

Minutes of the meeting of Planning and Regulatory Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 10 December 2025 at 10.00 am

Present: **Councillor Terry James (chairperson)**
 Councillor Clare Davies (vice-chairperson)

**Councillors: Polly Andrews, Bruce Baker, Jacqui Carwardine, Simeon Cole,
Dave Davies, Matthew Engel, Elizabeth Foxton, Catherine Gennard,
Peter Hamblin, Stef Simmons, John Stone, Richard Thomas and
Mark Woodall**

In attendance: **Councillors Jenny Bartlett and Kevin Tillett**

Officers: **Senior Solicitor Planning and Highways, Development Manager Majors Team
and Team Leader Area Engineer**

47. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Taylor.

48. NAMED SUBSTITUTES (IF ANY)

Councillor Foxton acted as a substitute for Councillor Taylor.

49. DECLARATIONS OF INTEREST

There were no declarations of interest.

50. MINUTES

RESOLVED: That the minutes of the meeting held on 19 November be approved.

51. 230432 - LAND TO THE REAR OF PROSPECT PLACE, ST MARTINS AVENUE, HEREFORD

The senior planning officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking Mr Milln spoke on behalf of Herefordshire City Council, Mr Irwin, local resident, spoke in objection to the application and Mr Eacock, applicant's agent, spoke in support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the determination of the application was on a fine balance which was demonstrated by the significant number of relevant planning policies relating to the application and the large number of proposed conditions attached to the recommendation. The application site was: set within a conservation area; was of archaeological importance; and close to a scheduled monument and grade 2 listed

buildings. A full archaeological survey as required in the conditions demonstrated the importance of the site. The heritage impact assessment undertaken was considered flawed and had been challenged by an independent assessment. It was felt that the proposal was contrary to core strategy policies LD4 and SS6 and national planning policy framework paragraph 219 as the proposal did not protect, conserve or enhance heritage assets nor their setting. The proposed site was set in flood zone 3 and it was concerning that the applicant was challenging the Environment Agencies requirement under the section 106 agreement relating to flood risk infrastructure. Recent examples of flooding from the river Wye militated against applications within flood zones. There was a narrow access to the site which would cause difficulty for construction vehicles and fire tenders would not be able to access the development. Visibility from the access was very poor and located in an area heavily used by cars and pedestrians. Further, the proposed access would result in the loss of parking spaces which would place greater pressure on problematic parking already evident in the local area. Arrangements for the access were in conflict with core strategy policy MT1. An outstanding issue concerned ownership of the site which would need to be resolved before any development took place. The impact of the development on the local environment and the landscaping proposed in mitigation was not felt to be sufficient and therefore contrary to core strategy policy LD3.

The committee debated the application and was divided as to the acceptability of the proposals; the following principal points were raised:

- There was a need for more two-bedroom houses locally;
- The development was in a sustainable location with easy access to the town centre and good walking and cycling access.
- There were concerns regarding the access and the impact on highway safety in the local area;
- There was concern regarding the scale, design, siting and massing on the site. It was felt that this would have an adverse impact on the conservation area. There was no landscaping plan and no landscaping mitigation was proposed with the application. It was not considered that there was a suitable transition from the development site on to the Bishops Meadow adjacent to the application site. The development would pose an adverse impact on the landscape and was considered contrary to core strategy policies LD 1, 2, 3 and 4;
- There were no renewable energy facilities included with the application which was contrary to core strategy policy SD1;
- The design of the buildings was lacking in distinctiveness and posed an adverse impact on other local heritage assets contrary to core strategy policy SS6.
- There was concern that the section 106 agreement remained unsigned. Without the flood risk infrastructure proposed in the section 106 agreement the development site would be put at significant risk from flooding.

The development manager and the highways advisor provided the following clarification:

- there was sufficient width along the access for a fire tender to attend the site.

The local ward member was given the opportunity to close the debate.

Councillor Richard Thomas proposed and councillor Stef Simmons seconded a motion that the application be refused on the following grounds:

- The scale, design, siting and massing on the site would have an adverse impact on the conservation area and landscape. The development would pose an adverse impact on the landscape and was contrary to core strategy policies LD 1, 2, 3 and 4;

- No renewable energy facilities were included with the application which was contrary to core strategy policy SD1;
- The design of the buildings was lacking in distinctiveness and posed an adverse impact on other local heritage assets contrary to core strategy policy SS6.
- The section 106 agreement to require a contribution towards the provision of flood risk infrastructure remained unsigned posing a risk from flooding on the site.

The motion was put to the vote and was carried by a simple majority.

RESOLVED –

That the application is refused on the following grounds:

- **The scale, design, siting and massing on the site will have an adverse impact on the conservation area and landscape. The development will pose an adverse impact on the landscape and is contrary to core strategy policies LD 1, 2, 3 and 4;**
- **No renewable energy facilities are included with the application, contrary to core strategy policy SD1;**
- **The design of the buildings is lacking in distinctiveness and poses an adverse impact on other local heritage assets contrary to core strategy policy SS6.**
- **The section 106 agreement to require a contribution towards the provision of flood risk infrastructure remains unsigned posing a risk from flooding on the site.**

52. 240309 - LAND NORTH OF LEYS HILL, BISHOPSWOOD, ROSS-ON-WYE, HEREFORDSHIRE

Councillor Cole acted as local ward member for the following application

The development manager provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking, a statement was read on behalf of Walford Parish Council, Mr Saunders, local resident, spoke in objection to the application and Mr Thomas, applicant's agent, spoke in support.

Councillor Jacqueline Carwardine left the meeting at 11:13 a.m.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained the application was contrary to Walford neighbourhood development plan (NDP) policy 17 and core strategy policy RA2 as the proposal did not meet the local housing need of 2/3 bedroom houses. Furthermore, the application did not meet the requirements of NDP policies 2 and 4 and core strategy policies SS6 and LD1 as the proposed houses did not preserve or enhance the character of the area. The local area was adversely affected by in-filling and urbanisation. The current application was prominent in the landscape and the design of the houses was urban, out of keeping and dominant in the local setting. The council's principal environment officer had expressed concerns regarding the domineering nature of the houses and the adverse effects on the local landscape. The application proposed housing which did not meet the local housing need, which was contrary to core strategy policies SS2 and RA2 and NDP policy 17. The size, scale, bulk and design of the houses posed a harmful impact on the landscape which was contrary to core strategy policies SS6, RA1, RA2, LD1 and NDP policies 2 and 4.

The committee debated the application and was divided as to the acceptability of the proposals; the following principal points were raised:

- The application proposed two additional dwellings in the local area which was not felt to be excessive and did not pose an adverse impact on the local landscape;
- It was doubted whether the construction of 2/3 bedroom houses or affordable housing in the area was viable;
- The site was allocated for development in the NDP but cumulative development in the area was a concern;
- The proposed houses were felt to be in keeping with the style locally and the topography of the area;
- The Levelling-up and Regeneration Act 2023 was raised and the greater weight that needed to be given to protection of national landscapes;
- The visibility of the developments in the local setting was raised and it was queried whether the landscape and visual impacts assessment (LVIA) undertaken on the application was credible given it had not used views from Coppett Hill;
- The slope of Lays Hill was highly visible in the surrounding area with the driveway proposed and vehicles providing reflective surfaces which would impact negatively on the national landscape;
- It was noted that the size and scale of the houses had been adjusted during the application process and the number of houses proposed on site had been reduced from three to the current two;
- The scale of the groundworks on site and its impact on the landscape was raised as a concern; The proposed swale and cut and fill would create an unnatural landform and adverse impact on the appearance of the development on the landscape.

The development manager provided the following points of clarification:

- the LVIA had used views from across the valley and it was considered that the proposed houses would be seen within the context of other development adjacent to site. The cladding and timber roofing were felt to be less prominent than render; and
- the applicant would be engaged to seek assurance that the groundworks on site would be within a scale that was not obtrusive on the landscape.

The local ward member was given the opportunity to close the debate. He explained that the application did not address local housing needs and was in disregard of a national landscape. The committee was urged to refuse the application.

Councillor Polly Andrews proposed and councillor Dave Davis seconded a motion that the application be approved in accordance with the case officer's recommendation. The motion was put to the vote and carried by a simple majority.

RESOLVED

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

That planning permission be granted subject to the following conditions:

Standard Conditions

1. Time limit for commencement (full permission)
2. The development hereby approved shall be carried out strictly in accordance with the approved plans (drawing nos. ES085 P(0)001E; ES085 P(0)002C; ES085 P(0)003C; ES085 P(0)004C; ES085 P(0)005C; ES085 P(0)006C ES085 P(0)011A and Location Plan 05 March 2025).

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policies WALF2, WALF6:, and WALF10 and the National Planning Policy Framework.

Pre Commencement Conditions

3. Before any work; including site clearance or demolition begin or equipment and materials are moved on to site, a Construction Environmental Management Plan (CEMP) including a fully detailed and specified Ecological Working Method Statement and details of an appointed Ecological Clerk of Works, shall be supplied to the local planning authority for written approval. The approved CEMP shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed; unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework , NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

4. No development shall commence until a revised surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved drainage strategy, and no surface water shall discharge to the public highway.

Reason: To ensure that adequate provision is made for surface water drainage, to prevent increased risk of flooding and runoff to the public highway, and to comply with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the guidance contained within the National Planning Policy Framework.

5. Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway
- Construction traffic access location
- Parking for site operatives
- Construction Traffic Management Plan

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

6. Before any other works hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres

back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 24 metres to the South West and 27 metres to the North East along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Pre- Occupation Conditions

7. With the exception of any site clearance and groundwork, no further development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. Prior to the first occupation of the dwellings hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of three cars per dwellinghouse which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. Prior to the first occupation of the dwellings hereby approved the driveway and/or vehicular turning area shall be consolidated and surfaced at a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway. Details of the driveway, vehicular turning area and drainage arrangements shall be submitted to and approved in writing by the local planning authority prior to commencement of any works in relation to the driveway/vehicle turning area.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

10. Prior to the first occupation of the development hereby permitted, the construction of the vehicular access shall be completed in accordance with a detailed specification that has first been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed at a gradient not steeper than 1 in 12.

Reason: To ensure the formation of a safe and satisfactory means of access to the highway, in the interests of highway safety and in accordance with Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

11. Prior to the first occupation of the dwellings hereby approved, a scheme demonstrating measures for the efficient use of water as per the optional technical standards contained

within Policy SD3 of the Herefordshire Local Plan Core Strategy shall be submitted to and approved in writing by the local planning authority and implemented as approved. Reason: To ensure compliance with Policies SD3 and SD4 of the Hereford Local Plan – Core Strategy and the National Planning Policy Framework.

12. Prior to completion of the development or first occupation of any of the dwellings hereby approved, whichever is the sooner, a landscape scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:
- a) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
 - b) Full details of the long term future maintenance of all planting proposals.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

Post Occupancy and any other stage conditions

13. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

14. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: H.E.C, Arboricultural Impact Assessment and Tree Protection plan.

Reason: To ensure that the development is carried out only as approved by the Local Planning Authority and to conform with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

15. The recommendations in the Phase One Habitat Survey and Bat Survey by Ecology Services dated January 2024 in respect of ecological interests on the site, biodiversity net gain and habitat enhancement recommendations, including mitigation-compensation measures and requirement for any relevant protected species licences from Natural England to be obtained prior to approved demolition works commencing, shall be implemented in full and hereafter maintained as approved unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced 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 (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and the council's declared Climate Change & Ecological Emergency.

16. All foul water shall discharge to a new private foul water system (Package Treatment Plant) discharging to a suitable soakaway drainage field on land under the applicant's ownership and all additional surface water shall be managed by appropriate sustainable drainage systems unless otherwise agreed with the Local Planning Authority.

Reason: In order to comply with Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended) National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, SD3, SD4 and LD2.

17. Any new access gates shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards only.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

18. No external lighting, including no driveway illumination, 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 10 minutes. 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.

19. Within six months of any of the solar panels hereby permitted becoming redundant, inoperative or permanently unused, those panels and all associated infrastructure shall be removed and re-used, recycled, the materials recovered, or be finally and safely disposed of to an appropriate licensed waste facility, in that order of preference.

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

20. All planting, seeding or turf laying in the approved landscaping scheme shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner.

Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no windows shall at any time be placed in the East facing elevation of Unit A (as shown on drawing no. ES085 P(0)003C).

Reason: In order to protect the residential amenity of adjacent properties and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

22. Notwithstanding the provisions Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), no fences, walls or other means of enclosure shall erected within the application site.

Reason: In order to protect the visual amenity of the site and surrounding locality and to comply with Policy LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special “Higher Status Protected Species” such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required ‘licences’ have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.
3. Access to the site is via a public right of way and the applicant's attention is drawn to the restrictions imposed by Section 34 of the Road Traffic Act 1988 regarding the prohibition of driving motor vehicles elsewhere than on roads.
4. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise

details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel. 01432 845900.

5. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel. 01432 845900.

6. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
7. Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority or their agent. Please contact Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517).

There was an adjournment at 11:45 AM; the meeting reconvened at 11:57 AM

Councillor Simeon Cole resumed his seat on the committee.

53. 242748 - 30 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JB

Councillor Mark Woodall acted as local ward member for the following application.

The senior planning officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking Ms Hannah, spoke on behalf of Leominster Town Council and Mr Peach, the applicant's agent, spoke in support of the application.

Councillor Dave Davis left the meeting at 12:24 p.m.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the application saved a prominent and historic building in Leominster. The new restaurant in Leominster would also help to create footfall in the town and provide a social location for people to meet in the town. There were concerns regarding the application relating to traffic, litter, pests, noise and impact on dietary health. A number of mitigations or conditions were in place to overcome concerns relating to noise, litter and pests. However, concerns regarding the impact on public health posed by fast food remained. It was understood that the food franchise responsible for the application was developing a healthier menu. It was noted that there were a number of other takeaways in the locality but the present application was exempt from rules relating to the concentration of fast food restaurants due to its location within the town centre. The additional highway movements that the restaurant would generate would be in a location which was already busy with traffic attending supermarkets and nearby car parks; the speed of cars within the area was generally slow. The small car park attached to the restaurant was not for customer parking and would ensure that there was no deliveries or service vehicles for the restaurant utilising the public highway. There was concern regarding the noise impact from the site, in particular deliveries occurring overnight causing a disturbance and adversely impacting residential amenity. It was requested that a condition be added to restrict nighttime delivery. It was explained that the building had been in a very poor condition and that the current proposal would ensure that the historic building was restored with elements that were sympathetic with the original design and distinctiveness of the building. It was noted that the proposal was compliant with the Leominster NDP.

In accordance with the council's constitution, the adjoining ward member spoke on the application. In summary, she explained that a number of representations had been received locally for and against the application. It was pleasing the building would be restored and occupied and further applications that would make use of the foyer and frontage. Conditions concerning car parking at the rear of the building, noise, litter and pests were supported. The timings of deliveries to the store and the impact on local residential amenity were concerning. It was noted that the local water provider had recommended grease traps to avoid grease from the restaurant entering the local drainage system; a condition to require the installation of grease traps was supported. The replacement of the Beech tree which had previously been present on the site was welcomed and conditions regarding the exterior signage were supported.

The committee debated the application and was divided as to the acceptability of the proposals; the following principal points were raised:

- The renovation and restoration of an iconic local building was supported;
- There was concern that noise generated by night time deliveries to the store would impact adversely on residential amenity;
- It was felt that the time period in condition 8, years for the planting of replacement trees, should be extended up to 15 to ensure appropriate landscaping of the development into the future;
- The inclusion of a condition requiring the provision of grease traps at the restaurant was supported to avoid the restaurant having an adverse effect on the local waste water infrastructure;
- There was concern regarding the detrimental impact on the health of children and local people posed by local fast food restaurants and takeaways.

The development manager provided the following points of clarification;

- A condition that prohibited nighttime deliveries could be imposed. However, there would need to be consultation with the applicant to determine how deliveries could be made whilst avoiding nighttime hours. The final details of a condition relating to a prohibition of nighttime deliveries would be subject to consultation with the local ward members and the chairman of the planning committee;
- A condition could be added to use and maintain grease traps at the restaurant;
- An extension of the period of up to 15 years for the planting of replacement trees in condition 8 could be included in the permission.

The local ward member and the adjacent ward member were given the opportunity to close the debate.

Councillor Bruce Baker proposed and counsellor Richard Thomas seconded a motion that the application be approved with a change to the conditions as set out below:

- No nighttime deliveries (the finalisation of the condition will be undertaken following consultation with the applicant, local ward members and the committee chairman)
- The inclusion of a condition to use and maintain grease traps at the restaurant;
- An extension of the period of time up to 15 years for the planting of replacement trees in condition 8.

The motion was put to the vote and was carried by a simple majority.

RESOLVED:

That planning permission be granted subject to the following conditions, those conditions and changes to conditions set out above (no nighttime deliveries/grease traps/extension to tree re-planting) and any other further conditions or amendments to conditions considered necessary by officers named in the scheme of delegation to officers:

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. **The development hereby approved shall be carried out strictly in accordance with the approved plans (Unnumbered Site location Plan (received 24/10/2024), 0000/2023/G121 Rev F – Proposed site plan, 0000/2023/G100 Rev E – Proposed GF general arrangement, 0000/2023/F100 Rev D – Proposed FF general arrangement, 0000/2023/G212 Rev D – Proposed external elevation A&B, 0000/2023/G213 Rev C – Proposed external elevations C&D) and the schedule of materials indicated thereon.**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy, policies LANP6 and LANP14 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.
3. **Prior to the first use of the development hereby approved, an Environmental Noise Assessment to include a survey of the existing noise levels on site (including night time), details of mechanical services equipment along with predicted noise levels with an impact assessment and appropriate mitigation for each of the identified**

noise sources shall be submitted to and approved in writing by the Local Planning Authority.

Works shall be carried out in accordance with the approved details and the development shall be carried out thereafter in accordance with the approved details.

Reason: To safeguard the amenity of the area in compliance with Policy SD1 of Herefordshire Local Plan – Core Strategy, policy LANP5 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

4. Prior to the first use of the development hereby approved, details of each separate extract flue proposed, including the type of filtration system, length of internal ductwork, residence time of flue gases, height of terminus, and maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the amenity of the area in compliance with Policy SD1 of Herefordshire Local Plan – Core Strategy, Policy LANP5 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

5. Prior to the first use of the development hereby approved, a Litter Management Plan, including plans for the provision of public waste bins within the site and commercial waste generated from the site shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the amenity of the area in compliance with Policy SD1, of Herefordshire Local Plan – Core Strategy, policy LANP5 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

6. Prior to the first use of the development hereby approved, a Pest Control Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the amenity of the area in compliance with Policy SD1 of Herefordshire Local Plan – Core Strategy, Policy LNAP5 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

7. Prior to the first use of the development hereby approved, full details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of the development shall be submitted to and approved in writing by the Local Planning Authority.

The covered and secure cycle parking facilities shall be carried out in accordance with the approved details and available for use prior to the first use of the development hereby permitted. Thereafter these facilities shall be maintained;

Reason: To ensure that there is adequate provision for secure cycle

accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. All planting, seeding or turf laying in the approved plans (0000/2023/G121 Rev F) shall be carried out in the first planting season following completion of the development. Any trees or plants which die, are removed or become severely damaged or diseased within 15 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the soft landscaping approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, policy LANP9 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

9. The construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

10. The use hereby permitted shall not be open to customers outside the hours of [0900 to 2300] Sundays to Thursdays and [0900 and 2330] Fridays and Saturdays.

Reason: To safeguard the amenities of the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, policy LANP5 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

11. The use of the car park as identified on plan number 0000/2023/G121 Rev F shall be carried out strictly in accordance with the submitted Car Parking Management Plan (Received 31/07/2025).

Reason: In the interests of highway safety and traffic management and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

12. All servicing and deliveries to the site shall take place within the designated on-site areas as shown on the approved plans within the Car Parking Management Plan (received 31/07/2025).

Reason: In the interests of highway safety and traffic management and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

13. All external soil and vent pipes, waste pipes, rainwater goods, boiler flues and ventilation terminals proposed shall be supplied or painted matt black and maintained as such thereafter.

Reason: To safeguard the architectural interest and character of the building as a non-designated heritage assets and the character of the Leominster Conservation Area under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in accordance with policy LD4 of the Herefordshire Local Plan - Core Strategy, Policy LANP14 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework

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

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to accord with policy SD3 and SD4 of the Herefordshire Local Plan – Core Strategy.

INFORMATIVES:

1. The approved use should investigate an adequate grease trap to be fitted, in accordance with environmental health regulations, and maintained thereafter so as to prevent grease entering the public sewerage system.

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

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with National Planning Policy Framework (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

2. All nesting birds, their nests, eggs and young are protected by law and it is an offence to:
- intentionally kill, injure or take any wild bird
 - intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
 - intentionally take or destroy the egg of any wild bird
 - intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a

nest containing eggs or young, or disturb the dependent young of such a bird. The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural England and the Council's Ecologist.

- 3. This permission does not authorise the display of any advertisements on the site (including any shown on the plans accompanying the application). Separate application should be made to Herefordshire Council in accordance with the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.**

Councillor Woodall resumed his seat on the committee.

54. 243059 - LAND AT GRENDON MANOR FARM, BREDENBURY, BROMYARD, HR7 4TH

Councillor Baker acted as local ward member for the application below.

The senior planning officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking Mr Hulse spoke on behalf of Bredenbury Group Parish Council and Mr Tompkins, applicant's agent, spoke in support of the application

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that two generations of the same family lived on the farm. The younger generation now required a home on the farm to start a young family whilst managing the operation of the farm effectively. The conclusion of the rural planning appraisal that the farmer should live in Bromyard was not credible and were not supported. A house was required on the farm to respond to alarms from the chicken houses, protect livestock welfare and ensure bio security. The proposed home was set away from the main farm buildings to ensure the safety of a young family. Paragraph 84e of the NPPF allows for houses in the countryside where there is an essential need for an agricultural worker; the present application was in accordance with this paragraph. The committee was urged to approve the application.

The committee debated the application. The committee was assured that there was a need for the dwelling for the farm manager to be present on the site for the effective management of operations. There was however division among the members of the committee regarding the location of the proposed house. Some members of the committee were concerned that the positioning of the proposed house posed an

unacceptable impact on the landscape and the proposed dwelling should be positioned in closer proximity to the established farmhouse and farm buildings on the farm.

Councillor Peter Hamblin proposed and Councillor Richard Thomas seconded a motion that the application be approved. The motion was withdrawn.

The local ward member was given the opportunity to close the debate.

Councillor Woodall proposed and Councillor Foxton seconded a motion that the application be refused in accordance with case officer recommendation 2 only. The motion was put to the vote and was carried by a simple majority.

RESOLVED – that:

That planning permission be REFUSED for the following reason:

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.

55. APPENDIX - SCHEDULE OF UPDATES AND PUBLIC SPEAKERS - 10 DECEMBER 2025 (PAGES 19 - 54)

The meeting ended at 1.40 pm

Chairperson



Supplement to the agenda for

Planning and Regulatory Committee

Wednesday 10 December 2025

10.00 am

**Conference Room 1 - Herefordshire Council, Plough Lane
Offices, Hereford, HR4 0LE**

Schedule of updates

Public speakers

Pages

3 - 34

35 - 36

PLANNING COMMITTEE

Date: 10 DECEMBER 2025

Schedule of Committee Updates/Additional Representations

Note: The following schedule represents a summary of the additional representations received following the publication of the agenda and received up to midday on the day before the Committee meeting where they raise new and relevant material planning considerations.

SCHEDULE OF COMMITTEE UPDATES

6 230432 - PROPOSED ERECTION OF 7 TOWNHOUSES WITH ASSOCIATED DEVELOPMENT AT LAND TO THE REAR OF PROSPECT PLACE, ST MARTINS AVENUE, HEREFORD.
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For: Mr Tobin per Mr Bernard Eacock, 1 Fine Street, Peterchurch, Hereford, Herefordshire HR2 0SN

ADDITIONAL REPRESENTATIONS

Further to the publication of the officer report, an additional 4 letters of representation have been received from 1 interested party. They have been published on the application webpage although are also provided below for convenience:

Representation 1 (2 December 2025)

"Dear Mr. Bailey, It has just been brought to my attention that the Council has not required the applicant to provide an Update to the submitted Preliminary Ecological Assessment originally produced 2019. The Council's Ecologist states in their July response that

"With no PRFs present and no change in very low likelihood of presence of protected species the LPA has no reasonable cause to require an updated ecological assessment prior to determination."

This response contradicts the CIEEM Advice Note on the 'Lifespan of Ecological reports & Surveys' (April 2019) (see attached). This Note states that with reports between 18 months and 3 years that

"The likelihood of surveys needing to be updated increases with time, and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken".

For reports more than three years old "The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist".

I am reliably informed that any data search from the Council's resources undertaken in 2019 would now be out of date. The site also lies in proximity of the River Wye SSSI (at least 110 metres) and the possible mobility of European Protected Species since 2019 renders the report out of date and in need of updating. Can I ask that your Council reconsider its acceptance of this six year old Assessment given the foregoing?

*Thank you.
Paul Smith MRTPI"*

Representation 2 (2 December 2025)

"Dear Mr. Bailey,

I have just received the attached. Can you advise me how you intend to address the issue of the unregistered land along the alleyway access? Has this matter been resolved?

*Regards,
Paul Smith MRTPI*

Representation 3 (3 December 2025)

Schedule of Committee Updates

"Dear Mr. Bailey,

Thank you for seeking a response from the applicant over the legal position over the alleyway access. I see that you have added the Certificate D Notice to the application file but not the Certificate D itself. Can you arrange for the removal of the Certificate A dated 1 February 2023 from the application form and add the Certificate D (and not just the Notice) to the file to render the application correct and valid? Certificates A and D are mutually exclusive. Further, Certificate D requires the applicant to confirm that reasonable steps have been taken to find the names and addresses of everyone else who on the day 21 days before the date of the application was the owner to which the application relates. How can this be confirmed before the Planning Committee on 10 December?

*Your sincerely,
Paul Smith"*

Representation 4 (4 December 2025)

"Dear Mr. Bailey,

Regarding the forthcoming site visit by councillors, to whom should submit a request that councillors view the proposal from the rear garden of no. 21 St Martins Street regarding the issue of overlooking?

*Regards,
Paul Smith"*

OFFICER COMMENTS

Matters pertaining to the validity of the ecological survey is discussed at 7.134 of the report. For avoidance of doubt, an update letter submitted in 2023 advises that the extended Phase 1 ecology survey, written and reviewed in 2019, is still an accurate representation of the site. The Council's Ecologist in their most comments of 31 July 2025 advises that with no potential roosting features present and no change in the very low likelihood of presence of protected species, the Local Planning Authority has no reasonable cause to require an updated ecological assessment prior to determination of this application from the applicant.

With regards to the unregistered land along the alleyway access, the local planning authority received a completed Notice under Article 13 (Notice of applications for planning permission) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 on 28 November 2025 from the applicants' agent. A signed Certificate D was subsequently received by the Local Planning Authority on 3 December 2025 again from the applicants' agent. Notice under Article 13 regarding the ownership certificate went into the Local Press on 4 December 2025. As a result of the change to the ownership certificate, officers erected new site notices around the application site on 9 December 2025 and this consultation expires on 5 January 2026. In reaffirming 7.151 of the report, this procedural matter does not prevent the Committee from being able to make a resolution, it simply it means that no formal determination of the application would be made until 6 January 2026 at the earliest.

Requests to visit and view proposals from third party properties is at the discretion of the Chairperson of the Planning & Regulatory Committee (or the substitute Chairperson at the Planning Site Inspection in the absence of the Chairperson of the Planning & Regulatory Committee). Members who attended the site inspection did visit the application site and surrounding public receptors, including St Martins Avenue and Bishops Meadow, to be able to consider both the site setting and its surroundings which includes consideration of impacts on residential amenity.

Given ii) of the original officer recommendation has been complied with, a revised officer recommendation is proposed as set out below.

CHANGE TO RECOMMENDATION

That officers named in the Scheme of Delegation to Officers are authorised to grant full planning permission, subject to the conditions below and any other further conditions considered necessary by officers, subject to:

- i) the completion of a Section 106 Town & Country Planning Act 1990 planning obligation agreement to secure financial contributions towards the management costs of flood risk infrastructure as operated by the Environment Agency (with draft agreement to be published for a minimum of 10 working days prior to determination of the application); and*
- ii) no new material planning considerations arising which may otherwise lead to a revised officer recommendation.*

7 240309 - THE PROPOSED ERECTION OF 2 NO. DWELLINGS AND ASSOCIATED WORKS INCLUDING ACCESS, LANDSCAPING AND DRAINAGE AT LAND NORTH OF LEYS HILL, BISHOPSWOOD, ROSS-ON-WYE

For: Thomas per Mr Ed Thomas, 13 Langland Drive, Hereford, Herefordshire, HR4 0QG

ADDITIONAL REPRESENTATIONS

A further representation has been provided by Walford Parish Council in lieu of their inability to address the Planning Committee in person. The summary of comments is as follows:

- 1. Inadequate Housing Needs:** The proposed development comprises two large, four bedroom dwellings that fail to address the identified local community housing needs outlined in the Walford Neighbourhood Development Plan and the Core Strategy.
- 2. Conflict with Local Character and Landscape Quality:** The development is deemed incompatible with the local character and landscape quality of the area. It would negatively impact the appearance and setting of the rural landscape.
- 3. Inappropriateness of Dwellings:** The characteristics of the proposed dwellings, including their size, scale, massing, and urbanising effects, are deemed inappropriate for the local vernacular of small wayside cottages and individual dwellings in the area.
- 4. Negative Impact on Surrounding Views:** The Principal Natural Environment Officer has expressed concerns that the proposed dwellings would stand out as negative features and exacerbate the incongruity of the development in surrounding views.
- 5. Driveway Construction:** Parish Council is concerned that the driveway now goes higher up the hillside, and adds to the concerns it already has over surface water drainage.
- 6. Inadequate Junction:** In 2016, the highways officer reported that the junction to the lane was dangerous and substandard. While council is awaiting the introduction of an experimental 30mph speed limit which it is hoped will improve safety, four bedroom

houses may lead to a disproportionate number of additional vehicles using the lane and junction

OFFICER COMMENTS

For the avoidance of doubt, Officers wish to clarify that the proposed height of the ground floor slab levels above road level is around 8.5-9 metres

NO CHANGE TO RECOMMENDATION

8 242748 - PROPOSED ALTERATIONS TO AND CHANGE OF USE OF EXISTING BUILDING TO ALLOW OCCUPATION FOR CLASS E(B)/SUI GENERIS (HOT FOOD TAKEAWAY) USE, INCLUDING THE PROVISION OF DESIGNATED CAR PARKING AREA AND ALTERATIONS TO EXISTING ELEVATIONS. AT 30 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JB

For: NNA Ltd per Ms Polly Mason, De La Bere House, Bayshill Road, Cheltenham, GL50 3AW

ADDITIONAL REPRESENTATIONS

Officers have received and are aware that Members have also received an email attaching a 'Briefing note' and 'Good Neighbour Document' (See Appendix 1) from the applicants Strategic Communications Consultant.

Officers do not consider the documents to raise any new material considerations not already addressed within the officers' report.

OFFICER COMMENTS

Officers have reviewed the plans submitted and note the inconsistency with respect to the 3 trees represented on the plan, not conforming to the annotated no. 4 trees to be planted. As such, Officers recommend a change to condition 8 as set out below.

CHANGE TO RECOMMENDATION

Change to condition 8 as follows:

Condition 8:

Notwithstanding plan number 0000/2023/G121 Rev F – Proposed site plan, A landscape scheme to include a tree planting specification shall be submitted to and approved in writing by the local planning Authority, prior to first use of the site as approved.

All planting, seeding or turf laying shall be carried out in the first planting season following completion of the development in accordance with the approved scheme.

Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the soft landscaping approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, policy LANP9 of the Leominster Neighbourhood Development Plan and the National Planning Policy Framework.

9 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

Officers note that the 'Appendix 1' as referenced in paragraph 4.9 of the Committee Report had not been published with the papers. This has been published with the papers and the application today and is appended to these updates for ease of reference.

It is noted that the documents had previously been published to the website here since February 2025: <https://myaccount.herefordshire.gov.uk/documents?id=b9db6307-f356-11ef-908b-005056ab11cd>

NO CHANGE TO RECOMMENDATION

Appendices

Appendix 1 (a) – Item 8 (242748) – Good Neighbour document

Appendix 1 (b) – Item 8 (242748) – Briefing Note

Appendix 2 – Item 9 (243059) – Rural Planning Appraisal (listed as appendix 1 in original report)



OUR COMMITMENT TO BEING A GOOD NEIGHBOUR

Think you know about KFC – the nation's favourite, and original finger lickin' chicken? Think again.

With great chicken (and we know we have great chicken!), comes great responsibility. We are committed to being a Good Neighbour in the heart of the communities where we have restaurants. As a business with more than 1,000 restaurants across the UK and Ireland, we know we have an active and important role to play in promoting social responsibility. The jobs that we create and the footfall we drive play a crucial role in supporting the local jobs market and the regeneration of high streets across the country. Local jobs mean local investment and growth. But at KFC, we are so much more than that. We believe in feeding people's potential, investing in the next generation and creating a more sustainable and equitable future for young people.

KFC - AT A GLANCE

- In 2022, we launched Hatch, a pre-employment training programme, in partnership with UK Youth.
- The KFC Youth Foundation has provided over £10 million of charitable grants (so far!)
- Over 2,500,000 meals donated via our partnership with FareShare
- Over 50,000 bags of litter collected in partnership with Keep Britain Tidy.

HATCH
UK YOUTH x KFC

HATCH

- In 2022, we launched Hatch in partnership with UK Youth, a pre-employment training programme. The Hatch programme has been designed to support 16-24-year-olds, who have faced barriers to employment to find work.
- Our programme offers 1-2-1 training, support, and practical work experience, with a guaranteed interview for a role at KFC upon graduation. Now in its third year, Hatch has supported over 1,000 young people with pre-employment training. Hatch is now run directly by KFC and KFC Youth Foundation to enable the scheme to be more adaptive and flexible.
- Our experience with Hatch shows that pre-employment training has a huge role to play in helping young people to successfully enter the world of work. By 2030, KFC aims for a third of all new hires to be young people through Hatch.



100% of our chicken on the bone comes from British Red Tractor farms.

OUR FOOD

- As a leading UK restaurant business, we have a role to play in helping people have access to nutritious, good food. Food that is fast does not have to be junk, and we are proud of our work to date to improve the nutritional content of our food.
- Our chicken is freshly prepared and hand breaded in restaurant every day by our talented chefs.
- In 2024 we launched our Nutrition Update. The report will be published annually to update where we are in our nutrition journey, as well as report on our progress and set ambitious goals. Through this work we want to be open and transparent about our food and how we are delivering meaningful improvements to our menu and for our customers.
- Changes we have already delivered include; reformulating our fries and removing salt from them – thereby removing 13 billion calories a year from our menu; removing full-sugar Pepsi from our menu, removing a further 8 billion calories from our menu each year; the first QSR to launch a Vegan Burger; increasing our menu range to give more balanced choice for our customers, including '600 kcals or less' options like Riceboxes, Twister Wraps and Salads.
- We want to go further and continue to innovate across our menu. Our annual Nutrition Report will set out further changes.



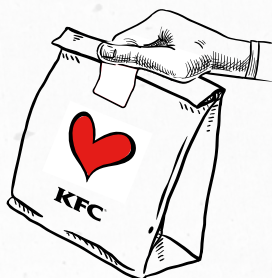
KFC YOUTH FOUNDATION

- KFC Youth Foundation was set-up to empower young people in the UK to fulfil their potential by providing safe spaces, build life skills and provide mentoring to help them build a positive future.
- Since 2020, there have been more than 300 grants (over £10 million) given out via the KFC Youth Foundation programme to youth charities and organisations across the UK.
- In 2024 we have opened a permanent KFC Youth Foundation centre in Middlesbrough, which will aid young people with tools and skills to find sustainable employment, self value and belief in themselves. The Foundation is planning to open five Youth Hubs across the country in areas that need them most by 2030.



FOOD DONATION

- Over 7 million people in the UK are struggling to afford to eat. As a food business, we strongly believe that no child should ever go to bed hungry.
- Since November 2021, KFC has partnered with the charity FareShare on a nationwide food redistribution programme, redistributing the equivalent of over 2,500,000 meals and supporting a network of over 925 charities and community groups across the UK.
- The partnership was FareShare's first venture into frozen food, diversifying the food available to people facing hunger and providing much needed protein.



LITTER PREVENTION

- We've stepped up our efforts to address littering in our local communities with a litter commitment, we've provided; more litter-picking around our restaurants, more communication with our customers, including anti-littering messaging signage and in-restaurant audio to encourage responsible behaviour.
- Our partnership with Keep Britain Tidy has been running over the past 5 years, annually taking part in the Great British Spring Clean campaign, which has seen over 50,000 bags of litter collected thus far.
- In 2023, we provided a £45,000 grant to support hundreds of local litter picking groups and help them to buy new litter picking equipment.
- In 2023, we worked with charity Hubbub on a behaviour change campaign around litter prevention. Together we created solar-powered Big Ballot Bins that asked members of the public to vote, using their litter, on topical subjects – in Manchester we asked locals who they preferred, Noel or Liam. The litter captured by Big Ballot Bins was analysed and on average, drinks litter was reduced by approximately 70% and food litter by around 60% within 20 metres of the bins.



ANIMAL WELFARE

- You won't be surprised to know that at KFC, great tasting chicken matters. Our chickens, like all animals, deserve to be treated well – it's as simple as that. That's why chicken welfare is a key priority for our business.
- We use fresh wholesome chicken across all our restaurants. 100% of our chicken on the bone comes from British Red Tractor farms.
- When it comes to eggs, 100% of all ingredient and processed egg used within KFC UK&I products is sourced from cage free systems. We do not use any fresh shell eggs.
- We work closely with experts in the field, including Compassion in World Farming (CIWF), FAI Farms and other organisations to continually improve our standards.



Planning and Regulatory Committee:

P242748/F 30 SOUTH STREET, LEOMINSTER, HR6 8JB

Wednesday 10th December

ABOUT THE **APPLICANT**

**THE APPLICATION HAS BEEN BROUGHT FORWARD BY NNA LTD,
AN AWARD-WINNING FAMILY-OWNED FRANCHISE BUSINESS.**

NNA Ltd is run by Gerard and Martina Nicholas, who live in the Forest of Dean and this year marked their 43rd year as key franchise partners for KFC and Gerard's 50th year working for the brand.

As a locally based business, they employ over 380 staff across the region and have won a number of prestigious awards in recognition of their high standards and performance. Recent award wins include; KFC Heart Led Leader award at the KFC Global Franchisee Convention; Partner of the Year (2024), Area Coach of the Year (2024) and Operational Excellence (2024). To top this all off, they have just recently won UK Franchisee of the Year 2025!



**GERARD AND
MARTINA NICHOLAS**



KFC are proud to have been able to serve our customers over the past 60 years by offering fresh, quality food at great value. We have a responsibility to our customers and the communities in which we are situated for the food we serve, and it is one that is taken very seriously. That is why we are committed to being open and transparent about what goes into our menu.

KFC BRAND SUPPORT

NNA Ltd are backed by the KFC brand who support and bolster their own experience. In addition to KFC's commitment to serving great chicken and food, it is committed to feeding people's potential, investing in the next generation and creating a more sustainable and equitable future for young people.

In 2024, we published our first Nutrition Update where we set ourselves measurable ambitions to improve our menu. We were very pleased to report in our March 2025 update that 67% of our permanent menu is now classified non-HFSS (High in fat, sugar or salt), well on our way to our target of 70% by the end of the year.

BENEFITS

THE PLANS WOULD PROVIDE A RANGE OF BENEFITS, INCLUDING:



TOWN CENTRE REGENERATION

Bringing back into good use a vacant, underutilised building that is at risk of long-term vacancy and degradation.



SIGNIFICANT ECONOMIC BENEFITS

Every KFC restaurant delivers on average 32.5 new jobs and a £620,000 economic (GVA – Gross Value Added) uplift for the local area.



CREATING A VIABLE AND ATTRACTIVE FUTURE

For a sustainably located town centre site that would increase footfall in the town centre by promoting active travel and transport to the site.



FILLING AN UNMET MARKET NEED

For high quality food options, providing wider choices for the Leominster community.



A CAREFULLY CONSIDERED SCHEME DESIGN

Maintaining key elements of the existing building, including the Art Deco Facade, in keeping with the Conservation Area.



BUSINESS RATES CONTRIBUTIONS

A thriving, considerably managed restaurant would deliver business rate contributions to the council, compared to its current vacancy.

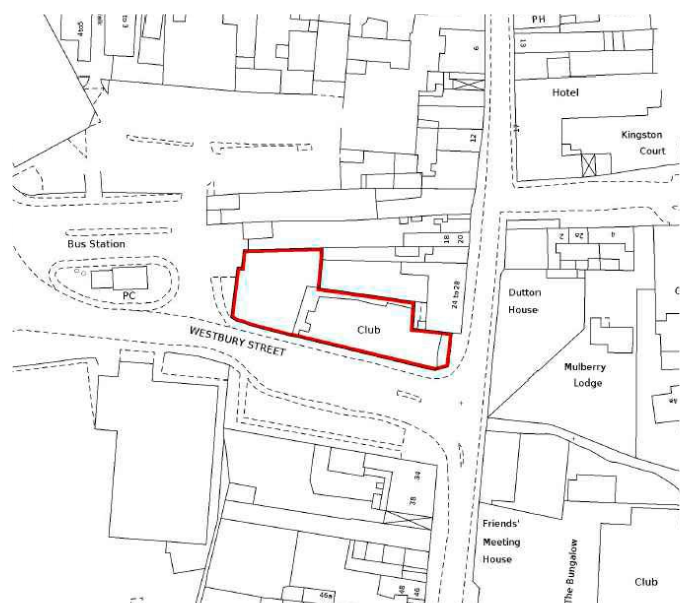
THE SITE, IN NEED OF REGENERATION

THE BROWNFIELD SITE, 30 SOUTH STREET, LEOMINSTER, COMPRISES A FORMER BINGO HALL (PREVIOUSLY A CINEMA) WHICH HAS BEEN VACANT EVER SINCE THE PANDEMIC.

The use of the building for its historic purposes as a bingo hall / cinema is no longer viable. From September 2022 – March 2024 when the building was advertised for sale, there was **no interest from bingo hall or cinema operators.**

Planning policies state in Leominster town centre, development for retail and commercial uses will be encouraged where there is sympathetic re-use and improvement of existing premises.

An alternative use has to be secured to avoid the continued long term vacancy and degradation of this key town centre site.



THE SITE CURRENTLY



View of site from South Street. The current art deco facade of the cinema will be retained.



View of the site from Westbury Street.

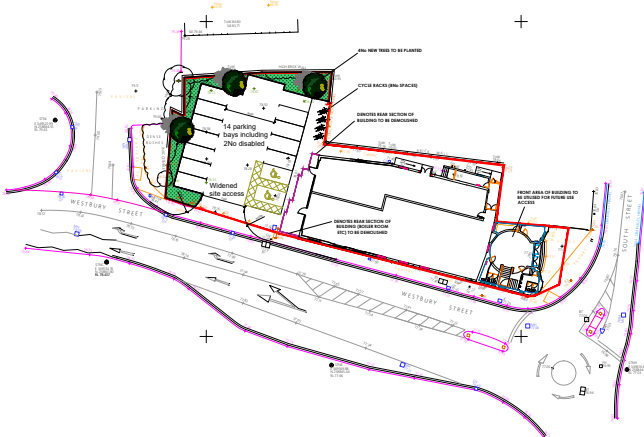
THE PROPOSALS

THE CHANGE OF USE APPLICATION IS FOR “ALTERATIONS TO AND CHANGE OF USE OF EXISTING BUILDING TO ALLOW OCCUPATION FOR CLASS E(B) / SUI GENERIS (HOT FOOD TAKEAWAY) USE, INCLUDING THE PROVISION OF DESIGNATED CAR PARKING AREA AND ALTERATIONS TO EXISTING ELEVATIONS”.

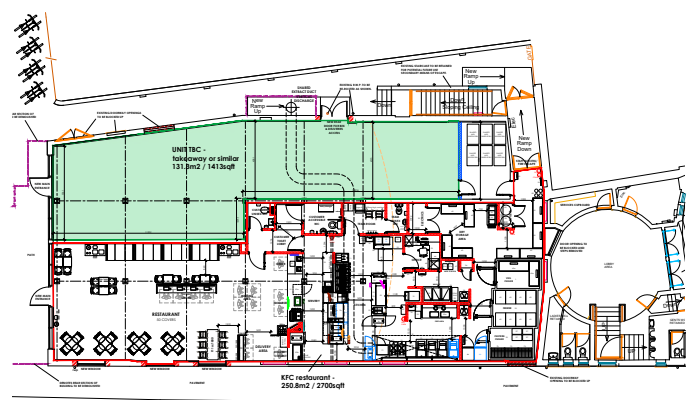
The plans include one 250m2 drive-to KFC, a 131m2 takeaway or similar unit and a 14-space staff car park and widened site access from Westbury Street.

No discussions have been had to date with a potential operator of the additional unit.

The proposal will be complementary to the established retail and leisure uses in the local area and Leominster town centre. The planning consent would allow a significant visual upgrade to the western elevation that will act as a catalyst and generate interest in the additional unit.



RED LINE SHOWING THE APPLICATION AREA



PROPOSED GROUND FLOOR GENERAL ARRANGEMENT

DESIGN AND HERITAGE

CAREFUL CONSIDERATION HAS BEEN GIVEN TO THE CONSERVATION AREA AND ADJACENT LISTED BUILDING.

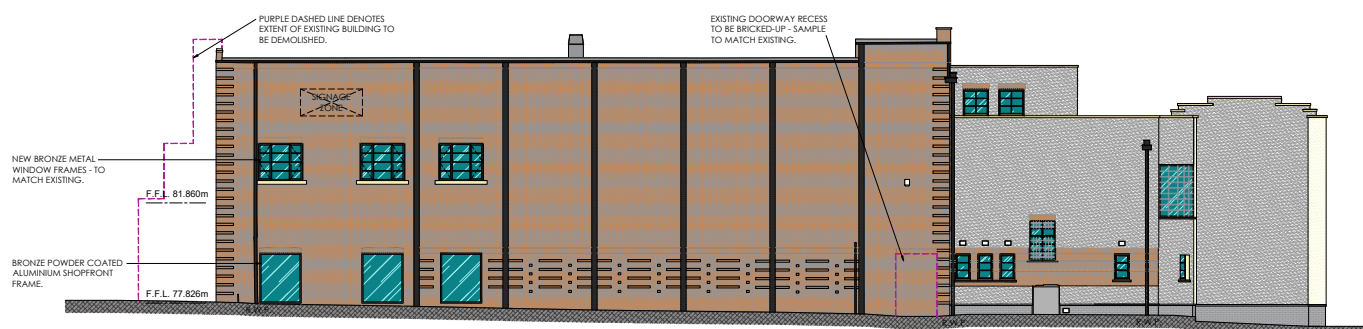
The proposals will not have a significant impact on the character and appearance of the Conservation Area or adjacent listed building, and indeed the regeneration of the currently vacant site will have a number of benefits for the town centre.

The proposals do not include works to the existing foyer / lobby space on the corner of Westbury Street and South Street, preserving and protecting the existing Art Deco Façade and interiors.

Since submitting the application, key design changes have been made to incorporate feedback relating to heritage, including the removal of some upper floor windows fronting Westbury Street. As a result, the plans have no objection from Hereford Council's Building Conservation Officer.



PROPOSED ELEVATION FROM SOUTH STREET, SHOWING THE RETENTION OF THE EXISTING FACADE



PROPOSED ELEVATION FROM WESTBURY STREET, SHOWING A SLIGHTLY REDUCED BUILDING MASSING TO CURRENT BUILDING

ACCESS, HIGHWAYS AND PARKING

THE SITE IS IN A HIGHLY SUSTAINABLE LOCATION AND THERE ARE OPPORTUNITIES FOR THE USE OF SUSTAINABLE MODES OF TRANSPORT TO GET TO THE SITE E.G. ARRIVING ON FOOT AND VIA BICYCLE, BUS OR RAIL.

The Transport Statement concluded the proposals would not create any significant or material increase in traffic generation. The KFC restaurant would cater primarily for shoppers that are already in the locality and walk in trade. It is not expected to specifically cater to people travelling to the site by vehicle from further distances.

In-line with Highways officer feedback, the proposed parking spaces would be exclusively for staff parking and deliveries. Customer parking would be accommodated within existing town centre public car parks.

As a result of both the carefully considered scheme design and updates that have been made to the proposals following officer engagement, including the removal of proposed customer parking, transport officers have said that the plans are acceptable.

CONCLUSION

The proposal before you would deliver substantial investment by a locally based family-owned business committed to sensitively regenerate the site and secure its long term future.

The previous uses of the former Clifton Cinema/Bingo are no longer appropriate, have seen no interest by operators and would not deliver the investment needed. Enabling a new appropriate use that would revitalise the site and bring back economic activity should be encouraged.

Since submitting the application, numerous members of the public have submitted comments in support of the application. Key themes include the economic benefits including job creation, alongside attracting further footfall and investment to Leominster town centre.

It is clear that this application would deliver significant benefits and enable the revitalisation of an underutilised building within the town centre, aligning with the strategic objectives of national and local policy.

We hope you will grant your approval to the significant new investment to revitalise a key town centre site, filling a market need, and delivering local economic benefits.

KFC



FOX RURAL

PLANNING & LAND MANAGEMENT

HEREFORDSHIRE COUNCIL
RURAL PLANNING APPRAISAL

PROPOSED RURAL WORKER'S DWELLING

AT

**GRENDON MANOR
BREDENBURY**

PLANNING REFERENCE – 243059

REFERENCE

FOX RURAL has been commissioned to provide an appraisal of the justification of a new farm worker's dwelling at Grendon Manor, Bredenbury, further to an outline planning application.

Previously I had met the applicant (Massie Piggott) and family members, together with their agent, plus Amber Morris and Ollie Jones in attendance, on 2nd July 2024, in relation to an application for pre-application advice on the proposal for a new dwelling. As a result, it was agreed that a desktop appraisal was appropriate on this occasion.

1.0 OVERVIEW

1.01 Location

The farmstead is situated to the south of the A44 just to the west of Bredenbury.

OS Grid Reference - SO595567.

1.02 Background and History

There are currently two dwellings on the farm, and an outline application was submitted in 2023 (P223950/O) for a further rural worker's dwelling. I was then commissioned to undertake an essential need appraisal which I submitted to the authority on the 26th April 2023. I concluded that there was no essential need for a further dwelling at Grendon Manor. The application was withdrawn in July 2023.

The situation then changed with one of the dwellings, previously not available to the farming business becoming available, since the recent death of the applicant's father. In addition, the applicant had made the decision to retire as from August 2024, with the intention to hand over the management of the farm to his son ■■■.

It was in light of these changes/proposals that the applicant wanted to explore the possibility of applying again for a worker's dwelling, which would be a residence for ■■■, whilst the applicant would continue to reside in the farmhouse.

An application for pre-application advice was submitted (241281), and despite the change in circumstances, the conclusion was that there was no essential need for a further dwelling.

The applicant has now applied for the dwelling based on an opinion that there is an essential need, whilst raising issues with regard the Fox Rural pre-application appraisal.

This appraisal will look afresh at the case taking into account the latest submitted documents.

2.0 CURRENT SITUATION

2.01 Ownership and Occupation

Grendon Manor consists of dwellings, modern farm buildings and c250 acres.

A further 150 acres nearby is farmed on a Share Farming Agreement.

All is farmed by the farming partnership 'MG, SJ & JJ Piggott' which consists of Massie Piggott, his wife ■■■ and son ■■■.

2.02 Enterprises

Arable

Around 350 acres of arable crops are grown each year, which include Winter Wheat, Winter Barley, Oil Seed Rape, and Oats.

Sheep

There is c50 acres of grass leys and pasture on which the family run a flock of c300 ewes which include North Country Mules and other commercial breeds. Charolais and Texel tups are used. The flock is lambled in two batches spanning February to April.

The lambs are finished and sold either direct to [REDACTED] or through Hereford Market.

Poultry

The family had reared Turkeys for nearly 30 years but have now changed over to Broilers through converting the existing sheds. These sheds now produce 168,000 broilers per flock and c7.5 flocks each year i.e. 1.26 million birds per annum with the partnership still contracted to [REDACTED].

[REDACTED] supplies the day-old chicks. There would then would typically be a thinning of approximately 30% of the flock at around 30 days with the remainder killed at 36 to 40 days. The removal of smaller birds, maintains the stocking density in accordance with regulations and also satisfies markets for smaller birds.

The sheds are automated with regard feed and water. They are insulated and equipped with automated ventilation and heating systems to maintain house temperatures on or close to the optimum temperature appropriate for the age of the birds, regardless of outside temperature.

There is a wood chip biomass boiler that provides the heat with gas back up in case of blockages or issues with electricity supply.

As the birds grow and the live mass increases, the heat given off from the birds increases and the houses require less heat input. This will of course depend on the time of year, and the system relies on constant automated adjustment.

Prior to slaughter, broilers are “caught” before being transported to the works. This work is carried out at night, so as to minimise stress to livestock. Catching staff and transport is provided by [REDACTED], whilst the family would be responsible for overseeing the process in order to ensure bird welfare.

Following the transport of birds off farm, extensive cleaning and maintenance is required before the next crop arrives. These works include removal of litter, cleaning the sheds and putting down fresh bedding. Automated systems including feeders, heating and water supply are maintained and primed during this period. This work is organised by the family, and typically, there would be c7 days between crops.

To combat the issue of automated system failure, the sheds are connected to an alarm system as installed by [REDACTED]. The system monitors the temperature in the sheds and triggers alarms for unintended climate changes, and also production equipment failures eg feed and water lines. In the event of a power cut there is an automated generators that kicks in.

Whenever there is a ‘breakdown’ there is an audible alarm for each of the sheds. In addition, the alarm system is monitored by [REDACTED] Ltd who via a tumbledown system dial in turn the Poultry Manager then [REDACTED], and continue dialling until a response is received that a member of staff is aware of the alarm. If the audible alarms are

heard first then the person responsible has to ring Custodian and submit a code to stop/prevent the dialling.

Once aware, then the person responsible would have to get to the sheds as soon as possible to identify and rectify the situation. It should be noted that temperature response levels are set within parameters to allow sufficient notice and time to take appropriate action.

Animal Feed

The family produce a variety of animal feed mixes for sale utilising home grown arable crops and their own mill and mix unit.

I understand that they have been providing this service for local livestock farmers since the mid 90's. The buyers have to collect the feed from Grendon Manor.

Bed & Breakfast

The family has built up a successful B&B business, annexing the southern wing of the house and creating 5 ensuite bedrooms. This enterprise has been boosted by the nearby and recently created wedding venue of Bredenbury Court Barns.

2.03 Labour

Massie Piggott [REDACTED] was full time on the farm, [REDACTED]
[REDACTED] he has now retired from physical farm work. A full-time farm labourer is being sourced to fill this gap.

■■■ Piggott ■■■ is now managing the day to day running of the farm, especially in respect of the Arable, Sheep and Feed enterprises, and helps out with the broiler unit, which was one of the roles his father undertook.

■■■ Piggott, will I understand continue to manage the B&B business and oversee the farm accounts.

The partnership also employs a Poultry Manager and a General Farm Worker, with contractors used for round baling and hedge cutting.

2.04 Buildings and Equipment

There is a range of modern buildings at Upper House Farm yard including:

- 6 poultry sheds
- Grain storage
- Straw storage/ Livestock Shed
- Machinery Store and workshop
- Fertiliser and Chemical storage
- Wood Chip Biomass boiler.

2.05 Dwellings

Mr & Mrs Piggott and their son ■■■ live in the main part of the farmhouse.

There is a 3-bedroom bungalow called 'Sticking Field' which is owned by ■■■ Piggott and was occupied by Massie's father until he recently passed away. It is understood that the applicant's daughter has temporarily moved in.

The family also own a house in Bromyard namely [REDACTED] Winslow Road, Bromyard, [REDACTED] which is occupied by the Poultry Manager. The general farm worker lives in Bartestree.

The plan is for the poultry manager to move into 'Sticking Field' and the proposal as per the application would be to develop a new dwelling at the farm for [REDACTED].

4.0 ESSENTIAL NEED APPRAISAL – RURAL WORKER'S DWELLING

4.01 Approach

As way of background, Clause 88 of the National Planning Policy Framework (NPPF) states that local planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses;

In accordance with Clause 84 of the NPPF, planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more circumstances apply including where:

a) “there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside”

The reference to the “essential need for a rural worker..... to live permanently at or near their place of work”, originated from clause 10 of PPS7, which went on to recommend that planning authorities should follow the guidance in Annex A to PPS7.

Despite the NPPF having superseded Annex A of PPS7, Annex A did provide clear criteria to assessing the 'essential need' for a rural worker's dwelling. This guidance is tried and

trusted, and it is sometimes used as further reference by professionals and planning inspectors.

In July 2019, further guidance was added to the Planning Practice Guidance (PPG) under the *Rural Housing* section of *Housing Needs of Different Groups*, with regard to considerations that might be relevant to take into account, when applying paragraph 79(a) of the NPPF 2018, (which is the same wording as paragraph 84(a) of the NPPF 2021).

These are:

- “• evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products;*
- the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.*

Importantly *Policy RA4* of the Core Strategy – *Agricultural, forestry and rural enterprise dwellings*, clearly reflects similar criteria of justification.

In summary, paragraph 84(a) of the NPPF, now read in conjunction with the recent PPG guidance, plus CS Policy RA4, all reflect similar areas of requirement in making a case for there being an essential need, all of which I shall cover.

4.02 Functional Need

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, most frequently revolving around the welfare of livestock, and which are likely to arise throughout the majority of the year, and during the middle of the night.

There would not normally be a functional requirement for there to be somebody on site with respect to an arable enterprise. The main issue here would be the matter of security.

Security

Security and rural crime is always an issue for farms and of course it is going to be a factor when considering functional need.

There are already two dwellings at the farm, which would be a significant deterrent to intruders, and in any case, although security is a factor, it can never be an overriding.

Security can be a contributing factor and every situation must be judged individually. This farm for instance would not be considered as vulnerable as one on an urban fringe or in a particularly remote location. In addition, if farms are considered particularly vulnerable to intrusion, there are always steps that can be taken to make a yard, buildings and equipment more secure.

Sheep

For the majority of the year the sheep will be out grazing and brought back to the yard for dipping, treatment, shearing, and lambing.

The important point to make here is that whether there is a dwelling available on site, does not affect the welfare of the ewes and lambs during the lambing period, since lambing is something that is planned for, and the duties to be actually in and around the lambing ewes can be likened to shift work. In other words, a dwelling nearby is superfluous when comes to the practicalities of lambing, since the person responsible will be in and around the ewes as and when required.

Many sheep businesses station a touring caravan on the farm to house a student (typically veterinary or agricultural) during seasonal lambing. Not because there is a functional need for onsite accommodation, but to provide “off shift” accommodation for that person who might have come far, and the business not being in a position to source short term accommodation, plus of course provision of basic facilities where they are not already on site.

Poultry

The day-to-day management of a broiler unit has to be meticulously planned for, with routines varying with each stage of flock development. When birds are ‘in’, this will involve checking the birds a few times a day and sometimes late, depending at what stage, plus monitoring the automated systems and the bio-mass boiler.

During normal working hours, and during the periods when birds are in, there would be a worker in and around the poultry buildings. The need for a worker to be based nearby therefore arises mainly during the night time hours when there could conceivably be an

electricity supply and/or breakdown in the automated system or issues with the biomass boiler.

Issues relating to temperature and ventilation cause particular issues particularly during hot weather with large birds or conversely during cold weather with young birds. Failure of ventilation/heating can certainly affect the feed conversion ratio and loss of birds if left too long.

In the case of a feed line stopping then the birds can start to drink more to compensate which has the effect of flushing the food out of their system which can lead to mortalities.

In terms of adequate heating, which is particularly important with young chicks, a worker would need to be available to deal with issues relating to the biomass boiler, such as a blocked augur. Other typical issues may be a power-cut in which case a worker would be needed to ensure the back-up generator was functional.

However unlikely it might be that a system failure actually results in a welfare emergency, there is always the potential every time the alarm is raised, and therefore there is considered to be a functional need for somebody to be based close enough to be able to get to the site sufficiently quickly during those periods the houses are occupied to assess the situation, which is a scenario that could occur anytime in the year.

Bio-security is an increasing consideration when looking at the location of key workers for the prevention of diseases such as Avian Flu, and generally more stringent requirements of supermarkets. Bio security measures are still also expected to be adhered to for accessing the sheds in case of emergencies which has to be factored in.

It is difficult to assess what the maximum response time required from being aware of the alarm activation to presence at the site for welfare of the birds, since the

circumstances will vary. One comes across so many figures but I am aware of 20 minutes timescale within which to attend broiler housing the housing having been used/accepted in the past when considering rural worker's dwellings.

However, since my last report I am now aware of a Red Tractor Assurance maximum response time of 15 minutes, as referred to in the supporting letter from [REDACTED].

Although I failed to locate this figure within the Red Tractor Assurance Scheme Manual for Broilers & Poussin 1st October 2017 (Updated 1st October 2019), I am happy to accept this as the required response time for the purposes of this application.

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.

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.

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.

If for some reason during a crop cycle, the farm manager had to stay away, it would be possible for somebody, to stay on site as temporary short-term cover if that second person

was not based close enough. This scenario could be house sitting, staying in a touring caravan, or in this case in one of the B&B rooms.

4.03 Full Time Labour

The proposed dwelling is destined for ■■■ Piggott who is already fully employed on the farm.

4.04 Establishment and Viability

I have previously seen the partnership accounts and consider the business to be viable and likely to remain as such for the foreseeable future.

4.05 Alternative Dwellings

The approach is to firstly investigate the availability of existing dwellings and ensure that, to quote Paragraph 3 (iv) of Annex A, “the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned”.

Taking this into account, one would normally look at the potential availability of any other relevant dwelling(s), in the light of the need of the enterprise. To quote Paragraph 1 of Annex A to PPS7, “Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved”.

However, it is clear from cases such as Keen and Cussons, that personal circumstances of individuals with regard their homes, can be considered. In this particular case I do not feel that one can attach any weight to the farmhouse, if the intention is for the applicant to shortly retire and continue to reside here.

In essence, one is looking at whether there are any dwellings available or potentially available to the farming business, that would render the proposal of a new worker's dwelling non-essential.

The main functional requirement would be to have somebody readily available to deal with issues arising out of hours in respect of the broilers.

However, since the Poultry Manager will be moving onto the farm, then a case has not been established that he could not undertake the primary responsibility of attending in the case of an alarm.

We have also to consider the potential role of the dwelling in Winslow Road. This dwelling is on the eastern fringes of Bromyard and c3.6 miles from the farm yard and the question to be asked is whether this property could also fulfil the functional requirement, or to be more specific whether it is close enough and sufficiently accessible to Grendon Manor to enable quick enough response to alarms in connection with the broiler housing or the Bio Mass boiler.

It is accepted that the demands of both the broilers and the Bio-Mass boiler might require regular attendance and monitoring during unsociable hours, and that it would be much more convenient, if that person was within easy walking distance as opposed to relying on motorised transport.

However, it would seem inconceivable that somebody living in Winslow Road could not get to the broiler unit or AD Plant well within 10 minutes and at the very least, and provide support to the primary person based at Grendon Manor.

There is at the start a few metres of 30mph limit after which the journey would mean travelling within the national speed limit of 60mph on the A44. If one takes the distance

to be 4 miles then the journey at an average of 50 miles per hour the time taken would be under 5 minutes. It would be inconceivable that somebody based at Winslow Road could not get to the broiler unit within 15 minutes.

There are also properties for sale within and close to Winslow Road which could equally cover the functional need.

Another consideration would be to create a further dwelling out of the main farmhouse. This would inevitably have serious consequences for the B&B enterprise which is an important diversification enterprise. However, it is an option that could be explored further in the event of there being an essential need to provide further independent accommodation for a worker at the farm in the future.

In summary there is considered enough housing options to cover the welfare of the broiler flock. To have a further dwelling at Grendon Manor might be considered convenient and ideal for the family, however the requirement is to assess whether the proposal is **essential** not whether it is reasonable.

5.0 OTHER PLANNING MATTERS

5.01 Succession

Paragraph 80 of the NPPF introduces a new element to the exception circumstance of essential need for a rural worker to live on site, where it refers to “**those taking majority control of a farm business**”.

The PPG refers to the consideration of “ **whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process**”.

This is taken to mean that the requirement for the dwelling(s) might also be linked to business succession, and thereby enabling the continuing essential need for a permanent presence to be fulfilled by a suitable and eligible person, (say a son or daughter), whilst the retiring relative(s) can continue to reside in the original dwelling.

■ is ■ with a good number of years of farming experience under his belt, and would no doubt be considered suitable and eligible to take over the management of the farm.

With the applicant basically retired and his intention to remain in the farmhouse, it is clear that ■ will need a dwelling of his own on or within a quick commute of the farm. What is also clear, is that there are options to achieving this, aside creating a new dwelling at Grendon Manor, without affecting “continued viability” of the farm.

6.00 Conclusion

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

Signed _____

Robert Fox BSc (Hons) FAAV

Date: 7th February 2025

PLANNING and REGULATORY COMMITTEE

10 December 2025

PUBLIC SPEAKERS

Ref No.	Applicant	Proposal and Site	Application No.	Page No.
6	Mr Tobin per Mr Bernard Eacock	Proposed erection of 7 townhouses with associated development at LAND TO THE REAR OF PROSPECT PLACE, ST MARTINS AVENUE, HEREFORD	230432	75
CITY COUNCIL		MR MILLN (Hereford City Council)		
OBJECTOR		MR IRWIN (Local Resident)		
SUPPORTER		MR EACOCK (Applicant's agent)		
7	Thomas per Mr Ed Thomas	The proposed erection of 2 no. dwellings and associated works including access, landscaping and drainage at LAND NORTH OF LEYS HILL, BISHOPSWOOD, ROSS-ON-WYE, HEREFORDSHIRE	240309	171
PARISH COUNCIL		WALFORD PARISH COUNCIL		
OBJECTOR		MR SAUNDERS (Local Resident)		
SUPPORTER		MR THOMAS (Applicant's agent)		
8	NNA Ltd per Ms Polly Mason	Proposed alterations to and change of use of existing building to allow occupation for Class E(b)/sui generis (hot food takeaway) use, including the provision of designated car parking area and alterationsto existing elevations at 30 SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JB	242748	201
SUPPORTER		MR PEACH (Applicant's agent)		
9	Mr & Mrs Piggott per Mr Matt Tompkins	The erection of one self-build agricultural worker's dwelling and associated works at LAND AT GRENDON MANOR FARM, BREDENBURY, BROMYARD, HR7 4TH	243059	235
PARISH COUNCIL		MR HULSE (Bredenbury Group Parish Council)		
SUPPORTER		MR TOMPKINS (Applicant's agent)		

