

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>25 FEBRUARY 2026</b>
<b>TITLE OF REPORT:</b>	<p><b>251696 - PROPOSED DEMOLITION OF EXISTING CHURCH. ERECTION OF 52 BED CARE FACILITY ON THREE FLOORS WITH ANCILLARY AREAS AND PARKING AT ST BARNABAS CHURCH, ST BARNABAS CLOSE, HERFORD, HEREFORDSHIRE, HR1 1DT</b></p> <p><b>For: Mr Patient per Mr Michael Driver, The Old Grain Store, Sir Johns, Hengrave, Bury St. Edmunds, Su, IP28 6NB</b></p>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=251696&amp;search-term=251696">https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=251696&amp;search-term=251696</a>
<b>Reason Application submitted to Committee – Redirection</b>	

**Date Received: 9 June 2025**

**Ward: College**

**Grid Ref: 351786,241128**

**Expiry Date: 27<sup>th</sup> February 2026 (extension of time agreed)**

Local Members: Cllr Ben Proctor (Ward Cllr) Cllr Frank Cornthwaite (neighbouring Ward Cllr),

## **1. Site Description and Proposal**

- 1.1 The existing St Barnabus Church is currently vacant and was last used as a community church. The site is accessed via the main road and there is a privately owned estate road which serves both the car park to the rear of the church and also 1 to 9 St Barnabas Close, together with the former vicarage. Boundaries are marked with stone walling, fencing and mature trees. To the rear of the building is a tarmac parking area with circa 15 parking spaces together with further circulation space. The site area extends to approximately 0.87 acres to include the shared roadways. Excluding the access road, the site extends to approximately an area of approx. 0.05hectares.
- 1.2 The existing church building is bespoke and unique in its design, and appears to date from the 1980's. The building is split level and the site slopes down towards Helensdale Close. The building is constructed with brown brick under a multi-pitched slate roof and also has a bell tower. The front hall is accessed from the front of the site via a walkway and there is a further stepped access to the rear of the building. This leads into a large hall with vaulted ceiling. The building is subdivided with worship hall, kitchen area, storage cupboards, meeting room and further ancillary accommodation. Accessed separately from a side doorway is a first-floor flat which benefits from an entrance hall, bathroom with bath and w/c, living room and a kitchen off this area. The flat benefits from a single double bedroom. The site slopes significantly, with a fall of over 4 metres from Venns Lane down to the rear boundary adjoining residential properties
- 1.3 At the rear of the site, several mature trees are present and form part of a Tree Preservation Order (TPO). The site is not located within a designated landscape area; is not located within or

adjacent to a Conservation Area; and there are no heritage assets (including non-designated heritage assets) within the site. The site lies within Flood Zone 1 (low risk of flooding).

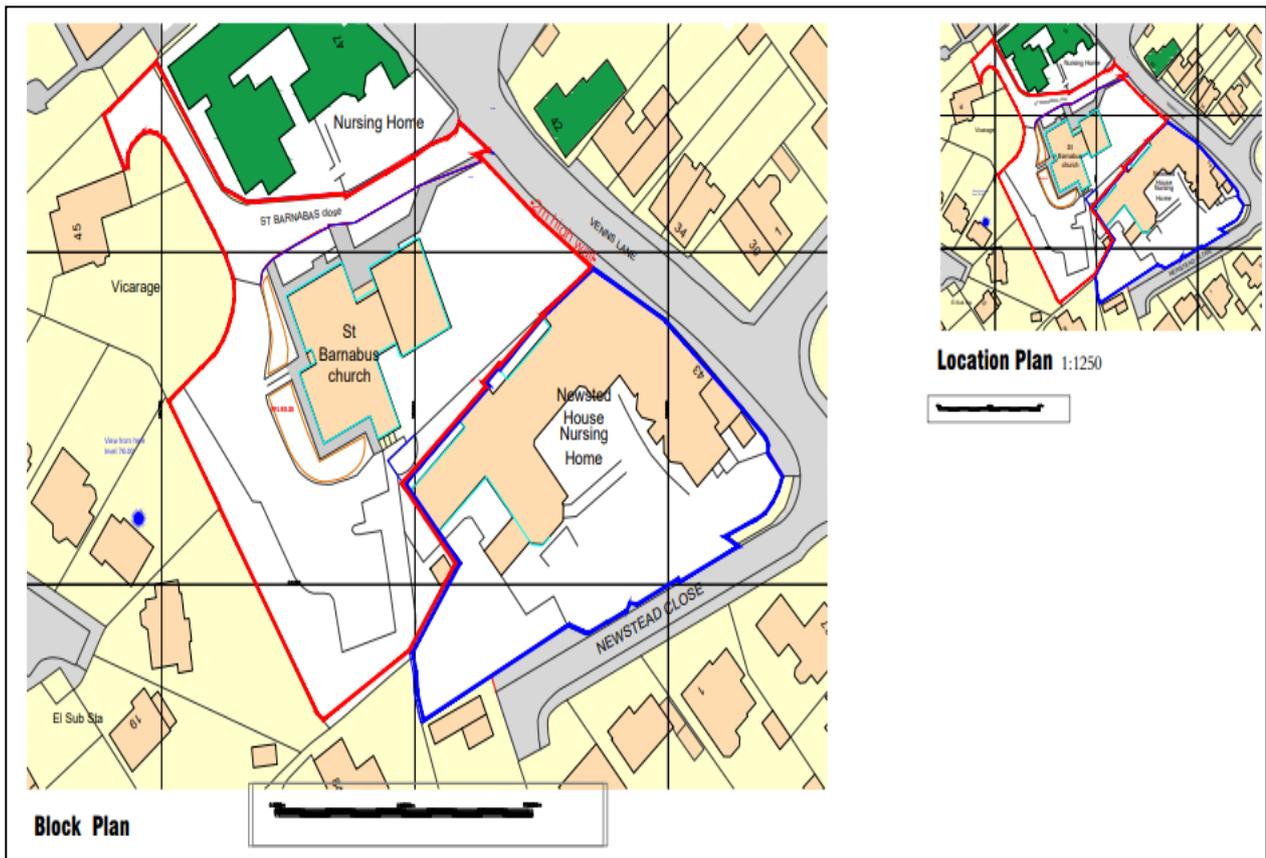


Figure 1: Site Location Plan and Block Plan



Figure 2: Aerial Plan

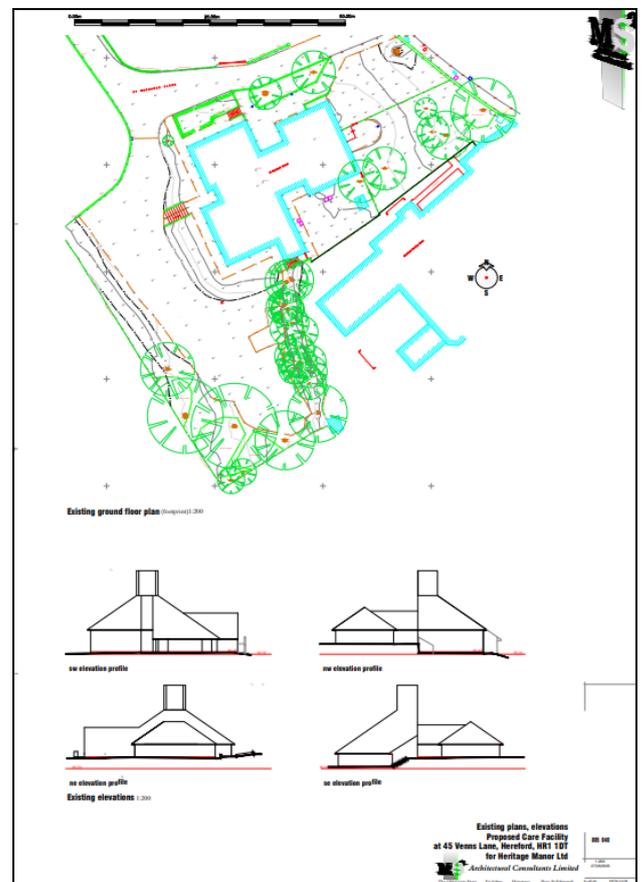


Figure 3: Existing layout Plan and Church elevations

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

- 1.4 This 'full' application also proposes the demolition of the church, and the proposed elevations and site layout can be seen below:



**Figures 4 and 5: Proposed elevations**

- 1.5 The proposal as detailed within the description is for a 52-bed care facility. The development is to provide residential care accommodation for elderly residents, including those with varying

levels of mobility and care needs. The application site is located off Venns Lane and Newstead House is located next door, and this is also operated by the applicant (Heritage Manor Limited).

- 1.6 As detailed within the supporting documentation accompanying the submission in the long term there is an intention to manage the two properties as a single care operation, allowing for shared staffing and reducing management costs. Also, there is an aim for the two properties to be physically linked to further enhance operational efficiency (subject to any necessary consents).
- 1.7 The 52 bedrooms have ensuite bathrooms and accommodated over three floors with a number having access to private terraces or balconies. The home would also have communal areas and includes open-plan day rooms that serve as social lounges and dining areas. The building includes three lifts to allow ease of movement for residents, visitors, and staff. A kitchen, on-site laundry, clean and dirty utility rooms, staff rooms, and management offices are also shown on the ground floor.
- 1.8 As can be seen on the proposed site plan, the site provides a total of 18 on-site parking spaces for staff and visitors, including accessible bays. It also includes pedestrian pathways leading to the main entrance and external amenity areas. Cycle storage and an ambulance bay is also provided.



**Figure 6: Proposed site plan**



- SD1 – Sustainable design and energy efficiency
- SD2 – Renewable and low carbon energy
- SD3 – Sustainable water management and water resources
- SD4 – Waste water treatment and river water quality
- ID1 – Infrastructure delivery

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

2.3 The Core Strategy policies together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link: -

<https://www.herefordshire.gov.uk/planning-and-building-control/local-plan/local-plan-core-strategy/adopted-core-strategy-2011-2031/>

## 2.4 **Minerals and Waste Local Plan – adopted on 8 March 2024 (MWLP)**

SP1 – Resource Management

2.5 The MWLP together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website using the following link: -

[https://www.herefordshire.gov.uk/media/azjicj21/adopted\\_minerals\\_and\\_waste\\_local\\_plan.pdf](https://www.herefordshire.gov.uk/media/azjicj21/adopted_minerals_and_waste_local_plan.pdf)

## 2.6 **Hereford Area Plan**

2.7 Following the decision by the Cabinet Member (9.11.2020) to update the Core Strategy work on the HAP has been stopped. At this time, it cannot be afforded any weight in decision making.

## 2.8 **National Planning Policy Framework – revised on 7 February 2025 (NPPF)**

2.9 The National Planning Policy Framework (NPPF) is a significant material consideration. The latest version was updated in February 2025. The (NPPF) sets out government's planning policies for England and how these are expected to be applied. The NPPF can be viewed in full via the link below: -

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

### *Relevant Chapters:*

- Chapter 2** Achieving sustainable development
- Chapter 4** Decision-making
- Chapter 6** Building a strong, competitive economy
- Chapter 8** Promoting healthy and safe communities
- Chapter 9** Promoting sustainable transport
- Chapter 11** Making effective use of land
- Chapter 12** Achieving well-designed and beautiful places
- Chapter 14** Meeting the challenge of climate change, flooding and coastal change
- Chapter 15** Conserving and enhancing the natural environment
- Chapter 16** Conserving and enhancing the historic environment

## 2.10 **National Planning Practice Guidance (PPG)**

- 2.11 The associated Planning Practice Guidance (NPPG) adds further context to the NPPF, and it is intended that the two documents should be read together. The PPG can be accessed through the following link

[Planning practice guidance - GOV.UK](#)

## 2.12 **Supplementary Planning Documents**

Planning Obligations Supplementary Planning Document (SPD) April 2008

<https://www.herefordshire.gov.uk/planning-and-building-control/local-plan/supplementary-planning-documents/planning-obligations-spd-april-2008>

## 3. **Planning History**

- 3.1 No relevant planning history on the application site.

## 4. **Consultation Summary**

**Statutory Consultations / External Consultation comments are as follows:**

### 4.1 **Water Welsh Water comments: No objection - January 2026**

Following internal discussions, we have established that this site can be supplied with a potable water supply with a potential scheme to reinforce the local network, we therefore remove our Objection on this application and provide the attached response.

### **Sewerage**

The proposed development site is located in the catchment of a public sewerage system which drains to Eign Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). We have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the immediate public sewerage system, whereas the WwTW has a phosphorus consent limit. However, the WwTW is currently failing to comply with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation. Notwithstanding this, in line with the environmental regulator's National Environment Programme, we are required to deliver a scheme at the WwTW to ensure 95% quartile compliance with our FPF performance and offer a condition aligning to the date of deliver as recommended below.

With respect to the disposal of surface water flows from the proposed development, the developer is require/SAd to explore and fully exhaust all surface water drainage options outlined under Sections 3.2 and 3.4 of Part H of the publication 'Building Regulations 2000. Disposal should be made through the hierarchical approach, preferring infiltration and, where infiltration is not possible, disposal to watercourses in liaison with the Land Drainage Authority, Natural England and/or the Environment Agency.

### **Water Supply**

We anticipate this development will require the installation of a new single water connection to serve the new premises (insert text on current position – no capacity/scheme/objection explanation). The provisions of Section 45 of the Water industry Act 1991 apply. We therefore rely on the Local Planning Authority to control the delivery of any required reinforcement works by way of planning condition at planning application stage.

Notwithstanding this, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

### **Conditions**

No development shall take place until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary, a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason: To ensure the site is served by a suitable potable water supply.

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with 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.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Previous comments can be viewed online:

**December 2025:** <https://myaccount.herefordshire.gov.uk/documents?id=93904166-e4c6-11f0-9094-005056ab3a27>

**October 2025:** <https://myaccount.herefordshire.gov.uk/documents?id=bfc74245-ad9a-11f0-9090-005056ab3a27>

**August 2025:** <https://myaccount.herefordshire.gov.uk/documents?id=486e9693-7f93-11f0-908f-005056ab3a27>

### Internal Council Consultations

#### **4.2 Team Leader Area Engineer (Highways): No objection - November 2025**

The Local Highway Authority has reviewed the updated information provided. The proposed parking arrangements are acceptable; while the layout is not the most convenient, sufficient spaces are provided and their dimensions meet the required standards.

The cycle storage provision is welcomed in principle; however, full details will need to be secured by condition. These details should demonstrate that the cycle storage is secure, covered, and designed in accordance with the minimum dimensions and requirements set out in the Highway Design Guide for New Developments.

From a highways perspective, the LHA also welcomes confirmation that the entry barrier will function solely as a traffic-management measure to enforce the proposed “in-only” arrangement. For this arrangement to operate as intended for the lifetime of the development, the LHA requires the installation, operation, and ongoing retention of the barrier system to be secured by condition.

The visibility splay provided for the exit is also considered acceptable.

On this basis, the LHA raises **no objection**, subject to the following conditions:

- CB2 – Secure, covered cycle parking provision
- Barrier Control System – Installation and Retention (Pre-Occupation & Permanent Retention) *Prior to the first use of the development, full details of the entry barrier system serving the Venns Lane access— including its specification, method of operation (e.g. automatic detection), fail-safe procedures, and long-term management arrangements—shall be submitted to and approved in writing by the Local Planning Authority. The barrier system shall be installed in accordance with the approved details prior to first use of the development and shall thereafter be retained, operated, and maintained for the lifetime of the development to ensure the access functions as “in-only” as assessed.*

Previous comments can be viewed online:

**October 2025:** <https://myaccount.herefordshire.gov.uk/documents?id=b6309ff0-ad9c-11f0-9090-005056ab3a27>

**August 2025:** <https://myaccount.herefordshire.gov.uk/documents?id=72de1731-78f9-11f0-9091-005056ab11cd>

#### 4.3 **Environmental Health Service Manager (Noise / Nuisance): No objection - September 2025**

Comments are from a noise and nuisance perspective.

On the basis that all noise-generating plant is to be housed internally, this department does not object to this proposal.

#### 4.4 **Principal Minerals and Waste Officer: General comments - October 2025**

Thank you for consulting me on the above application and apologies for the delay in responding.

The proposal does not raise any issues in relation to the safeguarding of minerals.

However, with regard to waste, the proposal involves the construction of a significant major development, as well as the demolition of the church. As such, the scheme will generate a substantial volume of waste. Policy SP1 of the Minerals and Waste Local Plan (MWLP) is therefore relevant.

Policy SP1 applies to all major developments and seeks to guide the use of minerals and waste resources in a way that positively contributes to addressing climate change. The policy encourages developments to support climate change mitigation, for example, by requiring the inclusion of more robust waste segregation and recycling infrastructure.

The application does not include a supporting statement outlining the waste prevention and management measures that will be implemented during the construction phase. Such measures are necessary to demonstrate how the proposal contributes to a circular economy and aligns with national objectives for waste management, which aim to minimise landfill use and maximise recycling. Any waste produced during the development must be managed in full accordance with

relevant waste legislation. Where possible, waste generation should be minimised and opportunities for the reuse or recycling of materials should be fully explored.

The planning system plays a vital role in encouraging the use of secondary and recycled materials and in preventing unnecessary waste during construction. New development should be designed with recycling and reuse opportunities in mind from the outset.

In accordance with Policy SP1 if the application is approved, the applicant should be required to submit a Resource Audit prior to the commencement of the development. This should set out how end-of-life considerations have been integrated into the design, including the selection of materials, and how resource efficiency will be achieved throughout the development lifecycle. This requirement can be secured through the following condition:

#### Resource Audit Condition

Prior to the commencement of development, a Resource Audit shall be submitted to and approved in writing by the Local Planning Authority. The Resource Audit shall identify the approach to materials and resource efficiency during the construction and operational phases of the development and shall include the following details:

- The amount and type of construction aggregates required and their likely source;
- Measures to minimise the use of raw materials (including hazardous materials) during construction, through sustainable design and the use of recycled or reprocessed materials;
- Steps to be taken to reduce, reuse and recycle waste (including hazardous waste) generated during the construction phase;
- The type and volume of waste expected to be generated during both the construction and operational phases of the development;
- Details of any on-site waste recycling facilities to be provided during construction and once the development is operational;
- Measures to maximise the diversion of waste from landfill during the operational phase, including recycling, composting, and recovery strategies;
- End-of-life considerations for materials used within the development, including potential for reuse and recyclability;
- An assessment of the embodied carbon and lifecycle carbon costs of materials to be used.

Thereafter, the construction of the development shall be carried out in full accordance with the approved Resource Audit unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the sustainable use of materials, promote efficient waste minimisation and management practices, and reduce the environmental impact of the development in accordance with Policy SP1 of the Herefordshire Minerals and Waste Local Plan, Policy SD1 of the Herefordshire Local Plan – Core Strategy, and the requirements of the National Planning Policy Framework.

#### **4.5 Principal Building Conservation Office: Qualified comments and conditions recommended - August 2025**

##### **Legislation Policy and Guidance**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This statutory duty obligation does not prevent change from occurring but merely requires that change is properly informed so not to affect any special architectural or historic interest.

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special regard to preserving listed buildings and their setting. This obligation does not prevent change from occurring but merely requires that change is properly informed to not affect any special architectural or historic interest.

Primary legislation is repeated in National Planning Policy Framework and Core Strategy Policies.

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

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit

Paragraph 207 of NPPF advises that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”

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

Paragraph 212 of NPPF advises “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 213 of NPPF advises “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 219 of NPPF advises “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

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

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

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

demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas; conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including .....conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management.

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

Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible.

I have now visited the site and carefully considered the current application for the demolition of the former St Barnabas Church and its replacement with a new care home. Additional drawings showing the materials and elevation treatment have been submitted and the proposals have been prepared in accordance and amended in accordance with our detailed pre-application advice.

It is my opinion that the proposed development would result in a neutral impact in terms of the historic environment and therefore there is no objection on heritage grounds.

Notwithstanding the specification notes provided on the drawings, if you are minded to approve the application, I suggest the following conditions are included in addition to the standard planning conditions.

#### **C13 -Samples of external materials**

A sample of the stone proposed for boundary walls, sample of the lime mortar and a sample panel to be approved prior to commencing construction of the boundary walls.

Samples of the proposed bricks, mortar and sample panels of brickwork to be approved prior to commencing brickwork and retained on site throughout the build period.

A sample panel of the textured render with colour to be approved prior to commencing any rendering.

A sample roof tile to be submitted and approved prior to commencing any roof coverings.

Manufacturers details of external joinery including colours to be submitted and approved prior to installation.

#### **CE 2 Solar panels**

#### **CC1 Floodlighting/ external lights**

#### **CJ 3 Flues**

Other matters for consideration – I presume they will wish to include external signage so will this be a separate application.

Should there be a restriction on hours for floodlighting and will external lights be bat friendly?

## **4.6 NHS: Primary Care: General comment - August 2025**

### **1.0 Introduction**

1.1 Thank you for consulting NHS Herefordshire and Worcestershire on the above planning application.

1.2 I refer to the above planning application and advise that, further to a review of the applicant's submission, and concurrent with a refresh of the ICS Estates Strategy and a more strategic view of developments, the following comments are with regard to the primary healthcare provision on behalf of Herefordshire & Worcestershire Integrated Care Board (ICB).

## 2.0 Existing Healthcare Position Proximate to the Planning Application Site

2.1 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within the ICB area and specifically within the health catchment of the development. Herefordshire and Worcestershire ICB would therefore expect these impacts to be fully assessed and mitigated.

## 3.0 Review of Planning Application

3.1 A Healthcare Impact Assessment (HIA) has been prepared by Herefordshire and Worcestershire ICB to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.

## 4.0 Community Infrastructure Level (CIL) Compliancy

4.1 In line with CIL compliancy, the ICB wishes to make a request related to the funding of health requirements through a planning obligation under S106 of the 1990 Act, which in order to be "CIL compliant" must meet the tests of specified in Regulation 122(2) of the Community Infrastructure Level (CIL) Regulations 2010. Those tests require that the sums are

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

4.2 The commentary below explains how each of these tests has been met.

## 5.0 Assessment of Current Clinical Capacity

5.1 The proposed development site sits within the area of the following Primary Care Network(s) (PCN):

- Hereford City - WBC PCN
- Hereford Medical Group (HMG) PCN

PCN	List Size April 2020	List Size April 2025	Change %	Space required for current list size (m <sup>2</sup> ) *
Hereford City - WBC	29,611	31,371	5.61	2151.15
HMG	48,113	47,527	-1.23	3258.99

*\*Based on 120m<sup>2</sup> per 1750 patients (this is an average list size for a GP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"*

5.2 Additional population growth and expanding housing developments create capacity issues within local General practice in terms of the additional staffing required to deliver services and the associated clinical space to accommodate additional staff.

5.3 In addition to this, since July 2019, GP Practices have been required to work collaboratively as Primary Care Networks and are responsible collectively for delivering additional services under the Primary Care Networks Directed Enhanced Service. These additional services require extra staff to be employed under the Additional Roles Scheme and therefore also require additional space within the practice.

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

5.4 Since the introduction of the additional roles scheme in July 2019, the following staff have been employed:

PCN	Number of ARRS Staff employed
Hereford City - WBC	15
HMG	15

5.5 All of these staff require accommodation within a GP Practice, or across several Practices. By being able to reconfigure space within the Practices, this will help to expand local GP services and also enhance the additional services on offer as a Primary Care Network.

## 6.0 Assessment of Development Impact on Existing Healthcare Provision

6.1 It has been calculated that the likely impact of the development is an additional 52 patients.

6.2 The ICB therefore considers a developer contribution will be required which would support the development of primary care infrastructure in the area as a consequence of the increase in demand caused by the proposed new housing development

6.3 The development would have an impact on primary healthcare provision in the above area(s), and the proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

## 7.0 Healthcare Needs Arising from the Proposed Development

7.1 The intention of Herefordshire and Worcestershire ICB is to promote Primary Healthcare Hubs with coordinated mixed professionals. This is encapsulated in the strategy document: The Fuller Stocktake Report: Next Steps for Integrating Primary Care.

7.2 The development would give rise to a need for improvements to capacity, in line with emerging ICB estates strategy, by way of new and additional premises or infrastructure, extension to existing premises, or improved digital infrastructure and telehealth facilities.

7.3 This housing development falls within the boundary of a practice which is a member of the WBC Primary Care Network (PCN) and the HMG PCN and, as such, a number of services for these patients may be provided elsewhere within the PCN. The ICB would therefore wish to secure the funding for the WBC PCN and the HMG PCN for the patients within this vicinity.

7.4 The table below provides the Capital Cost Calculation of additional primary healthcare services relating to the development proposal.

Primary Care Network	Additional Population Growth (52 Bed Care Facility) <sup>1</sup>	Floorspace required to meet growth (m <sup>2</sup> ) <sup>2</sup>	Capital required to create additional floor space (£) <sup>3</sup>
WBC PCN HMG PCN	52	3.6	21,600
			Per bed: £415.38

**Notes:**

1. Calculated based on 1 resident per Bed.
2. Based on 120m<sup>2</sup> per 1750 patients (this is an average list size for a GP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
3. Based on a locally agreed m<sup>2</sup> cost multiplier for primary healthcare construction prices, adjusted for professional fees, fit out and contingencies (£6,000/m<sup>2</sup>).

7.5 A developer contribution will be required to mitigate the impacts of this proposal. Herefordshire and Worcestershire ICB calculate the level of contribution required in this instance directly relating to the number of dwellings to be **£21,600**. Payment should be made before the development commences. **These costs need to be index linked.**

7.6 Herefordshire and Worcestershire ICB therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

## 8.0 Conclusions

8.1 In its capacity as the primary healthcare commissioner, Herefordshire and Worcestershire ICB has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

8.2 The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

8.3 Assuming the above is considered in conjunction with the current application process, Herefordshire and Worcestershire ICB would not wish to raise an objection to the proposed development. Otherwise, the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

8.4 The terms set out above are those that Herefordshire and Worcestershire ICB deem appropriate, having regard to the formulated needs arising from the development.

8.5 Herefordshire and Worcestershire ICB is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the National Planning Policy Framework (NPPF).

8.6 Herefordshire and Worcestershire ICB looks forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response.

## 4.7 Principal Natural Environment Officer (Landscape) comments: No objection – July 2025

The key landscape considerations is the historic and character setting, and the protection of existing TPO trees (Refer to figure 1). It is highly recommended that the submitted tree assessment and proposed landscape plan is reviewed by the Council's tree officer, to ensure that all measures and actions have been validated.

New trees will be provided for screening and landscape amenity, and this is welcomed. It would be useful to understand how the tree selection responds to the wider context and also neighbouring trees in terms of form and general green infrastructure relationships.

The BNG scrub is understood to fulfil BNG requirements, however is this type of landscape appropriate? For example, thorny species such as Blackthorn. Is there merit in considering other species rich native and non-natives that attract pollinators? For example, ornamental red currants (*Ribes sanguineum*) and cultivated Blackberries that provide valuable asset to wildlife, offering food and habitat resources. There are also environmental factors such as shade and tree cover that need to be taken into consideration for the species selection and effectiveness of the scrub.



Figure 1: TPO trees and listed buildings (blue outline)

#### 4.8 Principal Natural Environment Officer (Trees) comments: No objection – August 2025

I have reviewed the submitted documents and have the following comment in relation to the proposals and the existing arboricultural resource within the site.

There is a historic Tree Preservation Order on the site (TPO 96). Many of the trees are thought to have been removed since the order was confirmed but some trees are still present which relate to G1 and T2 within the tree survey.

The Arboricultural Impact Assessment (Haydons Arboricultural Consultants Ltd\_11445/DC/BM\_REA\_16.01.25) has identified all trees within the site and confirmed their overall condition and quality. The AIA confirms removals required (10 items in total) which are mostly low and Category U trees (8 out of 10). The remaining 2 trees are categorised as moderate quality, one of which is a TPO'd tree (Yew T2). The landscape strategy for the development (No30 Design Studio\_SE.P48.GD.01/SE.P48.GD.02\_April 2025) has provided information for adequate replacement tree planting to mitigate the loss of proposed tree removals.

The AIA also identifies incursions into RPA of retained trees and prescribes root pruning which is considered acceptable if undertaken in the correct manner. It is considered that this information can be requested in the form of an Arboricultural Method Statement (AMS) if consent is granted.

The existing site plan within the drawing pack indicates (existing site plan) that T1 and T2 are shown to be retained which is assumed to be a mistake as they are shown as removed on Plan 11445-D-AIA\_23.05.25. This plan should be updated and re-submitted to avoid confusion.

If consent is obtained a detailed tree protection plan will also be required which will form part of the requested AMS. This can be requested as a planning condition.

### Conditions

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents:

Arboricultural Impact Assessment (AIA)  
(Haydons Arboricultural Consultants Ltd\_11445/DC/BM\_REA\_16.01.25).

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.

Prior to the commencement of any works an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) must be submitted and approved by the local planning authority and the development shall be carried out in accordance with the AMS. The AMS/TPP should include information to ensure minimal impacts to retained trees from demolition and construction activities.

Reason: To safeguard the character and amenity of the area and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

#### 4.9 Principal Natural Environment Officer (Ecology) comments: No objection – February 2026

**Habitat Regulations Assessment:** No likely significant effects – no Appropriate Assessment required and planning permission can be legally granted. A consultation with NE is not required where a proposal is 'screened out' please see link for full comments:

<https://myaccount.herefordshire.gov.uk/documents?id=2e73b83a-01e9-11f1-9095-005056ab3a27>

#### Previous comments: September 2025

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

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

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

*From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to "unfavourable declining" by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of*

*water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.*

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

### **River Wye SAC - Habitat Regulations Assessment**

The proposal is for a 53 bed Care Facility with associated new foul and surface water flows (nutrient pathways) created.

- The new dwelling is in an area served by a mains sewer system managed by DCWW
- At this location the foul sewer is managed by the DCWW Eign (Hereford) Waste Water Treatment Works that discharges into the River Wye.
- The proposal is to connect to the existing mains sewer system serving the main property.
- Mains sewer is considered as the best available option to ensure foul water management with minimal effect from nutrient pathways.
- The additional foul water flows can be considered as accommodated within the nutrient allowance secured through the current Core Strategy 'Hereford' housing allowances that were subject to a positive HRA process at the time the CS was adopted.

The connection to the existing DCWW mains sewer network can be secured via condition on any planning permission granted

- As currently submitted (and supported by HC Land Drainage Objection July 2025) no Surface Water management strategy has been supplied to demonstrate that the Sustainable Drainage System indicated on the application form can be achieved.
- A fully detailed surface water management strategy, plans and calculations, with scheme subject to a no objection response from the council's drainage consultants and DCWW is requested.
- This is required to demonstrate with scientific and legal certainty there will be no hydraulic overload and to minimise surface water flows to the DCWW mains sewer network with associated additional volumes of nutrient pathways created at discharge from the WWTW at Eign into the Wye.

Once the required detail to provide required legal and scientific certainty has been supplied the HRA process can be completed. Until such time a satisfactory HRA can be completed an ecology OBJECTION is raised due to likely adverse effect on the integrity of the River Wye SAC (SSSI). Contrary to Conservation of Habitats and Species Regulations, Wildlife & Countryside Act, NPPF, Core Strategy LD2. SD3, SD4, duties under Environment Act and LURA, council's declared Climate and Ecological Emergency.

### **Statutory Biodiversity Net Gain**

The supplied information appears relevant and appropriate. The applicant must be aware that some of the proposed BNG may not actually be appropriate or safe for use in a care home situation due to use of thorny species of woody scrub and required wildflower management regimes. They are advised to revisit the scheme prior to discharge submission and use of off-site Habitat Units may be more appropriate. The final BNG scheme must be fully linked to the wider landscaping scheme and management approved for the site.

Fully detailed information, HMMP (templates on govt website) and final metric will be required at 'discharge' of statutory BNG post planning permission being granted but prior to any works commencing on site. This 'discharge' information must include specific details of proposed

planting, protection, establishment and how it will be managed, maintained and formally monitored for the required minimum 30- year period.

### **Other Ecology Comments**

From supplied and available information there is no reason for the LPA to consider there are likely to be any effects on protected species or other ecological interests as a result of the proposed development. The applicant should be reminded of their and their contractors' legal obligation to wildlife protection afforded at all times through the Wildlife & Countryside Act. There are records of multiple bats and other protected species within the wider locality.

### **Wildlife Protection Informative**

The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special "protected species" such as Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained.

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

### **To obtain Species (Biodiversity) Net Gain**

Prior to first occupation of the dwelling permitted under this planning permission, evidence such as photographs or ecologists report should be supplied to, and acknowledged by, the local authority of the appropriately located of the species enhancements as specified in section 4.3 of the ecology report by Aware Ecology dated 29/04/2025 . The installed features shall hereafter be maintained as approved unless otherwise agreed in writing by the local planning authority. No habitat boxes should be installed in Ash Trees due to future effects of Ash Dieback Disease.

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

### **Protected Species and Dark Skies (external illumination)**

Any external lighting provided as part of the permitted development shall only comprise of LED down-lighters with a Corrected Colour Temperature not exceeding 2700K. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio. 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

### **Previous comments: January 2025**

The Proposed Surface and Foul Water Drainage Strategy by GHBullard and Associated LLP (dated 18<sup>th</sup> September 2025) indicates that surface water flows will be managed via connection to the DCWW (Welsh Water) combined sewer which runs east along Venns lane. However, DCWW have advised that no surface water flows should communicate directly or indirectly with the public sewerage system and that the developer should exhaust all surface water drainage options outlined under Sections 3.2 and 3.4 of Part H of the publication 'Building Regulations 2000' (letter dated 23<sup>rd</sup> December 2025). Until a surface water strategy has been supplied which demonstrates that **all** other surface water drainage options have been explored and fully exhausted, and DCWW have confirmed that surface water flows can be managed via connection to the combined sewer (if applicable), it is recommended that this application is refused.

Regarding foul water, DCWW have stipulated that the application site shall be put into use no earlier than the 31<sup>st</sup> December 2026, unless the upgrading of the Hereford (Eign) wastewater treatment works (WwTW) has been completed and written confirmation of this has been issued to the LPA by DCWW. This is because the WwTW is currently failing to comply with the 95% quartile of its flow passed forward (FPF) performance at the time of consultation and they are required to deliver a scheme to ensure compliance. This will be secured via condition on any future approve planning permission for this application to align with the date of delivery.

4.10 **Archaeological Advisor: No objection - August 2025**

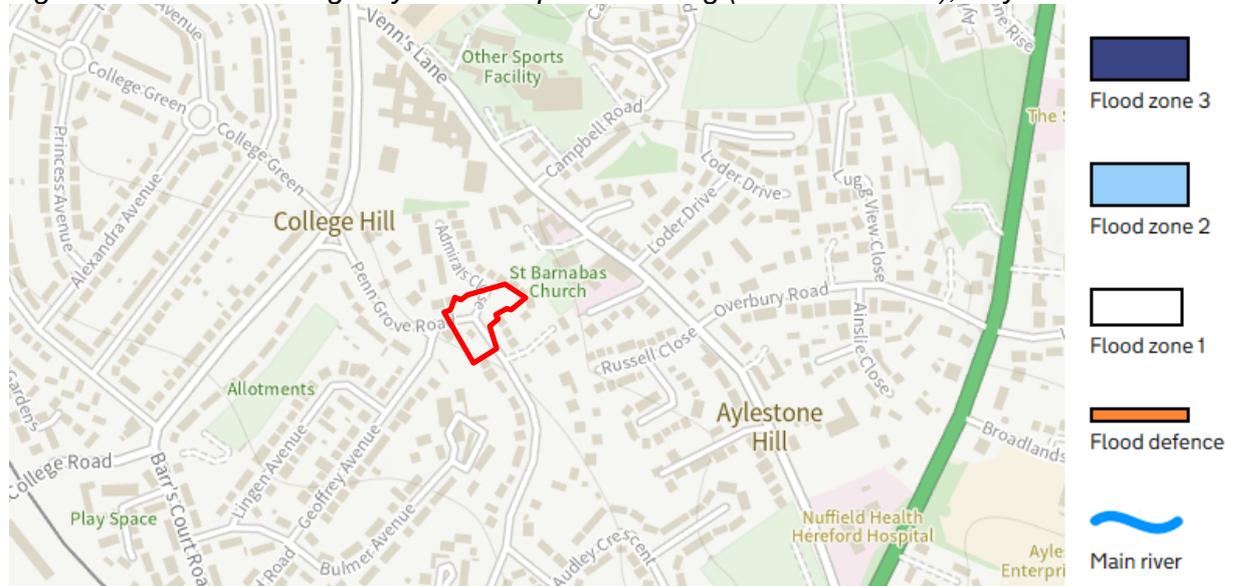
4.11 **Land Drainage: Qualified Comment and conditions recommended - February 2025**

Further knowledge of the development proposals has been obtained from the additional sources following our initial consultation response in July 2025:

- Proposed Surface and Foul Water Drainage Strategy – 18/09/2025;
- Supporting Drainage Info – Feb 2026.

**Site Location**

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



**Overview of the Proposal**

The Applicant proposes the demolition of existing church buildings and the construction of a new 52 bed care home. The site covers an area of approx. 0.05ha. Widemarsh Brook flows approx. 700m to the southwest of the site. The topography of the site slopes down from east (83.7mAOD) to west (77.9mAOD) by approx. 5.8m.

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

## **Flood Risk**

### ***Fluvial Flood Risk***

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low probability Flood Zone 1. As the proposed development is located within Flood Zone 1 and is less than 1ha, in accordance with Environment Agency standing advice, the planning application does not need to be supported by a Flood Risk Assessment (FRA). This is summarised in Table 1:

*Table 1: Scenarios requiring a FRA*

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

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

### ***Surface Water Flood Risk***

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

### ***Other Considerations***

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

## **Surface Water Drainage**

The Applicant has stated they do not believe a discharge to ground is viable, however they have not provided infiltration tests to wholly prove this. Further site investigation by the Applicant has ascertained that the surface water runoff from the existing church does drain into the combined sewer, and so the intended surface water discharge to the public combined sewer is consistent with the existing drainage strategy of the site.

Welsh Water have conditioned the discharge of surface water runoff into the combined sewer based on further exploration of discharging surface water runoff through the hierarchical approach. The Applicant has confirmed that this will provide a suitable opportunity for further consideration of rainwater harvesting, and possibly greywater recycling systems, to be considered within the proposals, which may also contribute to a reduction in the demand for potable water required for the development.

## **Foul Water Drainage**

As there is a foul public sewer within 30m of the proposed development site, a connection onto the foul public sewer must be sought. Welsh Water have confirmed that foul water flows from the proposed development can be accommodated within the immediate public sewage system.

## **Overall Comment**

### **No Objection**

We understand the Applicants intention to discharge both surface water runoff and foul water flows from the proposed development to the public combined sewer.

Welsh Water have accepted the discharge of foul water flows into the sewer network, but have requested that further investigation is undertaken into alternative surface water discharge, prior to accepting surface water runoff into the sewer network.

Should an alternative surface water discharge, other than to the sewer, be found the Land Drainage will need to be consulted at Discharge of Condition.

However, if, at DoC, the Applicant is still proposing a sewer discharge, then the Applicant will need to satisfy Welsh Waters Condition and detailed drainage plans submitted to show any proposed adoptions

Previous comments can be viewed online:

**July 2025:** <https://myaccount.herefordshire.gov.uk/documents?id=e9a2502f-6e00-11f0-9090-005056ab11cd>

#### **4.12 Strategic Housing Manager comments: General comment - February 2026**

Herefordshire has an aging population with increasing complex needs including dementia and clients experiencing mobility problems. There is a vast need in Hereford City for nursing care bed spaces as well as facilities that could deliver a discharge to assess/reablement service and housing with nursing care.

I can only see that the unit is being referred to as a care facility. Is it likely to offer nursing care? The council's main focus is to reduce residential care and increase nursing and dementia beds.

Consideration and engagement needs to be had with the NHS Herefordshire and Worcestershire Integrated Care Board (ICB) in relation to health-related resources being required to support this development such as local GP's and wider consideration of the workforce issues across Herefordshire.

In addition to this I would advise that Herefordshire Council are unable to guarantee placements.

#### **4.13 Hereford and Worcester Fire service: General comment - August 2025**

Good Morning, With regard to the attached Planning consultation letter regarding the application detailed: Planning Reconsultation -251696 - St Barnabas Church, St Barnabas Close, Hereford, Herefordshire, HR1 1DT

Hereford & Worcester Fire Rescue Service (HWFRS) Fire Safety department - wish to make the following comments: Fire Service Vehicle access to the new care home may need to comply with the requirements of ADB 2019 Vol. 2 B5, section 15 & Table 15.1 In particular there should be Fire Service vehicle access for a Fire Appliance to within 45 metres of all points inside the new dwellings... Access road to Care home should be in accordance with ADB 2019 Vol. 2 Table 15.2 The above matters may be assessed through the Consultation process with Local Authority or Approved Inspector Building Control bodies to ensure that the requirements of the Building Regulations (2010) are satisfied and matters to be addressed, under the Fire Safety Order (2005), once the building is occupied. Should you wish to discuss further please do not hesitate to contact me.

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

## **5. Representations**

### **5.1 Hereford City Council: September 2025 - No objection**

City Council resolved "No objection" to planning application P251696/F Proposed demolition of existing Church. Erection of 52 Bed care facility on three floors with ancillary areas and parking

#### **Publicity**

5.2 The proposal due to the scale of development is classified as a major development. As such it has been advertised in the local press (Hereford Times). As well as numerous site notice displayed around the application site. In addition, statutory consultees have been consulted.

5.3 At the time of publishing this report in response to the public consultation a total of 13 comments were received on the application throughout the process, detailing the following points:

#### **Design and impact upon Heritage Asset**

- The proposed build is higher and closer than the current church to the two listed buildings on Venns Lane with a roof height just below the existing Church bell tower however extending down St. Barnabas Close and through the length of the carpark.

#### **Landscaping/Trees/Ecology/Drainage**

- Provision of swift boxes
- Ensure drainage is secured and adequate
- Worried that trees will be cut down
- Arb report does not acknowledge how many are in the TPO and how many require work or are scheduled to be removed
- Concerns about ecology report and no bats present
- loss of Open Space, Green Space, Habitats. The current church building is modest and was designed to retain open space, surrounded by trees and grass. The new proposal would build over nearly all the existing green space.

#### **Amenity**

- Little community space and outdoor sitting areas for staff and residents
- lack of privacy for my property: closeness to my boundary and the height of the building, I will be overlooked by windows and a terrace where residents will be sitting and looking directly at the properties in Admirals Close
- Building needs to be further back and not as high and will block the light
- Proposal will prevent natural light to my property and cause shadowing of my property: The Vicarage 10 St Barnabas Close
- Concern over noise and privacy to surrounding private homes. A care home, by its very nature of need, is bound to incur the arrival and departure of vehicles for emergency needs during anti-social hours
- Currently no street lighting. The proposal will create lots of light and noise.
- The needs of safety at the home will include extensive external lighting. This will cause a disturbance to private homes nearby, especially those on Admiral's Close and St Barnabas Close.
- Insufficient outdoor space
- The proposals indicate a balcony from the lounge at first floor level. This directly overlooks the properties in Admirals Close, Due to the increased height and lack of screening, any persons using the balcony and possibly the lounge will not only see into our garden but will also be able to see down and into Bedroom, Bathrooms, Dining Room and Kitchen resulting in a complete and unacceptable lack of privacy. It is noted that it is proposed to provide suitable and sufficient screening, however, any planting will have to overcome a

steep embankment which will be part of the ground works (See above) Due to the bulk of the proposals it will obliterate a large percentage of the sky which is visible from our house. I do note that we will still have direct sunlight, however this will be a large, imposing structure which will dominate the skyline and garden.

- In winter, the existing trees that are retained will do nothing to maintain privacy or screen the properties.
- Then windows will be left open and noise from residents will be a significant issue (and this has been the case with elderly residents in distress from the adjacent home).
- Residents of Admirals Close - need to preserve their amenity/privacy
- Loss of Privacy : The Vicarage 10 St Barnabas Close.
  - 16 windows including a large circular window and 2 seated terrace areas that overlook my property from a height of over 11.5 meters measured from the patio at the back of their house.

### **Building Design**

- Too large for the site/size of the proposal
- Design of building not in keeping – impact on the aesthetics of the established residential area
- The proposed building is not in character with the local area, it will dwarf all surrounding buildings being twice the length and twice the width of the current church, in fact goes from 527 sq m to 3130 sq m.
- detrimental impact on properties 'below' it in Admiral's Close. The current church bell tower is very narrow in structure and does therefore not impact on any properties, but the proposed building's 3 storeys will extend to within just 4 metres of residential properties and at 4th storey level will be within 6 and 7.5 metres of existing boundaries of houses on Admiral's Close
- Over development. The built-up area would increase almost sixfold, from 527 sq m to 3,130 sq m. Footprint five to six times greater than the existing church.
- The remaining area of garden to the south of the site will also be steeply sloped and unsuitable for the residents to use. The long ramp between this and the rear terrace is testament to this and as it currently stands would need to be longer, with additional landings, to comply to Building Regulations and therefore more of the rear of the site will be required to have hardstanding which has not been accurately accounted for within the planning permission. The new terrace at the rear of the building will be 2-3m above ground level which will be level with the first floor of the dwellings at the rear of the site thus removing the privacy and quiet enjoyment of these properties completely. This information is taken from what spot heights are retained on the plans as there are no scale bars on the sectional drawings.
- The submitted drawings and documents do not accurately represent the sloping nature to the site, which drops about 5m from front to Admirals Close, gauged from the OS map.
- This means that the 3 Storey proposed building will be closer to 4 stories (plus the roof) when viewed from Admirals Close, which is massively out of keeping with the area and will further reduce privacy within the dwellings backing onto the site.
- The proposed building will be of significant scale. The current church is also quite a large building, but the new building will be a substantially bigger property. In my judgement from the road the building will not impose itself significantly because the design makes use of the fall of the land well. However, from the south it is likely to provide a very imposing aspect. This will alter the view for neighbouring properties especially in Admirals Close and The Old Vicarage in St Barnabas Close.

### **Traffic/Highways**

- 18 parking spaces inadequate for size of proposal
- St Barnabus is a private road- not to be adopted. Single carriageway with access to other residential properties.
- Pavements are narrow

- Is there sufficient space for ambulances and fire vehicles to access the building, sufficient cycle parking for staff and visitors, that it is safe and secure and located as close as possible to the main building. Provide electric bicycle points?
- The access road to the property is on a sharp corner of Venn's Lane which will also present a road/pedestrian safety concern.
- The access to and from Venns Lane needs improvement. There is limited visibility when turning left from St. Barnabas Close
- No provision is shown for construction parking whilst the build is underway
- Cause excessive and unnecessary parking in local area and blocking entrances
  - Newstead Close, Loder Drive, Helensdale Close

#### **Loss of community asset**

- Building has for some forty years been used as a centre for Christian worship, ministry, witness and prayer and as a community centre
- Several Christian groups, regularly using the building, were required to vacate the premises at the end of March 2024.
- This unusual modern building is fit for purpose, in decent order, and of significant architectural merit, and is probably one of the most imaginative and distinctive church buildings in the county constructed in the last fifty years.
- Whilst this building is not formally recognised as such, I ask the planning committee to give full regard to their duty, on behalf of the local community, where possible, to protect such special places, which significantly enhance the character of the built environment in their locality, and which are prominent landmarks on the skyline overlooking the city; its removal and loss would be to the detriment of all
- such facilities, in good condition, are in short supply in the Hereford area today.
- Nothing adequately mitigates for the major loss in attractive character of the area by replacing the present church building with an overbearing three storey nursing home extension, nor does it come close to offsetting the significant loss to the community of a good building, with various sized rooms available for public and church use.
- it is disappointing to lose the church which, prior to its closure, provided a valuable community space.

#### **Other**

- I concede the necessity to provide more care home beds in Hereford so therefore agree in principle to a care home on this site.
- the provision of a care facility on the site will be an asset to the city. The operator already operates a care home (immediately adjacent to this site) which has a good reputation
- House values

#### **Ward councillor Comments (Councillor Proctor/College Ward):**

5.4 As the local ward member I would like to make the following comments:

- it is disappointing to lose the church which, prior to its closure, provided a valuable community space.
- the provision of a care facility on the site will be an asset to the city. The operator already operates a care home in my ward (immediately adjacent to this site) which has a good reputation and I have not received any concerns about that care home from neighbouring properties. In principle I support the application.
- The proposed building will be of significant scale. The current church is also quite a large building but the new building will be a substantially bigger property. In my judgement from the road the building will not impose itself significantly because the design makes use of the fall of

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

the land well. However from the south it is likely to provide a very imposing aspect. This will alter the view for neighbouring properties especially in Admirals Close and The Old Vicarage in St Barnabas Close. I hope that more might be done to mitigate the impact on the amenity of these properties.

- I am concerned about the vehicle access to and from Venns Lane into St Barnabas Close. The visibility at the current junction is not good and the pavements are narrow and tend to be crowded especially at school entry and leaving times. I hope that the design can be improved to create better visibility and a safer junction. I'm not an expert but I am also concerned that there is sufficient space for ambulances and fire vehicles to access the building.

- I would like the applicant to ensure there is sufficient cycle parking for staff and visitors, that it is safe and secure and located as close as possible to the main building. Two years ago my father was in a nearby care home and pressure on cycle parking was significant. I would also like the application to provide electric bicycle charging points in association with the cycle parking.

- I note there is a comment asking the applicant to provide swift nest bricks. Swifts certainly nest in the adjacent HCA property and this would seem to be an excellent suggestion.

- At least two local residents are concerned that there may be bats using the current building. I would ask that the council ecologist is satisfied on this point.

Overall I am supportive of the principle of building a care home on this site. I would like to ensure that the impact on the amenity of neighbouring properties is properly mitigated and that the design of internal roads and junctions provides safety and security for all highway users

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

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-search/details?id=251696&search-term=251696>

## 6. Officer's Appraisal

### Policy context and Principle of Development

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

*"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

- 6.2 In this instance, the adopted development plan comprises the Herefordshire Local Plan – Core Strategy (CS) and the Herefordshire Minerals and Waste Local Plan (MWLP). The relevant Policies are detailed above. The National Planning Policy Framework (NPPF) is also a significant material consideration.

- 6.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and Paragraph 34 of the NPPF require a review of local plans to be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating. The Core Strategy was adopted in October 2015 and a decision to review the Core Strategy was taken in November 2020.

- 6.4 Herefordshire Council is currently in the process of preparing a new local plan. A draft was published in March 2024 for Regulation 18 consultation. Following planning reforms including revisions to the NPPF by the UK Government in December 2024, the Council decided to cease further work on the Draft Regulation 18 Local Plan as a new spatial strategy is required to address a significant uplift in housing growth. The Council will progress its Local Plan under the new plan making process introduced by the Levelling up and Regeneration Act (LURA) 2023. No draft of

the plan under the new plan making system has yet been published and as such, there is no emerging plan to which any weight can currently be attributed.

6.5 In reaching any decision, the level of consistency of policies of the adopted development plan against the NPPF will need to be taken into account with due weight given according to their degree of consistency, as per Paragraph 232 of the NPPF. From reviewing those policies within the Core Strategy applicable to the determination of this application, they are generally consistent with the guidance contained within the NPPF particularly in terms of key policies relating to directing development to a sustainable location, making effective use of land, achieving well-designed places and conserving and enhancing social and environmental assets. As such, significant weighting should continue to be afforded to these relevant policies.

6.6 With regards to heritage, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

### **Herefordshire Local Plan - Core Strategy**

6.7 Core Strategy Policy SS1 identifies a presumption in favour of sustainable development. This means, when considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy.

6.8 Core Strategy Policy SS4 states that new developments should be designed and located to minimise the impacts on the transport network; ensuring that journey times and the efficient and safe operation of the network are not detrimentally impacted. Furthermore, where practicable, development proposals should be accessible by and facilitate a genuine choice of modes of travel including walking, cycling and public transport. The policy sets out development proposals that will generate high journey numbers should be in sustainable locations, accessible by means other than private car. Alternatively, such developments will be required to demonstrate that they can be made sustainable by reducing unsustainable transport patterns and promoting travel by walking, cycling and public transport. Proposals to provide new and improved existing public transport, walking and cycling infrastructure will be supported. Where appropriate, land and routes will be safeguarded as required in future local or neighbourhood development plans and developer contributions, which meet the statutory tests, sought to assist with the delivery of new sustainable transport infrastructure, including that required for alternative energy cars.

6.9 Core Strategy policy SS6 describes proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. Policy SS6 then states in its list of criteria states Development proposals should be shaped through an integrated approach and based upon sufficient information to determine the effect upon landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty.

6.10 Core Strategy Policy SS7 – Addressing climate change states Development proposals will be required to include measures which will mitigate their impact on climate change.

6.11 At a strategic level, this will include:

- focussing development to the most sustainable locations;
- delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport;
- designing developments to reduce carbon emissions and use resources more efficiently;

- promoting the use of decentralised and renewable or low carbon energy where appropriate; supporting affordable, local food production, processing and farming to reduce the county's contribution to food miles.
- protecting the best agricultural land where possible

6.12 Key considerations in terms of responses to climate change include:

- taking into account the known physical and environmental constraints when identifying locations for development;
- ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading; minimising the risk of flooding and making use of sustainable drainage methods;
- reducing heat island effects (for example through the provision of open space and water, planting and green roofs);
- reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites; and
- developments must demonstrate water efficiency measures to reduce demand on water resources.

6.13 Core Strategy Policy MT1 – Traffic management, highway safety and promoting active travel states Development proposals should incorporate the following principal requirements covering movement and transportation:

1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;
2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;
3. encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities;
4. ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services;
5. protect existing local and long-distance footways, cycleways and bridleways unless an alternative route of at least equal utility value can be used, and facilitate improvements to existing or provide new connections to these routes, especially where such schemes have been identified in the Local Transport Plan and/or Infrastructure Delivery Plan; and
6. have regard to with both the council's Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan - having regard to the location of the site and need to promote sustainable travel choices. Where traffic management measures are introduced, they should be designed in a way which respects the character of the surrounding area including its landscape character. Where appropriate, the principle of shared spaces will be encouraged.

6.14 Core Strategy Policy E1 – Employment provision states that the focus for new employment provision in Herefordshire is to provide a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy. Development proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged in circumstances including where:

- the proposal is appropriate in terms of its connectivity, scale, design and size; and
- the proposal makes better use of previously developed land or buildings.

- 6.15 Core Strategy Policy LD1 – Landscape and townscape criteria requires new development should achieve the following:
- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, including protection and enhancement of the setting of settlements and designated areas; conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, through the protection of the area’s character and by enabling appropriate uses, design and management
- 6.16 Core Strategy Policy LD2 - Biodiversity and geodiversity. Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire.
- 6.17 Core Strategy Policy SD1 – Sustainable design and energy efficiency states Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:
- ensure that proposals make efficient use of land - taking into account the local context and site characteristics,
  - new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;
  - safeguard residential amenity for existing and proposed residents;
  - ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;
  - utilise physical sustainability measures that include, in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure;
  - where possible, on-site renewable energy generation should also be incorporated
  - create safe and accessible environments, and that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measure
- 6.18 Core Strategy Policy SC1 – Social and community facilities requires that “Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported...Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility...” The policy does not however contain a definition of what facilities are to be treated as ‘social and community facilities’. However, the supporting text states that: “Social and community facilities can be defined as physical facilities for different individuals and communities, which are provided by a range of organisations (public, private and voluntary). They provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community. These facilities play an important role in the development of a vibrant community by creating a sense of place and providing a place for people to meet and interact socially.
- 6.19 They also offer services that are essential for education, health and well-being; and support community cohesion and benefit the general quality of life of residents. Social and community facilities can include: public services, community centres and public halls, arts and cultural facilities including theatres, public art and heritage centres; policing and criminal justice facilities, fire and ambulance services, health and education facilities including GP surgeries and NHS

walk-in centres; public houses, local shops, public toilets, youth centres, social care facilities including day centres and child care facilities; places of worship, and services provided by the community and voluntary sector - for example scout and guide premises.

### **National Planning Policy Framework (NPPF February 2025)**

- 6.20 The NPPF has ‘sustainable development’ central to planning’s remit and objectives. The NPPF also seeks positive improvements in the quality of the built, natural and historic environment and in regards people’s quality of life. The National Planning Policy Framework has been considered in the assessment of this application.
- 6.21 Paragraph 11 of the Framework sets out the presumption in favour of sustainable development. For decision-taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of date, granting permission unless the application of policies of the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 6.22 The above policies are in line with the NPPF (2025 update) in relation to delivering sufficient supply of homes. Paragraph 61 states that, in order to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community
- 6.23 Paragraph 63 states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including, inter alia, housing for older people (including those who require retirement housing, housing with-care and care homes).
- 6.24 NPPF Paragraph 131 states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. Paragraph 135 outlines “Planning decisions should ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”

- 6.25 Chapter 6 of the NPPF sets out policy guidance aimed at creating the conditions in which businesses can invest, expand, and adapt. Paragraph 85 recognises planning policies and decisions “should help create the conditions in which businesses can invest, expand and adapt.” Therefore, there should be significant weight on the need to support economic growth and productivity. This can be done by considering both local business needs and wider opportunities for development.
- 6.26 Paragraph 96 confirms planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
- Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other;
  - Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion;
  - Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.
- 6.27 Chapter 9 addresses sustainable transport and states it should be ensured that:
- (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - (b) safe and suitable access to the site can be achieved for all users;
  - (c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
  - (d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.28 Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.29 Chapter 11 of the NPPF document is the ‘Making effective use of land’ and in terms of retail, paragraph 128 states that Local Planning Authorities (LPA) should take positive approach to applications for alternative uses of land which is currently developed.
- 6.30 Chapter 12 of the NPPF confirms that it’s important to create high quality, beautiful and sustainable buildings. NPPF Paragraph 131 states The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.31 Chapter 14 addressed climate change and flooding. Paragraph 167 states that, in determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency, including through installation of solar panels).
- 6.32 Paragraph 181 states major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 6.33 Paragraph 187 guides and states that planning decisions should “contribute to and enhance the natural and local environment by:
- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

6.34 Paragraph 198 advises planning decisions “should ensure that new development is appropriate for its location taking into account the likely effects... of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site” or the surrounding areas to impacts that could arise from the development activity.

6.35 Paragraph 58 mentions that planning obligations should “only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.”

6.36 Planning Practice Guidance (PPG). Paragraph: 001 of the PPG states: “The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.”

### **Key Considerations**

6.37 The key considerations in the assessment of this application are:

- Principle of Development
- Loss of Community Asset
- Design / Visual Impacts
- Amenity
- Landscape and Trees
- Highways / Access
- Heritage
- Ecology/HRA
- Drainage/Flood Risk/Potable water Supply
- Demolition
- Other Matters

### **Principle of Development**

6.38 The site is located within Hereford City. The NPPF encourages the re-use of brownfield land. Paragraph 124 states “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

6.39 Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land”.

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

Paragraph 125 (c) highlights that substantial weight should be given to "...using suitable brownfield land within settlements for homes and other identified needs...".

- 6.40 It is considered that the site comprises brownfield land as it is occupied by a permanent structure (existing vacant church). It therefore follows that the proposals are consistent with the NPPF definition of "brownfield land" or "previously developed land as being "Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). The thrust of the NPPF policy guidance that relates to the redevelopment of brownfield land and making efficient use of land is relevant to the proposals.
- 6.41 The proposals comprise the redevelopment of site and the erection of a new replacement care home which is considered to make an efficient use of the existing site. The proposals are therefore supported 'in principle' through the NPPF guidance.
- 6.42 Core Strategy Policy SS1 sets out a presumption in favour of sustainable development, reflective of the positive presumption enshrined in the NPPF. Policy SS1 confirms that proposals that accord with the policies of the Core Strategy (and, where relevant other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise. Policy SS2 (Delivering new homes) states that Hereford is the focus for new housing development to support its role as the main centre in the county.
- 6.43 It must also be considered that the Core Strategy does not contain a policy that specifically relates to the provision of this type of development. Although there is support for provision under Policy H3 which policy relates to the provision of a range and mix of housing units and states that on larger housing sites of more than 50 dwellings developers will be expected to: "provide housing capable of meeting the specific needs of the elderly population by: providing specialist accommodation for older people in suitable locations...".
- 6.44 Overall, while this site doesn't form an allocation in the Core Strategy, this proposal would not fundamentally undermine the spatial strategy for Herefordshire which seeks to locate new development at the most sustainable locations, such as Hereford City.
- 6.45 The application site is evidently located in a sustainable location Therefore, as a starting point, it is considered that the development of the site for a care home does not raise any strategic conflict with the development strategy for Herefordshire, subject to other policy requirements being met.
- 6.46 Overall, it is considered that the principle of the proposed development is consistent with the overarching aims of the Core Strategy.
- 6.47 The proposal is now considered against more technical considerations. The overall planning balance is then undertaken at the end of the report when identified harms and benefits will need to be weighed up, although it is advised that some technical considerations will require their own respective assessment(s), as required by the NPPF (heritage impacts being a particular case in point).

### **Loss of Community Asset**

- 6.48 Core Strategic Policy SC1 relates to Social and Community facilities. Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported.
- 6.49 As detailed within the submission, St Barnabus Church was part of All Saints and then was transferred to the Parish of St Peter in 2008. The lower part of the building was used for community related purposes and for occasional worship. The upper part of the building was

leased to a local charity. The submission explains that the church is no longer needed by the parish (which has 3 other church buildings) and as such was declared closed for regular public worship on in June 2019.

6.50 In March 2020, the church building was leased to the 'Oasis Church' (an independent evangelical church), but this arrangement ended in July 2024. The church and the land around it have been actively marketed by the Diocese to seek/secure an alternative owner or user of the site.

6.51 Within the wording for Policy SC1 Social and community facilities it states

*Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they Herefordshire Local Plan – Core Strategy 2011-2031 replace, in terms of size, quality and accessibility.*

6.52 Member's attention is drawn to the fact that the proposal does not seek to retain the existing facility, and this application does not provide a facility that is specifically listed in the social and community facility list in para 5.1.33 of the Core Strategy (see italicised extract below).

6.53 Nevertheless, as noted above, the church has been deemed surplus to the Parish's requirements. The ancillary facilities associated with its community uses can/have been accommodated at alternative sites within the Parish and, accordingly, the site is no longer required and has not been used by the Parish as a church and community facility since March 2023 and has otherwise been unused since July 2024. It is therefore considered that the Diocese has marketed the property in an appropriate manner and it is Officers opinion that alternative provision has in effect been made to offset this loss.

*public services, community centres and public halls, arts and cultural facilities including theatres, public art and heritage centres; policing and criminal justice facilities, fire and ambulance services, health and education facilities including GP surgeries and NHS walk-in centres; public houses, local shops, public toilets, youth centres, social care facilities including day centres and child care facilities; places of worship, and services provided by the community and voluntary sector - for example scout and guide premises*

6.54 However, it is acknowledged, as also stated within the supported information that this proposal is providing social and health provision in the form of a care home offer to older people. This use would complement the existing nursing and care homes in the local vicinity and contribute towards meeting a need for these kinds of care facilities. This is echoed in para 3.61 of the Core Strategy that states:

*Health services are being developed through an integrated approach of providing for an increased need for age-appropriate services (Understanding Herefordshire). This includes; access to community centres, keeping people independent in their own home and personalised services such as the provision of extra care homes and supported housing generally. Other objectives of this plan, such as improving the provision of open space to help combat obesity and mental health problems, and the provision of improved broadband technology to facilitate access to services, will all work together to provide for improved health and wellbeing in the future. The place shaping policies and the general policies on community facilities and housing will help to facilitate this approach.*

6.55 When assessing Policy SC1, Officers accept that there is a tension and this is noted in several representations, but the likelihood of the site continuing to be used for its originally intended purpose is negligible and the church/community use has been provided elsewhere. In this regard,

notwithstanding the fact that the functions for Church and community use have ceased, given the alternative provision in the locality, any resulting harm would be very limited and are considered to be outweighed by the social and economic benefits arising from the provision of extended care accommodation.

### **Design / Visual Impacts**

- 6.56 The NPPF promotes a high level of design and emphasis on achieving well-designed places, dedicating a section entirely to this (Section 12). Paragraph 131 states that: “*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*”. Paragraphs 135 and 139 are also of relevance.
- 6.57 At a local level the detail of design is principally assessed by Policy SD1 within the development plan which amongst other things states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, and proportions and massing of surrounding development.
- 6.58 The requirements of Policy SD1 are also underpinned by Policy LD1 (landscape and townscape). Development proposals need to demonstrate that features such as scale and site selection have been positively influenced by the character of the landscape/townscape, and that regard has also been had to the protection and enhancement of the setting of settlements. Development proposals should also conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including locally designated parks and gardens; and should incorporate new landscape schemes and their management to ensure development integrates appropriately, through the retention of important trees, appropriate replacement of trees lost through development, and new planting to support green infrastructure. In wider terms, Policy SS6 sets out that development proposals should conserve and enhance environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity, heritage assets, and especially those with specific environmental designations. All proposals should be shaped through an integrated approach to planning to ensure environmental quality and local distinctiveness. Green infrastructure is also covered by Policy LD3, which requires development proposals to protect, manage and plan for the preservation of existing and delivery of new green infrastructure; and to protect valued landscapes, trees and hedgerows. Proposals will be supported where the provision of green infrastructure enhances this network, integrates with, and connects to surrounding green infrastructure. Policies SS2 and SD1 also seek to ensure that proposals make efficient use of land taking into account local context and site characteristics.
- 6.59 There is no doubt that design is a subjective matter where many will have their own interpretation and design issues have been raised by residents with regards to the proposed building. In this regard, the proposal has evolved following extensive input prior to submission at the request of both officers and technical consultees.

In assessing what design is appropriate for this site, officers are mindful that the site is next to two existing care homes, heritage assets and is also close to existing residential development.

- 6.60 The proposed design can be seen below:



existing environment. Furthermore, the proposed materials are appropriate to their context and will help the site assimilate into its setting, which will be aided by the landscaping scheme. Officers do however consider it prudent to require the approval of materials samples prior to their installation to ensure that the quality of development delivered on this prominent site is of an adequate standard.

- 6.66 Several objections (immediate local resident) refer to the proposal for 3 storey development as inappropriate to its context. Although it is accepted that residential properties are mostly 2 storeys in height, there are also some three-storey buildings in the immediate vicinity. Officers also note that the site is viewed in the context of Newstead House which is a larger building. Concerns have also raised about proximity of buildings to neighbouring and a such the buildings has been repositioned away from the boundaries, and the design of the proposed balconies has evolved in regards their location with screening and planting.
- 6.67 The images below illustrate the variation in roof forms and materials and with regards to the proposed height, scale and massing of the care home, Officers are of the view that the proposal provides an acceptable response to the scale of surrounding development.



*Figure 8: Elevation*

- 6.68 Although the proposal represents a considerable mass of development, it is considered to be well related to the scale, form and character of the settlement/built up area and its setting. The proposals result in no significant conflict with the above-mentioned policies in terms of design and visual impacts



*Figure 9: Elevation*



*Figure 10: Elevation*

6.69 Overall, it is considered that whilst the proposal would introduce a change in the character and appearance of the surrounding area, it will be in keeping with the surrounding area. It has been designed to deliver a high-quality modern care home facility that will assimilate with the surrounding vernacular through varied ridge heights and materials which help to also break up the mass of the proposed building into smaller blocks, reflecting the forms and proportions of existing nearby residential development. Furthermore, it should be acknowledged that this site is adjacent to a large existing care homes and within an area of varying building heights. Accordingly, officers do not consider that there is conflict with Policies SS6, SD1, LD1 and LD3 of the Core Strategy which is consistent with Sections 12 and 15 of the NPPF.

#### **Amenity including noise and disturbance/impact on living conditions**

6.70 Core Strategy Policy SD1 and NPPF Core Planning Principles require good standards of amenity including matters such as overlooking, noise, fumes, overshadowing and loss of light.

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

Additionally, during the construction phase there could be impacts in terms of noise, dust and other pollution. It is acknowledged that there are residential properties in close proximity, in particular, in Admirals Close and St Barnabas Close and the Vicarage. When reviewing the proposal in regards to the potential effect of noise, vibration, smell, and other pollution, the proposal has been assessed by officers and technical officers within the Environmental Health Team.

- 6.71 The NPPF recognises the need to make efficient use of land, whilst ensuring safe and healthy living conditions and that developments should create safe, inclusive and accessible places that promote health and well-being with a high standard of amenity for existing and future users where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.72 Officers are mindful of the site's topography as there is a significant change in levels across the site with the land at the Venns Lane being considerably higher than to the west. The car park on the site is at the lower end of the site and the properties which abut the site in Admirals Close are at a lower level still.
- 6.73 Several local residents have raised concerns in relation to the impact of the proposal upon neighbouring residential amenity with specific regard to overlooking and unacceptable loss of privacy. In particular properties 14-18 Admirals Close located to the southwest and The Vicarage located to the west within St Barnabas Close.
- 6.74 As advised above officers are mindful that the land slopes away, however the building has been pulled away from the boundaries, and the windows and balconies have been located and positioned so as to reduce overlooking. Officers do acknowledge that the balconies would, of course, be elevated due to its position and a degree of overlooking, is commonplace in a residential area but it is not considered that the proposal would increase the opportunity for overlooking further than, for example, bedroom windows. Also, the design includes balconies and windows which will be recessed.
- 6.75 Officers are satisfied that the proposal has been designed in a way to minimise potential harm to the privacy of adjoining properties. Also, the balcony uses will be limited in terms of functional space and the ultimate use of the balconies would be limited and cannot be said to present potential for intensive use or overlooking/loss of privacy to the detriment of neighbouring properties.
- 6.76 The application has been reviewed by the Council's Environment Health Officers who have confirmed that on the basis that all noise-generating plant is to be housed internally, they have no objection to the proposal and as such there is no potential for any noisy external plant and / or commercial kitchen ventilation and extraction systems to adversely impact neighbouring residential amenity.
- 6.77 A construction management plan has been recommended in order to control and minimise disturbance during the construction phase, given the proximity of the site to residential receptors. Once completed, the development should have no greater implications for noise generation or nuisance than the existing use. A condition is recommended for the submission of external lighting details such that all reasonable mitigation measures can be assessed and implemented.
- 6.78 Furthermore, conditions shall be imposed to control the hours of working during the construction period and for the submission of a construction management plan, to limit impacts of dust and noise upon surrounding occupiers to satisfactory levels during construction.
- 6.79 The proposed development has been designed to consider the impact of the increased scale of building on adjacent occupiers and future occupiers in the development. Officers consider that the proposals will not give rise to any significant adverse impact on the amenity adjoining

occupiers within the nearest dwellings. The living conditions of occupiers within the development will also be adequate. Therefore, officers are satisfied for the reasons outlined above and proposed conditions suggested the proposal accords with Policy SD1 and SS6 of the Herefordshire Core strategy and the NPPF in terms of safeguarding amenity.

### **Landscaping and Trees**

- 6.80 Core Strategy policy SD1 requires that new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design.
- 6.81 The Core Strategy seeks, via policy LD1, to ensure development proposals demonstrate how the character of the landscape and townscape has positively influenced the design, scale, nature and site selection of the proposal. Development should be integrated appropriately through the use of landscape schemes and their management. Furthermore, LD1 seeks to and extend tree cover where important to amenity.
- 6.82 As part of the submission and in specific reference to arboricultural/tree considerations, the application has been reviewed by the Tree Officer who raises no objection subject to conditions in line with the aims of the NPPF with respect to trees and policies LD1 and LD3 of the Core Strategies. The application has been supported by a tree survey and an Arboricultural Impact Assessment as there is an historic Tree Preservation Order on the site (TPO 96). However, as highlighted within the Tree officer comments many of the trees are thought to have been removed since the Order was confirmed but some trees are still present (G1 and T2 within the tree survey).
- 6.83 The proposal therefore accords with the requirement of Core Strategy Policy LD1 to maintain tree cover where important to amenity and paragraph 136 of the NPPF which requires that existing trees are retained wherever possible. Therefore, officers are satisfied for the reasons outlined above and proposed conditions suggested the proposal accords with Policy LD1 and LD3 of the Herefordshire Core Strategy.
- 6.84 As part of the proposal a landscaping scheme has been provided, and this highlights outdoor spaces, terraced gardens and sensory planting areas accessible from ground floor and balconies on upper floors. The Landscape Officer has highlighted that the proposed new tree planting for screening and landscape amenity is welcomed. It is also noted that existing boundaries will be further reinforced with mature planting to preserve and enhance the privacy of neighbouring residential properties. Although the submitted landscaping scheme is broadly acceptable, it is considered necessary to request further details in this respect to ensure the quality and type of planting is adequate as well as assisting to provide an adequate buffer between the site and its surroundings and to deliver suitable biodiversity enhancements in line with comments provided by the Council's Ecologist. A condition has been added to secure details of planting maintenance.
- 6.85 Accordingly, the development is considered to accord with policy LD1 through the appropriate replacement of trees lost and new planting to support green infrastructure. Both the Tree Officer and Landscape Officer have raised no objection and concluded that the proposal is in accordance with Core Strategy Policy LD1 and LD3 and paragraph 136 of the NPPF which requires that existing trees are retained wherever possible.

### **Access, highway and pedestrian safety and connectivity**

- 6.86 Policy MT1 of the Core Strategy requires development proposals to demonstrate that both strategic and local highway networks can accommodate the traffic impacts of a development without adversely affecting the safe and efficient flow of traffic, or that such impacts can be managed to acceptable levels through mitigation. This includes ensuring appropriate operational

and manoeuvring space, accommodating provision for all modes of transport, the needs of people with disabilities and providing safe access for the emergency services. The NPPF emphasises the need for developments to offer genuine choice in movement under Section 9. Core Strategy Policy SS4 similarly requires developments to minimise impacts on the transport network. Paragraph 116 of the NPPF states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or if residual cumulative impacts on the road network, after mitigation, would be severe.

- 6.87 The NPPF sets out at paragraph 114 that applications for development should ensure opportunities to promote sustainable transport have been taken, safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network or highway safety can be mitigated.
- 6.88 Within the submission details have been provided on staffing levels; shift times; and the staggering of staff arriving and leaving times. Following discussions with the Council's Area Engineer, further amendments were sought to address to resolve concerns from highway officers about the originally submitted parking layout plan. The Area Engineer has subsequently confirmed that the proposals meet the required standards for parking and access. Details confirm parking on site for a total of 18 cars as well as an ambulance bay and also a servicing space. The layout shows pedestrian pathways to ensure ease of access to the site and main entrance, as well as a drop-off area provided at the entrance for ambulances and visitor convenience.
- 6.89 The layout proposes an "In and Out" access arrangement is and this is acceptable on the basis of the installation, retention, and management of the barrier control system to ensure the arrangement operates as intended. Details of the barrier type, operation (e.g. automatic or manually controlled), and its management will be secured by an appropriately worded condition. The proposed access arrangement is considered to reduce impact on local properties Cycle parking will also be secured by an appropriately worded condition; it is noted the request for electric bike charging points however this will be provided at the discretion of the applicant.
- 6.90 As part of this application a travel pack has been supplied, however a Travel Plan is considered to be an additional requirement, which when submitted, will aim to maximise active modes of travel and use of public transport and this will be secured by an appropriately worded condition.
- 6.91 To conclude the proposal has been reviewed by the Area Engineer who confirmed that subject to conditions the proposal is considered to adhere to Core Strategy MT1 and the published Highways Design Guidance. Any vehicular uplift is not considered to be severe in accordance with the NPPF and it is maintained that the local highway network can absorb the additional traffic generated without compromising the safe operation of the network. Therefore officers are satisfied the proposal is in accordance with Core Strategy policies SS4 and MT1 and the requirements of the NPPF.

## **Heritage**

- 6.92 The Planning (Listed Buildings and Conservation Areas) Act 1990 states "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 6.93 Core Strategy Policy SS6 is a strategic policy relating to environmental quality and local distinctiveness. The policy outlines development proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, and notes heritage assets and specifically those with environmental designations.

- 6.94 Core Strategy Policy LD4 of the Core Strategy requires that development proposals protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance.
- 6.95 The NPPF also guides in terms of assessing the impact of proposals on both designated and non-designated heritage assets (above and below ground), dedicating a section to conserving and enhancing the historic environment (Chapter 16).
- 6.96 When considering the impact of a development proposal upon the setting of a heritage asset, there are several stages. Firstly identifying those assets which may be affected and their significance. Then those aspects of their setting which contribute to the significance are identified and lastly the impact of the development upon this significance. It should be noted that a view to or from a heritage asset does not necessarily mean that a site is within that assets setting, this depends upon whether that view contributes to the significance of the asset. Also a site can be within the setting of a heritage asset without their being a direct view under certain circumstances. The fundamental principle is whether or not a development affects the significance of a heritage asset, including those aspects of its setting which contribute to its significance.
- 6.97 The site is not within a conservation area, nor does it contain any designated or non-designated heritage assets. However, it does adjoin heritage assets.
- 6.98 Furthermore, the brick church and community building with its central 'bellcote' is a bespoke structure and was architecturally designed in the 1980's. The building is not listed nor is considered to be a non-designated heritage asset and it is not listed in a conservation area. As such noting the age, design and character of the building, officers would not consider the building to be of local interest to warrant retention. Therefore, officers raise no objections to the proposed demolition.
- 6.99 Paragraph 207 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's significance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 6.100 Paragraph 208 identifies local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).
- 6.101 Paragraph 210 goes onto advise that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness, amongst other things.
- 6.102 Paragraph 212 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.103 Paragraph 213 outlines that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

6.104 Paragraph 214 deals with considering proposals which would lead to substantial harm. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

6.105 Paragraph 215 states:

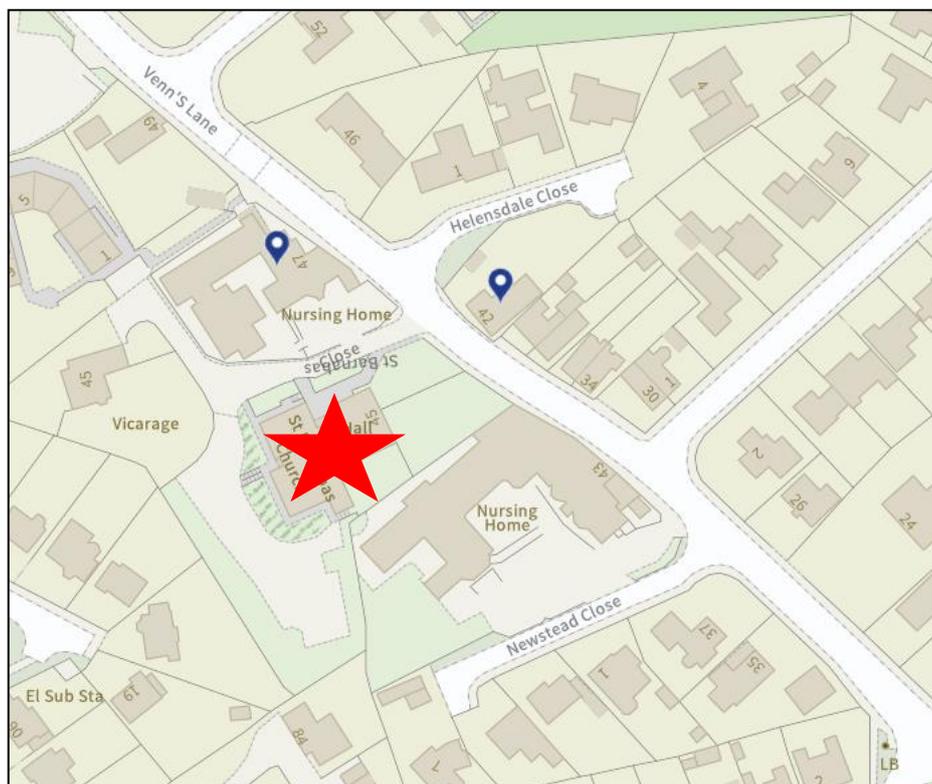
*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

6.106 It is acknowledged that heritage matters have been covered within the application in the planning statement.

6.107 This site and the surrounding area is affected by the following heritage assets:

- Listed Buildings;
  - Grade II - Cox Cottage, 42 Venns Lane. List Entry no: 1196889
  - Grade II – Abbey Grange List Entry no: 1207814

6.108 The maps overleaf seek to identify the extent and approximate position of the above assets:



**Figure 11** Extent of listed buildings and Scheduled Monuments (C/O Historic England – <https://historicengland.org.uk/listing/the-list/map-search> - for reference the application site is denoted by the red star).

Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

- 6.109 Whilst policy requires heritage assets to be protected, conserved and enhanced, and requires the scope of the work to ensure this to be proportionate to their significance, it does not include a mechanism for assessing how harm should be factored into the overall planning balance. In order to properly consider the effects of development on heritage assets, recourse should be had to the NPPF in the first instance appreciating that relevant tests are clearly set out as referred to above.
- 6.110 The Council's Principal Building Conservation Officer has not raised adverse comments with respect to the impact of the proposed development upon the setting, experience and significance of adjacent listed buildings. They have confirmed that following the submission of additional drawings showing the materials and elevation treatment that the proposed development would result in a neutral impact in terms of the historic environment and therefore raised no objection on heritage grounds, albeit a number of bespoke conditions linked to securing materials details are recommended.
- 6.111 Officers concur with the view of the Council's Principal Building Conservation Officer that, subject to confirmation of materials, the proposed does not lead to harm to the setting, experience, or significance of the nearby listed buildings.
- 6.112 Paragraph 215 of the NPPF requires that if a development causes "less than substantial harm" to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, including securing its optimum viable use. As there is no harm to the significance, the strict balancing test in Paragraph 215 is not triggered. However, for completeness a balancing test has been considered and undertaken below:

#### **Public Benefits test**

- 6.113 The NPPG states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF (paragraph 8), not just simply needing to be related to or focused on heritage benefits. Public benefits should flow from the proposed development, and they should be of a nature or scale to be of benefit to the public at large and not just be a private benefit that benefits an applicant only. However, benefits do not always have to be visible or accessible to the public in order to be genuine (e.g. works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit).
- 6.114 Examples of heritage benefits may include:
- sustaining or enhancing the significance of a heritage asset and contribution of its setting
  - reducing or removing risks to a heritage asset
  - securing the optimum viable use of a heritage asset in support of its long-term conservation
- 6.115 There would be several public benefits including:
- The redevelopment of a previously developed brownfield site in accessible sustainable location
  - Provision of housing for older people where there is a need identified;
  - Economic benefits from development in the creation of construction jobs during the construction phase, a number of which could benefit local tradespeople;
  - New jobs created from the operation of the care home
  - Business rates
  - Economic benefits to the city of Hereford and wider area as a whole, including continued viability and vitality of such services through spending; and
  - Biodiversity Net Gain uplift

- 6.116 Notwithstanding the setting out of the associated public benefits, the proposal 'passes' the Paragraph 215 test of the NPPF and is not considered to conflict with Core Strategy Policies SS6, LD1 or LD4. The statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, are viewed to be accordingly discharged.

### **Ecology and Biodiversity**

- 6.117 Core Strategy policies SS6 and LD2 state development proposals should conserve, restore and enhance those environmental assets that contribute towards the county's distinctiveness, including biodiversity. With regards protected species, LD2 states that development that is liable to harm nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations. Similarly, the NPPF states that decisions should contribute to and enhance the natural and local environment by, amongst other things minimising impacts and achieving net biodiversity gain. It further states that when determining planning applications, local planning authorities should apply certain, specified principles, which include that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then permission should be refused.
- 6.118 In terms of ecology, Policy LD2 is of direct pertinence. This generally requires that proposals protect, conserve and enhance the county's biodiversity assets and make adequate provision for protected species. The application is supported by an ecology report by Aware Ecology dated 29/04/2025. The ecological report and application have been reviewed by the Councils' ecology officers. Officers note the concerns raised by residents about the presence of bats, but Ecology colleagues have raised no objection to the findings and advised that from the supplied information there is no reason for the Local Planning Authority to consider there will be any significant or longer-term impacts on local protected species population or other wildlife. Mitigation and enhancement measures within are secured by condition. Conditions restricting lighting to protect dark skies, proposed biodiversity net gain enhancement features are included as per the Ecology recommendations. Subject to conditions, the proposal is therefore considered acceptable and in accordance with policy LD2 and SS6 of the Core Strategy and the NPPF.
- 6.119 This application will be subject to BNG under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Therefore, the development must deliver a BNG of 10%. This means that the development will result in more or better-quality natural habitat than before. The BNG information has been reviewed at application stage by the ecology officer and have officered advise that some of the proposed BNG may not actually be appropriate or safe for use in a care home situation due to use of thorny species of woody scrub and required wildflower management regimes. They are advised to revisit the scheme prior to any future discharge submission.

### **Habitat Regulations Assessment**

- 6.120 The application site is within River Wye SAC catchment, and this proposed development triggers the legal requirement for a Habitat Regulations Assessment (HRA) process to be carried out by the LPA, the final HRA 'appropriate assessment' completed by the Local Planning Authority. Following the submission of additional clarification and details relating to both foul and surface water information, the Council's Ecologist has reviewed the submitted proposal and highlighted that the Habitat Regulations Assessment concludes 'No likely significant effects and also that no Appropriate Assessment is required such that planning permission can be legally granted. A consultation with Natural England is not required where a proposal is 'screened out'.
- 6.121 As such the proposal complies with Core Strategy Policies SS6, LD2, SD3 and SD4 and it has been concluded that there will be no adverse effects upon the hydrological catchment of the River Wye Special Area of Conservation and Site of Special Scientific Interest subject to the mitigation proposed.

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

## **Flood Risk and Drainage**

- 6.122 Chapter 14 of the NPPF relates to meeting the challenges of climate change, flooding and coastal change. Paragraphs 170 to 182 deal with planning and flood risk.
- 6.123 Policy SD3 of the Core strategy states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water.
- 6.124 Policies SD3 and SD4 within the Core Strategy also deal with issues relating to sustainable water management, wastewater treatment and river quality. Policy SD4 also seeks to ensure development does not undermine the achievement of water quality target for rivers within the county, through the treatment of wastewater. The policy sets out a hierarchy in terms of the approach to wastewater. In the first instance, developments should seek to connect to the existing mains wastewater infrastructure.
- 6.125 The application site is located within Flood Zone 1. As such the proposal, therefore, meets the expectations of paragraph 170 of the NPPF to steer new development to areas with the lowest risk of flooding. A drainage Strategy and additional drainage information has been submitted in support of the application.
- 6.126 As confirmed by drainage colleagues the site is not located within an area at risk of surface water flooding or within a designated Source Protection Zone or Principal Aquifer.
- 6.127 The proposal intends to discharge both surface water runoff and foul water flows to the public combined sewer. The most recent comments from Welsh Water have accepted the principle of the discharge of foul water flows into the sewer network, but they have requested that further investigation is undertaken into alternative surface water discharge, prior to accepting surface water runoff into the sewer network. Welsh Water have a requested condition to satisfy their concerns and drainage colleagues have confirmed they have no objection however have advised that should an alternative surface water discharge, other than to the sewer, be found they will need to be consulted at Discharge of Condition stage.
- 6.128 Given the above, it is considered that the proposed development accords with Core Strategy Policy SD3 and SD4 as well as Paragraphs 181 and 182 of the NPPF.

## **Potable Water/Water Supply**

- 6.129 During the consideration of the application Welsh Water have removed their objection on water supply and have in their most recent commentary acknowledged that this site can be supplied with a potable water supply with a potential scheme to reinforce the local network. They have advised that the proposal 'will require the installation of a new single water connection to serve the new premises' which would be considered under the provisions of Section 45 of the Water industry Act 1991 apply. As such as requested by Welsh Water a suitable worded condition is recommended.

## **Demolition/Construction Management**

- 6.130 The principle of the demolition of the existing church building on site is to be considered as part of this application, see figure 9 below which highlights the structures on site to be demolished.
- 6.131 The Minerals and Waste Officer have been consulted and has advised that since the proposal involves the construction of a significant major development and will generate significant volumes

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Further information on the subject of this report is available from Ms Heather Carlisle on 01432 260453

of construction materials and demolition waste, Policy SP1 in the Minerals and Waste Local Plan (MWLP) will need to be addressed.

6.132 In this regard, a construction management plan is required by condition which would include the above requirements as well as management during the overall construction programme. To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part the city, a condition is included which requires the submission and approval of a construction management plan.

6.133 Also, as per the Minerals and Waste Officer`s comments the planning system has a role to play in encouraging the use of secondary or recycled construction materials and preventing waste generation in construction. All development should be designed to increase the potential for recycling waste. The used of materials and waste resources will be directed to contribute positively to addressing climate change. As such and in accordance with policy SP1 of the Minerals and Waste Local Plan a condition has been added to secure the submission of a Resource Audit to set out end of life considerations for the materials used in the proposed development



Figure 12: Demolition Plan

6.134 As advised above appropriate conditions have been added to manage the demolition and removal of waste from the site, neighbouring amenity as well as to protect wildlife/protected species.

### Other matters

### Infrastructure / Financial Contributions

6.135 Notwithstanding the consultee comments received from the NHS requesting contributions, given the proposed occupation and nature of the scheme it is concluded that there is no requirement to secure contributions. This is as per para 3.5.11 of the Herefordshire Planning Obligations SPD which states:

*‘the following types of residential accommodation will not be subject to contributions: sheltered housing, rest homes, nursing homes, hostels, holiday homes, one bedroom*

*units or from other specialist housing where it can be demonstrated that the nature of the accommodation will not lead it to being occupied by children’.*

### **Affordable housing provision**

- 6.136 As per the Affordable Housing SPD (2021) (see extract below), there is no requirement to provide affordable housing:

*‘institutional care homes, and nursing homes (C2) will not be subject to affordable housing requirements.’*

### **Climate Change/renewable/Sustainable energy**

- 6.137 Core Strategy policy SS7 requires focus on measures to address the impact that new development in Herefordshire has on climate change, outlining how development proposals should include measures which will mitigate their impact on climate change, with policy SD1 and SD2 also seeking to support these measures. Herefordshire Council has unanimously passed a motion declaring a Climate Emergency, signalling a commitment to ensuring that the council considers tackling Climate Change in its decision-making, with this resolution came a countywide aspiration to be zero carbon by 2030; and a Climate Change Checklist to aid the consideration of development proposals.

- 6.138 Chapter 14 of the NPPF is also of relevance with, paragraph 164 stating that development should be planned so that they:

“a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and

b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design.

- 6.139 Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.”

- 6.140 The application site is located within a sustainable location with access to a range of amenities, transport services as well as being in close proximity to a residential neighbourhood which the proposed use is largely intended to serve and therefore reducing the distance need to travel. As part of the submssion the application is supported by a design and access statmenet (chapter 6 Sustainability & Energy Efficiency) which seeks to demonstrate how the development would achieve both a sustainable design and construction. The proposal includes:

- High-performance glazing.
- Low-energy lighting and ventilation systems.
- photovoltaic panels and stormwater holding tanks providing filtered water for toilet flushing and garden watering

- 6.141 This is in line with Core Strategy Policy SD2 and is considered to represent an appropriate commitment within the scope of current polocy provisions

### **Advertisements**

- 6.142 Signage related to the proposed care home is not a matter to be considered under this application.

## **Non material planning considerations**

- 6.143 Whilst concerns raised in regard to negative effects on the value and resale of properties are understood it is a well-established principle these are not material planning considerations and must not be attributed any weight.

## **Conclusion and Planning Balance**

- 6.144 The application seeks full planning permission to erect a 52-bedroom care home and demolish the existing church on the site. As a starting point, it has been demonstrated that the proposed development accords within the development plan when read as a whole. The application site is located within Hereford City on a brownfield site where the principle of development is acceptable.
- 6.145 In addition, it is recognised that the proposal would make a significant positive contribution towards helping to meet the housing needs of older people, in accordance with the NPPF and the PPG. The proposal would also contribute towards the Council's housing land supply and it should be recognised that Herefordshire Council is currently unable to demonstrate a 5YHLS which represents a significant material consideration in relation to the determination of this application
- 6.146 Concerns raised by local residents of the proposal have been reported above and it is considered that the matters raised have been addressed in the report. Subject to the use of appropriate planning conditions the development would not give rise to unacceptable impacts in relation to flood risk and drainage, local landscape character, arboricultural effects, ecology, energy and sustainability, highway safety and residential amenity (including noise). Furthermore no harm has been identified to nearby heritage assets
- 6.147 As detailed above the proposed design, scale and layout and landscaping of the proposal would make a positive contribution to the surrounding areas and the site without appearing out of character or impacting the residential amenity of existing occupiers of residential development in close proximity.
- 6.148 It is considered that the application proposal comprises an acceptable form of development and an efficient use of the site, in terms of the Core Strategy and NPPF.
- 6.149 Overall, the planning policy assessment contained above demonstrates that the proposed development is consistent with planning policy at a local and national level. Therefore, as per Core Strategy Policy SS1 and Paragraph 11c) planning permission should be granted without delay.
- 6.150 In this circumstance, according to paragraph 11d) of the NPPF the most important policies relevant to the determination of the application are out of date and permission should be granted unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 6.151 In this regard, when assessing the Proposed Development under paragraph 11d), it is considered that the harm arising from the proposed development would not significantly and demonstrably outweigh the identified benefits which are set out below:

## **Social benefits**

- 6.152 There is a need for the housing need for older people and would contribute to the choice of accommodation in the catchment and the local authority area. The NPPF and the PPG recognise the importance of providing a diverse range of housing to meet the needs of older people. It is therefore considered that the provision of a 52 bedroom care home is a benefit that can be attributed significant weight. Additionally, the proposal will contribute to Herefordshire Council's housing land supply, as the Council includes care homes within its calculations for housing land supply. This is a benefit that should also be attributed significant weight in the planning balance.
- 6.153 The provision of care beds which could contribute to alleviating issues with delayed hospital discharges keeping elderly patients in NHS acute settings longer than necessary, when cost-effective care home beds could provide step-down, rehabilitation, or long-term care. Also this is crucial for freeing up NHS beds for those who most need them. This would contribute further social benefits (and economic benefits). Also, a further benefit of the proposed care home is that it will enable/facilitate many of the future occupiers, who currently live in their own homes, to move out into more suitable accommodation. This will free up existing housing stock which can be released into the market. Weight should also be attributed to this as a benefit of the proposal.

## **Economic benefits**

- 6.154 Paragraph 85 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposed development would provide considerable economic benefits during both construction and operation which weigh in favour of the scheme. These includes the generation of jobs during construction; the generation of economic output of construction; the generation full time equivalent jobs once operational; and the generation of economic output per annum during the operational phase from residents and staff of the care home contributing to the local economy. It is considered that these economic benefits contribute significant positive weight in the planning balance.

## **Environmental benefits**

- 6.155 The proposal site is an acknowledged sustainable location in Hereford and whilst there will be a change in the character of the site and locality, the proposal does not affect any designated landscape or heritage asset. The proposal will include the provision of uplift in biodiversity on the site as well as the delivery of new landscaping and maintenance of the TPO trees.

## **Conclusion**

- 6.156 The proposed development is considered to accord with all 3 objectives of sustainable development as set out within the NPPF and evidently represents a sustainable form of development. In this regard, paragraph 39 of the NPPF states that 'decision-makers at every level should seek to approve applications for sustainable development where possible'
- 6.157 Therefore, it can also be concluded that the adverse impacts of the proposed development do not significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF taken as a whole. In this circumstance, paragraph 11d) of the NPPF advises that planning permission should be granted.
- 6.158 The proposed development would make efficient use of a previously developed site and is accessible by a choice of means of transport. There is also not considered to be any conflict with Policy SC1 in regard to the loss of the existing building on the site. The principle of redevelopment of the site for a care home use is considered acceptable.
- 6.159 The proposal is appropriate in terms of its scale and function to its location. It is considered that it is unlikely to lead to any negative impacts to residential amenity and no harm to heritage assets,

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or the operation of the local highway. As the report concludes subject to appropriately worded conditions the proposal is considered acceptable in all other technical aspects including transport/car parking; flood risk and drainage; ecological impact; design and landscaping, and noise. Overall, Officers note that while the proposal could result in some tension with development plan policies, there is a reasonable case that other considerations and benefits should outweigh this tension. As such, the proposal is considered to accord with the development plan and there are no material considerations to indicate that planning permission should not be granted. Approval of the application is therefore recommended subject to the imposition of planning conditions.

## **RECOMMENDATION**

**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)**

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 Approved Plans**

The development shall be carried out strictly in accordance with the approved plans:

- Site Location Plan and Block Plan: DWG 805 041 B
- Drawing mark up Plan: DWG: 805 050
- External works and car park: DWG: 805 030 H
- Existing plans and elevations: DWG: 805 040
- Level 0 Floor Plan DWG: 805 043
- Level 1 Floor Plan DWG: 805 044
- Level 2 Floor Plan DWG: 805 045
- Level 0 Floor Plan DWG: 805 050
- Proposed elevations: Plan DWG: 805 046
- Proposed elevations: Plan DWG: 805 047
- Floor Plan Level 0 DWG: 805 032
- Floor Plan Level 1 DWG: 805 033
- Floor Plan level 2 DWG: 805 034
- Floor Plan Lower level DWG: 805 031
- Landscaping scheme level 1 DWG SE P48 GD01
- Landscaping scheme level 1 DWG SE P48 GD02
- Topographical survey DWG BA 350200123-01A
- Topographical survey with UGS DWG BA 2500780 01
- Haydon Plan/Tree Plan : 11445-D-AIA Rev B

**except where otherwise stipulated by conditions attached to this permission.**

**Reason.** To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy [and the National Planning Policy Framework].

### **Prior to Commencement**

#### **3 Resource Audit**

Development shall not begin on either the demolition or construction until a Resource Audit shall be submitted to and approved in writing by the Local Planning Authority. The Resource Audit shall identify the approach to materials and resource efficiency during the construction and operational phases of the development and shall include the following details:

- The amount and type of construction aggregates required and their likely source;
- Measures to minimise the use of raw materials (including hazardous materials) during construction, through sustainable design and the use of recycled or reprocessed materials;
- Steps to be taken to reduce, reuse and recycle waste (including hazardous waste) generated during the construction phase;
- The type and volume of waste expected to be generated during both the construction and operational phases of the development;
- Details of any on-site waste recycling facilities to be provided during construction and once the development is operational;
- Measures to maximise the diversion of waste from landfill during the operational phase, including recycling, composting, and recovery strategies;
- End-of-life considerations for materials used within the development, including potential for reuse and recyclability;
- An assessment of the embodied carbon and lifecycle carbon costs of materials to be used.

Thereafter, the construction of the development shall be carried out in full accordance with the approved Resource Audit unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the sustainable use of materials, promote efficient waste minimisation and management practices, and reduce the environmental impact of the development in accordance with Policy SP1 of the Herefordshire Minerals and Waste Local Plan, Policy SD1 of the Herefordshire Local Plan – Core Strategy, and the requirements of the National Planning Policy Framework.

#### **4 Construction Management Plan**

Development shall not begin on either the demolition or construction 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 (including construction working hours)

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 Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.**

**5 Potable Water**

**Development shall not begin on either the demolition or construction until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary, a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.**

**Reason: To ensure the site is served by a suitable potable water supply and to comply with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.**

**6 Drainage Scheme**

**Development shall not begin on either the demolition or construction until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with 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 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.**

**7 Arboricultural Method Statement / Tree Protection Plan**

**Development shall not begin on either the demolition or construction until an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) must be submitted and approved by the Local Planning Authority and the development shall be carried out in accordance with the AMS. The AMS/TPP should include information to ensure minimal impacts to retained trees from demolition and construction activities.**

**Reason To safeguard the character and amenity of the area and to ensure that the development conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.**

**Other Stage Conditions**

**8 Flues etc details**

**With the exception of any site clearance and groundwork, no further development shall take place until details of the size, position, type and colour of exterior soil and vent pipes, waste pipes, rainwater goods, boiler flues and ventilation terminals, meter boxes, exterior cabling and electrical fittings shall be submitted to and approved in**

writing by the Local Planning Authority before the commencement of the relevant section of works. The 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.

## **9 Materials**

With the exception of any site clearance and groundwork, no further development shall take place until details have been submitted to and approved in writing by the local planning authority of samples of materials to be used for the stone proposed for boundary walls, sample of the lime mortar and a sample panel to be approved prior to commencing construction of the boundary walls.

- Samples of the proposed bricks, mortar and sample panels of brickwork to be approved prior to commencing brickwork and retained on site throughout the build period.
- A sample panel of the textured render with colour to be approved prior to commencing any rendering.
- A sample roof tile to be submitted and approved prior to commencing any roof coverings.

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 Polies SD1, of the Herefordshire Local Plan – Core Strategy, and the National Planning Policy Framework.

### **Prior to Occupation**

## **10 Barrier Control System – Installation and Retention (Pre-Occupation & Permanent Retention)**

Prior to the first use of the development, full details of the entry barrier system serving the Venns Lane access— including its specification, method of operation (e.g. automatic detection), fail-safe procedures, and long-term management arrangements— shall be submitted to and approved in writing by the Local Planning Authority. The barrier system shall be installed in accordance with the approved details prior to first use of the development and shall thereafter be retained, operated, and maintained for the lifetime of the development to ensure the access functions as “in-only” as assessed.

**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.

## **11 Hard and soft Landscaping**

With the exception of site clearance and groundwork, no further development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.

**These details shall include:**

- a) A plan showing existing and proposed finished levels or contours;
- b) A drawing detailing hard surfacing materials;
- c) All proposed planting, accompanied by a written specification setting out species, size, quantity, density and cultivation details;

**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.

## **12 Landscape Management**

**Prior to occupation of the development hereby permitted, a schedule of landscape management and maintenance for a period of 10 years shall be submitted to and approved in writing by the local planning authority. Maintenance shall be carried out in accordance with this approved schedule.**

**Reason:** To ensure the future establishment of the approved scheme, in order to conform with Policies SS6, LD1 and LD3 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

## **13 Ecology**

**Prior to first occupation of the care facility hereby approved, evidence such as photographs or ecologists report should be supplied to, and acknowledged by, the local authority of the appropriately located of the species enhancements as specified in section 4.3 of the ecology report by Aware Ecology dated 29/04/2025. The installed features shall hereafter be maintained as approved.**

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

## **14 Travel Plan**

**Prior to the first occupation/use of the development hereby approved, a Travel Plan which contains measures to promote alternative sustainable means of transport for staff and visitors with respect to the development hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority. The Travel Plan shall be implemented, in accordance with the approved details, on the first occupation of the development. A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.**

**Reason:** In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

## **15 Secure covered cycle parking provision**

**Prior to the first occupation of the development hereby permitted full details of a scheme for the provision of covered and secure cycle parking facilities within the**

curtilage of the building shall be submitted to the Local Planning Authority for their written approval. The covered and secure cycle parking facilities shall be carried out in strict 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 with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

## 16 Lighting

Details of any external lighting proposed to illuminate the development] shall be submitted to and approved in writing by the local planning authority before the building is occupied]. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

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

## Compliance

### 17 Tree protection

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents:

Arboricultural Impact Assessment (AIA)  
(Haydons Arboricultural Consultants Ltd\_11445/DC/BM\_REA\_16.01.25).

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.

### 18 Foul Water

All foul water flows from the development permitted under this permission shall discharge to the local mains sewer system managed by Welsh Water through their Eign (Hereford) Waste Water Treatment Works. The foul water system shall hereafter be managed and maintained as approved.

Reason: In order to ensure there are no effects on the River Wye SAC (SSSI) 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), Environment Act 2021 and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.

### 19 Surface Water

No surface water flows from the development permitted under this permission shall discharge to the local mains sewer or combined sewer network.

Reason: In order to ensure there are no effects on the River Wye SAC (SSSI) 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), Environment Act 2021; and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4.**

**20 Solar**

**Within six months of any of the solar panels/photovoltaic 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.**

**21 External lighting**

**Any external lighting provided as part of the permitted development shall only comprise of LED down-lighters with a Corrected Colour Temperature not exceeding 2700K. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio. 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.**

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

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.
4. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body Neither does this permission negate or override any private covenants which may affect the land.
5. In connection with Condition 14 the applicant is advised that the annual Travel Plan Review must include a survey of staff/resident travel patterns and attitudes to travel. (For businesses employing less than 50 people and for residential developments of less than 50 units, a travel survey will only be required every two years). For residential developments, the review should also include traffic counts and an assessment of trips by mode. Applicants are encouraged to conduct their own monitoring and review process. However, they may choose to engage outside consultants to manage the process on their behalf. Council officers can also provide monitoring services for Travel Plan reviews and for this a request should be made to the Sustainable Transport Officer, Herefordshire Council Transportation Unit, PO Box 236, Plough Lane, Hereford, HR4 0WZ.
6. It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
7. All applicants are reminded that attaining planning consent does not constitute permission to work in the highway. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website: [www.herefordshire.gov.uk/directory\\_record/1992/street\\_works\\_licence](http://www.herefordshire.gov.uk/directory_record/1992/street_works_licence)  
<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>
8. In connection with the Travel Plan condition the applicant is advised that advice on its formulation and content can be obtained from the Sustainable Travel Officer, Herefordshire Council Transportation Unit, Plough Lane, Hereford HR4 0SE.

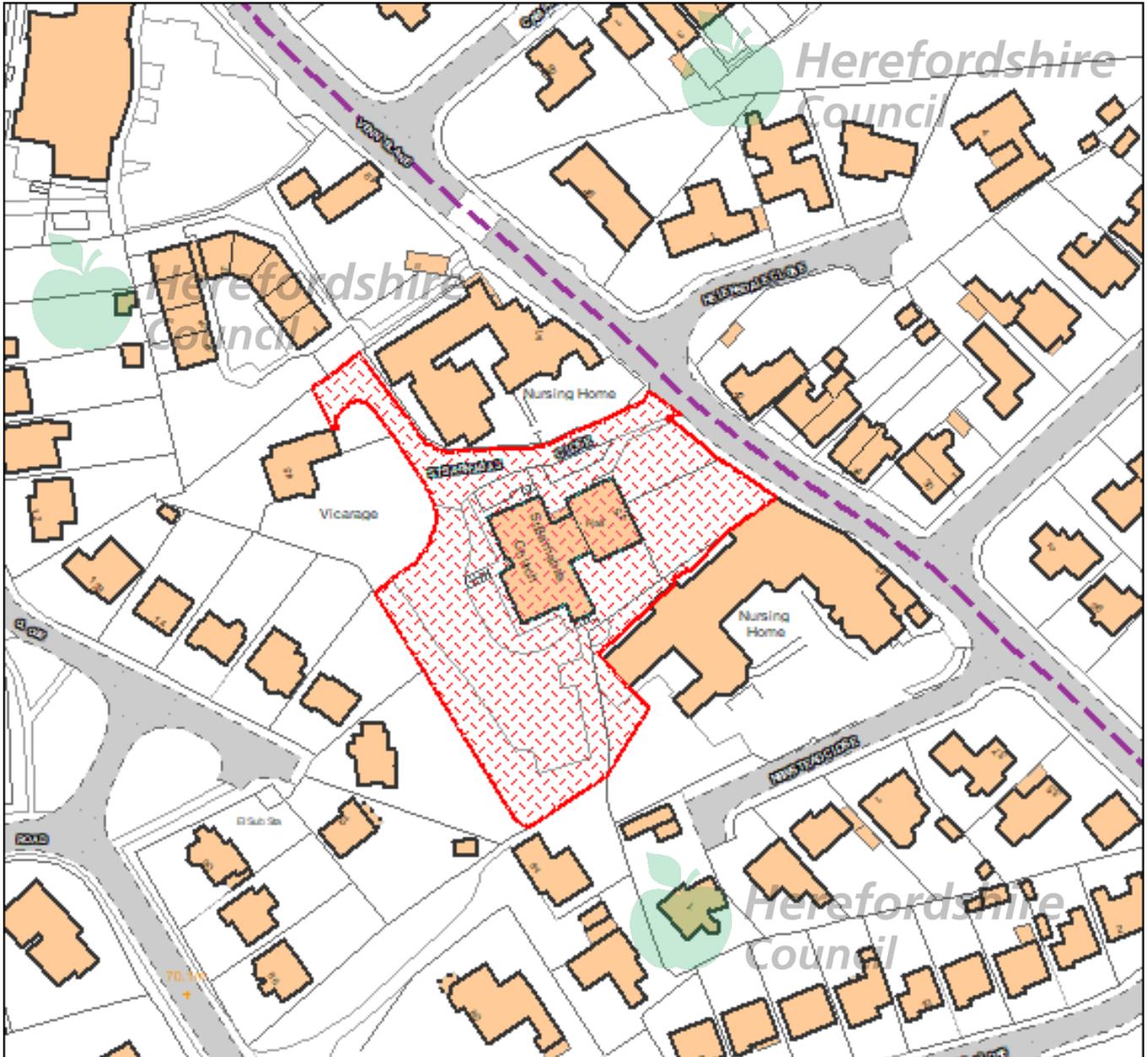
Decision: .....

Notes: .....

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**Background Papers**

None identified.



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**APPLICATION NO:** 251696

**SITE ADDRESS :** ST BARNABAS CHURCH, ST BARNABAS CLOSE, HEREFORD, HEREFORDSHIRE, HR1 1DT

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