

**Minutes of the meeting of Planning and Regulatory Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 14 January 2026 at 10.00 am**

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

**Councillors:** Polly Andrews, Bruce Baker, Simeon Cole, Mark Dykes, Matthew Engel, Catherine Gennard, Peter Hamblin, Stef Simmons, John Stone, Charlotte Taylor, Richard Thomas and Allan Williams

**In attendance:** Councillor Jonathan Lester

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

**56. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Jacqui Carwardine, Clare Davies, Dave Davies and Mark Woodall.

**57. NAMED SUBSTITUTES (IF ANY)**

Councillor Mark Dykes acted as a substitute for Councillor Carwardine.

Councillor Allan Williams acted as a substitute for Councillor Dave Davies.

**58. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**59. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 10 December be approved.

**60. 223128 - BARNS AT MONKS BURY COURT, MONKHIDE, VILLAGE ROAD, MONKHIDE, HR8 2TU (PAGES 9 - 12)**

The Development Management North Team Manager provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the committee had deferred the application at an earlier meeting due to concerns regarding the scale and design of the proposed houses and the layout of the site. Recent representations on the amended design had commented that the primary change was the detachment of the link garages and the relocation of a building further to the West of the site. It was queried whether this was sufficient to respond to the concerns of the committee and whether the amended plans

made best use of the space on the application site. The sense of detaching the garages was queried as it was felt this would undermine the energy efficiency of houses. It was noted that the design of the houses had not changed and limited changes to the site layout had not considered a different orientation of the properties to make better use of the space on the site.

The committee debated the application and raised the principal points below:

- The design of the houses had not changed since the previous submission of the application to the committee. It was felt that the use of brick rather than black cladding was more in-keeping with the local vernacular.
- It was noted that there was no mention of EV charging points or renewable energy generation in the conditions proposed for the application.

The Development Manager explained that:

- The design of the buildings was consistent with the new properties adjacent to the application site which had been approved on appeal. It was felt that refusing the application on the design of the houses would not be defensible on appeal.
- The EV charging point was a requirement of building regulations and would be implemented at this stage of the application. Condition 14 attached to the application could be updated to include a requirement for facilities for renewable energy generation.

A motion was proposed by Councillor Bruce Baker and seconded by Councillor Allan Williams that the application be approved in accordance with the case officer's recommendation and an update to condition 14 to include a requirement for renewable energy generation on the houses.

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

#### **RESOLVED:**

**That subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement the form or substantially in the form annexed to this report , officers named in the Scheme of Delegation to Officers are authorised to grant planning permission, subject to the conditions below, an update to condition 14 below to include a requirement for renewable energy generation on the properties 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. Prior to completion, 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 further development shall take place on the two new dwellings hereby permitted 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 use of any part of the development works approved under this planning decision notice, evidence of the suitably placed installation within the site boundary or on other land under the applicant's control of a 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 approved unless otherwise agreed in writing by the local planning authority. These biodiversity net gain enhancements are in addition

to any mitigation or compensation required due to Natural England species licensing requirements.

**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 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, 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. 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, unless otherwise agreed in writing by the Local Planning Authority. NB: For the avoidance of doubt, the agreed PTP is the Haba Bio Easy Flow PTP. 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 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. **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.**

The meeting ended at 10.45 am

**Chairperson**

## **PLANNING COMMITTEE**

**Date: 14 January 2026**

### **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

**223128 - DEMOLITION OF 2 NO. AGRICULTURAL BUILDINGS. PROPOSED 4 NO. DWELLINGHOUSES WITH GARAGES, LANDSCAPING AND ASSOCIATED WORKS. AT BARNES AT MONKS BURY COURT, MONKHIDE VILLAGE ROAD, MONKHIDE, HR8 2TU**

**For: LTF Properties Ltd per Mr Ben Greenaway, PO Box 937, Worcester, WR4 4GS**

### ADDITIONAL REPRESENTATIONS

Following the submission of amended plans, one further letter of representation has been received from a local resident. The matters raised are as follows:

*In terms of privacy and overlooking, the revised plans and elevations (dated 28.11.25) show Unit 3 positioned approximately 10 metres from the boundary of my property, with first-floor windows facing directly into my rear garden. This garden is the main private outdoor living space for my home, used daily for sitting, recreation, and family activities. The orientation and proximity of the windows could result in a significant loss of privacy, materially affecting the enjoyment of this primary amenity space.*

*Regarding residential amenity and the sense of enclosure, due to the siting, scale, and proximity of the proposed dwellings, the development could appear overbearing when viewed from my property and garden. This could lead to a reduced sense of outlook and enclosure, potentially affecting the quality of living conditions for neighbouring residents.*

*With respect to the relationship to neighbouring properties, the layout may not clearly demonstrate a satisfactory relationship with adjoining residential properties. The positioning of the dwelling and its windows could result in overlooking and reduced privacy for the neighbouring gardens and may be considered inappropriate and unnecessary in such a rural location.*

*In addition, there is a mature sycamore tree located close to the boundary of plot 3 which makes a positive contribution to the character of the area and provides visual amenity and some degree of seasonal screening. The loss or significant pruning of this established tree could be harmful to local character and amenity and should be carefully considered as part of the assessment of the proposal.*

*Considering local planning policy, Herefordshire planning policies encourage new development to be well designed, to respect its context, and to avoid unacceptable impacts on neighbouring residential amenity, including overlooking, loss of privacy, and overbearing effects. The proposed layout could conflict with these policy aims.*

The Council's Senior Lawyer for Planning and Highways has highlighted a need to slightly amend the recommendation to committee on the basis that the Section 106 Agreement is at engrossment stage. This is reflected in the change to the recommendation as set out below.

## **OFFICER COMMENTS**

The further letter of representation received does not raise any new issues as far as potential impacts on residential are concerned but does warrant further commentary.

The relationship of the dwelling on plot 3 with the development to the north (Monks Rest) is changed by the amended layout in as much as it is shifted by approximately 12 metres further to the west. The original scheme was considered to be acceptable in terms of the relationship of the unit on plot 3 to the development to the north, and the effect of moving it to the west is that its first floor windows look more across open land to the rear of Monks Rest than the schemes previous iteration. Officers take the view that the revised scheme is an improvement in terms of residential amenity as a result.

The presence of the Sycamore tree on the boundary is noted, as is the fact that the proposed block plan shows its retention.

## **CHANGE TO RECOMMENDATION**

That subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement the form or substantially in the form annexed to this report , 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.

