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# Humber, Ford & Stoke Prior Group Parish Council

## Draft Minutes

of the ordinary Meeting of the Group Parish Council on Wednesday 19<sup>th</sup> March 2025 at 7.30pm in Risbury Village Hall

### Present:

Cllr. Ken Bemand  
Cllr. Chris Marston

Cllr. Tim Yair,

Cllr. Clare Harris (from 16/25)

Cllr. Hugh Fowler-Wright (Chairman)

Cllr. Sarah Sneyd

Cllr. Janette Fullwood

Cllr. James Hinton

Cllr. Richard Thomas

Ward Councillor Bruce Baker, Clerk & RFO: Allan Drew

Four members of the public attended at 8.20pm for item 24/25

### 14/25 Apologies for absence

Apologies were received from Cllrs. Rob Pugh & Anne Grace

### 15/25 Declaration of interests and dispensations

None received

### 16/25 Co-option to vacancy following resignation of Cllr. Derek Silk in accordance with Standing Order 11(d).

There was one application for the post of a Councillor in Humber Parish from Clare Harris of Butt Oak farm, Risbury. Council interviewed Ms Harris and then held a vote on her suitability to join the Council. She was elected unanimously, signed her Acceptance of Office and joined the Council.

### 17/25 Minutes of previous meetings

The draft minutes of the meeting held on 15 January 2025 were approved and signed by the Chairman

### 18/25 Chairman's announcements

The Chairman announced that-

The Advertising Manager for the Pump, Chris Blum, is moving house and has resigned his position. The Chairman would like all Councillors to ask around their network if anyone would take on the role. Council thanked Mr. Blum for his excellent work in securing valuable advertising for the Pump and noted that, in the year just ending, had exceeded the budget

### 19/25 Public participation

*Under Standing Order 8, any member of the public may make a statement or give evidence to the meeting on any business to be transacted or any other business, and ask or answer questions. At the discretion of the Chairman such participation may be permitted under the relevant agenda item.*

No members of the public present

### 20/25 District Councillor's report

To receive: a verbal update from the Ward Councillor

Cllr. Baker provided the following information-

- The Government's Devolution Plans continue to be a key issue. Herefordshire believes it is working well as an Authority and will be cautious about combining with other adjacent Local Authorities.
- An addition to the Code of Conduct is in prospect dealing with Civility & Respect. The detail is not yet clear but all principal Authorities will have to adopt the updated Code and in due course this change will also be required of Parish Councils.
- A visit to Balfour Beatty's gritting operation at Rotherwas had been attended by a number of County Councillors. It had been an impressive visit and Councillors were shown the range of machinery used and the very specific and detailed weather forecasts which underpinned the decisions made on when gritting was necessary.

- Herefordshire is keen to establish how many empty homes there are in the County and where they are located. An initiative to purchase suitable such homes and use them in effect as Council houses is underway.
  - A Care Quality Commission visit is planned for Adults & Social Care in the near future.
  - The County's Minerals & Waste Plan (draft) has been challenged by the NFU in the courts. This challenge has been dismissed
  - A new officer has been appointed to deal with S106 funds
  - The status of NDPs is in question. An update maybe required. (Note: recent advice from Herefordshire Strategic Planning team suggests that NDPs will be unable to progress due to lack of an up-to-date Local Plan and Housing land supply under 5 years).
- Some Councillors thought that Class Q for farmers might come more to the forefront of development.

Cllr. Sneyd asked about the problems of drains in Poplands Lane but Cllr. Baker said he had not had a response.

Cllr. Hinton asked about progress with the by-pass and Cllr. Baker replied that the first stage – Southern Link Road – is almost ready to proceed and likely to start within the next year.

## 21/25 Planning Committee and planning applications update

**(a) To consider for comment new applications to be determined by Herefordshire Council.**

### **Ford & Stoke Prior**

**242476 Railway Cottage Stoke Prior HR6 0LQ** Proposed external insulation and render to gable end and back of house

Council discussed this application and agreed to support the application. The Clerk submitted the following comments in line with the Council's discussion-

*Humber, Ford & Stoke Prior Group Parish Council discussed this application at its meeting on 19 March 2025. After discussion it was agreed that this application would be SUPPORTED subject to a satisfactory choice of materials. If minded to approve the application, the planning officer should insert a condition requiring a sympathetic choice of materials in keeping with the original character of the cottage and the neighbouring properties.*

**250389 The Dingle Stoke Prior Lane HR6 0NB** Application for variation of condition 2 of permission P241774/FH (Proposed demolition of lean-to's and construction of rear extension together with minor alterations) to allow minor alterations to the design to raise the height of the roof.

**Cllr. Baker informed Council that consent had been granted very recently**

### **Humber**

No new applications

**(b) To note: updates on current planning applications**

### **Ford & Stoke Prior**

**241366 - Land at Lamb Inn, Stoke Prior, HR6 0NB:** Proposed change of use of the Lamb Inn Public House to use as a single dwelling house and retention of external staircase, first floor terrace and railings. **Refused Again very recently a determination had been made and the application is refused.**

**233094 Priory Farm Stoke Prior HR6 0ND.** The construction and retention of a rural worker's dwelling, seminar room and a range of eight stables with ancillary tack and hay store.

**Undecided still awaiting Planning Committee if the officer recommendation is to refuse**

**223610 Land north of Bowley Court farm** Change of use from a water storage lagoon to a water and anaerobic digestate storage lagoon (retrospective).

**Undecided. Awaiting Planning Committee**

**200705 Land adjoining Croft Gate Farm Stoke Prior.** Proposed new dwelling and garage adjacent to Croft Gate farm. Pending S106 agreement

**Approved with Conditions**

**Note: given the implications for HFSP NDP the decision notice is included at Appendix 1.**

**204437 Plot 1 Land at Old Hall Stoke Prior HR6 0LH** Proposed construction of a new self-build custom home and garage

**Undecided - on hold due to phosphates**

## Humber.

### 242083 Land at Gob's Castle Risbury Leominster Herefordshire

Application for approval of details reserved by conditions 4, 5 & 6 attached to planning permission

213908.Approval of details reserved by condition

**Condition 4 not discharged, 5&6 discharged**

### 241806 Oak Tree View Risbury HR6 0NQ

Proposed Conversion of Building to a self-build dwelling House

**Undecided**

### 212600 - Land adjacent to Risbury Cross Cottage, Risbury HR6 0NG

Approval of reserved matters following outline approval 181648 (residential development of 6 houses).

**Undecided - on hold due to phosphates**

### 212473 Dev 1 Land adjacent to Risbury Cross Cottage Risbury HR6 0NG

Proposed permission for the siting of a caravan to provide accommodation on site during the construction of a dwelling on Plot 5 approved under application ref 181648.

**Undecided- on hold due to phosphates.**

### 211802 - Land at Gob's Castle Risbury Leominster Herefordshire

Application for approval of details reserved by conditions 3 7 9 10 11 12 13 15 18 19 & 21 attached to planning permission 173687.

**Undecided**

### 193259 New House Farm Risbury HR6 0NQ

Outline planning for proposed housing development on land at

New House Farm.

**Undecided**

## 22/25 General Financial Matters - Report from the RFO.

Bank balance on 9 March 2025 is £7,781.18

### Payments made since last meeting. (minute 8/25)

No.	Name	Ex-VAT £	VAT £	Total £	Details
1	A M Drew	414.21	0.00	414.21	December 2024 salary
2	A M Drew	413.81	0.00	413.81	January 2025 salary payable 15 January 2025
3	Barrington Print	489.00	0.00	489.00	December 2024 Pump 360 copies, 40 pages
4	Barrington Print	821.00	0.00	821.00	Trails booklet 400 copies, 68 pages
5	Traffic Data	2585.00	517.00	3102.00	A44 Traffic survey part 1
6	A M Drew	275.90	55.18	331.08	Salt boxes & salt Refund to Clerk
7	A M Drew	379.03	75.81	454.84	Sandbags Refund to Clerk
8	HMRC	276.40	0.00	276.40	December 2024 PAYE
9	HMRC	276.40	0.00	276.00	January 2025 PAYE
10	SPVH	25.00	0.00	25.00	11 Dec. 2024 hall hire
11	Service charge	6.00	0.00	6.00	Jan 2025 bank charges
12	Service charge	6.00	0.00	6.00	Feb 2025 bank charges
13	Traffic Data	2110.47	422.09	2532.56	A44 survey part 2 (as agreed at July 2024 meeting)
	TOTAL	8078.22	1070.08	9147.90	

Note Payments 11, 12 & 13 were made after the meeting - see "Details"

### Income received since last meeting -

No.	Name	Amount £	Details
1	Neate Electrics	100	Advert TP73
2	Monkland Parish Council	1225	Contribution to Traffic Data exercise
	TOTAL	1325	

### Payments for Authorisation

No.	Name	Ex VAT £	VAT £	Total £	Details
1	A M Drew	414.21	0.00	414.21	February 2025 salary
2	A M Drew		0.00	0.00	March 2025 salary (payable 25 March 2025)
3	Barrington Print	448.00	0.00	448.00	Inv 13625 Feb 2025 Pump. 360 copies x32 pages
4	Barrington Print	460.00	0.00	460.00	Inv 13741 March Pump 360 copies x36 pages.
5	Humber Parish Rooms	24.00	0.00	24.00	Room hire 19 March 2025
6	Humber Parish Rooms	24.00	0.00	24.00	Room hire 15 January 2025
7	A M Drew	584.08	116.82	700.90	Refund for Lengthsman advert Hereford Times
8	A M Drew	37.49	7.50	44.99	Refund for Office 365 software
9	HMRC	276.00	0.00	276.00	PAYE February 2025
10	HMRC		0.00	0.00	Paye March 2025
11	HALC	637.20	127.44	764.64	Subscriptions 2025-26
12	Enviroloo	166.66	33.33	199.99	Hire of toilets for Community Week
13	Autela	85.28	17.06	102.34	Payroll (4 months)
			0.00	0.00	

Council agreed these payments.

### **23/25 Lengthsman & PROW**

The Clerk reported that on 29 January he had received a letter of resignation from David Campbell of D C Garden Services discontinuing his involvement with immediate effect with the Group Parish. The reason given was that with the loss of his son Jake he was now having to reduce his work commitments.

Inevitably this placed Council's sizeable works program in jeopardy. Since 29 January the Clerk has been fully engaged in trying to fill the gap left by D C Garden Services. As of 9 March the Clerk reported he had interviewed four possible replacements, three of which have said they would be keen to take on the work. Of these three who were keen two have "disappeared" and ultimately produced reasons why they could not actually undertake the work as they said they would. These actions added weeks to the already late start to the works.

The third person Alex Davidson of Risbury seems keen to get started. Rob Pugh and the Clerk met with Alex on 26 February and showed him around the Parish. He has produced quotations for the work which is now in progress.

Herefordshire have been asked for an extension of 1 month to the current end date which is 31 March for the Annual Maintenance Plan and the Nominated Task. However, this request has been refused by Herefordshire although in fact invoices submitted do have a time limit of 30 April. The Drainage grant has already been extended to end of June.

Meanwhile the Lengthsman contract has to be re-tendered. Adverts were placed in the Hereford Times on 27 February and 5 March. Notices are on the website & noticeboards and all residents on the Council email list (about 260 addresses) have been asked to forward any names of contractors who may be interested. Mr Davidson is also being encouraged to apply.

### **24/25 The Lamb Inn**

Mr Michael Wyldes and his son Keiran attended the meeting and updated Council with the welcome news that Keiran had made an offer to buy the Lamb Inn and that his offer had been accepted. In summary-

- Lyn Windmill had accepted a cash offer to buy the Lamb at a price roughly that of the Sydney Philips valuation of the property as a public house.
- The commercial kitchen, which had been removed from the ground floor of the pub and feared lost had been discovered in storage. A new range may be needed but the kitchen units appeared to be fit for re-installation.
- The Lamb has three en-suite bedrooms which should provide supplementary income from AirB&B etc.
- Solicitors have been appointed to progress the purchase and the conveyancing is expected to take 10-12 weeks.
- There is a public meeting of the Community Benefit Society on Wednesday 2 April to gauge interest from community investors and the viability of community ownership.
- Notwithstanding the possibility of community ownership Keiran intends to open the pub as quickly as possible and (as an experienced publican) run it in the interim.

Council congratulated Michael and Keiran on their success in buying the pub and would support the project in any way possible.

### **25/25 The Annual Parish Meeting**

It was agreed that the Annual Parish Meeting would be held on Wednesday 21 May at 7pm. The main content of the meeting would be to unveil to the community the revised Community Resilience Plan.

### **26/25 Purchase of BT phone box Stoke Prior**

The Clerk reported that he had informed BT Payphones that the Council would like to purchase the BT Kiosk No.6 situated outside the Lamb public house, Stoke Prior. The kiosk is grade 2 listed so any changes to its status requires a 90-day consultation process which has already started. At the end of that consultation, assuming no issues arise, the way should be clear for the Council to purchase the kiosk for a nominal £1. The Clerk mentioned that in his experience most such kiosks require some renovation work, with typical investment of £500-£1000 required. However, all parts which may be required are easily available from specialist suppliers.

Meanwhile Mr Mike Hayward is exploring the purchase of a defibrillator for Stoke Prior which could be housed in the kiosk.

### **27/25 Flood Group for Parishes**

Cllr. Yair updated Council on a Herefordshire flood meeting which he had attended on 30 January 2025. His introduction to the meeting summary follows, with the full detail of the meeting, including links to useful resources, at Appendix 2

*Councillor Nick Mason introduced himself as the Ward Councillor for Weobley and as Cabinet Lead for Flooding Support within the administration, and has been asked by the Leader of the Council (Jonathan Lester) to lead the Council's strategic response to flooding. About 30 parish or local community flood groups were represented.*

*Herefordshire Council is increasing the amount of support it is providing, but there's a limit to what it can do. It has included a £2m allocation within the budget. Additional staff resource has been redeployed in the Council to this work in the interim until additional full-time staff are recruited.*

*The Council will be changing some of the processes to make it easier for those who are flooded out of their property to receive Council Tax relief.*

*The Council will be working with flood groups to share the experiences and learnings. Herefordshire has got some knowledgeable flood groups within the county and wants to other groups to ensure they have got the ability to run autonomously.*

See appendix 2 for the remainder of the report.

Cllr. Yair mentioned that the next meeting of the flood group is before the end of March. He also highlighted the beneficial role Mary Long-Dhonau OBE (affectionately known as "Flood Mary") in bringing flooding to the centre of public attention. She will be in Leominster at Etnam St car park on Friday 28 March between 9.30-1pm to give advice and information to residents.

Cllr. Yair noted that were a large number of Flood Groups around the County and it might well be a good course to create one in the Group Parishes. The Chairman felt that Cllrs. Pugh & Fullwood would be Council's representatives on a group with other residents also as members.

## **28/25 Current projects**

Traffic Management Plan Cllrs. Grace & Marston

In the absence of Cllr. Grace, Cllr. Marston reported that he had hoped to have some data analysis from the survey exercise recently completed, but no results had yet been forthcoming.

Cllr. Fullwood reported that there had been some useful enhancements to the Ford Bridge turning on the A49.

Environment Cllrs. Yair & Hinton

This project is rapidly linking with flooding and the community resilience plan which had already been discussed.

## **29/25 Matters for discussion at the next meeting**

**Cllr. Yair would invite the Headteacher from Stoke Prior School to attend a future meeting and give an update.**

### **Date of next meeting**

*To note:* the next scheduled meeting will be on Wednesday 21<sup>st</sup> May 2025 at 7.30pm in Stoke Prior village hall

The meeting closed at 9.26pm

Signed.....Chairman

Date.....

**Town and Country Planning Act 1990**  
**Planning and Compensation Act 1991**

# PLANNING PERMISSION

**Applicant:**

Mr Edward Brechtmann

Kingsland Sawmills

Kingsland

Leominster

Herefordshire

HR6 9SF

**Agent:**

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Date of Application: 10 March 2020 Application No: 200705

Grid Ref: 352007:256859

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**Proposed development:**

**SITE:** Land adjoining Croft Gate Farm, Stoke Prior, Leominster, Herefordshire, **DESCRIPTION:** Proposed new dwelling and garage adjacent to Orchard Croft, Stoke Prior.

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THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL hereby gives notice in pursuance of the provisions of the above Acts that PLANNING PERMISSION has been **GRANTED** for the development described above in accordance with the application and plans submitted to the authority subject to the following conditions:

**Standard Conditions**

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **Approved Plans**

Except where stipulated by other conditions attached to this permission, the development hereby approved shall be carried out in accordance with the following approved plans and supporting technical documents:

- Site Plan D1611.14 Rev I - June 24
- Site Plan (Surface Water Drainage Layout) D1611.14 Rev H - June 24
- Garage Plan D1611.23
- Elevations Plan D1611.22 Rev C
- Floor Plans D1611.21 Rev D

- Nutrient Neutral Assessment and Mitigation Strategy Report Ref: NNAMS/010
- Surface Water Soakaway Tests and Sizing Calculations May 24
- Planning Statement

Reason: Reason: To ensure the development is carried out in accordance with the approved details in the interests of securing a satisfactory form of development with accords with policies SD1, LD1 and LD4 of the Herefordshire Local Plan Core Strategy, policies HFSP1, HFSP2, HFSP3, HFSP4 and HFSP8 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan and the National Planning Policy Framework

### **Pre-commencement conditions**

#### **3. Orchard Management Plan / HRA Mitigation**

No development shall commence until an Arboricultural/ Orchard Management and Monitoring Plan (AMMP) has been submitted to, and approved in writing by, the Local Planning Authority. The content of the AMMP shall be based on the supplied NNAMS and include, but not necessarily be limited to, the following information:

1. Description and evaluation of features to be managed; including location(s) shown on a site map;
2. Landscape, ecological and arboricultural trends and constraints on site that might influence management;
3. Aims and objectives of management;
4. Appropriate management options for achieving aims and objectives;
5. Prescriptions for management actions;
6. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10-year period);
7. Details of the body or organisation responsible for implementation of the AMMP;
8. A Monitoring Strategy, including details of the appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the mitigation measures being monitored can be judged; frequency, timings and Locations for data gathering; methods for data gathering and analysis; mode, method, frequency of updates and reporting to the Local Planning Authority, including how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority, and then implemented;
9. Timeframe for reviewing the AMMP ; and
10. Details of how the aims and objectives of the AMMP will be communicated to the occupiers of the development. The AMMP shall also include:
11. Details of the legal and funding mechanism(s) by which the long-term implementation of the AMMP will be secured by the developer with the management body/ies responsible for its delivery.
12. The AMMP shall be implemented and maintained in full in accordance with the approved details for no less than 80 years following first occupation of the dwelling hereby approved on the site.

Reason: To ensure that the scheme of orchard planting proposed to serve as mitigation for the effects of the development on water quality and the River Wye / River Lugg SAC is implemented, effective and maintained for the lifetime of the development in order to comply with policies SS6, SD2, SD4 and LD2 of the Herefordshire Local Plan Core Strategy, HSLP14 and HSLP16 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations (2017) and NERC Act (2006).

### **Conditions to be Discharged**

#### **4. External Materials**

Prior to the installation of the materials on site, details and/or samples of materials to be used externally for walls, roofs, doors and windows shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy, policies HFSP4 and HFSP8 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan and the National Planning Policy Framework.

## 5. **Landscaping**

Prior to completion or first occupation of the approved development, whichever is the sooner, a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:

- a) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
- b) All proposed hardstanding and boundary treatment.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1, LD3 and LD4 of the Herefordshire Local Plan - Core Strategy, policies HFSP4 and HFSP8 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan and the National Planning Policy Framework.

## 6. **Water Efficiency**

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

Reason: In order to ensure that water conservation and efficiency measures are secured to safeguard water quality and the integrity of the River Lugg (Wye) SAC in accordance with policies SS6, SD2, SD4 and LD2 of the Herefordshire Local Plan Core Strategy, HSLP14 and HSLP16 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations (2017) and NERC Act (2006).

## 7. **Biodiversity Enhancement**

Prior to first occupation of the dwelling hereby approved, evidence of the suitably placed installation within the site boundary of 1 x bat roosting box, 1 x bird nesting box and 1 x hedgehog home should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority.

Reasons: To ensure Biodiversity Net Gain and species and habitats enhancement having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

## **Compliance and Monitoring Conditions**

## 8. **Removal of PD Rights**

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

Reason: The LPA seeks to remove permitted development rights so that it can maintain control over potential future development which would increase the level of impermeable surface on the site, as any increase in this regard would undermine the development's nutrient budget and subsequently the efficacy of the mitigation required to ensure the development achieves the nutrient neutrality needed to ensure compliance 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) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4 and HSLP14 and HSLP16 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan.

## 9. **Implementation and retention of approved Drainage Scheme**

The foul and surface water drainage arrangements (as set out on the approved plans D1611.14 Rev I and Report Ref: NNAMS/010 – Graf One2Clean with discharge limit of 1.6mg/l) shall be implemented and operational prior to the occupation of the dwelling hereby approved. Thereafter, the approved foul and surface water scheme shall be managed and maintained as approved for the lifetime of the development.

Reason: In order to ensure Nutrient Neutrality and comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4 and policies HSLP14 and HSLP16 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan.

## 10. **Landscaping Implementation**

With regards to the landscaping scheme approved pursuant to Condition 5, all planting, seeding or turf laying shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans. The hard landscaping shall be carried out concurrently with the development and completed prior to the first occupation of the dwelling.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1, LD3 and LD4 of the Herefordshire Local Plan - Core Strategy, HFSP4 and HFSP8 of the Humber, Ford and Stoke Prior Group Neighbourhood Development Plan and the National Planning Policy Framework.

### **Additional Information (BNG):**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Herefordshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available, **this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun** because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

1. The application for planning permission was made before 12 February 2024.

### **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 (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2 The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special "protected species" such as Badgers, 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. All retained trees and hedgerows should be subject to appropriate secured root protection areas as identified in BS5837:2012 (2m buffer for hedgerows).

Planning Services  
PO Box 4  
Hereford  
HR4 0XH



**ANDREW BANKS**  
**DEVELOPMENT MANAGER**

Date: 22 January 2025

YOUR ATTENTION IS DRAWN TO THE FOLLOWING NOTES

### **Notes**

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular consent may be required under the Building Regulations.

The applicant is advised that additional Council Tax payments may be sought in the event that the Valuation Office, who routinely monitor decision notices, consider any part of the development hereby permitted to be self-contained. This assessment is particularly likely to be the case in respect of flats, basement conversions, granny annexes, studio rooms and log cabins and/or where the additional accommodation contains its own kitchen, bathroom and bedroom. Further information can be found on the Council's website at <https://www.herefordshire.gov.uk/search?q=annexes>

## Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, or 12 weeks if the scheme is for that of "household" development using a form which you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

## Right to Challenge the Decision of the High Court

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision. Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review (JR).

The decision may be challenged by making an application for judicial review to the High Court. The time limits for bringing such challenges are very strict, and applications need to be made as soon as possible after the issue of the decision notice. So, if you think you may have grounds to challenge a decision by Judicial Review you are advised to seek professional advice as soon as possible.

These notes are provided for guidance only and apply to challenges under the legislation specified. If you require further advice on making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000). For further information on judicial review please go to <http://www.justice.gov.uk>

The Council has taken into account environmental information when making this decision. The decision is final unless it is successfully challenged in the Courts. The Council cannot amend or interpret the decision. It may be redetermined by the Council only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

## Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.  
In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## Introduction

Councillor Nick Mason introduced himself as the Ward Councillor for Weobley and as Cabinet Lead for Flooding Support within the administration, and has been asked by the Leader of the Council (Jonathan Lester) to lead the Council's strategic response to flooding. About 30 parish or local community flood groups were represented.

Herefordshire Council is increasing the amount of support it is providing, but there's a limit to what it can do. It has included a £2m allocation within the budget. Additional staff resource has been redeployed in the Council to this work in the interim until additional full-time staff are recruited.

The Council will be changing some of the processes to make it easier for those who are flooded out of their property to receive Council Tax relief.

The Council will be working with flood groups to share the experiences and learnings. Herefordshire has got some knowledgeable flood groups within the county and wants to other groups to ensure they have got the ability to run autonomously.

## Case Studies

David Lane (Orleton Parish Council Chairman), Colin Taylor (Greyfriars Avenue, Hereford), and Jerry Blythe (Eardisland Parish Councillor) all provided shared the experiences and activities of their respective Parishes. This included establishing Flood Groups (some dating back to the late 1990s), developing action plans, overcoming challenges, and supporting their local areas. Liz Fowler from the Environment Agency also provided information on flood alerts and warning systems provided by the EA.

This prompted a lot of discussion between Herefordshire Council, the Environment Agency and the Parishes. Below are some notes about various topics that were raised: