

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>14 JANUARY 2026</b>
<b>TITLE OF REPORT:</b>	<b>223128 - DEMOLITION OF 2 NO. AGRICULTURAL BUILDINGS. PROPOSED 4 NO. DWELLINGHOUSES WITH GARAGES, LANDSCAPING AND ASSOCIATED WORKS. AT BARNS AT MONKS BURY COURT, MONKHIDE VILLAGE ROAD, MONKHIDE, HR8 2TU</b>  <b>For: LTF Properties Ltd per Mr Ben Greenaway, PO Box 937, Worcester, WR4 4GS</b>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=223128&amp;search-term=223128">https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=223128&amp;search-term=223128</a>
<b>Reason Application submitted to Committee – Redirection (Deferred)</b>	

**Date Received: 16 September 2022    Ward: Three Crosses    Grid Ref: 361997,244280**

**Expiry Date: 16 January 2026**

Local Members: Cllr Jonathan Lester

## **1. Introduction**

1.1 The application was originally reported to Planning Committee on 15 October 2025 with a recommendation for approval, subject to the completion of a Section 106 Agreement. Following a site visit and discussion by the Planning Committee the application was deferred. The minutes of the meeting outline the points of concern and these are summarised below:

- The scale of the houses was excessive and would cause overlooking of the historic barns resulting in an unacceptable impact on residential amenity;
- The layout of the site was excessively restricted and cramped. The new houses would be located too close to those won on appeal which would be overbearing and cause overlooking resulting in an unacceptable impact on residential amenity;
- The design of the houses was out of keeping with the local vernacular and resulted in an unacceptable impact on the landscape. A better use of materials and improved design was required to mitigate the impact of the Development on the landscape and to ensure that it was in-keeping with the local area.

1.2 The applicant's agent has subsequently submitted amended plans that have been subject to further public consultation. The revisions utilise the area of land to the west and increase the separation between the proposed dwellings to give greater distances between the plots. The garages have now become detached to further increase the sense of space between dwellings. However, the proposal retains the courtyard arrangement and linear form and arrangement of the buildings. The applicant's agent is of the view that this is the correct design approach and ensures that the agrarian character and setting of the existing site is respected and the proposed dwellings assimilate into the rural character of the area. The amended plans are shown below:

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Further information on the subject of this report is available from Mr A Banks on 01432 383085



PROPOSED BLOCK PLAN IN CONTEXT WITH  
APPROVED APPLICATION - P192785/F  
SCALE 1:500



## 2. Public Consultation

2.1 The submission of the amended plans has generated one further letter of representation. The points raised are as follows:

- It is evident from the latest drawings that the developer has not taken note of the Planning Committee's comments regarding the nature and layout of the site. All he has done is to show detached rather than attached garages as was the case previously.
- Committee members did not want to see a repeat of the nearby 7 house site by the same developer which everyone considered unattractive and out of place while also failing to be sympathetic with the nearby barns. The latest amendments simply make the same mistakes. They also do not address a prime concern of the Committee which was the overlooking of these properties by the recently completed houses behind due to the topography of the land.
- The gardens of the proposed development are tiny for the style of houses indicated and the site should be completely re-drawn with a more appropriate housing mix. Half of the 7 houses behind remain unsold after a year and the Parish does not want to see a repeat scenario.
- I also note that there is no mention of an EA discharge licence into the nearby culvert which must surely be required. The culvert is not a flowing tributary of the nearby river,

but a surface water channel that runs dry in summer and is subject to flooding in periods of heavy rain.

### 3. Officer's Appraisal

- 3.1 The minutes of the Planning Committee meeting of 15 October 2025 clearly set out the points of concern and accordingly this update report will focus only on those matters rather than completely re-visiting the proposals as a whole. The original Planning Officer Report is appended and should be read in conjunction with the matters raised here.
- 3.2 As set out in the minutes of the meeting the issues of concern raised relate to the scale and impact on residential amenity, the cramped and restricted layout of the scheme and the design of the dwellings being out of keeping with the local vernacular. Each of these will be covered separately.

#### Scale and Impact on Residential Amenity

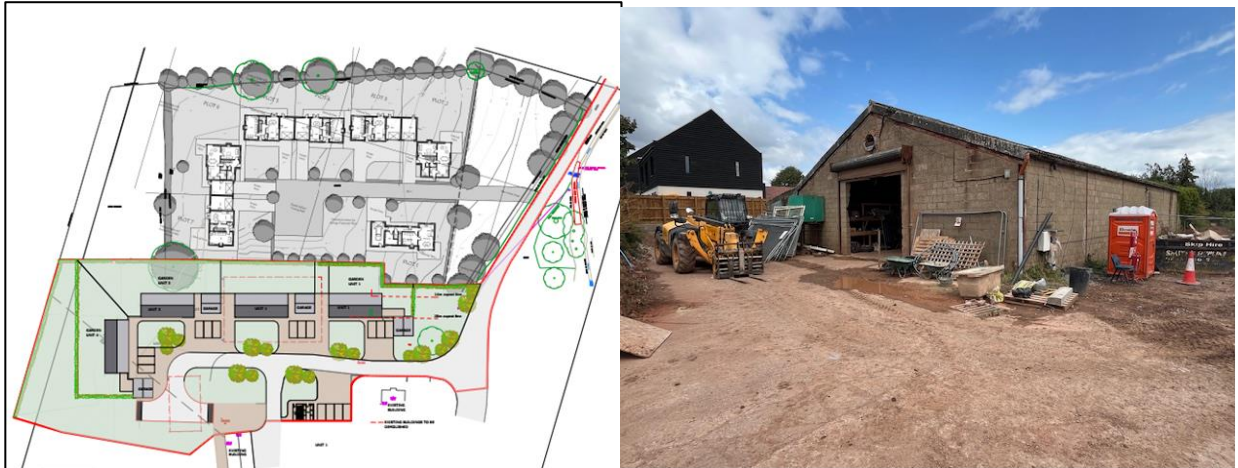
- 3.3 The scale of the dwellings proposed is similar to that of the new dwellings to the north, and to that of the original threshing barn to the south of the site. Each of the dwellings have an approximate footprint of 100 square metres and an overall floor area (ground and first floor) of approximately 200 square metres. Each measures approximately 8.3 metres to the ridge which is fairly typical for new dwellings. The separation of the garages from the dwellings has served to reduce the perceived mass of the built development by creating gaps between them. When viewed in context of the surrounding area the scale of the dwellings is considered to be acceptable and in accordance with Policy SD1 of the Core Strategy.
- 3.4 In terms of residential amenity, the proposed dwellings are well spaced from those existing to the north and south. The converted threshing barn to the south of the site is in excess of 40 metres away from unit 2, that most directly opposes it, while unit 1 is approximately 30 metres from the gable end of the single storey property. Both are shown in the photograph below. While the proposed dwellings do have full height windows in their front elevations the distances between properties, their orientation, limited fenestration and intervening structures all lead your officers to conclude that the proposals will not give rise to an unacceptable loss of amenity to justify the refusal of planning permission.



- 3.5 Turning to the relationship with the new build development to the rear, it should first be noted that there is a significant level change between the two sites; the area to which this application relates



being approximately 1.5 metres lower than that to the north. The layout plan below shows the relationship of the properties while the photograph shows the gable end of an existing dwelling with two narrow windows at first floor level. The fenestration on the rear elevations of the dwellings proposed is fairly typical. Unit 2 looks out onto the shared space of the existing development and has no impact on residential amenity. Units 1 and 3 have a more immediate relationship with existing dwellings. The area upon which Unit 1 is to be constructed is made up land and it would be constructed with a lower slab level.



- 3.6 Officers consider that the distances between properties and their physical relationship to one another; particularly the significant ground level difference, means that any impacts on residential amenity will be very limited, and not sufficient to justify refusal. However, a condition is recommended in order to ensure that the new dwellings have an appropriate slab level so as to protect residential amenity. On this basis the proposal is considered to accord with Policy SD1 of the Core Strategy.

#### Layout

- 3.7 The minutes report that committee considered the layout of the proposed development to be too cramped and would be overbearing and cause overlooking of the development to the north. The previous section of this report has dealt with the second of these points and officers are very clear in their view that a reason for refusal based on unacceptable impacts on residential amenity could not be sustained. In response to the first point, the applicant's agent has amended the layout, increasing the plot sizes within the red line. Officers would also note that the site is 0.4 hectares with 4 dwellings proposed, amounting to 10 dwellings per hectare. As one would expect, a significant part of the site is given over to access and parking for the dwellings, but this is not unduly excessive or disproportionate in relation to the new build development to the north. At 10 dwellings per hectare the proposal is considered to be of a low density that reflects the rural location and cannot be described as cramped. Each property has a good sized garden. Notwithstanding this, the Council does not have any policies or spaces standards to set out expectations of private amenity space. The proposal is compliant with Policy SD1 of the Core Strategy in this regard.

#### Design

- 3.8 The fundamental design of the dwellings has not changed significantly, the applicant's agent maintaining the view that the correct design approach has been taken. The main change in terms of design has been to increase the plot sizes and to separate the garages from their respective dwellings in order that they improve the sense of space between built forms. The dwellings have taken design cues from the existing brick-built barns to the south, replicating the parapet and ridge details and choice of materials. This is similar to the new build development to the north and; whilst that application was ultimately decided at appeal, officers take the view that it would

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be wholly unreasonable to come to a conclusion that a similarly designed scheme immediately adjacent was somehow unacceptable in terms of its design.

- 3.9 In conclusion, your officers are satisfied that the amended scheme satisfactorily addresses the points of deferral from the previous meeting. Conditions (7 and 14) have been added to the recommendation to require details of slab levels to be submitted before development commences, and to require further consideration to be given to the use of sustainable energy measures. Accordingly it is concluded that the proposal complies with the Development Plan and, subject to the conditions recommended below and the completion of a Section 106 Agreement to secure phosphate credits, the application is recommended for approval.

## RECOMMENDATION

That subject to either the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the Heads of Terms stated in the report, or a condition requiring the completion of an agreement prior to the commencement of development, officers named in the Scheme of Delegation to Officers are authorised to grant planning permission, subject to the conditions below and any other further conditions considered necessary

### 1. Time limit for commencement (full permission)

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

### 2. Development in accordance with the approved plans

#### Location Plans

2219 P01 Block Plans

2219 P 10 Elevations

2219 P 04A Proposed Ground Floor Plan

2219 P 05A Proposed First Floor Plan

2219 P 06A Proposed North and South Elevations

2219 P 07A Proposed East and West Elevations

Reason: To ensure adherence to the approved plans in the interests of proper Planning having regard to policies SD1, LD1, LD2, MT1 of the Herefordshire Local Plan, Core Strategy, Policies contained within the Yarkhill Neighbourhood Development Plan and guidance contained within the National Planning Policy Framework.

### *Pre-commencement Conditions*

3. No development shall take place until details of improvements to the access from the A417 to the development hereby permitted have been submitted to and approved in writing by the local planning authority.

The approved details shall be completed prior to first occupation of any dwelling approved under this permission and thereafter maintained to an acceptable standard.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy Y7 of the Yarkhill Neighbourhood Development Plan and the National Planning Policy Framework.

4. No development shall take place until the following have been submitted to and approved in writing by the local planning authority:

- detailed surface water and foul water drainage design drawings and construction layout

Work shall be carried out in accordance with the approved details and shall be installed prior to the first occupation of the dwellings hereby approved and maintained in accordance with the approved details thereafter.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

5 Construction Management

Prior to commencement of development, details and location of the following shall be submitted to and approved in writing by the local planning authority:

- a) A method for ensuring mud is not deposited onto the Public Highway
- b) Construction traffic access location and specification
- c) Parking for site operatives
- d) Construction Traffic Management Plan
- e) Siting of construction compound / site offices / storage
- f) Tree / hedgerow protection measures
- g) Hours of working during construction

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

Reason: The details relate to the duration of the construction period and are required prior to commencement of development in the interests of highway safety, amenity and landscape protection and to conform to the requirements of Policies SD1, LD1, LD3 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6 No works, including any site clearance or groundworks, shall take place until details of a site waste prevention plan and management measures has been submitted to and approved in writing by the local planning authority.

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

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.

- 7 Prior to the commencement of development, a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings approved and a datum point outside of the site, shall be submitted to and be approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the absence of sufficient detailed information, the clarification of slab levels is a necessary initial requirement before any demolition and/or groundworks are

undertaken so as to define the permission and ensure that the development is of a scale and height appropriate to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

***Other stage conditions***

- 8 With the exception of any site clearance and groundwork, no development shall take place, a landscape scheme shall be submitted and approved in writing by the local planning authority.

The scheme shall include a scaled plan identifying:

1. Trees and hedgerow to be retained, setting out measure for their protection during construction, including the location of temporary fencing, in accordance with BS5837:2012.
2. Trees and hedgerow to be removed.
3. All proposed planting and seeding, accompanied by a written specification setting out: species, size, quantity, density and cultivation details. This should include native trees.
4. All proposed hardstanding and boundary treatments.
5. Detailed construction drawings of the southern boundary retaining wall in conjunction with proposed tree pits and any other planting.

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, Policy Y11 of the Yarkhill Neighbourhood Development Plan and the National Planning Policy Framework.

- 9 With the exception of any site clearance and groundwork, no 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, Policy Y2 of the Yarkhill Neighbourhood Development Plan and the National Planning Policy Framework.

- 10 Prior to first occupation of any part of the development works hereby approved, evidence of the suitably placed installation within the site boundary or on other land under the applicant's control of a range of biodiversity net gain features as identified in the ecology report by Aware Ecology dated September but as a minimum a total of FOUR bat boxes or roosting features and EIGHT bird nesting boxes (mixed types) should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approvedT

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3 and Policy Y2 of the Yarkhill Neighbourhood Development Plan.

- 11 Prior to first occupation, the details of the management company responsible for the maintenance of the foul water infrastructure shall be submitted to and approved in writing by the Local Planning Authority and thereafter maintained.

**Reason:** In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 12 Prior to the first occupation of any dwelling hereby permitted a scheme for the provision of storage, prior to disposal, of refuse for each dwelling hereby permitted shall be submitted to and be approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the any dwelling hereby permitted and maintained thereafter.

**Reason:** In the interests of amenity and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 13 Prior to the first occupation of the new residential dwellings hereby permitted, written evidence / certification demonstrating that water conservation and efficiency measures to achieve the ‘Housing – Optional Technical Standards – Water efficiency standards’ (i.e. currently a maximum of 110 litres per person per day) for water consumption as a minimum have been installed / implemented shall be submitted to the Local Planning Authority for their written approval. The development shall not be first occupied until the Local Planning Authority have confirmed in writing receipt of the aforementioned evidence and their satisfaction with the submitted documentation. Thereafter those water conservation and efficiency measures shall be maintained for the lifetime of the development

**Reason:** In order to ensure that water conservation and efficiency measures are secured to safeguard water quality and the integrity of the River Lugg (Wye) SAC in accordance with policies SS6, SD2, SD4 and LD2 of the Herefordshire Local Plan Core Strategy, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations (2017) and NERC Act (2006).

- 14 With the exception of any site clearance and groundwork, no further development shall take place on the dwellings hereby permitted until details of measures to demonstrate the sustainability of each of the dwellings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** In order that the development is sustainable and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the Council’s Climate Emergency Declaration

### ***Compliance Conditions***

- 15 No development shall take place until visibility splays, and any associated set back splays at 45 degree angles have been 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 154 metres northbound and 160 metres southbound along the nearside edge of the adjoining carriageway.

Development shall be carried out in accordance with the approved details and 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, Policy Y7 of the Yarkhill Neighbourhood Development Plan and the National Planning Policy Framework.

- 16 The ecological protection and working methods scheme, including provision for protected species as detailed in the ecology report by Aware Ecology dated September 2022, shall be implemented in full and hereafter maintained as approved.

**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, Policy Y2 of the Yarkhill Neighbourhood Development Plan and the council's declared Climate Change & Ecological Emergency.

- 17 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.

All hard landscaping shall be completed prior to the first occupation of the dwelling to which it relates.

**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, Policy Y2 of the Yarkhill Neighbourhood Development Plan and the National Planning Policy Framework.

- 18 All foul water shall discharge through connection to a private foul water treatment system as detailed in the Flood Risk Assessment and Surface Water Management Plan Revision 2 prepared by Greenaway Planning Ltd (dated February 2022) and all surface water shall be managed through plot specific soakaway infiltration systems.

**Reason:** In order to ensure Nutrient Neutrality and comply with 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'), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4 and Policy Y8 of the Yarkhill Neighbourhood Development Plan.

- 19 None of the dwellings approved by this permission shall be occupied prior to the 1st of June 2026.

**Reason:** To ensure that the Tarrington integrated wetland scheme can be relied upon with certainty to provide effective mitigation for the potential effects of the development upon the River Wye SAC as part of the Councils Phosphate Credits scheme, thereby safeguarding water quality and the integrity of the River Wye SAC in accordance with policies SS6, SD2, SD4 and LD2 of the Herefordshire Local Plan Core Strategy, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations (2017) and NERC Act (2006).

- 20 No external lighting shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a

Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; Policy Y11 of the Yarkhill Neighbourhood Development Plan; and the council's declared Climate Change and Ecological Emergency.

- 21 Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015,(or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, B, C, D, E and H of Part 1 and of Schedule 2, shall be carried out.

Reason - To ensure the character of the countryside is maintained and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

#### INFORMATIVES:

##### 1. Application Approved Following Revisions

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. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 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. Consent will be required from the Internal Drainage Board for any proposed outfall into the un-named watercourse to the east of the site.
4. Consent will be required from the Internal Drainage Board if any obstructions are proposed within 9 metres of the un-named watercourse to the east of the site.

Decision: .....

Notes: .....

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### Appendices

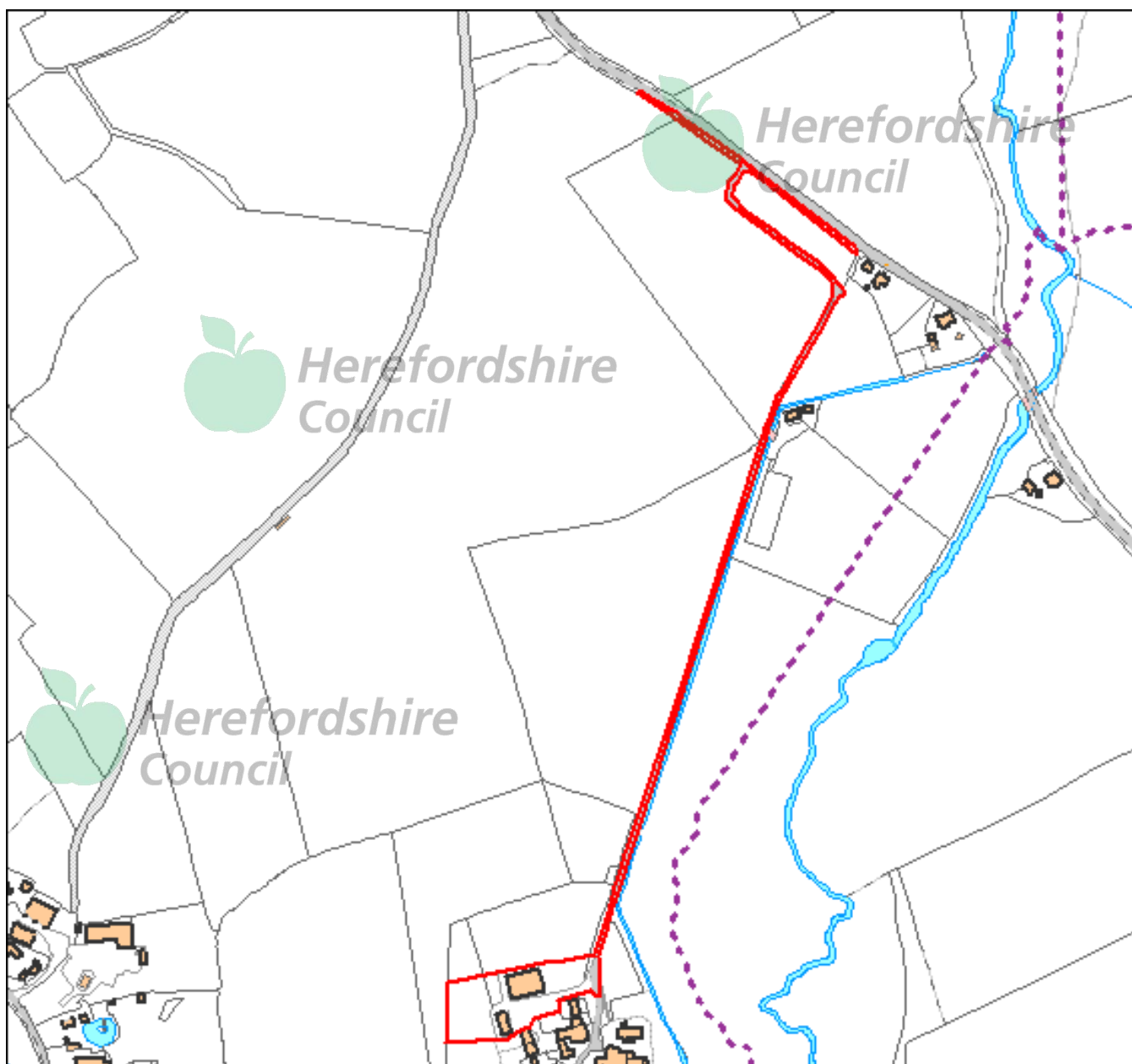
Appendix 1 – Flood Risk and Drainage Checklist

Appendix 2 – Section 106 agreement

Appendix 3 – Report to planning committee on 15 October 2025

### Background Papers

None identified.



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**APPLICATION NO:** 223128

**SITE ADDRESS :** BARNS AT MONKSBUURY COURT, MONKHIDE VILLAGE ROAD, MONKHIDE, HR8 2TU

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