

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	25 FEBRUARY 2026
TITLE OF REPORT:	251998 - PROPOSED CONSTRUCTION OF SEVEN HOUSES AND ASSOCIATED LANDSCAPING AT LAND AT REAR OF MORTIMER COURT, BRIMFIELD, LUDLOW, HEREFORDSHIRE, SY8 4NQ For: Mr Yarnold per Mr Mark Yarnold, Hursley Farm, Bannals Lane, Stoke Bliss, Tenbury Wells, WR15 8RZ
WEBSITE LINK:	Planning Application Details - Herefordshire Council
Reason Application submitted to Committee – Re-direction	

Date Received: 9 July 2025

Ward: Leominster
North & Rural

Grid Ref: 352250,268035

Expiry Date: 10 September 2025

Local Member: Cllr John Stone

1.0 SITE DESCRIPTION

1.1 The application site is a vacant parcel of land accessed from Wyson Lane, Wyson – which forms part of the recognised built-up area of Brimfield. It lies approximately 5-miles south of Ludlow, 7½-miles north of Leominster, and around 100-metres south of Herefordshire’s boundary with Shropshire. The site sits immediately adjacent to existing residential development on Wyson Lane, Wyson Avenue and Mortimer Court as well as the recently completed ‘The Coppice’ (210373/F refers) which is situated to the east. The immediate vicinity of the site is characterised by two-storey dwellings of traditional brick construction. The access serving the site and Mortimer Court is private (i.e unadopted) and has recently been subject to maintenance and visibility improvements. The majority of the site is not within a flood zone, although Wyson Lane and therefore the southernmost part of the site (as outlined by the red-line) is within Flood Zone 2. There are no listed buildings in the immediate vicinity.

1.2 The site is located within the catchment of the River Teme which is designated as SSSI, and is hydrologically linked to the River Clun SAC upstream.

2.0 PROPOSAL

2.1 The application seeks planning permission for the erection of seven dwellings, comprising a terrace of three units and a terrace of four units. The proposed development would provide three 3-bedroom dwellings and four 2-bedroom dwellings. The layout has been designed to respond to the linear form of the site, with the northern row of dwellings aligned with the existing properties

adjoining the site at 'The Coppice', and the southern row positioned perpendicular to these, aligned with Wyson Avenue. The dwellings would be two storeys in height and finished in a multi-brick façade with grey tiled roofs, incorporating photovoltaic panels. Each dwelling would benefit from a porch, two dedicated parking spaces, and private garden areas. The submitted plan indicates that access to the remainder of the field to the north would be retained.

The proposals also include the widening of the access to a width of 4.8 metres for the first 10 metres from its junction with Wyson Lane.

Surface water would be dealt with by way of soakaways within the individual plots.

3.0 PLANNING POLICY

3.1 Herefordshire Local Plan – Core Strategy

- SS1 Presumption in favour of sustainable development
- SS2 Delivering new homes
- SS3 Releasing land for residential development
- SS4 Movement and transportation
- SS6 Environmental quality and local distinctiveness
- SS7 Addressing climate change
- RA1 Rural housing distribution
- RA2 Housing Outside Hereford and the market towns
- RA3 Herefordshire's countryside
- H1 Affordable housing – thresholds and targets
- H3 Ensuring an appropriate range of mix and housing
- OS1 Requirement for open space, sport and recreation
- OS2 Meeting open space, sport and recreation needs
- MT1 Traffic management, highway safety and promoting active travel
- LD1 Landscape and townscape
- LD2 Biodiversity and geodiversity
- LD3 Green infrastructure
- LD4 Historic environment and heritage assets
- SD1 Sustainable design and energy efficiency
- SD3 Sustainable water management and water resources
- SD4 Waste water treatment and river water quality

3.2 Brimfield and Little Hereford Neighbourhood Development Plan

- BLH1 New housing within the Brimfield settlement boundary
- BLH2 New housing development
- BLH3 Housing to meet local needs
- BLH4 Ensuring an appropriate range of tenures, types and sizes of houses
- BLH8 Building design principles
- BLH9 Landscape design principles
- BLH12 Water management
- BLH13 Criteria for assessing the suitability of future potential development sites
- BLH15 Design for flood resilience and resistance
- BLH16 Design to reduce surface water run off

3.3 National Planning Policy Framework

- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 6. Building a strong, competitive economy

Chapter 8. Promoting healthy and safe communities
 Chapter 9. Promoting sustainable transport
 Chapter 10. Supporting high quality communications
 Chapter 12. Achieving well-designed 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

4.0 PLANNING HISTORY

4.1 None relevant

5.0 CONSULTATION SUMMARY

Statutory Consultees

5.1 Severn Trent – no response.

5.2 Dwr Cymru Welsh Water – comment;

5.2.1 11/8/25 - This is not a DCWW operational area for sewerage, please consult Severn Trent.

Capacity is currently available in the water supply system to accommodate the development. We reserve the right however to reassess our position as part of the formal application for the provision of new water mains under Section 41 and Section 51 of the Water Industry Act (1991) to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon our water systems change continually. 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.

Herefordshire Council consultations

5.3 Area Engineer (Local Highways Authority) – comment;

5.3.1 27/11/25 - While we continue to consider the site suboptimal from a highways perspective, we acknowledge the proposed widening of the access to 4.8 metres for the first 10 metres, which will facilitate two-way vehicle movements and is therefore welcomed. Beyond this initial section, the lane remains narrow, and although we recognise that there is some inter-visibility and opportunities for passing, these constraints continue to raise concern. It should also be noted that, due to the lane's width and overall characteristics, it would not be suitable for adoption by the LHA.

In principle, a reduced number of dwellings would lessen the likelihood of vehicle conflict along the narrower sections of the lane. However, despite these reservations, the LHA does not wish to raise a formal objection to the current proposal. The comments above are provided to highlight the limitations of the access and the associated impact of development at this scale.

5.3.2 13/8/25 - Thank you for consulting the Local Highway Authority on the full planning application for the construction of 7 dwellings at land to the rear of Mortimer Court, Brimfield. The LHA has reviewed the submitted plans and supporting information and provides the following comments:

Planning History

The LHA notes that a pre-application enquiry (Ref: 250676) was submitted earlier this year for the development of 2 pairs of semi-detached dwellings (4 units) on this site. Our advice at that stage highlighted concerns regarding the narrow initial section of Wyson Lane and recommended widening the first 10 metres to 4.8 metres to accommodate two-way vehicle movements. We also

noted that a smaller quantum of development would better align with the site's constrained access arrangements.

The proposal was subsequently revised at the top-up stage to 7 dwellings. While visibility improvements were made, concerns remained regarding intensification of use along a narrow private access and the potential for conflict between vehicles, pedestrians, and cyclists.

Access and Internal Layout

The LHA welcomes that the current full application includes widening of the access to 4.8 metres for the first 10 metres from Wyson Lane, as previously recommended. This improvement will assist vehicle movements at the junction with the public highway.

However, the site will be served by a private access road of approximately 130 metres in length. Although there is some inter-visibility between each end of the access, the route does not meet the minimum carriageway widths for shared surfaces set out in the Herefordshire Design Guide for New Developments.

Seven dwellings will generate a greater number of trips and increase the likelihood of conflict between opposing vehicles on this constrained section of road. While 4 dwellings would also not fully comply with our Design Guide, a reduced number of units would lessen the probability of vehicle conflicts and improve overall operation. The shared use of the access by vehicles, pedestrians, and cyclists without segregation also introduces further potential for conflict.

Waste Collection

It is understood that a private refuse vehicle will be used for waste collection. This arrangement should be secured through the planning process to ensure waste is managed without adverse impacts on the public highway.

Conclusion and Recommendation

Whilst the LHA is not objecting at this stage, our preference remains for a reduced quantum of development—ideally 4 dwellings—given the site's access constraints.

We therefore request that the applicant gives consideration to reducing the number of dwellings to improve compliance with the Design Guide and enhance safety for all users.

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:

5.4 HC Natural Environment Service (Ecology) – comment; -

- 5.4.1 12/9/25 - The application site is located within the Teme catchment. The River Teme SSSI is currently in unfavourable condition as assessed by Natural England, including due to excess of nutrients. This unfavourable condition potentially has an effect on salmon species populations that are intrinsically linked to the freshwater pearl mussel that is a notified feature species of the River Clun SAC that forms part of the catchment of the Teme linked by the two rivers confluence at Leintwardine. The LPA needs to ensure developments do not contribute further to this unfavourable condition or would hinder improvements away from unfavourable status. In this specific case nutrient flows/pathways are the considered effect.

The application is for the proposed construction of seven houses and associated landscaping. The water management strategy confirms that foul water would drain from the proposed houses into the existing mains sewer located in the existing access road owned by the applicant. Mains sewer is considered as the best available option to ensure foul water management with minimal effect from nutrient pathways. Confirmation that these additional flows can be accommodated by Severn Trent is required before the application can be screened out.

Regarding surface water, the water management strategy advises that all additional surface water flows can be managed by soakaway SuDS – with no surface water being discharged directly from site or to the local mains sewer system. With SuDS confirmed there are no identified nutrient or pollutant pathways from the proposed development.

Ecology

No ecology report has been submitted. However, from reviewing the photographs provided in the biodiversity metric, it is unlikely the development (primarily modified grassland) will support protected species. Impacts to nesting birds in patches of scrub habitat can be mitigated through appropriate planning conditions.

Biodiversity Net Gain

The biodiversity metric has been reviewed. The applicant has confirmed they will seek to secure 10% net gain off-site via a third-party provider. This arrangement will need to be secured for implementation and management through the statutory biodiversity gain condition.

Recommended Conditions

Vegetation Clearance

No vegetation clearance, including the removal of scrub, shall take place until a suitably qualified ecologist has been appointed by the developer. Vegetation clearance shall thereafter be undertaken under the direct supervision of the appointed ecologist. The supervising ecologist shall be present during all clearance works to ensure that protected species are not harmed, and any necessary contingency measures shall be implemented as advised.

Reason: 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.

Swift Boxes

Prior to first use of any part of the development works approved under this planning decision notice, photographic evidence of the suitably placed installation on the approved buildings, of a minimum total of three integrated swift nesting boxes should be supplied to and acknowledged by the Local Planning Authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the Local Planning Authority. Swift boxes should be installed under supervision of a qualified ecologist to ensure they are installed at a suitable elevation and direction.

Reason: 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.

Wildlife 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) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special "high status protected species" such as all bats, great crested newts, otters, dormice, and crayfish that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works, then all works should stop and the site made safe until professional ecology advice is sought.

5.5 HC Waste & Recycling – object

- 5.5.1 13/11/25 - Having received further updated plans I can confirm that the plans show that our standard refuse collection vehicle would not be able to collect from these properties.

It is proposed that residents of this development will use a private waste collection service. Consequently, Herefordshire Council will not supply waste containers to households that do not receive waste collections from the local authority. Additionally, we anticipate considerable difficulty in sourcing a private waste collection company that can provide a vehicle meeting the specified transit van size requirements.

- 5.5.2 10/9/25 - The standard refuse collection vehicle (RCV) used in Herefordshire is 26 tonnes. All roads and turning heads where it is proposed the RCV will travel must be constructed to adoptable standards. If the vehicle is unable to enter the development, a bin collection point area should be constructed on the junction between the development and the access road.

Bin collection points (areas of hardstanding where residents can place their bins for collection) should be provided for any plot located over a 25 metre walking distance from where the RCV can safely access. These should be an area of hardstanding that is large enough to position the required number of containers.

Herefordshire Council has plans to introduce both a fortnightly garden waste and a weekly food waste collection service, with the likelihood being two bins per property may need to be presented on the same day. All bin collection points should be sized to offer each property that has use of the collection point 1.16M of space to allow them to place two bins for collection.

- 5.6 Land Drainage Team / Lead Local Flood Authority – comment;

- 5.6.1 2/2/26 - We have reviewed the amended plan which show the revised location of the soakaways for the above site and can confirm that this is acceptable.

- 5.6.2 8/1/26 – Surface water drainage strategy proposals - This is not really something we deem acceptable - Plots 1-4 would have a combined rainwater soakaway located under the private access road.

Whilst it is said there plots will be rented and the soakaway will be under one ownership, this may not be for the lifetime of the development and also the proposed location in the access road means future management and maintenance is difficult. This area is likely to be subject to frequent loadings which is a risk to the soakaway. Each property should be served by its own soakaway. Alternatively, a shared infiltration basin would be more accepted. It may mean losing a property, however SuDS should be considered now when designing a development.

Within the submitted Flood Risk Assessment for the above site, the quoted flood level for a 1 in 100 year plus climate change event of 71.15 mAOD, which was used for a 2014 planning application can no longer be deemed as reliable. However, Land Drainage consider that safe access from the site, to the east along Wyson Lane, is most likely to be viable based on our knowledge of historic flood events and how they affect the community. We make this statement based on flood extents observed during 2007 at this location, which were the highest ever recorded and subsequent community engagement which took place.

Other consultees

- 5.7 Shropshire Council (neighbouring Local Planning Authority) – comment;

- 5.7.1 16/1/25 - I can confirm that Shropshire Council raises no objection to the proposed scheme and requests that you determine the application in accordance with adopted national and local planning policies.

6.0 REPRESENTATIONS

- 6.1 Brimfield and Little Hereford Parish Council – object;

11/8/25 - The Parish Council object to this application for the following reasons:

1. Inadequate Access and Road Safety Concerns

Access to the site via Wyson Lane is extremely narrow and not suitable for increased vehicular traffic. The road cannot accommodate two-way traffic safely, and there is already significant on-street parking which obstructs visibility and movement. The absence of footpaths, especially at the site entrance, further endangers pedestrians. The proposed development would exacerbate these issues. This contravenes Policy MT1 (Traffic Management, Highway Safety and Promoting Active Travel), which requires developments to ensure safe access for all users and not to adversely affect the operation or safety of the highway network.

2. Insufficient On-site Parking Provision

The site is too small to adequately accommodate the number of vehicles likely to be owned by future occupants and visitors. This would force additional parking onto Wyson Lane, worsening the current situation. This again conflicts with Policy MT1, which requires development proposals to demonstrate that they will not lead to unacceptable levels of on-street parking.

3. Deteriorating Road Conditions and Construction Impact

The fabric of Wyson Lane is already in poor condition. Increased traffic — especially construction vehicles — would cause further damage and disruption. The road is not built to withstand heavy usage, and there are concerns about maintenance and safety. This raises issues under Policy SS6 (Environmental Quality and Local Distinctiveness), which requires development to respect and enhance local infrastructure and avoid creating negative environmental impacts.

4. High Flood Risk and Poor Drainage

Wyson Lane is known to flood regularly. This site lies within or close to areas affected by surface water flooding. The introduction of impermeable surfaces and further buildings could increase local flood risk. The applicant has not adequately addressed this in the proposal. This is contrary to Policy SD3 (Sustainable Water Management and Water Resources), which requires developments to avoid areas at risk of flooding, incorporate sustainable drainage systems, and demonstrate they will not increase flood risk elsewhere. Local residents continue to be concerned about overloading the existing sewerage system, which struggles to cope especially in times of high rainfall and flooding.

5. Overdevelopment and Loss of Amenity

The proposal represents overdevelopment of an already constrained site. Neighbouring properties will suffer loss of light, privacy, and open views. Some will be enclosed on all sides by new development, which would significantly diminish residential amenity. This does not comply with Policy SD1 (Sustainable Design and Energy Efficiency), which requires proposals to safeguard residential amenity for both existing and future occupants and to respect local character and setting.

6. Inaccurate Representation of Local Amenities

The application incorrectly claims that Brimfield offers a range of village amenities. In fact, the local shop and pub are currently closed, and there is no regular bus service. The supermarket referenced by the applicant is, in fact, a convenience store in the local petrol station. Due to these inaccuracies, the applicant asserts that residents of the proposed development would not require a car. The lack of accessible services significantly increases car dependency. This is at odds with Policy RA2 (Housing in Settlements Outside Hereford and the Market Towns), which supports development in villages only where it is proportionate and where sustainable transport and services are available.

7. Potential Land Contamination

We have been informed by residents that the site was formerly used as a local rubbish tip. No investigation into potential land contamination has been provided. This raises health and safety concerns. This conflicts with Policy SD1 and Policy SS6, which require developers to address risks from contamination and ensure that development does not harm health or environmental quality.

8. Ecological Concerns

Residents have reported regular sightings of wildlife on this site. No ecological survey has been provided. This development may negatively affect local biodiversity. This is contrary to Policy LD2 (Biodiversity and Geodiversity), which requires development to conserve, restore, and enhance biodiversity assets and ensure that protected species and habitats are not harmed.

Given the volume and severity of the concerns raised, and the clear policy conflicts, the Parish Council formally requests that this application be determined by the Planning Committee.

6.2 12 representations have been received raising objections to the proposal. It is noted that a number of these are from the same individuals submitting multiple responses. The comments can be summarised as follows; -

- There is no right of way to the site from the A49(T) to the north and therefore access via Alma House/Rose Cottage would be trespass.
- Access concerns include the width being too narrow for HGVs and not wide enough to accommodate a footway.
- The width of the road and passing places is not sufficient to allow vehicles to pass safely.
- Wyson Lane is already congested with parked vehicles on both sides.
- There would be an impact of increased traffic on neighbouring properties both during construction and once occupied.
- There are concerns regarding HGVs using the access.
- A speed limit of 10mph is suggested.
- The site is a natural habitat and would be destroyed.
- The site was previously used as a rubbish tip, so there is concern about contamination impacts.
- Additional surface water would likely exacerbate existing flooding issues, including those associated with the Brimfield Brook.
- The application fails to apply the sequential test with respect to flooding as set out in the Core Strategy and the NPPF.
- The sewerage system would not be able to cope.
- Drainage covers on the private road have already started to sink.
- The provision of utilities without disruption is a concern.
- There is overdevelopment of an already constrained site.
- There are overlooking concerns as it is currently a private area.
- HGVs would be able to overlook neighbouring properties.
- Development could decrease the value of neighbouring properties.
- Recently built houses are not currently being lived in.
- Appropriate landscaping between Mortimer Court garages and the proposed dwellings would be welcomed.
- Obscured landing window.
- There are no public amenities such as a school, GP surgery, buses, shops or public houses.
- The site is part of the green belt.

6.3 5no. representations received in support. The comments can be summarised as follows;

- There has been a recent surge of private landlords selling up, which has adversely impacted the supply of rental properties.
- Rental properties are now oversubscribed, and there are no rental properties available in Brimfield or nearby.
- These are the types of dwellings that should be delivered.
- The applicant has delivered a successful build-to-rent scheme in Craven Arms which has been successful and supported the community.
- A similar successful scheme has been delivered in Bromyard.
- This proposal would help support the local economy.

- Brimfield is very well connected.

6.4 4no. representations received neither in objection or support. The comments can be summarised as follows;

- There are concerns regarding HGVs using the access.
- Swifts are in trouble and therefore swift nest bricks should be included.
- A speed limit of 10mph is suggested.
- Drainage covers on the private road have already started to sink.
- Provision of utilities without disruption is a concern.
- Appropriate landscaping between Mortimer Court garages and the proposed dwellings would be welcomed.
- An obscured landing window in the new dwelling would be preferred.

The full comments are accessible via the Herefordshire Council Planning Register.

7.0 OFFICER APPRAISAL

Principle of development

- 7.1 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.”
- 7.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy and the Brimfield and Little Hereford Neighbourhood Development Plan (NDP). The National Planning Policy Framework (NPPF) is also a significant material consideration.
- 7.3 The Council is currently unable to demonstrate a five-year supply of deliverable housing land, meaning the most important policies for determining this application are out-of-date for the purposes of paragraph 11(d) of the NPPF. As a result, the presumption in favour of sustainable development (‘the tilted balance’) applies, such that planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as a whole.
- 7.4 Furthermore, the Brimfield and Little Hereford NDP is now more than five years old, and as such its housing policies do not benefit from the protection set out in paragraph 14 of the NPPF. The settlement boundary therefore continues to form part of the development plan, but carries reduced weight, and cannot be determinative in the context of the acknowledged housing land supply deficit.
- 7.5 The Brimfield and Little Hereford NDP at Policy BLH1 defines a settlement boundary for Brimfield and supports new housing only within it, subject to it meeting set out criteria. Land outside the defined boundary is considered therefore such where new market housing would not be supported and falls to be considered as open countryside.
- 7.6 Several representations assert that the site forms part of the Green Belt. For clarity, no land within Herefordshire or within reasonable distance within neighbouring Local Planning Authority areas, is designated as Green Belt, and therefore Green Belt policy is not applicable.
- 7.7 Although the site (excluding the access route) lies outside of the settlement boundary identified in the Brimfield and Little Hereford NDP and therefore falls within open countryside for the purposes of Core Strategy Policy RA3, it is noted that the land directly adjoins the main built-up part of Brimfield (western extent of the settlement boundary area which comprises the historically distinct settlement of Wyson).

- 7.8 Physically and functionally, however, the site forms a clear continuation of the existing edge of the built area. Its relationship to surrounding development means it does not read as an isolated countryside location, but rather as a parcel of land that is well-contained, visually integrated and contiguous with the established structure of the settlement. This is especially the case with development extending further north than the site to either side of the site at Wyson Avenue to the west and Coppice Drive to the west.
- 7.9 With the above in mind, Policy BLH1 supports new housing in Brimfield where it is well related to the existing village in terms of accessibility, and Core Strategy Policy RA2 anticipates that proportionate growth in rural settlements would normally be located within or adjacent to named /identified villages, and paragraph 83 of the NPPF supports expansion of rural communities where it would enhance or maintain settlement vitality. In this case, the site's position directly next to the built form ensures that new development would consolidate the existing pattern of housing and would represent a logical, proportionate and environmentally coherent extension to Brimfield.
- 7.10 In this case, Brimfield (together with Wyson and Woofferton) accommodates a range of day-to-day services, public house, parish halls, places of worship, and limited local retail/take-away provision, together with bus connections to Ludlow, Tenbury Wells and Leominster. These are accessible on foot or by cycle from the site. In this regard, whilst it is accepted that it lacks some other services that would be expected of a settlement of this size (i.e GP, schools and more frequent bus service) the site does occupy a sustainable location when judged against the NPPF's objective of supporting housing in rural settlements where it would enhance or maintain their vitality, reduce the need to travel, and make effective use of and bolster local service provision. The accessibility profile is therefore consistent with the expectations of RA2 and the rural sustainability objectives of the NPPF.
- 7.11 Similarly, the level of growth proposed is considered commensurate with the scale of Brimfield. Although the scheme would come forward as windfall development rather than an allocated site, it remains of a modest scale that would not undermine or place undue pressure on local facilities. Accordingly, it would not be of such magnitude as to compromise community cohesion or well-being, and is consistent with the expectation in both the Core Strategy and NPPF that rural settlements accommodate proportionate growth.
- 7.12 Accordingly, while the proposal does give rise to a degree of tension with the NDP by virtue of being located outside the defined settlement boundary, the site's physical relationship with the village, its sustainable location and its modest, proportionate scale mean that there is no in-principle policy objection to residential development in this location. Any conflict with Policy BLH1 is therefore limited, and materially reduced by the diminished weight attached to the settlement boundary in the absence of a five-year housing land supply.

Siting, design and landscape and visual impact

- 7.13 The application site forms part of a long, rectilinear parcel of land laid to grass and which sits to the rear of the existing development at Mortimer Court. It is bound to the west by the rear of residential development on Wyson Avenue, as well as land associated with 'Homefield' to the east and new dwellings at 'The Coppice' to the northwest. The site is level and offers views to the north towards the A49(T).
- 7.14 Policy SD1 of the Core Strategy states that development proposals should create safe, sustainable and well integrated environments that among other things, make efficient use of land taking into account the local context / site characteristics and maintain local distinctiveness through incorporating local architectural detailing, and materials respecting scale, height proportions and massing of surrounding development.

- 7.15 Policy BLH8 of the Brimfield and Little Hereford NDP also expects development to reinforce local distinctiveness through scale, form, massing, materials and layout that reflect the grain of the surrounding area. It requires high-quality, well-integrated design, avoidance of harm to wider landscape views, use of traditional local materials, and sensitive treatment of farmsteads and extensions
- 7.16 With respect to the landscape more specifically, Policy LD1 of the Core Strategy requires development to conserve and enhance the landscape and townscape of Herefordshire, ensuring proposals positively respond to local character, settlement pattern and important views. Schemes must demonstrate that design, layout and landscaping are informed by local distinctiveness, protect or reinforce existing landscape features, and appropriately integrate green infrastructure
- 7.17 Policy BLH9 of the Brimfield and Little Hereford NDP protects key local views (although none relevant to the application site) and requires development to preserve or enhance village and rural character, safeguard habitats, and protect mature trees and hedgerows. Proposals must incorporate native species planting, consider archaeological interests, and integrate sustainable drainage systems into the landscape.
- 7.18 The NPPF reinforces these local design and landscape expectations. It confirms that the creation of high-quality and sustainable places is a fundamental objective and requires development to be sympathetic to local character and history, including the surrounding built form and landscape setting.
- 7.19 In landscape terms, the NPPF at paragraph 187 requires decisions to recognise the intrinsic character and beauty of the countryside and green infrastructure networks.
- 7.20 In terms of layout, the proposal responds appropriately to the shape and constraints of the site. Two rectilinear blocks of terraced dwellings are proposed: the southern block of four units aligned north-south to reflect the orientation of Wyson Avenue, and the northern block aligned with the existing dwellings at 'The Coppice'. This arrangement is considered to make effective use of the land whilst allowing suitable space for parking, turning and amenity areas, notwithstanding that private garden space is somewhat limited. Overall, the density is comparable to the surroundings, and in view of the backland location and containment by existing development, the scheme would not read as an intrusive extension into open countryside.
- 7.21 The design of the dwellings reflects typical local forms, with a simple two-storey scale and coherent fenestration and porch details which would provide for visual continuity. Plot 1 is dual-aspect, and the addition of a door and window on the southern gable offers a modest sense of arrival, though this is of limited wider importance given the backland context. The use of locally appropriate materials would help to contribute to local distinctiveness, and the inclusion of PV panels is a positive sustainability measure.
- 7.22 Landscaping details (both private and shared) can similarly be secured by Condition 7. There is scope for additional soft planting to the south of the site and adjacent to the Mortimer Court parking area, which would help filter views, soften the visual transition between the two areas of built form and maintain the generally rural character of the wider setting.
- 7.23 For these reasons, the proposal is not considered likely to result in any significant visual harm. Impacts would be most noteworthy from the nearest residential properties, but given the site's position between two areas of existing development, these effects are judged to be limited. There would be some filtered views from the A49(T) and open countryside to the north, although these would be read against existing built form which already extends further north than the proposal. Shropshire Council has been consulted due to the cross-boundary viewpoints but has raised no specific concerns and there are no sensitive receptors or landscape designations.

- 7.24 Accordingly, the proposal is not considered to result in any unacceptable visual or landscape harm, and overall it is judged to comply with the requirements of Core Strategy Policies SD1 and LD1, Policies BLH8 and BLH9 of the Brimfield and Little Hereford NDP, and the relevant principles of the NPPF.

Housing mix

- 7.25 The applicant has indicated that the dwellings are intended for market rent; however, for planning purposes they must be treated as unrestricted market housing, with no planning mechanism to control tenure.
- 7.26 The scheme proposes 5 no. 2-bedroom dwellings and two 3no.-bedroom dwellings. The 2021 Herefordshire Housing Market Area Needs Assessment (HMANA) sets out the indicative market-housing mix for the Leominster Rural Housing Market Area (HMA), showing a guideline of 25% 2-bed units, 50% 3-bed units, and 20% 4-bed+ units.
- 7.27 The proposed mix clearly provides a higher proportion of 2-bed homes and a lower proportion of 3- and 4-bed homes than the HMANA guideline. However, the HMANA also emphasises that mix recommendations are not prescriptive but serve as guidance, rural Herefordshire has a strong existing stock of larger (3-4+ bed) properties, and increasing the supply of smaller market homes can help improve affordability and rebalance local stock.
- 7.28 In this context and noting the modest scale of the scheme, the provision of predominantly 2-bed and 3-bed dwellings is considered to make a useful contribution to diversifying the local housing stock, particularly noting the Council's overall persisting deficit, and in a rural area where smaller, more affordable market homes are under-represented.
- 7.29 Overall, the proposed mix is judged to be acceptable, and consistent with the aims of Core Strategy Policy H3 and Brimfield and Little Hereford NDP Policy BLH4, which seeks to ensure that new housing development delivers an appropriate range of sizes to support mixed and balanced communities.

Access and highway safety

- 7.30 Core Strategy Policy MT1 requires all development proposals to demonstrate that safe and suitable access can be achieved for all users, that the residual cumulative impact on the highway network is not severe, and that developments incorporate appropriate measures to promote walking, cycling and public transport use. This includes ensuring adequate visibility, turning and manoeuvring space, and that proposals do not compromise the safe operation of the surrounding highway network.
- 7.31 The NPPF also requires that development proposals provide safe and suitable access for all users, give priority to pedestrians and cyclists and ensure that significant impacts on the transport network can be mitigated to an acceptable degree.
- 7.32 Importantly, paragraph 116 makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or if the residual cumulative impacts would be severe.
- 7.33 In this case, it is recognised that the application has generated concerns from local residents in response to the consultation. These are summarised at Paragraph 6.2 and include issues such as the narrow width of the access, insufficient passing places, existing congestion on Wyson Lane, the suitability of the route for HGVs, the lack of space for a footway, and the potential safety impacts of increased traffic both during construction and once the development is occupied.

- 7.34 The proposed development would be served from extending the existing private access taken from Wyson Lane, which serves Mortimer House and No.1-4 Mortimer Court. To clarify at this stage, some representations refer to a perceived access route from the A49(T) via neighbouring land to the northeast; however, no such access is proposed or relied upon by the application. The development would be served solely from Wyson Lane via the existing private access, and therefore the matter of third-party access rights is not considered relevant.
- 7.35 As part of the scheme and as set out within the submitted Technical Note, it is proposed to widen the first 10-metres of the private road, from its junction with Wyson Lane, to 4.8-metres in width. This would enable two-way car movements at the junction with Wyson Lane. Swept path analysis has been submitted, and visibility improvements can be secured via Condition 8, while the access widening is secured by Condition 4.
- 7.36 The additional traffic generated by seven dwellings is forecast to amount to one trip every 8 to 10 minutes during peak hours, representing a 'low-flow' environment. Manual for Streets (MfS) guidance acknowledges that shared-surface roads can operate safely at traffic volumes in excess of those associated with the proposal, and that intermittent narrowing and widening on such roads (such as is the case in Wyson Lane) can assist naturally in speed moderation. The same applies for parked cars, naturally serving to slow down traffic.
- 7.37 Furthermore, the access arrangements have been the subject of detailed technical assessment, including an independent Stage 1 Road Safety Audit (RSA). The RSA identified three issues, which have been capable of resolution. The Designer's Response details these, and provides appropriate mitigation, including vegetation management, confirmation of visibility splays, and verified inter-visibility distances exceeding the requirements for the recorded vehicle speeds in this location (as per the survey undertaken). These measures were confirmed by the independent auditors as being acceptable and properly addressing all safety matters. These measures were confirmed by the independent auditors as acceptable and are secured through Condition 4 (access widening), Condition 8 (visibility splays), and Condition 6 (access surfacing and drainage scheme).
- 7.38 The Local Highway Authority has reviewed the submission, including the RSA and the audit teams subsequent acceptance of the designers response. While they authority acknowledges that the access may not seem ideal and express reservations regarding the narrower sections of the private road, it also confirms that the design, with the access widened to 4.8-metres for the first 10-metres would facilitate two-way movement where it is most important (i.e close to the junction with the local highway – Wyson Lane). They ultimately raises no objection to the development and the LHA's formal position is that the proposal should not be refused on highway
- 7.39 It is acknowledged that no dedicated footway is proposed along the private access road due to its limited width. However, this arrangement reflects the existing character of Wyson Lane and much of Brimfield more generally, where shared-surface environments without formal pedestrian segregation are typical. Given the forecast low vehicle flows associated with seven dwellings, the naturally low traffic speeds, and the short length of the access, it is considered that safe pedestrian movement can reasonably be achieved. In this context, and taking account of the accessibility of services and amenities within the village, the absence of a footway would not give rise to an unacceptable impact on pedestrian safety, and a shared-space arrangement is acceptable on balance
- 7.40 To address the concerns raised by local residents regarding construction traffic on the narrow access road and the proximity of Mortimer Court, a pre-commencement condition can be applied to secure a detailed Construction Management Plan - Condition 3, ensuring appropriate measures are put in place to manage vehicle movements, safeguard highway safety, and minimise disruption during the construction phase.

- 7.41 A number of representations have suggested the imposition of a 10mph speed limit along the private access road. However, the designation or enforcement of speed limits on private land lies outside the scope of the planning system and cannot be required or controlled through planning conditions. The assessment of the proposal therefore relies on an assessment of the proposal as submitted, which the Local Highways Authority considers acceptable and supported by the independent RSA.
- 7.42 As such, with the above in mind and noting the evidence submitted, there is significant comfort that the proposal would provide safe and suitable access for all users. There is no substantive evidence to demonstrate that the scheme would result in an unacceptable impact on highway safety or that residual cumulative effects would be severe in the terms, as per the test that is set out at NPPF paragraph 116. The proposal is therefore considered to accord with Policy BLH1 of the Brimfield and Little Hereford NDP (insofar as providing suitable provision for access and not impacting adversely on existing highway networks) and Policy MT1 of the Core Strategy.

Impact on residential amenity

- 7.43 Given the positioning of the two blocks of development, any direct overlooking would be avoided. For instance, the separation distances between the rear of dwellings on Wyson Lane and the principal elevation of Plots 1 to 4 would be more than what is nationally recognised as acceptable (noting that Herefordshire Council has no adopted standards), and conversely between the rear of the proposed dwellings and the rear of the recently constructed dwellings at 'The Coppice'.
- 7.44 It is accepted that the residential relationship between the site and existing neighbouring residential development would naturally change, it would change to one which is considered expected and normal in a rural settlement. Although in response to the consultation there is a request for the windows serving the landings on the gable-ends of Plots 1 and 4 to be obscurely glazed, this is not considered necessary or reasonable given the distances involved and the fact that it would not serve a habitable room as to give rise to any notable harmful relationship.
- 7.45 Concerns have been raised also with respect to impacts during construction including potential disruption from utility connections. Many of these concerns can be managed through a Construction Management Plan (Condition 3) which would need to be submitted prior to any development commencing; this would detail procedures for the construction phase as well as hours of construction. Whilst there may be some disturbances (i.e from increased HGVs), the adverse impact of this should be time-limited.
- 7.46 The dwellings would be afforded with generally acceptable levels of private amenity space given their size. Whilst Herefordshire Council have not adopted the Nationally Described Space Standards (NDSS), the internal layout is such which should afford future occupiers with acceptable standards of amenity.
- 7.47 The proposal is therefore considered to accord with the expectations of Policy SD1 of the Core Strategy, Policy BLH1 and BLH8 of the Brimfield and Little Hereford NDP, and the relevant principles as set out in the NPPF.

Ecology and impact on the River Teme SSSI and River Clun SAC

- 7.48 The application site lies adjacent to the River Teme SSSI, which forms part of the wider River Teme catchment. The River Teme is hydrologically connected to the River Clun SAC, designated for its population of Freshwater Pearl Mussel (*Margaritifera margaritifera*). Given this, and in line with the precautionary principle under the Conservation of Habitats and Species Regulations 2017, the proposal has been subject to Habitat Regulations Assessment (HRA).

- 7.49 The project in this case comprises 7 new dwellings. The Council's Ecologist has confirmed that, for the purposes of the HRA, the proposal would generate new or additional foul-water and surface water / nutrient pathways to the River Teme SSSI (and by extension, the River Clun SAC).
- 7.50 The water-management strategy confirms that foul water from the dwellings would be discharged to the mains sewer serving Wyson Lane. Mains sewer connection is regarded as the best available technique for avoiding additional nutrient pathways in this catchment. Whilst Severn Trent Water did not comment directly as a statutory consultee, the applicant has provided recent written confirmation from Severn Trent (26 September 2025) stating that the additional foul flows associated with seven dwellings can be accommodated by the existing foul sewer network with no adverse impact on capacity and that connection is acceptable subject to normal sewer-connection approval (separate consenting process).
- 7.51 It is considered that this satisfies the requirement set out by the Ecologist that confirmation of sewer capacity be obtained before the application can be screened out.
- 7.52 With regard to surface water, the drainage strategy proposes infiltration SuDS via plot-level soakaways secured via Condition 14, with no surface-water discharge to the mains sewer or watercourse. The LLFA has also confirmed in that management of surface water is achievable on-site in this regard. As such, no nutrient / pollutant pathway arises from surface water.
- 7.53 On this basis, it can be concluded that the development would not introduce any new foul-water or surface-water pathways to the River Teme SSSI or the River Clun SAC. As such, the proposal can be screened out at the HRA stage and is considered to give rise to no likely significant effects on either designated site in accordance with the Habitats Regulations.
- 7.54 No ecology report has been submitted; however, based on assessment of the photographs accompanying the biodiversity metric and from officer visits to the site, it is reasonable to conclude that the site comprises primarily modified grassland with limited ecological value and low likelihood of supporting protected species. It is considered that small areas of scrub offer some potential for nesting birds, and appropriate timing restrictions and/or supervised clearance can therefore be secured by Condition 5. Swift nesting enhancements are secured via Condition 12. The proposal therefore accords with Core Strategy Policies LD2 and SS6.

Biodiversity Net Gain

- 7.55 The submitted biodiversity metric has been reviewed by the Ecologist, who confirms that the applicant proposes to deliver 10% BNG off-site through the provision of third-party units. This is acceptable, subject to implementation and long-term management being secured through the statutory biodiversity gain condition and subsequent approval of a Biodiversity Gain Plan.

Flood risk and drainage

- 7.56 The application site lies to the north of the Brimfield Brook (south of Wyson Lane), a tributary of the River Teme. The Environment Agency Flood Map for Planning identifies that only the southern extremity of the red-line boundary, limited to the access and its junction with Wyson Lane, falls within Flood Zone 2; the remainder of the site lies within Flood Zone 1.
- 7.57 No part of the site is indicated as being at risk of surface water flooding, or indeed any part of Wyson Lane within immediate proximity to the site access.
- 7.58 As well as Policy BLH12 of the Brimfield and Little Hereford NDP which deals principally with development in areas with known surface-water flooding issues, Policy BLH14 states that new residential development is only acceptable in Flood Zone 1 until adequate surface-water and

waste-water measures are in place; for Flood Zone 2 it sets out additional expectations, and notes that in Flood Zone 3 residential development will be resisted.

- 7.59 As required by Core Strategy Policy SD3, the application is accompanied by a Flood Risk Assessment (FRA). The FRA concludes that the proposed dwellings are located wholly within Flood Zone 1 and would therefore be at very low fluvial flood risk across their lifetime. The element of the site within Zone 2 is confined to the existing access route, and the FRA sets out the proposed safe-access arrangements during extreme events.
- 7.60 In reviewing the applicants submission and the FRA, the Lead Local Flood Authority (LLFA) notes that the 1 in 100 year + climate change flood level (71.15m AOD) used for a previous 2014 application can no longer be considered reliable. Nevertheless, based on historic flood information from the 2007 event (the highest recorded) and subsequent engagement with the community, the LLFA considers that safe access from the site to the east along Wyson Lane is likely to be achievable.
- 7.61 Notwithstanding this reassurance, it is prudent to note that the Sequential Test (and, if required, the Exception Test) has not been undertaken. The NPPF requires that development in areas at risk of flooding is directed to areas of lowest risk through the application of the Sequential Test as prescribed at paragraphs 171-174. The absence of this assessment weighs against the proposal. However, in this instance, the weight attributed to this conflict is considered to be limited, because the proposed dwellings themselves is wholly within Flood Zone 1, the LLFA is satisfied that safe access is likely to be achieved during extreme events, and the FRA demonstrates that the proposal would not increase flood risk elsewhere for the development's lifetime in accordance with the NPPF risk-based approach.
- 7.62 In relation to surface water, the drainage strategy proposes the use of plot soakaways, reflecting the underlying ground conditions and as agreed with the LLFA, complying with Policies SD3 and BLH12.
- 7.63 Regarding foul drainage, no consultation response has been received from Severn Trent Water. However, the applicant has provided recent evidence of communication with Severn Trent indicating that the local network has sufficient capacity to accommodate the foul flows from seven dwellings. This satisfies the requirements of Core Strategy Policy SD4, subject to a standard pre-commencement condition securing detailed connection arrangements.
- 7.64 On this basis, subject to appropriate conditions securing surface-water and foul-water drainage schemes, the development is considered capable of complying with Policies SD3 and SD4 of the Core Strategy and Policy BLH1, BLH12, and BLH14 of the Brimfield and Little Hereford NDP, and, despite the absence of a formal Sequential Test would not pose an unacceptable flood risk or materially increase risk elsewhere.

Other matters

Waste management

- 7.65 As the proposed access would not be adoptable and given the distance between the dwellings and the public highway, Herefordshire Council's Waste Management Team has confirmed that the Council-operated refuse and recycling collections would not be provided to the development.
- 7.66 Whilst the absence of Council collection is not in itself determinative, the Local Planning Authority must still be satisfied that an adequate, safe and sustainable waste management solution could be secured, in the interests of residential amenity and pedestrian/highway safety.
- 7.67 The applicant has supplied an indicative quotation from a private waste collection operator and proposes that the detailed arrangements be secured by a pre-occupation planning condition.

Whilst no contract can reasonably be entered into until such a time where planning permission is granted, the absence of a confirmed arrangement does give some uncertainty as to the long-term feasibility of relying solely on private collection.

- 7.68 There are no specific development plan policies addressing refuse collection; however, Core Strategy Policy SD1 requires developments to incorporate sustainability measures, including appropriate recycling provision. In this context, it is considered that Condition 13 would provide an appropriate safeguard. The condition would require the submission of:
- the appointed private waste provider's details,
 - written confirmation of a contract for waste and recycling collection,
 - details of the management arrangements for maintaining the contract,
 - a Bin Collection Plan showing bin storage points, collection points, drag routes, gradients and accessibility,
 - contingency measures should the appointed collector withdraw or the service lapse, and
 - an information pack to be given to future residents setting out the permanent waste and recycling arrangements.
- 7.69 Requiring these details to be submitted to the Local Planning Authority and approved prior to first occupation would ensure that a workable, safe and enforceable mechanism for domestic waste collection would be in place before the dwellings are brought into use.

Contamination

- 7.70 Although there are no formal records indicating contamination constraints on, or in close proximity to, the site, public consultation indicates that the land was previously used as a rubbish tip. Whilst such comments do not constitute verified evidence of contamination, they are a material consideration, and any potential risks arising from historic land uses need to be properly assessed and, where necessary, mitigated.
- 7.71 In such circumstances, national guidance and best practice require a precautionary approach, ensuring that the site is suitable for its proposed residential use and does not pose an unacceptable risk to human health. Policy SD1 of the Core Strategy also requires development to safeguard the amenity and health of occupiers, and paragraph 196 of the NPPF requires planning decisions to ensure that a site is suitable for its proposed use, taking into account potential risks from land instability and contamination.
- 7.72 As such, given the uncertainty arising from the reported historic use, it is considered reasonable and necessary to impose a standard phased contamination condition.

Land/ property values

- 7.73 Concerns regarding potential impacts on neighbouring property values have been raised; however, such matters are not material planning considerations and cannot influence the determination of this application.

8.0 CONCLUSION

- 8.1 In accordance with paragraph 11(d) of the NPPF, the Council's lack of a five-year supply of deliverable housing land engages the presumption in favour of sustainable development. The "tilted balance" therefore applies, whereby planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.
- 8.2 The proposal raises some tension with the Brimfield and Little Hereford Neighbourhood NDP in that the site lies outside the defined settlement boundary for Brimfield and is therefore, in strict

policy terms, located in the open countryside. Whilst the scheme nevertheless performs positively against the general criteria of Policy BLH1, being well related to the existing built form, accessible and proportionate, the conflict with the settlement boundary must nevertheless be acknowledged. However, as the NDP is more than five years old and the authority cannot demonstrate a five-year housing land supply, the weight afforded to this conflict is limited.

- 8.3 The development also lies partly within Flood Zone 2 (the access only). No Sequential Test or, if required, Exception Test, has been undertaken. This is a further policy conflict and is a factor weighing against the scheme. However, the extent of the Flood Zone 2 land is small and confined solely to the existing access; with all other built development within Flood Zone 1; the LLFA is satisfied that safe access can likely be achieved during extreme events; and there is no evidence of increased off-site flood risk. For these reasons, the harm arising from the absence of the Sequential Test is attributed limited weight.
- 8.4 No other technical or environmental harms have been identified. Matters relating to ecology, surface water management, foul drainage, highway safety, biodiversity net gain, amenity and contamination can be satisfactorily addressed by planning conditions.
- 8.5 The development would deliver seven new dwellings, at a time when the authority has a significant and persistent housing land supply deficit. This carries substantial positive weight in the planning balance, consistent with the objective of significantly boosting the supply of housing across the Herefordshire Council plan area.
- 8.6 The proposal would deliver a range of smaller house types (2- and 3-bed units) in a rural Housing Market Area where such stock is currently under-represented relative to local needs evidence. This would diversify the local housing offer and contribute positively, albeit modestly to addressing identified pressures. This attracts moderate positive weight.
- 8.7 Construction activity and the subsequent occupation of the dwellings would generate economic benefits, including local employment and increased expenditure within the parish and wider area, although this is not always guaranteed. These economic benefits attract moderate positive weight.
- 8.8 The development would be located in a broadly sustainable location and therefore would also support the vitality of local services and facilities, including public houses, small-scale retail and community venues. This attracts moderate positive weight.
- 8.9 Environmental benefits include on-site planting, SuDS-based surface water management, energy-efficiency measures (including solar PV), and the delivery of 10% Biodiversity Net Gain secured through off-site units. These attract limited-to-moderate positive weight.
- 8.10 Taking all matters into account, the adverse impacts carry only limited weight. Conversely, the scheme delivers several socially, economically and environmentally positive benefits, including new housing in a sustainable location, diversification of the rural housing stock, economic benefits and enhanced biodiversity.
- 8.11 Accordingly, when considered in context of the tilted balance as set out at paragraph 11(d) of the NPPF, the adverse impacts of the development do not significantly and demonstrably outweigh its benefits. The proposal therefore represents sustainable development, and planning permission should be granted, subject to the conditions set out below.

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

STANDARD CONDITIONS

Time limit

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved plans + materials

- 2. The development hereby permitted shall be carried out strictly in accordance with the approved plans listed below, and the materials as indicated on the Design and Access Statement (034 8001 P-00 / July 2025).**
 - 0345-501 P-00 Proposed Site Plan**
 - 0345-505 P-00 Proposed Ground Floor Plan 1 to 4**
 - 034-507 P-00 Proposed First Floor Plan – Houses 1 to 4**
 - 034-506 P-00 Proposed Ground Floor Plan – Houses 5 to 7**
 - 034-512 P-00 Proposed Elevations**
 - 034-509 P-00 Proposed Illustrative Site Plan**
 - 034-510 P-00 Proposed Illustrative Site Plan**

Reason: To ensure adherence to the approved plans in the interests of proper planning and for the avoidance of doubt, in accordance with Policies SD1 the Herefordshire Local Plan – Core Strategy, Policies BLH1, BLH8 and BLH9 of the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

CONSTRUCTION PERIOD

Construction Management Plan

- 3. No development, other than site set-up works required for the creation of a site compound, site fencing, welfare facilities and enabling works necessary to facilitate the access-widening works approved under Condition 4, shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not necessarily be limited to:**
 - construction traffic routing, HGV management and contractor parking;**
 - measures to prevent obstruction of Wyson Lane and the private access road;**
 - arrangements for loading/unloading and the storage of plant and materials;**
 - dust, noise and vibration control measures;**
 - hours of working and deliveries;**
 - pollution-prevention measures to avoid run-off, debris or materials entering the highway;**
 - details of utility installation works and measures to minimise associated disruption;**

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

Reason: To safeguard highway safety, residential amenity and the local environment during construction, in accordance with Policies MT1, SD1, LD1, LD2, LD3 and SS6 of the Herefordshire Local Plan – Core Strategy, Policy BLH1 of the Brimfield & Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Access widening

- 4. No development, other than site-set-up works and enabling works necessary to facilitate the access-widening, shall take place until the access road has been widened to 4.8 metres for the first 10 metres measured back from the edge of Wyson Lane, in accordance with Drawing T25543.001 Rev A (or any variation approved in writing by the Local Planning Authority).**

Once completed, the widened section shall be retained for the lifetime of the development.

Reason: To ensure safe two-way vehicle movements at the junction throughout the construction and operational phases, in the interests of highway safety, in accordance with Core Strategy Policy MT1, Policy BLH1 of the Brimfield & Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Vegetation clearance / ecology

- 5. No vegetation clearance, including removal of scrub, shall take place until the Local Planning Authority has been provided with written confirmation of the appointment of a suitably qualified ecologist. All vegetation clearance shall thereafter be carried out under the direct on-site supervision of the appointed ecologist, who shall remain present during clearance operations to ensure that no protected species are harmed. Any contingency measures recommended by the supervising ecologist during the works shall be implemented in full.**

Reason: To safeguard protected species and avoid harm to biodiversity in accordance with Policies SS6, LD1, LD2 and LD3 of the Herefordshire Local Plan – Core Strategy, the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Access surfacing / drainage

- 6. Prior to the commencement of any works to the access, a detailed scheme for the surfacing, levels and drainage of the private access road (from Wyson Lane to the development site) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but may not be limited to the following;**
 - measures to prevent surface-water run-off onto Wyson Lane;**
 - permanent arrangements for maintenance.**

The access shall be constructed in accordance with the approved details prior to the occupation of any dwelling and shall thereafter be retained.

Reason: To ensure that surface-water is managed appropriately and does not adversely affect highway safety or increase flood risk, in accordance with Herefordshire Local Plan - Core Strategy Policies SD3, MT1 and SD1, Policies BLH1, BLH12 and BLH14 of the Brimfield and Little Hereford Neighbourhood Development Plan and the National Planning Policy Framework.

Landscaping

7. With the exception of any site clearance and groundworks, no development shall take place until a detailed hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- species, planting densities and numbers;
 - details of boundary treatments;
 - surfacing materials;
 - tree and hedge protection measures during construction.

The approved scheme shall be completed in the first planting season following the first occupation of the dwellings or completion of the development, whichever is sooner.

Reason: To safeguard landscape character, visual amenity and biodiversity, in accordance with Policies LD1, LD2, LD3 and SD1 of the Herefordshire Local Plan - Core Strategy, Policies BLH8 and BLH9 of the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

PRIOR TO FIRST USE/OCCUPATION

Visibility splays

8. Prior to the first occupation of any dwelling, the visibility splays shown on Drawing T25543.001 Rev A shall be constructed in full, providing a 2.4 metre x 34.6 metre visibility splay to the west and a 2.4 metre x 33.2 metre visibility splay to the east, as measured from the centreline of the site access onto Wyson Lane.

No structure, vegetation or other obstruction exceeding 0.6 metres in height above the level of the adjoining carriageway shall thereafter be placed or allowed to grow within these visibility splays. All vegetation identified for removal or trimming to achieve the required sightlines on Drawing T25543.001 Rev A shall be cut back prior to first occupation and shall thereafter be maintained to ensure the splays remain unobstructed for the lifetime of the development.

Reason: To ensure adequate emerging visibility from the access in the interests of public highway safety, in accordance with Policy MT1 of the Herefordshire Core Strategy, the Brimfield and Little Hereford Neighbourhood Development Plan and the National Planning Policy Framework.

Water efficiency

9. Prior to the first occupation of any dwelling, a scheme demonstrating measures for the efficient use of water as per the optional technical standards contained within Policy SD3 of the Herefordshire Local Plan- Core Strategy shall be submitted to and approved in writing by the local planning authority and implemented as approved.

Reason: To ensure compliance with Policies SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

Parking and turning

10. Prior to the first occupation of any dwelling, the parking and turning areas serving that dwelling, as shown on the approved plans, shall be laid out, consolidated and surfaced in accordance with the details as approved under Condition 8. These areas shall thereafter

be kept available for the parking and manoeuvring of vehicles and shall not be used for any other purpose for the lifetime of the development.

Reason: To ensure adequate on-site parking and turning facilities are provided and retained in the interests of highway safety and the efficient operation of the local highway network, in accordance with Policy MT1 of the Herefordshire Local Plan – Core Strategy, Policy BLH1 of the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Cycle storage

11. Prior to the first occupation of any dwelling, details of secure and covered cycle storage for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be installed prior to the first occupation of the dwelling it serves and shall thereafter be retained and kept available for its designated purpose for the lifetime of the development.

Reason: To promote sustainable transport, reduce reliance on private vehicles, and ensure appropriate provision for cyclists, in accordance with Policies MT1 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy BLH1 of the Brimfield & Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Swifts

12. Prior to the first occupation of any dwelling, photographic evidence demonstrating the installation of a minimum of three integrated swift nesting boxes, positioned in accordance with the approved plans, shall be submitted to and acknowledged in writing by the Local Planning Authority. The swift boxes shall be installed under the supervision of a suitably qualified ecologist to ensure appropriate height, aspect and placement, and shall be retained and maintained as installed for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance biodiversity and provide ecological net gains in accordance with Policies SS6, LD1, LD2 and LD3 of the Herefordshire Local Plan – Core Strategy, the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

Waste strategy

13. Prior to the first occupation of any dwelling, a detailed Waste and Recycling Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
 - (a) the appointed private waste provider's details;
 - (b) written confirmation of a contract for waste and recycling collection;
 - (c) management arrangements for maintaining the contract;
 - (d) a Bin Collection Plan showing bin storage points, collection points, drag routes, gradients and accessibility;
 - (e) contingency arrangements should the provider withdraw; and
 - (f) an information pack for future residents outlining permanent waste and recycling arrangements.

The approved scheme shall thereafter be implemented and retained for the lifetime of the development.

Reason: To ensure appropriate, safe and sustainable waste management to protect residential amenity and highway safety, in accordance with Policy SD1, MT1 and SS6 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

COMPLIANCE/OPERATIONAL

Surface water drainage

- 14. The development shall be carried out strictly in accordance with the approved surface-water drainage strategy, including the provision of plot-level soakaways as indicated on Updated soakaways location plan dated 14 January 2026.**

No dwelling shall be occupied until the approved drainage systems serving it have been installed and are fully operational. The systems shall be retained and maintained thereafter.

Reason: To ensure satisfactory drainage, reduce flood risk and prevent pollution, in accordance with Policies SD3 of the Herefordshire Local Plan - Core Strategy, Policies BLH12 and BLH14 of the Neighbourhood Development Plan, and the National Planning Policy Framework.

Foul drainage

- 15. Foul water from the development shall be discharged to the public foul sewer network. No dwelling shall be occupied until connection to the mains sewer has been completed and is fully operational. The foul-drainage arrangements shall thereafter be retained and maintained for the lifetime of the development.**

Reason: To ensure satisfactory foul-water disposal and to prevent additional nutrient pathways to the River Teme SSSI and the hydrologically linked River Clun SAC, in accordance with Herefordshire Local Plan - Core Strategy Policy SD4, the Brimfield and Little Hereford Neighbourhood Development Plan, and the National Planning Policy Framework.

PV panels

- 16. The photovoltaic (PV) panels shown on approved drawing 034-512 Rev P-00 shall be removed from the dwellings in full once they become permanently inoperative, obsolete or no longer functional, and all roof surfaces shall thereafter be reinstated using materials to match the host dwelling, unless otherwise first approved in writing by the Local Planning Authority.**

Reason: To ensure that the appearance of the dwellings remains satisfactory in the long term and to safeguard local character, in accordance with Herefordshire Local Plan - Core Strategy Policies SD1, SD2 and LD1, Policies BLH8 and BLH9 of the Brimfield and Little Hereford Neighbourhood Development Plan, and Section 12 of the National Planning Policy Framework.

Decision:

Notes:

Background Papers

None identified.



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APPLICATION NO: 251998

SITE ADDRESS : LAND AT REAR OF MORTIMER COURT, BRIMFIELD, HEREFORDSHIRE, SY8 4NQ

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