

# PLANNING PERMISSION

**Applicant:**

Unique Venues Limited  
Dodford Manor  
Dodford  
Northamptonshire  
NN7 4SR

**Agent:**

Ctd Architects  
Clerk Bank House  
Clerk Bank  
Leek  
ST13 5HE

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Date of Application: 22 March 2019

Application No: 190825

Grid Ref:361222:255791

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**Proposed development:**

**SITE:** St Richards School, Bredenbury Court, Bredenbury, Bromyard, HR7 4TD

**DESCRIPTION:** Proposed variation of condition 2 (Scheme revision) and removal of conditions 4, 5, 7 & 8 (additional information provided to address conditions previously imposed) of planning permission 172851 (Proposed change to the use from Use Class C2 'Residential Institution' to use Class C1 'Hotel & Hospitality Venue'. The proposal is to re-use and re-design the Court for use as an exclusive-use hospitality venue with B&B accommodation capable of hosting events of up to 180 people, plus overnight bedroom accommodation of 50 rooms for wedding guests and staff accommodation. Demolition of former sports hall to be replaced with building with similar footprint)

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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:

- 1 The development shall be carried out strictly in accordance with the approved plans, listed below except where otherwise stipulated by conditions attached to this permission:
  - AL49 Revision I - Site Plan as Proposed
  - AL51 Revision E – Ground floor as proposed
  - AL55 Revision C - Roof Plan as Proposed
  - AL56 Revision C – Oak Barn Elevations as proposed
  - AL58 Revision B – Main House Elevations as proposed
  - AL60 Revision B – North East and South West Courtyard Elevations as Proposed
  - AL61 Revision B – Accommodation Block Elevations as Proposed
  - AL70 Revision B – Drainage Plan as proposed
  - AL72 - Bandstand Details
  - AL150 - Site Sections 'as existing' and 'as proposed'
  - AL331 Revision A - Atrium Enlarged Section D - D1
  - AL337 Revision A - Atrium Enlarged Section E - E1

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policies LD1 and SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 2 Development shall be carried out in accordance with the approved Construction Environmental Management Plan (BiOME Consulting Ltd – Draft VERSION 2 10.5.2018), which shall remain in place until all work is completed on site and all equipment and spare materials have been finally removed.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006.

- 3 Development shall be carried out in accordance with the approved habitat enhancement scheme (Ecology Enhancement Strategy - BiOME Consulting Ltd – Draft VERSION 2 8.12.2017), which shall be implemented as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006.

- 4 No external lighting shall be installed upon the site without the prior written approval of the local planning authority. The approved external lighting shall be installed in accordance with the approved details and thereafter maintained in accordance with those details.

Reason: To ensure that external lighting does not cause detriment to biodiversity enhancements and ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework, NERC 2006.

- 5 Development shall be carried out in accordance with the approved Arboricultural Impact Assessment, including tree protection measures (Adrian Hope Tree Services. Ref: 12997) which shall remain in place until all work is completed on site and all equipment and spare materials have been finally removed.

Reason: To safeguard the amenity of the area and to ensure that the development conforms to Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 6 The approved soft landscaping scheme (AL49 Rev I & AL150) shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The landscaping shall be maintained for a period of 5 years. During this time, any trees, shrubs or other plants which are removed, die or are seriously retarded shall be replaced during the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5-year maintenance period. The hard landscaping shall be completed prior to the first use of the development hereby permitted

Reason: In order to maintain the visual amenities of the area and to conform to Policy LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 7 The area of hardstanding beneath the root protection area of the Wellingtonia shall be removed by hand, the ground decompacted and the area grassed within 2 months of the date of this decision. The existing bollards shall be retained and no parking or hardstanding shall be provided within the root protection area, as shown on drawing AL49 Rev I.

Reason: To ensure the proper care and maintenance of the protected tree and to conform with Policy LD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 8 The areas approved for access, turning and parking facilities on approved drawing 1680 AL49 Rev I shall be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 9 The approved Travel Plan (TRAVEL PLAN: TP1 date May 2019) shall be implemented, in accordance with the approved details, on the first use of the approved wedding venue. A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the local planning authority upon reasonable request.

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

- 10 The northerly access marked on the plan attached to this decision notice shall only be used by staff and delivery vehicles and shall not be used by guests or other visitors to Bredenbury Court. Guests and visitors will be required to use the southerly access only and it shall be kept open and available for use at all times.

Reason: In the interests of highway safety and to comply with Policy MT1 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

- 11 No amplified or other music shall be played in the premises outside the following times - 2400hr to 0900hrs; and no amplified music shall be played outside at any time.

Reason: In order to protect the amenity of occupiers of nearby properties and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 12 No internal or external alterations (including changes to layout) shall be undertaken without the prior written consent of the Local Planning Authority.

Reason: To ensure that there is sufficient and adequate noise mitigation in place within a reasonable timescale in the interests of amenity in accordance with Policy

SD1 of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

- 13 The approved scheme of noise attenuating measures (Sound Solutions Consultants report dated 15th May 2018) shall be implemented before the first use of the development to which it relates commences and the measures shall be retained for the duration of the use.

Reason: To safeguard the amenity of the area in compliance with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 14 The approved Noise Management Plan (Sound Solutions Consultants report dated 15th May 2018) shall be reviewed, and the review recorded in writing (acknowledging any complaints, concerns, actions or training recorded) that have arisen) annually thereafter by the 1st March in each successive year. Any alteration to the Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The use of the building shall be carried out in accordance with the approved Noise Management Plan or any subsequent amendment thereto.

Reason: To ensure that there is sufficient and adequate noise mitigation in place, and that there is flexibility to address concerns as they arise, in the interests of amenity in accordance with the requirements of policy SD1 of the Herefordshire Local Plan – Core Strategy and guidance contained within the National Planning Policy Framework.

- 15 The loading and unloading of service and delivery vehicles together with their arrival and departure from the site shall not take place outside the hours of 0700 to 1900.

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

- 16 The premises shall be used solely as a hospitality venue with the provision of exclusive bed and breakfast accommodation as outlined in the Design & Access Statement and Conservation Planning Statement dated August 2017 and for no other purpose (including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The local planning authority wish to control the specific use of the land/premises, in the interest of local amenity and highway safety and to comply with Policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

#### Informative:

- 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, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Date: 12<sup>th</sup> September 2019

**KELLY GIBBONS**  
**DEVELOPMENT MANAGER**

**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.