

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	10 DECEMBER 2025
TITLE OF REPORT:	243059 - THE ERECTION OF ONE SELF-BUILD AGRICULTURAL WORKER'S DWELLING AND ASSOCIATED WORKS AT LAND AT GRENDON MANOR FARM, BREDENBURY, BROMYARD, HR7 4TH For: Mr & Mrs Piggott per Mr Matt Tompkins, Lane Cottage, Burghill, Hereford, Herefordshire HR4 7RL
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=243059&search-term=243059
Reason Application submitted to Committee – Redirection	

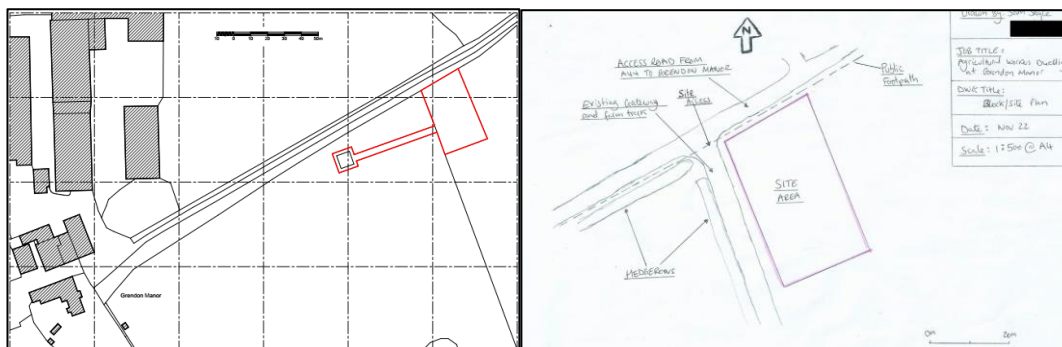
Date Received: 28 November 2024 Ward: Hampton Grid Ref: 359842,256699

Expiry Date: 23 January 2025
Local Members: Cllr Bruce Baker

1. Site Description and Proposal

- 1.1 Grendon Manor Farm sits at the end of a private drive approximately 500 m south of the A44 and about 1.3 km west of Bredenbury (as the crow flies). The town of Bromyard lies approximately 4 miles south-east of the site, while Leominster is located 5.8 miles to the west. The farm comprises 250 acres of owned land, with an additional 150 acres rented. The site includes an extensive range of agricultural buildings, comprising six poultry sheds and twelve general-purpose structures used for lambing, workshops housing biomass boilers, cereal storage, vehicle storage, tool and material storage, and other agricultural functions. The farm currently has two on-site dwellings: Grendon Manor Farmhouse and a bungalow known as The Sticking Field, located at the top of the drive near the junction with the A44. Additionally, the farm owns a further dwelling on the edge of Bromyard, approximately 4.2 miles from the main farm.
- 1.2 The application site relates to a parcel of land at Grendon Manor Farm, located approximately halfway along the private drive to the farm yard.
- 1.3 The application seeks Outline planning permission for the erection of one self-build agricultural worker's dwelling and associated works with all matters reserved.
- 1.4 The application has been supported by the following:
 - Planning Statement
 - Location Plan (inserted below)
 - Site Plan (inserted below);
 - Ecology Statement (Arbor Vitae)
 - Drainage Test Report (William Stokes Consulting)

Further information on the subject of this report is available from Miss Amber Morris on 01432 260855



- 1.5 The application can be accessed in the supporting documents section on the website:
[Planning Application Details - Herefordshire Council](#)

2. Policies

2.1 The Herefordshire Local Plan Core Strategy (CS):

SS1	-	Presumption in favour of sustainable development
SS2	-	Delivering new homes
SS3	-	Releasing land for residential development
SS4	-	Movement and transportation
SS6	-	Environmental quality and local distinctiveness
RA1	-	Rural housing distribution
RA2	-	Housing in settlements outside Hereford and the market towns
RA3	-	Herefordshire's countryside
RA4	-	Agricultural, forestry and rural enterprise dwellings
RA6	-	Rural economy
MT1	-	Traffic management, highway safety and promoting active travel
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
LD4	-	Historic environment and heritage assets
SD1	-	Sustainable design and energy efficiency
SD3	-	Sustainable water management and water resources
SD4	-	Waste water treatment and river water quality

The Core Strategy 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 Bredenbury and District Group Neighbourhood Development Plan (NDP):

The referendum for voters within the Bredenbury and District Group parish area was held on 6 May 2021. The plan received a positive referendum result and is currently awaiting adoption. This will follow the resolution of the issues within the River Lugg catchment area. At this time the NDP carries full weight.

BW&GB2	-	Development strategy
BW&GB5	-	Housing in the countryside
BW&GB7	-	Design of new housing
BW&GB10	-	Protecting and enhancing local character
BW&GB11	-	Heritage assets
BW&GB14	-	Transport and connectivity
BW&GB17	-	Agriculture and forestry enterprises

The NDP can be viewed on the following link:
<https://www.herefordshire.gov.uk/directories/neighbourhood-areas-and-plans-directory/bredenbury-and-district-group-neighbourhood-development-plan/>

2.3 National Planning Policy Framework (NPPF):

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 15 - Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

The NPPF can be found on the following link:

https://assets.publishing.service.gov.uk/media/67aafef3b41f783cca46251/NPPF_December_2024.pdf

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). These 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 and any policy tension is set out within the assessment and planning balance in the Appraisal section below.

3. **Planning History**

App type/ No.	Description	Decision
P241281/CE	Pre-application advice for proposed erection of farm managers dwelling.	Concluded proposal is contrary to CS Policies RA2, RA3 and RA4.
P223950/O	Outline application for an agricultural worker's dwelling, the access for the development will make use of an existing stone farm track.	Withdrawn

4. **Consultation Summary**

Statutory Consultations

4.1 **Forestry Commission** – No response

4.2 **Welsh Water** – Qualified comment

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.

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

4.3 **Area Engineer Highways – No objection**

No objections to the proposed, the site can access the highway by the existing access. The site can fully accommodate any provision for parking, cycle storage should meet HC guidance.

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>

CAI - Parking – single/shared private drives
CB2 - Secure covered cycle parking provision

I11 – Mud on highway
I09 – Private apparatus within the highway
I35 – Highways Design Guide and Specification

4.4 **Further Ecology comments – Screened out**

The proposal is for the creation of ONE self-build agricultural dwelling with new associated foul and surface water flows (nutrient pathways created).

- No mains sewer connection is available at this location.
- A drainage test report by William Stokes Consulting was submitted by the applicant and is noted and referred.
- Due to the nature of the soil, the location does not have viable infiltration characteristics for a below ground drainage field for foul or surface water.
- The drainage report identified that the new PTP will discharge to an above ground drainage field / mound located on land under the applicant's ownership.
- Percolation results for PT04 identified a risk of nutrient pathways from the test hole to the existing land drainage through a broken land drain in the GWLA.
- A further report was submitted by William Stokes Consulting which confirms that the above ground drainage field will be located on the land west adjacent to the proposed site which is also land under the applicant's control where no land drains are located.
- The proposed is to install a Klargester BioDisc BA to accommodate all foul water flows created with outfall further filtrated through a single pair of purpose-built reed beds (Klargester Reed Bed Filtration) before discharge to the above drainage field.
- The proposal is to manage all additional surface water created through appropriate onsite Sustainable Drainage Systems (infiltration).
- From supplied information the LPA has no reason to consider that this cannot be achieved at this location.
- The use of on-site Sustainable Drainage Systems-infiltration can be secured by condition on any planning permission granted.
- If any specific technical design matters need to be approved within the wider HRA approved scheme these can be secured by a separate condition on any planning permission granted. If a change away from a SuDS-infiltration scheme is finally proposed for detailed approval a new HRA appropriate assessment may be required at that time.

From information supplied within the submitted Drainage reports, the LPA can conclude with required scientific and legal certainty that the amended 7 criteria has been met as:

- The drainage field is over 7.6km (more than 50m) upstream from the River Lugg SSSI and;

- The drainage field is over 290m (more than 40m) upstream from the nearest surface water feature (The Rudhall Brook), and;
- The drainage field in an area with a slope no greater than 15% (~6%), and;
- No groundwater was encountered during groundwater and therefore it is at least 2m below the surface at all times and;
- The drainage field will not be subject to significant flooding as recorded in flood zone 1 and;
- The geology in this catchment comprises slightly acid loamy and clayey soils with impeded drainage. There are no hydrological pathways that would expedite the transport of phosphorous from the proposed above ground drainage field to the River Lugg and;
- The applicant has confirmed that there are no other drainage fields within 200m of the existing drainage field on site due to the adjacent site being on cesspit.
- There will not be a significant increase of surface water from the proposed development.

Based on the available information on the existing drainage system the LPA is able to screen out this application from requiring any further HRA process and conclude that there are NO adverse effects on the integrity of the River Lugg (Wye) SAC from the proposed development.

4.5 **Initial Ecology** – Further information required

The application site lies within the hydrological catchment of the River Lugg 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.

At present the levels of phosphates in the River Lugg exceed the water quality objectives and it is therefore in unfavourable condition. Where a European designated site is considered to be 'failing' its conservation objectives there is limited scope for the approval of development which may have additional damaging effects. 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.

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The HRA process must be based on a demonstration of legal and scientific and be undertaken with a 'precautionary' approach.

Notes in respect of HRA

The proposed development is for the erection of ONE self-build dwelling with associated new and additional foul and surface water flows (nutrient pathways) created.

- No mains sewer connection is available at this location.
- A drainage test report by William Stokes Consulting was submitted by the applicant and is noted and referred.
- The proposal is to utilise a package treatment plant to manage all foul water flows created by the proposed new residential dwelling.
- The drainage report identified that the new PTP will discharge to an above ground drainage field / mound located on land under the applicant's ownership.
- Percolation testing has demonstrated that an above ground drainage field is viable, but due to the nature of the soil, the location does not have viable infiltration characteristics for a below ground drainage field for foul or surface water.

- Percolation results for PT04 identified a risk of nutrient pathways from the test hole to the existing land drainage through a broken land drain in the GWLA. The report advised that trial holes should be undertaken to map the land drains before the final site of an above ground drainage field is determined. To ensure that the proposed PTP meets the 7 criteria for small scale flows set out in Natural England Guidance on Nutrient Neutrality to Local Authorities, the drainage field should be at least 50m from any land drainage feature which could expedite the transport of phosphorus.
- Furthermore, the proposed is to install a Klargestor BioDisc BA to accommodate all foul water flows created with outfall further filtrated through a single pair of purpose-built reed beds (Klargester Reed Bed Filtration) before discharge to drainage field.
- No certificate has been provided for this PTP. From information available to the LPA, the certificate does not provide a scientifically certain P reduction value. However the applicant has indicated within the Preliminary Ecological Appraisal by Arbor Vitae Environment Ltd (January 2025) that it has a phosphate output of 2mg/litre. Furthermore, from information currently available to the LPA there is no small private reed bed systems with a scientifically certain P reduction value.
- It would be the Council's strong preference to see a more efficient PTP through the provision of a new package treatment plant to treat waste showing use of best available technology (less than 1mg/l TP), specific examples can be found here: [List of Certified Small Wastewater Treatment Systems Up to 50PT](#).
- Land drainage should be consulted on the technical details of the final drainage plan to ensure they are achievable once submitted for any planning permission finally granted.

The information supplied is currently not sufficient for this LPA to be legally or scientifically certain that there are no pathways for phosphates created by this proposed development to enter the Lugg SAC catchment.

If the applicant wishes to progress this application additional professional reports confirming that all 7 of the criteria for soakaway discharge fields laid out in the Council's Position Statement can be met should be supplied to this LPA such that there are no additional phosphate loadings with any pathway to the River Lugg.

Once received the HRA process and required consultation with Natural England can be initiated.

No consent should be granted until such time as this HRA process has been fully and satisfactorily completed.

At this time due to legal and scientific uncertainty and phosphate neutrality not secured there is an identified Adverse Effect on the Integrity of the River Lugg (Wye) Special Area of Conservation (a European Site, 'National Network Site' or 'Higher Status' nature conservation site). There is an Ecology OBJECTION raised as the application does not demonstrate compliance with Core Strategy SD4 (SS1, SS6 and LD2 also apply); 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'); NPPF; and NERC Act obligations.

Notwithstanding the above:

Ecology

The supplied ecology report by Arbor Vitae dated January 2025 is noted and refers. This report confirms that there are no identified effects on local protected species populations or ecological interests from the proposed development. An informative to remind the applicant and their

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

Biodiversity Net Gain

As identified within the supplied documents, a Biodiversity Net Gain exemption applies to the proposed planning permission as the proposed development:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

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

To obtain Biodiversity Net Gain

Prior to first use of any part of the development works approved under this planning decision notice, evidence of the suitably placed installation within the site boundary or on other land under the applicant’s control of a minimum total of TWO bat boxes (or similar features supporting bat roosting) and FOUR bird nesting boxes (mixed types) should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019’ (the ‘Habitats Regulations’), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

The site is in an area with an intrinsically dark landscape that benefits local amenity and nature conservation interests, including nocturnal protected species commuting/foraging in wider locality. A condition to ensure all external lighting is kept to the essential minimum for householder safety and any systems installed compliant with current best practice is requested:

Protected Species and Dark Skies (external illumination)

No external lighting 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.

4.6 **Landscape** – Objection

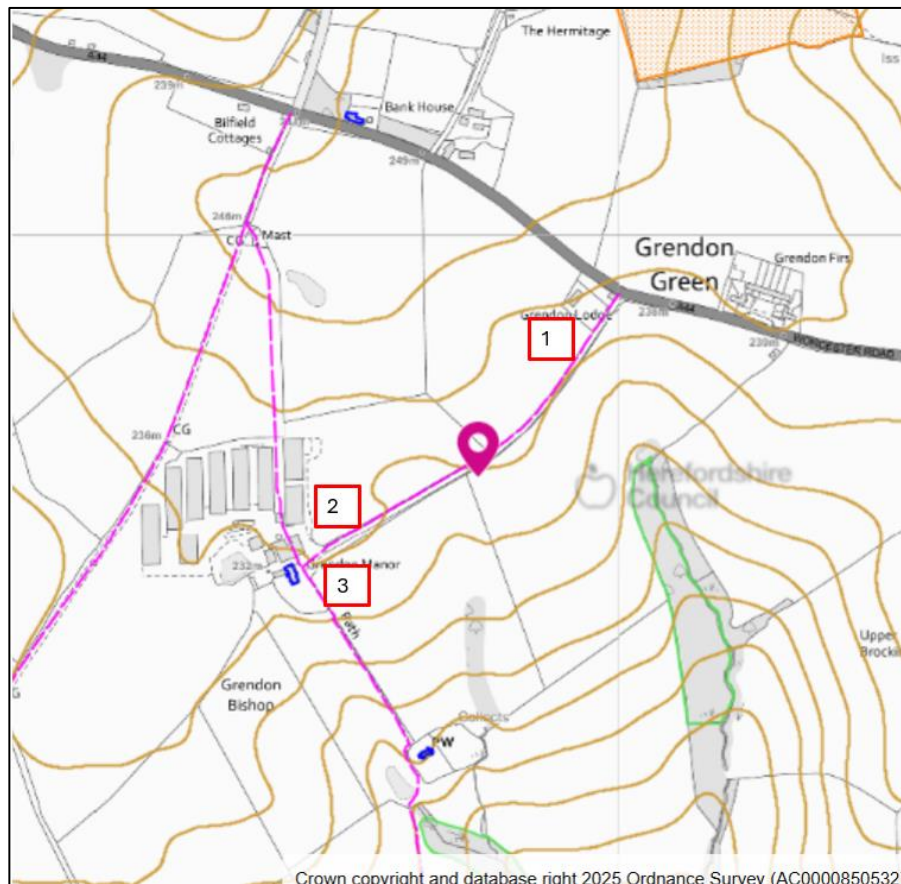
The site was visited 3rd April 2025. The site falls within landscape character type Plateau Farmland and Estates, as set out in the Herefordshire Landscape Character Assessment, April 2023. The farm and the specific site are typical of the rolling open plateau around Bromyard. It is sparsely populated and characterised by mixed farming interspersed with formal parklands and wooded dingles. The dispersed settlement pattern is of small estate hamlets and manor houses. Historic maps show Grendon Farm approached from the main road to the north along a tree lined avenue, with the Lodge building at the northern end.

There is no objection to the principal of a new dwelling at Grendon Farm, however I object to the proposed location as a negative impact on landscape character and visual amenity. It is not linked to existing built form and does not follow the historic pattern of development. It is at a high and isolated point in the landscape. For users of the main public footpath GB10 that follows the access drive, it would spread built form to the south, interrupting the beautiful panoramic views.

The landscape aspects of Policy RA4 would require the new accommodation to - 2) *...be sited in relation to other dwellings* and 3) *...make a positive contribution to the surrounding environment and rural landscape*. In landscape terms it would be preferable for a new dwelling to be much closer to the existing built form on the farm – see three possible alternative locations marked on the plan below. As this is an outline application, there is no information on how the proposed development would make a positive contribution to the surrounding environment, in fact at this location it is likely to interrupt the rural landscape as a negative impact that is out of character with the surroundings and drawings the eye as a detractor from the more natural surroundings.

The proposal should also take account of Policy LD1, which requires that development proposals should demonstrate that the character of the landscape has positively influenced the design, scale nature and site selection.

If the application were to be approved, then at reserved matters stage in relation to scale, it is anticipated that only a single storey dwelling could be suitably integrated with the wide, open landscape setting, reducing the impact on breaking skylines and reflecting the long low proportions of the farm buildings. On the matter of appearance the external design and materials should be locally distinctive and reflect the character of other nearby dwellings. On the matter of landscaping, it is anticipated that boundary treatments would be mixed native hedgerows, with associated tree planting and any other mitigation planting to strengthen surrounding hedgerows would be welcome to further integrate the building into the surroundings.



Notes:

- Location 1 is preferable. It is more visible from the main road, however it is adjacent to existing residential dwellings and more closely follows the settlement pattern of wayside dwellings.
- Location 2 retains development to the north of the access track.

- Locations 2 and 3 maybe restricted due to proximity to the poultry units, however in landscape terms they are both closer to existing built form, therefore strengthening the estate around the manor.
- Location 3 would be subject to assessment of the setting of the listed building Grendon Manor and its relationship with the listed church.

4.7 **PROW** – No objection

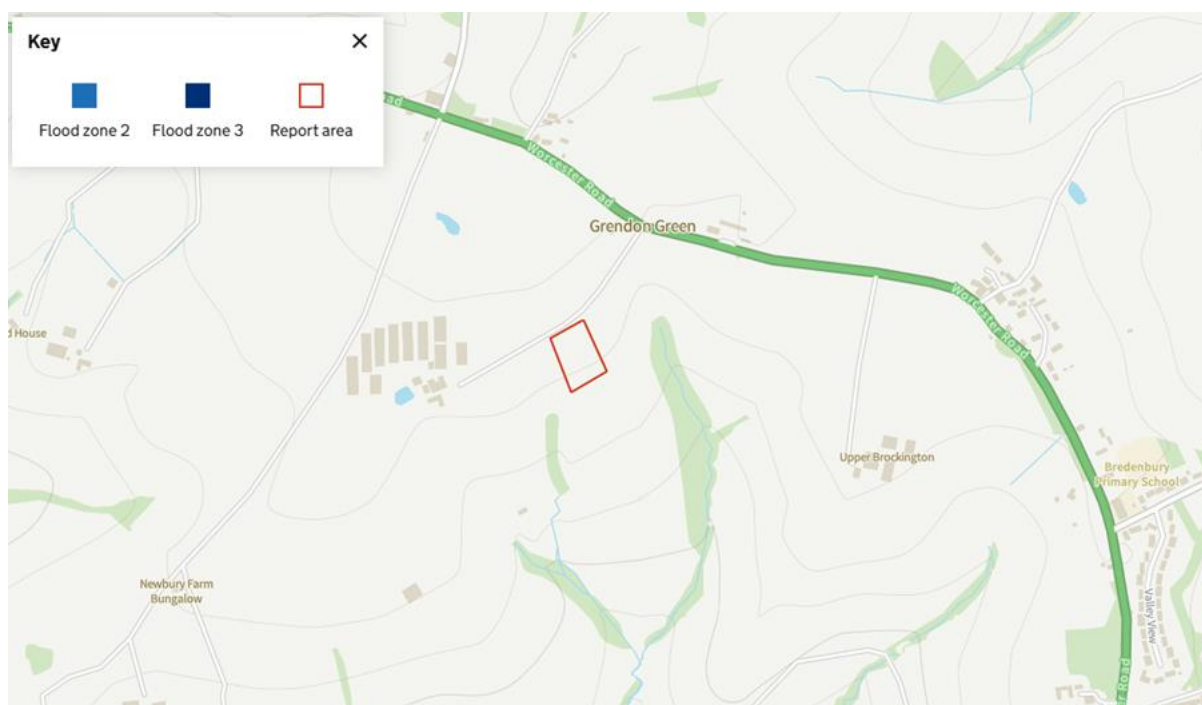
4.8 **Land Drainage** – Conditional no objection

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

- Application for Outline Planning;
- Site Location Plan (02/09/2025);
- Block/Site Plan (Nov 22).

Site Location

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), September 2025



Overview of the Proposal

The Applicant proposes the construction of one dwelling on 0.1ha of greenfield land, which slopes gently to the east. The number of bedrooms has not been confirmed.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low 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.

Other Considerations and Sources of Flood Risk

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

A groundwater level assessment undertaken at 1m bgl recorded no groundwater.

Infiltration testing undertaken at the site at 1.5m bgl failed and a discharge to ground was deemed unviable.

In the drainage test report, it is proposed that surface water is attenuated in a pond or swale prior to an offsite discharge via a manhole with a vertical perforated pipe to provide attenuation of the downstream flow. It is unclear where attenuated surface water will be discharged. Further details will be required at Reserved Matters or Discharge of Condition.

Foul Water Drainage

Percolation testing undertaken at the site at depths of 0.7m and 0.3m bgl. An acceptable, but fast Vp rate of 21sec/mm was established for one of the 0.3m pits, which could support the construction of a drainage field. The other 3 pit tests failed.

Due to the presence of land drains at the site, further investigation is required to confirm the location of the high level drainage field. We assume a gravity fed foul water drainage system can be accommodated. No further detail regarding the construction of the drainage field has been provided. This will be required at Reserved Matters or Discharge of Condition.

Overall Comment

CONDITIONAL NO OBJECTION

We recommend that the following information is provided prior to the Council granting planning permission:

- Confirmation of the surface water drainage strategy including attenuation feature and location of outfall.
- Confirmation of the foul water drainage strategy including location and construction details of the proposed drainage field.

4.9 **Agricultural Consultant – Objection**

Concluded: In accordance with planning policy and guidance, there is no essential need for a new dwelling at Grendon Manor.

Full report can be found at Appendix 1 of this document.

5. **Representations**

5.1 **Parish Council – Support the application**

At the meeting held on Wednesday 15th January 2025 Bredenbury Group Parish Council agreed to SUPPORT this application. Members are in full agreement with and fully support this application for a single dwelling.

The application meets the criteria of Policy BW&GB5 of the Bredenbury, Wacton and Grendon Bishop Neighbourhood Plan which deals with planning outside the settlement boundary and in the open countryside which meets exceptional circumstances, 'where it has been demonstrated that there is a functional and financial requirement for an agricultural or forestry worker's dwelling on an existing or proposed holding subject to Core Strategy Policy RA4'.

Third Party Representations

A total of 27 representations have been made to the Local Planning Authority, all for support. These responses are summarised as follows:

- This Piggott family are well respected and valued members of local community
- Proposal required due to nature of the poultry business
- Important to allow cover of the Poultry manager on days off/ holidays
- Proposal required for continuation of thriving business
- An additional house on the farm will help with rural crime
- The proposed dwelling would have an inconspicuous location

The consultation responses can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=243059&search-term=243059>

6. **Officer's Appraisal**

6.1 **Policy context and Principle of Development**

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

6.3 *"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."*

6.4 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Bredenbury and District Group Neighbourhood Area. The referendum for voters within the Bredenbury and District Group parish area was held on 6 May 2021. The plan received a positive referendum result and is currently awaiting adoption. This will follow the resolution of the issues outlined within the River Lugg catchment area position statement (April 2021). At this time the NDP is considered to carry full weight in the decision-making process.

- 6.5 The NPPF makes clear that all decisions need to apply the presumption in favour of sustainable development as set out at Paragraph 11 of the NPPF. This makes clear that development which accords with an up-to-date development plan should be approved without delay. Where there are no relevant policies or the most relevant policies are considered to be 'out-of-date', then the presumption in favour of sustainable development as set out by Paragraph 11 d) ('the tilted balance') is engaged. This means that planning permission should be granted, unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. 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.
- 6.6 Footnote 8 makes clear that, for applications involving the provision of housing, policies should be regarded as being out of date if the Local Planning Authority is unable to demonstrate a five year supply of deliverable housing sites. Following changes to the standard method for calculating housing targets which accompanied the revised NPPF in December 2024, the Council is no longer able to demonstrate a five year supply of housing land. The current supply figure in the county stands at 3.06 years. The relevant policies of the development plan should therefore be regarded as being 'out of date' and the positive presumption as set out at Paragraph 11 d) is engaged.
- 6.7 Policy RA1, Rural housing distribution, explains that a minimum of 5,300 new dwellings will be distributed across seven Housing Market Areas (HMAs). This recognises that different parts of the County have differing housing needs and requirements. The policy explains that the indicative target is to be used as a basis for the production of Neighbourhood Development Plans (NDPs). The growth target figure is set for the HMA as a whole, rather than constituent Neighbourhood Areas, where local evidence and environmental factors will determine the appropriate scale of development.
- 6.8 Policy RA2 of the CS states that Neighbourhood Development Plans (NDPs) will be the principal mechanism by which new rural housing will be allocated. Where these are absent or not advanced in the process to be afforded weight in the planning balance the main focus for development will be within or adjacent to the main built-up parts of the settlement. Bredenbury is listed under figure 4.14 as a settlement which will be the main focus of proportionate housing development. The Bredenbury and District Group Neighbourhood Development Plan identifies a settlement boundary for Bredenbury and the application site is neither within or adjacent to this area and is therefore regarded as being located in an open countryside location.
- 6.9 Outside of a defined settlements new housing will be restricted to avoid unsustainable patterns of development. Residential development will therefore be limited to those proposals which meet the criteria listed in Policy RA3.
- 6.10 The seven criteria whereby residential development outside of settlements is acceptable under CS Policy RA3 is as follows;
1. meets an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with Policy RA4; or
 2. accompanies and is necessary to the establishment or growth of a rural enterprise, and
 3. complies with Policy RA4; or involves the replacement of an existing dwelling (with a lawful residential use) that is comparable in size and scale with, and is located in the lawful domestic curtilage of the existing dwelling; or
 3. would result in the sustainable re-use of a redundant or disused building where it complies with Policy RA5 and leads to an enhancement of its immediate setting; or

4. is rural exception housing in accordance with Policy H2; or
5. is of exceptional quality and innovative design satisfying the design criteria set out in the NPPF; or
6. is a site providing for the needs of gypsies and other travellers

6.11 Policy RA4 then provides the basis for determining applications for agricultural, forestry and rural enterprise dwellings. It reads as follows:

6.12 Proposals for dwellings associated with agriculture, forestry and rural enterprises will be permitted where it can be demonstrated that there is a sustained essential functional need for the dwelling and it forms an essential part of a financially sustainable business, and that such need cannot be met in existing accommodation. Such dwellings should:

1. demonstrate that the accommodation could not be provided in an existing building(s);
2. be sited so as to meet the identified functional need within the unit or in relation to other dwellings and
3. be of a high quality, sustainable design which is appropriate to the context and makes a positive contribution to the surrounding environment and rural landscape.

6.13 The usual expectation for applications seeking agricultural workers' dwellings is that they are supported by a detailed functional appraisal, substantiated by financial records for the enterprise. No such information has been submitted in support of this application. However, in this case the proposal relates to a well-established agricultural enterprise that is considered to be viable and likely to remain so for the foreseeable future.

6.14 Turning to each point in turn below.

6.15 **Point 1 – Existing buildings**

6.16 In terms of existing buildings, it is acknowledged that there are no other buildings which aren't currently used within the holding which are capable of conversion. Moving onto existing dwellings within the unit these are summarised in the table below.

<u>Dwellings on the farm</u>	<u>Existing occupants</u>	<u>Proposed occupants</u>
Main farmhouse	Mr & Mrs Piggott and their son Joe	Mr & Mrs Piggott – retired
Southern wing of farmhouse	B&B business	B&B business
Sticking Field bungalow	Applicants daughter (temporary arrangement)	Poultry Manager
Proposed new dwelling	N/A	Applicants son Joe
<u>Dwellings not on farm</u>		
124 Winslow Road, Bromyard	Poultry Manager	It is understood this dwelling is to be sold to help fund the proposed dwelling

6.17 The main farmhouse is to remain occupied by the applicants who have retired. Of relevance, the judgement involving Keen v SSE and Aylesbury Vale DC (1996) suggested that it is unreasonable to require the older generation to leave their farmhouse to accommodate the next generation. This section of the farmhouse is not, therefore, available to the farm.

6.18 The southern wing of the farmhouse is currently operated as a Bed and Breakfast business comprising five en-suite guest rooms. This accommodation is considered sufficiently substantial to form a separate and viable unit in its own right. Therefore, this part of the farmhouse could be made available to the farm. However, the loss of the Bed and Breakfast business would have financial implications, as it represents a successful diversification venture that is understood to

contribute positively to the farm's income and to the local economy. The enterprise has also benefited from its proximity to the recently established wedding venue at Bredenbury Court Barns. Nevertheless, no financial records have been submitted to support the claim made in the Planning Statement that the bed-and-breakfast income *"helps to underpin the financial sustainability of the farm."* However, the submission does not suggest that farming enterprise would not be viable without the Bed and Breakfast operation. Furthermore, no record can be found of planning permission for the change of use of the farmhouse to Bed and Breakfast accommodation. It is your officer's opinion that such permission is required for the change of use and absent of any such permission this element of the property has to be considered as a viable alternative to the provision of accommodation. Planning permission would of course be required to subdivide the dwelling but on the basis that the Bed and Breakfast use does not appear to have permission, it is considered reasonable to regard this part of the farmhouse as being available to the farm.

- 6.19 Turning to the bungalow at the farm entrance, this is known as the Sticking Field and has 3 bedrooms. At the time of the Officers site visit this was occupied by the applicants daughter however this was understood to be a temporary arrangement with the Poultry Manager set to move into the dwelling shortly if not already by the date of the committee meeting. The bungalow is therefore available to the farm and occupied by a full time worker.
- 6.20 Moving on to the other dwelling owned by the farm, this property is located on Winslow Road on the edge of Bromyard, approximately 4.2 miles from Grendon Manor Farm. This dwelling is also available to the farm.
- 6.21 There are also properties for sale within and close to Winslow Road. Dwellings for for sale closer to the farm have been discounted by the agent as being unaffordable to the farm.
- 6.22 Overall, when considering the dwellings available to the farm, only the southern wing of the farmhouse and the Winslow Road property are relevant, as the remaining dwellings are occupied either by retired farm members or by full-time employees. While the southern wing of the farmhouse could potentially be converted into an independent unit of accommodation, it is understood that this option is not desirable to the applicants due to the associated financial implications both to the farm itself and local economy. There is however a significant cost implication for the farm in the construction of a completely new dwelling, so arguably this is offset. In addition, although the Winslow Road dwelling is located off-site, it is currently, or has previously been, occupied by the Poultry Manager and lies within a 10-minute drive of the farm (as discussed below). As such, it is considered that the proposed accommodation could be provided within an existing building already owned by the farm, and therefore the proposal is contrary to Core Strategy Policy RA4.
- 6.23 **Point 2 – Functional need**
- 6.24 The most frequent reason for a functional need for a rural worker to be permanently based on a site, is so that there is somebody experienced to be able to deal quickly with emergency issues, which are likely to arise throughout the majority of the year, and during the middle of the night. Such scenarios most frequently revolve around the welfare of livestock.
- 6.25 The application seeks permission for the development of an additional dwelling on the site. According to the applicant's supporting statement, the primary justification for this dwelling relates to the operational requirements of the poultry enterprise, particularly the need to ensure continuous oversight of bird welfare. Poultry farming demands strict control of environmental conditions to maintain the birds' comfort, growth, and ability to exhibit natural behaviours. Key environmental factors include temperature, ventilation, and consistent access to feed and water.
- 6.26 An alarm system is installed within the poultry sheds at Grendon Manor Farm to monitor climatic conditions, boiler performance, and any issues relating to feed or water supply. This system is managed by an external monitoring company, which operates a tiered call-out procedure. In the

event of an alert, the system sequentially contacts the Poultry Manager, then Joe, and continues through the call list until confirmation is received that a member of staff is aware of and responding to the alarm.

- 6.27 The application documentation has been subject to independent review by an Agricultural Consultant engaged by the Council, who concludes:
- 6.28 *“Overall, there would be a functional requirement for a broiler unit of this scale to have an experienced employee based on site, or within a few minutes drive of the farm.*
- 6.29 *There will be required back up labour to the poultry manager for the day-to-day management of the unit, however given the automated nature of broiler farming, we do not consider there to be a functional requirement for more than the primary worker to be based within easy access overnight. With a properly functioning alarm and custodian system, one person is considered sufficient to respond to automatic system failure within a 15-minute timeframe.*
- 6.30 *Having a second worker based within easy access, might be convenient and potentially financially advantageous, however there is not considered to be a functional need for more than one person living close to the housing”.*
- 6.31 The Poultry Manager is, or will be, based on-site, ensuring that an appropriate person is available to respond to alarms. As such, the functional need is considered to be satisfactorily met under the existing arrangements.
- 6.32 The agent argues that there is a clear need for a second person to reside at site 24/7, mainly as it is not sustainable for one person to be on standby at all times.
- 6.33 Returning to the Winslow Road dwelling, the applicant’s supporting statement indicates that the Red Tractor Assurance Scheme requires alarms to be responded to within 15 minutes. When driving the route, the Officer recorded a travel time of 8 minutes, well within the required timeframe. The applicant’s submission suggests a slightly longer travel time of around 10 minutes; however, this also remains comfortably within the 15-minute requirement. The agent’s stated journey time of 10 minutes is not disputed.
- 6.34 Furthermore, the agent argues that the remaining time would be insufficient to respond to the alarm, get changed, travel to the site, and complete the necessary biosecurity procedures before entering the poultry sheds. However, it is considered that, particularly in an emergency situation, there is adequate time to respond promptly and begin travelling to the unit. In addition, biosecurity measures are specifically designed to be implemented efficiently, enabling rapid compliance without compromising hygiene standards.
- 6.35 It is therefore considered reasonable that an individual residing at the Winslow Road dwelling could reach the site within the required response time to address any alarms and/or to provide support or cover to the Poultry Manager based at Grendon Manor.
- 6.36 To summarise this point, the application proposes an additional dwelling to support the poultry enterprise, citing the need for continuous oversight of bird welfare; however, the independent Agricultural Consultant concludes that only one experienced worker is required to live on-site or within a short driving distance due to the automated nature of broiler operations and the effectiveness of the existing alarm and monitoring system. The Poultry Manager is, or will be, based on-site, meeting this requirement.
- 6.37 Although the agent argues for a second resident to ensure rapid emergency response and compliance with biosecurity procedures, assessments show that the Winslow Road dwelling is 8-10 minutes from the unit, well within the 15-minute response time required by industry standards, and biosecurity measures can be completed efficiently. It is therefore considered that a worker

residing at the Winslow Road property could adequately respond to alarms and support the on-site Poultry Manager, and that no functional need has been demonstrated for an additional dwelling. Accordingly, the proposal is contrary to the second point of CS policy RA4.

6.38 **Point 3 – Design and landscape contribution**

6.39 The application is made in outline and therefore no detailed plans and elevations of the proposed dwelling have been submitted at this stage.

6.40 The supporting text to Policy RA4 provides helpful context and is extracted below for ease of reference.

6.41 *“Where the need for a dwelling is established on the basis of proven essential need, preference should be given to the use of suitable existing buildings through conversion. Where this is not possible, any new development should relate closely to the activities for which there is a need. In most cases this will mean that the new dwelling should be sited in close proximity to existing buildings. Isolated locations or locations that could encourage farm fragmentation in the case of dwellings for agricultural enterprises should be avoided.”*

6.42 The site lies within the Plateau Farmland and Estates landscape character type identified in the Herefordshire Landscape Character Assessment (April 2023). It reflects the rolling open plateau around Bromyard, characterised by sparse settlement, mixed farming, formal parkland, and wooded dingles. Historic maps show Grendon Farm accessed from the north via a tree-lined avenue, with the Lodge at its entrance.

6.43 The application site is detached from existing built form and does not reflect the historic pattern of development. Positioned on a high and isolated point in the landscape, the proposal would extend built development southwards and disrupt panoramic views experienced by users of public footpath GB10, which follows the access drive. The Council's Landscape Officer has objected to the scheme, citing adverse impacts on landscape character and visual amenity. Accordingly, the proposal is considered to be contrary to Core Strategy policy LD1 and Bredenbury and District Group Neighbourhood Development Plan policy BW&GB10.

6.44 The supporting statement describes the application site as the most appropriate location within the site for a new dwelling by being located within sight and sound of the point of need without requiring the use of a vehicle, as well as providing additional security and surveillance to the site. However, in the Officer's view, these advantages could equally be achieved if the proposed dwelling were positioned closer to the existing built form on the farm, whether within the farmyard itself or near the farm entrance, and therefore do not outweigh the identified landscape harm.

6.45 **Access and highways**

6.46 Policy MT1 of the development proposals should incorporate the following principal requirements covering movement and transportation demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

6.47 Paragraph 116 of the NPPF reads that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

6.48 It is considered that the intensification in use of the existing access associated with the proposed development does not give rise to a severe impact on highway safety. The application site is considered sufficient to be able to accommodate any provision for turning, parking, cycle storage.

The Council's Area Engineer has raised no objections to the proposal subject to conditions. The proposal is considered to be consistent with Core Strategy policy MT1 and the relevant paragraphs of the NPPF.

6.49 **Drainge and habitat regulations**

- 6.50 Policy SD3 of the CS states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, adverse impact on water quality, protect groundwater and improve biodiversity. Proposals should be located in accordance with flood risk assessment and sequential/exemption tests, take into account the lifetime of the development and if flooding is identified as a risk, include measures to reduce it. Development should also not result in a loss of open watercourse and culverts should be opened up where possible and where appropriate included sustainable drainage systems.
- 6.51 Development proposals should help to conserve and enhance watercourses and riverside habitats, where necessary through mitigation or management measures for the improvement/enhancement of water quality and habitat of the river.
- 6.52 Policy SD4 of the CS aims to ensure wastewater treatment and river water quality is maintained or enhanced as a result of development proposals. Proposals should aim to achieve water efficiency and/or reduction in surface water discharge and where possible connect to the existing mains wastewater infrastructure. Proposals should specifically seek to maintain or improve the integrity of the River Wye SAC and its subsidiary drainage basin.
- 6.53 The application here proposes the creation of a self-build agricultural workers dwelling. This proposal has been assessed and is likely to produce additional nutrient flows into the River Lugg/Wye SAC and therefore this needs to be sufficiently mitigated to accord with policy and legislation as outlined by Natural England.
- 6.54 The proposals drainage scheme is to install a Klargestor BioDisc BA to accommodate all foul water flows created with outfall further filtrated through a single pair of purpose-built reed beds (Klargester Reed Bed Filtration) before discharge to the above drainage field. The proposal is to manage all additional surface water created through appropriate onsite Sustainable Drainage Systems. From information supplied within the submitted Drainage reports, the Local Planning Authority can conclude with required scientific and legal certainty that the amended 7 criteria has been met and therefore the application is considered screened out from requiring any further Habitat Regulations Assessment process and conclude that there are no adverse effects on the integrity of the River Lugg (Wye) SAC from the proposed development. Both Land Drainage and the Council's Ecologist raise no objection subject to condition.

6.55 **Ecology and biodiversity**

- 6.56 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.
- 6.57 The application is supported by an Ecology Report by Arbor Vitae dated January 2025. The report confirms that there are no identified effects on local protected species populations or ecological interests from the proposed development. The applicant should be reminded of their and their contractors' legal obligation to wildlife protection afforded at all times through the Wildlife & Countryside Act.

6.58 **Biodiversity Net Gain**

Further information on the subject of this report is available from Miss Amber Morris on 01432 260855

- 6.59 The requirement for qualifying developments to deliver a mandatory 10% net gain to biodiversity value relative to pre-development conditions came into force on 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 6.60 In relation to the requirement for mandatory 10% BNG, the application is promoted as a self-build project which benefits from an exemption. The continued compliance with the exemption will be controlled by condition limiting first occupation of the dwelling by persons complying with the legal definition of this tenure as set out in the Self-Build and Custom Housebuilding Act 2015.
- 6.61 **Heritage Impacts**
- 6.62 The historic environment is defined as all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Those elements of significance with statutory protection are referred to as designated heritage assets. Policy LD4 of the CS is applicable to heritage assets throughout Herefordshire whether formally designated e.g. listed building and conservation areas, or not, ranging from individual structures and their settings, archaeological remains, to larger neighbourhoods of historic value, parks, gardens and other green spaces of local interest. Policy SS6 identifies that development proposals should conserve and enhance those environmental assets that contribute towards then county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations.
- 6.63 Grendon Manor the main farmhouse is Grade II listed and located some 240 metres to the south-west of the application site, and 300 metres to the south-west another Grade II listed building, the Church Of St John The Baptist can be found. There is considered to be sufficient distance between the application site and the identified heritage assets to alleviate any concerns. No conflict with LD4 is therefore found.
- 6.64 **Conclusion**
- 6.65 The proposed development fails to accord with the development plan when read as a whole, which is not outweighed by any other material considerations. While the application relates to a well-established and viable agricultural enterprise, the assessment concludes that the application as submitted fails to demonstrate that there is an essential need for an additional dwelling to be constructed at Grendon Manor Farm, as the essential need can be met by existing dwellings on the holding. Further assistance can be provided by occupants of the Winslow Road dwelling which would allow the occupant to respond to alarms and emergencies within the required 15-minute timeframe. The automated nature of the poultry operation, together with an effective alarm system, ensures that a second on-site worker is not essential. The application is therefore recommended for refusal.

RECOMMENDATION

That planning permission be REFUSED for the following reason:

- 1. The application site lies in the open countryside outside the confines of any defined settlement boundary as set out in the Bredenbury and District Group Neighbourhood Plan.**

Development in the open countryside is limited, amongst other things, to that which is essential to house a farm or forestry worker at or near to their place of work. In this particular case the Local Planning Authority concludes that the application as submitted fails to demonstrate that there is an essential need for an additional dwelling to be constructed at Grendon Manor Farm. The application is therefore contrary to Policies SS1 and RA4 of the Herefordshire Local Plan – Core Strategy, Policy BW&GB5 of the Bredenbury and District Group Neighbourhood Development Plan and Paragraph 84 of the National Planning Policy Framework.

- 2. The proposed development, due to its elevated and isolated location within the rural landscape, its detachment from existing built form, and its failure to reflect the historic pattern of development, would result in adverse impacts on the character and visual amenity of the area. For these reasons, the proposal is contrary to Policies RA4 and LD1 of the Herefordshire Local Plan – Core Strategy, Policy BW&GB10 of the Bredenbury and District Group Neighbourhood Development Plan and the National Planning Policy Framework.

INFORMATIVES:

- 1. IP3 - Application Refused Following Discussion – No Way Forward

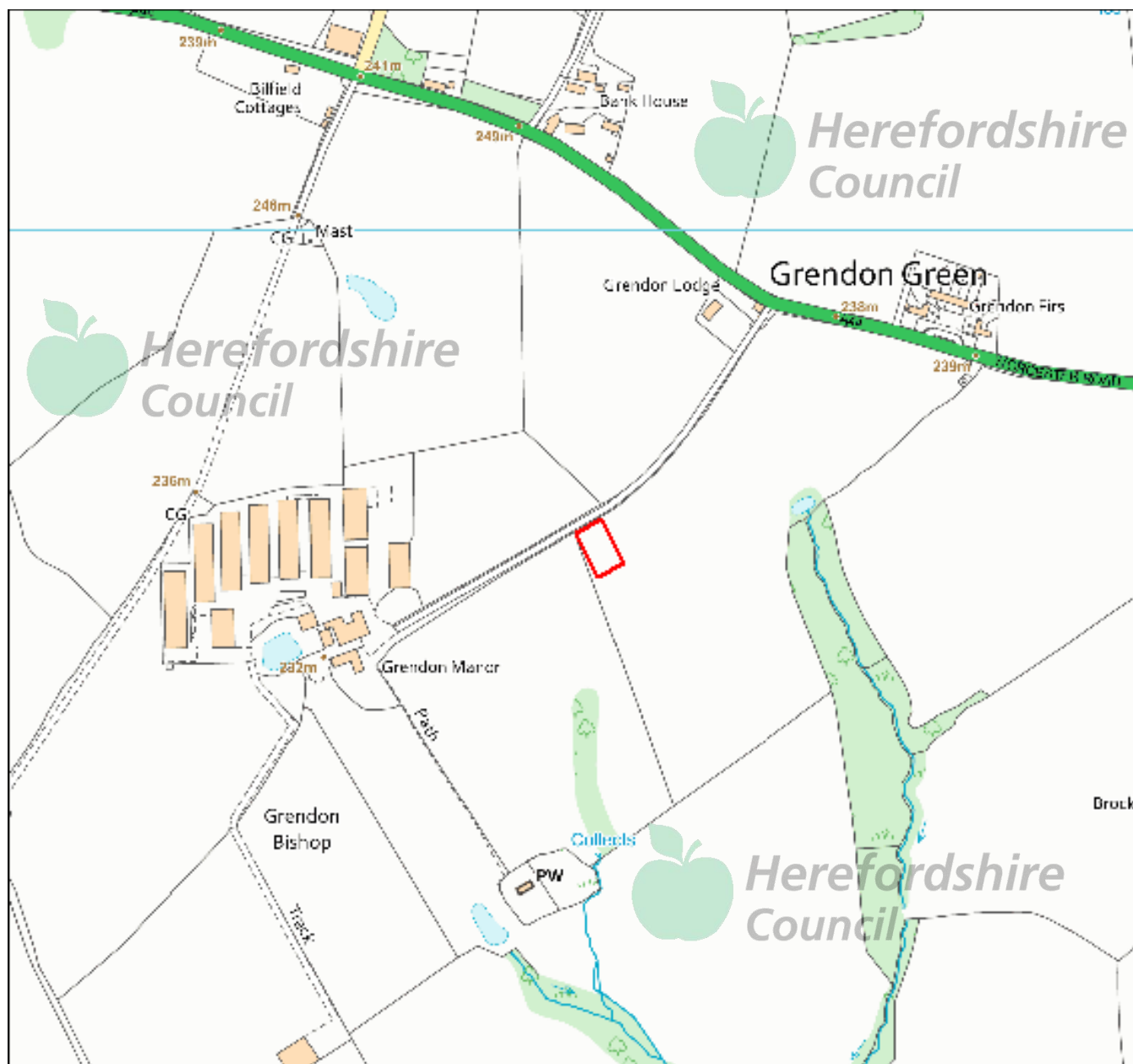
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 243059

SITE ADDRESS : LAND AT GRENDON MANOR FARM, BREDENBURY, BROMYARD, HR7 4TH

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