

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	30 JULY 2025
TITLE OF REPORT:	250688 - PROPOSED DEMOLITION OF THE EXISTING NORTHWEST ANNEX AND CONSTRUCTION OF A SINGLE-STOREY EXTENSION WITH TERRACE AT BISHOPSTONE HOUSE, BISHOPSTONE, HEREFORD, HR4 7JG For: Mrs & Mrs Mason per N Middleton Jones, Studio 2, Thorn Office Centre, Rotherwas, Hereford, HR2 6JT
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=250688&search-term=250688
Reason Application submitted to Committee – Councillor Application	

Date Received: 26 February 2025

Ward: Stoney Street

Grid Ref: 341737,243369

Expiry Date: 23 April 2025

Local Members: Cllr David Hitchiner

1. Site Description and Proposal

- 1.1 The application relates to a large detached stone built dwelling set within a rural landscape located to the west of Bishopstone and to the immediate south of an historic Roman Villa. As such, Bishopstone House, the subject of this application, although not a designated heritage asset, is of some historical and archaeological importance. The site is accessed by a private driveway off the C1097.
- 1.2 The proposal seeks permission for the demolition of an existing L-shaped single storey extension to the north elevation of the existing dwelling and to erect a replacement single storey extension with a first floor terrace. The proposed development would infill a space to the north and west elevation of the dwelling. In addition, there are some minor changes to existing fenestration proposed.
- 1.3 It is noted that the application is largely a variation of an application approved in November 2022 (P221443/FH) to allow an extension and external alterations to the north west of the existing dwelling. It is understood however that this permission has not been implemented.

2. Policies

2.1 The Herefordshire Local Plan – Core Strategy (CS)

- | | | |
|------------|---|--|
| Policy SS1 | – | Presumption in favour of sustainable development |
| Policy MT1 | – | Traffic management, highway safety and promoting active travel |
| Policy LD1 | – | Landscape and townscape |
| Policy LD2 | – | Biodiversity and geodiversity |
| Policy SD1 | – | Sustainable design and energy efficiency |

Further information on the subject of this report is available from Ms Heloise Hardwick on

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

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

2.2 Bishopstone Group Neighbourhood Development Plan

The Bishopstone Group Neighbourhood Development Plan was made on 28 June 2019

Policy G1 – Housing development sites and design

The Bishopstone Group Neighbourhood Development Plan can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/directory-record/3030/bishopstone-group-neighbourhood-development-plan>

2.3 The National Planning Policy Framework (NPPF)

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

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

3. Planning History

- 3.1 P221443/FH – Replacement of existing rear service entrance with formal rear entrance hall, formation of glazed cupola with lead roof on existing rear truncated tower, formation of new bay window, re use of existing bay window flat roof to accessible balcony – Approved with conditions.

4. Consultation Summary

- 4.1 Statutory Consultations
None

- 4.2 Internal Council Consultations

Archaeological Advisor – No Objections: Condition Recommended

This proposal is similar to the previously approved 221443 but involves some amended additional areas of work.

As the applicants acknowledge, given the sensitivity of the site as regards Roman archaeology [known Villa site], that means some additional archaeological recording.

Further information on the subject of this report is available from Ms Heloise Hardwick on 01432 261947

However in this instance, I would agree that this can be done as a condition of consent, in accordance with NPPF Para 218.

Standard archaeological ‘survey and record’ Condition C48 or similar

Ecologist – Original Comment

After reviewing Tom Fairfield's Bat Assessment and Survey Report (2022), it is evident that the site has significant bat interest, with multiple species recorded roosting. However, the report and proposed mitigation measures pertain to the broader site rather than this specific application. Additionally, as the report and surveys are nearing three years old, and given the site's significant bat interest, the ecologist should reassess and determine the validity of the existing bat survey report. Given the mobility of bats, the bat surveys should also be updated.

Ecologist – Updated Comment

Further information with regards to bats has been provided following the previous consultation, and the Bat Assessment and Emergence Survey 2025 document by Tom Fairfield has been reviewed.

The building subject to this planning application was found to have negligible potential for roosting bats, however the adjacent building (Building 4) is a known bat roost and impacts to this roost from destruction and construction of the proposed development have the potential to elicit adverse impacts. Mitigation proposed will require an EPS licence.

Recommended Conditions

Lighting (Bats)

Having regard to known bat roosts in the locale, details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied. The lighting plan should be undertaken alongside an ecologist to ensure no adverse impacts to nearby bat roosts occur. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

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

EPS Licence

No development shall commence until a European Protected Species (EPS) licence for bats has been obtained from Natural England, and a copy of the licence has been submitted to the Local Planning Authority. The licence must include detailed mitigation and compensation measures to safeguard the known bat roosts that would be adversely affected by the proposed works. These measures shall include, but not be limited to, the timing of works, provision of alternative roosting features, and post-construction monitoring (if required). All works shall thereafter be carried out in strict accordance with the approved licence and mitigation strategy.

Reason: The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework,

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NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

5. Representations

5.1 Bishopstone Group Parish Council – No Objections

Bishopstone Group Parish Council discussed this application at their meeting held on Wednesday 26th March 2025 – there were no objections raised.

5.2 Third Party Representations

There have been no representations made by third parties in respect of the application.

5.3 The consultation responses can be viewed on the Council's website by using the following link:- https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=250688&search-term=250688

6. Officer's Appraisal

Policy context and Principle of Development

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the 'made' Bishopstone Group Neighbourhood Development Plan. The National Planning Policy Framework is a significant material consideration.

6.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any applications.

6.4 The Development Plan also incorporates the Bishopstone Neighbourhood Development Plan.

6.5 Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable 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.

6.6 Policy LD1 of the Herefordshire Core Strategy notes that development proposals should demonstrate that the character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas.

6.7 Policy G1 of the Bishopstone Group Neighbourhood Development Plan further emphasises that all new development must be designed to a high quality and this can be assessed by the orientation, siting, scale, proportions, massing, rooflines, materials and detailing of the design;

planning and architectural integrity of the design and the way it fits in with the surrounding buildings and landscape; and ensuring the construction design and materials reflect the dwellings in the immediate area.

- 6.8 In assessing the principle of the development, adopted policies establish that this is supported with the assessment focused upon the details of the proposal.

Scale, Design and Appearance

- 6.9 With the above in mind, the proposed extension would replace an existing single storey extension to the rear of the dwelling and would largely infill a space between the north and west elevations. In considering the amount of built development as a result of the proposal, the proposed development is of an acceptable size and scale which would not constitute overdevelopment of the existing dwelling and would be appropriate in terms of massing and size in a way that reflects the character of Bishopstone House and the wider surrounding area.
- 6.10 In addition, it is considered that the proposed extension is appropriately designed to be viewed as subservient to the dwelling and would not detract from its existing character.
- 6.11 With regard to proposed materials, the use of matching stone is considered to be in-keeping and would harmonise well with existing materials to the dwelling.
- 6.12 Moreover, the proposed fenestrations of the extension and minor alterations to existing fenestration proposed to the west elevation of the dwelling are reflective of the character of existing fenestration and this design is not considered to result in any adverse impact to the visual appearance of the dwelling.
- 6.13 The development is therefore of a scale, design and appearance that would not harm the character or appearance of the host property or the area in which it is situated.

Residential Amenity

- 6.14 Policy SD1 of the Herefordshire Core Strategy states that development proposals should safeguard residential amenity for existing and proposed residents. The proposed development in this case relates to a single storey extension with a first floor terrace. Although it is acknowledged that the introduction of a first floor terrace could result in overlooking and loss of privacy of neighbouring amenities, it is clear that there are no neighbouring properties within close proximity to the proposed development and the first floor terrace would solely overlook agricultural fields within the applicant's ownership.
- 6.15 The proposal is considered to maintain the amenity of neighbours and would not result in overlooking/loss of privacy/loss of light/visual dominance to a degree that would be contrary to the above policies.

Access and Parking Arrangements

- 6.16 Policy MT1 of the Herefordshire Core Strategy states that development proposals should 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.
- 6.17 The proposed development would retain the existing access to the site and would result in no adverse impact upon existing parking arrangements on the site. The proposal is therefore not considered to present any adverse impact to the local highway network.

Archaeological Considerations

- 6.18 Paragraph 207 of the NPPF states that where a site on which development is proposed includes or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 6.19 The Council's Archaeological Advisor was consulted in respect of the application and advises that owing to the site's archaeological sensitivity given the adjacent Roman Villa site, a standard archaeological survey and recording condition is recommended.

Ecology and Biodiversity

- 6.20 Policy LD2 of the Herefordshire Core Strategy states that development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire.
- 6.21 Following receipt of an updated Bat Assessment and Emergence Survey, it is considered that mitigation is deemed necessary to ensure the proposal will not cause direct harm to protected species, in addition to control over external illumination given the rural nature of the landscape. This is secured by condition.
- 6.22 For the avoidance of doubt, an informative note is added to alert the applicant to their obligations under the Wildlife and Countryside Act. In this regard, I do not consider there to be any conflict with Policy LD2.

Conclusion

- 6.23 Therefore, it is considered that the proposed development complies with the policies of the Development Plan and is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. Time limit for commencement

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

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

2. Development in accordance with approved plans and materials

The development hereby approved shall be carried out strictly in accordance with the approved plans (drawing nos. 8533-01C; 8533-02; 8533-03; 8533-04; 8533-05; 8533-06; 8533-07) and the schedule of materials indicated thereon.

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

3. Archaeological survey and recording

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.

4. External Illumination

Having regard to known bat roosts in the locale, details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied. The lighting plan should be undertaken alongside an ecologist to ensure no adverse impacts to nearby bat roosts occur. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

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5. European Protected Species (EPS) Licence

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INFORMATIVES:

1. Application Approved Without Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Wildlife 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) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special “Higher Status Protected Species” such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required ‘licences’ have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.

3. Biodiversity Net Gain (Exemption Informative)

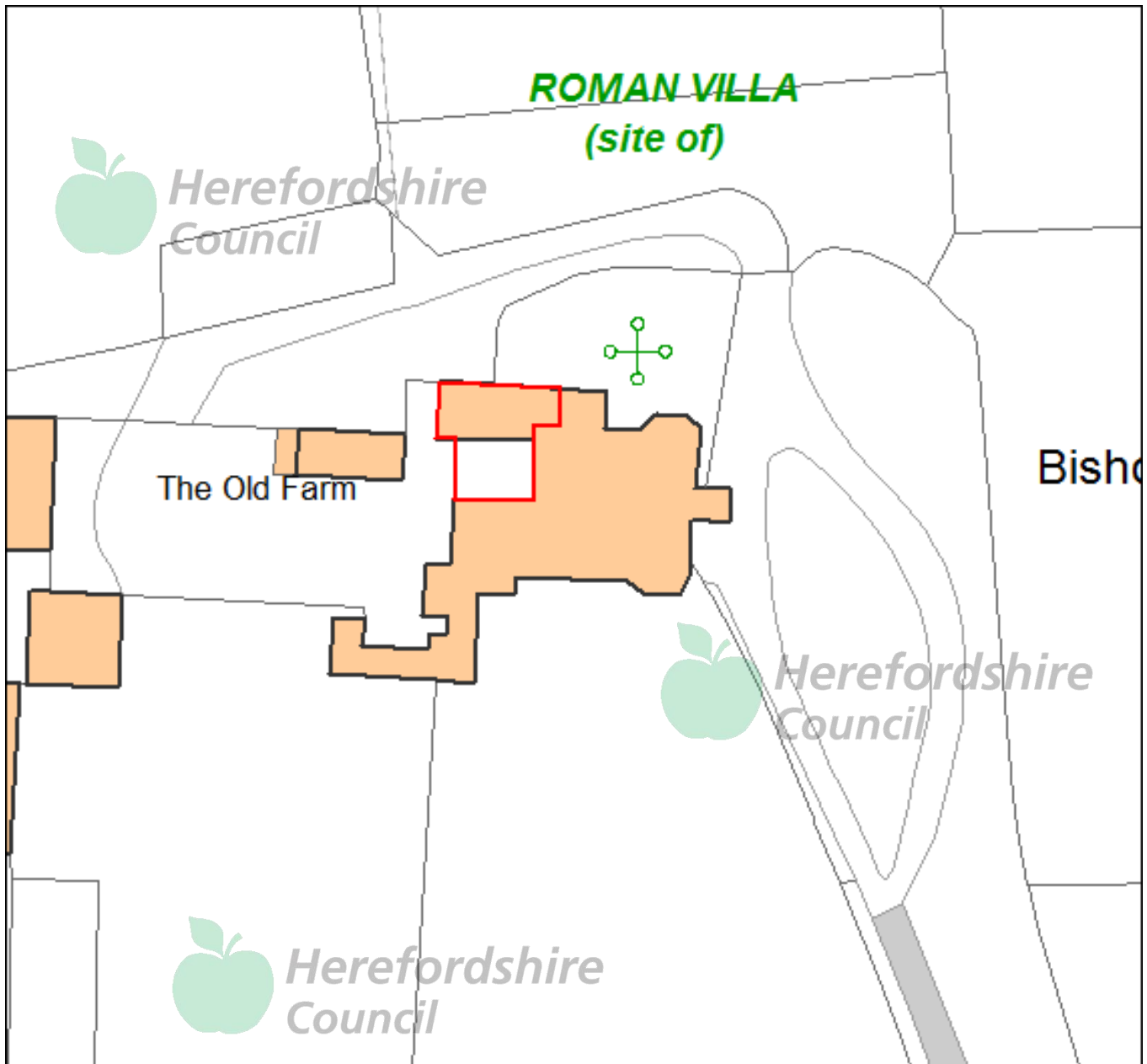
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 250688

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