect, conserve and enhance heritage assets.
- 6.21 In addition, Policy SC1 of the Core Strategy addresses proposals that are looking to retain and enhance existing social and community facilities. Proposals involving the expansion of social and community facilities will be expected to provide publicly accessible toilets (including facilities for disabled people and baby changing), all of which are incorporated within these proposals. In addition the policy includes enhancement to existing education and training facilities and the facility includes greater opportunity for education related to the county's history and the art gallery will have ongoing connections with the Art College, schools and higher education establishments. Upon review, no tension is apparent with this policy, and opportunities have been taken to promote accessibility on foot, cycle and public transport and it is apparent the building as has floors which are completely out of use including the Woolhope Room. This proposal included a new passenger lift and a new staircase to ensure disabled access to all floors. The proposal will also include accessible toilet and baby change facilities.

Heritage assets (including below ground), design and visual amenity

- 6.22 As detailed within the Historic Building officer's comments the proposal has to be assessed against Section 16 and 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of the protection of listed buildings and their setting, as well as Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990, which places a duty on Local

Planning Authorities in the exercise of their duties to preserve or enhance the character or appearance of a conservation area. This statutory duty is repeated in Herefordshire Local Plan Core Strategy 2011 – 2031 including; policies SS6, LD1 and LD4.

- 6.23 The application site is located within the Hereford Central Conservation Area and the application building is Grade II listed. Due to the complexity of the proposal and listed status of the building your officers have been working with the applicant on the proposal prior to its submission under a detailed pre application and then during the application process. Comments have been received on the previously submitted drawings. To address concerns raised a full suite of updated plans were submitted. A substantive number of drawings and supporting documents have been submitted as detailed in para 1.3 and appendix 4.
- 6.24 The latest revisions show the relocation of the viewing beacon to a less visible location when viewed from key viewpoints, and show amendments to the external appearance of the new build element, which are now considered as an improved design change in terms of the prominence of the building and its impact on King Street, and when viewed from wider distances.
- 6.25 The proposed works also include a degree of insulation that is not readily acceptable in listed building as a result of the visual impact the insulation would have on the architectural features of the interior. However it is duly acknowledged that the building works are to facilitate a public building for public use, and maintain the museum artefacts in appropriate climatic conditions and as such different considerations as highlighted within the historic building officer comments would apply in this instance in respect of the works to the historic fabric, which are to improve the museum exhibitions and artefacts in appropriate climatic and light controlled conditions. The insulation utilised is a bespoke solution to maintaining this building for the use it was originally constructed, and should not be considered as a precedent in other cases where different considerations would apply.
- 6.26 The proposed works to the building as can be seen from the submitted drawings and illustrations are considered by your officers to be quite substantive and involve the removal of some historic fabric; the roof over the later additions, the glass ceiling in the rear upper floor museum, the private stairs to the librarian quarters, and the opening of some walls. Some features will not be removed but will be obscured by insulation, such as the skirting's boards, and library windows. Within the comments provided by the historic buildings officer these works would be 'considered as less than substantial harm to the listed building when considered individually and cumulatively'. As per the NPPF this triggers the balancing exercise in paragraph 208 of NPPF "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." As such a balancing exercise has to be undertaken where the public benefits of the proposal are weighed against the harm. In weighing up the public benefit of the proposal consideration should be given to the benefits to the listed building in terms of; the removal of modern features such as suspended ceilings in the stairwell, re-instatement of blocked up windows on the northern elevation and the western elevation facing Aubrey Street, the wider use of the building for its original intended use, and any public benefits accruing from the development.
- 6.27 Finally it noted that the Historic Buildings officer within their latest comments have confirmed that they have not raised a built heritage objection in respect to the listed building and conservation area. Whilst a substantive amount of investigative works and plans have occurred, there is still a recommendation for the insertion of a few conditions be considered in respect of the listed building which have been included at the end of this report.

Impact on setting of conservation area

- 6.28 The site is prominently positioned within the Herefordshire Conservation Area which is a designated heritage asset. Paragraph 205 of the NPPF states that when considering the impact

of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Continuing in paragraph 212, Local Planning Authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

- 6.29 Policy LD4 of the core strategy relates to development within or affecting the setting of conservation areas, stating that developments that are designed to preserve or enhance those elements which contribute to the character or appearance of the Conservation Area will be supported. In terms of the proposed development, the new building is of traditional design, with styling cues taken from the dwellings within the conservation area. In addition, the quality of materials is important, to further reference the conservation area and other surrounding development and to assist in mitigating and justifying the scale and impact of the proposed development. Yours offices have worked with the applicant to amend the proposal and significant changes have evolved in the proposed materials and detailed design which can be seen within figures 3-7. As such, the proposed development, will preserve the character and appearance of the Broad Street and the immediate area and as such the Hereford conservation area.

Roofscape

- 6.30 As noted above Paragraph 212 of the NPPF states that Local Planning Authorities should look for opportunities for new development within Conservation Areas and within the setting of other heritage assets, to enhance or better reveal their significance. This proposal seek to both enhance and better the experience of the asset it is housed within. Through the introduction of the roof terrace and viewing area there will be an enhancement of the experience of conservation area and provide views towards Hereford Cathedral as well as the historic roofscape and providing an opportunity through interpretation works to explore the history of the city from those same vantage points.
- 6.31 The Hereford Museum and Art Gallery has a street frontage onto Broad Street and Aubrey Street to the rear. Broad Street consists of 4 and 5 storey buildings with 5 storey backs facing onto Aubrey Street. It is noted that the within the design process storey height and massing was a consideration. The application has been supported by both a heritage statement and a visual impact assessment which have helped to inform the design process. The roof level changes to the building have been carefully considered in response to their form, quality, materiality and design as set out in the design section of the Design and Access Statement so to contribute to the city skyline and also provide a clear identification of the potential experience within the building when viewed from elsewhere. As detailed within the submission the beacon has been relocated to be accessed from lower terrace, café and education space. The proposal now has an increased roof terrace due to relocating of the beacon.
- 6.32 Officers are aware that any design of the development, in particular its roofscape, can be sensitive as well as ramifications due to its prominence when seen from key areas. The historic roofscape of Hereford in this area makes a significant contribution to the city's special qualities and its character particularly when viewed from the hills around the city. The current proposals therefore represent a markedly different approach and given the visibility of the site significant concerns were originally raised on the setting of listed buildings and on the Conservation Area. As such the design was considerably altered and the size of the roof beacon reduced and repositioned. As such the proposals show a sympathetic skyline addition that would detract not from the existing built roof and existing roofscape.

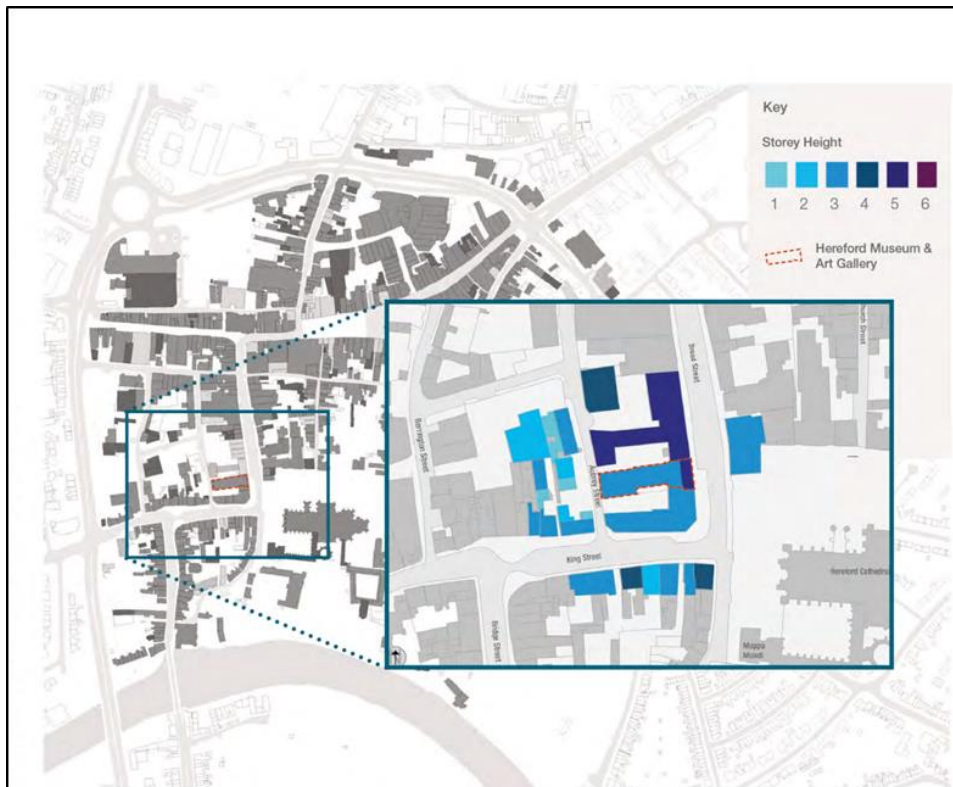


Figure 8: Storey height in the surrounding area

6.33 The most recent amendments have addressed earlier concerns and issues raised in regards to the location of the viewing beacon which is now in a less visible location when viewed from key viewpoints, and is considered to be an improved design change.

Design Matters

6.34 Section 12 of the NPPF advises that good design is a key aspect of sustainable development, creating better places in which to live and work and helps to make development acceptable to communities (para. 131). Continuing, paragraph 135 of the NPPF sets out six design expectations for proposed developments and include;

- a) it will function well and add to the overall quality of the area;
- b) visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history;
- d) establish or maintain a strong sense of place;
- e) accommodate and sustain an appropriate amount and mix of development; and
- f) create places that are safe, inclusive and accessible, which promote health and well-being, with a high standard of amenity for existing and future users.

6.35 As highlighted above the scheme has evolved since its original submission and notably this included the relocation of the viewing beacon to a less visible location and as such has a reduced visual impact when viewed from key viewpoints and changes to the external appearance of the new build element. This can be seen in the illustrative drawings within Section 2 of the report. Officers consider that this is an improved design change in relation to the prominence of the building as well as its impact on King Street, and when viewed from wider distances. The key changes can be seen within figure 3-7 and listed within paras 2.1 but the dormer designs have been simplified and reduced in number/rationalized. Proposed materials have been altered.

- 6.36 As detailed above, the proposed additions has been sensitively designed, taking cues and architectural detailing including window design, from the host building and the surrounding built development within the Conservation Area. Also the proportions of the new additions to façades have been influenced by the design of the existing building but chose to juxtapose the modern additions as clear from the existing.
- 6.37 Further, to assist in mitigating the scale and impact of the new building, the quality of materials is deemed to be of importance to enhance and echo the references to the architectural details of surrounding built development within the streetscape and roofscape. Extensive discussions have been undertaken with the applicant in respect to detailing of the proposed extension and upper external floors areas, as officers sought acceptability on the design approach of the building. It is agreed that the details of the balconies (railings/balustrade) can be negotiated through conditions so that the applicant can explore options further. The detailed materials, including bricks, windows and tiles to be used in the construction of the development can be agreed with suitably worded planning conditions to ensure that the whole design concept can be developed. Representations have been made from the Council's Historic Building officer who have been actively involved in discussions throughout and have not raised an objection. As noted in Historic England comments the application has benefited from extensive pre-application discussions and consultation at application stage which has led to the presentation of a proposal which has successfully addressed concerns raised. The revised proposal of the principle of the roof extension and the general massing and design approach is acceptable.
- 6.38 Overall, given the location of the site within the conservation area and a listed building the development is sensitively designed, and quality of the proposed development will be appropriate. Subject to certain aspects being developed through planning condition, the overall development will be visually attractive and sympathetic to local character complying with para. 135 of the NPPF.

Archaeology

- 6.39 The application site is located within the historic core of the city, and in particular, on a feature known as the King's Ditch. The King's Ditch is a natural stream valley running north-south that retains important archaeological information on the development of settlement. The site is also located within an 'Area of Archaeological Importance' and following pre-application discussion and initial consultation response from the archaeological adviser, the applicants have provided extensive archaeological documentation to explain and justify the changes contemplated.
- 6.40 The submitted documentation relating to geotechnical evaluation and foundation design has been submitted and has now been supplied in full, and that this documentation is acceptable. The documentation is of good quality and adequate for the purposes of paragraph 200 of the NPPF, concerning the requirement to supply a level of detail sufficient to understand the potential impact of the proposal upon significance. The archaeological advisor has now reviewed and has confirmed they have no objection subjected to suitably worded planning conditions. The overall purpose of the conditions added at the end of this report is to ensure that ground disturbance is kept to a minimum within the current design parameters, and to secure a suitable high level archaeological mitigation project prior to/during any construction works. Your Officer is satisfied, taking on board the specialist consultee responses, that conditions can be imposed to require suitable high level archaeological intervention, in accordance with both national and local policy including paragraph 205 of the NPPF.

Other heritage related matters

- 6.41 The Civic Society have not made representation on the latest round of consultation and officers are aware that the agent has met with them prior to the submission of the revised updated proposal and have addressed a number of their concerns. In regards to representation, notwithstanding the letters of support received for the proposal, officers are in receipt of one letter of objection which was submitted during the last round of consultation. This has been detailed

under para 5.5. The objection is in regards to the loss of the wrought iron screens. Neither Historic England nor the Council's historic buildings officer have objected to the removal and officers are satisfied that the railings are not an original feature. Also it is considered when looking at the proposal overall the project would benefit in terms of the approachability of the building and re-instating the originally intended colonnade aesthetic.

6.42 **Conclusion on heritage matters**

Given the prominence of the site, the scale of the development and its visibility and works internally to the listed building are quite substantive and do involve the removal of some historic fabric. These works have been considered to be less than substantial harm to the listed building when considered individually and cumulatively. It is noted that officers are in receipt of a no objection from both Historic England and the Council's Historic Building officer however as the works as considered to be *less than substantial* this triggers the balancing exercise as per paragraph 208 of NPPF "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." As such a balancing exercise has to be undertaken where the public benefits of the proposal are weighed against the harm. The balancing exercise can be seen in para 6.57 to 6.69. No conflict with policy LD4 is therefore detected as result of what is proposed, and the proposal accords with Section 16 of the 1990 Act.

Other planning considerations

HRA assessment

6.43 The site lies within the catchment of the River Wye SAC and a Habitat Regulations Assessment process is triggered by this application. The appropriate assessment completed by the LPA should be subject to consultation with Natural England prior to any final grant of planning permission. The HRA process must be undertaken with legal and scientific certainty and with a 'precautionary approach. As detailed within the submission the application confirms that

- The proposal is to manage foul water through existing connection to the local DCWW mains sewer system
- At this location the mains sewer network is managed through DCWW's Hereford (Eign) Wastewater Treatment works.
- The Eign WwTW discharges in to the 'lower middle' section of the River Wye SAC.
- Natural England have not currently advised this LPA that this catchment area is failing its conservation status.
- No additional surface water is likely to be created as the proposed development will not change the existing non-permeable surface area for the site and all surface water will be managed through the existing systems serving the site
- The agreed foul water and surface water management systems can be secured by condition on any planning consent granted.

6.44 The relevant stated factors considered relating to foul water are embedded within the project as proposed and assessed and can be assured through relevant conditions on any planning permission granted. Based on the information and notes above there are no identified effects from the proposed development that trigger the requirement for an additional 'Stage 2' HRA appropriate assessment process. There is no reason to require a formal consultation response from Natural England to the completed HRA process and ecology officers have recommended conditions to secure embedded HRA certainty which have been included at the end of this report.

Ecology and Biodiversity

- 6.45 In terms of ecology, Policy LD2 is of direct pertinence. This generally requires that proposals protect, conserve and enhance the county's biodiversity assets and make adequate provision for protected species.
- 6.46 The application is supported by a bat and nesting bird survey report by Acer Ecology (dated January 2023). This report and the application has been reviewed by the Councils' ecology officers. The report concluded that the development would have no negative direct or indirect impacts on bat and it was also stated that the development would have no negative direct or indirect impacts on nesting birds. Ecologists have confirmed in their comments that based on the supplied and available information there are no specific likely effects on protected species identified as part of the proposed development but have recommended the inclusion of an advisory note in regards to Wildlife Protection which has been included at the end of this report. To confirm Ecology colleagues have raised no objection to advised that from the supplied information there is no reason for the Local Planning Authority to consider there will be any significant or longer term impacts on local protected species population or other wildlife. Mitigation and enhancement measures within are secured by condition. The proposal, subject to conditions is therefore considered acceptable, according with policy LD2 and SS6 of the Core Strategy.
- 6.47 The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 confirm that the requirement for 10% BNG does not apply to permissions where the application for permission was made before 12 Feb 2024. As such, it is not a requirement for the current application to demonstrate a 10% gain. Nonetheless, section 10 of the submitted ecology report (October 2022) shows a gain well in excess of 10%.

Flooding and Drainage

- 6.48 The site is located in low risk Flood Zone 1 and is less than than 1 hectare and as such no flood risk assessment is required. Welsh Water have been consulted and have advised following the submission of the proposed drainage layout drawing have confirmed in their comments there is capacity within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. When looking at surface water, as the proposal is for the regeneration of an existing building with site constraints which would not allow for any sustainable options for the disposal of surface water, they have confirmed acceptance to continue accepting surface water into the combined public sewer as per existing. Welsh Water have raised no objection to the proposal, however have recommended a compliance condition advising that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and advisory notes. As such, officers would conclude that the application aligns with both Core Strategy policies SD3 and SD4 and will be controlled via condition.

Residential Amenity/ impact on Living Conditions

- 6.49 Core Strategy Policy SD1 and NPPF Core Planning Principles require good standards of amenity. This could be as a result of overlooking, noise, fumes, overshadowing and loss of light. Additionally, during the construction phase there could be impacts in terms of noise, dust and other pollution. It is acknowledged that there are residential properties located to the rear however there are no concerns in regards to overlooking or privacy. When reviewing the proposal in regards to the potential effect of noise, vibration, smell, and other pollution, the proposal has been assessed by officers and technical officers within the Environmental Health Team.
- 6.50 The NPPF recognises the need to make efficient use of land, whilst ensuring safe and healthy living conditions and that developments should create safe, inclusive and accessible places that promote health and well-being with a high standard of amenity for existing and future users – where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 6.51 Development on the site has the potential to impact on existing residents, the Council's Environmental Health (Noise) Team have assessed the application and have confirmed no objection to this application.
- 6.52 To conclude, proposed conditions have been included to control the hours of working during the construction period. With regard to residential amenity, it is considered that the proposal would have no significant bearing on the use of nearby properties including both residential and business uses and a condition will be added restricting operational hours. Therefore officers are satisfied for the reasons outlined above and proposed conditions suggested the proposal accords with Policy SD1 and SS6 of the Herefordshire Core strategy and the NPPF in terms of safeguarding amenity.

Other matters

- 6.53 Turning to highway safety, the site is located on Broad Street and currently has no off road parking and as such the access strategy will be focussed on active travel options for users of the site. The location of the site is such that this acceptable in principle given the lawful existing use of the building as a museum and library and the use won't materially change or intensify. No objections were raised by the Local Highway Authority subject to a request for an internal store which will be secured by a planning condition as detailed at the end of this report. Therefore officers are satisfied for the reasons outlined above the proposal accords with Policy MT1 of the Herefordshire Core strategy and the NPPF.

Advertisements/external lighting

- 6.54 Signage and external lighting related to the proposal and within the site is not a matter to be considered under these applications.

S106/Planning obligations

- 6.55 Paragraph 57 mentions that planning obligations should "only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development."
- 6.56 There is no requirement for the Local Planning Authority to secure planning obligations for this proposal.

Change/renewable/Sustainable energy

- 6.57 Core Strategy policy SS7 requires focus on measures to address the impact that new development in Herefordshire has on climate change, outlining how development proposals should include measures which will mitigate their impact on climate change, with policy SD1 also seeking to support these measures. Herefordshire Council has unanimously passed a motion declaring a Climate Emergency, signalling a commitment to ensuring that the council considers tackling Climate Change in its decision-making, with this resolution came a countywide aspiration to be zero carbon by 2030; and a Climate Change Checklist to aid the consideration of development proposals.
- 6.58 Chapter 14 of the NPPF is also of relevance with, paragraph 159 stating that development should be planned so that they:

"a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure

that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and

b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design.

- 6.59 Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards."
- 6.60 The application site is located within a sustainable location with access to a range of amenities, and transport services. As part of the submission the application is supported by a design and access statement (chapter 6) which seeks to demonstrate how the development would achieve both a sustainable design and construction. It is clear that retaining the museum and art gallery in a city centre location instead of to out-of-town location retains the most sustainable location for the facility, providing the best location to reduce the need to travel by car and have the most opportunities to travel via public transport from a local or regional location as well have having the best access to the city centre's network of cycle paths. The proposal also includes the decarbonisation of the buildings energy system as part of the '*Passivhaus EnerPHit* informed approach'. The proposal also includes on site energy production with photovoltaics. As detailed within the supporting documentation The *EnerPHit* approach is based on passive solar design principles to optimise the building fabric and thermal performance in combination with solar gain. It is evident that the proposed floor plan arrangements will ensure rooms can continue to be naturally purge ventilated throughout, with the main public spaces benefitting from mechanical extract and heat recovery ventilation where required. This is in line with the aims of policy SS7.

Conclusion and Planning Balance

- 6.61 In considering this application, careful regard has been had to the statutory duties of the Council in respect of conserving listed buildings and their settings, maintaining the character and appearance of the Conservation Area. Extensive dialogue and revisions have happened over the application determination process, so officers are now in receipt of a no objection albeit these are contained within detailed comments by the Council's Historic Building Officer and these were fundamental in arriving at a recommendation for approval. Officers are also in receipt of a no objection from Historic England.
- 6.62 Officers have taken a holistic view of the social, economic and environmental aspects of the proposal. This is in accordance with the advice found at paragraph 208 of the NPPF, insofar as where a development proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.63 This triggers the balancing exercise in paragraph 208 of NPPF "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." As such a balancing exercise has to be undertaken where the public benefits of the proposal are weighed against the harm.
- 6.64 The NPPF itself does not define what public benefits are for this purpose. Further guidance is given in the Historic Environment Chapter of the PPG. This refers to anything which delivers the economic, social or environmental objectives of sustainable development described in paragraph 8 of the NPPF. Those objectives are defined in paragraph 8 of the NPPF as follows:- (a) Economic - to help build a strong, responsive and competitive economy (b) Social - to support, vibrant and healthy communities (c) Environmental - to contribute to protecting and enhancing the natural, built and historic environment.

- 6.65 The PPG makes clear that the public benefits must flow from the development and must be of a nature or scale that would benefit the public at large but these benefits do not always have to be visible or accessible to the public or to all sections of the public to be genuine public benefits.
- 6.66 In support of the Officer recommendation, the benefits alluded to in local representations are reinforced. In weighing up the public benefit of the proposal consideration should be given to the benefits to the listed building in terms of; the removal of modern features such as suspended ceilings in the stairwell, re-instatement of blocked up windows on the northern elevation and the western elevation facing Aubrey Street, the wider use of the building for its original intended use, and any public benefits accruing from the development.
- 6.67 The public benefits of the proposed development are considered to be:
- Increase in cultural community offering and its long term viability for local community would be enhanced
 - Further enjoyment of the museum and art gallery by visitors, education users and the local community
 - The generation of employment during the construction phase of the proposed development.
 - A more energy efficient scheme
 - The works would provide an economic boost to the area
 - A more socially inclusive and welcoming state than it is currently found due to be opened up and improving circulation
 - The proposal would create short term economic benefits during the construction period.
- 6.68 Officers have carefully weighed the public benefits of the proposed development against the less than substantial harm caused to the designated heritage assets and the buildings that make a positive contribution in a Conservation Area. Whilst great weight has been attributed to the conservation of the identified heritage asset, it is considered that the public benefits of the scheme significantly and clearly outweigh the less than substantial harm identified on all affected heritage assets.
- 6.69 Para. 134 of the NPPF states that significant weight should be given to development which reflects local design policies and government guidance on design, and/or outstanding or innovative designs which promote high levels of sustainability so long as they fit in with the overall form and layout of their surroundings. The application site is located within the city centre. The design of the extensions proposed are of a modern design and interpretation in the historic centre of Hereford city whilst avoiding pastiche. The architectural approach and choice of materials within the immediate area introduces variety while complementing the streetscape and roofscape. Overall, the architectural treatment of the buildings and the materials palette are considered acceptable with details of the materials being subject to separate submission and approval by the Council. Overall, it is considered that the proposals are in accordance with the relevant policies of the Core Strategy.
- 6.70 The NPPF and the Policy SD1 set out a presumption in favour of sustainable development and it is considered that the proposals will deliver a development that improves the economic, social and environmental conditions in the area and of the wider city.
- 6.71 It is also stressed that the scheme has been found to be acceptable by all other statutory/technical consultees, notably Historic England, Local Highway Authority and the Council's Archaeology Advisor and Ecologist. From a built heritage perspective, whilst observing the less than substantial harm cited, the amended scheme although the roof form and terrace, and to some extent the external materials, may well divide opinion, your Officer takes the view that this contemporarily designed structure will acceptably harmonise with the building, whilst introducing an important multi-functional museum and art gallery space.

6.72 In light of the foregoing, notwithstanding the great weight to be given to the identified 'less than substantial' harm to heritage assets, the proposal accords with the development plan read as a whole, which is not outweighed by any other material considerations. It is therefore recommended that planning permission and listed building consent be granted subject to the below conditions.

RECOMMENDATION

a) 230385/F – That planning permission be granted subject to the following conditions and any other conditions (amendments) 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. Approved Drawings – Development in accordance with the approved plan: See Appendix 4**

- 3. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.**

Reason: To prevent hydraulic overloading of the public sewerage system having regard to policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy

- 4. Without the exception of strip out works to remove modern fabric such as suspended ceilings, dry linings to undertake asbestos removal no development shall take place until the developer has secured the implementation of a programme of archaeological survey and recording [to include recording of the standing historic fabric and any below ground deposits affected by the works]. This programme shall be in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority and shall be in accordance with a brief prepared by the County Archaeology Service.**

Reason: To allow for recording of the building/site during or prior to development and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy. The brief will inform the scope of the recording action and the National Planning Policy Framework. The commencement of development in advance of such approval could result in irreparable harm to any identified heritage asset.

- 5. Without the exception of strip out works to remove modern fabric such as suspended ceilings, dry linings to undertake asbestos removal no work on site shall take place until a detailed design and method statement for the foundation design and all new groundworks has been submitted to, and approved in writing by, the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme approved pursuant to this condition.**

Reason: The development affects a site on which archaeologically significant remains survive and a design solution is sought to minimise archaeological disturbance through a sympathetic foundation design in order to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework. The commencement of development in advance of such approval could result in irreparable harm to any identified heritage asset.

6. 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 a minimum total of TWO 'permanent' Bat roosting boxes (or similar roosting features) and TWO bird nesting boxes (mixed types), should be supplied to and acknowledged by the Local Planning Authority; and shall be maintained hereafter as approved.

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 LD1, LD2 and LD3.

7. All foul water shall discharge to the existing mains sewer connection; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with 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, SD3, SD4 and LD2.

8. The multi-functional spaces hereby permitted shall not be open to the public/customers outside the hours of 0800 to 2200 Sundays to Thursdays and 0800 and 2300 Fridays and Saturdays.

Reason: To safeguard the amenities of the locality and Herefordshire Local Plan - Core Strategy policies SS6, SD1 and LD1-3.

9. 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.

10. Prior to first use of the building by museum staff, details of an internal store for staff cycle storage within the building shall be submitted to the Local Planning Authority for their written approval. This store shall be carried out in strict accordance with the approved details and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained.

Reason: To encourage alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan

INFORMATIVES:

1. IP2 – Approval following revisions
2. I01 – AAI notification
3. The ownership of the land subject of this application is vested in the Council and the consent of the Council as landowner is required before the development is commenced.

4. Interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land.
5. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to. Your responsibilities and obligations
6. Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.
7. 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 all Bat species (roosts whether bats are present or not), Badgers, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.
8. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times

b) 230386/L – That listed building consent be granted subject to the following conditions and any other conditions (amendments) considered necessary by officers named in the scheme of delegation to officers:

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

Reason: Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Works in accordance with the approved plans: See Appendix 4

3. Before work begins the details of appointment of an appropriately qualified professional specialising in conservation work who will supervise the hereby approved works of alteration or demolition shall be submitted to and agreed in writing with the Local Planning Authority. Any proposed changes to the agreed supervision arrangements shall be subject to the prior written agreement of the Local Planning Authority.

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 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.

4. Without the exception of strip out works to remove modern fabric such as suspended ceilings, dry linings to undertake asbestos removal 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 roof timbers on the Broad Street elevation
- 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

5. Without the exception of strip out works to remove modern fabric such as suspended ceilings, dry linings to undertake asbestos removal no works of demolition or alteration by way of substantial partial demolition shall begin until evidence has been submitted to and approved in writing by the Local Planning Authority that a binding contract for the full implementation of the comprehensive scheme of development has been entered into for the carrying out of works for redevelopment of the site in accordance with all the necessary permissions and consents.

Reason: To ensure that premature demolition does not take place and that an unsightly gap or derelict site does not detract from the character and appearance of the area 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.

6. Without the exception of strip out works to remove modern fabric such as suspended ceilings, dry linings to undertake asbestos removal, no further development shall take place until details or samples of materials to be used externally on walls and roofs including the balustrade 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.

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

- A sample of the bricks and brickbond to be used in block up the existing rear pedestrian door.
- the face bond of brickwork;
- description of the joints proposed;
- mortar mix, profile and finish.

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

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

8. No pointing or repointing of existing [brickwork] [stonework] shall commence until a drawing identifying the affected areas, details of the method of removing the existing mortar and details/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.

9. Under no circumstances whatsoever are powered tools (for example, air-driven tools; electric angle grinders and so forth) to be used to cut back masonry joints prior to repointing.

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. 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 as per the;
- Masonry Survey by Stoneworks Building Surveyors 08/04/2024
 - Masonry repair Report HMAG-BML-XX-XX-RP-S-0010

Reason: In the interests of conserving the character of the building 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.

11. Full details of ‘making good’ exposed areas revealed by demolitions are to be submitted and approved in writing by the Local Planning Authority prior to commencement of works.

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

12. Post creation of opening and introduction of steelwork, but before the relevant section of work begins, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Details of the architectural details around the pad stones supporting the steelwork creating the 2 entrance doors to the front foyer rooms identified as 00-003 and 00-005 on drawing 10265-Art-XX-00-DR-A-41110 rev P03

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

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

- Repairs to the balcony on Broad Street
- Details of any venting to the Woolhope Room
- Details of any window seals, location and type to W021, W0202, and W0203

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 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. No works in relation to any of the features specified below shall commence until details are submitted to and approved in writing by the Local Planning Authority.

The new suspended ceilings in foyer rooms identified as 00-003 and 00-005 on drawing 10265-Art-XX-00-DR-A-41110 rev P03

- The new ceiling to third floor rear exhibition room identified on drawings; 10625 – Art-XX-00-A-16129 Rev P01, 10625 – Art-XX-00-A-16123 Rev P01, 10625 – Art-XX-00-A-16126 Rev P01 and 10625 – Art-XX-00-A-16127 Rev P0
- Replacement skirting boards

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 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. No works in relation to any of the features specified below shall commence until details are submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in full in accordance with such approved details

- Details of the method, procedure and application of paint removal from the stone mullioned windows W0017, W0018, and W0019
- The colour of any paint on the rendered plinth on the southern elevation below windows W0017, W0018, and W0019
- Any repairs to the tracery windows, WT09/W0205, WT10/W0012,

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 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

16. No works in relation to any of the features specified below shall commence until details are submitted to and approved in writing by the Local Planning Authority.

- Between rafter roof insulation on the roof pitch fronting Broad Street.

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 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

- 17. Without the exception of strip out works to remove modern fabric such as suspended ceilings, dry linings to undertake asbestos removal no works in relation to any of the features specified below shall commence until details are submitted to and approved in writing by the Local Planning Authority.**

- Any works to the staircase or balustrade to the principal staircase in the entrance hall 00-004 on drawing number 10265-Art-XX-00-DR-A-41110 rev P03

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 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 first agreed otherwise by the Local Planning Authority in writing the framework of the solar panels hereby permitted shall have a matt black external finish which shall be maintained thereafter in the absence of any further specific written permission from the Local Planning Authority.**

Reason: To preserve the character and appearance 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.

- 19. No new plumbing, pipes, soil-stacks, flues, vents ductwork new grilles, security alarms, lighting, security or other cameras or other fixtures shall be fixed on the external faces of the building other than those shown on the drawings hereby approved.**

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

Background Papers

None identified.

List of Appendices:

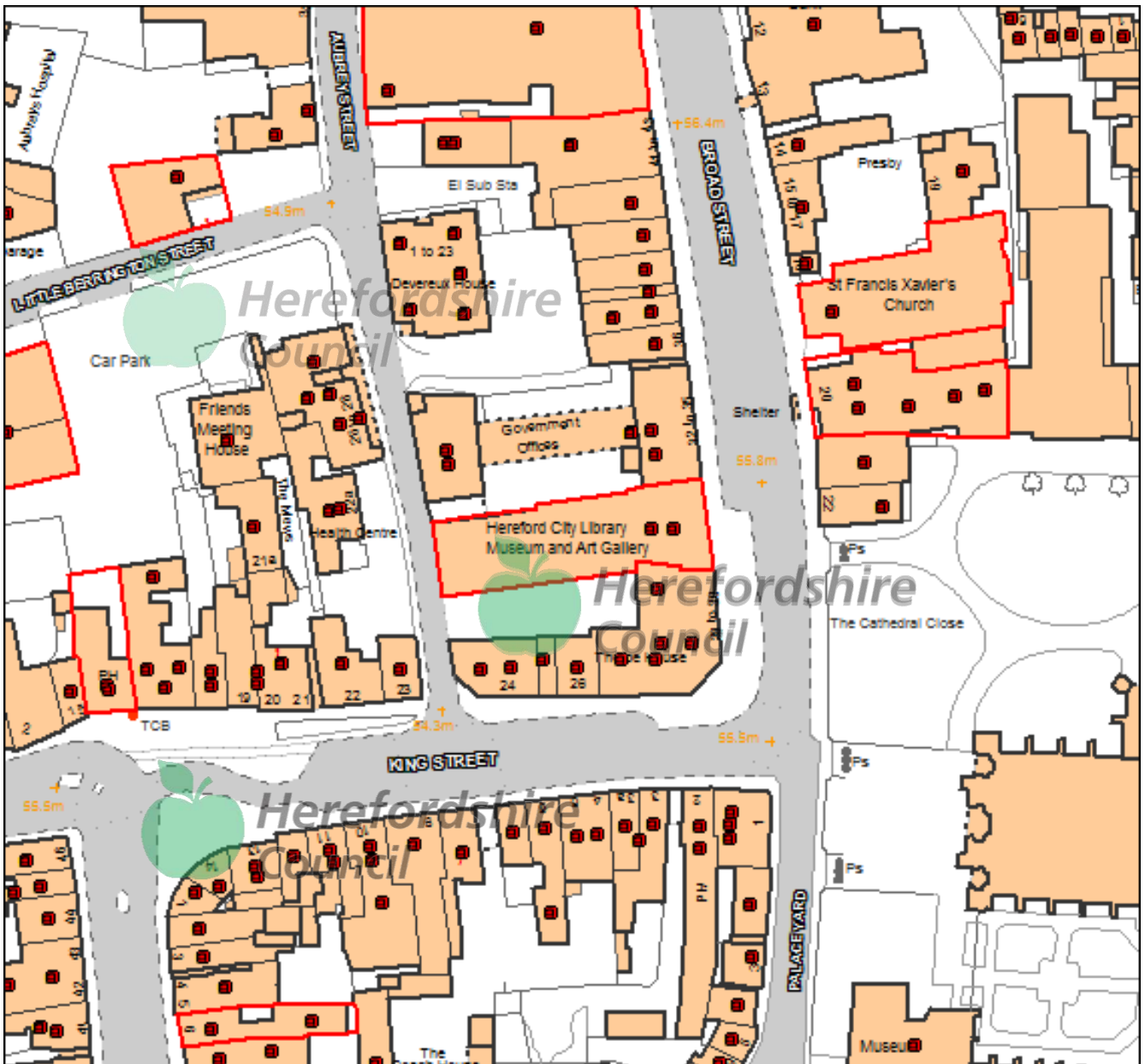
Appendix 1: Historic Building Officer comments: Date June 2024

Appendix 2: Historic Building Officer comments: Date June 2023

Appendix 3 Historic Building Officer comments: Date April 2023

Appendix 4: Full list of approved drawings as per condition 2 (230385/F/ 230386/LBC)

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453



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APPLICATION NO: 230385

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