

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	15 OCTOBER 2025
TITLE OF REPORT:	251363 – PROPOSED CONVERSION AND EXTENSION OF FIELD BARN TO A SELF-BUILD DWELLING AND ASSOCIATED WORKS (PART RETROSPECTIVE) AT THE COTE, LOWER CROSSWAYS FARM, DORSTONE, HR3 6AT For: Mr Goodwin per Mr Matt Tompkins, Lane Cottage, Burghill, Hereford, Herefordshire HR4 7RL
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=251363
Reason Application submitted to Committee – Re-direction	

Date Received: 6 May 2025

**Ward: Golden Valley
North**

Grid Ref: 331941,241861

Expiry Date: 24 July 2025

Local Member: Cllr Philip Price

1. Site Description and Proposal

- 1.1 The application site lies to the south of the B4348 approximately 0.3 miles to the north-east of Dorstone and comprises an isolated and now former agricultural field barn known as 'The Cote'. Comprised of random stone construction, The Cote is found some distance away from the more modern farm buildings which comprise Lower Crossway Farm to the west. It is positioned close to the north-eastern field boundary and was once part of a larger, more rectangular agricultural field before it was sub-divided to achieve a residential curtilage with boundary treatments formed of post-and-wire fencing together with well-established roadside hedgerow running along the northern boundary. Topography across the site falls generally from north-east to south-west into Dorstone and towards the River Dore. On the opposite side of the B4348 the land rises further north and east up towards Dorstone Hill Wood.
- 1.2 Whilst unlisted, The Cote has heritage value in terms of its long association with the agricultural working landscape between Dorstone and Peterchurch. It has previously been considered by the Local Planning Authority in decision-making to be a 'non-designated heritage asset'.
- 1.3 Planning permission was granted in 2019 (Reference: P180101/F) for conversion of The Cote into a one-bedroomed dwellinghouse together with the creation of a new vehicular access directly off the B4348, driveway, and formation of the aforementioned residential curtilage. Pre-commencement conditions were discharged and works commenced to implement that particular planning permission which is currently at a stage of part-conversion.
- 1.4 This current application seeks to vary the approved scheme, to include a proposed single-storey lean-to utility/WC extension off the west elevation and a single-storey three-bedroom extension effectively perpendicular to the east elevation with a single-storey glazed link to connect the extension with the barn. The proposal is also promoted as a 'self-build' dwellinghouse.

- 1.5 Due to the description of development approved under P180101/F which clearly referenced a one-bedroomed dwellinghouse to be created through the conversion, a fresh application for planning permission has been submitted for determination. However, taken at face value, the extensions proposed are essentially the main difference between the approved permission and this current proposal.
- 1.6 This application is also a re-submission of a recently refused application of a not too dissimilar proposal for extensions to the barn (Reference: P233424/F), which was determined as a delegated decision by officers.
- 1.7 Below are the plans approved under P180101/F (Figure 1), the plans previously refused under P233424/F (Figures 2 and 3) and the proposed plans for this current application (Figures 4-9 inclusive):

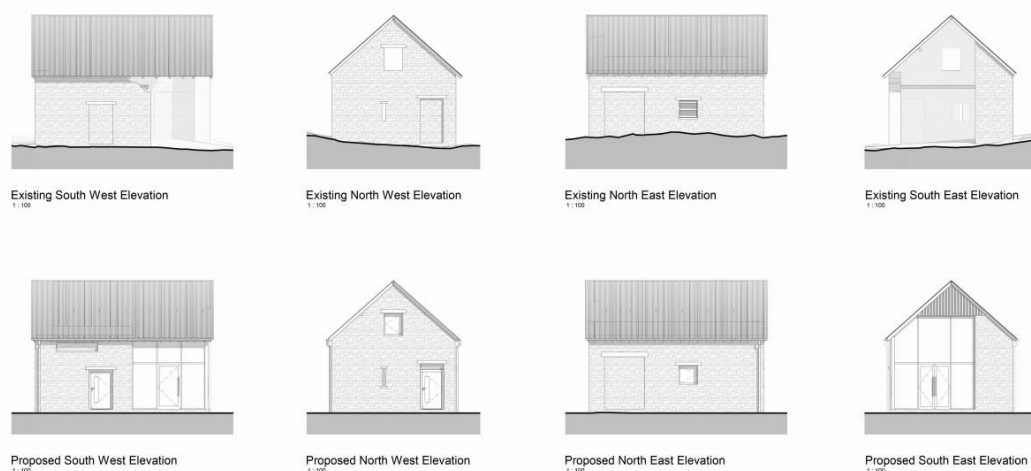
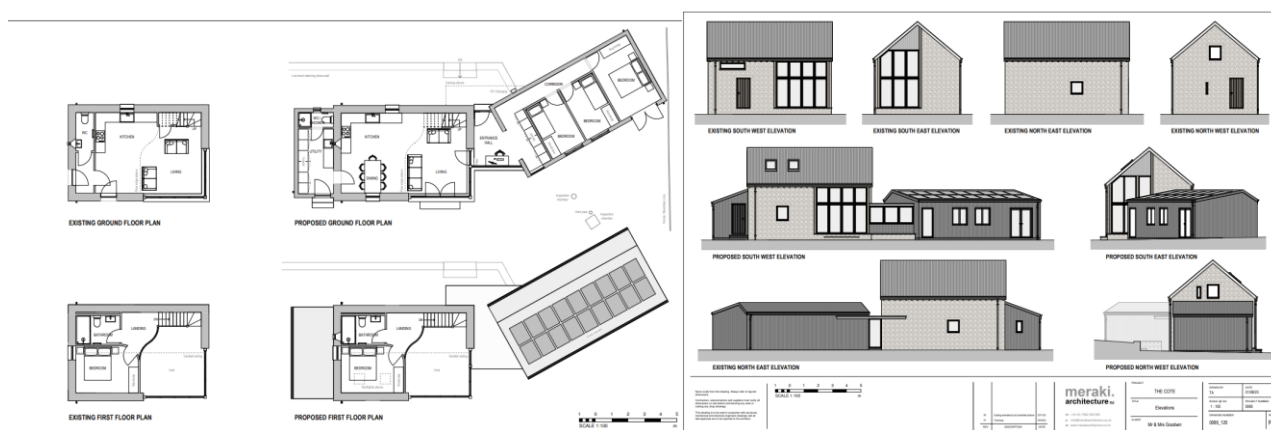
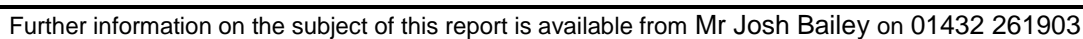
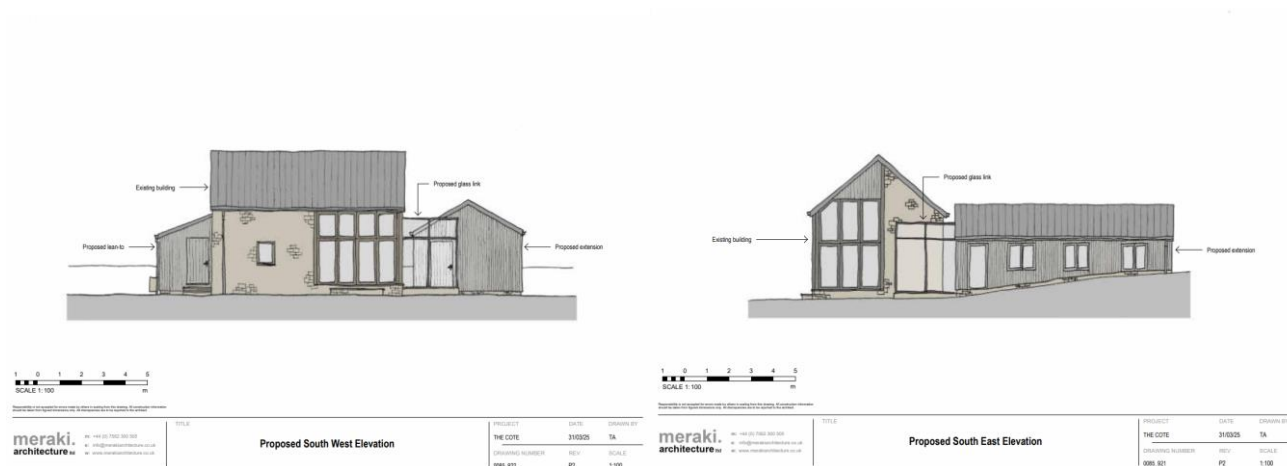


Figure 1 – Existing and Proposed Plans approved under P180101/F



Figures 2 & 3 – Existing and Proposed Plans refused under P233434/F





Figures 6, 7, 8 and 9 – Proposed Elevations for P251363/F (current application)

1.8 The application is also to be considered together with the following supporting documents:

- Application Form (signed Certificate B);
- Planning Statement;
- Technical Note – Drainage Strategy;
- Ecological Survey (also submitted under P180101/F); and
- Structural Assessment Report (also submitted under P180101/F).

2. Policies

2.1 Herefordshire Local Plan – Core Strategy 2011-2031 adopted 15 October 2015 (CS)

- | | | |
|-----|---|--|
| SS1 | – | Presumption in favour of sustainable development |
| SS2 | – | Delivering new homes |
| SS4 | – | Movement and transportation |
| SS6 | – | Environmental quality and local distinctiveness |
| SS7 | – | Addressing climate change |
| RA1 | – | Rural housing distribution |
| RA2 | – | Housing in settlements outside Hereford and the market towns |
| RA3 | – | Herefordshire's countryside |
| RA5 | – | Re-use of rural buildings |
| H3 | – | Ensuring an appropriate range and mix of housing |
| MT1 | – | Traffic management, highway safety and promoting active travel |
| 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 |

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Paragraph 34 of the revised National Planning Policy Framework (NPPF) requires a review of local plans be undertaken at least every five years. In order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The CS was adopted on 15th October 2015 and a review was required to be completed before 15th October 2020. The decision to review the CS was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the relevant policies have been reviewed, are considered consistent with the NPPF and therefore attributed significant weight.

CS policies together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link:-
https://www.herefordshire.gov.uk/downloads/download/123/adopted_core_strategy

2.2 Dorstone Neighbourhood Development Plan – made on 17 February 2017 (NDP)

DNP H1 – Housing Policy
DNP H2 – Housing design criteria
DNP ENV1 Policy 1 – Conservation, heritage and landscape
DNP F1 Policy – Flooding

The Dorstone NDP policies together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link:-
<https://www.herefordshire.gov.uk/directory-record/3053/dorstone-neighbourhood-development-plan-made-17-february-2017>

2.3 Herefordshire Minerals and Waste Local Plan – adopted on 8 March 2024 (MWLP)

SP1 – Resource Management

The MWLP together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link:-
<https://www.herefordshire.gov.uk/local-plan-1/minerals-waste-local-plan>

2.4 National Planning Policy Framework (NPPF) – revised on 7 February 2025

- 2 – Achieving sustainable development
- 4 – Decision-making
- 5 – Delivering a sufficient supply of homes
- 6 – Building a strong, competitive economy
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 – Achieving well-designed 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

The NPPF sets out the government's planning policies for England and how these are expected to be applied in plan-making and decision-making. The NPPF can be viewed using the following link: - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

2.5 National Planning Practice Guidance (PPG)

The Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents should be read together. The PPG can be accessed through the following link: <https://www.gov.uk/government/collections/planning-practice-guidance>

3. Planning History

- 3.1 P180101/F - Conversion of existing barn to form a one-bedroom dwelling and construction of new vehicular access – Approved with conditions on 2 May 2019 - https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=180101

- 3.2 P201510/XA2 - Application for approval of details reserved by conditions 3 5 7 8 9 11 & 13 attached to planning permission 180101 – Approved on 18 August 2020 - https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=201510
- 3.3 P233424/F - Conversion and extension of field barn to a dwelling and construction of new vehicular access (part retrospective). – Refused on 20 March 2024 - https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=233424

4. Consultation Summary

4.1 Statutory Consultations

4.1.1 Dwr Cymru Welsh Water – No objections:

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development. This application is located in an unsewered area and since the proposal intends on utilising an alternative to mains drainage, we would advise that the applicant seek advice from the Environment Agency and the Building Regulations Authority as both are responsible to regulate alternative methods of drainage. 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. If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com Please quote our reference number in all communications and correspondence.

4.2 Internal Council Consultations

4.2.1 Building Conservation Officer – Objection:

Comments:

The proposal

The proposal is for the conversion and extension of a field barn to a self-build dwelling and associated works part retrospective.

The site

The site is located in an isolated position within a field alongside the B4348 to the south of Lower Crossway Farm. The original application for conversion noted that the barn is unlisted but clearly has heritage value in terms of its long association with the agricultural landscape between Dorstone and Peterchurch.

Planning History

180101/F – conversion of existing barn to one bedroomed dwelling – approved 02/05/2019
201510 – discharge on conditions in respect of 180101 – approved 18/08/2020
233424 – conversion & extension of field barn to dwelling part retrospective – refused 20/03/2024
241390 – pre-application.

Legislation Policy and Guidance

Paragraph 135 of NPPF advises that planning policies and decisions should ensure developments should;

- a) 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;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) 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);
- d) 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.

Paragraph 208 of NPPF advises that a “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

Policy RA5 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires that:
The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to residential development, or is essential to the social well-being of the countryside, will be permitted where:

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

Policy SS6 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires that development proposals should:

- conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular landscape, and heritage assets and especially those with specific environmental designations Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant.

LD1 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires that development proposals should:

- demonstrate that 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;
- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, includingconservation areas; through the protection of the area’s character and by enabling appropriate uses, design and management.

Policy LD4 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires development proposals affecting heritage assets and the wider historic environment should:

- 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.

Assessment of Proposal

The building in question has previously been granted consent for a one bedroomed dwelling, and therefore it is considered that the principle of the conversion of the building in line with CS policy RA5, has already been considered, and despite the degree of rebuilding that was necessary was supported in built heritage terms as it would retain the simple agrarian character of the building.

The building works associated with the previous application are as yet not completed and the building is understood not yet to be occupied.

The proposal is for an extension to the barn, which requires planning permission as permitted development rights were removed on the original application.

The approved scheme was for an open plan living kitchen dining room on the ground floor (plus WC) and one bedroom and bathroom on part of the first floor, with part being a 2 storey void.

The current proposal is for a single storey lean to-utility extension on the western stone gable, a glass lobby and a 3 bedroom extension to the north, facing the B4348.

As such the proposal is very similar to the previously refused scheme under application 233424, which was refused on 2 grounds the one relevant to built heritage being the first reason for refusal.

The proposed extension, by virtue of its design, siting and appearance, would be an unacceptable form of development that would be out of keeping with the agricultural character of this non-designated heritage asset and detrimental to its contribution to the character of the site and would fail to conserve or enhance its immediate setting and surrounding area. As such, the proposal would be contrary to policies SD1, LD1, LD4, SS6 and RA5 of the Herefordshire Local Plan – Core Strategy and policies DNP H2 and DNP ENV Policy 1 of the Dorstone Neighbourhood Development Plan, that seek to ensure development respects the character of the area and its surroundings and the National Planning Policy Framework that promotes and reinforces the importance of a sense of place and conserving and enhancing of the historic environment, with particular relevance to Chapters 12 and 16.

Whilst noting that the angle of projection differs in the current proposal, nonetheless it would appear that the proposal is so similar to the previously refused scheme that the reason for refusal would still be applicable. Advice was issued at pre-application stage that has not been progressed for the reasons detailed in The Planning Statement sections 2.4.1 – 2.4.3. Whilst noting the details in the submission, the concerns raised in respect of application 233424 would still be relevant.

However should the principle of an extension to the barn conversion be considered appropriate in policy RA5 terms, I would suggest that a more traditional approach of a simple 2 storey extension (50% of floor size), in conjunction with the flooring of the 2 storey void, be considered as an alternative, that would address some of the reasons for refusal on the previous scheme, and enable the children's bedrooms to be on the same floor as the master bedroom, which may be beneficial and retain the character of the barn to a greater degree than proposed. The walls could be timber clad, or stone at the base if preferred, and whilst 2 rooms (utility room and reception room) have been suggested on the ground floor, the ground floor could be divided further if required.

I would be happy to enter into discussions in this respect, however, to aid consideration of the suggestion, I have drafted some indicative sketches for consideration below [Figure 10].

Figure 1 comparison of approved, refused and current proposal and alternative suggestion

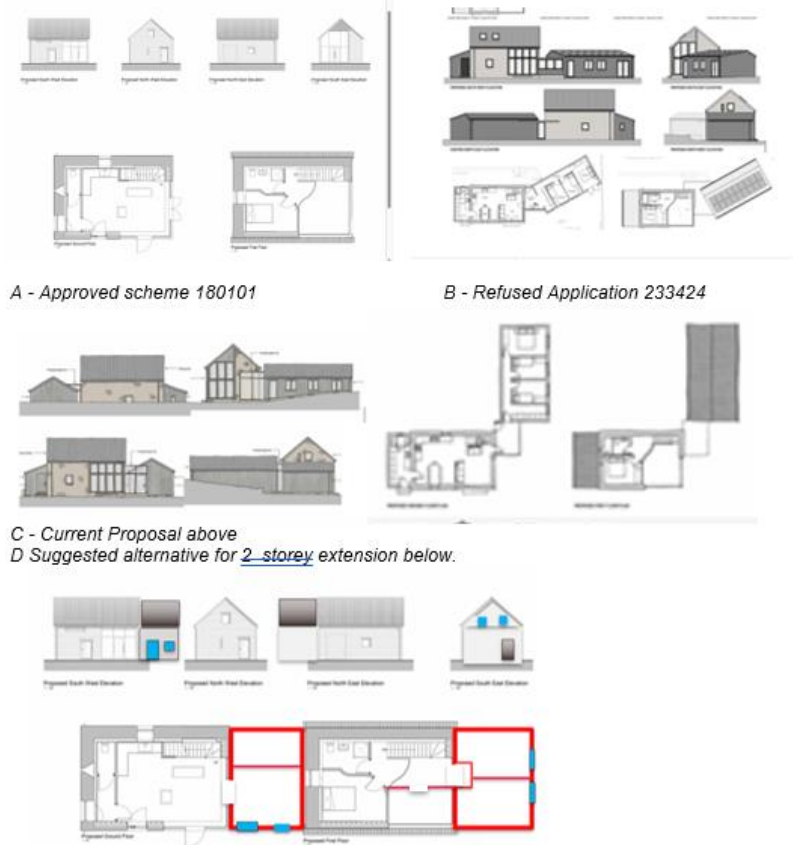


Figure 10 – Suggested alternative extension by Building Conservation Officer

Should the principle of extension be considered acceptable, given the location of the building so readily prominent in the landscape, and the former sympathetic conversion scheme of what was considered as a non-designated heritage asset, it is requested that consideration be given to a less harmful alternative method of achieving three additional bedrooms, and maintain the character and appearance when viewed from the B434, longer views from the village by siting the proposed lean-to extension away from the western gable, and the PROW. I trust that the above sketches are sufficient detailed to illustrate the suggestion, however if I can be of further assistance please do not hesitate to contact me.

However based on the current proposal I would have to object for the reasons issued in the refusal of application 233424 detailed in paragraph 5.6, as the proposal is sufficiently similar in its design, siting and appearance to the refused scheme, and as such would remain an unacceptable form of development that would be out of keeping with the agricultural character of this non-designated heritage asset and detrimental to its contribution to the character of the site and would fail to conserve or enhance its immediate setting and surrounding area. As such, the proposal would be contrary to policies SD1, LD1, LD4, SS6 and RA5 of the Herefordshire Local Plan – Core Strategy and policies DNP H2 and DNP ENV Policy 1 of the Dorstone Neighbourhood Development Plan, that seek to ensure development respects the character of the area and its surroundings and the National Planning Policy Framework that promotes and reinforces the importance of a sense of place and conserving and enhancing of the historic environment, with particular relevance to Chapters 12 and 16.

4.2.2 Senior Landscape Officer – Qualified Comments:

The existing and renovated field barn has a distinctive scale, appearance and character as a standalone building in open countryside. With the inevitable paraphernalia and extension that

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

comes with development of buildings in openness, the charm of an old redundant barn in the field is gone.

Taking that into consideration, the proposed development is within reason of a scale, design and materiality that is in keeping with the old building and new renovation, and therefore does not have a significant adverse effect, but does still bring with it harm to the landscape character.

What is missing is an understanding of the proposed landscape, as this too has an effect on the character, and how the buildings will be viewed in context as part of the landscape experience.

It is recommended to look at the development from a wider landscape perspective, and establish if the buildings are purely in an open landscape, or connect with the neighbouring buildings and treescape. With the addition of carefully selected trees (most likely native), the character of the landscape may therefore influence the character of the building in its setting. It would be important to study the existing treescape and tree species to enable objective tree selections.

Attention to the hard landscape elements (pavements surfaces, gates, fences etc.) also has an influence on the overall landscape setting, and therefore character. Overall, the development needs to elaborate further on the landscape character in accordance with Core strategy, policies LD1 and SS6.

4.2.3 Land Drainage Engineer – No objection:

Our knowledge of the development proposals has been obtained from the following sources:

- Application for Planning Permission;
- Location and Site Plans (Ref: 0085_001 P5);
- Existing Floor Plans (Ref: 0085-925 P1);
- Proposed Floor Plans (Ref: 0085_926 P1);
- Technical Note – Drainage Strategy (Ref: 25-3130-KTN-TN-01-B).

Site Location

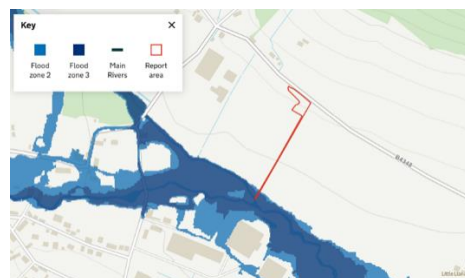


Figure 11: Environment Agency Flood Map for Planning (Rivers and Sea), July 2025.

Overview of the Proposal

The Applicant proposes the conversion and extension of an existing field barn (1-bed) to form a 4-bed dwelling. The site covers an area of approx. 0.15ha. A field ditch appears to be located approx. 105m to the northwest of the site. The River Dore flows along the southern boundary tip of the site. The topography of the main site area slopes down from northeast to southwest by approx. 3m.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency’s Flood Map for Planning (Figure 1) indicates that the main site area is located within the low probability Flood Zone 1.

As the proposed development is located within Flood Zone 1 and is less than 1ha, in accordance with Environment Agency standing advice, the planning application does not need to be supported by a Flood Risk Assessment (FRA). This is summarised in Table 1:

Table 1: Scenarios requiring a FRA

	Within Flood Zone 3	Within Flood Zone 2	Within Flood Zone 1
Site area less than 1ha	FRA required	FRA required	FRA not required*
Site area greater than 1ha	FRA required	FRA required	FRA required

*except for changes of use to a more vulnerable class, or where they could be affected by other sources of flooding

Surface Water Flood Risk

Review of the EA’s Risk of Flooding from Surface Water map indicates that the site is not located within an area at risk of surface water flooding.



Figure 12: EA Surface Water Flood Risk Mapping, July 2025.

Other Considerations and Sources of Flood Risk

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

Review of the EA’s Groundwater map indicates that the site is not located within a designated Source Protection Zone or Principal Aquifer.

Surface Water Drainage

Infiltration testing has been undertaken whereby one trial hole was excavated to 2mBGL. Three tests were conducted and an infiltration rate of 1.04x10⁻⁶m/s was established. This suggests that ground conditions would support some infiltration to ground but it has been stated that this cannot be solely relied upon to drain the entire site. No groundwater level assessment was conducted.

The existing surface water drainage arrangements comprise a direct, uncontrolled discharge to ground. We note proposals for a geocellular attenuation crate; this has been designed to facilitate infiltration through the base of the crate. A limited discharge (1l/s) from the crate is proposed to the existing foul discharge pipe of the existing package treatment plant; however, we note that a small orifice (29mm diameter) is required to achieve this. Small orifices are at heightened risk of blockage.

Given the size and rural location of the development site, the Applicant could consider the provision of a larger soakaway to mitigate the requirement for a small orifice; notably due to an acceptable infiltration rate being established onsite.

It should be noted that soakaways should be located a minimum of 5m from building foundations and that the base of soakaways should be a minimum of 1m above groundwater levels.

All areas of hardstanding will be constructed of permeable materials.

The surface water drainage system will be maintained by the future property owner.

Foul Water Drainage

Percolation testing has been undertaken at the site whereby three trial pits were excavated to 1.3mBGL. Three tests were completed in each pit and an average Vp rate of 108s/mm was established. This is a slow rate which would not support the construction of a drainage field.

We understand that the existing building onsite is served by an existing package treatment plant with a gravity-fed discharge to the River Dore. The existing PTP is stated to have a capacity for 6 people. This appears to be adequate to serve the potential population of the proposed development; should this not be the case, the Applicant will be responsible for installing a correctly sized PTP.

The red line site boundary appears to include all drainage infrastructure including the discharge point to the River Dore.

Overall Comment – NO OBJECTION

Based in the reviewed documents stated above, provided there are no changes made to the proposed surface water and foul water drainage arrangements at any other planning stages and will be constructed in line with the design and plans under this application, in principle, we hold no objections to the proposed development.

4.2.4 **Transportation – Area Engineer – No objection:**

The local highways authority has considered the application as detailed above and makes the following comments. The site has an existing permission for a one bed dwelling with all access already considered and approved. The gateway is set back from the B4348 and is acceptable to the LHA. There is sufficient space within the existing site area for the parking of three vehicles which would comply with the Herefordshire Council highways design guide and would be acceptable.

No objections to the application.

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

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

4.2.5 **Senior Ecologist – No objection; conditions recommended:** River Wye SAC Habitat Regulation Assessment

The site is within River Wye SAC catchment and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out by the LPA, the final HRA 'appropriate assessment' completed by the LPA must be formally approved by Natural England PRIOR to any future planning consent being granted.

This HRA process needs to be completed based on all current requirements and considerations and on information supplied in support of this specific application and that is sufficiently detailed to allow any relevant conditions to be secured.

The HRA process must be completed with legal and scientific certainty and using a precautionary approach.

From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to "unfavourable declining" by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.

The demonstration of the use all best available 'natural' technology to minimise the discharge of phosphates in to the River Wye SAC catchment must be demonstrated

Notes in respect of HRA

- There is an existing lawful residential dwelling which provides an existing baseline for foul water flows (nutrient pathways).
- The proposed development is considered as not creating any new or additional residential units.
- The proposed development is solely an increase of existing accommodation arrangements and creates no new independent residential units.
- With no increase in total residential units (dwellings) created, through the agreed nutrient calculation system with Natural England, no additional nutrient pathways are considered to be created.
- The existing installed foul water system will manage the existing and proposed foul water flows from the single residential unit.
- The existing and proposed development will manage all surface water created through use of relevant designed Sustainable Drainage Systems (SuDS) with appropriate local infiltration where possible.
- With no new residential units being created and foul water management scheme remaining unchanged and utilised the required HRA process can be considered as being 'screened out' at stage 1 of the appropriate assessment process. No further formal HRA appropriate assessment is required.

Additional Ecology Comments

As a wholly new planning application the self-build exemption from statutory Biodiversity Net Gain must be secured on any planning permission granted. If this exemption does not apply then BNG will automatically become applicable and must be discharged in full PRIOR to any permitted works commencing. If BNG is required the baseline should be the site as of 30th January 2020 and be considered as a minimum of 'moderate' condition. No statutory BNG gain can be delivered within the residential curtilage or any boundary feature of that residential curtilage.

From available information the LPA has no reason to consider there will be any effects on protected species or local ecological interests subject to relevant control of external lighting. The applicant and their contractors still have a statutory duty of care towards wildlife protection and an informative to remind of this duty is suggested.

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 Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained.

As identified in the NPPF, NERC Act, Core Strategy LD2 and action within the council’s declared Climate Change & Ecological Emergency all developments should demonstrate how they are going to practically enhance (“Net Gain”) the Species (Biodiversity) potential of the area. Based on scale, location and nature of proposed development a relevant Condition is suggested to secure these enhancements:

To obtain Species (Biodiversity) Net Gain

Prior to first use of any building permitted under this planning permission, evidence such as photographs or ecologists report should be supplied to and acknowledged by the local authority evidencing the suitably placed installation of a minimum of FOUR bird nesting features and FOUR bat roosting features. The installed features shall hereafter be maintained 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.

Informative: The Bat Conservation Trust and RSPB websites can provide assistance in type and location of appropriate habitat boxes.

The site is in an area with an intrinsically dark landscape that benefits local amenity and nature conservation interests, including nocturnal protected species (Bats) commuting/foraging in wider locality and adjacent habitats. A condition to ensure all local nature conservation interests are not impacted and external lighting is requested:

Protected Species and Dark Skies (external illumination)

No external lighting of any kind shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

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.

4.2.6 Environmental Health (Noise & Nuisance) Technical Officer – No objection:

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

Comments are made from a noise and nuisance perspective. No objections.

5. Representations

5.1 Dorstone Parish Council – Support:
Dorstone Parish Council resolved to support the application, providing it complies with the Herefordshire Core Strategy policies RA3 & RA5. (Dorstone Neighbourhood Policies DNP H1 Housing Policy).

5.2 The remaining 47 letters of third-party representations received can be broken down as follows.

3 letters (duplicated) of objection from 1 resident. They raise the following summarised comments:

- Application conflicts with Policy RA3 and RA5
- Does not preserve the features of the countryside
- Appears a rehash of previously refused application [P233424/F]
- Appears to seek social support to get application through
- This is effectively a new build out of a shed which has evolved through ‘stealth’

44 letters of support from 40 different interested third parties from 35 properties. They raise the following summarised comments:

- Support local people to stay in area and support local services
- No highway safety issues
- No impacts on amenity
- Enhancement to landscape
- Appropriate design, converted sensitivity
- Extensions are achievable under ‘Class Q’
- ‘Self-Build’

All consultation responses can be viewed on the Council’s website using the following link:-
https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=251363

6. Officer’s Appraisal

Policy context

- 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 comprises the Herefordshire Local Plan – Core Strategy (CS), the Herefordshire Minerals and Waste – Local Plan (MWLP) and the Dorstone Neighbourhood Development Plan (NDP). The National Planning Policy Framework (NPPF) is also a significant material consideration.
- 6.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and Paragraph 34 of the NPPF requires a review of local plans to 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 CS was adopted in October 2015 and a decision to review the CS was taken in November 2020, which is over five years.
- 6.3 In reaching a decision, the level of consistency of policies within the local plan with the NPPF will therefore need be taken into account by the decision-maker, as per Paragraph 232 of the NPPF. From reviewing those policies within the CS applicable to the determination of this application, these are generally consistent with the guidance contained within the NPPF. As such, significant

weighting should continue to be afforded to these relevant policies, particularly in relation to key policies on directing development to a sustainable location, achieving well-designed places and environmental assets. This position has also been crystalised at the Appeal Court prior to the most recent revisions to the NPPF coming into effect following *Suffolk Coastal DC v Hopkins Homes & SSCLG and Richborough Estates v Cheshire East BC & SSCLG* [2016] EWCA Civ 168 which were described by the Court thus “*We must emphasize here that the policies of the NPPF do not make "out-of-date" policies for the supply of housing irrelevant in the determination of a planning application or appeal. Weight is, as ever, a matter for the decision maker (as described the speech of Lord Hoffmann in Tesco Stores Ltd. v Secretary of State for the Environment [1995] 1 W.L.R. 759, at p.780F-H)*”.

- 6.4 Planning reforms published in December 2024 by the UK Government included revisions to the NPPF, which has implications for both plan-making and decision-making. In the context of Herefordshire, this notably includes a 70% increase in the new homes requirement over the plan period – rising from 16,100, as identified within the current CS, to 27,260 new dwellings. These changes have subsequently impacted the Council’s publicised housing land supply, which has now dropped below the required five years to 3.06 years (as of January 2025).
- 6.5 Paragraph 11 of the NPPF, like Policy SS1 of the CS, sets out a presumption in favour of sustainable development. For decision-making, Paragraph 11d will need to apply. It states that where there are no relevant development plan policies, or the policies which are most important for determining the application are ‘out-of-date’ (in instances where applications involve the provision of housing, as per Footnote 8), to grant planning permission unless:
- the application of policies of the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (11di); or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (11dii).
- 6.6 Paragraph 12 of the NPPF nevertheless does remain relevant, stating that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the adopted development plan), permission should not usually be granted.
- 6.7 Revisions to the NPPF also have implications for Neighbourhood Development Plans (NDPs). Paragraph 14 of the NPPF states, “*In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*
- a) *the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
 - b) *the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)."*
- 6.8 The Dorstone NDP was made on 17 February 2017. At the time of decision-making, it is more than 5 years old and does not identify any proposed housing allocations and as such does not benefit from the enhanced provisions of Paragraph 14 and accordingly any conflict with the housing policies contained within the NDP does not automatically amount to harm that should significantly and demonstrably outweigh the benefits of a proposal. The aforementioned planning balance at Paragraph 11d of the NPPF still applies in earnest.

- 6.9 The appraisal nevertheless makes a detailed assessment of the application against the policies of the adopted development plan, though any decision-taking will need to be considered in accordance with Paragraph 11d of the NPPF.

Principle of development including consideration of matters pertaining design, character and appearance of area/streetscene, landscape character and visual amenity, residential amenity, ecology and heritage

- 6.10 Policy SS1 of the CS states that planning applications that accord with the policies in the CS will be approved unless material considerations indicate otherwise. In terms of considering new residential development, Policy SS2 of the CS states that Hereford is the main focus for new housing in supporting its role as the main centre in the county, then the five market towns thereafter. Beyond this, in the rural areas across Herefordshire, new housing development will be principally accepted where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities, and is responsive to the needs of its community as set out under Policies RA1 and RA2. In the wider rural areas beyond such identified settlements, new housing will be carefully controlled, recognising the intrinsic character and beauty of open countryside, and need to be assessed in accordance with CS Policy RA3, which is consistent with Paragraphs 82-84 inclusive of the NPPF. The broad distribution of new residential development across the rural settlements over the current plan period of the CS is expected to deliver a minimum of 5,300 new dwellings, although this is not a ceiling and any decision-maker will be acutely aware of the recent revisions to the NPPF.
- 6.11 Policy RA1 of the CS explains that a minimum of 5,300 new dwellings will be distributed across the seven different Housing Market Areas (HMAs). This recognises that different parts of Herefordshire have differing housing needs and requirements. The policy explains that the indicative target is also to be used as a basis for the production of NDPs and thus growth target figures are set for the HMA as a whole rather than for constituent Neighbourhood Areas, where local evidence and environmental factors will also determine appropriate scales of development. The CS leaves flexibility for NDPs to identify suitable housing sites through policies and/or allocations though amendments to the NPPF has now altered the standard method of calculating housing requirements. Subsequently, the residual growth figures have now gone up.
- 6.12 Dorstone is identified as a settlement which is a main focus for proportionate housing development under Policy RA2 (refer to associated Figure 4.14), with proportionate housing growth identified for the Golden Valley HMA of 12% under Policy RA1 of the CS. As stated above, NDPs are the mechanism for setting growth as they allocate land for new residential development or otherwise demonstrate delivery, to provide the levels of housing to meet various targets, indicating levels of suitable and available capacity.
- 6.13 The adoption of the Dorstone NDP has also helped to clearly identify a settlement boundary. The site is however clearly located outside of the settlement boundary by approximately 0.3 miles via the B4348 and lead to tension with policy DNP H1. For the avoidance of doubt, the settlement boundary for Dorstone is inserted below with the application site denoted by the red circle to show the sites' relationship:

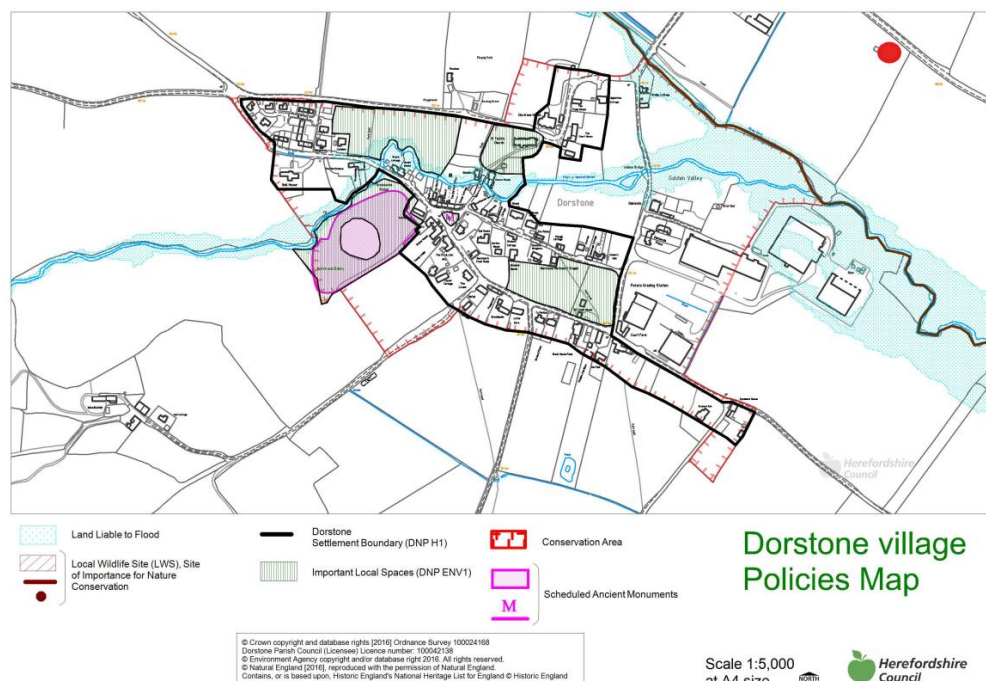


Figure 13: Extract from Dorstone village policies map, taken from made Dorstone NDP. For context, the application site is denoted by the red circle

- 6.14 In the view of officers, given the lack of the Council's five-year housing land supply, some degree of assessment in terms of the pre-existing connectivity of the site is needed. In this instance, whilst there is a bus stop at Crossway Corner which serves buses to Hereford, Hay-on-Wye and Brecon, a combination of the degree of separation between the site and the settlement boundary, the lack of pedestrian connectivity (footway) to achieve safe and reasonable access to the bus stop and clear transition of leaving the main built form and adjacent development and transitioning into general open countryside would mean needing to apply Policy RA3 of the CS, which reflects Policy DNP H1 of the Dorstone NDP.
- 6.15 Policy RA3 of the CS recognises that in such locations outside of defined settlements under Policy RA2, development should be restricted to avoid unsustainable patterns of development and development will be limited to seven scenarios/criteria. One of these, which the application is being promoted for consideration against, is where a proposal, *"would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to an enhancement of its immediate setting"*.
- 6.16 The Cote already has the benefit of planning permission for its conversion into residential use as a one-bedroomed dwellinghouse, as approved under P180101/F. At the time of that decision officers had considered very carefully, with particular regard to the requirements of CS policy RA5, the structural integrity of the building. Whilst visually at the time it showed signs of deterioration on the south-eastern corner, the Structural Report (which has been resubmitted with this current application) concluded that whilst two of the existing walls of the barn had collapsed, two walls (the north flank and west gable) were reasonably stable and were capable of being re-used. Whilst officers expressed some reservations about the extent of new construction required, the proposal was considered to be regarded as a conversion within the scope of CS policy RA5 subject to close adherence to the recommendations of the Structural Appraisal.
- 6.17 Further to correspondence with the agent on this current application, officers are advised that the works to The Cote to date have been undertaken in accordance with the approved plans under P180101/F to ensure that the conversion remains within the footprint of the existing barn with modest alterations, in line with the structural report. Nevertheless, it would be prudent to visually

show how the building has evolved in the photographs below (Figures 14-17 inclusive) for context and to enable the decision-maker to make a clear, informed assessment:



Figure 14 – The Cote in April 2009 (C/O Google Streetview)



Figure 15 – The Cote in September 2023 (C/O Google Streetview)



Figure 16 – The Cote in April 2024 (C/O Google Streetview)



Figure 17 – The Cote in August 2025 (C/O Case Officer)

- 6.18 When considering this current application, one needs to appreciate that Policy RA5 has a clear five-fold test:

Policy RA5 – Re-use of rural buildings

The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to residential development, or is essential to the social well-being of the countryside, will be permitted where:

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

Any planning permissions granted pursuant to this policy will be subject to a condition removing permitted development rights for future alterations, extensions and other developments.

Figure 18 – Policy RA5 of Herefordshire Local plan – Core Strategy 2011-2031

- 6.19 As the application has been submitted for full planning permission, the decision-maker still needs to assess the matter of the principle of development. The proposal, in the view of officers, does still align with parts 2, 3 and 4 of Policy RA5.
- 6.20 In reaching this view, it is understood that the building is no longer required for agricultural purposes and sits in the context of agricultural uses to the west and residential uses to the north-west. The structure and proportions of the pre-existing barn make it well suited to conversion to residential use. The design in terms of the barn conversion itself retains relatively simple elevations with broad symmetry to the apertures whilst the type and composition of materials generally respect the agricultural character of the barn.
- 6.21 Considering the provision for protected and priority species, Policy LD2 of the CS states that all development proposals should conserve, restore and enhance the counties biodiversity assets

wherever possible. Amongst other things, this should be achieved through the retention and protection of nature conservation sites and habitats in accordance with their status. In relation to trees and green infrastructure. Policy LD3 of the CS requires that development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure such as trees, woodlands and hedgerows. When assessing P180101/F, supporting information advised that the building provided good habitat for bats and conditions were recommended requiring compliance and biodiversity enhancements. The current application has been supported by the same ecological survey that has been reviewed by the Council's Ecologist. There are no ecology related concerns raised with opportunity to provide biodiversity enhancements which can reasonably be secured by condition.

- 6.22 The site is surrounded by existing agricultural buildings and open countryside although its sufficient separation distance provides assurance that a dwellinghouse would not be impacted by any continued agricultural or other local activities that could adversely affect amenity or lead to affecting residential amenity as a result of loss of privacy, overlooking or overbearing, having regard to Policy SD1 of the CS and Paragraphs 135f and 198 of the NPPF, including cumulative effects. The comments of the Council's Environmental Health Officer (Noise and Nuisance) provides further assurance on this point and given the appearance of other third-party residential dwellings in the vicinity.
- 6.23 Whilst officers do have some reservations about the extent of new construction actually undertaken in light of evidence available in the public domain, the proposal can still reasonably be regarded as a conversion within the scope of CS policy RA5(4) subject to adherence to the recommendations of the Structural Appraisal and that this has been accepted previously.
- 6.24 The key difference with the previously approved application and this current application is the impact of the proposed extensions to the west and east elevations. Namely, whether the building is capable of accommodating the proposed new use without the need for substantial alteration or extension which individually/taken together would adversely affect the character or appearance of this building or have a detrimental impact on its surroundings and landscape setting? Furthermore, does the design proposal respect the character and significance of this redundant building?
- 6.25 Whilst accepting that the principle of conversion has previously been established, this was clearly without the need for extension. Policy RA5(5) of the CS is clear that buildings should be capable of accommodating a use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of a building or have a detrimental impact on its surroundings and landscape setting. In addition, Policy RA5(1) states that design proposals should respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long-term conservation and enhancement of any heritage asset affected, together with its setting.
- 6.26 The proposals here seek to alter both the scale and massing of the conversion of the barn, by the introduction of a lean-to off the west elevation to create a utility/WC and also a more significant single-storey extension to the south-east elevation to create three additional bedrooms. This clearly increases the footprint of the original barn by a significant degree effectively doubling the built form footprint, altering the previously approved conversion of a one-bedroomed dwellinghouse into a four-bedroomed dwellinghouse.
- 6.27 Supporting documentation details that the alterations are largely required to accommodate the applicant's family. Whilst officers wholeheartedly sympathise with the circumstances put forward by the applicant, this should not be to the detriment of the original barn's design, modest scale,

its significance as a non-designated heritage asset and the impacts on landscape character and visual amenity.

- 6.28 The decision-maker must bear in mind also that the development will remain long after the circumstances advanced cease to be material and a long-term view needs to be taken. The weighting that should also be afforded to these circumstances is very limited in this regard.
- 6.29 Acknowledging the baseline which has been established under P180101/F, any extension must still seek to maintain the character and/or appearance of the building as well as reflect the character of its landscape setting. In the original conversion scheme, the barn retained the simple, modest form of the agricultural building and its visual impact within the landscape kept to an absolute minimum save for the associated domestic paraphernalia which comes with the creation of ancillary hardstanding for parking, driveway and curtilage.
- 6.30 The proposal would effectively create a new wing off the east elevation and lean-to element to the west elevation which, although both single storey, would represent a considerable addition to this very modest barn, particularly the former. Whilst appreciating the attempts to 'dig' into the ground and give the impression that visual effects would be offset, in the view of officers, this leads to conflict with Policy RA5(1) and RA5(5).
- 6.31 In considering the physical and visual impacts of the proposal, CS policies SS6, SD1 and LD1 are particularly of relevance. Broadly, these policies seek to ensure that development is appropriately designed and laid out so as to ensure they make a positive contribution to local distinctiveness and the character and appearance of the landscape. Policies H2 and ENV Policy 1 of the NDP are appropriate in this instance, all policies of which are consistent with Section 12 of the NPPF.
- 6.32 The existing and renovated field barn has a distinctive scale, appearance and character as a standalone building in open countryside. With the inevitable paraphernalia and extension that comes with development of buildings in open, rural settings, the charm of this old redundant barn in the field will be one and will accrue harm to the Border Sandstone Hills Landscape Character type. This is given development does not respect the characteristic settlement pattern, building type or local vernacular style. There is a desire to ensure development minimises the impact through careful design, in terms of siting, scale, style, layout and materials to be in keeping with the existing settlement character and landscape setting. The concerns of the Council's Senior Landscape Officer are noted.
- 6.33 The site itself is recognised to be in a prominent location overlooking the settlement of Dorstone and the additional built form would have adverse visual impact upon the character of the site and its setting. The extensions would represent a notable domestication of the site and fail to respond to the simple agrarian character of what is considered to amount to this non-designated asset and wider landscape.
- 6.34 Paragraph 216 of the NPPF advises that *"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."*
- 6.35 The proposal is considered to materially change the barn from its original form by including a relatively large single storey extension and, together with the lean-to, is therefore considered to have detrimental impact upon the appearance of the building and its character as well as the

visual implications upon the setting given the prominent location, therefore the proposal fails to comply with Policy RA5.

- 6.36 In this regard, the decision-maker should acknowledge that officers have applied a consistent approach to assessing the proposals of which little has altered in terms of circumstances which were similarly raised under the previous refusal of P233424/F aside from the third party representations now received in support of the application. The site and barn already have the benefit of planning permission for the conversion into residential use, as approved under application Ref. P180101/F which would not be jeopardised regardless of the outcome of this application, regardless of the Council's current housing land supply position.
- 6.37 In effect, the proposed extensions, by virtue of their scale, layout and siting would be out of keeping with the agrarian character of this non-designated heritage asset and detrimental to its contribution to the character of the site, failing to conserve or enhance its immediate setting and surrounding area, also leading to harm to the Border Sandstone Hills Landscape Character Type. As such, the proposal would be contrary to policies SD1, LD1, LD4, SS6 and RA5 of the Herefordshire Local Plan – Core Strategy 2011-2031, Policies DNP H2 and DNP ENV Policy 1 of the Dorstone NDP, that seek to ensure development respects the character of the area and its surroundings and the National Planning Policy Framework, that promotes and reinforces the importance of a sense of place, achieving well-designed places, and conserving and enhancing of the historic environment, with particular relevance to Chapters 12, 15 and 16.
- 6.38 It would be appropriate to state here that this does not take away the fact that extensions to barn conversion are totally unacceptable. Officers have previously suggested and provided a number of more suitable options which would more appropriately uphold the character and appearance of this building and make a more appropriate contribution to surroundings and landscape setting, including landscape character, although the applicant has decided not to for their own reasons.
- 6.39 Other relevant material planning considerations not already discussed are considered below.

Drainage/HRA/Flood Risk

- 6.40 The updated Environment Agency flood mapping of March 2025 confirms The Cote is not at risk of flooding from any source and within Flood Zone 1 although the red line is drawn so that the drainage arrangement does eventually go into the River Dore, which is in Flood Zones 2 and 3.
- 6.41 The application site lies within the Wye hydrological catchment of the River Wye SAC, which comprises part of the River Wye Special Area of Conservation (SAC); a habitat recognised under the Habitats Regulations, (The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations')) as being of international importance for its aquatic flora and fauna. The competent authority (in this case the Local Planning Authority) is required to consider all potential effects (either alone or in combination with other development) of the proposal upon the European site through the Habitat Regulations Assessment process.
- 6.42 Welsh Water sewer records confirm no public assets within close proximity to the site. Development foul drainage will be directed to an existing on-site wastewater treatment plan to provide primary and secondary treatment. This package treatment plant has been suitable sized to accept the flows from the proposed dwelling and discharges via gravity to a local watercourse (River Dore). Surface water runoff from the building will discharge to soakaways around the building as is currently the case. The proposal will result in a net reduction in impermeable area through removal of existing buildings.
- 6.43 A surface water strategy is proposed to manage and reduce the flood risk and surface water runoff from the development, with consideration to SuDS. On-site infiltration testing has confirmed that infiltration could be used as part of a wider SuDS based strategy to manage surface water

on site. The hardstanding, parking and access has been constructed with permeable materials to allow free draining into permeable strata. The proposed roof area will remain impermeable and run off shall be captured with traditional rainwater drainage systems to a below ground system and discharged to a cellular attenuation tank with a controlled discharge rate of 1.0l/s. Partial infiltration will be allowed through the base of the attenuation tank.

- 6.44 A deliverable drainage strategy exists meeting the drainage requirements of CS policies SD3 and SD4 and NDP policy F1. No objections are raised by the Council's Land Drainage Engineer and the HRA Appropriate Assessment has been completed on this basis by the Council's Ecologist who has screened out the proposal under Stage 1 insofar that there are no likely significant effects upon the SAC subject to mitigation being secured by conditions.

Highway safety

- 6.45 The existing access which was established and accepted under P180101/F will serve the dwelling and has adequate visibility in both directions commensurate with character of the road and average traffic speeds. The modest increase in traffic by virtue of the extension can also be accommodated on the local road network and will not create any severe highway capacity or safety issues, which is the policy test for determining acceptability set out in paragraph 116 of the NPPF. Within the site, adequate parking and manoeuvring space commensurate with the size of the conversion in bedroom terms is proposed. The traffic, access and parking meets the requirements of CS policy MT1 and the NPPF. The Council's Area Engineer has also reviewed the scheme raising no objection and confirmed that the parking and turning area is sufficiently sized for the dwellings to accommodate the vehicles of future residents.

Mandatory Biodiversity Net Gain

- 6.46 With this proposal now being presented as a 'self-build' dwellinghouse, under the Self-build and Custom Housebuilding Act 2015, in accordance with S1(A1) of that Act. As such, the proposal would benefit under the Biodiversity Gain Requirements (Exemptions) Regulations 2024. This does not take away however the requirement to delivery habitat enhancement on site, as has been requested by the Council's ecologist having regard to policy LD2 of the Core Strategy.

Other considerations

- 6.47 Given works have commenced to the subject building, it would be viewed that any perceived 'fall-back' under a theoretical Class Q prior approval application, which does now allow for extensions, cannot be relied upon.
- 6.48 In accordance with the adopted MWLP, any application for major development, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as may be amended) that includes built development will be required to be accompanied by a comprehensive Resource Audit addressing all the matters set out in policy SP1. A proportionate approach will be applied to all other development proposals that include built development, which should at least provide commentary on waste prevention and management measures to be implemented. Given the part-retrospective nature of this submission and acknowledgement that the original grant of planning permission was prior to the adoption of the MWLP, a condition which discusses waste prevention and management measures would not be reasonable in this particular instance.
- 6.49 The delivery of 1 no. self-build plot, for which a modest shortfall in authority monitoring has identified is acknowledged and is afforded due weighting in the planning balance.

Planning Balance and Conclusion

- 6.50 CS Policy SS1 and Paragraph 11 of the NPPF apply a presumption in favour of sustainable development. The NPPF is clear that the achievement of sustainable development is dependent on achieving three overarching objectives, which are interdependent and must be pursued in mutually supportive ways. These are economic; social; and environmental.
- 6.51 The principle of converting a barn into residential use has previously been accepted in this location and that the Council's five-year housing land supply would not be jeopardised regardless of the decision taken. This is appreciating that P180101/F represents a clear fall-back position as that planning permission has been implemented and acts as a 'commitment'. The only differences in reality which this current is the extensions proposed and that the application is now promoted as a 'self-build'. Nevertheless, it is appreciated that the application has been presented in a manner which requires a decision-maker to engage Paragraph 11d of the NPPF.
- 6.52 When considering Paragraph 11di, the area or assets of particular importance to this application are habitats sites, noting the site lies within the Wye hydrological catchment of the River Wye SAC. Whilst application has been reviewed by the Council's Ecologist who views that the nature of the proposal would have no likely significant effects upon the Wye hydrological catchment of the River Wye SAC and officers see no reason to dispute the conclusions drawn. The Cote is considered to amount to a 'non-designated heritage asset, Footnote 7 of the NPPF is precise that assets must relate to "designated heritage assets". Paragraph 11di is not considered to be engaged.
- 6.53 Turning to 11dii, a summary of the benefits and harms of the scheme is laid out below. The proposal would lead to the following positive economic, environmental and social effects:
- A very modest contribution of 1 dwelling towards the Councils' housing land supply position;
 - Increased spending within the local economy to help boost activity and support local jobs and businesses throughout the village and surrounding hinterlands post-occupation;
 - Construction activity and jobs for possible local tradespersons during the relevant phase;
 - A proposed drainage arrangement that would not undermine the integrity of the River Wye SAC, with improved water efficiency;
 - Proposed housing types which can help diversify the housing market and increase consumer choice;
 - Housing which can support social networks, such as enabling growing families to move into larger homes or older people living in an area can downsize and accommodation that can adapt to the changing needs of life such as requiring carer accommodation;
 - Property transactions;
 - Habitat and biodiversity enhancement;
 - Improved and enhanced landscaping; and
 - Additional funding (in the form of council tax and new homes bonus) for public services/infrastructure.
- 6.54 The key consideration is that the design proposed which incorporates a particularly significant extension and the visual implication of such domestication of this site is not considered to comply with the requirements of Policy RA5 of the CS and DNP ENV Policy 1 of the NDP, failing to respect the agricultural character of this non-designated heritage asset and its setting including landscape character type. The Council has previously taken this view in refusing P233424/F and, in applying a degree consistency in its decision-making, sees no reason why a different view should be taken now, appreciating that many of the benefits identified are effectively neutral when compared to the previously approved scheme in 2019 save for the 'self-build' introduction to the proposal (particularly when the 2019 application was approved as 'open market housing') and the applicants circumstances.
- 6.55 Having particular regard to key policies for securing well-designed places, appreciating that officers have through pre-application advice and consultation responses identified more appropriate examples to locate an extension which certainly can still deliver the applicant's

aspirations, it is viewed that the identified harms significantly and demonstrably outweigh the benefits, appreciating that many of the identified benefits should be considered as neutral given the approval of P180101/F. The application is considered to engage Paragraph 11dii and accordingly the application should be refused for the reason below.

RECOMMENDATION

That planning permission be refused for the following reason:

- 1. The proposed extensions, by virtue of their appearance, scale and layout would adversely affect the agricultural character and appearance of this non-designated heritage asset, and would not conserve or enhance its immediate setting and the surrounding area. The proposal would also detrimentally impact on its surroundings and landscape setting including identified adverse harm to the Border Sandstone Hills Landscape Character Type. As such, the proposal is contrary to policies RA5, SS6, LD1, LD4 and SD1 of the Herefordshire Local Plan – Core Strategy, Policies DNP H2 and DNP ENV Policy 1 of the Dorstone Neighbourhood Development Plan, which seek to ensure development respects the character of the area and its surroundings, and the National Planning Policy Framework, which promotes and reinforces the importance of a sense of place, achieving well-designed places, and conserving and enhancing of the natural and historic environments, with particular relevance to Chapters 12, 15 and 16.

INFORMATIVES:

- 1. IP4 – Application Refused Following Discussion – With Way Forward
- 2. In reaching this position, the lawful implementation of P180101/F represents a ‘fall-back’ position which delivers a commitment to the Council’s housing land supply and 1 no. 1-bedroomed open market dwellinghouse.

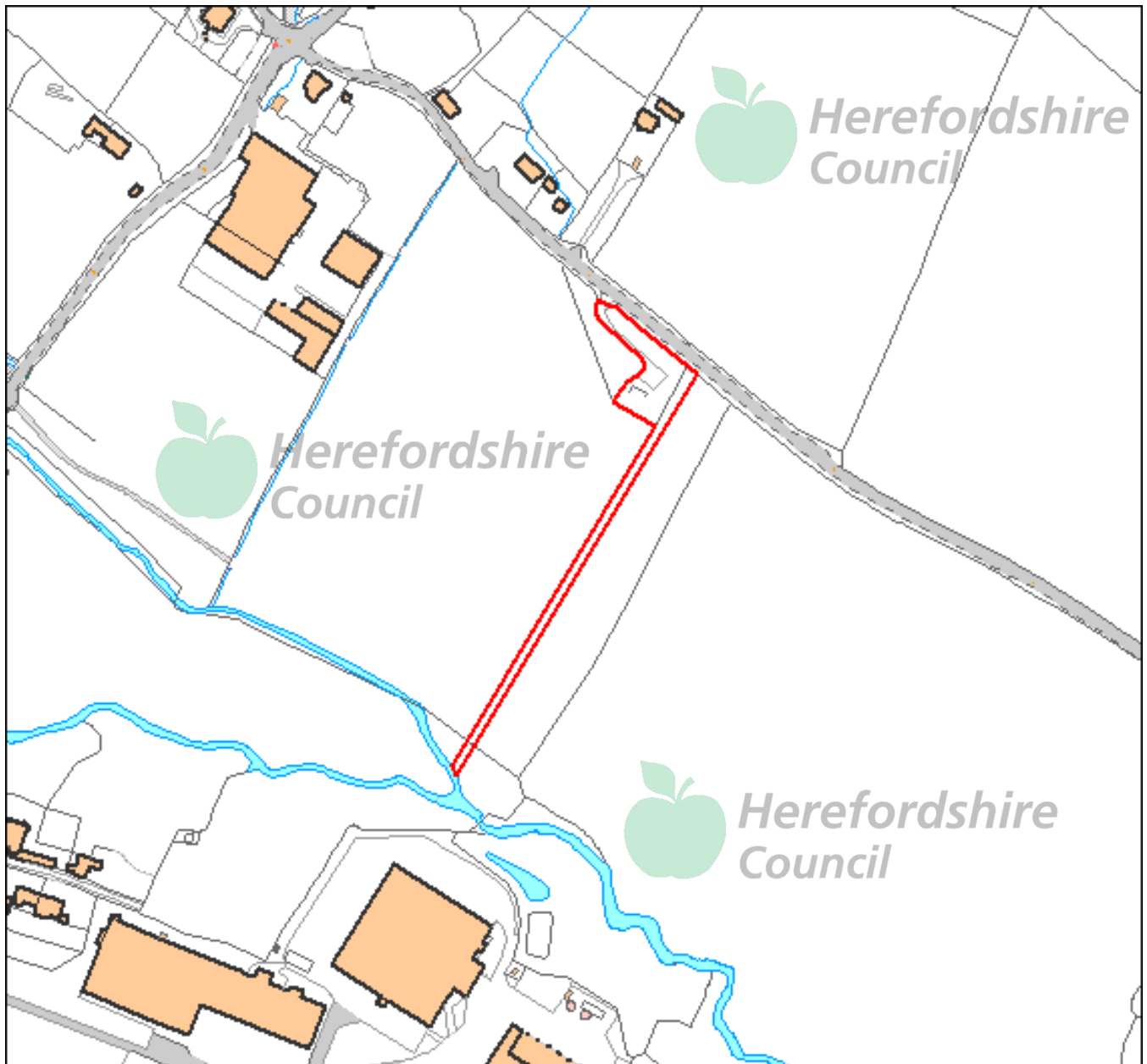
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 251363

SITE ADDRESS: THE COTE, LOWER CROSSWAYS FARM, DORSTONE, HEREFORDSHIRE, HR3 6AT

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