

Agenda

Planning and Regulatory Committee

Date: **Wednesday 30 July 2025**

Time: **10.00 am**

Place: **Conference Room 1 - Herefordshire Council, Plough
Lane Offices, Hereford, HR4 0LE**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Matthew Evans, Democratic Services Officer on 01432 383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the Planning and Regulatory Committee

Membership

Chairperson	Councillor Terry James
Vice-chairperson	Councillor Clare Davies

Councillor Polly Andrews
Councillor Bruce Baker
Councillor Jacqui Carwardine
Councillor Simeon Cole
Councillor Dave Davies
Councillor Matthew Engel
Councillor Catherine Gennard
Councillor Peter Hamblin
Councillor Stef Simmons
Councillor John Stone
Councillor Charlotte Taylor
Councillor Richard Thomas
Councillor Mark Woodall

Agenda

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The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Recording of meetings

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council may make an official recording of this public meeting or stream it live to the council's website. Such recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site.

Travelling to the meeting

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station. The location of the office and details of city bus services can be viewed at: <http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services>. If you are driving to the meeting please note that there is a pay and display car park on the far side of the council offices as you drive up Plough Lane. There is also a free car park at the top of plough lane alongside the Yazor Brook cycle track.

Guide to Planning and Regulatory Committee

The Planning and Regulatory Committee consists of 15 Councillors. The membership reflects the balance of political groups on the council.

Councillor Terry James (Chairperson)	Liberal Democrat
Councillor Clare Davies (Vice Chairperson)	True Independents
Councillor Polly Andrews	Liberal Democrat
Councillor Bruce Baker	Conservative
Councillor Jacqui Carwardine	Liberal Democrat
Councillor Simeon Cole	Conservative
Councillor Dave Davies	Conservative
Councillor Matthew Engel	Independents for Herefordshire
Councillor Catherine Gennard	The Green Party
Councillor Peter Hamblin	Conservative
Councillor Stef Simmons	The Green Party
Councillor John Stone	Conservative
Councillor Charlotte Taylor	Independent for Herefordshire
Councillor Richard Thomas	Conservative
Councillor Mark Woodall	The Green Party

The Committee determines applications for planning permission and listed building consent in those cases where:

- (a) the application has been called in for committee determination by the relevant ward member in accordance with the redirection procedure
- (b) the application is submitted by the council, by others on council land or by or on behalf of an organisation or other partnership of which the council is a member or has a material interest, and where objections on material planning considerations have been received, or where the proposal is contrary to adopted planning policy
- (c) the application is submitted by a council member or a close family member such that a council member has a material interest in the application
- (d) the application is submitted by a council officer who is employed in the planning service or works closely with it, or is a senior manager as defined in the council's pay policy statement, or by a close family member such that the council officer has a material interest in the application
- (e) the application, in the view of the service director, regulatory, raises issues around the consistency of the proposal, if approved, with the adopted development plan
- (f) the application, in the reasonable opinion of the service director, regulatory, raises issues of a significant and/or strategic nature that a planning committee determination of the matter would represent the most appropriate course of action, or
- (g) in any other circumstances where the service director, regulatory, believes the application is such that it requires a decision by the planning and regulatory committee.

The regulatory functions of the authority as a licensing authority are undertaken by the Committee's licensing sub-committee.

Who attends planning and regulatory committee meetings?

The following attend the committee:

- Members of the committee, including the chairperson and vice chairperson.
- Officers of the council – to present reports and give technical advice to the committee
- Ward members – The Constitution provides that the ward member will have the right to start and close the member debate on an application.

(Other councillors - may attend as observers but are only entitled to speak at the discretion of the chairman.)

How an application is considered by the Committee

The Chairperson will announce the agenda item/application to be considered. The case officer will then give a presentation on the report.

The registered public speakers will then be invited to speak in turn (Parish Council, objector, supporter). (see further information on public speaking below.)

The local ward member will be invited to start the debate (see further information on the role of the local ward member below.)

The Committee will then debate the matter.

Officers are invited to comment if they wish and respond to any outstanding questions.

The local ward member is then invited to close the debate.

The Committee then votes on whatever recommendations are proposed.

Public Speaking

The Council's Constitution provides that the public will be permitted to speak at meetings of the Committee when the following criteria are met:

- a) the application on which they wish to speak is for decision at the planning and regulatory committee
- b) the person wishing to speak has already submitted written representations within the time allowed for comment
- c) once an item is on an agenda for planning and regulatory committee all those who have submitted representations will be notified and any person wishing to speak must then register that intention with the monitoring officer at least 48 hours before the meeting of the planning and regulatory committee
- d) if consideration of the application is deferred at the meeting, only those who registered to speak at the meeting will be permitted to do so when the deferred item is considered at a subsequent or later meeting
- e) at the meeting a maximum of three minutes (at the chairperson's discretion) will be allocated to each speaker from a parish council, objectors and supporters and only nine minutes will be allowed for public speaking
- f) speakers may not distribute any written or other material of any kind at the meeting (see note below)
- g) speakers' comments must be restricted to the application under consideration and must relate to planning issues

- h) on completion of public speaking, councillors will proceed to determine the application
- i) the chairperson will in exceptional circumstances allow additional speakers and/or time for public speaking for major applications and may hold special meetings at local venues if appropriate.

(Note: Those registered to speak in accordance with the public speaking procedure are able to attend the meeting in person to speak or participate in the following ways:

- *by making a written submission (to be read aloud at the meeting)*
- *by submitting an audio recording (to be played at the meeting)*
- *by submitting a video recording (to be played at the meeting)*
- *by speaking as a virtual attendee.)*

Role of the local ward member

The ward member will have an automatic right to start and close the member debate on the application concerned, subject to the provisions on the declaration of interests as reflected in the Planning Code of Conduct in the Council's Constitution (Part 5 section 6).

In the case of the ward member being a member of the Committee they will be invited to address the Committee for that item and act as the ward member as set out above. They will not have a vote on that item.

To this extent all members have the opportunity of expressing their own views, and those of their constituents as they see fit, outside the regulatory controls of the Committee concerned.

**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Minutes of the meeting of Planning and Regulatory Committee held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Friday 4 July 2025 at 10.00 am

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

Councillors: Polly Andrews, Bruce Baker, Jacqui Carwardine, Simeon Cole, Dave Davies, Elizabeth Foxton, Peter Hamblin, Liz Harvey, Stef Simmons, John Stone, Richard Thomas and Mark Woodall

In attendance: Councillors Cornthwaite, Engel and Lester

Officers: Legal Adviser, Development Manager and Highways Adviser

7. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Catherine Gennard and Charlotte Taylor.

Councillor Matthew Engel participated in the meeting as a local ward member (application 240468) only.

8. NAMED SUBSTITUTES (IF ANY)

Councillor Elizabeth Foxton acted as a substitute for Councillor Taylor

Councillor Justine Peberdy acted as a substitute for Councillor Gennard

Councillor Harvey acted as a substitute for Councillor Engel.

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. MINUTES

RESOLVED: That the minutes of the meeting held on 4 June 2025 be approved.

11. 240468 - LAND SOUTH EAST OF GREYHOUND CLOSE, LONGTOWN, HEREFORD, HEREFORDSHIRE (PAGES 29 - 30)

The senior planning officer provided a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking, Mr. Cook, spoke on behalf of Longtown Parish Council, Mr Arthur, local resident, spoke in objection to the application and Mr John, applicant's agent, spoke in support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained that the application was set in a sensitive and

beautiful landscape and proposed housing that was of an inappropriate scale. The proposed development followed a number of unsuitable developments in the village. The Longtown neighbourhood development plan (NDP) was open to new housing but was keen that provision should be provided locally for old and young people. The houses proposed in the application were of a scale and density that would impact upon views of Hatterall Ridge which posed an unacceptable impact on the landscape. Longtown was disadvantaged in that it did not have adequate supply of bungalows for old people or affordable homes for young residents. It was recognised that an earlier application for the site was rejected and dismissed at appeal, based on the scale and mix of the houses proposed. The application had been amended to reduce the number of three and four bedroom units in the proposal but there was still an inadequate proportion of smaller houses proposed. The density of housing proposed in the application was excessive with the majority of the space given over to the larger three bedroom houses. The six smaller houses were provided with only a third of the existing space on the site. Longtown was adversely affected by problems with water including: a wastewater treatment works that was 50 years old; flooding; and fluctuating water pressure. The addition of further houses would place a greater burden upon the water infrastructure locally and a holistic resolution to water problems in the locality was required which should be conditioned as part of all local planning applications. The parish council had unanimously objected to the application. A change to the application to provide more 2 bedroom houses on the site would overcome the problems of excessive housing density. The application would have an unacceptable impact on existing properties and did not respond to local needs as required by the national planning policy framework.

The committee debated the application. There was division among the members of the committee regarding the acceptability of the application.

It was the contention of some members that the application did not provide the type of houses required in Longtown and the development would put an unacceptable impact on the local wastewater infrastructure.

It was the contention of other members of the committee that the applicant had changed the housing mix of the application following the dismissed appeal and without a five year land housing supply the application was tilted in favour of approval. It was noted that the site was earmarked for housing and the application was a compromise with a better housing mix than previously proposed.

It was felt that to mitigate the impact of the development on local water courses and flooding a condition should be added to the permission to ensure that rainwater harvesting provision was established on site.

The development manager provided the following clarification:

- there had been no objections from Welsh Water to the application and the ecologist had considered the outfall from the site and raised no objection. Concerns about drainage from the site and impact on the local wastewater infrastructure had not been supported by the statutory undertaker;
- during the appeal the planning inspector had focused on housing mix as a sole reason for the dismissal of the appeal but had been satisfied with other planning matters such as water infrastructure and highway; such technical planning issues would be problematic to cite as reasons for the refusal of the application. Other matters such as impact on residential amenity, landscape impact and local heritage assets could be identified as reasons for refusal as this was a materially different application; and
- it was confirmed that a further condition for rainwater harvesting could be added to the permission.

The local ward member was given the opportunity to close the debate. In summary, he explained that it was accepted locally that the site would be developed however the current application would have unacceptable impacts on existing residents by removing their views of the landscape and the housing mix did not represent the needs of the local community.

Councillor Bruce Baker proposed and councillor Polly Andrews seconded a motion to approve the application with the addition of a condition for rainwater harvesting.

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

RESOLVED:

That planning permission be granted subject to the following conditions, the addition of a condition for rainwater harvesting and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

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. The development hereby approved shall be carried out strictly in accordance with the following list of approved plans, except where otherwise stipulated by conditions attached to this permission:**

**1001 REV B (Location Plan)
1102 REV L (Proposed Site Plan)
1103 REV L (Site Plan)
1201 REV B (House Type A – Plans)
1202 REV A (House Type B – Plans)
1203 (House Type C – Plans)
1204 REV A (House Type D – Plans)
1301 REV D (House Type A – Elevations)
1302 REV C (House Type B – Elevations)
1303 REV D (House Type C – Elevations)
1304 REV C (House Type D – Elevations)
18484_500 REV.03 (Drainage Strategy)
18484_501 REV. 02 (Foul Drainage Connection Plan)**

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1 and LGPC2 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- 3. During the construction phase, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.**

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

Pre-Commencement Conditions

- 4. Before any works approved under this planning permission commences, works to improve and upgrade the existing public water supply system shall be completed and written confirmation of this shall be submitted to the Local Planning Authority for written approval.**

Reason: To prevent further hydraulic overloading of the public potable water supply network, to protect the health and safety, in accordance with Policies SS6, LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- 5. No works, including any site clearance or materials brought onto site, shall take place until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:**

- A method for ensuring mud is not deposited onto the Public Highway;**
- Construction traffic access location;**
- Parking for site operatives;**
- Construction Traffic Management Plan;**
- Siting of site office/compound/storage area;**
- Tree/hedgerow protection; and**
- Soil management plan**

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- 6. No development, including any site clearance or groundworks, shall take place until details of a site waste prevention plan and management measures has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.

Pre-Occupancy or other stage conditions

- 7. With the exception of any site clearance as shown on the approved plans, no further works shall take place until visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 23m metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted,**

erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC2 and LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

8. With the exception of site clearance, formation of visibility splays and groundworks, no further development shall take place until manufacturers details or samples pertaining to the following matters have been submitted to and approved in writing by the Local Planning Authority:

- Roof materials to be used externally;
- Wall materials to be used externally;
- Materials to be used externally on all windows and doors;
- Details (i.e. location, design and appearance – including stain colour of any timber fencing) of all means of enclosure (i.e. gates, walls, fencing and other means of enclosure); and
- Details of all rainwater goods (i.e. design, profile, material & colour).

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

Reason: To ensure a satisfactory appearance to the development and to ensure a quality development, in accordance with policies SS6, LD1 and SD1 of the Herefordshire Local Plan Core Strategy 2011-2031, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

9. All parts of the approved development which are to be of stonework shall be of a local stone, properly coursed, laid on its natural bed in a mortar. The details of the stone, coursing details and mortar shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works to the stonework.

The works shall be carried out in accordance with the approved details and completed prior to first occupation of the relevant dwellinghouses.

Reason: In the interests of conserving the character of the building so as to ensure that the development complies with the requirements of Policies SD1, LD1 and LD4 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

10. Notwithstanding the details which have been provided to date, with the exception of any site clearance, formation of visibility splays. and groundworks, no further development shall take place until an enhanced landscaping scheme is submitted to and approved in writing by the local planning authority. The landscaping scheme shall include a scaled plan identifying:

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

The approved details shall subsequently be implemented as follows in

accordance with the following timescales:

- All new soft landscaping boundary treatment planting and new 'orchard' planting shall be carried out in the first planting season following the approval of the landscaping details.
- All hard landscaping shall be completed prior to first occupation of each dwellinghouse.
- All other planting, seeding or turf laying in the approved landscaping scheme, unless otherwise specified above, shall be carried out in the first planting season following the occupation of the first dwellinghouse 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 10 years of planting will be replaced in accordance with the approved plans.

Reason: Having regard to the submitted details to date, an enhanced landscaping scheme is necessary to safeguard and enhance the character and amenity of the area including streetscene. Additionally, to ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

11. Prior to relevant works commencing in relation to foul and surface water drainage arrangements, details pertaining to the following matters shall be submitted to and approved in writing by the Local Planning Authority:
 - Detailed design/construction drawings of the proposed surface water and foul water drainage systems and proposed features;
 - Full network calculations to demonstrate that the proposed surface water drainage system has been designed to prevent the surcharging of any below ground drainage network elements in all events up to and including the 1 in 2 annual probability storm event; and
 - Confirmation that the adoption and maintenance of the foul drainage system has been agreed with Welsh Water.

The development shall be carried out in accordance with the approved details together with the details agreed in the Drainage Strategy Report (DSR) REF: 18484-DSR Revision 3 dated 31 March 2025, and drawing numbers 18484_500 REV.03 (Drainage Strategy) and 18484_501 REV. 02 (Foul Drainage Connection Plan) prior to first occupation of the dwellinghouses hereby approved and thereafter maintained as such for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory drainage arrangements, in accordance with policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy 2011-2031, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

12. Prior to first occupation of each dwellinghouse, the related areas for car parking shall be laid out within the curtilage of such dwellinghouse, in accordance with the approved plans pursuant to Condition 2. The car parking areas shall be properly consolidated, surfaced and drained, in accordance with further details to be submitted to and approved in writing by the Local Planning Authority and completed prior to first occupation of each dwellinghouse. Once first occupied, the car parking areas shall not, thereafter, be used for any other purpose other than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

13. Prior to first occupation of the development, a scheme demonstrating measures for the efficient use of water for each dwellinghouse approved under this permission, 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. The development shall be carried out in accordance with the approved details and completed prior to first occupation of each dwellinghouse.

Reason: To ensure compliance with Policies SS7, SD3 and SD4 of the Herefordshire Local Plan Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

14. Works in relation to the provision of road and drainage infrastructure shall not commence until the following details are submitted to and approved in writing by the local planning authority:

- Surface finishes
- Drainage details
- Future maintenance arrangements

The development shall be carried in accordance with the approved details and completed prior to the first occupation of each dwellinghouse hereby permitted unless an alternative delivery / completion schedule is submitted to and approved in writing by the Local Planning Authority). Thereafter, these shall be maintained in accordance with the approved details.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

15. The construction of the vehicular access shall be carried out in accordance with a detailed specification to be submitted to and approved in writing by the local planning authority, prior to relevant works commencing, at a gradient not steeper than 1 in 12. The approved details shall thereafter be implemented and completed prior to first occupation of the development hereby permitted.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

16. Prior to the first occupation of each dwellinghouse on the site hereby approved, the driveways and/or vehicular turning areas shall be consolidated and surfaced at a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway.

Details of the driveway, vehicular turning area and drainage arrangements shall be submitted to and approved in writing by the local planning authority prior to relevant commencement of any works in relation to the driveway/vehicle turning area.

The development shall be carried in accordance with the approved details and completed prior to the first occupation of each dwellinghouse hereby permitted unless an alternative delivery / completion schedule is submitted to and approved in writing by the Local Planning Authority). Thereafter, these shall be maintained in accordance with the approved details.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- 17. Construction of highway works proposed for adoption shall not begin until details of such works have been submitted to and approved in writing by the Local Planning Authority, following the completion of the technical approval process by the Local Highway Authority.**

No dwellinghouse shall be occupied until the approved works have been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic on the highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- 18. Prior to first occupation of the first dwellinghouse, details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwellinghouse approved under this permission shall be submitted to the Local Planning Authority for their written approval.**

The covered and secure cycle parking facilities shall be provided in accordance with the approved details and made available for use upon the first occupation of each residential dwelling and thereafter maintained.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policies SS4, SS7, SD1 and MT1 of Herefordshire Local Plan – Core Strategy, Policies LGPC1 and LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

- 19. No works in relation to any of the specified highways works shall begin until further details of the drop crossing point on the C1203, as shown on Drawing Number: 1102 REV L (Proposed Site Plan), have been submitted to and approved by the Local Planning Authority in writing, following the completion of the technical approval process by the Local Highway Authority. No dwellinghouse shall be occupied until the scheme has been constructed in accordance with the approved details.**

Reason: To enhance pedestrian connectivity, improve highway and pedestrian safety, improve active travel modes and to conform to the

requirements of Policies SS4 and MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

20. Prior to first occupation of any dwellinghouse approved under this permission, evidence of the suitably placed installation on the approved dwellings, or on other land under the applicant's control, of a minimum of EIGHT bird nesting, EIGHT bat roosting features of mixed types and ONE hedgehog home (per dwelling) with hedgehog highways through all impermeable boundary features shall be submitted to and approved in writing by the local planning authority; and shall be maintained hereafter as approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3 and Policies LGPC1, LGPC2 and LGPC10 of the Longtown Group Neighbourhood Development Plan.

On-going Compliance Conditions

21. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policies SS6, LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

22. At no time shall any external lighting, except low power (corrected colour temperature not exceeding 2700K and brightness of 500 lumens or less), 'warm-white' LED lighting on directional down-lighters only with 0 degree tilt angle and 0% upward light ratio and controlled by means of a PIR sensor with a maximum overrun time of 1 minute, that is directly required in relation to the immediate safe use of the dwelling and garage, shall be installed or operated throughout the application site, unless otherwise agreed in writing with the Local Planning Authority. No permanently illuminated external lighting shall be operated at any time within the application site, without the written approval of the local planning authority. All lighting shall be maintained thereafter in accordance with these details with all lighting installed demonstrating compliance with latest best practice guidance relating to lighting and protected species-wildlife available from the Institution of Lighting Professionals.

Reason: To ensure that all species and local intrinsically dark landscapes are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework (2023), NERC Act (2006), Herefordshire Local Plan – Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and Policy LGPC10 of the Longtown Group Neighbourhood Development Plan.

23. All foul water shall discharge through a connection to the local Mains Sewer network (Longtown Wastewater Treatment Works) and all surface water shall be managed through a Sustainable Drainage System (SuDS) within land under the applicant's control; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4 and Policies LGPC1 and LGPC14 of the Longtown Group Neighbourhood Development Plan.

24. 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, AA and E of Part 1 and Class A of Part 2 both of Schedule 2, shall be carried out.

Reason: In order to protect the character and amenity of the locality, enable re-assessment of impacts upon landscape character, visual amenity and heritage assets, to maintain the amenities of adjoining property and to comply with Policies SD1, LD1 and LD4 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC3, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

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 applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. In accordance with the National Planning Policy Framework, the

applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

3. It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
4. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 01432 261800), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved). Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.
5. The developer is required to submit details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations. It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Adequate storm water disposal arrangements must be provided to enable Herefordshire Council, as Highway Authority, to adopt the proposed roadworks as public highways. The applicant is, therefore, advised to submit the engineering and drainage details referred to in this conditional approval at an early date to the Senior Engineer, PO Box 236, Plough Lane, Hereford HR4 0WZ for assessment and technical approval. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into.
6. No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. Please contact the Senior Engineer, PO Box 236, Plough Lane, Hereford HR4 0WZ to progress the agreement.
7. It is the responsibility of the developer to arrange for a suitable outfall or discharge point. It cannot be assumed that the highway drainage system can be used for such purposes.
8. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.

9. **All applicants are reminded that attaining planning consent does not constitute permission to work in the highway. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website:**

**www.herefordshire.gov.uk/directory_record/1992/street_works_licence
<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>**

There was an adjournment at 10:57 a.m.; the meeting reconvened at 11:10 a.m.

12. 241510 - LAND AT STOKE EDITH, HEREFORD, HEREFORDSHIRE (PAGES 31 - 32)

The principal planning officer gave a presentation on the application and the updates/representations received following the publication of the agenda.

In accordance with the criteria for public speaking Mrs Fenton spoke on behalf of Weston Beggard Parish Council, Mr Breeze, local resident, spoke in objection to the application and Mr Clements, on behalf of the applicant, spoke in support.

In accordance with the council's constitution the local ward member spoke on the application. In summary, he explained there were significant local objections to the application and if approved it would contravene the neighbourhood development plan (NDP). Such a contravention of the NDP would undermine its worth and credibility. The application was recommended for approval due to the benefit to the environment but the site would have an adverse impact on the landscape. Yarkhill Parish Council and Weston Beggard Parish Council both objected to the application. The current application related to a site of almost 30 hectares. Recently a similar solar farm application had been refused on an area of 10 hectares. The application was refused as the proposal would install a number of uncharacteristic structures across the landscape. This was upheld on appeal due to the harmful impact on the landscape. The area in which the current application was proposed was already inundated with solar panels. The application did not represent the protection of the environment but rather an adverse impact on the environment and landscape.

Councillor Dave Davis left the meeting at 11:45 a.m.

The Committee debated the application. There was division among the members of the committee regarding the acceptability of the application.

It was the contention of some members that there was a need for the development to contribute towards energy security and the application site was in an ideal location with other solar farms nearby and access to National Grid infrastructure.

It was the contention of other members that the scale of the site was excessive and posed an unacceptable impact on the landscape. Furthermore, it was felt the application represented an inappropriate use of vital agricultural land required for food security.

The committee queried:

- whether conditions could be used to mitigate the impact of the development on the landscape, in particular the screening of the substation and inverter and the protection of the riverbank vegetation along the 9 metre easement to the north of the site;
- whether a noise impact assessment had been undertaken on the application; and
- whether concerns regarding the impact of the development on local heritage sites had been resolved;

- the temporary nature of the proposal and if measures were in place to ensure the development could be removed before the 40 years if it was no longer in use; and
- what assurance could be provided that the construction of the development didn't impact upon or increase surface water flooding.

The principal planning officer provided the following clarification:

- screening and protection of riverbank vegetation could be included in the landscape strategy;
- a noise assessment hadn't been undertaken given distances to residential properties and intervening vegetation. It had been determined that a noise assessment was not required;
- the impact of the application site on local heritage assets had determined a less than substantial harm;
- in a correction to condition 13 listed in the report; the period of the required Landscape Management and Maintenance Plan required correction to a period of thirty years;
- conditions were included in the recommendation (conditions 4 and 5) to capture the cease of operation and the length of permission; and
- condition 10 of the recommendation addressed the surface water during construction and sought to ensure the construction of the development would not increase flood risk elsewhere.

The development manager pointed to an error in the report which referred to the tilted balance in favour of development being invoked. He explained that since the relevant policies of the Development Plan were not out of date, the tilted balance was not applicable. He advised that it was instead a planning balance that needed to be applied having regard to the policy tension identified and the public benefits associated with the proposal.

The local ward member was given the opportunity to close the debate. In summary, he explained that the application posed an unacceptable impact on the landscape and represented the industrialization of the local area. The application provided no benefit to the immediate local community and the application should be refused to protect a beautiful part of the county.

Councillor Bruce Baker proposed and councillor Peter Hamblin seconded a motion to approve the application in accordance with the case officer's recommendation. The motion was put to the vote and carried by a simple majority.

RESOLVED:

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

1. Time limit for commencement (full permission)

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

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

2. Development in accordance with approved plans

The development shall be carried out in accordance with the

deposited plans and drawings as stated below:

- **Location Plan C0002470_04 Rev: C**
- **Site Layout C0002470_02 Rev: F**
- **Block Plan C0002470_05 Rev: C**
- **Typical Section Through Array C0002470_06 Rev: B**
- **66kV Substation Plan & Elevations C0002470_07 Rev: A**
- **Customer Substation Plan & Elevations C0002470_08 Rev: A**
- **LV Substation Plans & Elevations C0002470_09 Rev: A**
- **Typical Fence Detail C0002470_10 Rev: A**

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

3. Confirmation of start date

Within 1 month of the date of first export of electricity to the National Grid, confirmation shall be given in writing to the local planning authority of the first export date. The development hereby permitted shall cease on or before the expiry of a 40 year period from the date of the first export of electricity.

Reason: To limit the long term effects of the development and in recognition of the temporary lifespan of the structures, in accordance with Policies SS1, SS6 and SS7 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

4. Cease of operation

If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and all ancillary equipment shall be submitted to the Local Planning Authority for its written approval. The scheme shall make provision for the removal of the solar panels and associated above ground works approved under this permission. The scheme shall make provision for the re-use and materials recovery of all complements where possible. The scheme shall also include management and timing of all works and a traffic management plan to address likely traffic impact issues during the decommissioning period, and environmental management plan to include details of measures to be taken during the decommissioning period of protect wildlife and habitats, and details of site restoration measures. The approved scheme shall be implemented in full accordance with the approved details.

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

5. Length of permission

Within 6 months of the cessation of the export of electrical power

from the site, or within a period of 39 years and 6 months following the first export date, a decommissioning and site restoration scheme for the solar farm and its ancillary equipment shall be submitted for the written approval of the Local Planning Authority. The scheme shall make provision for the removal and re-use of the solar panels and all other associated equipment and the subsequent restoration of the site. The scheme shall include details of the management and timing of all works and a traffic management plan to address likely traffic impact issues during the decommissioning period, and environmental management plan to include details of measures to be taken during the decommissioning period of protect wildlife and habitats, and details of site restoration measures. The approved scheme shall be implemented in full accordance with the approved details.

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

PRE-COMMENCEMENT CONDITIONS

6. Construction Environmental Management Plan

Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) including a full Ecological Working Method Statement and a specified 'responsible person', shall be supplied to the local planning authority for written approval. The CEMP should include a plan identifying ecological buffers which should be demarcated on site and not entered except under the supervision of the Ecological Clerk of Works. The approved CEMP shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed; unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the 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.

7. Construction and Environmental Traffic Management Plan

Prior to commencement of the development hereby approved, a Construction Environmental and Traffic Management Plan (CETMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CETMP shall be implemented and operated in accordance with the approved details. The CETMP will need to be in accordance with current guidance and also incorporate the following in details;

- A method for ensuring mud is not deposited onto the Public Highway
- Construction traffic access location
- Site compound location
- Parking for site operatives
- Construction Traffic Management Plan

- Details of times for construction traffic and delivery vehicles
- Routing of construction traffic and delivery vehicles
- Measures to control the emission of dust and dirt during construction
- A scheme for waste minimisation and recycling/disposing of waste resulting from the construction works
- Hours of construction work and measures to control noise
- Measures to control overspill of light from security lighting

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

Reason: In the interests of highway safety, residential amenity and environmental protection and to conform to the requirements of Policies MT1 and SD1 of the Herefordshire Local Plan – Core Strategy, Policy WB5 of the Weston Beggard Neighbourhood Development Plan and the National Planning Policy Framework.

8. Visibility Splays

Before any other works hereby approved are commenced, visibility splays, and any associated set back splays shall be provided in accordance with drawing 2308036-03 PO (Visibility Splays and Proposed Site Access). Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework

9. Landscape details

Prior to the commencement of the development hereby approved, details of hard and soft landscaping (the Landscape Scheme) shall be submitted to and approved in writing by the local planning authority. The Landscape Scheme shall be in accordance with the Landscape Strategy Plan (LN-NP-07 Revision C) in Figure 7 of the Landscape and Visual Impact Assessment by Stantec dated November 2024. The Landscape Scheme shall include the following:

- a) Plan showing the Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.
- b) Details of the protection measures to be used for any existing landscape features to be retained.
- c) Full details of all proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation and irrigation details.
- d) A timetable for implementation.

The scheme as approved shall be completed in full not later than the end of the first planting season following the commencement of the development on site hereby permitted.

Reason: To safeguard and enhance the character and amenity of the area in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

10. Surface Water during construction

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason: To ensure that the construction of the development does not increase flood risk elsewhere and does not contribute to water pollution and to conform with policy SD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

11. Dormice

Prior to the commencement of any works that may impact dormice or their habitats, a European Protected Species (EPS) licence from Natural England must be obtained. A copy of the licence shall be submitted to the local planning authority for approval.

Reason: To ensure that all species are protected and habitats enhanced having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

12. Flood Storage Compensation Verification

Prior to the installation of any equipment associated with the development hereby approved, the flood storage compensation, shall be carried out in accordance with the details submitted in Table 3.2 of the Hydraulic Modelling Report by SLR Consulting Limited (Ref: 402.065269.0001, dated 16 May 2025) and Figure 5 of the Technical Memorandum by SLR Consulting Limited (Ref: 402.065755.00001, dated 11 April 2025) unless otherwise agreed in writing by the Local Planning Authority in consultation with the Environment Agency. A verification report pertaining to the details outlined within the Hydraulic Report and Technical Memorandum shall be prepared by a suitably competent person, and submitted to the Local Planning Authority for approval. The report shall demonstrate and evidence (including photographs) that the works have been constructed in consistent with that which was approved.

Reason: To minimise flood risk and enhance the flooding regime of

the local area ensure the development and to comply with Policy SD3 and LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

CONDITIONS REQUIRING DISCHARGE BEFORE DEVELOPMENT IS BROUGHT INTO FIRST USE

13. Landscape Maintenance

Before the development is first brought into use, a Landscape Management and Maintenance Plan for a period of 30 years shall be submitted to and approved in writing by the local planning authority. The plan shall incorporate both biodiversity and landscape requirements for establishment and care of the land. The plan approved shall be carried out in full accordance with this approved schedule.

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

14. Species Net Gain

Prior to the first use of any part of the development works hereby approved, photographic evidence of the suitably placed installation of a minimum total of TEN bird nesting boxes (including TWO barn owl nest boxes) and TEN bat roosting 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. Habitat boxes should not be installed on to ash trees and must be installed by or under supervision of a competent ecologist.

Reason: To ensure Species Net Gain having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

15. Mammal Gates

The approved mammal gates shall be installed in accordance with the submitted Ecological Impact Assessment (EclA) prior to the first operation of the development hereby approved. The mammal gates should remain functional and free from obstruction throughout the operational lifespan of the development. Post-installation, verification must be submitted to the local planning authority confirming the installation and functionality of the mammal gates.

Reason: To ensure that all species are protected and habitats enhanced having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the

‘Habitats Regulations’), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council’s declared Climate Change and Ecological Emergency.

16. Protected Species and Dark Skies (external illumination)

No external lighting is to be used on site boundary habitats. Details of any external lighting proposed shall be submitted to and approved in writing by the local planning authority prior to first use of the development works approved under this planning decision notice. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019’ (the ‘Habitats Regulations’), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council’s declared Climate Change and Ecological Emergency.

17. Access Gates

Any new access gates/doors shall be set back 10 metres from the adjoining carriageway edge and shall be made to open inwards only.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

18. Hours of Working

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday - Friday 7.00 – 19:00, Saturday 8.00 – 17:00 nor at any time on Sundays, Bank or Public Holidays.

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

19. A 9-metre easement to be measured from the top of the riverbank shall be maintained along the northern boundary at all times and kept clear for maintenance access.

Reason: To ensure access for maintenance equipment and personnel and to prevent obstructions that could impede the flow of water or hinder maintenance activities and to comply with Policies SD1 and SD3 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

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. 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.
2. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 01432 261800), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.

3. The applicant is reminded that all new fencing or build development should be positioned at least 9m away from all existing ordinary watercourses (both the IDB maintained watercourses and the other smaller ditches) to ensure access for future maintenance by the IDB and others
4. Any surface water discharge into any watercourses in, on, under or near the site requires consent from the Local Drainage Board.
5. The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and Natural England should be informed. They can be contacted at: Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ. Tel: 0300 060 6000.

The attention of the applicant is also drawn to the provisions of the Conservation of Habitats and Species Regulations 2010. In particular, European protected animal species and their breeding sites or resting places are protected under Regulation 40. It is an offence for anyone to deliberately capture, injure or kill any such animal. It is also an offence to damage or destroy a breeding or resting place of such an animal.

6. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.

There was an adjournment at 12:29 p.m.; the meeting reconvened at 12:41 p.m.

13. 243045 - LAND OFF CLUBTAIL DRIVE, HOLMER, HEREFORD

The principal planning officer provided a presentation on the application.

In accordance with the criteria for public speaking Mr Hubbard, local resident, spoke in objection to the application and Mr Rawlings, applicant's agent, spoke in support.

In accordance with the council's constitution, the local ward member spoke on the application. In summary, he explained there had been a number of objections from local residents and the local parish council. Holmer and Shelwick Parish Council objected to the application for the following reasons: it contravened the NDP; it proposed inadequate provision of spaces; the scale of the development was felt to be overbearing and overshadowing of existing houses in the area; and there was not a drainage strategy to address flooding issues on the site; the new development would overlook existing properties due to its elevated position and height which posed concerns regarding the loss of light and the undermining of privacy; there was concern that flooding would increase from water runoff, contrary to core strategy policy SD 3(5); there was a history of problems with water runoff in Clubtail drive; the development was not in keeping with existing houses. The development reduced plans for the park and choose facility to the north of Hereford and additional traffic would be generated by the development which would have an unacceptable impact on existing residents' amenity. There was concern over the security of the proposed development due to the individuals who would be housed.

The committee debated the application.

There was concern across the committee regarding the tight and constrained site for the development. The site represented intensive development and the significant density of housing and lack of parking spaces was problematic. Tarmac and concrete was predominant across the proposed site and there was a lack of space for landscaping features to ameliorate the stark appearance of the building and immediate surroundings. The application posed an unacceptable impact on residential amenity and on the local environment and landscape. The committee felt that changes were required to the application and plans before the scheme could be considered for approval. The committee discussed the deferral of the application based on the need to amend plans to include additional mitigating landscaping and landscape features to address the appearance of intensive overdevelopment. It was understood that the introduction of landscaping measures to mitigate the appearance and impact of the site on the landscape and residential amenity could result in changes to the scale and design of the buildings proposed on the application site.

The local ward member was given the chance to close the debate. In summary, he reiterated concerns about the development and explained that the narrow and limited access point needed to be reconsidered along with concerns about security.

Councillor Stef Simmons proposed and councillor Richard Thomas seconded a motion that the application be deferred to: enable a reconsideration of the plans and the introduction of additional landscaping measures to mitigate the appearance of intensive overdevelopment on the site; and consideration of any consequent changes to the scale and design of the buildings proposed that might arise from changes to the layout.

The motion was put to the vote and carried unanimously.

RESOLVED: that the application be deferred to enable a reconsideration of the plans, particularly to secure the introduction of additional landscaping measures along the northern and eastern edges of the site (alongside any layout and design changes considered necessary to facilitate this) to ensure the scheme assimilates appropriately into the local context whilst delivering enhancement of green infrastructure as required by policies LD1, LD2, LD3 and SD1 of the Core Strategy.

14. 242911 - HAMPTON DENE PRIMARY SCHOOL, CHURCH ROAD, HEREFORD, HEREFORDSHIRE, HR1 1RT (PAGES 33 - 34)

The senior planning officer provided a presentation on the application and updates/representations received following the publication of the agenda.

In accordance with the council's constitution the local ward member spoke on the application. In summary, she explained that it was a council own application with no objections from the public. Sports England had objected to the application due to the loss of a small area of playing field, which was approximately a 10% reduction. Extra provision was needed for children with special education needs (SEND), there was a shortfall of SEND provision in Herefordshire. The development at Hampton Dean would help to improve facilities for children with SEND.

The committee debated the application. It was recognised that the loss of playing fields was unfortunate and that Sport England had an important role protecting playing fields but there was an overriding need for SEND provision that outweighed the modest loss of playing fields.

There was support across the committee for the application.

The ward member was given the opportunity to close the debate. In summary, she explained that there remained adequate area at the school for sports.

Councillor Bruce Baker proposed and councillor Richard Thomas seconded a motion that the application be approved in accordance with the case officer's recommendation.

The motion was put to the vote and was carried unanimously.

RESOLVED:

The Planning & Regulatory Committee resolve to approve the proposal subject to the following list of conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers and that the application is referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2024.

Unless Sport England subsequently remove their objection, the Local Planning Authority shall not grant planning permission until the expiry of a period of 21 days beginning with the date which the Secretary of State tells the authority in writing they have received notification and if, before the expiry of the 21 day period, the Secretary of State has notified the authority that they do not intend to issue a direction under section 77 of the Town and Country Planning Act 1990 in respect of that application, the local planning authority may determine the application.

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. The development shall be carried out strictly in accordance with the following list of approved plans, except where otherwise stipulated by conditions attached to this permission and schedule of materials listed thereon:

- 17517 - DB3 - B01 - 00 - DR - A – 90003 Revision P12 (Proposed Site Plan);
- 17517 - DB3 - B01 - ZZ - DR - A – 20702 Revision P07 (Proposed Building Elevations);
- 17517 - DB3 - S01 - 00 - DR - A – 90005 Revision P05 (Proposed Ecology Plan);
- 17517 - DB3 - B01 - 00 - DR - A – 20103 Revision P04 (Proposed 00 Level Plan);
- 17517 - DB3 - B01 - RF - DR - A – 20104 Revision P04 (Proposed Roof Level Plan);
- 17517 - DB3 - B01 - 00 - DR - E - 63002 Revision P03 (External Lighting Layout);
- 17517-DB3-B01-XX-DR-A-40100 Revision P02 (Proposed External Finishes Palette);
- 17517-DB3-B01-00-DR-A-20106 Revision P01 (Proposed Car Park Plan);
- 50804-BUR-XX-XX-D-C-10101 Revision P3 (Proposed Car Park General Arrangement);
- 50804-BUR-XX-XX-D-C-10503 Revision P1 (Proposed Foul Water Drainage General Arrangement); and
- 50804-BUR-XX-XX-D-C-10502 Revision P1 (Proposed Surface Water Drainage General Arrangement)

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

Pre-Commencement Conditions

3. No works, including any site clearance or groundworks shall take place until the following has been submitted to and approved in writing by the local planning authority:

a) a Preliminary Risk Assessment report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice

b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors

c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and

proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

4. No works, including any site clearance or groundworks, shall take place until details of a site waste prevention plan and management measures has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.

5. The tree protection plan and recommendations, as set out in the Arboricultural Impact Assessment & Method Statement dated February 2025 by Mackley Davies Associated Ltd, shall be implemented on-site and maintained throughout the duration of the construction phase until the development is completed.

Reason: To ensure that that the development does not have an adverse effect on the character and appearance of the area, ensuring arbiocultural features are protected and conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy in relation to landscape character, visual amenity and green infrastructure and the National Planning Policy Framework.

6. The development shall be carried out in accordance with the Outline Construction Traffic Management Plan by Burroughs dated 4 March 2025, as amended by further information received from Burroughs on 28 April 2025 and 27 May 2025, and shall be implemented throughout the duration of the construction phase of the development.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Pre-Occupation Conditions

7. The Remediation Scheme, as approved pursuant to condition 3 above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning

Policy Framework.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. The recommendations set out in the Preliminary Ecological Appraisal & Biodiversity Net Gain Report written by Aware Ecology dated April 2025, shall be followed and implemented in relation to protected species.

Reason: To ensure that all species are protected 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.

10. Prior to first use of any development approved under this planning permission, evidence of the suitably placed installation on the approved classroom extension, or on other land under the applicant's control, of a minimum of TWO bird nesting features of mixed types, ONE House Martin/Swallow cups, ONE House Sparrow terrace and TWO bat roost features as well as hedgehog highways and boxes, shall be submitted to and acknowledged by the local authority; and shall be maintained thereafter.
Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981), National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3.

11. Prior to the first use of the classroom extension hereby approved, an updated Travel Plan which contains measures to promote alternative sustainable means of transport for staff and visitors with respect to the approved development hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority.

The Travel Plan shall be implemented, in accordance with the approved details, within one month of the first use of the classroom extension.

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.

12. Prior to the first use of the car park or classroom extension, full details of a

scheme for the provision of covered and secure cycle parking facilities within the curtilage of the application site shall be submitted to the Local Planning Authority for their written approval.

The covered and secure cycle parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the first use of the development to which this permission relates to. Thereafter these facilities shall be maintained for the lifetime of the development.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policies SD1 and MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

13. The classroom extension shall not be occupied until the foul and surface water drainage works have been completed in accordance with drawing numbers 50804-BUR-XX-XX-D-C-10503 Revision P1 (Proposed Foul Water Drainage General Arrangement) and 50804-BUR-XX-XX-D-C-10502 Revision P1 (Proposed Surface Water Drainage General Arrangement).

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

14. Details, including specification, of any additional external lighting proposed to illuminate the proposed classroom extension and/or car park, other than otherwise shown within drawing number 17517 - DB3 - B01 - 00 - DR - E - 63002 Revision P03 (External Lighting Layout) shall be submitted to and approved in writing by the local planning authority before first use of the classroom extension.

Development shall be carried out in accordance with the approved details.

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

15. The temporary construction access onto Hampton Dene Road shall be re-instated to an agreed standard within 12 months of first use of the car park extension or classroom extension, whichever is sooner.

Further details, including an annotated proposed site plan, of the agreed standard shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, in consultation with the Local Highway Authority.

The agreed standard shall thereafter be reinstated as per the timescales stated above.

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

On-going monitoring/compliance Conditions

16. Surface water flows from the development shall only communicate with the public surface water sewer through an attenuation device that discharges at

a rate not exceeding 2.5 litres per second.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policies SS1, SS6, LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

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) and the Habitats and Species Regulations (2019 as amended), with enhanced protection for special “high status protected species” such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required ‘licences’ have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.
3. It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
4. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
5. The applicant may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not

be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. In accordance with the National Planning Policy Framework, the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

6. Assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework. All investigations of potentially contaminated sites are required to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission. Where ground gas or vapour protection measures are required, they shall be validated in accordance with current best practice guidance.

The meeting ended at 2.00 pm

Chairperson

240468 - PROPOSED RESIDENTIAL DEVELOPMENT OF 8 NO. DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING AT LAND SOUTH EAST OF GREYHOUND CLOSE, LONGTOWN, HEREFORD, HEREFORDSHIRE.

For: Ms Price per Mr Geraint John, Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

OFFICER COMMENTS

At 6.77, the officer report refers to a “proposed reduced development of 8 dwellings”. To avoid any ambiguity, this statement refers to the fact that this application was originally for 9 dwellings before amendments were made to omit 1 of the dwellings. In light of the previous appeal decision and whilst noting the increased quantum of development when compared to P221678/F, officers are of the view that the current proposal would not cause harm to the setting, significance or experience of heritage assets.

Further to two queries raised during the site inspection:

1. The applicant envisages that all soil will be re-used on site. Members should also note pre-commencement conditions 5 and 6 which would require the applicant to provide further details on site waste prevention and soil management plan prior to any works commencing on site.
2. Rain gardens have been included in the drainage plan to accommodate for climate change measures, further details of which are provided in the Climate Change measure compliance checklist as supporting information. The applicant is amenable to providing water butts/additional collection measures as a condition.

NO CHANGE TO RECOMMENDATION

241510 - PROPOSED INSTALLATION AND OPERATION OF A RENEWABLE ENERGY GENERATION STATION COMPRISING GROUND-MOUNTED PHOTOVOLTAIC, INVERTER/TRANSFORMER UNITS, CONTROL ROOM, SUBSTATIONS, ONSITE GRID CONNECTION EQUIPMENT, SITE ACCESS, ACCESS GATES, INTERNAL ACCESS TRACKS, SECURITY MEASURES AND OTHER ANCILLARY INFRASTRUCTURE AT LAND AT STOKE EDITH, HEREFORD, HEREFORDSHIRE,

For: Anesco Ltd c/o agent per Mr Nick Pleasant, Fourth Floor, 2 Whitehall Quay, Leeds, LS1 4HR

ADDITIONAL REPRESENTATIONS

One additional representation received from a member of the public seeking clarification on the following two points;

1. The National Grid Connection for the site is currently shown at 16.3MW/peak capacity NOT 20MW/peak capacity. See [National Grid Electricity Distribution Embedded Capacity Register NGED ECR Dashboard June 2025 Excel download](#)
The Stoke Edith project is at Line 1599 column AR (Accepted to Connect Registered Capacity) 16.3MW peak onto the 66kV Dormington - Bromyard line that crosses the proposed site.
2. As a consequence of the above the claimed "benefits" of the proposed scheme will be significantly curtailed especially in the summer months during the daily maximum UK insolation. It is therefore highly likely that the Developer will propose an additional Battery Energy Storage System (BESS) to ensure maximum electrical power output to the grid from the scheme.

OFFICER COMMENTS

The planning consultant for the scheme has confirmed that the peak export capacity of the project as connected to the grid is 16.3MW as identified in the representation. This is the maximum amount of power the solar system will be able to provide to the grid at any one moment. The size of the project which is being proposed however is designed at 20.6MW. This is to ensure during times of cloudier weather and in the morning and evenings, the system still generates a good amount of power to keep exporting 16.3MW for longer. There will be some curtailment, but it will not be above 5% and therefore is deemed to be insignificant. This is identified as standard practice across solar developments to make the most use of the grid connection available.

The application does not include a BESS system on the site. If in the future any system is proposed it will be considered through the planning process, with all material planning considerations assessed.

CHANGE TO RECOMMENDATION

In line with the advice from the River Lugg Internal Drainage Board and Environment Agency the following condition is included in the recommendation to ensure access for maintenance:

A 9-metre easement to be measured from the top of the riverbank shall be maintained along the northern boundary at all times and kept clear for maintenance access.

Reason: To ensure access for maintenance equipment and personnel and to prevent obstructions that could impede the flow of water or hinder maintenance activities and to comply with Policies SD1 and SD3 of the Herefordshire Local Plan Core Strategy and the National Planning Policy Framework.

242911 - PROPOSED EXTENSIONS TO THE EXISTING PRIMARY SCHOOL TO PROVIDE 2 ADDITIONAL CLASSROOMS AND ASSOCIATED LEARNING RESOURCE AND SUPPORT SPACES, EXTENSION OF THE EXISTING CAR PARK AREA, RELOCATION OF 2 NO. STORAGE SHEDS, AND ASSOCIATED HARD AND SOFT LANDSCAPING AND BIODIVERSITY IMPROVEMENTS AT HAMPTON DENE PRIMARY SCHOOL, CHURCH ROAD, HEREFORD, HEREFORDSHIRE, HR1 1RT

For: Mrs Marshall per Mr Nathan Liu, DB3 Architecture and Design, 3rd Floor, 2 Callaghan Square, Cardiff, South Glamorgan, CF10 5BT

ADDITIONAL REPRESENTATIONS

Further to the publication of the report, the applicant has provided the following additional supporting information italicised below, together with a revised AMENDED Proposed Site Plan (received 1 July 2025) and an Arboricultural Impact Assessment & Method Statement:

"We have been notified that Hampton Dene School will have space for 214 (184+30) mainstream students and 64 (48+16) SENDs students.

Please see below calculations for BB103 and BB104:

Mainstream Soft Outdoor PE Area: 20 m² per student

Mainstream Hard Outdoor PE Area: Base area of 400 m² with additional 1.5 m² per student

SENDs Soft Outdoor PE Area: Base area of 2800 m² with additional 7.5 m² per student

SENDs Hard Outdoor PE Area: Base area of 400 m² with additional 1.5 m² per student

To calculate the required proposed soft and hard outdoor PE areas for Hampton Dene School:

Soft Outdoor PE Area: $(20 \times 214) + (7.5 \times 64) = 4760 \text{ m}^2$ (base area for SENDs provisions is included within the area required for mainstream school)

Hard Outdoor PE Area: $(400 + 1.5 \times 214) + (400 + 1.5 \times 64) = 721 \text{ m}^2$ (both provisions have a base area requirement)

At the moment, the proposed Hampton Dene Primary School would have the following provisions:

Available Soft Outdoor PE Area: 8097 m²

Available Hard Outdoor PE Area: 949 m²

As per our calculations, we would have more than the required areas for both soft and hard outdoor PE areas. We have included a site plan to illustrate the current available outdoor PE areas."

The above has been shared and reviewed by Sport England, who provide the following updated response received on 1 July 2025:

“Thanks for the below as discussed there were two elements which we sought further information on and there remains no clarity as to whether there remains the capacity to accommodate 2no U9/10s (61x43m) football pitches on the retained playing field site. This would be helpful for Sport England to reconsider its position.”

OFFICER COMMENTS

Given the timescales, it has not been possible for the applicant to provide a further amended plan in response to the further comments of Sport England. The proposed loss of playing fields is however discussed extensively from 6.12 to 6.23 of the officer report and the amended site plan does not change the views reached by officers in terms of tension with policy on this point.

The received Arboricultural Impact Assessment and Method Statement includes a Tree Protection Plan which is in relation to the proposed temporary access required onto Hampton Dene Road during the construction phase of the development. This has been reviewed by officers and is viewed to be appropriate. Accordingly, Condition 5 as proposed in the officer recommendation can be amended to effectively implement the Tree Protection Plan and recommendations of the report to be maintained throughout the duration of the works.

For information, the current shortfall of SEND places across Herefordshire is 239.

CHANGE TO RECOMMENDATION

The consultation period has now expired and since no further comments have been received, the wording of the recommendation has been changed accordingly. Furthermore, considering recent exchanges, it is possible that Sport England may remove their objection, and, in this case, the recommendation has been amended to avoid any unnecessary notification to the Secretary of State should this occur.

The Planning & Regulatory Committee resolve to approve the proposal subject to the following list of conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers and that the application is referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2024.

Unless Sport England subsequently remove their objection, the Local Planning Authority shall not grant planning permission until the expiry of a period of 21 days beginning with the date which the Secretary of State tells the authority in writing they have received notification and if, before the expiry of the 21 day period, the Secretary of State has notified the authority that they do not intend to issue a direction under section 77 of the Town and Country Planning Act 1990 in respect of that application, the local planning authority may determine the application.

Condition 5, as set in the officer report, to be replaced with the following condition:

5. The tree protection plan and recommendations, as set out in the Arboricultural Impact Assessment & Method Statement dated February 2025 by Mackley Davies Associated Ltd, shall be implemented on-site and maintained throughout the duration of the construction phase until the development is completed.

Reason: To ensure that the development does not have an adverse effect on the character and appearance of the area, ensuring arbiocultural features are protected and conforms with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy in relation to landscape character, visual amenity and green infrastructure and the National Planning Policy Framework.

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	30 JULY 2025
TITLE OF REPORT:	242024 - PROPOSED ERECTION OF SELF-BUILD DWELLING AND ANCILLARY OUTBUILDINGS AND CREATION OF ACCESS AT LAND OPPOSITE AND EAST OF CAENWOOD, HOWLE HILL, ROSS-ON-WYE, For: Andrew De La Haye & Yolande Watson per Mr Ed Thomas, 13 Langland Drive, Hereford, Herefordshire, HR4 0QG
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=242024
Reason Application submitted to Committee – Redirection	

Date Received: 8 August 2024

Ward: Kerne Bridge

Grid Ref: 360348,220510

Expiry Date: 10 October 2024

Local Member: Cllr Simeon Cole

1. Site Description and Proposal

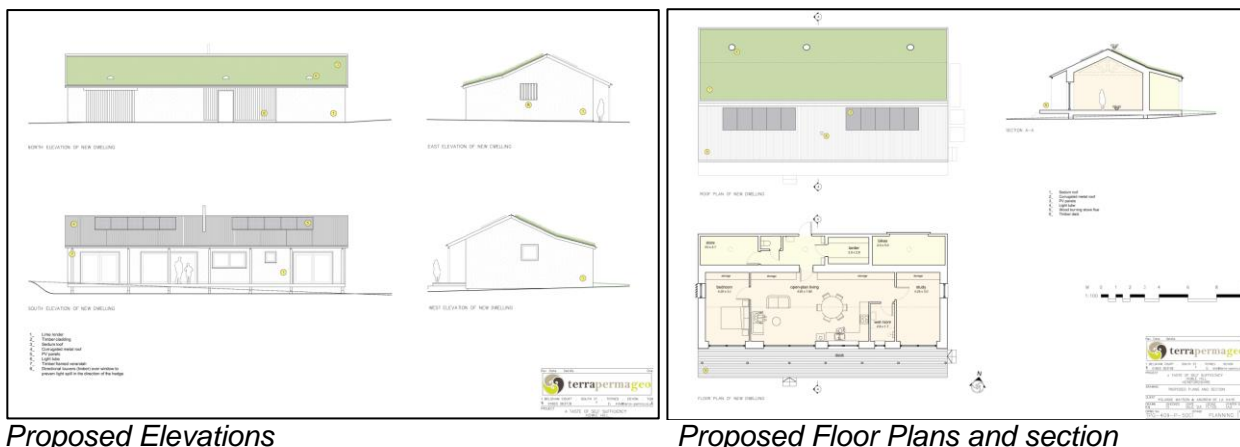
- 1.1 The application site is located to the north-east of Howle Hill, positioned to the east and south of the U70415 and to the north of the U70416. The site lies within the Wye Valley National Landscape and partly within a Special Wildlife Site (Howle Hill and Marks Well) and is within the hydrological catchment of the River Wye Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The topography of the site rises steeply towards the north-east and there are no identified fluvial flood risk associated with the site (Flood Zone 1).
- 1.2 This application seeks full planning permission for the erection of a one-bedroom detached bungalow, comprising a footprint of approximately 171.21 square metres (measuring 17.19 metres in length and 9.96 metres in width), with a proposed ridge height of 4.58 metres. The proposed dwelling is located to the north east of the wider site. Access is to the north east of the plot.



Proposed Site Plan

Further information on the subject of this report is available from Mr Joshua Evans on 01432 260327

- 1.3 The proposed external materials include lime render and timber cladding for the walls, with a combination of sedum and corrugated metal sheeting for the roof. Plans are inserted below for ease of reference.



- 1.4 The application has been supported by the following:

- Design and Access Statement
- Preliminary Ecological Appraisal
- Geo-Environmental Desk Study Report
- Highways Technical Note
- Drainage Strategy (and additional WET system details and composting toilet method statement)
- Self Build Statement of Intent
- Biodiversity/Ecological Compliance Checklist
- Climate Change Compliance Checklist

- 1.5 These can be accessed in the supporting documents section of the website:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=242024&search-term=242024

2. Policies

2.1 The 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 |
| SS5 | - | Employment Provision |
| SS6 | - | Environmental quality and local distinctiveness |
| RA1 | - | Rural Housing Strategy |
| RA2 | - | Herefordshire's Villages |
| H3 | - | Ensuring an Appropriate Range and Mix of Housing |
| MT1 | - | Traffic Management Highway Safety & Active Travel |
| LD1 | - | Landscape and Townscape |
| LD2 | - | Biodiversity and Geodiversity |
| LD3 | - | Green Infrastructure |
| SD1 | - | Sustainable Design and Energy Efficiency |
| SD2 | - | Renewable and Low Carbon Energy |
| SD3 | - | Sustainable Water Management and Water Resources |
| SD4 | - | Wastewater Treatment and River Water Quality |

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

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.2 **Walford Neighbourhood Development Plan**

<https://www.herefordshire.gov.uk/directory-record/3112/walford-neighbourhood-development-plan>

Policy WALF1: Promoting Sustainable Development
 Policy WALF2: Development Strategy
 Policy WALF4: Conserving the Landscape and Scenic Beauty of the Parish
 Policy WALF6: Enhancement of the Natural Environment
 Policy WALF8: Wastewater Drainage
 Policy WALF10: Sustainable Design
 Policy WALF12: Highway Design Requirements
 Policy WALF17: Design and Appearance
 Policy WALF20: Housing Development in Howle Hill

2.3 **National Planning Policy Framework**

https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

Section 2 – Achieving sustainable development
 Section 4 – Decision Making
 Section 5 – Delivering a sufficient supply of homes
 Section 9 – Promoting sustainable transport
 Section 11 – Making effective use of land
 Section 12 – Achieving well-designed places
 Section 15 – Conserving and enhancing the natural environment

2.4 **Wye Valley AONB Management Plan**

<https://www.wyevalley-nl.org.uk/wp-content/uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf>

Wv-D2: Design, Materials and Energy Efficiency
 WV-T2- Transport Infrastructure and Traffic Management

- 2.5 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision, highways safety and safeguarding features of environmental value (amongst others). These have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight and any policy tension is set out within the assessment and planning balance in the Appraisal section below.

3. **Planning History**

P232500/F- Proposed erection of dwelling and ancillary outbuildings and creation of access-
 Withdrawn 31 October 2023

4. Consultation Summary

Statutory Consultees

4.1 **Welsh Water-** Qualified Comment (12 September 2024)

This application is located in an un-sewered area and since the proposal intends on utilising an alternative to mains drainage, we would advise that the applicant seek advice from the Environment Agency and the Building Regulations Authority as both are responsible to regulate alternative methods of drainage.

4.2 **Environment Agency**

No Objection/Qualified Comment (29 May 2025) – comments specifically in respect of the proposed WET system

As this is a non-standard drainage arrangement with the ability to discharge to surface waters, it would require a bespoke surface water discharge permit. This would need to be in place before any discharge can commence. I understand that the proposal is to line the ponds/lagoon with an impermeable liner. This will need to happen to ensure that there is no discharge to ground.

No objection/Qualified Comment (14 October 2024)

Thank you for your consultation on the above application received by us on 25/09/24.

We previously commented upon a similar proposal for the erection of a single dwelling on this site (your ref: 232500), at that time the risks of pollution to controlled waters were not demonstrated and we requested a desk study to be carried out.

We have reviewed the Pre-Planning Geo-Environmental Desk Study Report by Wilson Associates (ref: 5331, dated May 2024) submitted with this application and have the following comments to make in regard to the protection of controlled waters only.

Queries relating to human health should be directed to the relevant department of the Local Authority.

Site Context

The 1:50,000 scale geological map indicates that the bedrock underlying the site is the Avon Group Formation, consisting of interbedded Mudstone and Limestone forming a Secondary A aquifer. There are no superficial deposits mapped on site, which increases the bedrock aquifers vulnerability to pollution. The site is not within a source protection zone or drinking water safeguard area.

In our previous response (your ref: 232500), we noted that the previous use of the Eastern portion of the site was a landfill, known as Howle Hill which presents a high risk of contamination to groundwater. We understand the site boundary has now been moved and the site is not now proposed on this historical landfill. We are therefore satisfied that the risk from the landfill is sufficiently reduced

Risk to Controlled Waters

We understand from the Desk Study Report that due to historical land uses and proximity to Howle Hill Landfill, possible elevations of toxic metals and PAH Hydrocarbons may exist near the surface made ground from quarry soil and lime kiln fire ash, and it is possible that these contaminants could permeate down to the unsaturated zone and reach the water table.

The findings of the Desk Study Report suggest there is a low risk that the site may contain contaminants at elevations sufficient to pose a significant risk to environmental receptors. Thus, testing and producing a quantitative risk assessment is considered unnecessary as no evidence of contamination was identified during the site walkover.

During groundworks we recommend that a watching brief is conducted to identify any potential existing contamination. If anything untoward is found, works should stop, and the substance should be checked with a professional environmental consultant to confirm whether contamination is present. Works should not restart until any contamination has been appropriately dealt with.

In light of the above, we recommend that the following condition be added to any granted planning permission in the interest of protecting controlled waters:

Condition: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local planning Authority, a Method Statement for remediation. The Method Statement must detail how this unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any sampling and monitoring. It shall also include any plan (a long-term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

Reason: To ensure that any unexpected contamination is dealt with, and the development complies with approved details in the interests of protection of ground and surface waters (controlled waters as defined under the Water Resources Act 1991).

4.3 **Natural England – No Objection/Qualified Comment (27 May 2025)**

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further information on when to consult Natural England on planning proposals is here- [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-and-transport-authorities-get-environmental-advice-on-planning)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here- Protected sites and areas: how to review planning applications - [GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Further guidance is also set out in Planning Practice Guidance on the natural environment Natural environment - [GOV.UK \(www.gov.uk\)](https://www.gov.uk) and on Habitats Regulations Assessment Appropriate assessment - [GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Internal Consultees

4.4 **Environmental Health (Noise/Nuisance) Comments** - No Objection (09 September 2024)

4.5 **Environmental Health (Contamination) Comments** – Qualified comment 17 July 2025)

We refer to the above application and would make the following comments in relation to contaminated land and human health issues only.

“Pre-planning Geo-Environmental Desk Study Report for Land Opposite and East of Caenwood, Howle Hill, Ross-on-Wye, Herefordshire.” Prepared by Wilson Associates, Dated : 24th May 2024, Report No.: 5331

The qualitative Desk Study assessment carried out identified a principal risk from an adjacent, closed, landfill site authorised to accept inert wastes. It concludes that, in lieu of ground gas monitoring to quantify these risks, ground gas protection (equivalent to CS2 as defined in BS8485) should be included in the development.

Whilst it is generally accepted that ground gas protection measures should be designed and implemented on the basis of monitoring data, the specialist considers the inclusion of appropriate ground gas protection to be adequate from the information assessed as part of the desk study. It notes that the installation of ground gas monitoring wells is expensive and whilst this is the case, such work may negate the requirement for time consuming ground gas design and verification plans to be prepared and submitted, on site independent verification and subsequent verification reporting.

Given its proximity (estimated at 3m beyond the development boundary) and likely inaccuracy of recorded site extents, consideration should also be given to confirming no wastes are present in the soils within the development 'red line'. Trial pitting or similar would likely prove valuable in demonstrating the site is waste free if such information cannot be found in the paper records.

On the basis of the above, and because it is considered that there is value in reviewing files held by the Local Authority indicating the deposition of unauthorised wastes at the landfill, we would recommend the condition below be appended to any approval. It retains the desk study element on the basis that an addendum or revision of the report may be required following review of these records and the comments above.

Recommended Condition

1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:
 - a) a Preliminary Risk Assessment report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
 - b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors
 - c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Technical notes about the condition

1. Assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework.
2. All investigations of potentially contaminated sites are required to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.
3. Where ground gas or vapour protection measures are required, they shall be validated in accordance with current best practice guidance.

4.6 **Minerals and Waste Comments - No Objection (13 September 2024)**

I can confirm that the application site is identified as being within an area safeguarded for minerals due to the presence of a large hard rock deposit. There are a number of small historic quarries within the area and as a result areas of unknown landfill. I would advise that the Environmental Health Officer for Contaminated Land is consulted in relation to the potential for contamination on the site.

In terms of the safeguarding of minerals, the site is not identified as a preferred area for extraction within the emerging Minerals and Waste Local Plan. Given the context of the site and permitted reserves of hard rock which the County currently has, I would raise no objection to the proposed development in relation to the safeguarding of minerals at the current time.

4.7 **Natural Environment Officer Ecology**

Original comment Objection (23 September 2024)

Summary: further surveys are required. Objections from other consultees need to be removed before we are able to proceed with a HRA.

Notes in respect of Ecology

The proposed site is within the Wye Valley AONB, 2 km from the river Wye SSSI, 5 km from the Wye Valley & Forest of Dean Bat SAC. Neighbouring the wider site to the south is a priority habitat, an orchard. Wrapping the site from the South West to the North is a parcel of woodland part of which is classified as an ancient woodland (Howle Hill Wood and Marks Well Wood).

A Preliminary Ecological Appraisal by NewWays Ecology dated 10/06/24 and a Mitigation and Biodiversity Enhancement Management Plan also by NewWays Ecology dated 25/07/24 has been provided in support of this application. The PEA found the site to be of moderate ecological importance based on its semi-improved grassland with herb rich mix within the sward and the BAP priority habitat hedgerow on the north-western boundary.

The proposed development on this site would impact 4 m of priority habitat species rich hedgerow to be removed for visibility splay, and 200m² area of semi-improved grassland, as well as the Local Wildlife Site. A silt trap has been recommended to stop runoff impact on the LWS, as well as replanting to limit the effects on the hedgerow and grassland.

Bats

The new smaller proposed site has no roosting features but likely that it has potential to host foraging and commuting bats due to the surrounding habitat. The wider site includes disused Lime Kilns. The previous PEA tied to the withdrawn application (232500) on this site recommended further bat surveys due to records of bats emerging from the Kilns. The current PEA mentions that these are currently being assessed by Herefordshire Mammals, who have already carried out a hibernation survey, and are carrying out emergence surveys. We have not yet seen sight of these, and it is unclear if the wider site supports bat species and how this development is likely to impact them.

GCN

The closest GCN record is within 600m of the site and the pond on the wider site has been assessed as having average suitability using the Habitat Suitability Index. The previous PEA also evidenced that there was knotweed onsite and that this would require further surveys as it had the potential to spread offsite, it also recommended the further surveying of ponds on/near the site. We also requested these surveys as part of the previous application on this site, our response remains the same and we need GCN surveys or eDNA testing as the proposed site has the potential to support GCN.

To carry out a presence/absence survey for great crested newts, this must be made up of either 4 survey or an eDNA survey. The four visits need to be between mid-March and mid-June with at least 2 visits between mid-April and mid-May. Three survey methods (preferably torch survey, bottle trapping and egg searching) should be used on each survey visit. If great crested newts are discovered on the site then it may be necessary to carry out a population size class estimate which involves an additional 2 visits in the specified time period. Negative results using the eDNA technique are also acceptable.

The ecologist should make recommendations as to whether a European Protected Species Licence with respect to great crested newts would be necessary and the need for a mitigation scheme and/or precautionary method statement.

Great crested newt survey should be carried out by an experienced, licensed ecologist in line with the Great Crested Newt Mitigation Guidelines by Natural England (2001) and should be submitted with any necessary mitigation scheme and method statement to the Local Planning Authority in support of the planning application.

The use of the eDNA technique in line with the established guidelines for use is acceptable to provide evidence of likely absence.

Reptiles

Due to the habitat on site the PEA has suggested the development could have some impact on reptiles but precautionary working methods and reasonable avoidance measures have been provided.

Birds

No evidence of nesting on site but high potential for birds on site due to the mixed species hedge on the northwest boundary.

Dormice, badgers

No evidence of badgers or dormice on site.

There is no certainty that the proposed development will not affect or harm local protected species populations. An Ecology OBJECTION raised as the application does not demonstrate compliance with Core Strategy LD2, (SS1, SS6 also apply); 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'); NPPF (2021); NERC Act (2006) obligations and considering the council's declared Climate Change and Ecological Emergency.

Notes in respect of River Wye SAC & Wye Valley & Forest of Dean Bat SAC

The site is within the hydrological catchment which comprises part of the River Wye Special Area of Conservation (SAC); a habitat recognised under the Habitats Regulations, (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')) as being of international importance for its aquatic flora and fauna. The site is within 10km of sites included within the Wye Woodlands and Forest of Dean Bat SAC (Horseshoe species). This triggers the requirement for effects on Horseshoe Bat species – foraging, commuting and roosting (Core Sustainance Areas) to be considered within the HRA process

The competent authority (in this case the Local Planning Authority) is required to consider all potential effects (either alone or in combination with other development) of the proposal upon the European site through the Habitat Regulations Assessment process.

The HRA process must be based on a demonstration of legal and scientific and be undertaken with a 'precautionary' approach.

The site lies within the River Wye SAC and Natural England must be formally consulted in relation to the triggered Habitat Regulations Assessment.

Notes in respect of Habitat Regulation Assessment (River Wye SAC & Wye Valley & Forest of Dean Bat SAC)

Wye Valley & Forest of Dean Bat SAC

- The site is within 5 km of the Wye Valley & Forest of Dean Bat SAC (Horseshoe Species).
- The proposed site has no roosting features but it is likely that it has potential to host foraging and commuting bats due to the surrounding habitat. The wider site includes disused Lime Kilns that have previous records of bats, these are currently being surveyed.
- We have not seen sight of these surveys, so it is unclear if this proposal will likely significant effect the Wye Valley & Forest of Dean Bat SAC.

River Wye SAC

- This application lies within the lies within the hydrological catchment which feeds to the River Wye SSSI.
- A mains sewer connection is not available at this location. This has been confirmed by DCWW on the 12 September 2024.
- Based on the Foul Drainage Assessment Report the site will make use of a compost toilet and a Biologic Design Wetland System to treat grey water.
- The wetland is now not included in the red line boundary.
- Compost will be spread in the wider site belonging to the applicant, not included in the red line boundary for this development.
- The system would have to conditioned and legally secured for the lifetime of the development.
- Based on the previous consultation with EA the site lies within a secondary aquifer, increasing its vulnerability to pollution.
- The proposed development creates additional overnight or new residential accommodation.
- The new application leads to additional surface water.
- This will be harvested and stored in a SuDS system to be used on site.

We have some initial queries outlined below:

Species surveys are requested for this site as outlined in 'Notes in respect of Ecology'.

There has been a recent change in the condition of the River Wye, which has been downgraded from 'Unfavourable-no change' to 'unfavourable – declining' and the LPA has a duty to ensure developments do not make this situation worse or hinder the improvement of the condition of this SSSI.

We note that there is still an outstanding Land Drainage consultation, and previously they gave a holding objection for a similar scheme on this site. We need confirmation of No Objection to ensure the proposed scheme is legally and technically feasible before we can further assess the application in regards to HRA.

In addition, the previous application had an Objection from the Environment Agency due to potential effects on the watercourse and a secondary aquifer. I note that the EA has not yet been consulted and we will await their response.

Once this information has been submitted and the Environment Agency/Land Drainage have been consulted and responded with a No Objection the LPA can look to progress the required

HRA process, Appropriate Assessment and required full consultation with Natural England can be progressed.

At this time due to legal and scientific uncertainty and phosphate neutrality not secured there is an identified Adverse Effect on the Integrity of the River Wye Special Area of Conservation and Wye Valley & Forest of Dean Bat Special Area of Conservation (a European Site, 'National Network Site' or 'Higher Status' nature conservation site). There is also no certainty that the proposed development will not have an effect on the integrity of national nature conservation sites (SSSI) or local irreplaceable habitats. There is an Ecology OBJECTION raised as the application does not demonstrate compliance with Core Strategy SD3 (SS1, SS6 and LD2 also apply); 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'); NPPF; and NERC Act obligations.

Further comments- No Objection (6 May 2025)

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

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

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

From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to "unfavourable declining" by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.

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

Notes in respect of HRA

The proposal creates ONE new residential dwelling with associated new-additional foul water and surface water flows (nutrient pathways) created.

- No mains sewer system is available at this location.
- The applicant's additional information and plans received 26th March 2025 are noted and refer.
- Details of proposed composting toilet system and solid and liquid water management are noted.
- A bespoke private foul, grey and surface water management system is proposed.

Foul Water/WC

- The proposal is to utilise a composting toilet. The system will separate solid and liquid waste,
- Solid waste will be dry composted for at least 12 months prior to use a natural fertiliser within the garden of proposed dwelling and within the ownership of the applicant.

- Liquid waste will be used in a similar way as a natural fertiliser after natural treatment processes and will be used within the garden of the proposed development under the ownership of the applicant.
- All nutrient pathways are retained within the applicant's garden and naturally used by the growth of plants and trees; or managed with soil processes or chemical reaction with underlying limestone geology.
- A condition can be used to ensure all waste is managed and used as a fertiliser within the applicant's garden associated with the approved dwelling; for the lifetime of the permitted dwelling.

Grey Water

- All grey water will be directed to a designed 'WET' system that has been designed to manage all grey water flows created by the proposed dwelling.
- The WET system has been sized and designed to ensure that precipitation on the system, in addition to grey water flows, is fully accommodated.
- The WET system uses natural processes and plant/tree growth to ensure all nutrients are taken up and used in their growth; or are managed through natural infiltration and natural soil processes and natural chemical processes within the local limestone geology.
- No grey water is discharged outside the curtilage of the proposed dwelling.
- No nutrient pathways outside the curtilage of the proposed dwelling are identified.
- The WRT system and its management can be secured for the lifetime of the dwelling it supports through condition on any planning permission granted.

Surface Water

- All clean surface water will be collected and managed separately to greywater to ensure the WET system for greywater is not overloaded at times of high precipitation.
- All surface water will be managed through onsite Sustainable Drainage Systems.
- No surface water is discharged outside the curtilage of the proposed dwelling
- The SuDS and its management can be secured for the lifetime of the dwelling it supports through condition on any planning permission granted.

All potential nutrient pathways are managed and fully mitigated within the curtilage of the proposed dwelling and no pathways into the wider hydrological catchment of the River Wye SAC are identified as a result of the proposed new dwelling.

Suggested conditions

Foul Water (Nutrient Management) River Wye SAC (SSSI)

Unless otherwise approved in writing by the Planning Authority:

- All foul water created by the dwelling permitted under this permission shall be managed by a composting toilet system with solids and liquids being separated and stored for further management.
- All solids created by the composting toilet shall be subject to a dry composting process for a period not less than 12 months and then shall be used a fertiliser within the curtilage of the permitted dwelling.
- All liquids created by the composting toilet shall be used a fertiliser within the curtilage of the permitted dwelling.
- The permitted foul water system shall be managed and maintained as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021),

NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, SD3, SD4, LD1, LD2 and LD3 and the council's declared Climate & Ecological Emergency.

Grey Water (Nutrient Management) River Wye SAC (SSSI)

Unless otherwise approved in writing by the Planning Authority:

- All 'grey water' created by the dwelling permitted under this permission shall be managed by a designed 'WET' system as detailed in approved plans
- No discharge or outfall of any grey water outside of the curtilage of the approved dwelling shall occur at any time.
- The permitted WET grey water management system shall be managed and maintained as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, SD3, SD4, LD1, LD2 and LD3 and the council's declared Climate & Ecological Emergency.

Surface Water (Nutrient Management) River Wye SAC (SSSI)

The proposed site is within the Wye Valley AONB, 2 km from the river Wye SSSI, 5 km from the Wye Valley & Forest of Dean Bat SAC. Neighbouring the wider site to the south is a priority habitat, an orchard. Wrapping the site from the South West to the North is a parcel of woodland part of which is classified as an ancient woodland (Howle Hill Wood and Marks Well Wood).

A Preliminary Ecological Appraisal by NewWays Ecology dated 10/06/24 and a Mitigation and Biodiversity Enhancement Management Plan also by NewWays Ecology dated 25/07/24 has been provided in support of this application.

- No bat roosting potential was identified within the proposed development site, but bat roosting and activity has been recorded in the immediate area. This activity includes Horseshoe bat species an associated feature of the WV&FoD Bat SAC.
- A condition to ensure all external lighting is minimised to avoid impacting the local intrinsically dark landscape and nature conservation interests, including foraging and commuting of all bat species is requested.
- With lighting controlled by condition no effects on local bat populations or those associated with the WV&FoD Bat Sac are identified.

Protected Species and Dark Skies (external illumination) (Bat SAC and Wye Valley National Landscape)

- Lighting Condition

General Ecology comments

As a self-build development no statutory Biodiversity Net Gain requirements apply to this specific development. Should this self-build status change then statutory BNG requirements may automatically become applicable.

From supplied and available information, the LPA doesn't identify the works as having any likely direct effects on local protected species. The applicant should be reminded of their and their contractors' legal obligation to wildlife protection afforded at all times through the Wildlife & Countryside Act. There are records of multiple bats and other protected species within the locality.

- Wildlife Protection Informative
- To obtain Species (Biodiversity) Net Gain

A Habitat Regulation Assessment was undertaken and is published here:
<https://myaccount.herefordshire.gov.uk/documents?id=dc2ee48-2a81-11f0-908d-005056ab11cd>

4.8 **Area Engineer Team Leader - No Objection (30 August 2024)**

The Local Highways Authority has considered the application for the proposed erection of self-build dwelling and out buildings and creation of an access and makes the following comments.

The application site access is proposed off a small adopted road (U70415) and the access is to the North East of the application site.

The Highways technical note submitted with the application drawing TPG-409-P-350, indicates achievable visibility splays of 2.4m x 26m to the South West and 2.4m x 30m to the North East which lie within highways land. These splays would be acceptable for the speed of the road as calculated in the speed survey submitted within the Highways technical note.

The parking and turning as indicated in drawing TPG-409-P-350 would be acceptable to the LHA and the 1 parking space would comply with Herefordshire Council highways design guide. Secure cycle storage is provided as indicated in drawing TPG-409-P-500 and this would be acceptable.

4.9 **Natural Environment Officer Landscape - No Objection (03 October 2024)**

The site falls within the Wye Valley AONB. The landscape character type is Wooded Sandstone Hills (in the latest Herefordshire Landscape Character Assessment, April 2023). It is noted that the site falls within the settlement boundary as set out in the Walford Neighbourhood Plan.

The proposed dwelling is relatively small, of a site specific design and utilises an existing access point into the field. The associated proposals for self-sufficiency, purposeful permaculture and biodiversity management are suitable to the site.

I have previously visited the site and commented on the withdrawn application (ref 232500). The application now sets out how it fits into the local character through a site boundary that covers a suitable scale area to allow for a single, small dwelling, with access and necessary associated small buildings. The new dwelling will be set within the existing small holding, with no specific changes identified to the associated existing vegetation, habitats or historic lime kilns.

The location chosen for the dwelling is at a high point, however the recently planted native hedgerow will mature to filter views of the building from the surrounding footpaths. The visual impact is also reduced with the appropriate choice of materials and colour finishes to integrate with the local character.

A more detailed landscape scheme could be provided by condition, if the application is to be approved. This is to cover details such as how the new residential boundary would be defined, design of gates if required at the road entrance, surface material for the permeable vehicle areas, species numbers, sizes and densities for the willow, fruit trees and pond planting in the drainage area. This is required in order to ensure that the new built form and land use will integrate appropriately with the surrounding landscape.

There is no landscape objection in relation to Core Strategy Policy LD1.

4.10 Land Drainage Comments

Original comments Objection – 08 November 2024

The drainage proposals appear to have changed under the new application although the infiltration test results provided remain the same as detailed in the attached response. Trial Hole A was 1.5m deep and obtained an extremely fast infiltration rate of 1.14×10^{-3} m/s. Two other trial pits (B & C) are presented on a plan however no details of these pits/tests have been provided; no percolation testing has been undertaken at the site.

The extremely fast rate may be due to the presence of made ground/ the underground kiln structure located immediately to the southwest of the proposed site/dwelling.

The current foul water drainage proposals comprise a compost toilet for the solid foul waste and a greywater Wetland Ecosystem Treatment (WET) system. These are non-standard foul water drainage arrangements which are not referred to in Policy SD4 of the Herefordshire Local Plan Core Strategy 2011-2031 or in Building Regulations Part H. As such, we object to these arrangements and await the submission of an alternative strategy likely accompanied by further percolation test results. The reference made to the drainage arrangements proposed for another development site in Herefordshire (233727) hold no meaning as we (Land Drainage) were not consulted on the proposals and, as such, provided no comment on the proposals.

The proposed greywater system offers no treatment to the water before entering a retention pond. It is stated that should the pond overflow, the 'surface water runoff' (note this is not surface water, it is untreated greywater) would flow towards a hedgerow to the east, vegetable garden to the west and woodland to the south. This is not the case and is unacceptable. The exceedance flow from the retention pond/WET system would travel south towards the adjacent highway ('Sharman Pitch') and pose a significant risk of flooding to the highway; the site is notably higher than the highway meaning untreated greywater would flow onto the network due to the steeply sloping topography. The pollution risk is high as the future use of products (cleaning products and bleach etc) within the dwelling cannot be confirmed.

The surface water drainage proposals comprise two large rainwater harvesting tanks whereby an overflow will be fitted directing water to the 'retention pond' proposed as part of the greywater WET system. This is unacceptable; the surface and foul water drainage systems must remain separated.

A dedicated SuDS system should be accommodated solely for the surface water runoff from the proposed dwelling. No sizing information for the current proposals have been provided; the revised surface water drainage strategy must demonstrate that the system can accommodate a 1 in 100yr + CC event.

Further Comment – No Objection - 03 June 2025

Overview of the Proposal

The Applicant proposes the construction of new dwelling (1-bed). The site covers an area of approx. 0.06ha and is currently agricultural greenfield land (including a vegetable patch) and a disused lime kiln. An ordinary watercourse flows approx. 525m to the west of the site. The topography of the site slopes down from northeast to southwest by approx. 1m.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low probability Flood Zone 1.

As the proposed development is located within Flood Zone 1 and is less than 1ha, in accordance with Environment Agency standing advice, the planning application does not need to be supported by a Flood Risk Assessment (FRA). This is summarised in Table 1:

Further information on the subject of this report is available from Mr Joshua Evans on 01432 260327

Surface Water Flood Risk

Review of the EA's Risk of Flooding from Surface Water map indicates that the site is not located within an area at risk of surface water flooding. There is an area of low to high risk of surface water ponding to the east of the site, but this does not enter the red line site boundary. The proposed dwelling location is not directly down gradient of the mapped surface water ponding which is appropriate.

Other Considerations and Sources of Flood Risk

- There may be a risk of surface water flooding from higher land. The Applicant would need to consider the likely flow routes in the vicinity of the proposed development site. It may be necessary to raise the threshold levels slightly to prevent ingress.
- Review of the EA's Groundwater map indicates that the site is not located within a designated Source Protection Zone or Principal Aquifer.
- Surface and Foul Water Drainage
- Infiltration testing has been undertaken onsite whereby a trial hole was excavated to 1.5mBGL (Trial Hole A). Three tests were conducted; notably fast infiltration rates were obtained, the slowest of which is $1.14 \times 10^{-3} \text{m/s}$. The extremely fast rate may be due to the presence of made ground/ the underground kiln structure located immediately to the southwest of the proposed site/dwelling (shown below).
- Two other trial pits (B & C) are presented on a plan however no details of these pits/tests have been provided; no percolation testing has been undertaken at the site.

The current foul water drainage proposals comprise a compost toilet for the solid foul waste and a greywater Wetland Ecosystem Treatment (WET) system.

We note the Applicant's commitment to provide an eco-conscious development. Ecology have approved the use of a compost toilet as the proposed drainage option for solid foul waste. The proposed toilet will separate liquid and solid waste. All waste is to be used as fertiliser onsite; no foul waste will leave the site.

Regarding the proposed WET system to treat and discharge greywater from the site; the outfall from this system is to be spread over the ground onsite meaning there is no specific discharge point. This is a non-standard foul water drainage arrangement which is not referred to in Policy SD4 of the Herefordshire Local Plan Core Strategy 2011-2031 or in Building Regulations Part H. On this basis, we have consulted with the Environment Agency. A willow coppice/orchard is proposed to be constructed adjacent to the WET System.

The EA have advised that, as 'this is a non-standard drainage arrangement with the ability to discharge to surface waters, it would require a bespoke surface water discharge permit. This would need to be in place before any discharge can commence'. The Applicant should be aware of the potential costs and time which could be incurred when obtaining the required permit. As previously established, a standard foul water drainage system would likely be a viable and appropriate option for this site to mitigate the requirement for a permit.

Should the Applicant wish to proceed with this option, we require an appropriate condition/informative to be applied to this planning permission decision notice identifying the requirement for an Environment Agency Surface Water discharge permit.

They further state that they 'understand that the proposal is to line the ponds/lagoon with an impermeable liner. This will need to happen to ensure there is no discharge to ground'. This must be accommodated.

The Applicant will be immediately responsible to rectify any runoff/nuisance flooding caused to the adjacent highway ('Sharman Pitch') should the proposed WET System overflow.

The surface water drainage proposals comprise two large rainwater harvesting tanks whereby an overflow will be fitted directing water to the 'retention pond' proposed as part of the greywater WET system.

Overall Comment

CONDITIONAL NO OBJECTION

We recommend that the following information is provided within suitably worded prior to occupation planning condition:

- Submission of evidence that a bespoke surface water discharge permit has been obtained from the Environment Agency to support the non-standard foul water drainage proposals.

5. Representations

5.1 Walford Parish Council - No Objection/Qualified Comment (22 September 2024)

Walford Parish Council met on 18th September and voted to support the application. Council note however that there was no detail of where dry toilet waste is to be stored or the method of its treatment. The amount of glass across the front of the building may not be in keeping with an AONB

Further No Objection/Qualified Comment (24 April 2025)

Walford Parish Council met on Wednesday 23rd April and voted to support the application with the comment that more information is required concerning the disposal of solid sewage waste as it is not clear how this is to be managed.

5.2 Third Party Representations

A total of 11 representations have been made to the Local Planning Authority, 8 have been made in support of the scheme and 3 have been in objection. The responses can be summarised as follows:

Support

- Ecological enhancement to wider location: Comments have been received highlighting the proposal's contribution to biodiversity and ecological enhancement in the wider area, with particular reference to habitat creation and the integration of planting that supports local wildlife.
- Sustainability of proposed dwelling: The proposal has been praised for incorporating sustainable construction principles, including the use of low-impact materials, energy efficiency measures, and a design that seeks to minimise its environmental footprint.
- Benefit to the wider landscape: Respondents have noted that the development has the potential to bring wider landscape benefits, including the restoration of degraded land and the integration of the dwelling into its surroundings in a way that enhances rather than detracts from the visual character of the area.
- Retention and enhancement of green infrastructure: Supportive representations acknowledge the proposal's efforts to retain existing vegetation and incorporate new planting schemes, contributing to the green infrastructure network and supporting ecological connectivity.

Further information on the subject of this report is available from Mr Joshua Evans on 01432 260327

- Positive impact with regard to water resources: The scheme has been positively received in terms of its water management proposals, including features such as sustainable drainage systems (SuDS), rainwater harvesting, or measures to prevent runoff, which are considered beneficial for local water resources..
- Support for design: Some consultees have expressed support for the overall architectural design, recognising it as contemporary yet sympathetic to its setting, and welcoming the use of high-quality materials and detailing.

Objections

- Concerns regarding design: Several objections have been raised in relation to the design of the dwelling, with concerns that it may be overly modern or not in keeping with the vernacular character of the area, and that it may not adequately reflect local distinctiveness.
- Concerns regarding landscape impact: Representations have been received expressing apprehension about the visual impact of the development on the surrounding landscape, particularly in relation to views from public rights of way or other sensitive receptors.
- Concern over traffic impacts: Some consultees have raised issues around the potential increase in vehicle movements associated with the development, with particular reference to the suitability of the access arrangements and potential effects on local highway safety and capacity.
- Concerns regarding foul water discharge: Objections have also been made in respect of foul drainage arrangements, with fears that the proposed method of wastewater disposal may not be adequate, or that it could pose risks to local watercourses or ground conditions.

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

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=242024

Internet access is available at the Council's Customer Service Centres.

6. Officer's Appraisal

Policy context and Principle of Development

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

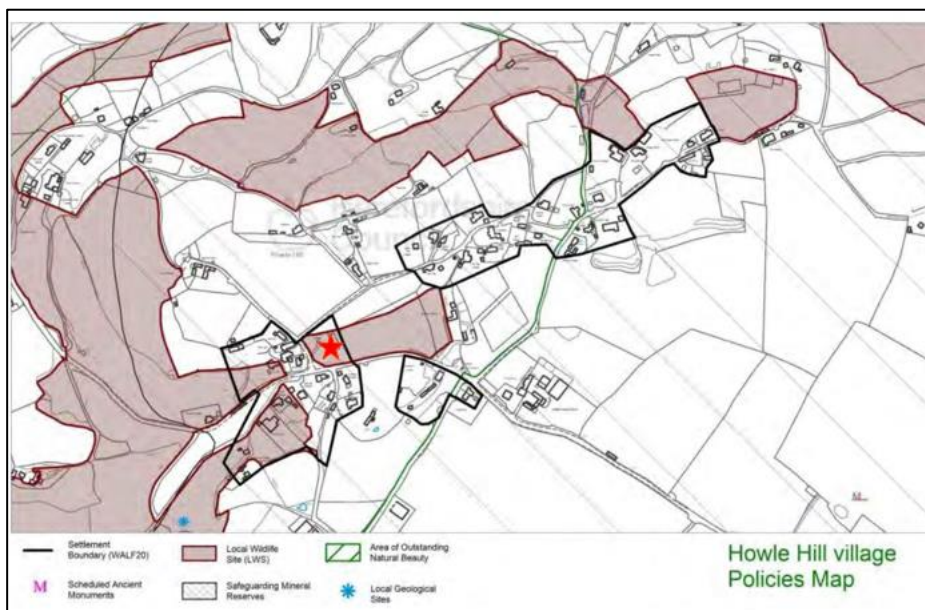
"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS), and the made Walford Neighbourhood Development Plan, and the National Planning Policy Framework (NPPF) is also a significant material consideration

6.3 The proposed development site is located within the Walford Neighbourhood Development Area. Accordingly, the applicable policies include SS1, SS2, RA1, RA2, and RA3 of the Herefordshire Local Plan – Core Strategy, alongside Policies WALF1, WALF2 and WALF20 of the Neighbourhood Development Plan (NDP). These policies collectively establish a framework supporting, in principle, the development of new residential dwellings within the settlement boundaries of the villages identified in the Neighbourhood Area.

- 6.4 The Council is currently unable to demonstrate a five-year supply of deliverable housing sites as required by the National Planning Policy Framework (NPPF). The existing supply is assessed at 3.06 years, significantly below the required threshold. In such cases, NPPF Paragraph 11 establishes that housing applications should be considered favourably unless:
- The proposed development conflicts with specific NPPF policies, or
 - The adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
- 6.5 The Paragraph 14 of the NPPF further clarifies that where the presumption at Paragraph 11d applies to housing applications, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following conditions are met:
- The neighbourhood plan became part of the development plan five years or less prior to the decision date; and
 - The neighbourhood plan contains policies and allocations to meet its identified housing requirements (see NPPF Paragraphs 69-70)
- 6.6 Footnote 7 to Paragraph 11d (i) specifies that the policies referred to include those related to habitats sites, Sites of Special Scientific Interest, Green Belt land, Local Green Space, National Landscapes, National Parks, Heritage Coasts, irreplaceable habitats, designated heritage assets, and areas at risk of flooding or coastal change.
- 6.7 The Walford Neighbourhood Development Plan was formally made on 13 June 2023 and is therefore less than five years old. As such, it benefits from the enhanced protection afforded by paragraph 14 such that the granting of planning permission for a proposal that conflicts with the provisions of the Neighbourhood Development Plan would result in significant harm, which would generally not be outweighed by any associated benefits of the development. In this case however the principle of development aligns with the Neighbourhood Plan.
- 6.8 Policy SS1 of the Core Strategy emphasizes a presumption in favour of sustainable development, requiring the Council to adopt a positive approach consistent with national policy. Policy SS2 commits to delivering at least 16,500 homes in Herefordshire between 2011 and 2031 to meet both market and affordable housing needs.
- 6.9 Since the proposed site is outside the principal urban centres of Hereford, Ross-on-Wye, Ledbury, Kington, Leominster, and Bromyard, Policies RA1 and RA2 are engaged. Policy RA1 targets the provision of 5,300 new rural dwellings by 2031 to support rural economies. Policy RA2 allows for sustainable housing growth in or adjacent to designated rural settlements, provided certain criteria are met, including:
- Proximity to the main built-up area,
 - Use of suitable brownfield sites,
 - High-quality, context-sensitive design, and
 - Delivery of housing that meets identified local needs
- 6.10 Policy WALF20 states that new housing within Howle Hill will be supported where it comprises sensitive infilling within the settlement boundary shown on Howle Hill Policies Map. The gaps between the clusters that form the settlement shall be retained in order to maintain the settlement pattern identified for the Forest Smallholdings Landscape Type and preserve the landscape and scenic beauty of the Wye Valley National Landscape
- 6.11 The settlement of Howle Hill, which falls within the Walford Neighbourhood area, is identified at Figure 4.15 as an area where proportionate housing is appropriate. The proposed site is located at the edge but within the established settlement within an area formally used as a lime kiln. The

area identified within the Neighbourhood Development Plan and the settlement boundary includes the proposed site and as such it is considered to be a sustainable location within Howle Hill under Policy WALF20 of the Walford Neighbourhood Plan and Policy RA2 of the Herefordshire Local Plan Core Strategy. The Walford Neighbourhood Development Plan Howle Hill Policies Map is inserted below for ease. The site is demarked by the red star.



The Walford Neighbourhood Development Plan Howle Hill Policies Map

- 6.12 It is acknowledged that future occupants of the proposed dwelling would be dependent on private motor vehicles for access to local services, as there is no public transport provision serving Howle Hill, nor are there established and lit pedestrian footpaths connecting the site to nearby settlements, however in light of the current housing shortfall within the county, and specifically the identified deficit of 21 dwellings within the parish of Walford, it is considered that the proposal is acceptable in principle. This is further supported by the site's location within a designated RA2 settlement and within the area identified in the Neighbourhood Development Plan as being locationally sustainable.

Scale, Design, and Appearance/Landscape and visual impacts

- 6.13 Policy LD1 is of relevance to this proposal, and requires that proposals demonstrate that the character of the landscape and townscape has positively influenced the design scale, nature and site selection of the development. The proposal is considered against Policy SD1 of the Core Strategy, which relates to the design of new buildings including garages. The policy states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, and proportions and massing of surrounding development.
- 6.14 Policy WALF4 states that measures to maintain and reinforce landscape character within Walford Parish, especially within the Wye Valley AONB, will be promoted wherever possible. Policy WALF17 states that new dwellings, including alterations or extensions to existing buildings, will be required to achieve good standards and variety of architecture and design particularly where there is a need to respect local distinctiveness and the traditional qualities and characteristics of the settlement or rural area within which it will be located.
- 6.15 Paragraph 187 sets out ways in which planning policies and decisions should contribute to and enhance the natural environment, including protecting and enhancing valued landscapes and by recognising the intrinsic character and beauty of the countryside. Furthermore, minimising impacts and providing for net gains for biodiversity and preventing new and existing development

from contributing to unacceptable risk from soil, air, water or noise pollution of land instability. Additionally, land where appropriate.

- 6.16 Paragraph 189 identifies great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
- 6.17 Paragraph 190 then goes onto say, when considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 6.18 By reason of the modest scale of the development and its visual relationship with the built form of Howle Hill, the proposed development does not constitute major development within the Wye Valley National Landscape.
- 6.19 The proposed dwelling is considered to be of an acceptable design. The simple linear form of the built form and modest scale are regarded as appropriate for the context and the resulting development is not expected to detract from the character or quality of the wider landscape.
- 6.20 While the dwelling is positioned at a relatively elevated point on the site, the recently planted native hedgerow is anticipated to mature in a manner that will effectively filter views of the building from surrounding public footpaths. The visual impact of the development is further mitigated through the use of sympathetic materials and finishes that respond well to the local vernacular. In particular, the proposed use of lime render, timber cladding, a sedum roof, and corrugated metal sheeting is considered acceptable, particularly given the site's edge-of-settlement location.
- 6.21 The dwelling would also be partially recessed into the sloping terrain, which would help to minimise its visibility within the wider landscape which, in conjunction with the existing and proposed vegetation, would contribute additional screening further reducing its visual impact.
- 6.22 Whilst the Senior Landscape Officer has not objected it is suggested that should the application be approved, a more detailed landscaping scheme be secured by condition. This should include specifications relating to the treatment of residential boundaries, the design of entrance gates (if proposed), surface materials for permeable vehicular access areas, and detailed planting information. Such measures are necessary to ensure that the new built form and associated land use are appropriately integrated into the surrounding landscape context. In addition to this, it is recommended that permitted development rights for the erection of ancillary building, walls and fences are removed given the sites location within the Wye Valley National Landscape. This would ensure additional urban features such as fencing will require planning permission allowing control over potentially harmful means of enclosure.
- 6.23 Taking the above into account it is considered that the proposed development will conserve the scenic qualities of the National Landscape in a manner consistent with the legal duty under the

Levelling Up and Regeneration Act 2023 to seek to “further the purpose” this National designation and in accordance with the Development Plan policies identified above and the NPPF.

Residential Amenity

- 6.24 Policy SD1 states that development must safeguard the amenity of existing and proposed residents.
- 6.25 Policy WALF17 of the Walford Neighbourhood Development Plan seeks to protect the amenity and privacy of adjacent existing residential properties and ensure new residential development avoids locations where residents may suffer significant adverse effects from adjacent uses or the adverse impacts of light pollution. Provide sufficient garden space to enable residents to enjoy their use with appropriate degrees of privacy and functionality.
- 6.26 The application site is relatively isolated, with a substantial separation distance from the nearest neighbouring property, Caenwood, which is situated approximately 45 metres to the west. Given this degree of separation, it is not considered that the proposed development would give rise to any unacceptable adverse impact on the residential amenity of existing dwellings within Howle Hill.

Ecology and biodiversity/Biodiversity Net Gain

- 6.27 Policies LD2 and LD3 are applicable in relation to ecology and the impact on trees. These state that development proposals should conserve, restore and enhance the biodiversity and geodiversity asset of the County and protect, manage and plan for the preservation of existing and delivery of new green infrastructure.
- 6.28 Policy WALF6 of the Neighbourhood development plan states that the conservation, recovery and enhancement of biodiversity habitats and geological features, including sites identified in the Priority Habitats Inventory and Herefordshire Biodiversity Action Plan, local wildlife sites, trees (especially veteran trees), woodlands, orchards, hedgerows, ponds, water courses and grasslands, in accordance with Core Strategy policy LD2 will be supported in order to maintain and expand wildlife.
- 6.29 The application is supported by a Preliminary Ecological Appraisal prepared by New Ways Ecology, dated 25 July 2024. The appraisal confirms that no evidence of protected species or habitats was identified on site, and therefore concludes that the proposed development would not result in any adverse impacts on protected species. This assessment has been reviewed by the Council's Ecologist, who concurs with both the findings and the mitigation measures set out in the appraisal. Accordingly, should the application be approved, it is recommended that the mitigation strategy contained within the New Ways Ecology report be secured by way of a planning condition.
- 6.30 In relation to the requirement for mandatory 10% BNG, the application is promoted as a self-build project which benefits from an exemption. The continued compliance with the exemption will be controlled by condition limiting first occupation of the dwelling by persons complying with the legal definition of this tenure as set out in the Self-Build and Custom Housebuilding Act 2015.

Access and highways

- 6.31 Policy MT1 of the development proposals should incorporate the following principle requirements covering movement and transportation demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development

- 6.32 Policy WALF21 of the Walford Neighbourhood Development Plan states that where development proposals are advanced, these should ensure there is safe access onto the highway including adjacent roads. Proposals will not lead to a significant increase in the volume of traffic travelling on roads that do not have sufficient capacity or where this would adversely affect residential amenity
- 6.33 Paragraph 116 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 6.34 The proposed development would result in a modest intensification of the local highway network due to the additional vehicle movements generated by the creation of a new dwelling. The application has been reviewed by the Area Engineer, who has raised no objection to the scheme. The proposed access onto the adjacent unclassified road, which is relatively narrow in width, is deemed acceptable, subject to the removal of a small section of hedgerow and the provision of visibility splays. These splays are considered to provide adequate visibility in both directions to ensure highway safety. Furthermore, the development includes sufficient on-site parking provision and is compliant with the standards set out in the Herefordshire Highway Design Guide (2006).

Water Resources/Habitat Regulations

- 6.35 Policy SD3 states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. Where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar to enhance the local flood risk regime. Policy SD4 states that development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater.
- 6.36 Policy SD4 confirms that development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater. It establishes a hierarchy for managing waste where there is no mains connection available and promotes provision of or connection to a package sewage treatment works (discharging to watercourse or soakaway) in the first instance followed by a septic tank (discharging to soakaway) with a cess pool arrangement only permissible in exceptional circumstances
- 6.37 Policy WALF8 states that for developments away from public sewers, developers should show, through appropriate evidence, that wastewater drainage can be accommodated without causing pollution to the River Wye Special Area of Conservation (SAC), other properties and land. Developers should ensure any proposed scheme that meets the above requirement is fully implemented before development is brought into use. Developers should utilise or contribute to wet systems where this is practicable, including measures to support biodiversity.
- 6.38 The proposal involves the creation of a single residential dwelling, which will generate additional foul and surface water flows, thereby introducing new nutrient pathways. As there is no mains sewer system available at the site, a bespoke private water management system is proposed
- 6.39 Supplementary information and plans submitted by the applicant on 26 March 2025 detail the intended approach to foul water, grey water, and surface water management. The proposed foul water system comprises a composting toilet that separates solid and liquid waste. Solid waste will undergo a minimum 12-month composting period before being used as a natural fertiliser within the applicant's garden. The location of the storage of this detailed on the site plan (number 14)

- 6.40 Liquid waste will similarly be treated and used within the curtilage of the dwelling. All resulting nutrient pathways will be contained and managed on site through natural processes including plant uptake, soil filtration, and interaction with the underlying limestone geology. The long-term management and containment of all waste within the site can be secured via a planning condition, ensuring that it remains within the applicant's ownership for the lifetime of the dwelling.
- 6.41 Grey water generated by the development will be directed to a bespoke Wetland Ecosystem Treatment (WET) system, designed to accommodate both grey water flows and additional precipitation. This system utilises natural processes, including vegetative uptake and soil filtration, to effectively neutralise and retain nutrients on site. No grey water will be discharged beyond the curtilage of the property and no nutrient pathways extending beyond the site boundary have been identified. Similarly, clean surface water will be managed independently through on-site Sustainable Drainage Systems (SuDS) to prevent overloading of the WET system during periods of high rainfall. These systems will also ensure that surface water remains contained within the curtilage of the property. Both the WET and SuDS infrastructure can be secured and maintained in perpetuity through appropriate planning conditions. As such, it is concluded that all potential nutrient pathways arising from the proposed dwelling are fully mitigated within the site and do not extend into the wider hydrological catchment of the River Wye SAC.
- 6.42 These aspects of the application have attracted a great deal of scrutiny during the consideration of the application. It is acknowledged that the WET system is not recognised within policy SD4 and it does appear from technical consultee responses that a more traditional package treatment system could be installed. However this is not to say that the proposed bespoke system is unacceptable in principle. This is the clear preference of the applicant and as designed it is considered by officers to meet the tests of a sustainable system where no mains connection exists. Furthermore as a result of the additional information provided, the concerns of the Council's land drainage consultant have been addressed and the Environment Agency have raised no objection noting that a bespoke permit will be required as a separate regulatory requirement. The system has also been considered carefully in respect of the Habitat Regulations.
- 6.43 Further to the assessment undertaken by the Ecologist, it is considered that the proposed development would not result in any adverse or additional nutrient loading into the River Wye Special Area of Conservation (SAC). Accordingly, the proposal is deemed to be acceptable when assessed against the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended), commonly referred to as the Habitats Regulations.
- 6.44 Natural England has been consulted as the statutory nature conservation body. They have not objected but have issued standard standing advice in respect of this application. In light of this, it is considered that the proposed development will not adversely affect the integrity of the River Wye SAC.

Conclusion

- 6.45 The proposed development represents a modest and appropriately designed residential scheme situated within the defined settlement boundary of Howle Hill, as designated under the Walford Neighbourhood Development Plan. The site is considered to lie in a sustainable location in accordance with Policy WALF20, and the development accords with the general principles of Policies SS1, SS2 and RA2 of the Core Strategy. While it is acknowledged that the site is not well-served by public transport and that future occupants would be reliant on private vehicles, this must be balanced against the settlements designation for proportionate growth and the significant shortfall in housing land supply across the county, including within Walford Parish. On balance, the benefits of providing an additional dwelling in a location identified for proportionate growth are not considered to be significantly and demonstrably outweighed by any adverse impacts.

- 6.46 Furthermore, the proposal is acceptable in terms of scale, layout and design, and would not result in unacceptable harm to residential amenity, landscape character, ecological assets, highway safety, or water quality. The bespoke foul, grey, and surface water systems proposed have undergone rigorous scrutiny and are considered to be robust and capable of mitigating all nutrient pathways within the site. Subject to the imposition of appropriate conditions—including those securing landscaping details, drainage systems, and long-term waste management—it is considered that the development complies with both national and local planning policy. The application is therefore recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

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. **The development shall be carried out strictly in accordance with the approved plans [(drawing nos. TPG-409-P-350; TPG-409-P-500; TPG-409-P-550; TPG-409-P-300; Garden Shed Elevations, Validated 7 August 2024 ; Greenhouse Elevations, Validated 7 August 2024)], except where otherwise stipulated by conditions attached to this permission.**

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policies WALF4, WALF6, WALF10, WALF17 and the National Planning Policy Framework.

3. **No development shall take place until the following has been submitted to and approved in writing by the local planning authority:**

a) **a Preliminary Risk Assessment report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice**

b) **if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors**

c) **if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.**

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

4. **The Remediation Scheme, as approved pursuant to condition 3 above, shall be fully implemented before the development is first occupied. On completion of the remediation**

scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

5. Unless otherwise approved in writing by the Planning Authority:

- All foul water created by the dwelling permitted under this permission shall be managed by a composting toilet system with solids and liquids being separated and stored for further management.
- All solids created by the composting toilet shall be subject to a dry composting process for a period not less than 12 months and then shall be used as a fertiliser within the curtilage of the permitted dwelling.
- All liquids created by the composting toilet shall be used as a fertiliser within the curtilage of the permitted dwelling.
- The permitted foul water system shall be managed and maintained as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, SD3, SD4, LD1, LD2 and LD3 and the council's declared Climate & Ecological Emergency.

6. Unless otherwise approved in writing by the Planning Authority:

- All 'grey water' created by the dwelling permitted under this permission shall be managed by a designed 'WET' system as detailed in approved plans
- No discharge or outfall of any grey water outside of the curtilage of the approved dwelling shall occur at any time.
- The permitted WET grey water management system shall be managed and maintained as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework (2021), NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, SD3, SD4, LD1, LD2 and LD3 and the council's declared Climate & Ecological Emergency.

7. The ecological protection, mitigation, compensation and working methods scheme including the Biodiversity Enhancements, as recommended in the report by New ways Ecology dated 25 July 2024 shall be implemented and hereafter maintained in full as stated.

Reason: To ensure that all species are protected and habitats enhanced 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 policy LD2.

8. No external lighting shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; ; and the council's declared Climate Change and Ecological Emergency

9. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local planning Authority, a Method Statement for remediation.

The Method Statement must detail how this unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any sampling and monitoring. It shall also include any plan (a long-term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

Reason: To ensure that any unexpected contamination is dealt with, and the development complies with approved details in the interests of protection of ground and surface waters, Policy SD1 of the Herefordshire Local Plan- Core Strategy and the National Planning Policy Framework.

10. Before any other works hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 26 metres to the South west and 30m to the North East along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy WALF12 of the Walford Neighbourhood Development Plan and the National Planning Policy Framework.

11. Development shall not begin until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway
- Construction traffic access location
- Parking for site operatives
- Construction Traffic Management Plan

The development shall be carried out in accordance with the approved details for the duration of the construction of the development

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 12.** Prior to commencement of works above the damp course hereby approved a landscape scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include a scaled plan identifying:

- a. Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.
- b. Trees and hedgerow to be removed.
- c. All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
- d. 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 and LD3 of the Herefordshire Local Plan Core Strategy, Policies WALF6 and Policy WALF17 of the Neighbourhood Development Plan and the National Planning Policy Framework.

- 13.** The construction of the vehicular access shall be carried out in accordance with a specification to be submitted to and approved in writing by the local planning authority, at a gradient not steeper than 1 in 12.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 14.** Prior to first use of any dwelling approved under planning permission, evidence such as photographs or ecologists report of the suitably placed installation on the approved buildings, or on other land under the applicant's control, of a minimum of FOUR bird nesting features and TWO bat roosting features, of mixed types; and hedgehog highways through all impervious boundary features, 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. No habitat boxes should be located in Ash trees due to future effects of Ash Dieback Disease and likely loss of these trees.

Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006), Environment Act, LURA, Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2; and the Council's declared Climate & Ecological Emergency.

- 15.** Prior to the first occupation of the dwelling hereby approved an area shall be laid out within the curtilage of the property for the parking and turning of 1 cars which shall be properly consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the local planning authority and that area shall not thereafter be used for any other purpose than the parking of vehicles.

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

- 16.** Prior to the first occupation of each dwellinghouse, 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 (or successor policy) shall be submitted to and approved in writing by the local planning authority.

The approved details shall be implemented and completed prior to first occupation of the dwellinghouse and thereafter maintained for the lifetime of the development.

Reason: To ensure compliance with Policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 17. All planting, seeding or turf laying in the approved landscaping scheme (Condition 12) shall be carried out in the first planting season following the occupation of the building or the completion of the development, whichever is the sooner.**

Any trees or plants which die, are removed or become severely damaged or diseased within 5 years of planting will be replaced in accordance with the approved plans.

Reason: To ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, Policies WALF6 and Policy WALF17 of the Neighbourhood Development Plan and the National Planning Policy Framework

- 18. Any new access gates/doors shall be set back 5 metres from the adjoining carriageway edge and shall be made to open inwards only.**

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 19. Within six months of any of the solar panels/photovoltaic panels hereby permitted becoming redundant, inoperative or permanently unused, those panels and all associated infrastructure shall be removed and re-used, recycled, the materials recovered, or be finally and safely disposed of to an appropriate licensed waste facility, in that order of preference.**

Reason: To ensure a satisfactory form of development, avoid any eyesore from redundant plant, prevent pollution, and safeguard the environment when the materials reach their end of life, in accordance with Policies SD1 and SD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 20. The dwellinghouses hereby permitted shall be constructed as self-build within the definitions of self-build and custom housebuilding in the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).**

The first occupation of each dwellinghouse hereby permitted shall be by a person or persons who have had a primary input into the design and layout of the dwelling and two months prior to the first occupation of the unit, the Council shall be notified of, and shall agree in writing, details of the persons who intend to take up first occupation.

The dwellinghouses shall be occupied in accordance with the approved details.

Reason: The approved development is granted on the basis that it complies with the Self Build and Custom Housebuilding Act 2015 and is consequently exempt from the requirements to submit a Biodiversity Gain Plan in accordance with the provisions of Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and The Biodiversity Gain Requirements (Exemptions) Regulations 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 outline 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 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 is advised that advice from a local professional ecology consultant is obtained.
3. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved).

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel. 01432 845900.

4. This planning permission does not authorise the applicant to carry out works within the publicly maintained highway and Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517)), shall be given at least 28 days' notice of the applicant's intention to commence any works affecting the public highway so that the applicant can be provided with an approved specification, and supervision arranged for the works.

Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to co-ordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel. 01432 845900.

5. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
6. Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority or their agent. Please contact Balfour Beatty Living Places (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel. 01432 349517),

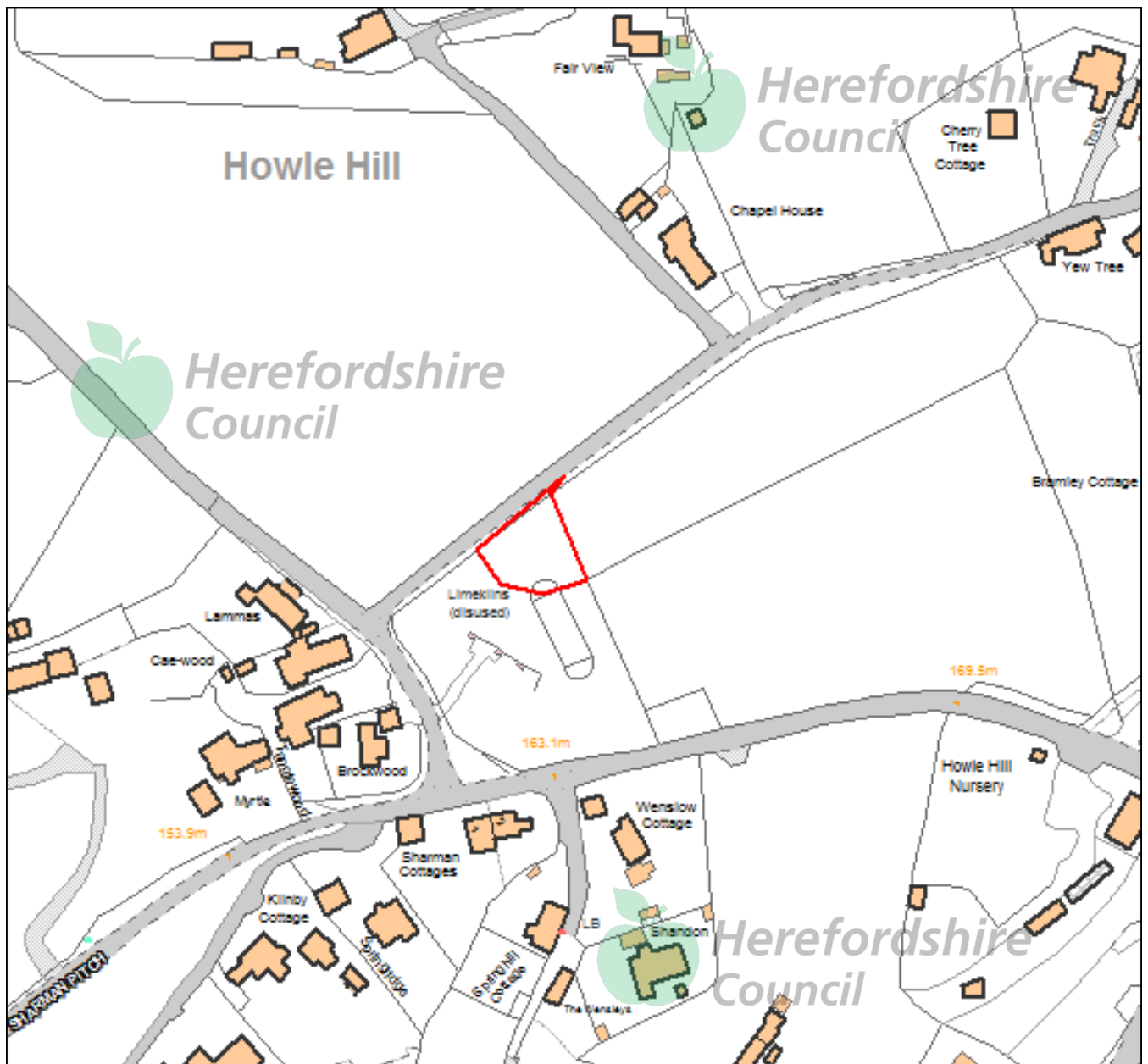
Decision:

Notes:

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Background papers:

None identified



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: 242024

SITE ADDRESS : LAND OPPOSITE AND EAST OF CAENWOOD, HOWLE HILL, ROSS-ON-WYE, HEREFORDSHIRE

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MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	30 JULY 2025
TITLE OF REPORT:	251273 - PROPOSED FLOOD ALLEVIATION SCHEME TO ADDRESS HISTORIC FLOODING ACROSS THE MERTON MEADOWS AREA OF THE CITY AT CAR PARK (PLOT 1A & 1B) TOGETHER WITH PLOTS 4 & 5, EAST OF WIDEMARSH STREET, HEREFORD, HEREFORDSHIRE, HR4 9JU. For: Mr Holland per Ms Lucy Brackenbury, 41 Bengal Street, Ancoats, Manchester, M4 6AF
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=251273&search-term=251273
Reason Application submitted to Committee - Council Owned land and application	

Date Received: 25 April 2025

Ward: Widemarsh

Grid Ref: 351131,240643

Expiry Date: 5 August 2025

Local Members: Cllr Polly Andrews (Widemarsh)

1 Site Description and Proposal

Site Description

- 1.1 The application site is situated within the central area of Hereford, north of the city centre, as illustrated in Figure 1. It spans multiple plots, specifically Plots 1a/1b, 4, and 5, which can be grouped into three distinct areas: 1a/1b, 4, and 5 covering approximately 2.78 hectares, the site primarily comprises urban habitats, although Plots 4 and 5 are partially vegetated. The Widemarsh Brook, a non-designated site, recognised for its importance to nature conservation, runs through and alongside all three plot areas. Plot 4 is largely inaccessible due to dense vegetation and contains an existing pump station.
- 1.2 Plot 1A/1B is currently used as a surface car park. Widemarsh Brook runs through the centre of the plot and continues along its eastern boundary.
- 1.3 Plot 4, serves as natural habitat. Widemarsh Brook and an associated culvert run through this area.
- 1.4 Plot 5 is characterised as natural habitat and contains several high-value trees. An attenuation basin, located centrally within the plot, was installed as part of the Link Road construction but is believed to be unconnected. Widemarsh Brook enters Plot 5 at the northwest corner via a culvert and has been redirected along the northern boundary, then down the eastern boundary, exiting at the south-eastern corner of the site.

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

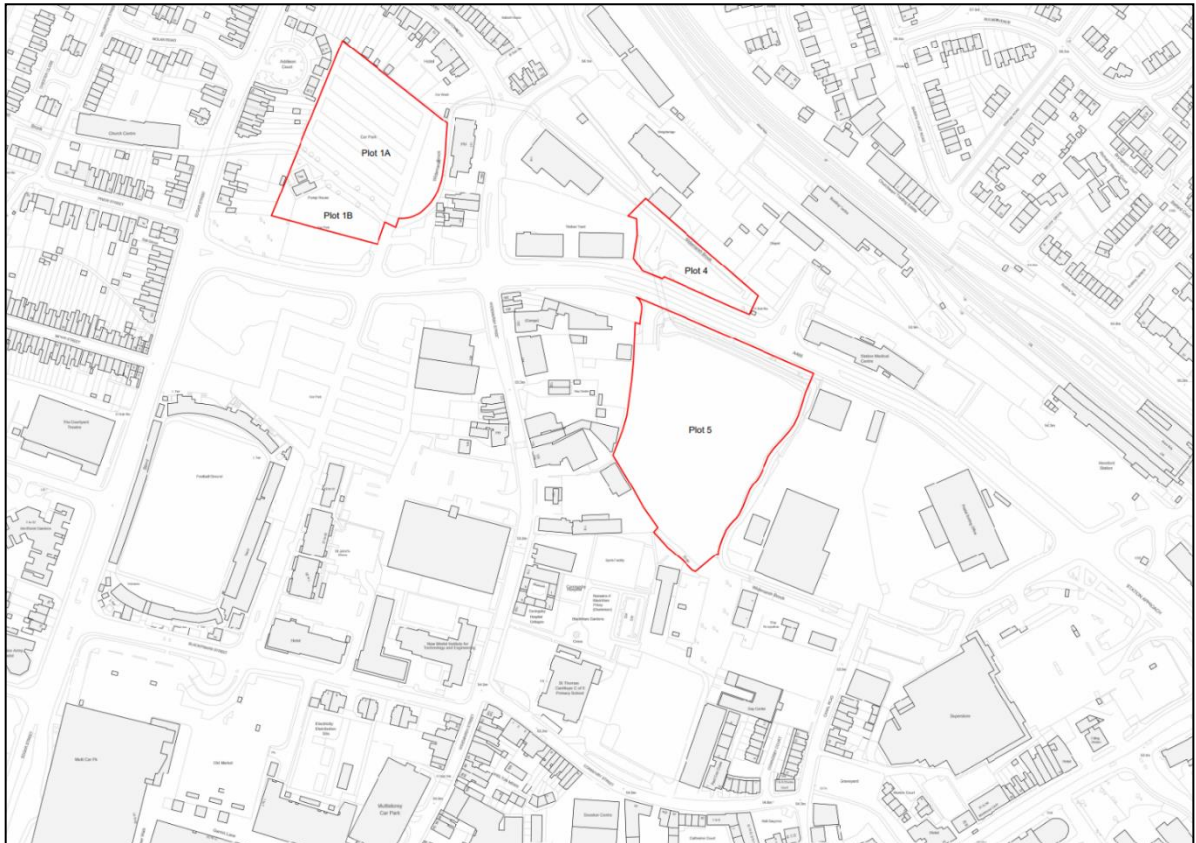


Figure 1: Site Location Plan



Figure 2: Aerial Plans

- 1.5 The closest residential properties are located adjacent to the application boundary along Edgar Street, Addison Street, Widemarsh Street, and Station Approach (A465). Plots 1A and 1B lie adjacent to the Hereford Air Quality Management Area. The site is also in close proximity to the A49, as well as designated heritage assets including listed buildings, scheduled monuments, and the Central Area Conservation Area, with which it shares a boundary. The site is located within Flood Zones 2 and 3, indicating a moderate to high risk of flooding. It is also adjacent to a Special Wildlife Site, falls within a Site of Special Scientific Interest (SSSI) impact risk zone, and is located within the catchment of the River Wye Special Area of Conservation (SAC).
- 1.6 All plots are classified as brownfield land and have been previously developed in some form.

Proposal

- 1.7 This is a full planning application that proposes the delivery of a flood alleviation scheme aimed at addressing historic flooding issues in the Merton Meadows area of Hereford. The overarching strategy involves a combination of engineering interventions and integrated landscaping designed to meet Biodiversity Net Gain (BNG) requirements. Flood storage capacity will be embedded within the landscape through the creation of wetlands, enhancement of natural habitats, and the retention of existing trees.
- 1.8 The proposals for each plot are as follows:
- Plots 1A / 1B (Existing: Surface Car Parking)**
Proposed: Flood storage, creation of wetlands, natural habitat restoration, and provision of public amenity space.



Figure 3: General Arrangement Plan Plot 1A

- Plot 4: Former Canal Basin (Existing: Natural Habitat)**
Proposed: Flood storage infrastructure, enhancement of natural habitat, and public amenity space.



Figure 4: General Arrangement Plan Plot 4

- **Plot 5 – Former Essex Arms (Existing: Natural Habitat).**
Proposed: Flood storage, natural habitat improvements, and public amenity space.



Figure 5: General Arrangement Plan Plot 5

- 1.9 The proposed scheme will manage flood risk by diverting water entering Merton Meadow via watercourses and culverts into a series of new attenuation ponds. These are designed to accommodate extreme rainfall events, including those with a 1 in 100-year return period.
- 1.10 The first attenuation pond will be located on an existing car park north of Yazor Brook, near the A49 at Edgar Street. A second, smaller pond is proposed further downstream on undeveloped land. The third pond is to be situated within part of the former Essex Arms site, to the south across the City Link Road.
- 1.11 The proposed flood alleviation works are intended to enable and support the future development of approximately 400 new homes across the wider Merton Meadows and Essex Arms areas. This residential development will be brought forward under a separate future planning application.

Environmental Impact Assessment Screening

- 1.12 Under Regulation 8(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Planning Authority is required to adopt a screening opinion for proposals that fall under Schedule 2 development. In this case, the application (Ref: 251130) was subject to a formal screening opinion issued by Herefordshire Council, acting as the Local Planning Authority.
- 1.13 The screening process concluded that, while the proposed development may have some impact on the surrounding area, these impacts are not considered significant enough to warrant the preparation of a full Environmental Impact Assessment (EIA). Accordingly, the Council determined that an EIA is not required to accompany this application.
- 1.14 The application has been supported by the following:
 - Completed planning application form
 - Habitat Management and Monitoring Plan
 - Planning Statement;
 - Heritage and Archaeology Summary Statement
 - Flood Risk Assessment (updated)

- Flood Modelling produced
- Biodiversity Net Gain Baseline Assessment
- Biodiversity Net Gain Assessment
- Ecological Appraisal
- Habitat Management and Maintenance Plan
- Landscape Scheme
- Phase 1 and Phase 2 Desktop Study
- Arboriculture Impact Assessment and Tree Protection Plan;
- Construction Traffic Management Plan;
- Additional Ecology Surveys: Mammal/Reptiles
- Updated landscape commentary and ecology commentary

Background

- 1.15 This application has been submitted by Herefordshire Council and serves as a precursor to a future planning application for a major regeneration initiative known as the Hereford Urban Village. The proposed development aims to transform parts of Merton Meadow currently comprising surface car parks and scrubland into a residential-led scheme of up to approximately 400 new homes.
- 1.16 Herefordshire Council has identified the need to resolve existing flooding issues in the area prior to any residential development. As such, the current proposal represents a critical enabling phase, supported by government funding, focused on flood mitigation infrastructure.
- 1.17 Following the implementation of these flood alleviation measures, the Council intends to engage with residents and businesses to gather feedback on the future development of the remaining site areas. This regeneration project aligns with the aims and objectives of Policy HD2 of the Herefordshire Core Strategy, which supports sustainable urban growth and regeneration in the central Hereford area.

2. Policies

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

<https://www.herefordshire.gov.uk/local-plan-1/local-plan-core-strategy>

Herefordshire Local Plan Core Strategy 2011 – 2031

SS1	-	Presumption in favour of sustainable development
SS2	-	Delivering new homes
SS3	-	Releasing land for residential development
SS4	-	Movement and transportation
SS5	-	Employment provision
SS6	-	Environmental quality and local distinctiveness
SS7	-	Addressing climate change
HD1	-	Hereford
HD2	-	Hereford City Centre
HD3	-	Hereford movement
HD7	-	Hereford employment provision
H1	-	Affordable housing – thresholds and targets
H3	-	Ensuring an appropriate range and mix of housing
SC1	-	Social and community facilities
OS1	-	Requirement for open space, sport and recreation facilities
OS2	-	Meeting open space, sport and recreation needs
MT1	-	Traffic Management, highway safety and promoting active travel

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

E1	-	Employment provision
E2	-	Redevelopment of existing employment land and buildings
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
ID1	-	Infrastructure delivery

- 2.2 It is highlighted that the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)(the 2012 Regulations) and paragraph 34 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the Core Strategy – which are considered to be those relating to meeting housing needs, guiding rural housing provision and safeguarding features of environmental value (amongst others) have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

Minerals and Waste Local Plan (MWLP): made March 2024:

- 2.3 A Minerals and Waste Local Plan (MWLP) has been prepared to guide mineral extraction and the management of waste in Herefordshire up to 2041 and beyond and was adopted in March 2024. The plan replaces the saved minerals and waste policies of the Unitary Development Plan.
- 2.4 The MWLP together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/local-plan-1/minerals-waste-local-plan/5>

- 2.5 The following policies are considered relevant to the application proposal:

- SP1 - Resource Management
- M1 - Minerals Strategy

Hereford Area Plan

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

National Planning Policy Framework (NPPF): December 2024

- 2.7 The National Planning Policy Framework (NPPF) is a significant material consideration. The latest version was updated in December 2024. The (NPPF) sets out government's planning policies for England and how these are expected to be applied. The NPPF can be viewed in full via the link below:-

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

Relevant Chapters:

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communities
11. Making Effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

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

<https://www.gov.uk/government/collections/planning-practice-guidance>

Other Material Planning Considerations / Legislation of key relevance to the development Proposal are listed below:

- 2.9 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

3. Planning History

- 3.1 No relevant planning history on the application site.

4. CONSULTATION SUMMARY**Statutory Consultations / External Consultation comments are as follows:****4.1 Welsh Water: No Objection July 2025**

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

These sites are crossed by public sewers with their approximate positions being marked on the attached statutory public sewer record. In accordance with the Water Industry Act 1991, Dwr Cymru/Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to Drawings reference LD-SC-003 rev A & LD-SC-004 Rev C, it appears the proposed development on plots 4 and 5 would be situated within the protection zone of the public assets measured 3.75 metres either side of the centreline of the 750mm combined sewers and 3 metres either side of the 300mm combined and 450mm surface water sewers. Please note, the distance specified for this protection zone is indicative and based on industry standard guidelines. However, the depth of the asset will need to be verified on site which may infer a greater protection zone. For completeness, we recommend the developer refer to their title deeds to confirm if there are any covenants or restrictions associated with the assets crossing the proposed development site.

We would advise that the assets should be located and if necessary, a scheme to divert the assets under S185 of the Water Industry Act 1991 should be undertaken prior to works commencing. We do however acknowledge that for plots 1a and 1b, whilst our records do not show the presence of assets it is the responsibility of the developer to conduct investigations to locate any underground services.

It is recommended that the developer contact our Plan and Protect team (PlanandProtect@dwrcymru.com) to carry out a survey to verify the location of the assets and establish their relationship to the proposed development.

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

Conditions

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

No development shall commence on plots 4 and 5 until the public sewers crossing the plots have been accurately located and if necessary, a scheme to divert the assets has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the scheme shall be delivered prior to the construction of any SUDS. Thereafter the scheme shall be constructed in full and remain in perpetuity.

Reason: To ensure that the proposed development does not affect the integrity of the public sewerage system in the interests of public health and safety.

Advisory Notes

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Previous comments can be viewed on line June 2025

<https://myaccount.herefordshire.gov.uk/documents?id=c96d55ea-5294-11f0-908f-005056ab11cd>

4.2 National Highways: No objection June 2025

National Highways Ref: NH/25/11111

Referring to the consultation on a planning application dated 8 th May 2025 referenced above, in the vicinity of the A49 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);

Where relevant, further information will be provided within Annex A. National Highways Planning Response (NHPR 25-01) January 2025

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority propose not to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete. The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningM@nationalhighways.co.uk.

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Annex A National Highways' assessment of the proposed development

This response represents our formal recommendations and has been prepared by Ellie Smith, Assistant Spatial Planner for National Highways.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

National Highways considers planning applications for new developments under the requirements of the National Planning Policy Framework (NPPF) and DfT Circular 01/2022: The Strategic Road Network and The Delivery of Sustainable Development ("the Circular"). The latter document sets out our policy on sustainable development and our approach to proposals which may have an impact on our network.

The SRN in the vicinity of the proposed development is the A49 trunk road.

Development Proposal

The application is for a flood alleviation scheme east of Widemarsh Street, Hereford. To address historic flooding across the Merton Meadows area of the city.

Construction

National Highways have reviewed the Construction Traffic Management Plan (Dated 24th April 2025). It is noted that deliveries where possible will be outside the peak hours, with a scheduling system to ensure deliveries are spread throughout the day, to reduce the impact of HGVs. To ensure mud and debris is not taken onto the SRN measures such as wheel washing and sweeping of accesses will be undertaken. We are content with the document and have no further comments to make.

Arrangements for transporting abnormal loads via National Highways network can be made by contacting abnormal.loads@nationalhighways.co.uk.

Drainage

After reviewing the application, National Highways conclude that the scheme will not have a direct impact on the SRN or outfalls.

National Highways Recommendations

Condition 1: Construction of the development shall be carried out in accordance with the agreed Construction Traffic Management Plan (Dated 24th April 2025), unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority for the A49 trunk road.

Reason: To mitigate any adverse impact from the development on the A49 trunk road in accordance with DfT Circular 01/2022.

Standing advice to the Local Planning Authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

4.3 Natural England: No Objection Subject to Appropriate Mitigation Being Secured: June 2025

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of River Wye Special Area of Conservation <https://designatedsites.naturalengland.org.uk/>.

In order to mitigate these adverse effects and make the development acceptable, mitigation measures need to be secured as set out in the Appropriate Assessment including but not limited to:

- Implementation of a comprehensive Construction Environmental Management Plan (CEMP) during all permitted works. Including a full a pre-commencement suite of detailed species specific Ecological Working Method Statements (that include proposed mitigation and compensation features and actions) and a specified 'responsible person'.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below

Internationally and nationally designated sites

The application site is within the catchment of the Widemarsh Brook / Yazor Brook which is a main tributary of the River Wye Special Area of Conservation (SAC) which is a European designated site, and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended), the 'Habitats Regulations'. The SAC is notified at a national level as the River Wye Site of Scientific Interest (SSSI) Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

European site - River Wye SAC -No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Other advice

Natural England's advice on this planning application is limited to the Habitats Regulations Assessment and the proposed mitigation measures. The Local Authority should satisfy itself that there are no other impacts on the natural environment, and reconsult Natural England if necessary.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. Natural England will only provide bespoke

advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases

4.4 Environment Agency: Qualified Comments July 2025

Flood Risk

We responded to this application on 28 May 2025 with broadly supportive comments in flood risk terms given the proposals are for a flood alleviation scheme (FAS) and can only provide a level of flood risk betterment as well as the potential for biodiversity benefits. Whilst we offered a conditioned response overall, we did raise a number of queries, particularly:

- Were the modelled scenarios defended i.e. with the upstream Yazor Brook FAS fully working or undefended?
- What additional flood storage capacity did the Merton Meadows FAS, in the 4 plots, actually provide?
- Whether post development outlines with the new additional storage proposals in place had been produced in order to demonstrate the betterment being provided by the scheme.

We also confirmed that given the overall intentions to open up currently flood vulnerable areas for development (particularly those of a 'more vulnerable' nature), that we would expect to undertake a full review of the modelling methodology through our national Evidence and Risk (E&R) team. As we highlighted in our response, this was discussed at the February pre-application meeting. We seek to do that prior to any forthcoming residential planning applications rather than for this flood alleviation scheme application itself and discussed this further in our previous response (SV/2025/113023/01-L01).

As discussed at the meeting and within our previous response, the model review would fall under our Cost Recovery service and would incur a charge. Due to the timescales involved we would look to carry out this review prior to any formal planning submission and would recommend further dialogue to ensure the modelling is agreed and signed off before any more subsequent development is progressed. This would give additional certainty to the council on the flood model and assist in your decision-making process.

The latest information on the planning portal includes an updated FRA (Ref: Flood Risk Assessment (FRA) produced by Stantec (Ref: 35849-HYD-XX-XX-RP-WENV0002/PO2 dated 20 May 2025). The latest version of the document contains an updated Chapter 5 (Sources of Flood Risk), particularly Section 5.2.3 with additional figures and a new Appendix E containing the Merton Meadows FAS Hydraulic Report which will be a key document when our Evidence & Risk team review the modelling. Whilst we had no objections to the flood alleviation proposals as outlined in our letter of 28 May 2025, the FRA is now clearer than the previous version particularly the new Figures 8, 9 and 10 which show the changes in flood depths post Flood Alleviation Scheme and the area of floodplain being reduced. Table 5 of the FRA confirms that an additional 3545m³ of flood storage is being provided in Plot 5.

We note the comments made in Section 5.2.4 regarding an increase in flood risk downstream of Plot 5 (Figures 8 to 10) particularly to Rockford Rd allotment. There are also increases in the channel immediately downstream of Plot 5 though no out of channel impacts occur as the levels do not come out of bank. Again, these can be checked as part of the E&R review.

We would reiterate that we have no objection to this application for the Merton Meadows FAS on flood risk grounds, but we would wish to formally review the modelling prior to any future residential applications particularly in areas where the flood extents have been reduced to ensure the modelling is robust and fit for purpose. Previously ESG modelling with Herefordshire Council and WSP had included undefended scenarios with the Yazor Brook FAS partially and fully

blocked in order to ensure no internal flooding of proposed residential properties in a worst case scenario, and this should also form part of the future residential plot applications.

Ecology and Landscaping

Further to our previous comments, we have reviewed the letter dated 13th June by Greengage (their reference: 552924jc25June09DV01_EA_Consultation_Response).

Whilst we continue to recommend the condition that we offered in our previous response ref: SV/2025/113023/01-L01 for a Landscape and Ecological Management Plan that was offered in order to; ensure the protection of: wildlife, supporting habitat and to secure additional enhancements for the benefit of local ecology, we recognise that the ultimate wording of appropriate planning conditions to secure ecological protection, compensation and enhancement of the watercourse and associated land is a decision for the local planning authority. This enhancement opportunity would align with the ambitions of River Basin Management Plans and the Water Framework Directive as discussed below.

Our principal concern is that appropriate conditions are secured /included at the discretion of the local planning authority to ensure a more resilient and naturalistic solution which reflects best practice in design and sustainability. We would welcome clarification that further detailed design is ongoing and outstanding technical design and ecological challenges are being resolved.

We maintain the position/advice that the claimed positive long-term effects for wildlife (including fish and aquatic macroinvertebrates as well as other species) will only be achieved if:

- The design (geometry, sections and layout) of the realigned watercourse and wetlands is refined to be more varied and naturalistic.
- The implications or the proposed permanent year-round flow split and excavation of basins below the brook bed level on the hydrology and ecological value of the existing Widemarsh brook are addressed.

Aquatic Macroinvertebrates: We sought to draw attention to the availability of EA data for aquatic invertebrates rather than relying exclusively on citizen science data. We agree with the conclusion that ‘the abundance of individuals recorded indicates Widemarsh brook could provide an important resource for foraging bat and birds’ irrespective of the presence of protected or notable invertebrates. Invertebrates are also a key ecological resource for fish.

Further Impact Assessment for Fish: We welcome the acknowledgement that a fish rescue will be implemented where the brook is to be realigned. Best practice is also to translocate channel substrate vegetation and attendant invertebrates into a diverted channel.

It is also best practice is to retain as much as possible of the previous channel as a backwater habitat. In Plot 5 all the current alignment is shown as being infilled. Implications for the existing bankside trees are also not clear.

The reports submitted to date don’t provide extensive information, on the baseline or future hydromorphological condition of the existing watercourse (existing habitat for fish) at a site level or more strategic level. To ensure all relevant potential adverse impacts are evaluated, avoided or mitigated and that enhancements are optimised more technical information should be considered.

Although some aspects of the brook are described there is no explicit reference to substrate, hydrology or groundwater. For example, in section 5, the existing stream is straight and has a uniform and overwide wetted channel and bank full channel however it has a natural gravelly substrate and existing ecological and visual value.

The channel in section 1 is also uniform, overwide and siltier. It would benefit from some in-channel improvements to create more flow diversity and encourage a more resilient sinuous low flow channel. Subject to tree rootzone protection areas the brook would also benefit from some sympathetic bank reprofiling. It might also be possible to soften the visual and ecological impact of the concrete wall along the right bank in section 1a. The best practice construction methodology makes no reference to the management of risks associated with potentially contaminated land.

Design Principals and Detail: Further to our previous response, we offer the following clarification of our advice on design principles and detail. To achieve the stated aims of ecological enhancement, visual interest and user experience the natural character and soft flowing forms of the layout and hard landscaping, referred in the landscape statement, would usefully extend to all dimensions of the brook and the wetland features.

Layout: It is not clear that sufficient space has been left along the diverted watercourse to allow natural processes to occur. In other words, there does not appear to be much design tolerance for the watercourse to adjust to the new alignment and develop features of ecological and visual value.

For example, if the detailed design, or subsequent interventions, require or rely on bank protection to prevent the channel migrating, then that would be counter to the stated aims of naturalising the watercourse.

We also note that approximately 50m of the diverted channel is in a straight line directly along the toe of the road embankment. This will constrain its functionality. Realigning the watercourse away from the road would allow for a more genuinely attractive design. Similarly moving the path further from the watercourse would be advisable. Along much of the proposed new alignment it appears to be as close as 2- 3m away. Similarly, the distance between the basins and the watercourse is only 2- 3m in many locations.

If the area to the west is planned for development, then the edge of development is very close to the proposed realigned watercourse. Expanding the wetland watercourse complex to the west would help resolve these challenges. The proposed ecological enhancement for the retained channels appears to be limited to 'introducing native plant communities and enhancing riparian habitats' in the landscape assessment. The brook is over wide, particularly in the upstream half of site one with a uniform cross section and silty bed.

It would be helpful to assess the contribution of these proposals in the context of the broader strategic initiative by the council to manage flood risk while enhancing ecological networks and public realm quality improvement along the Widemarsh brook corridor which is cited in the Landscape assessment.

Water Framework Directive (WFD): The Hereford Urban Village Phase 1 Desk Study and Groundsure report make reference to the Widemarsh Brook being within the Yazor Brook – source to confluence River Wye water body GB109055037040 and highlights the reason for the water body currently having a moderate status is due to ammonia temperature pH and specific pollutant levels. There is however no reference to WFD or River Basin Management Plans as a driver to inform the extent and nature of river restoration in any other supporting information.

Previous comments can be viewed online May 2025

<https://myaccount.herefordshire.gov.uk/documents?id=8801c727-429b-11f0-908e-005056ab11cd>

4.5 Historic England No objection subject to conditions July 2025

Historic England Advice

Historic England retain heritage concerns regarding the application and has met on site with the applicant and Herefordshire Council on the 7 July 2025 to explore those concerns. The application is considered to cause less than substantial harm to the significance of Blackfriars Friary, a scheduled monument (NHLE 1010797) through impacts on the Tan Brook and potential impacts on the buried archaeological remains associated with the monastic site within the south of the proposal area.

It was agreed at the site meeting that these concerns and impacts can be resolved or minimised. This would be achieved through either clarification by applicant prior to determination, or by amendment of design by condition and informed by pre-commencement archaeological assessment.

The further information publically available online has provided a range of documents, including the following that are relevant to our heritage concerns:

- Archaeology and Heritage Impact Statement
- General arrangement drawing Plot 5 (Drawing LD-SC-004 Rev C)
- Cut and Fill Analysis (Drawing 35849-HYD-5-XX-DR-C-90140 Rev P02)

In addition, following the site meeting of the 7 July 2025, Lucy Brackenbury of Buttress has provided to Herefordshire Council a clarification by email (13:48, 11 July 2025) and an additional document prepared by Stantec UK Limited by email (14:13, 11 July 2025). These are included in our considered response below.

Significance of designated heritage asset

We have set out the significance of the Blackfriars Friary and the contribution that the proposal area makes to its significance in our letter of the 15 May 2025. In summary, the proposal area contributes to the significance of the monument in the following ways:

- The north edge of the monastic precinct is defined by the historic course of the Tan Brook, which survives as a visible, relict channel. The Brook would have been an integral part of the monastic site providing water for drinking, sanitation and industry (milling, brewing and tanning) conducted by the monastic community. It therefore makes a strong positive contribution to the significance of the scheduled monument.
- The open, undeveloped character of the proposal area is a rare survival of the open area once occupied by marsh that would have been managed by the monastic community. The connection between the scheduled monument and this open area makes a strong positive contribution to the significance of the scheduled monument.
- The area along the south edge of the proposal area has potential to retain important archaeological information relating to Blackfriars as some elements of the monastic site may have been present over or north of the Tan Brook, which may include evidence of milling and tanning. We confirmed at our site meeting that this part of the proposal area has not been previously investigated for its archaeological potential.

In our previous advice letter, we commented on the peat deposits present on the proposal area. The Council's archaeological advisor was able to bring some of the previous archaeological investigation work to the site meeting and we understand from that discussion that the peat deposits pre-date the medieval period and were of limited archaeological potential. We refer you to the advice of your own archaeological advisor regarding these peat deposits and appropriate assessment and mitigation in any approved scheme.

Impact on significance of scheduled monument

The limited heritage information provided with the application is not sufficient to meet local and national planning policy requirements. These policies (including NPPF 207) require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting and be sufficient to understand the potential impact of the proposal on significance.

In particular, the archaeology and heritage impact statement makes non-evidenced statements about the Tan Brook and the contribution the open character makes to the scheduled monument. In our view, these statements are likely to be inaccurate.

Notwithstanding the limited heritage information, our review of the amended general arrangement and cut and fill analysis (publically available information) has identified the following impacts on the significance of the scheduled monument:

- Direct impacts on the historic Tan Brook
- Direct impacts on potential archaeological remains associated with the monastic site within the south of the site
- Potential impacts on the scheduled monument through the continuation of the proposed footpath.

The historic Tan Brook would be directly impacted by the proposal. The cut and fill analysis indicates ground reduction on its north edge that will affect its form and legibility. In addition, the proposed landscaping on the general arrangement drawing shows the area in scrub management with trees and an aggregate path crossing its alignment. This would constitute less than substantial harm to the significance of the scheduled monument.

The cut and fill analysis indicates significant ground reduction in the area immediately north of the Tan Brook. This area has not been subject to previous archaeological investigation and has potential to retain structural remains and other archaeological evidence pertaining to the scheduled monument. The ground reduction has the potential to cause harm these remains and an assessment of the level of harm can only be achieved through archaeological field evaluation. In the absence of this evaluation work, the impact should be considered to be less than substantial harm.

It is unclear what the level of the aggregate path would be as it exits the proposal area and enters the scheduled monument. If the proposed path is lower than the current ground at this entry into the scheduled monument it would potentially cause harm to buried remains of the monument when extended in the future to connect with Canal Road. If the path is at current ground level then this would be unlikely to lead to harm.

These impacts constitute less than substantial harm to the significance of the scheduled monument. The degree of less than substantial harm cannot be determined at this stage as it would need to be informed by further archaeological investigation work.

Policy

As set out in our previous advice, the application should be considered against policy LD4 of the Herefordshire Local Plan Core Strategy 2011-2031 and paragraphs 207, 208, 212 and 213 of the NPPF.

Position

Historic England retain heritage concerns regarding the application and the submitted information available online (11 July 2025) has not addressed our concerns. On the basis of the submitted, publically available information, we consider the application to cause less than substantial harm to the significance of the scheduled monument and that the scheme is capable of amendment to avoid or minimise these harms in accordance with local and national policy.

Our site meeting on the 7 July 2025 and the subsequent information provided on the 11 July 2025 has been beneficial. Based on this meeting and further clarification and documentation a reduction of harm is achievable. We set out a pathway to achieve this reduction in harm below:

Tan Brook - The justification for ground reduction on the north edge of the Tan Brook remains unclear. This ground reduction will affect the legibility of this feature, any associated archaeological remains and its contribution to the significance to the scheduled monument. Your authority should seek the avoidance of ground reduction in this area.

We welcome a commitment by the applicant to include the Tan Brook in the landscape management plan and incorporate our recommended management. This must include the removal of rubbish, the removal of selected trees and scrub where they are in the channel of the brook and maintenance to periodically cut back vegetation growth and control new tree/scrub growth. Your authority should ensure this management is integrated into the landscape management plan to achieve a positive benefit to this heritage asset.

Footpath - We welcome a commitment by the applicant to confirm that the path will be at the current ground level in the south corner of the proposal as this will avoid the risk of harm associated with its later extension into the scheduled monument. Your authority should ensure this is confirmed in the application documentation.

Impacts on archaeological remains in south of site - We welcome a commitment by the applicant to undertake ground penetrating radar (GPR) survey and archaeological field evaluation in an agreed area of the south of the site prior to commencement of an approved scheme. We also understand that if important archaeological remains the alignment of the proposed watercourse will be moved northwards to preserve the remains in situ.

We understand, from our discussions that this is achievable through conditions on a planning permission should you be minded to approve the scheme. Your authority should ensure that planning permission, if given, includes conditions for this targeted archaeological work in Plot 5 and for final design and detailing of watercourse to achieve preservation in situ. Your archaeological advisor will be able to advise you on the archaeological conditions.

I hope this is of assistance to you in your consideration of this scheme.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet policy LD4 of the Herefordshire Local Plan Core Strategy 2011-2031 and the requirements of paragraphs 207, 208, 212 and 213 of the NPPF.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Previous comments can be viewed online May 2025

<https://myaccount.herefordshire.gov.uk/documents?id=09641646-31e1-11f0-908b-005056ab3a27>

4.6 Canal and River Trust: Qualified comments May 2025

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and

cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is the following general advice:

The proposal may be in the proximity of the route of the Herefordshire & Gloucestershire canal. This canal is not owned or maintained by the Canal & River Trust although the Canal & River Trust is generally supportive of canal restoration projects as we believe life is better by water.

The Council should ensure that the Herefordshire & Gloucestershire Canal Trust has been consulted on the application as they may have more relevant comments to make.

Please do not hesitate to contact me with any queries you may have.

Internal Council Consultations

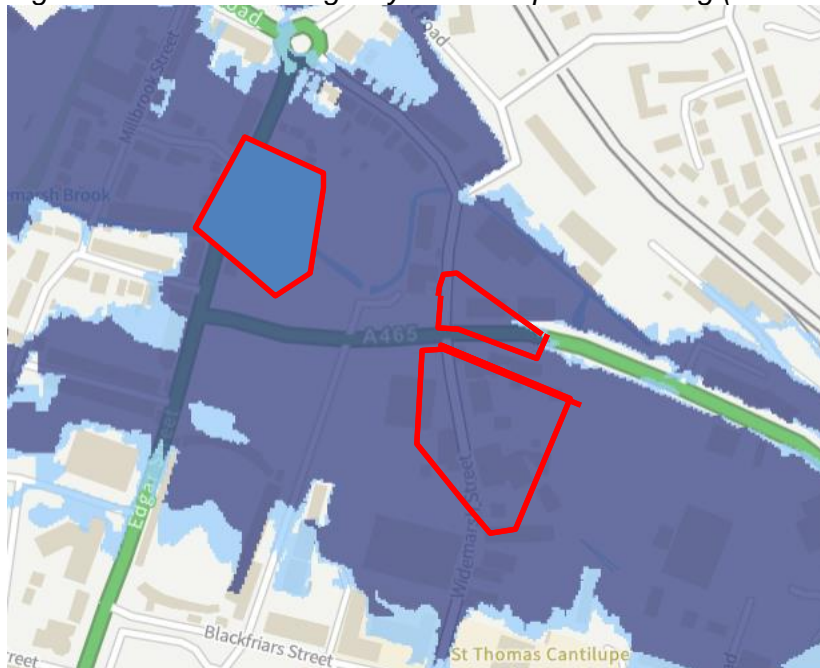
4.7 Land Drainage: June 2025: Qualified Comment and conditions recommended

Our knowledge of the development proposals has been obtained from the following sources:

- Rappor / Stantec Flood Risk Assessment
- Rappor / Stantec Ground Investigation
- Drawings

Site Location

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



Overview of the Proposal

The Applicant proposes the installation of a flood alleviation scheme. The over arching strategy is one of inclusive engineering works and landscaping to satisfy Biodiversity Net Gain requirements.

The site covers an area of approx. 2.8 and is currently a car park and wasteland

The Widemarsh brook flows through the site.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the high probability Flood Zone 2 and 3.

The Yazor Flood Alleviation Scheme (FAS) was installed in 2009, near Credenhill. This infrastructure was installed to facilitate development within the functional Flood Plain (Flood Zone 3B) in central Hereford. The FAS displaces water from the Yazor Brook into the River Wye, thus reducing the peak flow in the Widemarsh and Yazor Brooks. The scheme was not delivered to eliminate the risk of fluvial flooding (low points adjacent to the watercourse will continue to flood). Instead, the scheme was promoted because it was impractical to excavate compensatory storage areas to make up for any lost flood plain arising due to future development within Flood Zone 3B.

A Flood Risk Assessment has been submitted. The modelling utilises the 37% climate change (the Central allowance for 2080s and beyond).

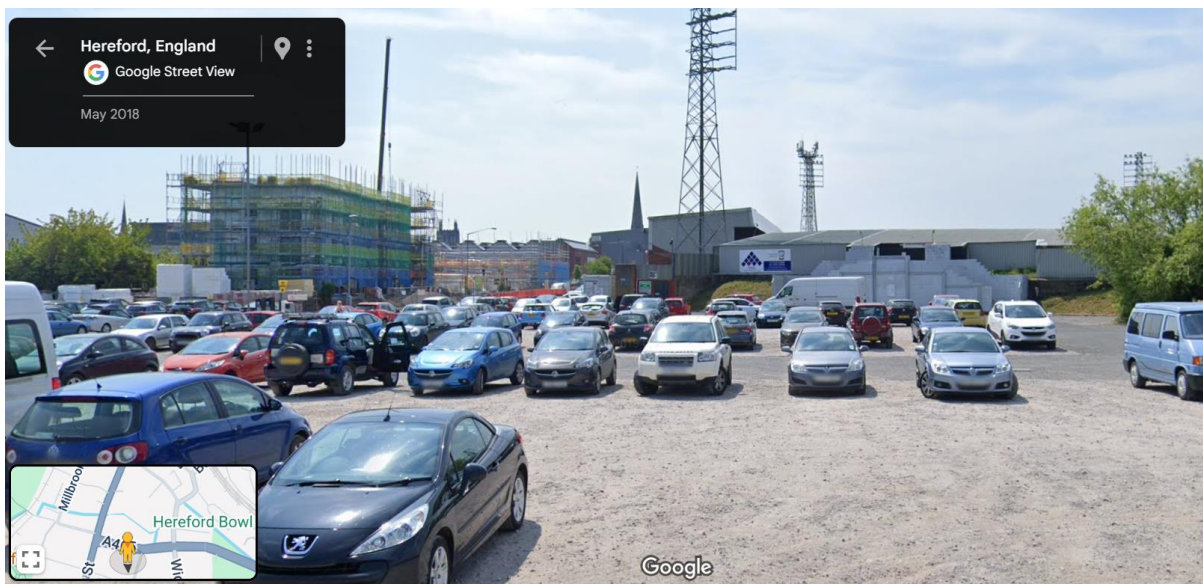
The applicant has merged the existing Yazor/Widemarsh Brook hydraulic model (held by Herefordshire Council) with another hydraulic model of the Ayles Brook. This new model is named the Merton Meadow Flood Alleviation Scheme (FAS) Model.

It is noted that the flood extents reported by the Merton Meadows FAS Model cover smaller areas than the reported by the earlier hydraulic models. We have not yet reviewed the outputs relating to the scenario of the Yazor FAS as non-operational, however we anticipate that these flood extents may also be smaller.

Conversely earlier commentary (including the 2007 flood events post-event report) suggests that there has always been a fluvial flooding issue on parts of the ESG site. When the Yazor/Widemarsh Brook hydraulic model was developed, efforts were made to calibrate the model against reported flooding by means of hydrology reviews.



6th March 2007 (before the Yazor Brook FAS) – Opposite Plot 1A



The Baseline scenario model outputs contained in Appendix F suggest that only small areas of Plot 5 are at risk of flooding in a 30 year storm. Whilst this model run assumes the Yazor FAS is fully functional, these are low lying areas that have historically flooded.



The WSP Hydrology Checks memo (2018) reads as follows :

“...while the peak flow value recorded during the March and July 2007 events at the Three Elms gauge is slightly lower than the modelled 50 year event, the observed flood extent is greater...”

The Environment Agency have provided commentary (28th May 2025) as follows :

“...the impact of the Ayles Brook has previously been under assessed and it’s influence potentially underestimated based on previous ESG discussions with WSP resulting in modelled outputs not always matching historical events”

It is worth noting that whilst the original Yazor / Widemarsh Brook did not include 1D/2D representation of the Ayles Brook, the inflow from this watercourse had been considered.

Furthermore, we are not in receipt of outputs from the Merton Meadows FAS Model for more frequent flood events (pre-Yazor Brook FAS). Such model outputs will be required to validate the model if it is to be used to support any subsequent planning applications where buildings are proposed. The extent and frequency of recorded flooding pre-Yazor FAS would need to tally with any outputs that are created using the Merton Meadows FAS Model.

Herefordshire Council holds records of recent floods (post-Yazor Brook FAS). These records also need to be used for the purpose of model verification.

We note that the Environment Agency have advised that they would expect to review the modelling methodology through their Evidence and Risk Team.

Review of the model plots shows that the pre-development simulations show the watercourse running anti-clockwise through Plot 5. Following construction of the City Link Road, the watercourse was diverted to run clockwise through this plot.

The Planning Practice Guidance to NPPF identifies five classifications of flood risk vulnerability and provides recommendations on the compatibility of each vulnerability classification within each of the Flood Zones, as shown in Table 1:

Table 1: Flood risk vulnerability and flood zone compatibility

EA Flood Zone	Essential Infrastructure	Water Compatible	Highly Vulnerable	More vulnerable	Less vulnerable
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	✓	Exception test required	✓	✓
Zone 3a	Exception test required	✓	✗	Exception test required	✓
Zone 3b	Exception test required	✓	✗	✗	✗
✓ Development considered acceptable ✗ Development considered unacceptable					

The FAS application is classed as Water Compatible. Accordingly, an Exception Test is not required.

We assume that the 100 year + Climate Change model runs that have been presented for this application relate to the Yazor FAS being fully operational.

Earlier planning applications within the Edgar Street Grid (ESG) area utilised model runs that assumed that the Yazor Flood Alleviation Scheme (FAS) was partially blocked. These model outputs were used to determine finished floor levels.

In Flood Zone 3B, works should normally be designed to result in no net loss of flood plain storage and to not increase flood risk elsewhere. We understand that there is some ground raising proposed. Whilst the Yazor FAS was designed to allow some ground raising within the ESG area, the Environment Agency need to endorse these proposals.

Figure 7 shows the respective flood zones as defined by the Merton Meadow FAS model

The model outputs (Appendix F) indicate that there is no fluvial flooding in Plot 1B during a 1 in 30 year flood. Likewise, most parts of Plot 5 are shown to not be at risk of fluvial flooding the same flood event.

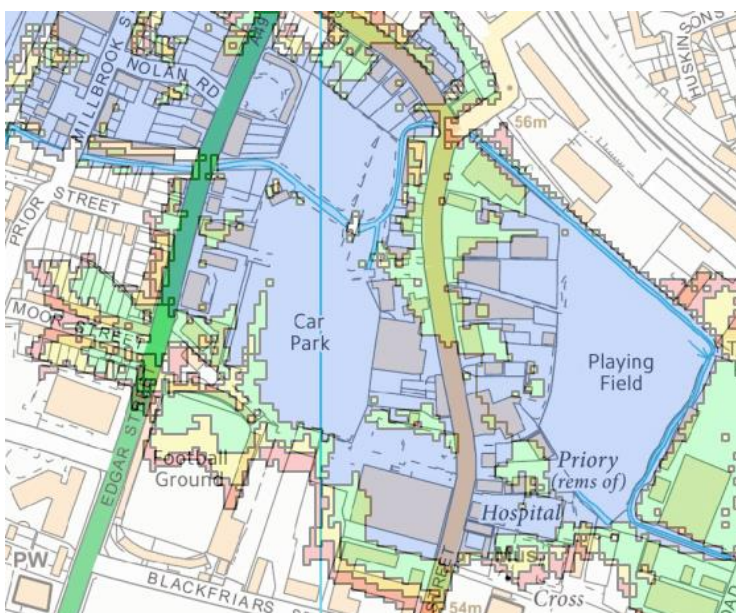


The model report advises that a western area of Plot 1B is to be raised to reduce flood risk to third parties

As explained above, the model that has been presented may not be an adequate tool for the purposes of setting property floor levels.

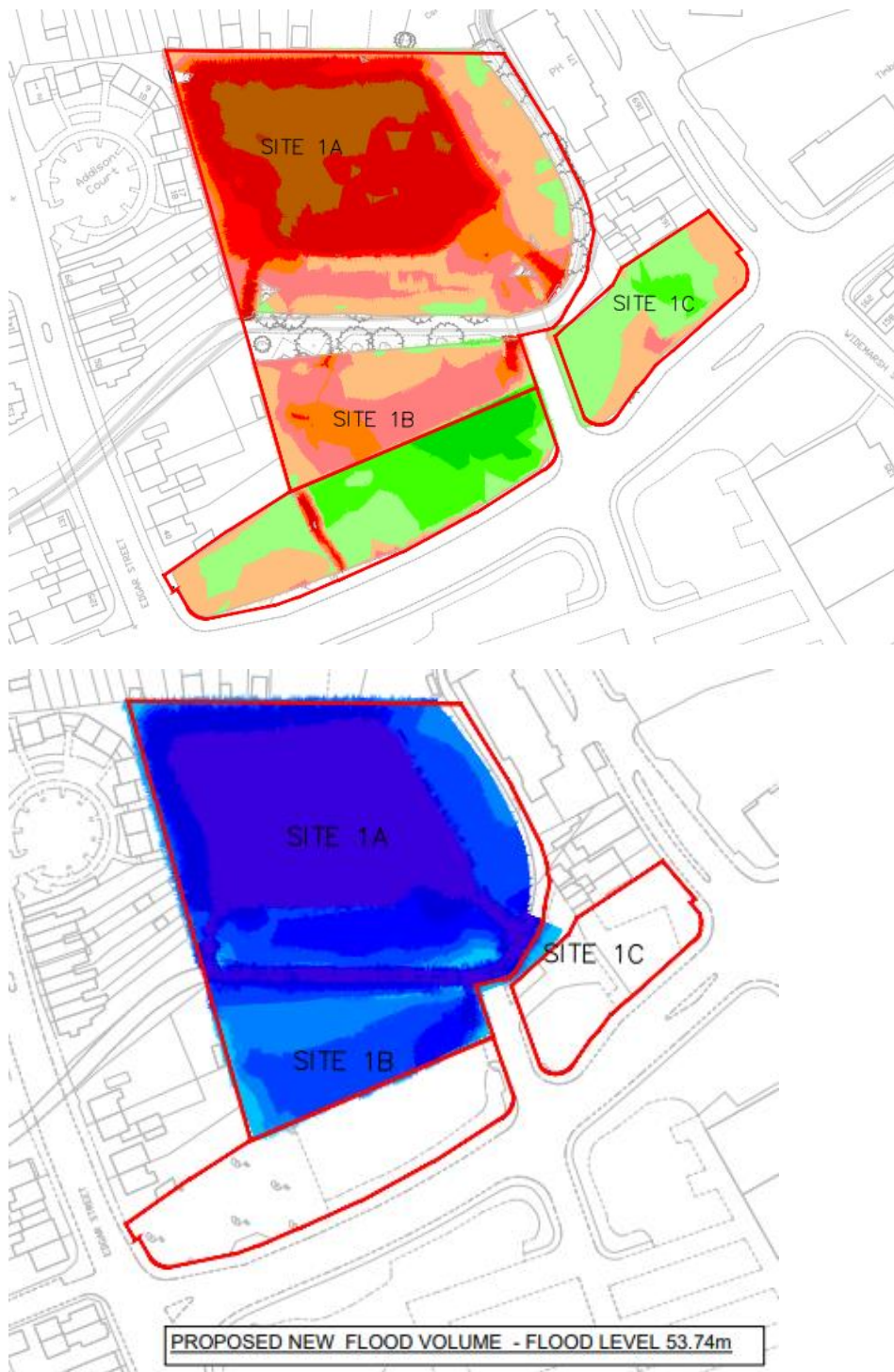
Ground Raising

The Yazor Brook FAS was promoted in order to mobilise development within areas previously defined as Flood Zone 3B (illustrated in Blue in the pre-Yazor FAS plot below).

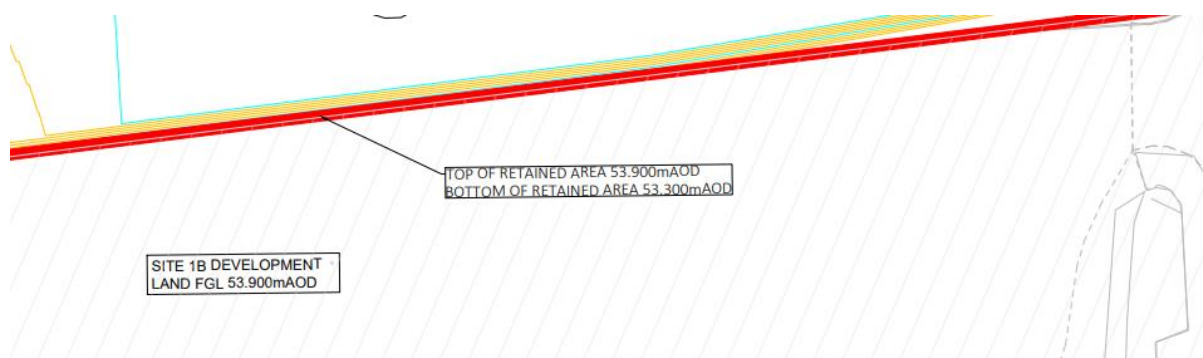


Arguably since the installation of the Yazor FAS, the Flood Zone 3B extent is now smaller.

We note that the Cut & Fill drawing for Plots 1A,1B,1C shows works outside of the red line boundary, which are not referenced elsewhere in the planning application. These are the areas that have been highlighted in green (spoil is shown stockpiled).



Furthermore the Proposed Contours plan for sites 1A 1B 1C includes proposed Finished Ground Levels for these plots (1B and 1C - 153.90m). The drawing suggests that there will be a retaining feature to hold the fill up.



There is conflicting commentary on the Notes on the Flood Compensation drawing 1A 1B 1C

5.5. THE PROPOSED BUILDING IN PLOT 1B IS ON STILTS, WITH A FLOOD COMPENSATION STORAGE ALLOWANCE BELOW THE GF SLAB.

The Environment Agency need to endorse the principle of ground raising within areas of Flood Zone 2B, as defined on the Flood Map for Planning. Whilst the principle of raising ground levels in Flood Zone 3B was agreed (this was the main driver for the Yazor FAS scheme), the Environment Agency will need to be consulted as part of a subsequent planning application. The recent EA letter 28th May 2025 did not make reference to these proposals.

Merton Meadow FAS model outputs

The Flood Compensation drawings show the proposed Flood Compensation Volumes. The volumes of excavation (pre/post construction) have been compared showing a net increase in storage at Plots 4 and 5 and a marginal increase in 1A, 1B, 1C.

The post-development modelling results (Figure 9) do indicate that the proposed Merton Meadows FAS will lead to reduced flood levels. There are some very minor changes in the 100 year + CC flood level further downstream, but away from property.

Groundwater Flood Risk

Objector has highlighted a concern, that the glaciofluvial gravels form an aquifer. Concern has been raised that when development proceeds within the ESG, vulnerable people could be impacted by flooding, possibly adversely impacted by groundwater.

Parts of the existing Plot 5 are below the Wye peak flood level (we note that the new proposed base levels would be even lower).

Likewise, the bed of the Yazor Brook is likely to interact with the river gravels (for example in the vicinity of Sugwas Pool, which is flood plain).

Accordingly, groundwater levels within the ESG area are likely to be impacted when river levels are high. Consequently, the duration of any low lying flooding issues is likely to be extended (particularly low lying areas of the proposed Merton Meadow FAS).

This issue has been considered in the FRA, noting that water compatible development is proposed.

Sewerage

There is a surface water sewer and a foul sewer crossing the site. We await commentary from DCWW regarding these assets. It is possible that DCWW may require works to mitigate the risk of river and ground water from spilling into the sewers.

Pond Design

It is proposed that the Widemarsh Brook is realigned to meander through Plot 5. Three ponds will sit either side of the meandering brook. A similar principle is proposed for plot 1A. To ensure that self-cleansing is achieved then either the watercourse will need to be lower than the ponds, or a robust section of bank will need to be provided.

The A465 culvert currently self-cleanses, with silt being re-mobilised. We note that there is a length of straight channel proposed immediately downstream of the headwall. The cross-section drawings suggest that the watercourse base will be a similar level to the pond bases.

The Environment Agency have identified that for ecological reasons the ponds will need to be deeper, accordingly the only option is to rely on a robust section of bank. It is proposed that the ponds will need to be fed via overflows, otherwise during times of low flow the silt will build up in the channel. The pond bases are typically shown 200mm lower than the watercourse bed on the proposed drawings

The Planning Statement and the Landscape Plan both include statements advising that the height of the swale inlet and outlets have been proposed to provide a permanent feed to the watercourse and avoid any stagnant water. The drawings show overflows that would come into operation following heavy rain, which is a different approach.

We note that flood water will spill into the ponds, accordingly it is likely that over the long term silt will build up in the ponds and so ultimately pond bed levels may rise.

We concur with comments made by the Environment Agency regarding the inlet and outlet swales. Notably the need for a simple, passive design that is at low risk of vandalism. Weir levels will need to be carefully selected, with a stable foundation.

The detailed design of the ponds may be addressed via a planning condition.

The Flood Compensation Volumes drawing 1A 1B 1C identifies a 100 year + CC level of 53.73m AOD. The boardwalks are raised to 53.90m AOD with the intent of providing a safe access.

The future development of the raised area of site on the western side of plot 5 will need to include provision for an access route for channel maintenance

Overall Comment

We accept the outputs from the Merton Meadow flood model because the proposal is for Water Compatible development. The model will need to be verified and then reviewed by the Environment Agency before use on any subsequent planning applications.

The ground raising outside of the Red Line boundary is required to deliver the works. The applicant can either extend the red line boundary and re-consult the Environment Agency or raise a new application for ground raising in these areas. This issue needs to be addressed before Land Drainage can support this application.

As explained above, the detailed design of the proposed basins and offtakes can be addressed by means of a suitably worded condition.

We understand that there are proposals for Herefordshire Council to maintain the basins. The applicant should confirm whether this is the case and which party will be responsible for maintenance.

Provision of a Maintenance Plan may be conditioned.

4.8 **Team Leader Area Engineer: No objection subject to conditions July 2025**

The Local Highway Authority notes that the applicant has now provided a plan showing an indicative layout for the footway link through Plot 4. This addresses the previously raised concern regarding pedestrian connectivity between this site and the adjoining consented development (Ref: 211047). The indicative nature of the alignment is acceptable at this stage.

In addition, matters such as operative parking arrangements, construction access points, and the Construction Worker Travel Plan can also be addressed through a detailed CTMP to be secured by condition prior to commencement.

With regard to car parking capacity in the local area—particularly in reference to the loss of any informal or overflow spaces—the LHA is mindful of recent survey data presented in the PJA Technical Note, which shows that Merton Meadow car park operated at an average occupancy of just 38% between April 2022 and April 2024. This context indicates sufficient spare capacity within the local parking network to accommodate displaced parking.

On this basis, the LHA raises no objection to the proposal, subject to conditions securing the final CTMP details.

Conditions:

CAT – Construction Management Plan

Previous comments can be viewed online May 2025

<https://myaccount.herefordshire.gov.uk/documents?id=14644aca-3b88-11f0-908e-005056ab11cd>

4.9 **Environmental Health Service Manager (Noise / Nuisance): No objection June 2025**

Works are to take place over a 10-week period, from 15th September to 17 November 2025, and will run concurrently across all sites. From a noise and nuisance perspective, site 1A has the potential for the greatest impact, given it has residential accommodation on the northern and western boundaries, and requires the removal of the car park surface.

Noise and vibration

The Construction Traffic Management Plan (CTMP) submitted with this application partially covers noise and vibration from the proposed works. Working hours and community engagement are also considered. The report states that the plan will be enhanced by the main contractor, once appointed.

I note that works will be undertaken using ‘best practical means’ as outlined in the Control of Pollution Act 1974 (COPA), and control measures applied in accordance with BS 5228-1&2:2009+A1:2014. Noise and vibration control measures should be outlined fully in the revised plan, including the identification of noise sources and sensitive receptors (including residential) followed by a risk assessment. Procedures relating to mitigation, monitoring, reporting and complaint handling should also be expanded.

Lighting

Light pollution can be a statutory nuisance and is defined as any form of artificial light which shines outside the area it is required to illuminate. Unnecessary use of lights is considered a waste of energy. Any use of lighting should have regard to these facts and should be designed to prevent any nuisance to residents or road traffic and be used primarily for reasons of health and

safety or security. Site lighting should be located and aligned so as not to intrude into residential properties, or sensitive areas, or constitute a road or rail hazard.

Reason: In order to protect the amenity of the area so as to comply with policy SD1 of the Herefordshire Local Plan Core Strategy 2011-31.

4.10 **Environmental Health Service Manager (Contaminated Land): June 2025**

We refer to the above application and would make the following comments in relation to contaminated land and human health issues only. We would defer to the Environment Agency as the primary regulator with regard to controlled waters.

'Merton Meadows Flood Alleviation Scheme. Phase 2 Ground Investigation Report.' Prepared by Stantec, Dated 15th May 2025, Ref.:35849-HYD-xx-xx-RP-GE-0002

The above report has been prepared in a similar manner to that of the Phase 1 and as such, some comments are broadly repeated.

Comments

The following bullets should be considered by the applicant and their specialist to ensure those that need to be are addressed either by revision, technical note or addendum and are made with plots 1a, 1b, 4 and 5 in mind only and only in regard to the alleviation works.

- The report and thereby CSM, conclusions and recommendations include sites that are not part of the proposed development. This is not considered good practice and should be amended.
- Whilst drawings and some text is included with regard to the cut and fill exercise, discussion around the relevance of the samples recovered to final levels and those soils to be reused is not wholly explicit. Further technical advice on this should be provided to ensure it can be demonstrated that the site has been suitably characterised.
- Plot 4 has not been investigated due to access issues therefore quantitative assessment of risks remain unclear.
- It is understood that all made ground is to be removed from all plots for either disposal or stockpiling prior to potential reuse. As such it is its placement following stockpiling and ground conditions of the natural geology that are critical to the assessment. The material management plan will be helpful in understanding this given detailed discussion has not been included in the scope of the site investigation report.
- Whilst it is understood from the Phase 2 report that the specialist does not have reliance for some of the earlier reporting, it would be helpful to understand where or if risks quantitatively differ significantly to that encountered (it is appreciated this has been discussed in the Phase 1 report in the context of development at that time).
- With the above in mind, it is noted that the specialists reliance for historic reports is not consistent as the Phase 1 report states full reliance has been obtained. This should be confirmed and any consequential amendments made.
- The report mentions appropriate decommissioning of site investigation boreholes. The same approach should be adopted with the pumped abstraction borehole if this is not to be retained.
- It is noted that residential development is assumed in the south of plot 1b with further ground investigations recommended. Whilst not wholly relevant for what's proposed currently, the applicant should be mindful that further works here (and at plots outside of those identified in the application) will be required in due course.
- We would make no comment with regard to ground gas risk or the need for barrier pipe on the basis that works comprise only flood alleviation basins and materials movement associated with this.

Notwithstanding the above, the context of the development and its sensitivity is appreciated and it is recognised that investigation and assessments to date have not identified significant risks at the site(s). As such, the above bullets are, on the basis of the conclusions and recommendations, considered minor and largely technical and required by LCRM guidance. As discussed in earlier representations, revision of the reports or addendums to ensure they accord with this guidance would be recommended and the following condition appended to any approval to ensure this is the case.

Recommendation

1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:
 - a) a Preliminary Risk Assessment report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
 - b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors
 - c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Technical notes about the condition

1. Assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2019.
2. All investigations of potentially contaminated sites are required to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.
3. Where ground gas or vapour protection measures are required, they shall be validated in accordance with current best practice guidance.

Previous comments can be viewed via the following link:

<https://myaccount.herefordshire.gov.uk/documents?id=9fc12dda-30d1-11f0-908b-005056ab3a27>

4.11 **Environmental Health Service Manager (Air Quality): Qualified comment May 2025**

Plot 1 A and Plot 1 B are adjacent to the Hereford Air Quality Management Area. Therefore an air quality screening assessment should be required to determine if traffic movements are likely to be significant in accordance with the screening criteria identified in

<https://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

To reduce emissions from plant and machinery working on site less polluting plant and machinery should be used to reduce emissions of Nitrogen dioxide and particulates.

To understand the potential impact of emissions of dust and fine particulates created as a result of earth works. A dust risk assessment should be undertaken (<https://iaqm.co.uk/wp-content/uploads/2013/02/Construction-Dust-Guidance-Jan-2024.pdf>). Where necessary, suitable mitigation actions will need to be planned and implemented.

I note that a ground investigation for potential contamination linkages will be undertaken. The results of this assessment will need to be considered together with the dust risk assessment. Particularly if a pollutant linkage is identified in relation to air born dust. Any dust mitigation plans may need to reflect the findings of the contamination assessment report

4.12 **Principal Natural Environment Officer (Landscape): No objection June 2025**

The applicants landscape architect has responded (dated 29 May 2025) to my comments (dated 27 May 2025).

In principle, there is agreement with the conditions and recommendations put forward, and this provides assurance of those conditions and recommendations.

If the planning officer can action the conditions, with inclusion of the recommendations (as informatives), as per the landscape officers response, dated 27th May 2025, this would be appreciated to support enhancement of landscape character (LD1), biodiversity (LD2), and green infrastructure (LD3).

Previous comments May 2025 can be viewed online:

<https://myaccount.herefordshire.gov.uk/documents?id=ddc54577-3b87-11f0-908e-005056ab11cd>

4.13 **Principal Natural Environment officer (Trees): No objection subject to conditions May 2025**

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

All Silva have submitted a detailed Arboricultural Impact Assessment (AIA) and tree Protection Plan (TPP) – AIA+TPP_15429_24.04.25. This has identified all trees within the 3 sites (plots 1A, 4 and 5).

The AIA clearly shows the tree removal required (11 in total over the 3 sites) which are mostly low quality (Category C) trees with the exception of G1 and G9/031 which have been categorised as moderate quality tree group. Although these tree removals are required, most of the existing trees within the site/s will be retained and therefore the overall visual impact will be limited.

Other impacts such as incursions in to RPA's for excavations or construction have all been highlighted within the AIA and mitigation including tree protection measures which are also included on the Tree Protection Plans.

I seem to agree with the statement within paragraph 4.3.3 regarding the diversion of the existing brook within plot 5. No indication or assessment has taken place to offer assurances that the substantial tree group on the eastern boundary will not be adversely impacted from re-location of its water source.

I have no objection to the prescribed tree works such as re-pollarding as this is considered mostly routine maintenance and will ensure the longevity of the historic Willow pollards.

Overall, I have no objection to the proposals as long as recommendations set out within the AIA/TPP are adhered to which can be enforced via a planning condition. In addition, a condition should be applied for an Arboricultural Method Statement for aspects not covered in detail within the AIA. This should include information (but not limited to) such as excavations near trees, construction for perimeter path (within site 1), supervision and monitoring.

Conditions

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: Arboricultural Impact Assessment and Tree Protection Plan (All Silva_AIA/TPP_15429_24.04.25).

Reason: To ensure that the development is carried out only as approved by the Local Planning Authority and to conform with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Prior to the commencement of any construction works close to retained trees, an Arboricultural Method Statement (AMS) must be submitted and approved by the local planning authority. This should include all information to ensure impacts to retained trees are kept to an acceptable level. The development shall be carried out in strict accordance with the approved AMS.

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

4.14 Principal Natural Environment officer (Ecology): June 2025 No objection

Habitat Regulations Assessment

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

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

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

From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to "unfavourable declining" by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.

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

Notes in respect of HRA

The proposed works are to provide a flood alleviation scheme to address historic flooding across the Merton Meadows area of Hereford City. The works are related to managing existing surface water in a way as to reduce potential future flooding of properties and highways.

- The proposed will not create any new foul water flows.
- The scheme incorporates marginal planting, reed beds and permeable surfaces to slow, store and filter surface waters

Based on supplied information this identified potential likely significant effect is not identified as having any adverse effect on the integrity of the River Wye SAC and is considered 'screened out' of any further assessment.

Due to the proximity of the Widemarsh Brook / Yazor Brook, a main tributary of the River Wye, there is also the potential for possible impacts from the demolition and construction process of this scheme on protected species.

The Widemarsh Brook / Yazor Brook and associated hydrological and ecological network is a tributary of the River Wye SAC and is known to support populations of 'feature' species noted within the designation of the River Wye SAC including Otters, Crayfish and species of Fish. (Other protected species are also associated with the locality). The wider water quality of the hydrological network could also be impacted through the extensive construction works required as part of this project.

Proposed mitigation is identified below.

- A comprehensive Construction Environmental Management Plan can be secured by condition for implementation during all permitted works will provide mitigation and assurance that all such effects are fully considered and appropriate mitigation and working measures implemented.
- The CEMP must include general environmental impacts eg spills, pollution and similar for the proposed works.
- To ensure the known presence of protected species in the area and utilising features associated with this development is fully considered and all relevant risk avoidance measures, mitigation actions and suitable compensation measures secured a pre-commencement suite of detailed species specific Ecological Working Method Statements (that include proposed mitigation and compensation features and actions) should be secured through Condition. Species should include (but not limited to) badgers, bats, birds (including kingfishers), reptiles, otters, hedgehogs and INNS (as identified within the Ecological Appraisal by Greengage (April 2025)). The LPA can be satisfied that all such measures can be achieved within the proposed project such that there is no threat to the conservation status of any species – and as such the appropriate information can be secured by a pre-commencement condition rather than being required in advance of any planning consent being granted.
- With a CEMP secured by condition no unmitigated effects on the River Wye SAC (SSSI) or the Widemarsh Brook / Yazor Brook are identified from the proposed development.

The HRA appropriate assessment completed by the LPA should be subject to formal consultation with Natural England PRIOR to any final grant of planning permission.

A suggested condition is identified below:

Construction Environmental Management Plan

Before any work; including site clearance or demolition begin or equipment and materials are moved on to site, a Construction Environmental Management Plan (CEMP) including a full Ecological Working Method Statement and a specified 'responsible person', shall be supplied to the local planning authority for written approval. The approved CEMP shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed; unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the 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.

Ecology

The supplied Ecological Appraisal by Greengage dated April 2025 is noted and referred.

The Ecological Appraisal confirmed potential impacts on site during the construction and operational phases of the proposed scheme for protected species (badgers, nesting birds, kingfishers, reptiles, riparian mammals, invertebrates and hedgehogs). Mitigation has been proposed by way of precautionary method of working (suggested condition above within the HRA section of this consultation response), installation of habitat features, a sensitive lighting scheme, landscape enhancements, and phased vegetation removal/soft felling of trees. This can be secured by the following suggested conditions:

Nature Conservation – Implementation

The recommendations set out in the Impact Assessment section of the Ecological Appraisal by Greengage dated April 2025 should be followed in relation to the identified protected species (badgers, bats, birds, invertebrates, hedgehogs and INNS) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected 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.

Biodiversity Net Gain

I have looked at the revised Biodiversity Net Gain (BNG) metric and am happy this is acceptable in producing a minimum 10% gain, this will be secured via standard condition.

To note: there is an error in cell V12 on page C-1 On-site Water Baseline that is creating the error message 'Check Lengths' – the length should be 0.231.

To obtain Biodiversity Net Gain

Within 3 months of completion of the approved works evidence of the suitably placed installation within the site boundary of at least TWELVE bird nesting boxes; FOUR artificial kingfisher tunnels; FOUR number bat roosting features; ONE artificial otter hold as recommended within the Ecological Appraisal by Greengage (dated April 2025) should be supplied to 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.

Furthermore:

The supplied ecological appraisal noted that there are ongoing riparian mammal (otter) and reptile surveys being carried out on site, although no identified species have been found so far. It is unlikely that any reptile species requiring an EPSL (i.e. sand lizard and smooth snake) will be present on site, and we are satisfied that mitigation for these species can be covered under the submitted EWMS.

Additionally, trees within Plot 4 (T050, T051 and T052) require further surveys to determine their suitability for bats and identify the need for further presence/likely absence surveys where required – these have not yet been subject to PRAs due to accessibility issues. These surveys and associated report will need to be supplied prior to any works commencing, other than site clearance, on Plot 4.

The following pre-commencement condition is recommended to ensure all impacts on protected species are identified and mitigation can be recommended:

Optimal Period Protected Species Surveys (pre-commencement)

Prior to commencement of construction works other than site clearance, all required Optimal Period otter and bat surveys shall be completed and the resulting report submitted to the planning authority. The report shall include survey methodology and results, details of proposed mitigation and compensation with recommendations for required Protected Species Licences.

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

The approved report, shall be implemented in full, and hereafter maintained, unless otherwise approved in writing by the local planning authority.

Reason: To ensure all protected species and habitats are protected and conserved 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 SS6, LD1, LD2 and LD3.

4.15 **Minerals and Waste Officer: No Objection July 2025**

Thank you for the above consultation. I can confirm that there are no mineral safeguarding concerns with the application site.

The proposed development relates to engineering works for a flood alleviation scheme, and having assessed the submitted plans and supporting documents, it is considered that the development will generate volumes of construction waste which needs to be considered. Policy SP1 within the Minerals and Waste Local Plan (MWLP) is the relevant policy and deals specifically with resource management and waste prevention. One of the objectives of the policy is to ensure waste materials which result from the construction of new developments are diverted from entering the waste stream where possible.

There are 4 plots identified on the submitted plans and within supporting documents which make up the application site, these are labelled Plot 1A, 1B, 4 and 5. Plots 1 A and 1B are currently car parks with hardstanding and gravel across them. Plots 4 and 5 consist of scrubland and dense vegetation.

Within the supporting planning statement at paragraphs 3.26 and 3.27 the applicant addresses material management within the scheme. It is identified that all plots are underlain by made ground with various depths. It is the applicant's intention to produce a Materials Management Plan (MMP) and earthwork specification which will explore the potential for the reuse the cut material. The MMP will be expected to identify the volumes of material and soils generated through the construction and if the material can be treated for appropriate re-use.

It is also noted within the submitted Construction Traffic Management Plan it is identified the main contractor will be required to investigate opportunities to minimise waste arising at source and, where such waste generation is unavoidable, to maximise the recycling and reuse potential of demolition and construction materials. It is stated that a key aspect of this will be the recycling of cut material either on or between the sites. This approach is welcomed.

To ensure that where possible the production of waste from the development is minimised and options for the reuse or recycling of any waste produced is utilised, if the application is to be recommend for approval, it is requested that the following condition should be included in the decision:

Waste prevention and Material Management Condition

Prior to any development commencing on site, including any site clearance or groundworks, details of a site waste prevention plan and material management measures shall be submitted and approved in writing by the local planning authority. This shall include the steps to be taken to reduce, reuse and recycle waste (including hazardous wastes) that is produced through the construction phase. Construction works shall thereafter be carried out in full accordance with the details of the approved plan.

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan

– Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.

4.16 **Principal Building Conservation Officer: No objection July 2025**

The proposal

The proposed application is to provide a flood alleviation scheme to address historic flooding across the Merton Meadows area of the city.

The overarching strategy is one of inclusive engineering works and associated landscaping to satisfy Biodiversity Net Gain (BNG) requirements,. Flood storage will be integrated into the landscape by creating wetlands, new and enhanced natural habitats, and Tree retention.

The site

There are 4 sites proposed.

Change of use -

Merton Meadows North Overflow car park Plots 1A / 1B

Existing: Surface Parking

Proposed: Flood storage and wetlands & natural habitat with public amenity.

Former Canal Basin Plot 4 -

Existing: Natural Habitat

Proposed: Flood Storage, Natural Habitat and Public Amenity.

Former Essex Arms Plot 5

Existing: Natural Habitat

Proposed: Flood Storage, Natural Habitat and Public Amenity.

The flood alleviation works will unlock future development potential for up to c.400 new homes across the Merton Meadows and Essex Arms, which will be the subject of a separate, future planning application.

Plot 1a and 1b is sited between the Hereford Central conservation area, Widemarsh Conservation Area and Bulmer Garden Suburb Conservation Area.

<https://www.herefordshire.gov.uk/conservation-1/conservation-areas/3>

Plot 4 is between the Hereford Central conservation area, and Bulmer Garden Suburb Conservation Area

Plot 5 is a very sensitive site directly adjacent to:

- the Hereford Central Conservation Area,
- UID 1010797 Blackfriars Friary Scheduled Monument which contains 3 individual listed buildings ;
 - UID 1196898 Coningsby Hospital **Grade II*** included on the statutory list on 10/06/1952
 - UID 1293327 Remains of Blackfriars Priory **Grade II*** included on the statutory list on 10/06/1952
 - UID 1279469 Preaching Cross at Blackfriars Priory **Grade II*** included on the statutory list on 10/06/1952

<https://historicengland.org.uk/listing/the-list/map-search/>

Legislation Policy and Guidance

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

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

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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

- Paragraph 135 of NPPF advises that planning policies and decisions should ensure Developments should;
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
- Paragraph 207 of NPPF advises that “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”
- Paragraph 208 of NPPF advises that a “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”
- Paragraph 212 of NPPF advises “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”
- Paragraph 213 of NPPF advises “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- Paragraph 219 of NNPF advises “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”
- Policy SS6 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires that development proposals should:
 - conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular landscape, and heritage assets and especially those with specific environmental designations. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant.
- LD1 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires that development proposals should:
 - demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;
 - conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including conservation areas; through the protection of the area’s character and by enabling appropriate uses, design and management.
- Policy LD4 of the Herefordshire Local Plan Core Strategy 2011 – 2031 requires development proposals affecting heritage assets and the wider historic environment should:
 - Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible.

Assessment of Proposal

Plots 1a and 1b

In respect of plots 1a and b, the current proposal as submitted is in relation to flood storage and wetlands & natural habitat with public amenity only. The current proposals are considered to be an enhancement to the setting of the adjacent conservation areas and no objection is raised in built heritage terms.

Plot 4

In terms of plot 4, it is considered that the proposal as submitted would enhance this area between 2 conservation areas, and no objection is raised in terms of setting of heritage assets.

Plot 5

Plot 5 is very sensitively sited adjacent to designated assets. The proposal for the planting and flood alleviation is sited to the east of the site farthest away from the nationally designated assets of Grade II* listed buildings and a scheduled monument of Blackfriars priory established 1322

including a church and cemetery. Images and information above the Priory are included in the hyperlink below.

<https://htt.herefordshire.gov.uk/her-search/monuments-search/search/Monument?ID=418>

<https://herefordshirehistory.org.uk/archive/herefordshire-images/hereford-images/miscellaneous-locations-around-herefordshire-0/230237-house-of-the-blackfriars-1776?>

<https://herefordshirehistory.org.uk/archive/herefordshire-historic-maps/hereford-maps/146580-plan-of-hereford-city-from-speeds-map-1610?q=maps>

<https://herefordshirehistory.org.uk/archive/herefordshire-historic-maps/hereford-maps/512206-taylors-map-of-hereford-1757.jpg>

The current proposals in isolation would gain support in built heritage terms as the site would be enhanced. However, in terms of the future residential development of the site, there would be concerns at this stage, as no details of height or layout has been provided.

This would be a difficult site to develop for residential use especially due to the numbers proposed and the area of the site to be utilised for flood alleviation measures. In addition to the proximity of Blackfriars, the Hereford City Link Road currently affords views of the church spires of All Saints Church, the Cathedral and St Peters both II*. Old maps indicate that this site was adjacent to the canal wharf, and as such has not been developed, thereby affording views of the city roofscape from those approaching from the North for centuries, and in more recent times from the railway approach.

<https://maps.nls.uk/view/101569818>

<https://maps.nls.uk/view/101569806>

In isolation there would be support for the proposals as it would enhance the wider area, provide an attractive oasis in the city between the railway station and the city centre, and also Blackfriars site, which are visited by tourists, and hyperlinks below provide more information in that regard. However the subsequent redevelopment of the site may be problematic in terms of height and impact on Blackfriars and loss of views across the city skyline.

<https://www.visitherefordshire.co.uk/discover/blackfriars-hereford-preaching-cross-priory-and-rose-gardens>

<https://www.britainexpress.com/counties/hereford/abbeys/blackfriars-friary.htm>

I would refer to section 4.2 and section 6 of the Historic Area Assessment for Herefordshire Council prepared by Donald Insall in 2018. The support of this element of the proposal is merely a consideration of the proposals currently applied for and not for any future development not fully detailed within the application.

https://www.herefordshire.gov.uk/downloads/file/17142/hereford_city_historic_area_assessment_part_a.pdf

Conclusion

There is support for the current proposal, which in isolation would be seen as an enhancement. However as reference has been made to future housing development, in terms of future residential development, whilst no objections are raised to the principle of such development at this site, as the site 1a and 1b is an important gateway to the city, care would need to be taken in respect of the height of any such buildings. the draft Hereford Design Guide which provides advise on views in and out of the city, relative heights, materials and designs.

<https://www.herefordshire.gov.uk/downloads/file/16850/draft-hereford-design-guide>

Site 5 will need to be considered with care given the adjacent heritage buildings.

When considering new development, the following documents may also be of use some prepared in house, and others by external consultants paid for by the Authority.

https://www.herefordshire.gov.uk/downloads/file/17142/hereford_city_historic_area_assessment_part_a.pdf

https://www.herefordshire.gov.uk/downloads/file/17144/hereford_city_historic_area_assessment_part_b.pdf

https://www.herefordshire.gov.uk/downloads/file/17143/hereford_city_historic_area_assessment_part_c.pdf

<https://www.herefordshire.gov.uk/downloads/file/1438/historic-townscape-of-central-herefordpdf.pdf>

4.17 **Archaeology Advisor: No objection subject to a condition July 2025**

Following our joint site meeting in relation to 'Plot 5' and its potential issues, and having regard to correspondence received from Historic England et al subsequently, I have the following comments to make:

1. There was of course some discussion on site relating to suitable conditions, and indeed Historic England's most recent response of 11/07/2025 does refer to this and the need for "pre – commencement" archaeological investigation (i.e. in the most sensitive far southern sector of the site). I agreed on site and continue to agree that such archaeological investigation is needed at an early stage under Para 218, whilst emphasising that pre commencement is not the same thing as pre-determination [under Para 207]. Terminology is important. On balance, having reviewed the correspondence again, I remain of the view that as far as archaeology is concerned, the application could be favourably determined as things stand.
2. As previously discussed however, and in the context of the field evaluation already undertaken, sufficient additional recording of the far southern sector MUST take place at a sufficiently early stage of any progressing scheme. By this I mean prior to any construction works in this limited area of Plot 5 [only], with time to allow the results of the investigation to feed into any continuing detailed design process here. It has been accepted that a bespoke condition is needed in this case, that whilst providing adequate safeguards, would prevent unjustified delays to the progression of the whole scheme as a generality - were that scheme to be approved.
3. Accordingly, I am now suggesting the following archaeological condition, as a means of achieving these aims.

"The applicant shall commission a suitable archaeological investigation of the far southern corner of Application Area Plot 5. This investigation should commence prior to any construction works in this part of the site, and the results of the investigation will form part of the continuing design process here. The investigation will in essence consist of an appropriate geophysical survey, and targeted archaeological excavation area(s). As would be normal, there will be a need to make the results, and any archive generated, publicly accessible in due course"

Previous comments May 2025 can be viewed online:

<https://myaccount.herefordshire.gov.uk/documents?id=ccf9e14e-4056-11f0-908e-005056ab11cd>

5. Representations

5.1 **Hereford City Council:** No comments received.

5.2 Letters of Representation

The proposal due to the scale of development is classified as a major development. As such it has been advertised in the local press (Hereford Times). Numerous site notices have also been displayed around the application site and surrounding area. In response to the public consultation a total of 4 comments were received on the application throughout the process, detailing the points listed below. All representations received can be viewed full through the website:

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=251273&search-term=251273

Summary of representations received:

General to Plot 4

- The description of Plot 4 as a "former canal basin" is inaccurate; the actual basin is now beneath the city link road and Medical Centre.
- Plot 4 lies near the historic canal line and is needed for the planned replacement basin, but this is not reflected in the submitted plans.
- The proposal conflicts with the Local Plan Core Strategy's aim to protect and eventually restore the Gloucester to Hereford canal.
- The scheme appears to contravene Policies HD2 and E4 and is therefore objected to.
- A restored canal would significantly improve the area's quality and appeal, and its importance should be fully acknowledged and supported.

Flood Risk and Geology Concerns

- Paragraph 170 of the National Planning Policy Framework (NPPF) clearly states: "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas of highest risk."

Merton Meadow falls within Flood Zone 3, identified as an area with a high probability of flooding from rivers. Despite this designation, the planning documentation — particularly the Hydrock reports — does not fully account for the three-dimensional geological and hydrological context of the site.

- **Historical and Geological Context**
 - The valley in which Merton Meadow sits was carved by the pre-Ice Age course of the River Wye, which flowed along what is now the Yazor Brook valley. This valley was deeply incised into the Raglan Mudstone Formation, a predominantly impermeable bedrock. During the last phase of the Ice Age, the valley was infilled with glaciofluvial gravels, forming highly permeable aquifers.
 - These gravels allow subsurface groundwater flow, even when surface water appears to be controlled. As illustrated in the British Geological Survey Memoir for Hereford (page 39), there are significant depths to bedrock that create a hidden, continuous pathway for groundwater migration. This crucial three-dimensional aspect is not depicted in the geological maps provided, which only offer a plan view, nor is it fully understood through the limited borehole data.

- Hydrock's own Desk Study Part 1 (Section 27.4) acknowledges the issue:
"The high permeability of the glaciofluvial sheet deposits is such that the flux of water is highly likely to be large."
 Similarly, Part 26.1 and Page 27 of Desk Study Part 2 reiterate that groundwater migration through the system is likely to be continuous and significant due to the same permeable deposits.

Past Failures and Lessons Not Learned

- A costly intervention — the diversion scheme of the Yazor Brook near Credenhill, cost over £4 million but failed

Canal Basin

- Support except that it excludes a canal basin.
- The canal basin concept has existed in policy since the 1980s but lacks a financially viable business plan.
- It has hindered development along its intended route.
- The proposed ponds are seen as more beneficial than a canal basin.
- The canal project is outdated and should be abandoned.

Financial Impact on the football Phoenix Club/ detrimental effect to HFC football club.

5.3 Herefordshire and Worcestershire Earth Heritage Trust

- The site overlies the Proto Wye river channel, a Late Glacial river feature filled with sands, gravels, and peat, identified in boreholes from the 1960s–1980s.
- Excavations for site reprofiling and brook remodelling may expose these deposits, which have geo heritage value, including water-rolled vertebrate remains.
- Contractors should be instructed to record geological findings to preserve this value.
- The subsurface gravel aquifer is hydraulically linked to the River Wye and may influence groundwater flooding risks.
- The flood risk assessment assumes low groundwater flooding risk, but it is unclear if changes in groundwater hydraulic head during floods are fully modelled.
- An increased flood storage volume might raise groundwater levels, potentially increasing flood risk or drainage issues downstream.
- Discrepancies in flood depth data and site layout make precise flood risk assessment difficult.
- Climate change is expected to increase flood event frequency and intensity beyond current modelling assumptions.
- A more thorough groundwater flood risk assessment is recommended, especially before developing non "water compatible" areas.
- If permission is granted, a Condition should require a Geodiversity Action Plan to document and protect geo heritage during works, aligning with relevant local and national policies (Core Strategy SS6, LD2, and NPPF).

5.4 Herefordshire and Gloucestershire Canal Trust: Objection June 2025

- The proposal conflicts with a previously approved application (P211047/F for Underwood Steel), which includes provision for a future canal basin where Plot 4 now proposes an attenuation basin.
- The current application fails to acknowledge the historic canal route, contrary to Core Strategy policies HD2 and E4.
- The Herefordshire & Gloucestershire Canal Trust had objected to the Underwood Steel plan for similar reasons.
- Flood level data shows that the canal would flood during a 1 in100-year event (+37% climate change), indicating it could function effectively as part of the attenuation system.

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

- The canal already includes a weir at Aylestone Park, which manages water flow and could contribute significantly to flood management.
- The canal offers potential flood storage capacity (via freeboard), making its inclusion in flood design logical and beneficial.

5.5 Hereford and Worcester Fire Service comments: No objection May 2025

I can confirm that Hereford and Worcester Fire Authority has reviewed the documentation and has no further comment at this time

5.6 Ward Member

The Ward Councillor (Councillor Polly Andrews) has been informed throughout the application process.

The application is being reported to the Planning & Regulatory Committee based on officers being in receipt of Material Objections to an application involving Council owned land and submitted on behalf of the Council application.

6. Officer's Appraisal

Policy context and Principle of Development

- 6.1 Planning Permission is sought for engineering works to create a flood alleviation scheme on Flood Zone 2 and 3 on land at Merton Meadows in Hereford.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:
- "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.3 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy. The National Planning Policy Framework ('NPPF' or 'Framework') is also considered to be an important material consideration for all planning applications in England.
- 6.4 Notwithstanding the principle of development, the key planning issues for this proposal are:
- Flood risk and water environment
 - Landscape and visual impacts
 - Amenity
 - Archaeology and historic environment
 - Biodiversity and natural environment
 - Climate change, natural resources and waste
- 6.5 The application site comprises a brownfield site that lies to the north and south of the A465 (City Link Road), and in close proximity to the City Centre. It falls within the Edgar Street Grid consultation zone; an area identified in the Core Strategy for regeneration and creation of an Urban Village. To date this has progressed on a largely piecemeal basis, with new housing and a hotel provided to the east of the football ground. Core Strategy policy HD2 within the supporting text for policy HD2 is says that:

'The urban village will require associated infrastructure in order to address flooding issues. A key element of this will be the production of an integrated surface water management strategy. This should inform the design and layout of development and help deliver

sustainable drainage and flood risk reduction measures taking into account the development of the other strategic sites in Hereford.'

- 6.6 It is also noted that within with the surface water management and flooding supporting text of policy HD2 (para 4 .2.35) it confirms:

'A proportion of the Edgar Street regeneration area lies within Flood Zone 3. The Yazor Brook flood alleviation scheme has now been completed, which provides some flood relief to the Edgar Street regeneration area and outlying areas. Secondary measures are required to ensure that any development in this area is safe and will not increase flood risk to third parties. Further measures will also be implemented within the city that will improve surface water drainage and any residual flooding impacts'.

- 6.7 The proposal is considered to be acceptable in this location, subject to compliance with other topic based policy requirements and will help to unlock residential development in the future. The proposal is on a brownfield site in an area that is near to a wide range of services, facilities and public transport. The area is locationally sustainable and the plots provide connectivity.
- 6.8 The proposal is also supported in principle due to its significant public benefit in reducing flood risk and enhancing climate resilience. Given the critical importance of managing flood risk within Hereford City, the proposed flood alleviation works are a key strategic intervention. Furthermore, these works have the potential to unlock future development opportunities, including provision for approximately 400 new homes across the Merton Meadows and Essex Arms sites. It is noted that any such residential development would be subject to a separate and future planning application.
- 6.9 That support, however, should be balanced against all other relevant material considerations identified within this report. This includes a careful assessment of both the benefits and any potential harms, to arrive at a reasoned and justified conclusion on whether planning permission should ultimately be granted.

Flood Risk and Water Management

- 6.10 NPPF paragraph 161 requires that the planning system should support the transition to a low carbon future in a changing climate taking full account of flood risk.... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 6.11 Policy SD3 of the Core Strategy states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water.
- 6.12 Paragraph 170 of the NPPF states "inappropriate development in areas at risk of flooding should be avoided by directing development away from areas of highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere."
- 6.13 Paragraph 181 of the NPPF states "when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location;
- The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- Any residual risk can be safely managed; and
- Safe access and egress routes are included where appropriate, as part of an agreed emergency plan.

- 6.14 Following the flood modelling exercise, the four areas were selected for the flood alleviation works (Plot 1A, 1B, 4 and 5). All plots are classified as brownfield land and have been previously developed in some form.
- 6.15 The proposal is for engineering works to create a flood alleviation scheme located in high probability Flood Zone 2 and 3. The application has been supported by the submission of a flood risk assessment (as amended), flood modelling information, ground investigation and technical drawings. The overarching strategy is one of inclusive engineering works and landscaping to satisfy Biodiversity Net Gain requirements. The Environment Agency, the Lead Local Flood Authority (LLFA)/Drainage and Welsh Water have reviewed the proposal.
- 6.16 When looking at local hydrology (see figure 6 below), the Yazor Brook is located to the west of the site, flowing in a south-easterly direction before entering a culvert at Plough Lane and eventually discharging to the River Wye near Victoria Street Bridge. Widemarsh Brook is a branch of the Yazor Brook, which separates from the main Yazor Brook channel near Fiennes Way. Widemarsh Brook flows to the east between Plots 1a and 1b, on through Plots 4 and 5 before continuing southwards towards the River Wye. Ayles Brook is seen to the north, and is culverted from Ayles Brook to the north of Hereford Racecourse to its outfall into the Widemarsh Brook at Newtown Road.

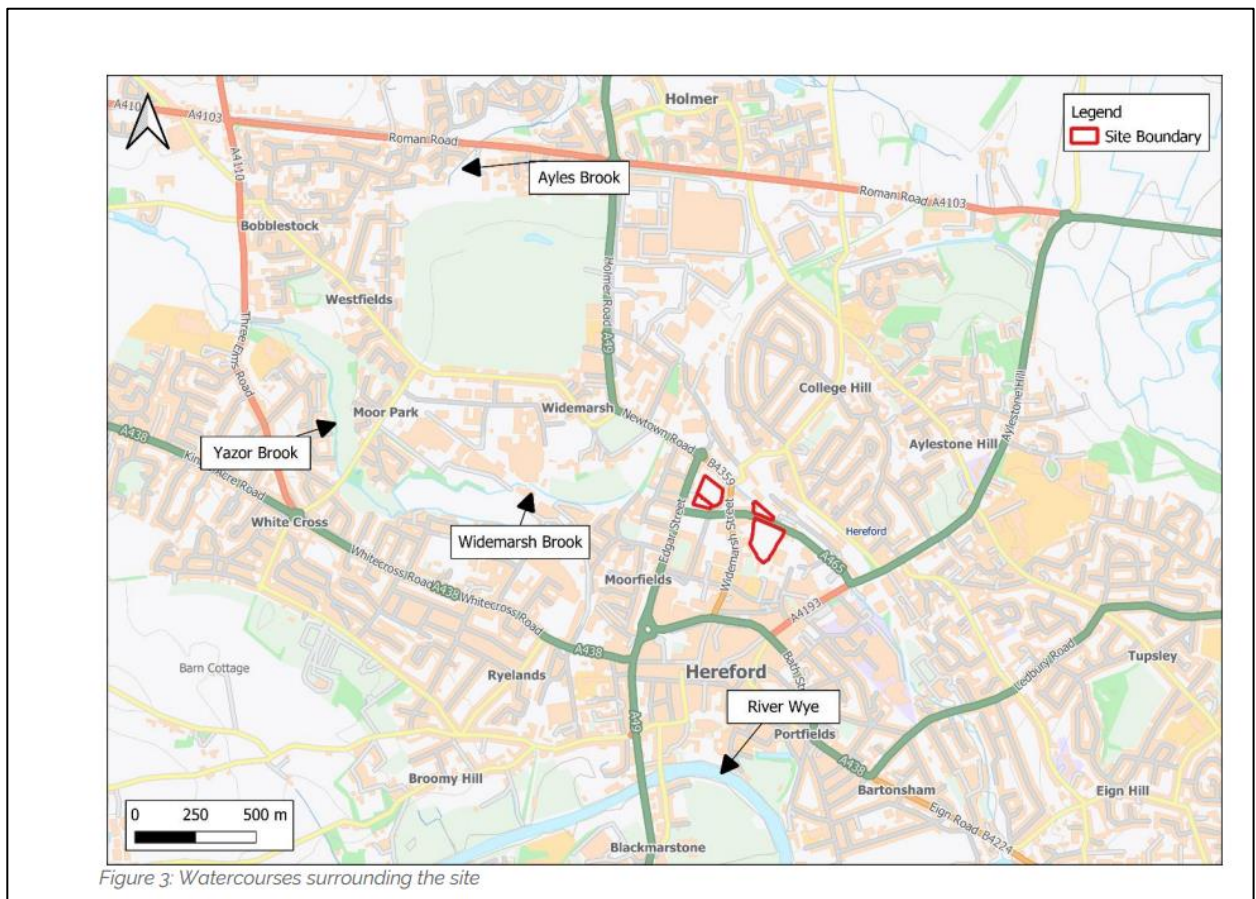


Figure 6 shows the location of these watercourses (extract from submitted FRA)

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

- 6.17 As background to the proposal and as highlighted within the submission and drainage officer comments *'the Yazor Flood Alleviation Scheme was installed in 2009, near Credenhill. This infrastructure was installed to facilitate development within the functional Flood Plain (Flood Zone 3B) in central Hereford. The FAS displaces water from the Yazor Brook into the River Wye, thus reducing the peak flow in the Widemarsh and Yazor Brooks. The scheme was not delivered to eliminate the risk of fluvial flooding (low points adjacent to the watercourse will continue to flood). Instead, the scheme was promoted because it was impractical to excavate compensatory storage areas to make up for any lost flood plain arising due to future development within Flood Zone 3B'*.
- 6.18 Paragraph 172 of the NPPF states "All plans should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk by:
- Applying the sequential test and then, if necessary, the exception test as set out below;
 - Safeguarding land from development that is required, or likely to be required, for current or future flood management;
 - Using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and
 - where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more suitable locations.
- 6.19 The NPPF details the requirement for a risk-based Sequential Test in determining planning applications.
- 6.20 Paragraph 174 of the NPPF requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a Sequential Test. It states that 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding'.
- 6.21 In regards to the sequential test, officers are satisfied, as although the site is located wholly within Flood Zone 2 and 3 according to the current EA Flood Map for Planning, it has been allocated under the Herefordshire Local Plan Core Strategy (HD2 Hereford City Centre). Additionally, the proposal for the Merton Meadows Flood Alleviation Scheme is for water compatible flood mitigation. Therefore, application of the Sequential Test will not be required. Notwithstanding the above opinion the proposed development forms part of the long-pursued strategic regeneration of this part of the City Centre.
- 6.22 Paragraph 177 of the NPPF states that 'If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification.
- 6.23 The NPPF (Annex 3) classifies development types according to their vulnerability to flood risk. NPPG Table 2 provides guidance on which developments are incompatible with certain Flood Zones. This site lies within Flood Zone 3a and also, partially within the 3b functional floodplain.
- 6.24 This application as it is a 'Flood Alleviation Scheme' application is classed as Water Compatible as described in Annex 3. There is no built development as such and the works can either be considered flood control infrastructure or potentially even as amenity open space, nature conservation and biodiversity uses.

- 6.25 Accordingly, an Exception Test is not required as per the Planning Practice Guidance to NPPF which identifies five classifications of flood risk vulnerability and provides recommendations on the compatibility of each vulnerability classification within each of the Flood Zones.
- 6.26 A review of the Environment Agency Long Term Flood Risk Mapping (Surface Water) indicates that there are areas of 'low' to 'high' flood risk across all plots
- 6.27 Within the Drainage Officer/Lead Local Flood Authority (LLFA) comments, reference has been made to the flood modelling which classifies the site as Flood Zone 3B. In such areas, works should normally be designed to result in no net loss of floodplain storage and should not increase flood risk elsewhere. Drainage colleagues have highlighted that the current proposal includes some ground raising and recommend that the Environment Agency (EA) be required to endorse these aspects. Members are reminded that the EA has not objected to the Flood Alleviation Scheme (FAS). It has also been confirmed that the raising of the ground will form a part of the wider masterplan for the area and will be discussed with EA as part of the wider masterplan consultation.
- 6.28 As detailed by the Drainage Officer/Lead Local Flood Authority (LLFA), the model outputs indicate that there is no fluvial flooding in Plot 1B during a 1-in-30-year flood event. Similarly, most parts of Plot 5 are shown to not be at risk of fluvial flooding in the same event. The modelling report advises that a western area of Plot 1B is to be raised to reduce flood risk to third parties. However, the modelling has been questioned by the LLFA/Drainage Officer, who has suggested that it may not be an adequate tool for setting property floor levels.
- 6.29 Notwithstanding these comments, Members are reminded that, as per the EA's response, drainage colleagues will be consulted on any future residential applications and proposed floor levels. It should also be noted that residential development is not a consideration of this application, although it is acknowledged that this Flood Alleviation Scheme is intended to facilitate future residential development.
- 6.30 The LLFA have raised concerns about Cut & Fill for Plots 1A, 1B and 1C which shows works outside of the red line boundary as well as advising that the EA need to endorse the principle of ground raising within areas of Flood Zone 2B, as defined on the Flood Map for Planning. Members are advised that the LLFA/drainage colleagues shared their comments with them direct and as highlighted above the EA have not objected in their most recent consultation response following the sharing of the drainage officer comments.
- 6.31 A third party consultation response has highlighted a concern that the glaciofluvial gravels form an aquifer. The concern has been raised that when development proceeds vulnerable people could be impacted by flooding and possibly adversely impacted by groundwater. This issue has been considered in the FRA, noting that water compatible development is proposed.
- 6.32 The proposed pond design as highlighted within the drainage officer/LLFA response can be addressed via a planning condition. This has been added at the end of this report.
- 6.33 The applicant responded with a technical note to the various points raised by the LLFA/Drainage team and this can be seen in Appendix A at the end of this report .
- 6.34 The EA is a statutory consultee with responsibility for commenting on applications in the floodplain. The EA have provided commentary on the application and within two rounds of consultation and highlight the proposal will provide a level of flood risk betterment as well as the potential for biodiversity benefits.
- 6.35 They have confirmed no objection and have provided a conditioned response albeit it is acknowledged a number of technical queries were raised. Specifically:

- Were the modelled scenarios defended i.e. with the upstream Yazor Brook FAS fully working or undefended?
 - What additional flood storage capacity did the Merton Meadows FAS, in the 4 plots, actually provide?
 - Whether post development outlines with the new additional storage proposals in place had been produced in order to demonstrate the betterment being provided by the scheme.
- 6.36 The EA also confirmed the updated submitted FRA was now 'clearer than the previous version', however they have requested that any future applications for future residential particularly in areas where the flood extents have been reduced to ensure the modelling is robust and fit for purpose.
- 6.37 The applicant responded with a technical note to the various points raised by the EA and this can be seen in Appendix B at the end of this report .
- 6.38 The Council's land drainage engineer has also been consulted as Lead Local Flood Authority (LLFA) they also have responsibilities in relation to flood risk from surface water, groundwater and ordinary watercourses and have also been consulted and have commented on the application.
- 6.39 Welsh Water have been consulted as part of the application and they have advised the application sites crossed by public sewers (both surface water sewer and a foul sewer crossing) and they have confirmed in their response that the proposed development within plots 4 and 5 would be situated within the protection zone of the public assets measured 3.75 metres either side of the centreline of the 750mm combined sewers and 3 metres either side of the 300mm combined and 450mm surface water sewers. Due to the uncertainty in the location of the assets a bespoke condition has been suggested by Welsh Water relating to plots 4 and 5 securing the accurate plotting of public sewers.
- 6.40 Specifically relating to drainage, National Highways have confirmed that the scheme will not have a direct impact on the Strategic Road Network or outfalls.
- 6.41 To conclude, the scheme by its very intention would represent a betterment of the existing flood risk situation. No conflict has been identified with the relevant flood risk management policies of the National Planning Policy Framework (NPPF) or the Core Strategy. The EA and Welsh Water, as statutory consultees, have been consulted and have reviewed the environmental information provided. Both have confirmed that they have no objection to the application in terms of flood and groundwater risk.
- 6.42 The comments of the Land Drainage Engineer/LLFA are noted and given the scale of the site and the supporting technical information, the proposed methods are considered policy compliant and achievable on-site. More detailed design can be secured at the discharge of condition stage.
- 6.43 The purpose of the application is to reduce flood risk and it is anticipated that the completion of the scheme will lead to a significant reduction in flood risk and the site is considered suitable for development with regards to national guidance.
- 6.44 Subject to the details outlined above being secured through conditions no conflict with policy SD3 or the NPPF in relation to drainage and flood risk have been identified. It is noted that there are no foul water facilities proposed for the development. As such, it is considered that the requirements of Policies SD3 of the Core Strategy would be satisfied subject to suitably worded conditions.

Heritage assets (including below ground), design and visual amenity

- 6.45 The historic environment is defined as all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Those elements of significance with statutory protection are referred to as designated heritage assets.
- 6.46 Policy LD4 of the Core Strategy is applicable to heritage assets throughout Herefordshire whether formally designated e.g. listed building and conservation areas, or not, ranging from individual structures and their settings, archaeological remains, to larger neighbourhoods of historic value, parks, gardens and other green spaces of local interest. Policy SS6 identifies that development proposals should conserve and enhance those environmental assets that contribute towards county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations.
- 6.47 When considering the impact of a development proposal upon the setting of a heritage assets, there are several stages. Firstly, identifying those assets which may be affected and their significance. Then those aspects of their setting which contribute to the significance are identified and lastly the impact of the development upon this significance is considered. It should be noted that a view to or from a heritage asset does not necessarily mean that a site is within that assets' setting, this depends upon whether that view contributes to the significance of the asset. Also, a site can be within the setting of a heritage asset without their being a direct view under certain circumstances. The fundamental principle is whether or not a development affects the significance of a heritage asset, including those aspects of its setting which contribute to its significance.
- 6.48 There are a number of listed buildings and a scheduled monument in close proximity: Plot 1a and 1b is sited between the Hereford Central Conservation Area, Widemarsh Conservation Area and Bulmer Garden Suburb Conservation Area. Plot 4 is between the Hereford Central Conservation Area and Bulmer Garden Suburb Conservation Area. Plot 5 is directly adjacent to: the Hereford Central Conservation Area and the Blackfriars Friary (Scheduled Monument) which contains 3 individual listed buildings:
- UID 1196898 Coningsby Hospital grade II*
 - UID 1293327 Remains of Blackfriars Priory grade II*
 - UID 1279469 Preaching Cross at Blackfriars Priory grade II*
- 6.49 Under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority is required, when considering development which affects a listed building or its setting to have special regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.50 It follows that the duties in Section 66 do not allow a decision-maker to treat the desirability of preserving the setting of listed buildings merely as material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building, it must give that harm "considerable importance and weight". Importantly, this does not mean that an authority's assessment of likely harm of proposed development to the setting of a listed building or to a conservation area is other than a matter for its own planning judgement. Nor does it mean that an authority should give equal weight to harm that it considers would be limited or "less than substantial" and to harm that it considers would be "substantial".
- 6.51 The NPPF offers further guidance about heritage assets, recognising that they are irreplaceable resources that should be conserved in a manner appropriate to their significance. Section 16 particularly offers clarity about the assessment to be made of the significance of heritage assets.

Paragraph 210 outlines three criteria to be taken account of in the determination of planning applications. These are as follows:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

- 6.52 Whilst policy requires heritage assets to be protected, conserved and enhanced, and requires the scope of the work to ensure this to be proportionate to their significance, it does not include a mechanism for assessing how harm should be factored into the planning balance. In order to properly consider the effects of development on heritage assets, recourse should be had to the NPPF in the first instance.
- 6.53 As part of the submission a Heritage Statement has been submitted to support the application, in line with Paragraph 207 of the NPPF.
- 6.54 The Council's Principal Building Conservation Officer within their comments have provided an assessment of the proposal. Regarding plots 1a and 1b as relate to flood storage and wetlands & natural habitat with public amenity only. The current proposals are considered to be an enhancement to the setting of the adjacent conservation areas and the heritage officer has no objection is raised in built heritage terms. In terms of plot 4, it is considered that the proposal as submitted would enhance this area between 2 conservation areas, and no objection is raised in terms of setting of heritage assets. The most sensitive of all the proposed areas/plots is Plot 5 due to it being adjacent to designated assets. The proposal for the planting and flood alleviation is located to the east of the site farthest away from the nationally designated Grade II* listed buildings and the scheduled monument of Blackfriars. The Principal Building Conservation Officer has advised that in isolation, the proposal would gain support in built heritage terms as the site would be enhanced, albeit it is noted that concerns have been raised about future residential development of the site. However, Members are reminded that any future development of this plot is not under consideration at this time.
- 6.55 The site's development does not affect the above ground heritage assets, and overall, given the location of the site within the conservation area and in close proximity to listed buildings the development is sensitively designed, and quality of the proposed development will be appropriate. It is considered that in regard to heritage assets and their setting, experience or significance that the proposal would be seen as an enhancement. Subject to certain aspects being developed through planning condition, the overall development will be visually attractive and sympathetic to local character complying with para. 135 of the NPPF. The Council's Principal Building Conservation Officer has not objected to the development, noting there would be support for the proposals as it would enhance the wider area, provide an attractive oasis in the city between the railway station and the city centre, and also Blackfriars site, which are visited by tourists.

Archaeology

- 6.56 In regard to archaeology, the application has been supported by specialist reports to assist in the assessment of the proposal upon both archaeological and heritage assets. These reports have been reviewed by both Historic England and the Council's Archaeology Advisor.

Historic England have not raised an objection, but they have concerns, which in summary, are as follows:

- The absence of supporting heritage information.

- Impact on a surviving earthwork section of the Tan Brook on the southern boundary of the site
 - Impact on buried peat deposits identified in past archaeological evaluation work at the site
 - The absence of supporting technical drawings for Plot 5 Significance of designated heritage asset
- 6.57 The application site is located immediately north of Blackfriars Priory a scheduled monument (NHLE 1010797) and the north edge of the monastic precinct is defined by the historic course of the Tan Brook. A remnant section of the Tan Brook is visible as an earthwork south of the application site and makes a strong positive contribution to the significance of the scheduled monument. Historic England have highlighted that the application site makes a positive contribution to the significance of the scheduled monument with a remnant section of the Tan Brook and the open character of the site preserving that of the former marsh and the information preserved in its peat deposits.
- 6.58 Following a joint site meeting Historic England have confirmed that albeit they have concerns, the application is considered to cause 'less than substantial harm to the significance of Blackfriars Priory', a scheduled monument (NHLE 1010797) through impacts on the Tan Brook and potential impacts on the buried archaeological remains associated with the monastic site within the south of the proposal area. However, it was agreed at the site meeting that these concerns and impacts can be resolved or minimised through either clarification by applicant prior to determination or by amendment of design by condition and informed by pre-commencement archaeological assessment.
- 6.59 The Councils' archaeological adviser following the site meeting in relation to 'Plot 5' and its potential issues, and having regard to correspondence received from Historic England has provided updated comments and in line archaeological investigation is needed at an early stage as per NPPF Para 218 and has confirmed on in their opinion in regards to archaeology 'the application could be favourably determined as things stand'. Albeit stressed additional recording of the far southern sector needs to be undertaken 'at a sufficiently early stage of any progressing scheme'. This has been clarified by stating this relates 'to any construction works in this limited area of Plot 5 (only), with time to allow the results of the investigation to feed into any continuing detailed design process. This mitigation can be secured by a bespoke condition that provided adequate safeguards and this has been included the end of the report and the purpose is to secure archaeological investigation of the far southern corner of Application Area Plot 5.
- 6.60 Notwithstanding Historic England's comment, it is clear from the Council's own adviser that the submission is considered appropriate for the purposes of paragraph 200 of the NPPF, concerning the requirement to supply a level of detail sufficient to understand the potential impact of the proposal upon significance. The archaeological advisor has now reviewed and has confirmed they have no objection subjected to suitably worded planning condition.
- 6.61 Your Officer is satisfied, taking on board the specialist consultee responses, that conditions can be imposed to require suitable high level archaeological intervention, in accordance with both national and local policy including paragraph 205 of the NPPF.
- 6.62 In regard to archaeology, the application has been supported by specialist reports to assist in the assessment of the proposal upon both archaeological and heritage assets. These reports have been reviewed by both Historic England and the Archaeology Advisor has confirmed no objection to the proposal.
- 6.63 Whilst noting the comments of Historic England, when considering the specific merits of this scheme, the Archaeological Advisor and Principal Historic Buildings Officer advise that the proposal does not cause harm to the setting, significance or experience of these heritage assets. As such the proposal adheres to the aims of Core Strategy Policy LD4, alongside the requirements set out within Chapter 16 of the NPPF

- 6.64 Due to the prominence of the site, the scale of the development and works in close proximity to the heritage assets above ground and the SAM, these works are considered to result in less than substantial harm to the listed building and SAM when considered individually and cumulatively. It is noted that officers are in receipt of a no objection from both Historic England and the Council's Principal Building Conservation Officer however as the works as considered to be less than substantial this triggers the balancing exercise as per paragraph 215 of NPPF "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." As such a balancing exercise has to be undertaken where the public benefits of the proposal are weighed against the harm. The balancing exercise can be viewed at paras 6.122 to 6.131.

Landscape and Trees

- 6.65 In terms of the development plan context, Core Strategy Policy SS6 is an overarching policy, relating to environmental quality and local distinctiveness. The policy seeks to ensure development proposals conserve and enhance those environmental assets that contribute towards the county's distinctiveness, including its settlement pattern, biodiversity and especially those with designations.
- 6.66 Core Strategy Policy LD1 deals directly with landscape and townscape and identifies proposals should:
- Demonstrate that character of the landscape has positively influenced the design, scale, nature, site selection, protection and enhancement of the setting of settlements and designated areas;
 - Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including AONBs, nationally and locally designated parks and gardens and conservation areas;
 - Incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and
 - Maintain and extend tree cover where important to amenity through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.
- 6.67 Core Strategy Policy LD3 sets out development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:
1. Identification and retention of existing green infrastructure corridors and linkages, including the protection of valued landscapes, trees, hedgerows, woodland, watercourses and adjoining flood plain;
 2. Provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network; and
 3. Integration with, and connection to, the surrounding green infrastructure network.
- 6.68 The National Planning Policy Framework identifies requirements in terms of conserving and enhancing the natural environment at Chapter 15.
- 6.69 Paragraph 187 sets out ways in which planning policies and decisions should contribute to and enhance the natural environment, including protecting and enhancing valued landscapes and by recognising the intrinsic character and beauty of the countryside. Furthermore, minimising impacts and providing for net gains for biodiversity and preventing new and existing development from contributing to unacceptable risk from soil, air, water or noise pollution of land instability.

- 6.70 The application site has no formal landscape designation. The proposal has been supported by a landscape scheme and it includes new pedestrian links and the restoration of the landscape. The plots and a summary of the landscaping is illustrated below:
- 6.71 Plot 1A/Plot 1B. The site will alter an existing narrow, linear corridor along a formerly hard-edged stretch of Widemarsh Brook into a 'richly layered landscape that combines ecological enhancement with accessible public realm'. This is due to the brook restoration and a diverse planting mix and reed bed integration.
- 6.72 No landscaping is proposed in Plot 1B, but involves areas to be re-profiled to the north.
- 6.73 Plot 4 located at the heart of Merton Meadows corridor and serves as a central landscape point creating a much more expansive and open character. It is a key connector between the more linear integration to the north and south and includes ecological enrichment and landscaping via habitat structuring, layered planting, scrub meadow, riparian enhancement and climate-responsive planting.
- 6.74 Plot 5 integrates flood mitigation with ecological enhancement. The plot plays a critical role in concluding the green corridor along Widemarsh Brook and is achieved through the implementation of wetland planting via a series of reed beds and marginal planting zones to create wetland system that slows and filters surface water, contributing to the improved flood resilience and habitat provision. Biodiversity corridors have also been implemented, ensuring connectivity and continuity between all plots. Plot 5 will operate as a natural wetland system, with reed beds and marginal planting capturing, slowing, and filtering surface water to support flood resilience and biodiversity.
- 6.75 The Senior Landscape Officer has confirmed they have no objection and has identified that in terms of landscape amenity, biodiversity and blue and green infrastructure there are many benefits of the development. The proposal also clearly addresses functional needs as well as providing open public access to nature, that is otherwise not available (i.e. plot 5). The development draws attention to the Widemarsh Brook as part of the City's fabric and therefore enhances the awareness of blue and green infrastructure. The opportunity for the development to be used as a nature educational place for schools and the community has many benefits.
- 6.76 The application has been supported by an Arboricultural Impact Assessment (AIA) and Tree Protection Plan. This supporting information has identified all trees within the sites as well as identifying the tree which are to be removed. This equates to 11 across the site and as confirmed by the tree officer these are 'mostly low quality (Category C) trees with the exception of G1 and G9/031 which have been categorised as moderate quality tree group'
- 6.77 However, as confirmed by the Tree Officer, tree removal is required to facilitate the proposal and most of the existing trees within the site/s will be retained and as such the overall visual impact will be limited. The Tree Officer has confirmed no objection subject to conditions which have been included at the end of this report.
- 6.78 Subject to the inclusion of conditions as recommended by the tree officer and landscape officer the proposal is therefore considered to accord with the expectations of Policy LD1 and LD3 of the Core Strategy.

Accessibility, highway and pedestrian safety

- 6.79 Core Strategy Policy SS4 explains new developments should be designed and located to minimise the impacts on the transport network, ensuring that journey times and the efficient and safe operation of the network are not detrimentally impacted. Furthermore, where practicable, development proposals should be accessible by and facilitate a genuine choice of modes of travel, including walking, cycling and public transport.

- 6.80 Policy MT1 of the Core Strategy seeks to ensure that development promotes and where possible incorporates integrated transport connections and supporting infrastructure, including access to services by means other than private motorized transport and encourage active travel to reduce short distance journeys. Core Strategy Policy MT1 relates to traffic management, highway safety and promoting active travel. The policy identifies a number of principle requirements which should be incorporated into proposals. Those relevant to this application include:
- Promote and, where possible incorporate integrated transport connections and supporting infrastructure, including access to services by means other than private motorised transport;
 - Ensure developments are laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for emergency services;
 - Protect existing local and long distance footways, cycleways and bridleways;
- 6.81 Chapter 9 of the National Planning Policy Framework also includes guidance in respect of promoting sustainable transport. Paragraph 115 states that when assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach
- 6.82 Paragraph 116 states development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.83 Across the sites, the proposal establishes pedestrian connectivity through various linkages, enhancing the function of the areas as both educational and ecological assets. These connections will incorporate informal play and public realm elements such as logs, stepping stones, benches, and boardwalks.
- Plot 1A will feature a continuous looping footpath, including a pedestrian bridge over the inlet and outlet swales, allowing full access around the wetland area.
 - Plot 4 will contain a network of accessible paths designed to accommodate desire lines and facilitate movement across the site.
 - Plot 5 will also include a comprehensive path network to enable an effective circulation route throughout the area.
- 6.84 The application is accompanied Construction Traffic Management Plan (CTMP) and it is acknowledged that the sites are a sustainably located. Due to the site's being in the vicinity of the A49 (trunk road) that forms part of the Strategic Road Network, National Highways' have been consulted alongside the Local Highway Authority (LHA). National Highways have confirmed the acceptance of the CTMP, although the Local Highway Authority have sought clarification on operative parking arrangements, construction access points and the Construction Worker Travel Plan. As such a condition has been added to secure this detail in the form of an updated CTMP. This will be discharged following consultation with both the Local Highway Authority and National Highway to manage the impact of the construction phase of the scheme on the local highway network, residents and sensitive receptors.
- 6.85 The Area Engineer Team Leader in their original representation highlighted that a neighbouring development known as 'land at Underwoods Steel Stockholders', has a permission which is subject to conditions which included the delivery of a pedestrian footway link from the approved student accommodation, through Plot 4 of the current scheme, to connect with the existing

footway network on the A465. Revised drawings have been submitted which show an indicative layout for the footway link through Plot 4 and the Local Highway Authority have confirmed this addresses their previously raised concern regarding pedestrian connectivity between this site and the adjoining consented development (Ref: 211047). The indicative nature of the alignment is acceptable at this stage.

Loss of car parking

- 6.86 Plot 1A is currently a public car park (known as Merton Meadows Overflow) and this will be lost due to this proposal. Officers have sought confirmation from the Local Highway Authority regarding car parking capacity in the local area and particularly in reference to the loss of any informal or overflow spaces. Recent survey data shows that the Merton Meadows car park operated at an average occupancy of just 38% between April 2022 and April 2024 and subsequently the Local Highway Authority have confirmed that there is sufficient spare capacity within the local parking network to accommodate displaced parking from this proposed development. Officers are also mindful that this current parking is within a flood zone which limits its overall value and contribution.
- 6.87 The Local Highway Authority and National Highways have been consulted and following the submission of revised drawings have confirmed no objection subject to conditions as per the recommendations at the end of this report.
- 6.88 Overall, the proposed development and off site proposals are considered to be in accordance with Core Strategy Policies SS4 and MT1 and principles of the NPPF Chapter 15 which specifically, states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

Ecology and Biodiversity

- 6.89 In terms of ecology, Policy LD2 is of direct pertinence. This generally requires that proposals protect, conserve and enhance the county's biodiversity assets and make adequate provision for protected species. The application is supported by an Ecological Appraisal by Greengage dated April 2025 and bespoke report on mammal surveys. The ecological appraisals and application have been reviewed by the Councils' ecology officers. Ecology colleagues have raised no objection to the findings and advised that from the supplied information there is no reason for the Local Planning Authority to consider there will be any significant or longer term impacts on local protected species population or other wildlife. As highlighted within the ecology officer comments the Ecological Appraisal confirmed potential impacts on site during the construction and operational phases of the proposed scheme for protected species (badgers, nesting birds, kingfishers, reptiles, riparian mammals, invertebrates and hedgehogs). Mitigation and enhancement measures have also been proposed and can be secured by conditions. Including the submission of Construction Environmental Management Plan as per the Ecology recommendations as well as the inclusion of pre-commencement conditions to ensure all impacts on protected species are identified and mitigation secured.
- 6.90 Officers are mindful of the consultation response from the Environment Agency (EA). Firstly, it is noted that the EA have not objected to the proposal however they have within their comments referred to specific ecology and landscape related matters. They have confirmed in their latest comments that they wish to see a landscape and ecological management plan to ensure the protection of: wildlife, supporting habitat and to secure additional enhancements for the benefit of local ecology and have acknowledged that the wording of this condition to secure ecological protection, compensation and enhancement of the watercourse and associated land is a decision for the local planning authority.

- 6.91 Further to this the applicant has provided a technical note to the various points raised in the EA's latest comments and this has been included in Appendix B at the end of this report. This addresses amongst other matters the design of the watercourse and further engagement with the EA.
- 6.92 Notwithstanding the comments from the EA, officers are mindful that the Natural England have not objected and neither has the Council's own Ecologist. So, with the above in mind, subject to conditions the proposal is acceptable, according with policy LD2 and SS6 of the Core Strategy.

Habitat Regulations Assessment (HRA)

- 6.93 The site is within the Yazor Brook and Lower Wye sub-catchments of the River Wye Special Area of Conservation (SAC) and this proposed development triggers the legal requirement for a Habitat Regulations Assessment(HRA) process to be carried out by the Local Planning Authority. Any 'appropriate assessment' completed by the Local Planning Authority must be formally approved by Natural England prior to any planning consent being granted.
- 6.94 The proposed development has been screened under the HRA process. The proposed works are to provide a flood alleviation scheme to address historic flooding across the Merton Meadows area of Hereford City. The works are related to managing existing surface water in a way as to reduce potential future flooding of properties and highways.
- The proposed will not create any new foul water flows.
 - The scheme incorporates marginal planting, reed beds and permeable surfaces to slow, store and filter surface waters
- 6.95 The Ecologist has confirmed in their assessment they are satisfied that the proposal is not identified as having any adverse effect on the integrity of the River Wye SAC and is considered 'screened out' of any further assessment.
- 6.96 However, they have also commented that due to the proximity of the Widemarsh Brook / Yazor Brook, a main tributary of the River Wye, there is also the potential for possible impacts from the demolition and construction process of this scheme on protected species. The Widemarsh Brook / Yazor Brook and associated hydrological and ecological network is a tributary of the River Wye SAC and is known to support populations of 'feature' species noted within the designation of the River Wye SAC including Otters, Crayfish and species of Fish. (Other protected species are also associated with the locality). The wider water quality of the hydrological network could also be impacted through the extensive construction works required as part of this project. As such mitigation is proposed.
- 6.97 Proposed mitigation:
- A comprehensive Construction Environmental Management Plan (CEMP) can be secured by condition for implementation during all permitted works will provide mitigation and assurance that all such effects are fully considered and appropriate mitigation and working measures implemented.
 - The CEMP must include general environmental impacts eg spills, pollution and similar from the proposed works.
 - To ensure the known presence of protected species in the area and utilising features associated with this development is fully considered and all relevant risk avoidance measures, mitigation actions and suitable compensation measures secured a pre-commencement suite of detailed species specific Ecological Working Method Statements (that include proposed mitigation and compensation features and actions) should be secured through Condition. Species should include (but not limited to) badgers, bats, birds (including kingfishers), reptiles, otters, hedgehogs and INNS (as identified within the Ecological Appraisal by Greengage (April 2025). The LPA can be satisfied that all such

measures can be achieved within the proposed project such that there is no threat to the conservation status of any species – and as such the appropriate information can be secured by a pre-commencement condition rather than being required in advance of any planning consent being granted.

- With a CEMP secured by condition no unmitigated effects on the River Wye SAC (SSSI) or the Widemarsh Brook / Yazor Brook are identified from the proposed development.

6.98 The HRA appropriate assessment completed by the LPA has been submitted and reviewed by Natural England. Natural England has confirmed it considers the proposed development will not have significant adverse impacts on designated sites and has confirmed no objection subject to the addition of conditions. Based on the information which has been submitted and comments received from Natural England and the Council's Ecologist, the proposal is considered acceptable in terms of its ecological impacts in the context of LD2, guidance contained in the NPPF and NE's Standing Advice, subject to the various conditions suggested which are included within this recommendation

Amenity

6.99 Herefordshire Local Plan Core Strategy SD1 is relevant in assessing amenity impacts of development proposals. The policy requires development to safeguard residential amenity for existing and proposed residents and ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light, or air contamination, land instability or cause ground water pollution. Paragraphs 196 to 201 of the National Planning Policy Framework also relate to ground conditions and pollution.

6.100 Regarding air quality the application has been reviewed by technical officers, and they have confirmed that Plot 1 A and Plot 1 B are adjacent to the Hereford Air Quality Management Area. They have confirmed no objection however the construction phase would consist of various activities that could potentially affect air quality in the local area and have requested the submission of an air quality screening assessment to determine if traffic movements are likely to be significant also they have advised that to reduce emissions from plant and machinery working on site less polluting plant and machinery should be used to reduce emissions of Nitrogen dioxide and particulates. Regarding the potential impact of emissions of dust and fine particulates created because of earth works they have requested a dust risk assessment. The Environmental Health (EH) technical officer have also advised that investigation for potential contamination linkages has been identified within the submission will be undertaken. The results of this assessment will need to be considered together with the dust risk assessment. Particularly if a pollutant linkage is identified in relation to air born dust. Any dust mitigation plans may need to reflect the findings of the contamination assessment report. Conditions have been added to secure this information.

6.101 From a noise and nuisance perspective, the EH technical officer (Air Quality) has identified that site 1A has the potential for the greatest impact and this is because there is residential accommodation on the northern and western boundaries, and the proposal requires the removal of the car park surface. To protect amenity and residents the submission of a robust (CTMP) can address noise and vibration from the proposed works, working hours and community engagement. Procedures relating to mitigation, monitoring, reporting and complaint handling would also be included within this report.

6.102 The EH technical officer (Noise and Nuisance) has also highlighted that light pollution can be a statutory nuisance and is defined as any form of artificial light which shines outside the area it is required to illuminate. To prevent any nuisance to residents or road traffic the site lighting should be located and aligned so as not to intrude into residential properties, or sensitive areas, or constitute a road or rail hazard. The location and type of lighting can be secured by condition, and this has been set out in the recommendation to alleviate the identified concern and protect amenity in this regard.

- 6.103 In terms of land contamination, the EH technical officer (Contamination) has been consulted and the application is supported by both a Phase 1 and Phase 2 Ground Investigation Report. The proposal will involve cut and fill and supporting information regarding final levels and soils to be reused is not wholly explicit within the application. Plot 4 has not been investigated due to access issues and quantitative assessment of risks remain unclear. As highlighted by the technical officer's response, all made ground is to be removed from all plots for either disposal or stockpiling prior to potential re-use. The EH technical officer has made no comment in their consultation response with regard to ground gas risk or the need for barrier pipe on the basis that works comprise only flood alleviation basins and materials movement associated with this proposal.
- 6.104 Due to the context of the development and its sensitivity, the EH technical officer has recommended that revisions/addendums are needed to the reports. On that basis "pre-commencement" conditions have been suggested to cover any additional detail required in respect of contaminated land.
- 6.105 The NPPF states that planning policies and decisions should ensure that development 'creates places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'. It is not considered the proposal will cause a harmful residential relationship between the development sites and neighbouring residential properties and uses. The siting of the development means that no adverse relationships within the site are expected.
- 6.106 Although there will a change for existing dwellings abutting the site the scheme is not considered to result in any unacceptable impacts in terms of increase in noise and disturbance, visual amenity or overbearing impacts and construction can be controlled via the use of appropriate worded conditions. With the above in mind, subject to these conditions the proposal is considered to accord with the expectations of Policy SD1 and the principles outlined within the NPPF.

Minerals and Waste matters

- 6.107 The proposal will generate volumes of construction waste as such Policy SP1 within the Minerals and Waste Local Plan (MWLP) is of relevance. One of the objectives of this policy is to ensure waste materials which result from the construction of new developments are diverted from entering the waste stream where possible. The submission does address material management within the scheme. It is identified that all plots are underlain by made ground with various depths and there is an intention to produce a Materials Management Plan (MMP) and earthwork specification which will explore the potential for the reuse the cut material. The Construction management plan will be required to investigate opportunities to minimise waste arising at source and, where such waste generation is unavoidable, to maximise the recycling and reuse potential of demolition and construction materials. The minerals and waste officer has acknowledged that the approach to recycling of cut material either on or between the sites is welcomed. A condition has been added to ensure that the production of waste from the development is minimised and options for the reuse or recycling of any waste produced is utilised. With the above in mind, subject to the inclusion of this condition the proposal is considered to accord with the expectations of Policy SP1 of the MWLP and the principles outlined within the NPPF.

Climate Change/Renewable/Sustainable energy

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

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

- “a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design.

6.110 The application site is located within a sustainable location and the proposal fully aligns with Policy SS7 through reducing the risk of flooding and making use of sustainable drainage methods.

S106/Planning obligations

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

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

6.112 There is no requirement for the Local Planning Authority to secure planning obligations for this proposal.

Other matters

6.113 Representation has been submitted relating to Plot 4, highlighting that this plot lies partly on or very close to the line of the canal which is required for the replacement canal basin with a design reconnection to the historic canal to the north-west. This application does not accommodate this nor does it include a canal basin which has also been raised by another third party representation. The Herefordshire and Gloucestershire Canal Trust have also raised concerns that the proposal will hinder the restoration of former Gloucester to Hereford canal and as such the proposal does not adhere to Policies HD2 and E4. As highlighted above Plot 4 forms an essential part of the Merton Meadows Flood Alleviation Scheme in terms of managing major stormwater flows from the Yazor and Widemarsh Brooks. Officers confirm that the design flood level (53.345 AOD) is significantly higher than the canal alignment (52.700 AOD), confirming that the historic canal route would be inundated in flood events and as such is not viable for reuse as part of a functioning waterway. The landscape configuration, depth profiles, and planting strategy are intentionally shaped for water retention, biodiversity and public interaction making the basin fundamentally incompatible with canal infrastructure or reinstatement. Plot 4 plays a strategic role in enabling development elsewhere in Hereford. By safely managing flood risk on this site, it supports the delivery of new housing across adjacent plots, responding directly to the city’s housing need. The flood infrastructure contributes to creating a safer urban environment and reducing flood risk for surrounding areas, including vulnerable low-lying parts of the city centre.

6.114 The impact on the canal and safeguarding route is a consideration and in particular policy HD2 states, amongst other things, that the urban village will be complemented by other uses and infrastructure forming part of the wider regeneration area creating a sustainable mixed use development which respects and where possible enhances the historic environment. These include the following:

- land and contributions towards a canal basin forming the terminus of the Herefordshire & Gloucestershire Canal, which is being delivered by the Hereford & Gloucester Canal Trust

- 6.115 Policy E4, which relates to tourism, builds on this further and states that the tourism industry will be supported by a number of measures including: 'the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.'
- 6.116 As highlighted above the Herefordshire and Gloucestershire (H&G) Canal Trust and other interest parties have objected to the proposal, offering the view that the proposal fails to protect the route of the canal and does not include a basin and therefore the application is contrary to policies E4 and HD2.
- 6.117 With regards to the protected route corridor for the canal, this is not clearly defined on the policy maps supporting the Core Strategy for this part of Hereford. The original basin terminus however was located to the south of the railway station on land that is now occupied by the station forecourt area; the City Link Road; the Station Medical Centre; and other commercial uses such as the Jewsons Store and/or the Royal Mail depot. It is also understood that strategic public sewers now occupy large parts of the canal's route, with significant protective easements being in place to limit development in their vicinity. Taken together therefore, it is clear that the feasibility of reinstating the canal and its basin terminus in its original location is already significantly comprised and unlikely to be feasible given the developments which now occupy the ground on which the canal once sat. In that context, Officers are satisfied that the main elements of the proposal due to the proposed works (eg not buildings) will not affect or prejudice future delivery of the canal or lead to any conflict with, or compromise the objectives set out in policies HD2 or E4.
- 6.118 Regarding the objection to the financial impact the proposal will make to the attendance at the phoenix club, officers do not consider that the financial viability the club, while important socially and economically, is not a material planning consideration as the club premises are not being affected by this proposal.

Overall Conclusion and Planning Balance

- 6.119 The application seeks full planning permission for essential infrastructure in the form of flood alleviation to protect Hereford City from current and future flood risk. The proposed development would make efficient use of previously developed land.
- 6.120 With regard to flood risk, this application is classed as Water Compatible and an Exception Test is not required nor is there a need for any Sequential Test. It has been carefully designed to minimise environmental and visual impacts and deliver wider environmental benefits. The benefits outweigh the temporary disruption and minor visual impacts.
- 6.121 The application is to be considered in the context of the presumption in favour of sustainable development as required by the NPPF. This means approving development that accords with the development plan without delay. The NPPF also sets out that achieving sustainable development has three interdependent and mutually supportive objectives; these being economic, social and environmental.
- 6.122 The adopted Core Strategy Local Plan makes clear provision through policy HD2 to support the Provision of flood relief and sustainable surface water drainage solutions and tackle flooding constraints. Further support for the latter aims is offered by policy, SD3 which themselves echo the principles set out by the NPPF.
- 6.123 The scheme aims to manage flood risk by creating more space for water in the western floodplain of the city. The construction of the scheme would reduce the impacts of flooding on homes,

businesses, major roads and the railway. This is in line with Policy SS7 where there is an aspiration to minimise climate change through the minimising the risk of flooding and making use of sustainable drainage method.

- 6.124 The principle of redevelopment of the sites is acceptable and the proposal is not considered to be controversial. It is recognised that the scheme would cause some localised harmful effects on the landscape character, biodiversity, archaeology and heritage assets.
- 6.125 The scheme would have minor to moderate adverse impacts during the construction phase with construction traffic and excavation work. The Local Highway Authority and National Highways have raised no objections subject to conditions. A number of the conditions are pre commencement and include and requires the submission and approval of a Construction Traffic Management Plan to minimise the impacts on the road network and local amenity.
- 6.126 The scheme is generally in accordance with the relevant planning policies relating to flood risk, water environment, landscape, heritage, biodiversity, transport, and sustainable development. The scheme has undergone extensive consultation and review, and applicant has looked to address the concerns and objections raised during the application.
- 6.127 The proposed development would cause less than substantial harm to the heritage features known as Blackfriars Friary (SAM) through impacts on the Tan Brook and potential impacts on the buried archaeological remains associated with the monastic site within the south of the proposal area. However it is considered that this harm and all other harms are outweighed by the substantial public benefits that the proposal would deliver, most notably, the reduction of flood risk within Hereford and the potential to facilitate sustainable residential redevelopment that is a long established aspiration supported by the Development Plan.
- 6.128 In light of the foregoing, and notwithstanding the great weight to be afforded to the identified 'less than substantial' harm to heritage assets, the scheme is, on balance, considered to be in accordance with the development plan read as a whole. It is therefore recommended that planning permission be granted subject to the below conditions.

RECOMMENDATION

That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:

1 Time limit for commencement (full permission)

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

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

2 Approved Plans

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

- **Location Plan HRFRD-BUT-XX-00-DR-A-01100-P2**
- **Existing Site Plan – Plots 1A and 1B HRFRD-BUT-XX-00-DR-A-01101-P1**
- **Existing Site Plan – Plots 4 and 5 HRFRD-BUT-XX-00-DR-A-01102-P2**
- **General Arrangement Plot 1A LD-SC-002 Rev A**
- **General Arrangement Plot 4 LD-SC-003 Rev B**
- **General Arrangement Plot 5 LD-SC-004 Rev C**
- **Zoning Plan LD-SC-001 Rev B**

- Hardscape Plan-Plot 1A LD-SC-005 Rev A
- Hardscape Plan-Plot 5 LD-SC-006 Rev C
- Planting Plan-Plot 1A LD-SC-007 Rev A
- Planting Plan-Plot 4 LD-SC-008 Rev B
- Planting Plan-Plot 5 LD-SC-009 Rev C
- Tree Plan-Plot 1A LD-SC-010 Rev A
- Tree Plan-Plot 4 LD-SC-011 Rev B
- Tree Plan-Plot 5 LD-SC-012 Rev A
- Planting and Materials Legend LD-SC-013 Rev C
- Plot 1 Sections AA BB LD-SC-014 Rev A
- Plot 4 Sections AA LD-SC-015 Rev A
- Plot 5 Sections AA BB LD-SC-016 Rev B
- Existing Contours – Plot 1A/B 35849-HYD-1A-XX-M3-C-90100 P01
- Flood Compensation Plan - Plot 1A/B/C 35849-HYD-1-XX-M3-C-90110 P04
- Proposed Contours - Plot 1A/B 35849-HYD-1-XX-M3-C-90120 P01
- Sections Through – Plot 1A/B 35849-HYD-1-XX-D-C-90150 P01
- Site 1A/B/C Cut and Fill volume plan - 35849-HYD-5-XX-M3-C-90140 P02
- Existing Contours – Plot 4 35849-HYD--XX-M3-C-90100 P01
- Site 4 Cut and Fill analysis - 35849-HYD-5-XX-M3-C-90140 P01
- Flood Compensation Plan – Plot 4 35849-HYD-2-XX-MC-3-90110 P02
- Proposed Contours – Plot 4 35849-HYD-2-XX-M3-C-90120 P01
- Sections Through – Plot 4 35849-HYD-2-XX-M3-C-90150 P01
- Existing Contours – Plot 5 35849-HYD-5-XX-M3-C-90100 P03
- Site 5 Cut and Fill analysis - 35849-HYD-5-XX-DR-C-90140 P02
- Flood Compensation Plan – Plot 5 35849-HYD-5-XX-M3-C-90110 P04
- Proposed Contours – Plot 5 35849-HYD-5-XX-M3-C-90120 P02
- Sections Through – Plot 5 35849-HYD-5-XX-M3 -C 90151 P02 (sheet 2)
- Sections Through – Plot 5 35849-HYD-5-XX-M3 -C 90150 P02 (sheet 1)

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

Prior to Commencement

3 Ecology surveys

Prior to commencement of construction works other than site clearance, all required Optimal Period otter and bat surveys shall be completed and the resulting report submitted to the Local Planning Authority. The report shall include survey methodology and results, details of proposed mitigation and compensation with recommendations for required Protected Species Licences. The approved report, shall be implemented in full, and hereafter maintained.

Reason: To ensure all protected species and habitats are protected and conserved 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 SS6, LD1, LD2 and LD3.

4 Air Quality Screening

Before any work; including site clearance or demolition begin or equipment and materials are moved on to site, an air quality screening assessment and a dust risk assessment shall be submitted to and approved in writing by the Local Planning Authority. The approved report, shall be implemented in full, and hereafter maintained.

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

Reason: To protect the amenities of nearby properties so as to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

5 Construction Environment Management Plan

Before any work; including site clearance or demolition begin or equipment and materials are moved on to site, a Construction Environmental Management Plan (CEMP) including a full Ecological Working Method Statement and a specified 'responsible person', shall be supplied to the local planning authority for written approval. The approved CEMP shall be implemented and remain in place until all work is complete on site and all equipment and spare materials have finally been removed; unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that all species are protected and habitats enhanced having regard to the 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.

6 Landscape/Ecology Plan

No development shall take place until a Landscape, Habitat and Ecological Management Plan, has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Environment Agency. The development shall be carried out in accordance with the provisions of the approved Plan.

Reason: To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for optimising the enhancement of the site's nature conservation value in line with national planning policy and Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3 and the National Planning Policy Framework.

7 Waste Prevention

Prior to any development commencing on site, including any site clearance or groundworks, details of a site waste prevention plan and material management measures shall be submitted and approved in writing by the Local Planning Authority. This shall include the steps to be taken to reduce, reuse and recycle waste (including hazardous wastes) that is produced through the construction phase. Construction works shall thereafter be carried out in full accordance with the details of the approved plan.

Reason: The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.

8 Construction Management Plan

Development shall not begin until details and location of the following have been submitted to and approved in writing by the Local Planning Authority and National Highways, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway

- Construction traffic access location
- Parking for site operatives
- Any lighting
- Construction Traffic Management Plan
- Hours of working
- Community engagement
- Location of any welfare buildings
- Noise and vibration controls (including the identification of noise sources and sensitive receptors (including residential) followed by a risk assessment)
- Complaint handling

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

Reason: In the interests of highway safety and to mitigate any adverse impact from the development on the A49 trunk road in accordance with DfT Circular 01/2022 and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9 Arboriculture Statement

Prior to the commencement of any construction works close to retained trees, an Arboricultural Method Statement (AMS) must be submitted and approved by the local planning authority. This should include all information to ensure impacts to retained trees are kept to an acceptable level. The development shall be carried out in strict accordance with the approved AMS.

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

10 Basin design

Prior to the commencement of the development, details of the design of the proposed basins and offtakes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved detail.

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policies SD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

11 Contaminated land

No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- a) a Preliminary Risk Assessment report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
- b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual

model of all the potential pollutant linkages and an assessment of risk to identified receptors

- c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Pre-occupancy or other stage conditions

12 Public Sewer

No development shall commence on plots 4 and 5 until the public sewers crossing the plots have been accurately located and if necessary, a scheme to divert the assets has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the scheme shall be delivered prior to the construction of any SUDS. Thereafter the scheme shall be constructed in full and remain in perpetuity.

Reason: To ensure that the proposed development does not affect the integrity of the public sewerage system in the interests of public health and safety.

13 Landscape management and maintenance

Before the development is first brought into use, a schedule of

- Soft landscape management and maintenance for a period of ten years.
- Hard landscape management and maintenance for a period of ten years

shall be submitted to and approved in writing by the Local Planning Authority. Maintenance shall be carried out in accordance with the approved schedule.

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

14 Lighting

Details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

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

15 Maintenance plan for basins

Before the development is first brought into use details of the provision of a maintenance plan for basins shall be submitted to and approved in writing by the Local

Planning Authority. The development shall thereafter be maintained in accordance with the approved plan.

Reason: To ensure the future establishment of the approved scheme, in order to conform with policies SD3, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy and the National Planning Policy Framework.

16 Contaminated Land

The Remediation Scheme, as approved pursuant to condition 11 above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

17 Archaeology investigation

The applicant shall commission a suitable archaeological investigation of the far southern corner of Application Area Plot 5. This investigation should commence prior to any construction works in this part of the site, and the results of the investigation will form part of the continuing design process here. The investigation will in essence consist of an appropriate geophysical survey, and targeted archaeological excavation area(s). As would be normal, there will be a need to make the results, and any archive generated, publicly accessible in due course.

Reason: To allow the potential archaeological interest of the site to be investigated and recorded and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

Post occupancy monitoring and management/Compliance Conditions

18 Ecology Enhancements

Within 3 months of completion of the approved works evidence of the suitably placed installation within the site boundary of at least TWELVE bird nesting boxes; FOUR artificial kingfisher tunnels; FOUR number bat roosting features; ONE artificial otter hold as recommended within the Ecological Appraisal by Greengage (dated April 2025) should be supplied to 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.

19 Tree protection

Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following documents and plan: Arboricultural Impact Assessment and Tree Protection Plan (All Silva_AIA/TPP_15429_24.04.25).

Reason: To ensure that the development is carried out only as approved by the Local Planning Authority and to conform with Policies LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

20 Contaminated Land

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to comply with policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

21 Surface Water

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

22 Ecological recommendation secured

The recommendations set out in the Impact Assessment section of the Ecological Appraisal by Greengage dated April 2025 should be followed in relation to the identified protected species (badgers, bats, birds, invertebrates, hedgehogs and INNS) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that all species are protected 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.

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** With regards to the contaminated land assessment required pursuant to condition 11, the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2024.
 - 1)** All investigations of potentially contaminated sites are required to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.

- 2) Where ground gas or vapour protection measures are required, they shall be validated in accordance with current best practice guidance.
- 3 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- 4 It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
- 5 The attention of the applicant is drawn to the provisions of the Wildlife and Countryside Act 1981 (as amended). This gives statutory protection to a number of species and their habitats. Other animals are also protected under their own legislation. Should any protected species or their habitat be identified during the course of the development then work should cease immediately and Natural England should be informed. They can be contacted at: Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ. Tel: 0300 060 6000.

The attention of the applicant is also drawn to the provisions of the Conservation of Habitats and Species Regulations 2010. In particular, European protected animal species and their breeding sites or resting places are protected under Regulation 40. It is an offence for anyone to deliberately capture, injure or kill any such animal. It is also an offence to damage or destroy a breeding or resting place of such an animal.

Appendices

Appendix A: Applicant response to LLFA/Drainage comments: Dated 16th July 2025

Appendix B: Applicant response to Environment Agency comments: Dated 10th July 2025

INFORMATIVES:

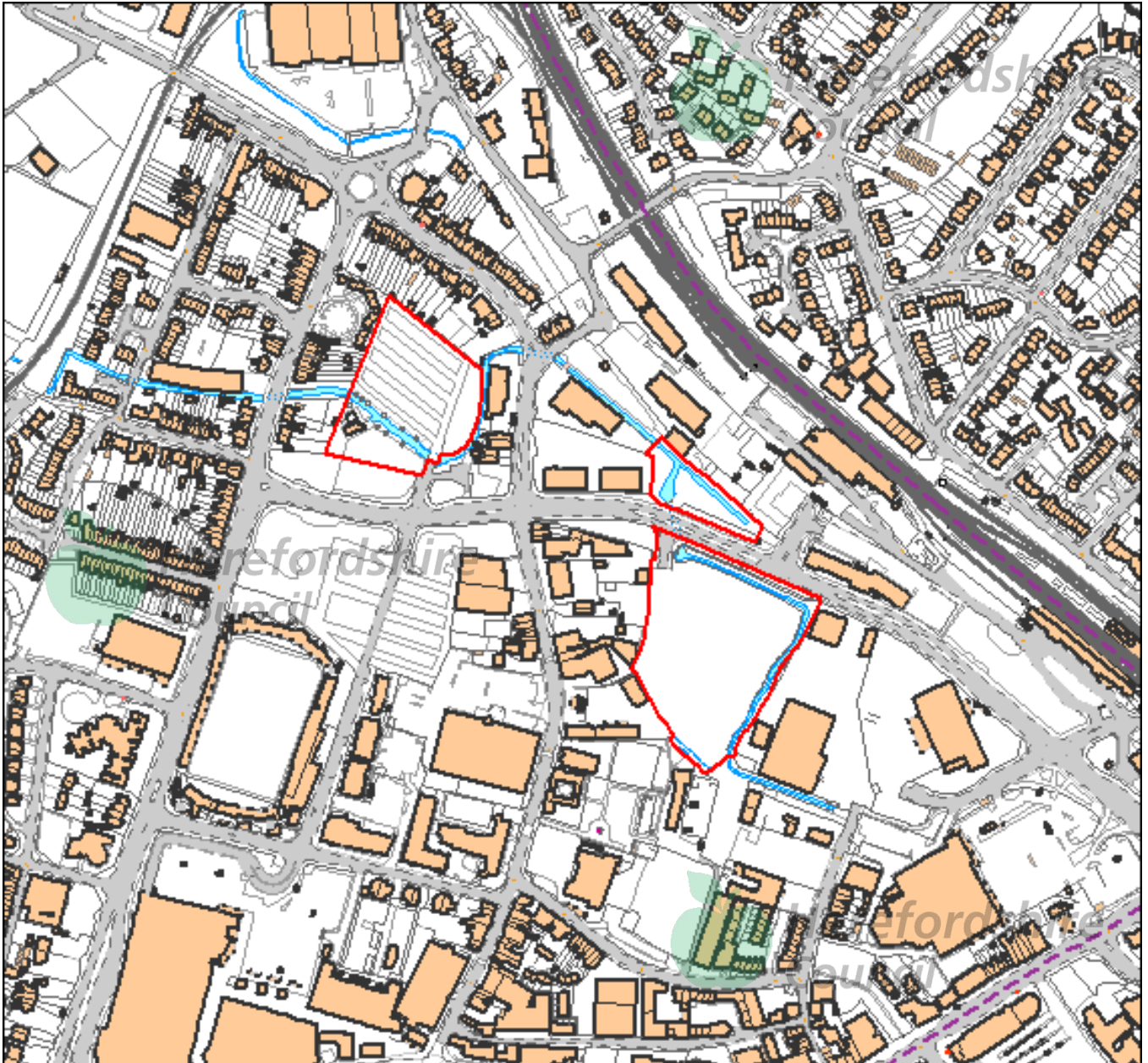
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 251273

SITE ADDRESS : CAR PARK (PLOT 1A & 1B) TOGETHER WITH PLOTS 4 & 5, EAST OF WIDEMARSH STREET, HEREFORD, HEREFORDSHIRE, HR4 9JU

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16 July 2025

Project/File: 35849 - Hereford Urban Village

Lucy Brackenbury
41 Bengal Street, Manchester M4 6AF

Dear Lucy Brackenbury,

Reference: Civil and Flood Design Response to LLFA Comments for Application Ref: 251273

Thank you for sharing the detailed feedback from the Lead Local Flood Authority (LLFA) regarding the Merton Meadows Flood Alleviation Scheme. We welcome the council's continued engagement and recognise the importance of aligning the civil and flood design with wider objectives, including alleviating the risk of flooding, improving flood risk management, enhancing biodiversity, restoring watercourses, enhancing public realm quality, and promoting long-term ecological resilience.

The feedback by LLFA (attached in Appendix A) is seen as a valuable opportunity to strengthen the scheme and ensure that its delivery contributes not only to flood alleviation but also to the strategic vision for the Widemarsh Brook corridor and Hereford's wider urban planning.

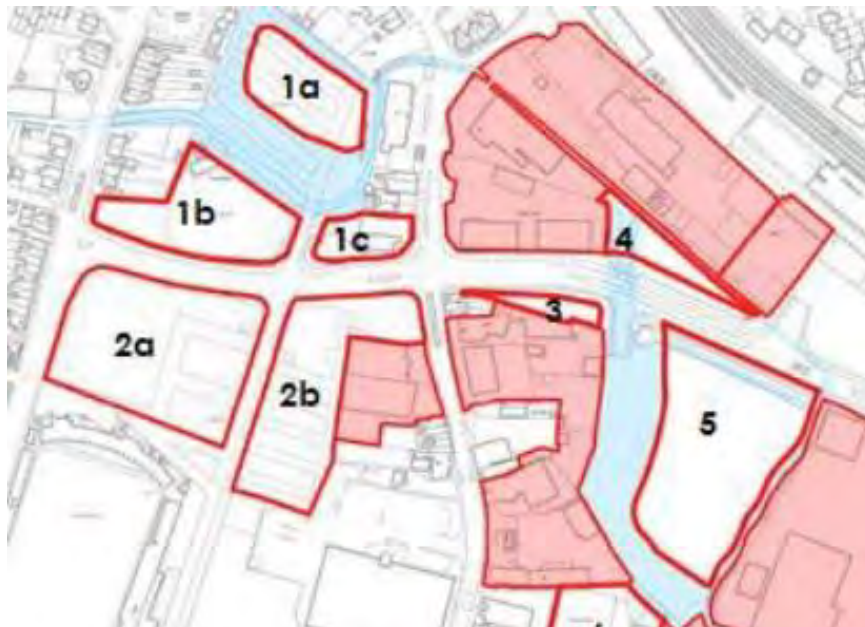


Figure 1- Key plan of Merton Meadow FAS works

1 LLFA Comments

1.1 Stantec responses to LLFA comments.

The response to the comments raised by LLFA is included in the appendix. A.2.

2 Merton Meadows FAS design

The Merton Meadows FAS design model has been built and developed with the assumption that the Yazor Brook Credenhill FAS is fully operational. The existing Yazor Brook model results were reviewed, and the 50% blockage scenario of the Credenhill FAS was shown to have very little additional flood risk to the site.

2.1 Additional flood storage capacity and betterment

The proposed FAS scheme provides the following betterment:

Plot 1 - Drawing 35849-HYD-1-XX-M3-C-90110_P05 Flood Compensation Plan

The current flood storage required is 9,861 m³ over an area of 10,100 m². The average depth of water is 976mm.

The proposed storage volume is 11,316 m³, covering the same area, which corresponds to an average water depth of 1,120 mm.

From the above, we can see that the additional capacity within plot 1 is 1,455m³ (11,316-9,861m³) or, on average, there will be a reduction in average water depth of 144mm (1,120mm-976mm).

Plot 4 - Drawing 35849-HYD-4-XX-M3-C-90110_P02 Flood Compensation Plan

The current flood storage required is 1,240 m³ over an area of 2,600 m². The average depth of water is 477mm.

The proposed storage volume is 3,037 m³, covering the same area, which corresponds to an average water depth of 1,168 mm.

From the above, we can see that the additional capacity within plot 4 is 1,797m³ (3,037 – 1,240 m³) or, on average, there will be a reduction in average water depth of 691mm (1,168mm-477mm).

Plot 5 - Drawing 35849-HYD-5-XX-M3-C-90110_P02 Flood Compensation Plan

The current flood storage required is 12,701 m³ over an area of 14,450 m². The average depth of water is 879mm.

The proposed storage volume is 14,702 m³, covering the same area, which corresponds to an average water depth of 1,017 mm.

From the above, we can see that the additional capacity within plot 4 is 2,001m³ (14,702-12,701m³) or, on average, there will be a reduction in average water depth of 138mm (1,017mm-879mm).

Betterment over Plot 1,2,5

The total additional flood storage capacity over the scheme is 5,253m³ of water.

2.2 Post-development betterment

In line with the requirements of national and local planning policy, a detailed assessment of flood risk to the Merton Meadows and wider masterplan site is being carried out. This includes a reappraisal of existing modelling studies that have been carried out historically, as well as further detailed modelling to consolidate and update the various studies, thereby presenting a comprehensive picture of flooding at the site from the key watercourses in the area. The proposed methodology involves reappraising the baseline conditions at the site, with the results then informing the design of flood alleviation options to mitigate risks at the site. The proposed flood alleviation scheme was then incorporated into a post-development model, which we compared with the baseline scenario to assess the potential impacts of the development.

The results of the baseline modelling indicate that sites 1a, 1b, 1c, 2b, 4 and 5 are likely to flood in the future fluvial 1 in 100-year event. Site 2a is shown to remain free from flooding. Using these results, options have been developed to mitigate flood risk to the site, including the re-profiling of sites 1a and 1b to enhance floodplain storage and creating a wetland habitat within site 1a to capture and store water away from the proposed development. Within site 5, the Brook will be realigned to a more natural path, with ground levels reprofiled to create a wetland and provide additional floodplain storage. Further storage capacity is also being provided within site 4.

In addition to the above and part of this wider outline masterplan application, it has been proposed that plots in the southern part of plot 1B, 1C, 2A and 2B are filled. The finished ground levels are set 150mm above 1:100years+CC event and the FFL are set further 150mm above the finished ground level or 300mm above the flood level. It is worth noting that these plots form part of a wider master planning scheme, and any earthworks and level raising will be covered in the broader master planning application, which is currently ongoing. The interface between the development plots and the Merton Meadows FAS works will be developed in more detail during the outline master planning application.

The comparison models attached in Appendix C demonstrate that the proposed mitigation measures reduce flood risk to the proposed development without increasing flood risk to adjacent or third-party lands.

We welcome LLFA and EA's full review of the model, and we will liaise with EA at the consultation stage for the outline wider masterplan to discuss the proposed development in the area.

2.2.1 Groundwater

Groundwater flooding has been assessed within the FRA, taking into account several factors. These are:

- assessing the topography of the site,
- reviewing Level 1 and Level 2 SFRA's for the site,
- underlying geology and soils.

Additionally, the groundwater levels will be hydraulically connected to adjacent watercourses.

A water transfer licence is required to be agreed upon with the EA to provide a permanent water supply .

[illegible]

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From a civil and hydrological perspective, the new brook alignment represents the like-for-like size, profile, length, floor rate, and velocity of the existing brook. The realignment of the brook has been tested within the hydraulic model and shown to suitably address the flood risk issues without increasing flood risk elsewhere.



Figure 4- Proposed layout 35849-HYD-5-XX-M3-C-90120 P02

7 Ownership and Maintenance Responsibilities

It is anticipated and expected that the future maintenance of the brook, including the wetlands and Sustainable Drainage Systems (SuDS) features, will be undertaken by the Hereford County Council Management or a suitably qualified management company.

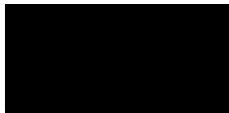
8 Conclusion

We are working closely with LLFA, EA, including the design team, to ensure integration of hydraulic modelling, habitat data, and BNG principles into the detailed design and long-term management strategy.

We hope this response provides assurance that the flood and civil design has been developed to deliver both technical function and strategic value. We remain committed to working with the council to ensure the scheme continues to evolve in line with national guidance and local priorities.

Yours sincerely,

Stantec UK Limited



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Appendix A

A.1 LLFA Comments

A.2 Stantec's response on the LLFA comments raised

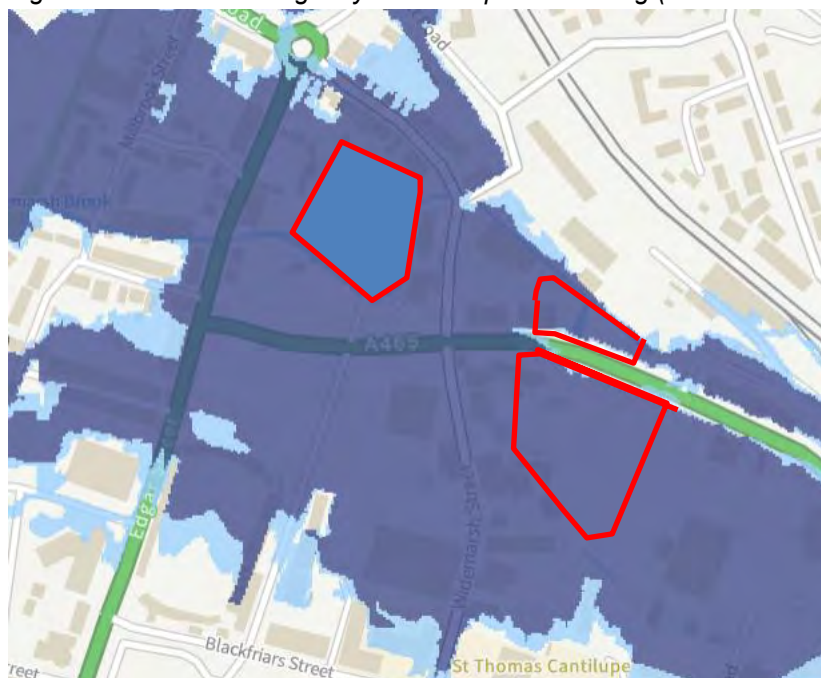
SITE: Car park (Plot 1A & 1B) together with Plots 4 & 5, East of Widemarsh Street, Hereford, Herefordshire, HR4 9JU
TYPE: Council Development Regulation 3
DESCRIPTION: Proposed flood alleviation scheme to address historic flooding across the Merton Meadows area of the city.
APPLICATION NO: 251273
GRID REFERENCE: OS 351131 - 240643
APPLICANT: Mr Stephen Holland
AGENT: Buttress 41 Bengal Street Ancoats Manchester M4 6AF

Our knowledge of the development proposals has been obtained from the following sources:

- Rappor / Stantec Flood Risk Assessment
- Rappor / Stantec Ground Investigation
- Drawings

Site Location

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



Overview of the Proposal

The Applicant proposes the installation of a flood alleviation scheme. The over arching strategy is one of inclusive engineering works and landscaping to satisfy Biodiversity Net Gain requirements.

The site covers an area of approx. 2.8 and is currently a car park and wasteland

The Widemarsh brook flows through the site.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the high probability Flood Zone 2 and 3.

The Yazor Flood Alleviation Scheme (FAS) was installed in 2009, near Credenhill. This infrastructure was installed to facilitate development within the functional Flood Plain (Flood Zone 3B) in central Hereford. The FAS displaces water from the Yazor Brook into the River Wye, thus reducing the peak flow in the Widemarsh and Yazor Brooks. The scheme was not delivered to eliminate the risk of fluvial flooding (low points adjacent to the watercourse will continue to flood). Instead, the scheme was promoted because it was impractical to excavate compensatory storage areas to make up for any lost flood plain arising due to future development within Flood Zone 3B.

A Flood Risk Assessment has been submitted. The modelling utilises the 37% climate change (the Central allowance for 2080s and beyond).

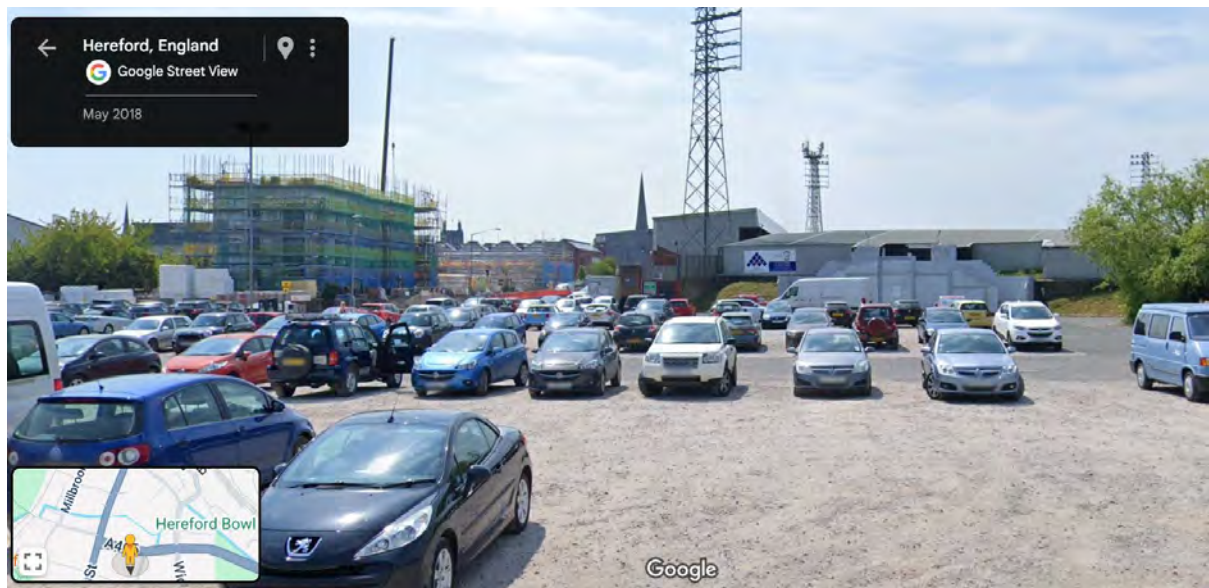
The applicant has merged the existing Yazor/Widemarsh Brook hydraulic model (held by Herefordshire Council) with another hydraulic model of the Ayles Brook. This new model is named the Merton Meadow Flood Alleviation Scheme (FAS) Model.

It is noted that the flood extents reported by the Merton Meadows FAS Model cover smaller areas than the reported by the earlier hydraulic models. We have not yet reviewed the outputs relating to the scenario of the Yazor FAS as non-operational, however we anticipate that these flood extents may also be smaller.

Conversely earlier commentary (including the 2007 flood events post-event report) suggests that there has always been a fluvial flooding issue on parts of the ESG site. When the Yazor/Widemarsh Brook hydraulic model was developed, efforts were made to calibrate the model against reported flooding by means of hydrology reviews.



6th March 2007 (before the Yazor Brook FAS) – Opposite Plot 1A



The Baseline scenario model outputs contained in Appendix F suggest that only small areas of Plot 5 are at risk of flooding in a 30 year storm. Whilst this model run assumes the Yazor FAS is fully functional, these are low lying areas that have historically flooded.



The WSP Hydrology Checks memo (2018) reads as follows :

“...while the peak flow value recorded during the March and July 2007 events at the Three Elms gauge is slightly lower than the modelled 50 year event, the observed flood extent is greater...”

The Environment Agency have provided commentary (28th May 2025) as follows :

“...the impact of the Ayles Brook has previously been under assessed and it's influence potentially underestimated based on previous ESG discussions with WSP resulting in modelled outputs not always matching historical events”

It is worth noting that whilst the original Yazor / Widemarsh Brook did not include 1D/2D representation of the Ayles Brook, the inflow from this watercourse had been considered.

Furthermore, we are not in receipt of outputs from the Merton Meadows FAS Model for more frequent flood events (pre-Yazor Brook FAS). Such model outputs will be required to validate the model if it is to be used to support any subsequent planning applications where buildings are proposed. The extent and frequency of recorded flooding pre-Yazor FAS would need to tally with any outputs that are created using the Merton Meadows FAS Model.

Herefordshire Council holds records of recent floods (post-Yazor Brook FAS). These records also need to be used for the purpose of model verification.

We note that the Environment Agency have advised that they would expect to review the modelling methodology through their Evidence and Risk Team.

Review of the model plots shows that the pre-development simulations show the watercourse running anti-clockwise through Plot 5. Following construction of the City Link Road, the watercourse was diverted to run clockwise through this plot.

The Planning Practice Guidance to NPPF identifies five classifications of flood risk vulnerability and provides recommendations on the compatibility of each vulnerability classification within each of the Flood Zones, as shown in Table 1:

Table 1: Flood risk vulnerability and flood zone compatibility

EA Flood Zone	Essential Infrastructure	Water Compatible	Highly Vulnerable	More vulnerable	Less vulnerable
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	✓	Exception test required	✓	✓
Zone 3a	Exception test required	✓	✗	Exception test required	✓
Zone 3b	Exception test required	✓	✗	✗	✗
✓ Development considered acceptable ✗ Development considered unacceptable					

The FAS application is classed as Water Compatible. Accordingly, an Exception Test is not required.

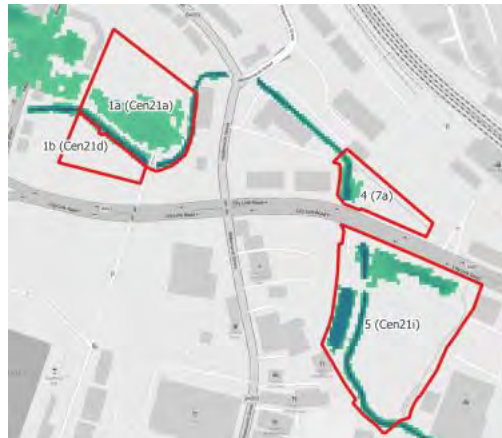
We assume that the 100 year + Climate Change model runs that have been presented for this application relate to the Yazor FAS being fully operational.

Earlier planning applications within the Edgar Street Grid (ESG) area utilised model runs that assumed that the Yazor Flood Alleviation Scheme (FAS) was partially blocked. These model outputs were used to determine finished floor levels.

In Flood Zone 3B, works should normally be designed to result in no net loss of flood plain storage and to not increase flood risk elsewhere. We understand that there is some ground raising proposed. Whilst the Yazor FAS was designed to allow some ground raising within the ESG area, the Environment Agency need to endorse these proposals.

Figure 7 shows the respective flood zones as defined by the Merton Meadow FAS model

The model outputs (Appendix F) indicate that there is no fluvial flooding in Plot 1B during a 1 in 30 year flood. Likewise, most parts of Plot 5 are shown to not be at risk of fluvial flooding the same flood event.

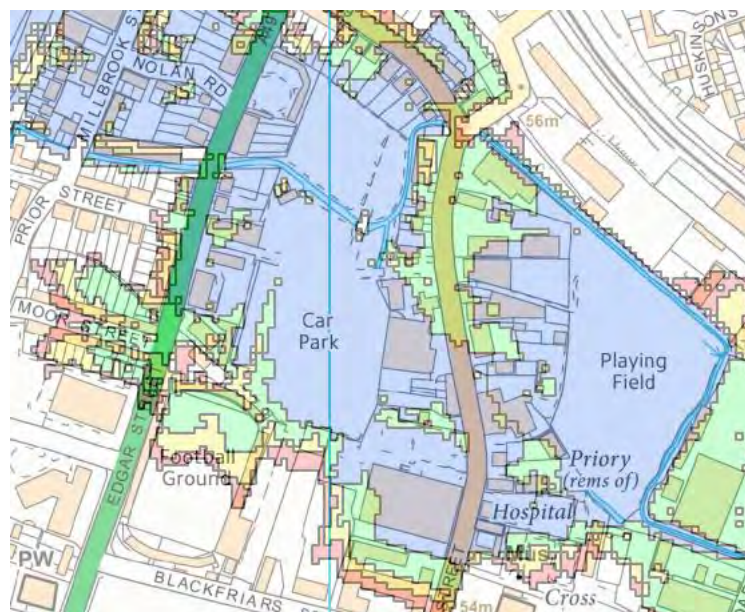


The model report advises that a western area of Plot 1B is to be raised to reduce flood risk to third parties

As explained above, the model that has been presented may not be an adequate tool for the purposes of setting property floor levels.

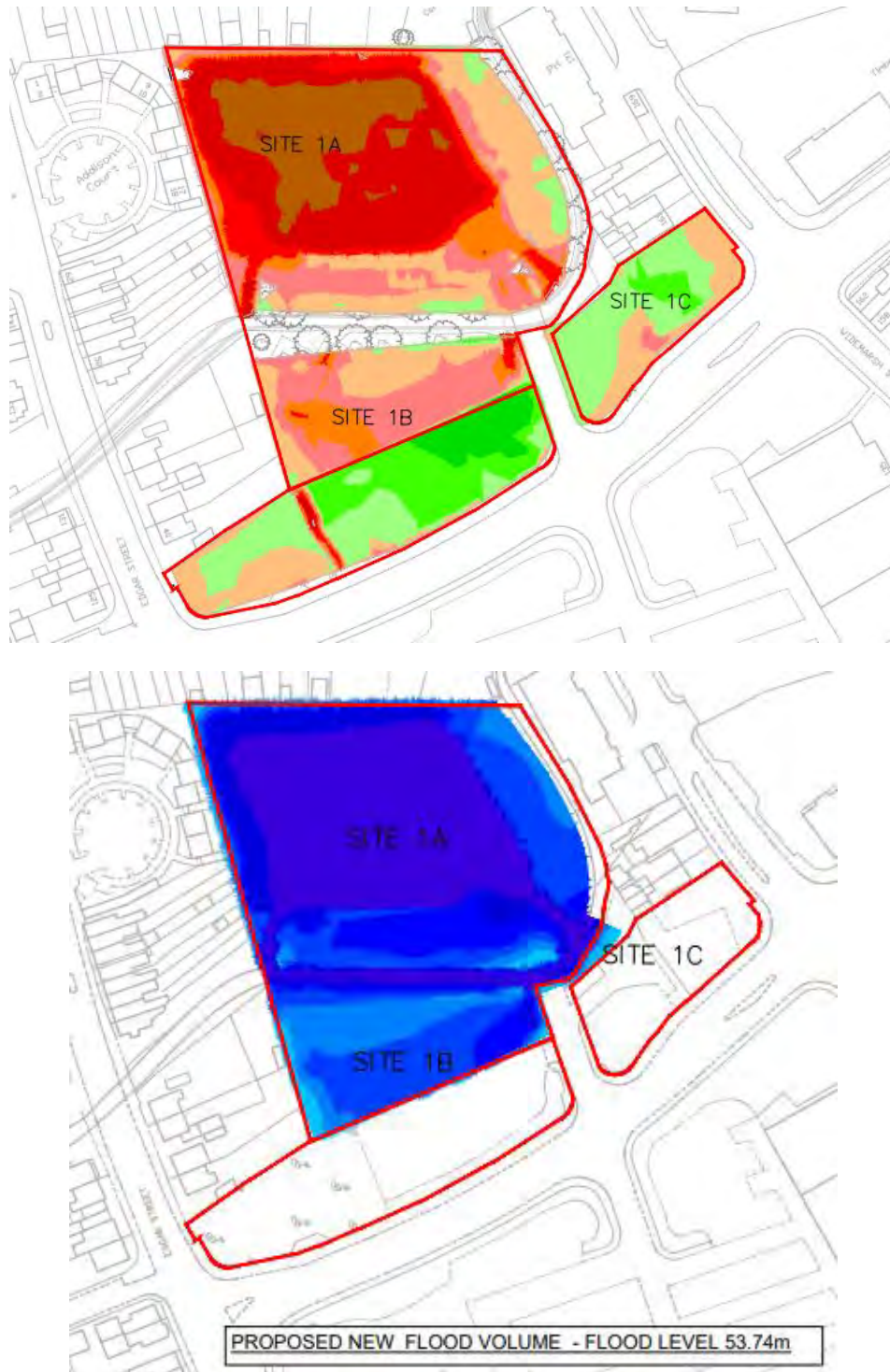
Ground Raising

The Yazor Brook FAS was promoted in order to mobilise development within areas previously defined as Flood Zone 3B (illustrated in Blue in the pre-Yazor FAS plot below).

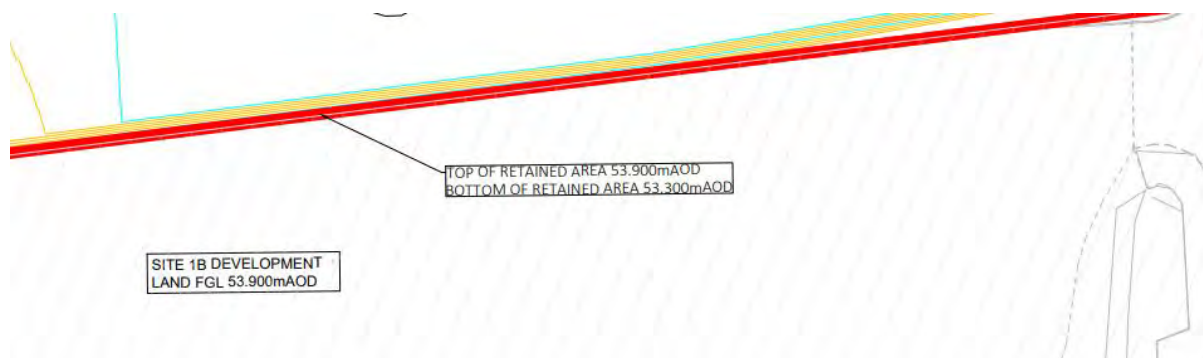


Arguably since the installation of the Yazor FAS, the Flood Zone 3B extent is now smaller.

We note that the Cut & Fill drawing for Plots 1A,1B,1C **shows works outside of the red line boundary, which are no referenced elsewhere in the planning application**. These are the areas that have been highlighted in green (spoil is shown stockpiled).



Furthermore the Proposed Contours plan for sites 1A 1B 1C includes proposed Finished Ground Levels for these plots (1B and 1C - 153.90m). The drawing suggests that there will be a retaining feature to hold the fill up.



There is conflicting commentary on the Notes on the Flood Compensation drawing 1A 1B 1C

5.5. THE PROPOSED BUILDING IN PLOT 1B IS ON STILTS, WITH A FLOOD COMPENSATION STORAGE ALLOWANCE BELOW THE GF SLAB.

The Environment Agency need to endorse the principle of ground raising within areas of Flood Zone 2B, as defined on the Flood Map for Planning. Whilst the principle of raising ground levels in Flood Zone 3B was agreed (this was the main driver for the Yazor FAS scheme), the Environment Agency will need to be consulted as part of a subsequent planning application. The recent EA letter 28th May 2025 did not make reference to these proposals.

Merton Meadow FAS model outputs

The Flood Compensation drawings show the proposed Flood Compensation Volumes. The volumes of excavation (pre/post construction) have been compared showing a net increase in storage at Plots 4 and 5 and a marginal increase in 1A, 1B, 1C.

The post-development modelling results (Figure 9) do indicate that the proposed Merton Meadows FAS will lead to reduced flood levels. There are some very minor changes in the 100 year + CC flood level further downstream, but away from property.

Groundwater Flood Risk

Objector Moira Jankins has highlighted a concern, that the glaciofluvial gravels form an aquifer. Concern has been raised that when development proceeds within the ESG, vulnerable people could be impacted by flooding, possibly adversely impacted by groundwater.

Parts of the existing Plot 5 are below the Wye peak flood level (we note that the new proposed base levels would be even lower).

Likewise, the bed of the Yazor Brook is likely to interact with the river gravels (for example in the vicinity of Sugwas Pool, which is flood plain).

Accordingly, groundwater levels within the ESG area are likely to be impacted when river levels are high. Consequently, the duration of any low lying flooding issues is likely to be extended (particularly low lying areas of the proposed Merton Meadow FAS).

This issue has been considered in the FRA, noting that water compatible development is proposed.

Sewerage

There is a surface water sewer and a foul sewer crossing the site. We await commentary from DCWW regarding these assets. It is possible that DCWW may require works to mitigate the risk of river and ground water from spilling into the sewers.

Pond Design

It is proposed that the Widemarsh Brook is realigned to meander through Plot 5. Three ponds will sit either side of the meandering brook. A similar principle is proposed for plot 1A. To ensure that self-cleansing is achieved then either the watercourse will need to be lower than the ponds, or a robust section of bank will need to be provided.

The A465 culvert currently self-cleanses, with silt being re-mobilised. We note that there is a length of straight channel proposed immediately downstream of the headwall. The cross-section drawings suggest that the watercourse base will be a similar level to the pond bases.

The Environment Agency have identified that for ecological reasons the ponds will need to be deeper, accordingly the only option is to rely on a robust section of bank. It is proposed that the ponds will need to be fed via overflows, otherwise during times of low flow the silt will build up in the channel. The pond bases are typically shown 200mm lower than the watercourse bed on the proposed drawings

The Planning Statement and the Landscape Plan both include statements advising that the height of the swale inlet and outlets have been proposed to provide a permanent feed to the watercourse and avoid any stagnant water. The drawings show overflows that would come into operation following heavy rain, which is a different approach.

We note that flood water will spill into the ponds, accordingly it is likely that over the long term silt will build up in the ponds and so ultimately pond bed levels may rise.

We concur with comments made by the Environment Agency regarding the inlet and outlet swales. Notably the need for a simple, passive design that is at low risk of vandalism. Weir levels will need to be carefully selected, with a stable foundation.

The detailed design of the ponds may be addressed via a planning condition.

The Flood Compensation Volumes drawing 1A 1B 1C identifies a 100 year + CC level of 53.73m AOD. The boardwalks are raised to 53.90m AOD with the intent of providing a safe access.

The future development of the raised area of site on the western side of plot 5 will need to include provision for an access route for channel maintenance

Overall Comment

We accept the outputs from the Merton Meadow flood model because the proposal is for Water Compatible development. The model will need to be verified and then reviewed by the Environment Agency before use on any subsequent planning applications.

The ground raising outside of the Red Line boundary is required to deliver the works. The applicant can either extend the red line boundary and reconsult the Environment Agency or raise a new application for ground raising in these areas. This issue needs to be addressed before Land Drainage can support this application.

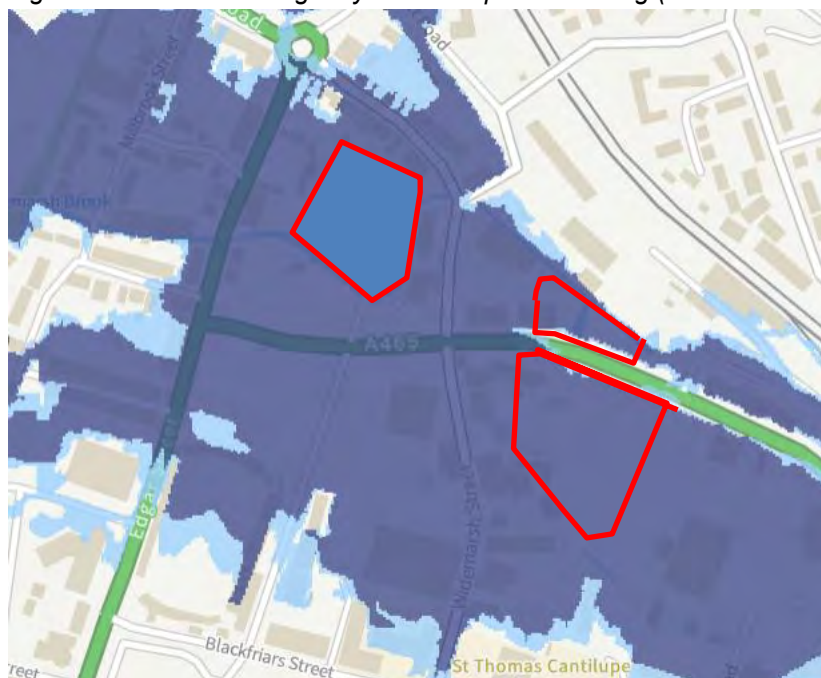
SITE: Car park (Plot 1A & 1B) together with Plots 4 & 5, East of Widemarsh Street, Hereford, Herefordshire, HR4 9JU
TYPE: Council Development Regulation 3
DESCRIPTION: Proposed flood alleviation scheme to address historic flooding across the Merton Meadows area of the city.
APPLICATION NO: 251273
GRID REFERENCE: OS 351131 - 240643
APPLICANT: Mr Stephen Holland
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Our knowledge of the development proposals has been obtained from the following sources:

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- Drawings

Site Location

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



Overview of the Proposal

The Applicant proposes the installation of a flood alleviation scheme. The over arching strategy is one of inclusive engineering works and landscaping to satisfy Biodiversity Net Gain requirements.

The site covers an area of approx. 2.8 and is currently a car park and wasteland

The Widemarsh brook flows through the site.

Flood Risk

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the high probability Flood Zone 2 and 3.

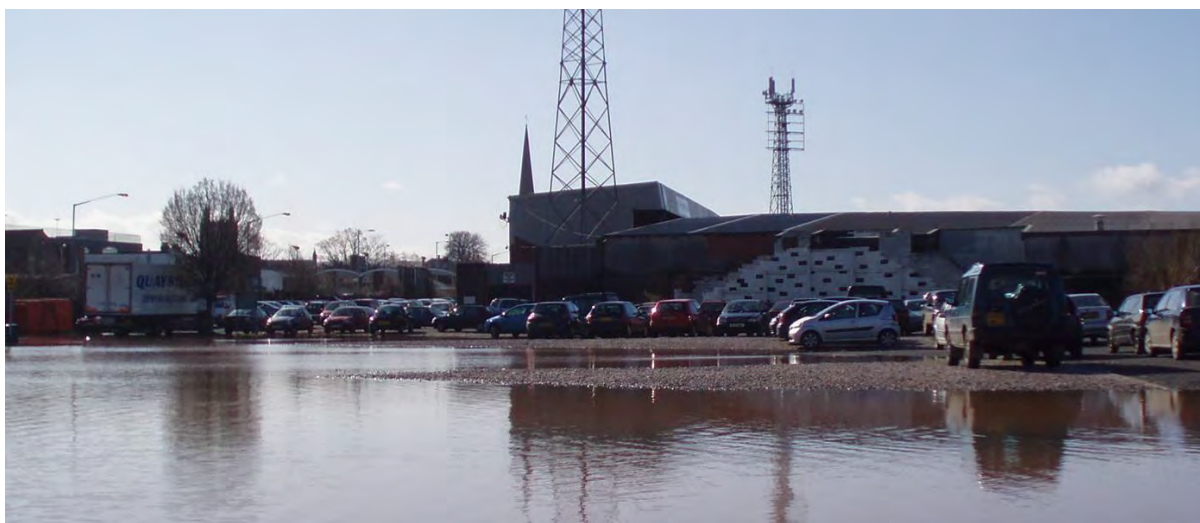
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A Flood Risk Assessment has been submitted. The modelling utilises the 37% climate change (the Central allowance for 2080s and beyond).

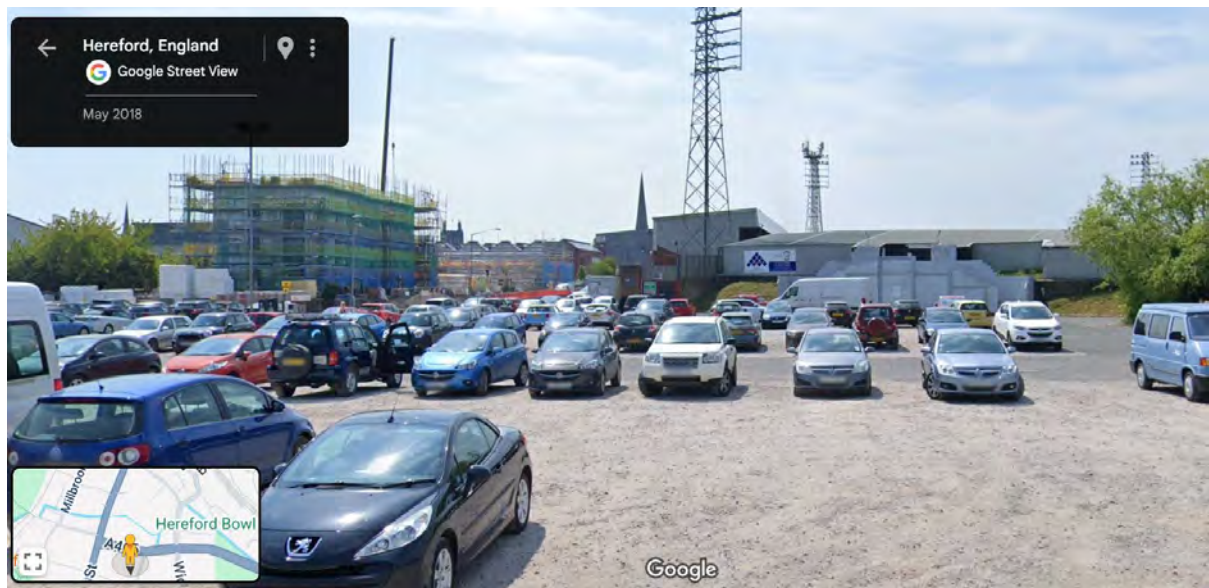
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6th March 2007 (before the Yazor Brook FAS) – Opposite Plot 1A



The Baseline scenario model outputs contained in Appendix F suggest that only small areas of Plot 5 are at risk of flooding in a 30 year storm. Whilst this model run assumes the Yazor FAS is fully functional, these are low lying areas that have historically flooded.



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Furthermore, we are not in receipt of outputs from the Merton Meadows FAS Model for more frequent flood events (pre-Yazor Brook FAS). Such model outputs will be required to validate the model if it is to be used to support any subsequent planning applications where buildings are proposed. The extent and frequency of recorded flooding pre-Yazor FAS would need to tally with any outputs that are created using the Merton Meadows FAS Model.

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Review of the model plots shows that the pre-development simulations show the watercourse running anti-clockwise through Plot 5. Following construction of the City Link Road, the watercourse was diverted to run clockwise through this plot.

The Planning Practice Guidance to NPPF identifies five classifications of flood risk vulnerability and provides recommendations on the compatibility of each vulnerability classification within each of the Flood Zones, as shown in Table 1:

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Zone 3a	Exception test required	✓	✗	Exception test required	✓
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✓ Development considered acceptable ✗ Development considered unacceptable					

The FAS application is classed as Water Compatible. Accordingly, an Exception Test is not required.

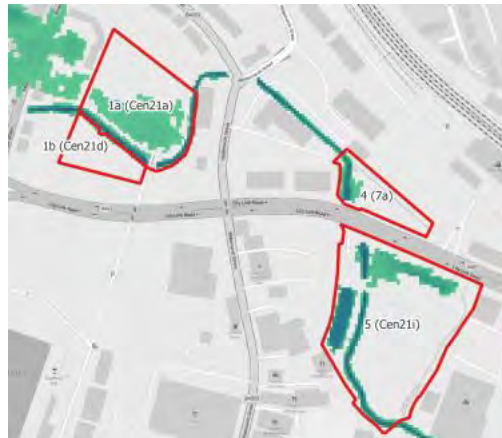
We assume that the 100 year + Climate Change model runs that have been presented for this application relate to the Yazor FAS being fully operational.

Earlier planning applications within the Edgar Street Grid (ESG) area utilised model runs that assumed that the Yazor Flood Alleviation Scheme (FAS) was partially blocked. These model outputs were used to determine finished floor levels.

In Flood Zone 3B, works should normally be designed to result in no net loss of flood plain storage and to not increase flood risk elsewhere. We understand that there is some ground raising proposed. Whilst the Yazor FAS was designed to allow some ground raising within the ESG area, the Environment Agency need to endorse these proposals.

Figure 7 shows the respective flood zones as defined by the Merton Meadow FAS model

The model outputs (Appendix F) indicate that there is no fluvial flooding in Plot 1B during a 1 in 30 year flood. Likewise, most parts of Plot 5 are shown to not be at risk of fluvial flooding the same flood event.



The model report advises that a western area of Plot 1B is to be raised to reduce flood risk to third parties

As explained above, the model that has been presented may not be an adequate tool for the purposes of setting property floor levels.

Ground Raising

The Yazor Brook FAS was promoted in order to mobilise development within areas previously defined as Flood Zone 3B (illustrated in Blue in the pre-Yazor FAS plot below).

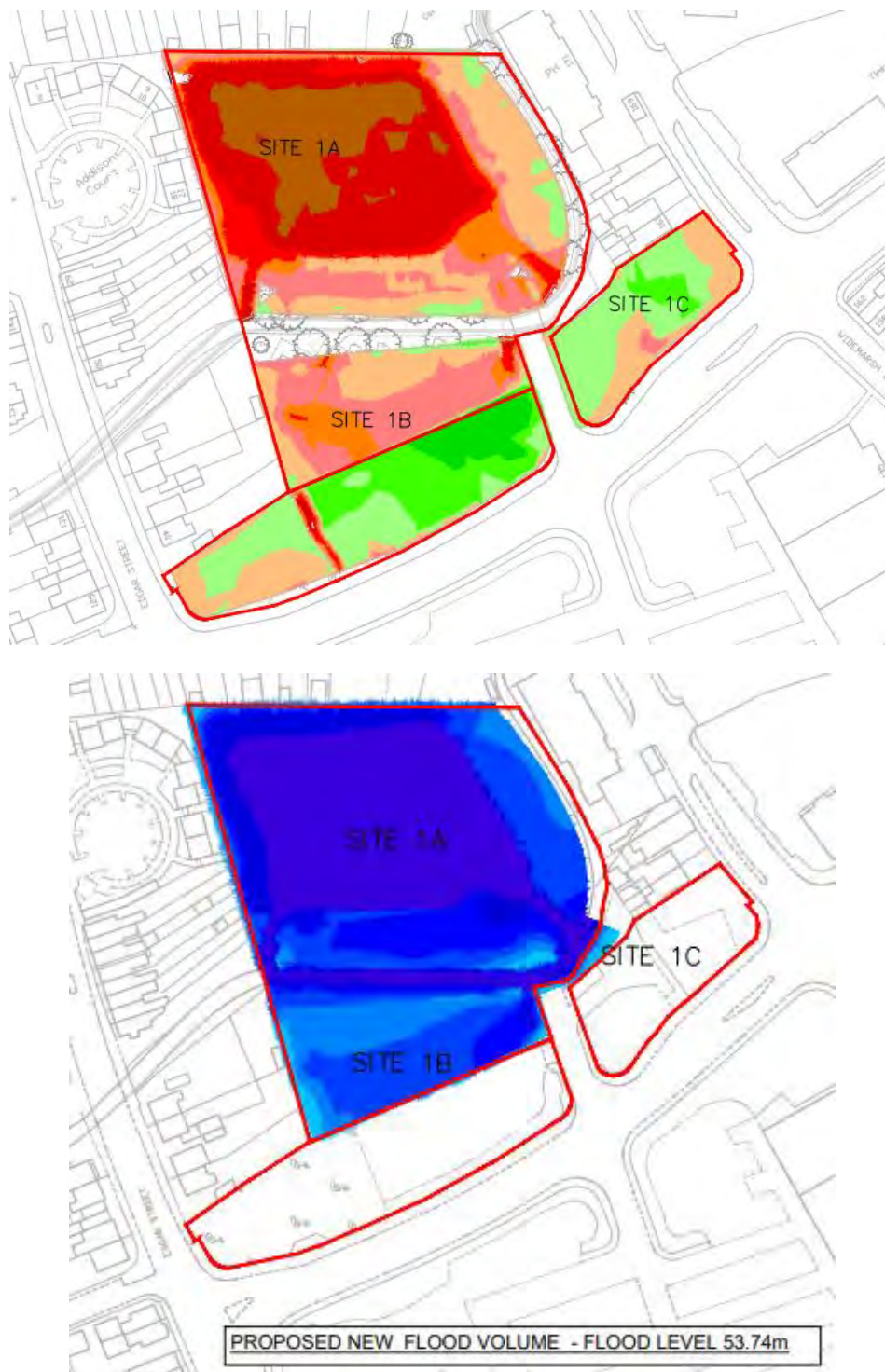


Arguably since the installation of the Yazor FAS, the Flood Zone 3B extent is now smaller.

We note that the Cut & Fill drawing for Plots 1A,1B,1C **shows works outside of the red line boundary, which are no referenced elsewhere in the planning application**. These are the areas that have been highlighted in green (spoil is shown stockpiled).

Stantec:

The plot 1B and 1C are part of future wider masterplan application which we are also developing with HCC and these areas are only shown on cut and fill plan as a reference to understand the earthwork quantities.

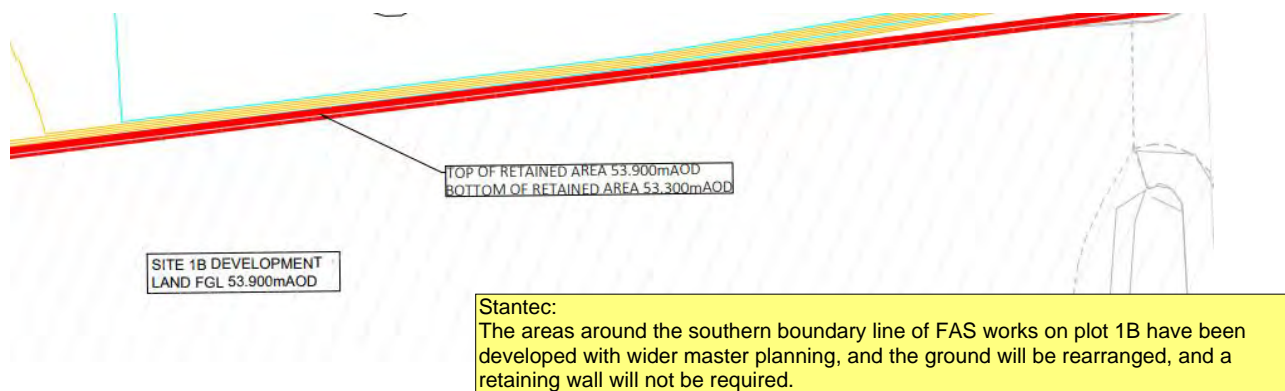


Furthermore the Proposed Contours plan for sites 1A 1B 1C includes proposed Finished Ground Levels for these plots (1B and 1C - 153.90m). The drawing suggests that there will be a retaining feature to hold the fill up.

Stantec:

The plot 1B and 1C are part of future wider masterplan and the consultation will take place with EA to ensure that the proposal is accepted.

The proposed FGL finished ground levels of 53.90 are set 150mm above 1:100years+CC event and the FFL are set further 150mm above the finished ground level or 300mm above the flood level. These levels are going to be discussed with EA.



There is conflicting commentary on the Notes on the Flood Compensation drawing 1A 1B 1C

5.5. THE PROPOSED BUILDING IN PLOT 1B IS ON STILTS, WITH A FLOOD COMPENSATION STORAGE ALLOWANCE BELOW THE GF SLAB.

The Environment Agency need to endorse the principle of ground raising within areas of Flood Zone 2B, as defined on the Flood Map for Planning. Whilst the principle of raising ground levels in Flood Zone 3B was agreed (this was the main driver for the Yazor FAS scheme), the Environment Agency will need to be consulted as part of a subsequent planning application. The recent EA letter 28th May 2025 did not make reference to these proposals.

Stantec:
The plot 1B and 1C are part of future wider masterplan and the consultation will take place with EA to ensure that the proposal is accepted.

Merton Meadow FAS model outputs

The Flood Compensation drawings show the proposed Flood Compensation Volumes. The volumes of excavation (pre/post construction) have been compared showing a net increase in storage at Plots 4 and 5 and a marginal increase in 1A, 1B, 1C.

The post-development modelling results (Figure 9) do indicate that the proposed Merton Meadows FAS will lead to reduced flood levels. There are some very minor changes in the 100 year + CC flood level further downstream, but away from property.

Stantec:
The proposed FAS works demonstrate that the proposed mitigation measures reduce flood risk to the proposed development without increasing flood risk to adjacent or third-party lands

Groundwater Flood Risk

Objector Moira Jankins has highlighted a concern, that the glaciofluvial gravels form an aquifer. Concern has been raised that when development proceeds within the ESG, vulnerable people could be impacted by flooding, possibly adversely impacted by groundwater.

Parts of the existing Plot 5 are below the Wye peak flood level (we note that the new proposed base levels would be even lower).

Likewise, the bed of the Yazor Brook is likely to interact with the river gravels (for example in the vicinity of Sugwas Pool, which is flood plain).

Accordingly, groundwater levels within the ESG area are likely to be impacted when river levels are high. Consequently, the duration of any low lying flooding issues is likely to be extended (particularly low lying areas of the proposed Merton Meadow FAS).

This issue has been considered in the FRA, noting that water compatible development is proposed.

Sewerage

Stantec:
Groundwater flooding has been assessed within the FRA, considering a number of factors. These are assessing the topography of the site, reviewing Level 1 and Level 2 SFRA's for the site, underlying geology and soils. Additionally, the groundwater levels will be hydraulically connected to adjacent watercourses.

There is a surface water sewer and a foul sewer crossing the site. We await commentary from DCWW regarding these assets. It is possible that DCWW may require works to mitigate the risk of river and ground water from spilling into the sewers.

Stantec:

Following the meeting held with Welsh Water (WW), it was agreed that a further survey is required to establish whether the sewers exist and if they are functioning properly. An initial proposal to mitigate the risk of ground and river water entering the brook has been briefly discussed with WW and is included in the appendix. D.1. We will work with WW to find a suitable solution once the survey is completed.

Pond Design

It is proposed that the Widemarsh Brook is realigned to meander through Plot 5. Three ponds will sit either side of the meandering brook. A similar principle is proposed for plot 1A. To ensure that self-cleansing is achieved then either the watercourse will need to be lower than the ponds, or a robust section of bank will need to be provided.

Stantec:

The proposal is that a robust section of the bank is proposed with suitable erosion protection.

The A465 culvert currently self-cleanses, with silt being re-mobilised. We note that there is a length of straight channel proposed immediately downstream of the headwall. The cross-section drawings suggest that the watercourse base will be a similar level to the pond bases.

Stantec: We will need to understand more in regards to the comment above and we will work closely to ensure that a suitable solution is found. The straight channel including the pond downstream of A465 culvert is retained and the alignment being proposed to minimise the area and maximise the development land.

The Environment Agency have identified that for ecological reasons the ponds will need to be deeper, accordingly the only option is to rely on a robust section of bank. It is proposed that the ponds will need to be fed via overflows, otherwise during times of low flow the silt will build up in the channel. The pond bases are typically shown 200mm lower than the watercourse bed on the proposed drawings

Stantec: In Plot 1 the proposed the proposed wetlands are 300mm deep and the bed levels of the brook and the wetland is the same and is set as 51.700m AOD (refer to appendix E). In plot 5 the proposed wetlands are 300mm deep (base level 51.000) and the top of water is set at brook base level (51.300). The proposal will avoid depleting the brook. A water transfer licence is required to be agreed with EA to provide a permanent feed of water.

The Planning Statement and the Landscape Plan both include statements advising that the height of the swale inlet and outlets have been proposed to provide a permanent feed to the watercourse and avoid any stagnant water. The drawings show overflows that would come into operation following heavy rain, which is a different approach.

Stantec: Follow on the review of the design we agree with the comment that the water feed as described above would not be permanent (unless a transfer licence is agreed with EA), and an effective strategy to reverse stagnation will need to be developed with the design team at the next stage of the design.

We note that flood water will spill into the ponds, accordingly it is likely that over the long term silt will build up in the ponds and so ultimately pond bed levels may rise.

Stantec: It is anticipated and expected that the future maintenance of the brook, spillways including of the Sustainable Drainage Systems (SuDS) features, will be undertaken by the owner HCC or a suitably qualified management company with a suitable management arrangement in place. The management plan should include but not limited to regular inspection and cleaning of silt.

We concur with comments made by the Environment Agency regarding the inlet and outlet swales. Notably the need for a simple, passive design that is at low risk of vandalism. Weir levels will need to be carefully selected, with a stable foundation.

Stantec: Follow on the review of the design we agree with the comment that the water feed as described above would not be permanent (unless a transfer licence is agreed with EA), and an effective strategy to reverse stagnation will need to be agreed with the ecologist and landscaping designer at the next stage of the design.

The detailed design of the ponds may be addressed via a planning condition.

The Flood Compensation Volumes drawing 1A 1B 1C identifies a 100 year + CC level of 53.73m AOD. The boardwalks are raised to 53.90m AOD with the intent of providing a safe access.

The future development of the raised area of site on the western side of plot 5 will need to include provision for an access route for channel maintenance

Stantec: A safe access is going to be provided with in the wider masterplan development of plot 5.

Overall Comment

We accept the outputs from the Merton Meadow flood model because the proposal is for Water Compatible development. The model will need to be verified and then reviewed by the Environment Agency before use on any subsequent planning applications.

The ground raising outside of the Red Line boundary is required to deliver the works. The applicant can either extend the red line boundary and reconsult the Environment Agency or raise a new application for ground raising in these areas. This issue needs to be addressed before Land Drainage can support this application.

Stantec: The raising of the ground will form part of the wider masterplan for the area and suitable Material Management Plan (MMP) and earthwork specification will be in place for the works. The MMP and earthworks will be discussed with EA as part of the wider outline masterplan consultation.

As explained above, the detailed design of the proposed basins and offtakes can be addressed by means of a suitably worded condition.

We understand that there are proposals for Herefordshire Council to maintain the basins. The applicant should confirm whether this is the case and which party will be responsible for maintenance. Provision of a Maintenance Plan may be conditioned.

Stantec:

It is anticipated and expected that the future maintenance of the brook including of the wetlands and Sustainable Drainage Systems (SuDS) features, will be undertaken by the HCC Management or a suitably qualified management company. We welcome EA's full review of the model, and we will liaise with EA at the consultation stage for the outline wider masterplan.

Appendix B

B.1 35849-HYD-1-XX-M3-C-90110 Flood Compensation Plan

B.2 35849-HYD-4-XX-M3-C-90110 Flood Compensation Plan

B.3 35849-HYD-5-XX-M3-C-90110 Flood Compensation Plan



EXISTING FLOODPLAIN STORAGE EXTENTS - FLOOD LEVEL 53.735m
1 IN 100 + 37% CLIMATE CHANGE EVENT

EXISTING VOLUME SUMMARY PLOT 1 AND 2B					
FLOOD WATER LEVEL VOLUME	PLOT 1A- FLOOD STORAGE VOLUME (m³)	PLOT 1B- FLOOD STORAGE VOLUME (m³)	PLOT 1C- FLOOD STORAGE VOLUME (m³)	PLOT 2B - FLOOD STORAGE VOLUME (m³) SEE DRAWING 35849-HYD-2-XX-M3-C-90110	PLOT 1 AND 2B TOTAL - FLOOD STORAGE VOLUME (m³)
EXISTING GROUND vs 1:100Y + 37%CC	4288	2751	255	2567	9861

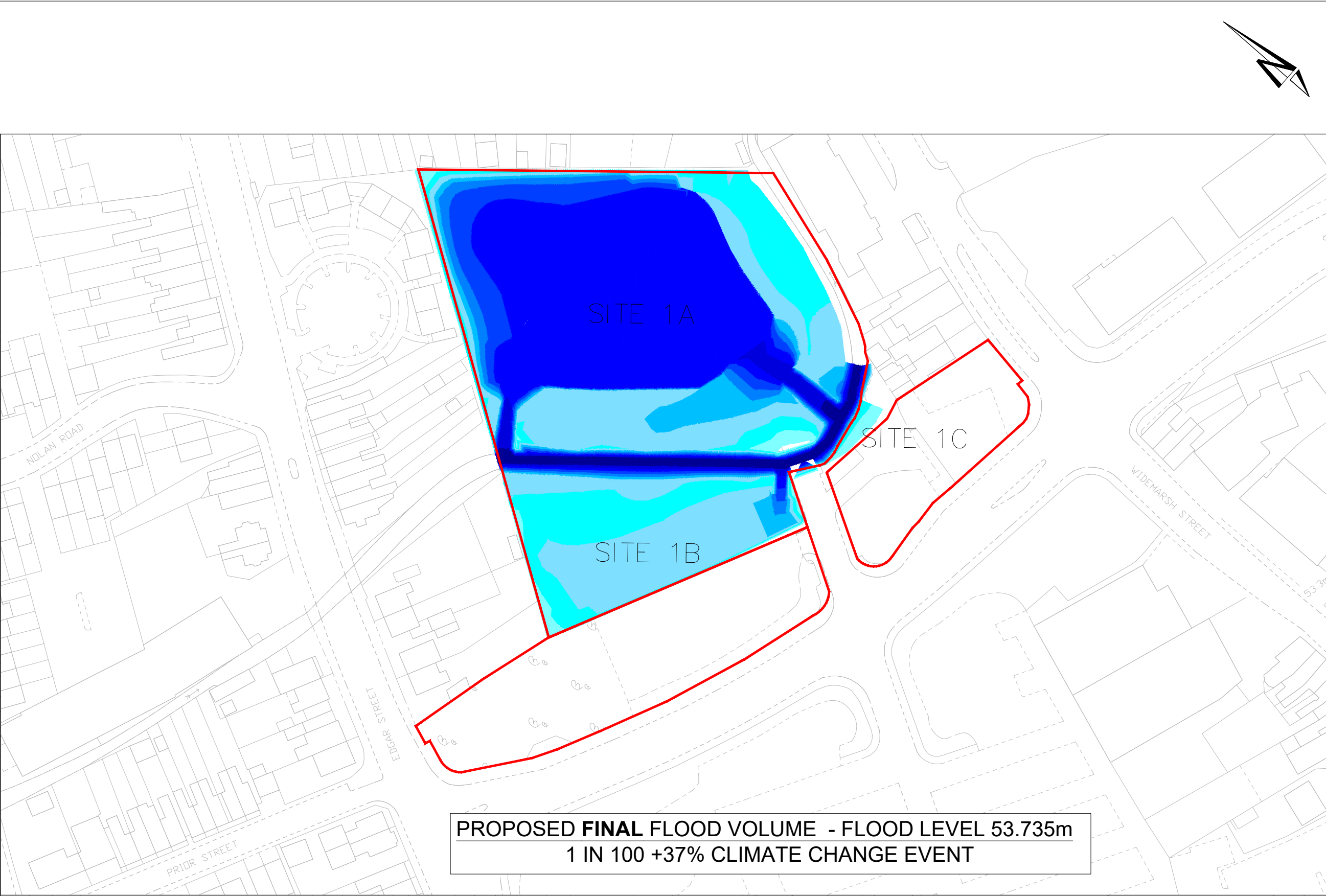
PROPOSED VOLUME SUMMARY PLOT 1					
NAME	PLOT 1A AND 1B - FLOOD STORAGE VOLUME (m³)	PLOT 1C- FLOOD STORAGE VOLUME (m³)	PLOT 2B - FLOOD STORAGE VOLUME (m³)	TOTAL FLOOD STORAGE VOLUME (m³)	PROP VOL > EXTG VOL?
PROPOSED FINISHED GROUND LEVEL vs 1:100Y +37% FLOOD WATER LEVEL VOLUME	11316	0	0	11316	YES

PROPOSED INTERIM PHASING VOLUME SUMMARY PLOT 1						
NAME	PLOT 1A - FLOOD STORAGE VOLUME (m³)	PLOT 1B - FLOOD STORAGE VOLUME (m³)	PLOT 1C - FLOOD STORAGE VOLUME (m³)	PLOT 2B - FLOOD STORAGE VOLUME (m³)	TOTAL FLOOD STORAGE VOLUME (m³)	PROP VOL > EXTG VOL?
PROPOSED FINISHED GROUND LEVEL vs 1:100Y +37% FLOOD WATER LEVEL VOLUME	8844	2751	0	0	11595	YES

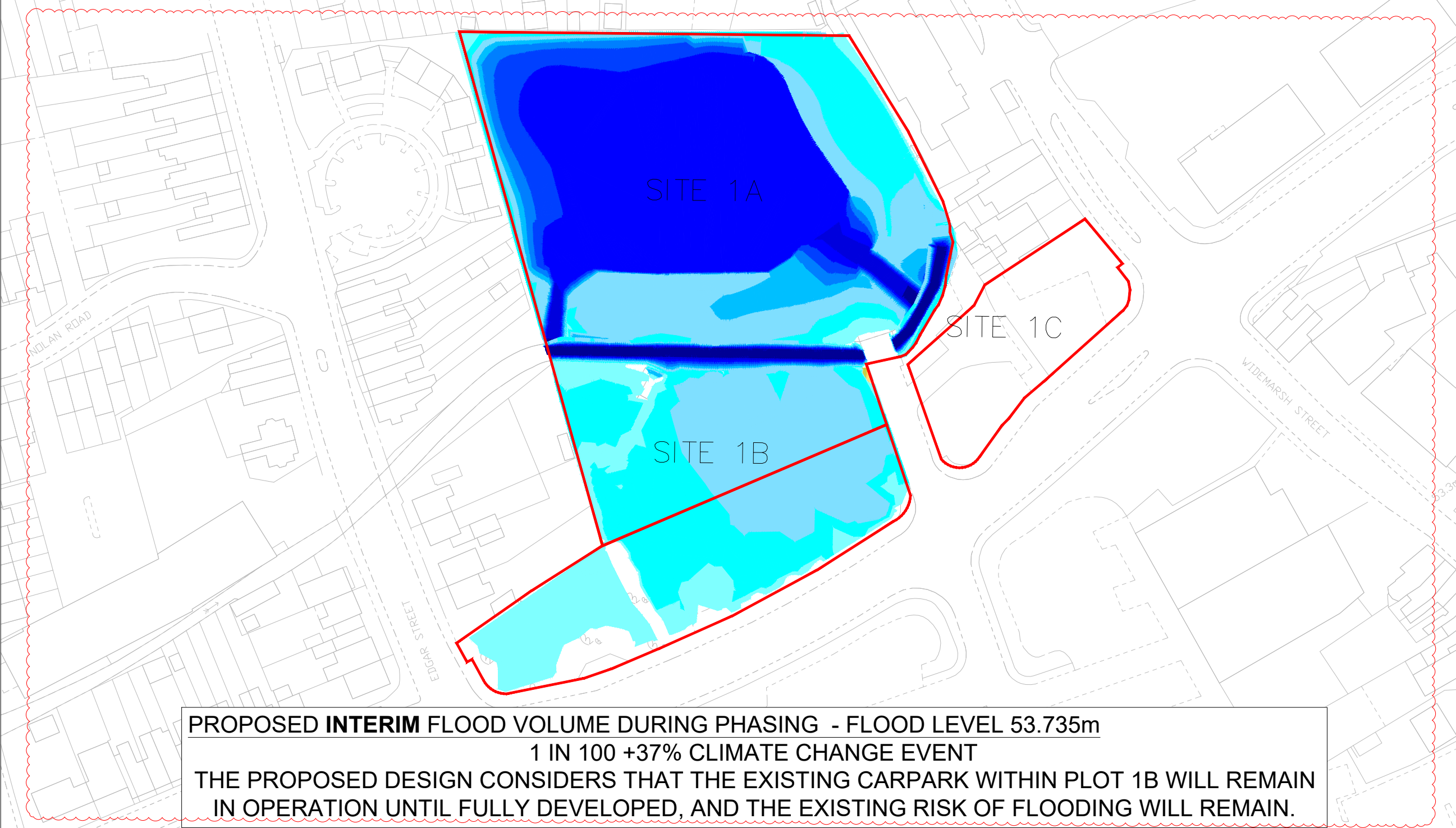
PROPOSED FINISH GROUND LEVELS FOR PLOT 1			
NAME	PLOT 1A - mAOD	PLOT 1B - mAOD	PLOT 1C - mAOD
PROPOSED FINISH GROUND LEVEL	53.900	53.900	53.900

THE PROPOSED WATER TABLE OF THE BROOK IS ASSUMED TO BE 52.000. LEVEL TO BE SURVEYED.

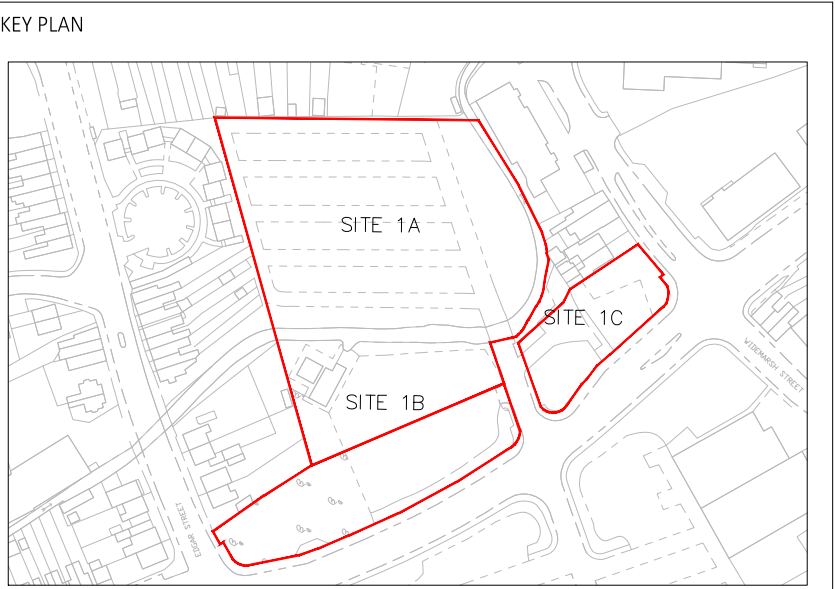
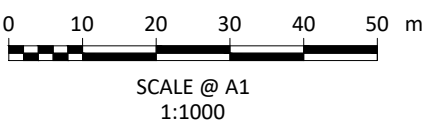
THE PROPOSED FINISH GROUND LEVELS MIGHT CHANGE PENDING OF THE WATER LEVEL IN THE BROOK AND AGREEMENT WITH ENVIRONMENT AGENCY.



PROPOSED FINAL FLOOD VOLUME - FLOOD LEVEL 53.735m
1 IN 100 +37% CLIMATE CHANGE EVENT



PROPOSED INTERIM FLOOD VOLUME DURING PHASING - FLOOD LEVEL 53.735m
1 IN 100 +37% CLIMATE CHANGE EVENT
THE PROPOSED DESIGN CONSIDERS THAT THE EXISTING CARPARK WITHIN PLOT 1B WILL REMAIN IN OPERATION UNTIL FULLY DEVELOPED, AND THE EXISTING RISK OF FLOODING WILL REMAIN.



- NOTES
- THE VOLUMES PROVIDED ARE AN APPROXIMATION ONLY AND ARE BASED ON CURRENT DESIGN LEVELS.
 - THE VOLUMES PROVIDED ARE BASED ON THE CLIENT SUPPLIED TOPOGRAPHICAL SURVEY.
 - A DESIGN FLOOD LEVEL OF 53.150M AOD FOR 1 IN 100 YEAR EVENT HAS BEEN USED FOR ALL PLOTS. A FLOOD LEVEL OF 53.734M AOD FOR 1 IN 100 YEAR + 37% CC EVENT HAS BEEN USED FOR PLOT 1A AND 1C, AND FLOOD LEVEL OF 53.735M AOD FOR 1 IN 100 YEAR + 37% CC HAS BEEN USED FOR PLOT 1B.
 - THE FLOOD STORAGE AREA INCLUDED IN THESE CALCULATIONS RELATES TO THAT AREA BOUNDARY BY THE RED LINE AND DOES NOT REPRESENT THE ENTIRETY OF THE SITE.
 - THE PROPOSED SITE LAYOUT IS BASED ON THE FOLLOWING ASSUMPTIONS:
 - ALL EXISTING SURFACE WATER DRAINAGE REMOVED.
 - EXISTING PUMPING STATION REQUIRED TO BE RETAINED AS IT PROVIDES DRAINAGE FOR SURROUNDING AREAS. REMOVAL TO BE CONSIDERED AT A LATER STAGE WHEN RESIDENTIAL PLOTS ARE DEVELOPED.
 - ALL BOARDWALKS ARE DESIGNED BY SPECIALIST AND ARE TO WITHSTAND A DESIGN LIFE OF 50 YEARS.
 - ALL BOARDWALKS ARE RAISED ABOVE THE SAFE FLOOD LEVEL OF 53.900M AOD, AND THERE IS A CLEAR, SAFE ESCAPE PATH IN CASE OF FLOODING EVENTS.
 - THE PROPOSED BUILDING IN PLOT 1B IS ON STILTS, WITH A FLOOD COMPENSATION STORAGE ALLOWANCE BELOW THE GF SLAB.
 - THE DESIGN OF ALL RETAINING STRUCTURES IS TO BE DONE BY SPECIALISTS. THE EXISTING BRIDGE IS TO BE RETAINED.
 - IF THE EXISTING BRIDGE IS INTENDED TO BE USED DURING CONSTRUCTION, IT MUST BE CHECKED AND ASSESSED BY A COMPETENT STRUCTURAL ENGINEER FOR THE CONSTRUCTION TRAFFIC.
 14. THE SITE'S AREA IS PRONE TO FLOODING. A SUITABLE METHOD STATEMENT SHOULD BE PUT IN PLACE TO ENSURE THE RISK OF FLOODING IS CORRECTLY CONSIDERED DURING CONSTRUCTION.

THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

SURFACE LEVEL DATA			
NUMBER	MINIMUM LEVEL	MAXIMUM LEVEL	COLOUR
1	0.00	0.25	
2	0.25	0.50	
3	0.50	0.75	
4	0.75	1.00	
5	1.00	1.25	
6	1.25	1.50	
7	1.50	1.75	
8	1.75	2.00	
9	2.00	2.25	

EXISTING BROOK LEVELS & PROPOSED LEVELS UPDATED					
P05	J.HO	27.06.25	V.KARATANOV	27.06.25	V. KARATANOV 27.06.25
PROPOSED LEVELS UPDATED					
P04	Ö.HITZGERALD	24.04.25	V.KARATANOV	24.04.25	V. KARATANOV 24.04.25
FLOOD VOLUMES UPDATED					
P03	Ö.HITZGERALD	14.03.25	V.KARATANOV	14.03.25	V. KARATANOV 14.03.25
ISSUED FOR INFORMATION					
P02	S.GADHIKAR	10.02.25	V.KARATANOV	10.02.25	V. KARATANOV 10.02.25
ISSUED FOR INFORMATION					
P01	S.GADHIKAR	17.12.24	V.KARATANOV	17.12.24	V. KARATANOV 17.12.24
REVISION NOTES/COMMENTS					
REV	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY DATE



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Herefordshire Council

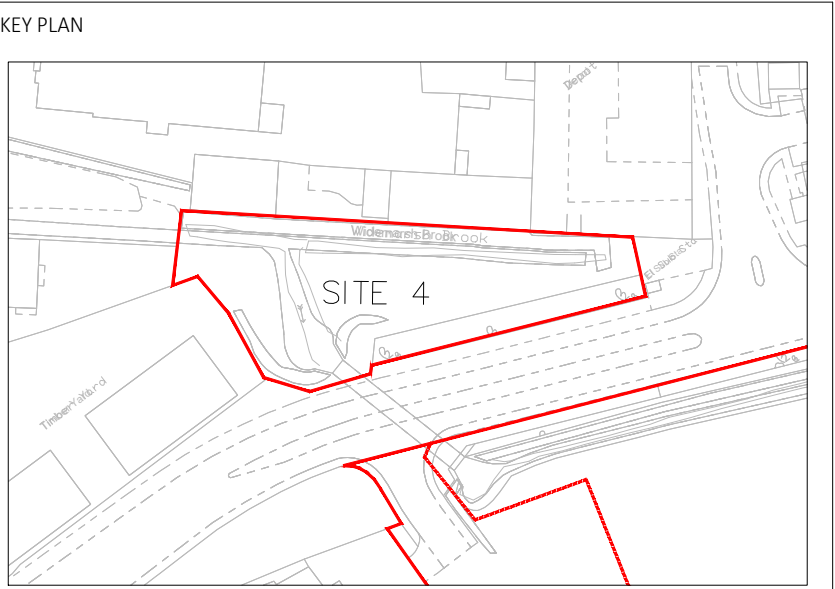
PROJECT

HEREFORD URBAN VILLAGE

TITLE

FLOOD COMPENSATION VOLUMES PLAN
SITE 1A, 1B AND 1C

HYDROCK PROJECT NO. 35849		SCALE @ A1 1:1000	STATUS S2
STATUS DESCRIPTION SUITABLE FOR INFORMATION			
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 35849-HYD-1-XX-M3-C-90110		REVISION P05	



- NOTES
1. THE VOLUMES PROVIDED ARE AN APPROXIMATION ONLY AND ARE BASED ON CURRENT DESIGN LEVELS.
 2. THE VOLUMES PROVIDED ARE BASED ON THE CLIENT SUPPLIED TOPOGRAPHICAL SURVEY.
 3. A DESIGN FLOOD LEVEL OF 52.57mAOD FOR 1 IN 100 YEAR EVENT AND 53.345mAOD FOR 1 IN 100 YEAR + 37% CC EVENT HAS BEEN USED IN THE CALCULATION OF FLOOD STORAGE VOLUMES.
 4. THE FLOOD STORAGE AREA INCLUDED IN THESE CALCULATIONS RELATES TO THAT AREA BOUNDARY BY THE ORANGE LINE AND DOES NOT REPRESENT THE ENTIRETY OF THE SITE.
 5. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT HYDROCK AND THIRD PARTY DRAWINGS AND SPECIFICATIONS.
 6. THE CONTRACTOR SHALL CONDUCT THE WORKS WITH DUE REGARD FOR THE ECOLOGICAL AND ENVIRONMENTAL REQUIREMENTS OF THE SCHEME.
 7. THE DRAWING SHALL BE USED FOR THE INTENDED PURPOSE ONLY.
 8. THIS DRAWING HAS BEEN BASED ON INFORMATION PROVIDED BY OTHER PARTIES AND HYDROCK DO NOT WARRANT THE ACCURACY OF THIS INFORMATION.
 9. DIMENSIONS SHALL NOT BE SCALED FROM THE DRAWING AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL DIMENSIONS AND LEVELS ON SITE FOR THE ACTUAL SETTING OUT OF THE WORKS.
 10. HYDROCK IS NOT RESPONSIBLE FOR CHECKING DIMENSIONS ON SITE.
 11. HYDROCK IS NOT RESPONSIBLE FOR SETTING OUT GRID LINES, BUILDING LINE, ETC.
 12. TEMPORARY WORKS DESIGN ASSOCIATED WITH THE CONSTRUCTION OF THE WORKS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 13. THE CONTRACTOR SHALL MAINTAIN FREE AND OPEN ACCESS TO PUBLIC HIGHWAY AND ADJACENT LANDS AT ALL TIMES DURING THE COURSE OF THE WORKS UNLESS OTHERWISE AGREED IN WRITING WITH THE INTERESTED PARTIES.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL TRAFFIC MANAGEMENT PROPOSALS & PHASING. SUCH DETAILS SHALL BE SUBMITTED TO THE LOCAL HIGHWAYS AUTHORITY FOR APPROVAL PRIOR TO THE START OF THE WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASSOCIATED COSTS AND ORDERS.

THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

SURFACE LEVEL DATA			
NUMBER	MINIMUM LEVEL	MAXIMUM LEVEL	COLOUR
1	0.00	0.08	
2	0.08	0.15	
3	0.15	0.23	
4	0.23	0.30	
5	0.30	0.38	
6	0.38	0.46	
7	0.46	0.53	
8	0.53	0.61	

EXISTING VOLUME SUMMARY	
NAME	FLOOD STORAGE VOLUME (m³)
1:100Y – EXISTING GROUND vs 52.57mAOD	282.6
1:100Y + 37%CC – EXISTING GROUND vs 52.345mAOD	1240.4

PROPOSED VOLUME SUMMARY PLOT 4	
NAME	FLOOD STORAGE VOLUME (m³)
PROPOSED FINISH GROUND LEVEL vs 1:100Y +37% FLOOD WATER LEVEL (FGL vs 53.345mAOD)	3037.1

P02	FLOOD VOLUMES UPDATED	Ó.FITZGERALD	17.04.25	V.KARATANOV	17.04.25	V. KARATANOV	17.04.25
P01	ISSUED FOR INFORMATION	S.GADHIKAR	20.12.24	V.KARATANOV	20.12.24	V. KARATANOV	20.12.24
REV	REVISION NOTES/COMMENTS	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE
 Great Suffolk Yard 127-131 Great Suffolk Street London SE1 1PP +44 (0) 2038 468456 e: london@hydrock.com							
CLIENT							
PROJECT							
HEREFORD URBAN VILLAGE							
TITLE							
FLOOD COMPENSATION VOLUMES PLAN SITE 4							
HYDROCK PROJECT NO. 35849				SCALE @ A1 1:500			
STATUS DESCRIPTION SUITABLE FOR INFORMATION						STATUS S2	
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 35849-HYD-4-XX-M3-C-90110						REVISION P02	



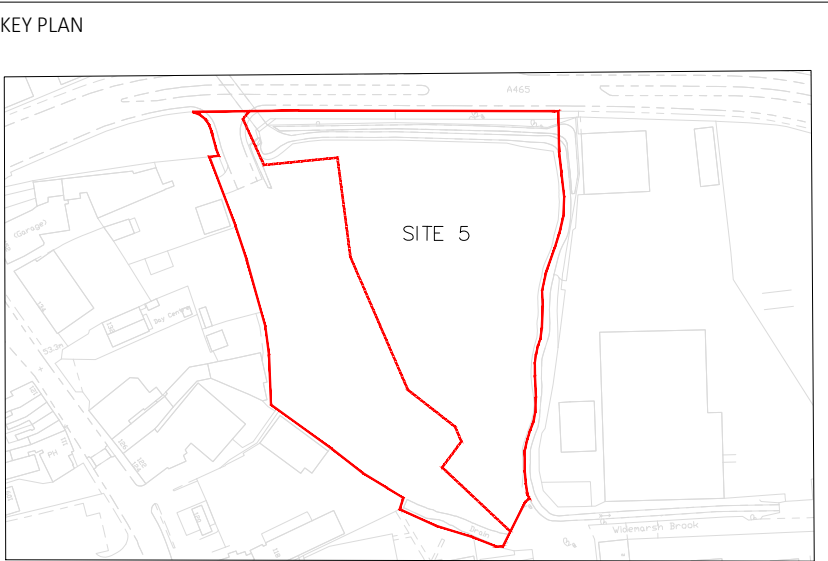
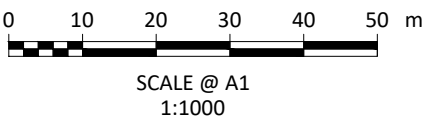
EXISTING FLOODPLAIN STORAGE EXTENTS - FLOOD LEVEL 53.248m
1 IN 100 + 37% CLIMATE CHANGE EVENT

PROPOSED NEW FLOOD VOLUME - FLOOD LEVEL 53.248m

EXISTING VOLUME SUMMARY			
NAME	FLOOD STORAGE VOLUME (m³)	VOLUME FROM CITY LINK ROAD (m³)	TOTAL VOLUME REQUIRED (m³)
1:100Y + 37%CC – EXISTING GROUND vs 53.248mAOD	11911	790	12701

REQUIRED PROPOSED VOLUME SUMMARY PLOT 5	
NAME	FLOOD STORAGE VOLUME (m³)
PROPOSED FINISHED GROUND LEVEL vs 1:100Y+37% FLOOD WATER LEVEL VOLUME (FGL vs 53.248mAOD)	14702

SURFACE LEVEL DATA			
NUMBER	MINIMUM LEVEL	MAXIMUM LEVEL	COLOUR
1	0.00	0.08	
2	0.08	0.15	
3	0.15	0.23	
4	0.23	0.30	
5	0.30	0.38	
6	0.38	0.46	
7	0.46	0.53	
8	0.53	0.61	
9	0.61	0.69	
10	0.69	0.76	



- NOTES
- THE VOLUMES PROVIDED ARE AN APPROXIMATION ONLY AND ARE BASED ON CURRENT DESIGN LEVELS.
 - THE VOLUMES PROVIDED ARE BASED ON THE CLIENT SUPPLIED TOPOGRAPHICAL SURVEY.
 - A DESIGN FLOOD LEVEL OF 53.248mAOD IN THE 1 IN 100 YEAR + 37% CC EVENT HAS BEEN USED IN THE CALCULATION OF FLOOD STORAGE VOLUMES.
 - THE FLOOD STORAGE AREA INCLUDED IN THESE CALCULATIONS RELATES TO THAT AREA BOUNDARY BY THE ORANGE LINE AND DOES NOT REPRESENT THE ENTIRETY OF THE SITE.
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT HYDROCK AND THIRD PARTY DRAWINGS AND SPECIFICATIONS.
 - THE CONTRACTOR SHALL CONDUCT THE WORKS WITH DUE REGARD FOR THE ECOLOGICAL AND ENVIRONMENTAL REQUIREMENTS OF THE SCHEME.
 - THE DRAWING SHALL BE USED FOR THE INTENDED PURPOSE ONLY.
 - THIS DRAWING HAS BEEN BASED ON INFORMATION PROVIDED BY OTHER PARTIES AND HYDROCK DO NOT WARRANT THE ACCURACY OF THIS INFORMATION.
 - DIMENSIONS SHALL NOT BE SCALED FROM THE DRAWING AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL DIMENSIONS AND LEVELS ON SITE FOR THE ACTUAL SETTING OUT OF THE WORKS.
 - HYDROCK IS NOT RESPONSIBLE FOR CHECKING DIMENSIONS ON SITE.
 - HYDROCK IS NOT RESPONSIBLE FOR SETTING OUT GRID LINES, BUILDING LINE, ETC.
 - TEMPORARY WORKS DESIGN ASSOCIATED WITH THE CONSTRUCTION OF THE WORKS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 - THE CONTRACTOR SHALL MAINTAIN FREE AND OPEN ACCESS TO PUBLIC HIGHWAY AND ADJACENT LANDS AT ALL TIMES DURING THE COURSE OF THE WORKS UNLESS OTHERWISE AGREED IN WRITING WITH THE INTERESTED PARTIES.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL TRAFFIC MANAGEMENT PROPOSALS & PHASING. SUCH DETAILS SHALL BE SUBMITTED TO THE LOCAL HIGHWAYS AUTHORITY FOR APPROVAL PRIOR TO THE START OF THE WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASSOCIATED COSTS AND ORDERS.
 - CONFLICTING INFORMATION SHOWN ON THE ENGINEER'S DRAWINGS OR DISCREPANCIES BETWEEN THE INFORMATION GIVEN BY THE INFORMATION AND THAT PROVIDED BY OTHERS MUST BE REFERRED TO THE ENGINEER BEFORE THE WORKS COMMENCE.
 - EXISTING TOPOGRAPHICAL SURVEY FROM AZIMUTH LAND SURVEYS LIMITED, DWG REFERENCE BB3585 01-02 RECEIVED ON 28/11/2024.

THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

FROM THE EXISTING TOPOGRAPHICAL SURVEY INFORMATION PROVIDED, IT APPEARS THAT EARTH BUNDS AND PONDING AREAS HAVE FORMED ON PLOT 5, WHICH WE COULD NOT SEE DURING OUR SITE WALKOVER ON 11.09.24. THE CLIENT SHOULD CONFIRM THAT THE EXISTING TOPOGRAPHICAL SURVEY REFLECTS THE EXACT TOPOGRAPHY OF THE SITE.

P04	UPDATED RED LINE BOUNDARIES					
	Ó.FITZGERALD	12.05.25	V.KARATANOV	12.05.25	V.KARATANOV	12.05.25
P03	FLOOD VOLUMES UPDATED					
	Ó.FITZGERALD	29.04.25	V.KARATANOV	29.04.25	V.KARATANOV	29.04.25
P02	SITE BOUNDARY AND FLOOD VOLUMES UPDATED					
	S.GADHIKAR	21.02.25	V.KARATANOV	21.02.25	V.KARATANOV	21.02.25
P01	ISSUED FOR INFORMATION					
	S.GADHIKAR	20.12.24	V.KARATANOV	20.12.24	V.KARATANOV	20.12.24
REV	REVISION NOTES/COMMENTS					
	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE
<div><div><div>Hydrock</div><div>now</div><div>Stantec</div></div><div>Great Suffolk Yard 127-131 Great Suffolk Street London SE1 1PP t: +44 (0) 2038 468456 e: london@hydrock.com</div></div>						

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Herefordshire Council

PROJECT

HEREFORD URBAN VILLAGE

TITLE

FLOOD COMPENSATION VOLUMES PLAN
SITE 5

HYDROCK PROJECT NO.	35849	SCALE @ A1	1:1000
STATUS DESCRIPTION		STATUS	
SUITABLE FOR INFORMATION		S2	
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER)		REVISION	
35849-HYD-5-XX-M3-C-90110		P04	

Appendix C

C.1 Figure showing the difference in the extent of the flood between the existing baseline model and the post-development model

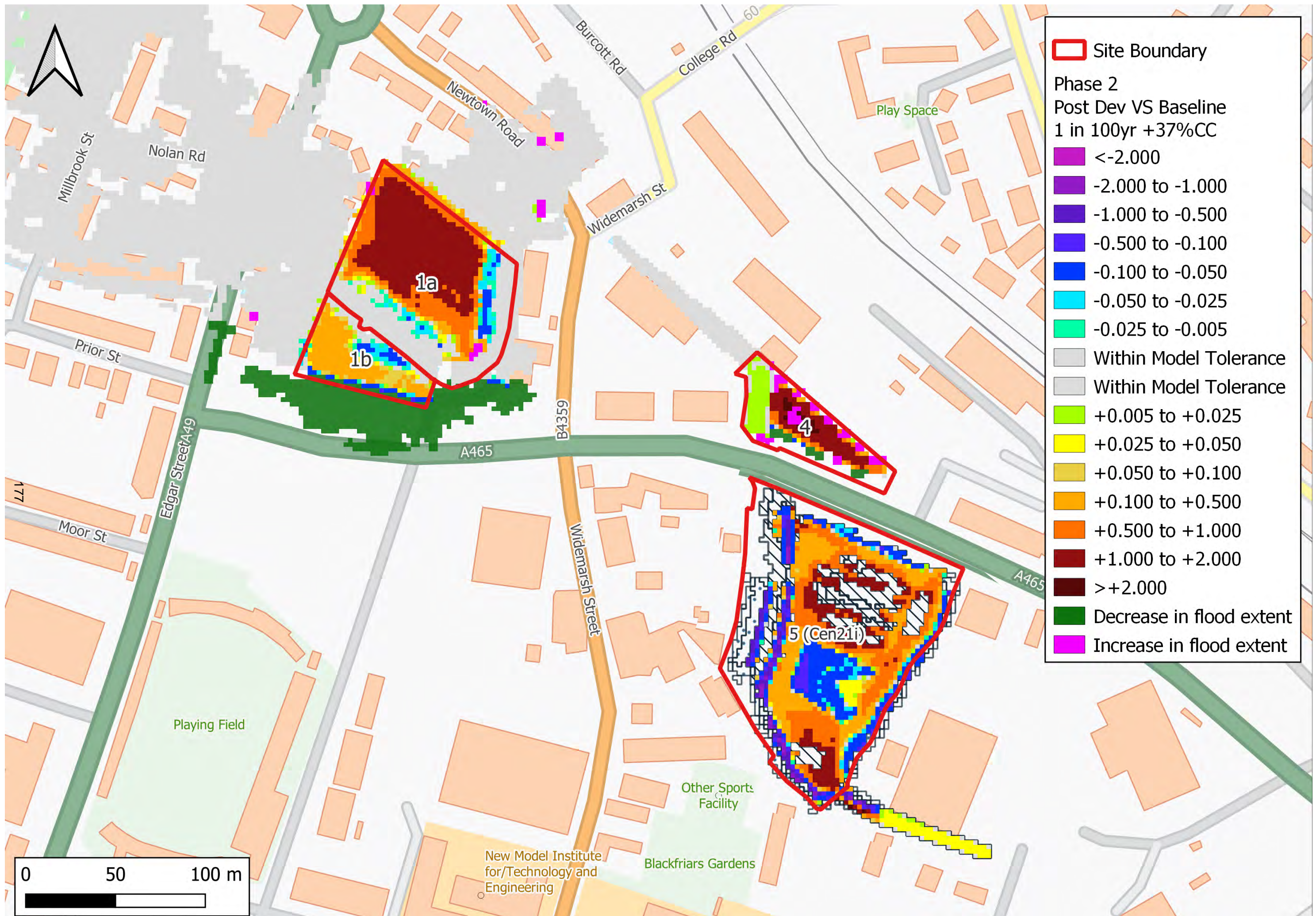
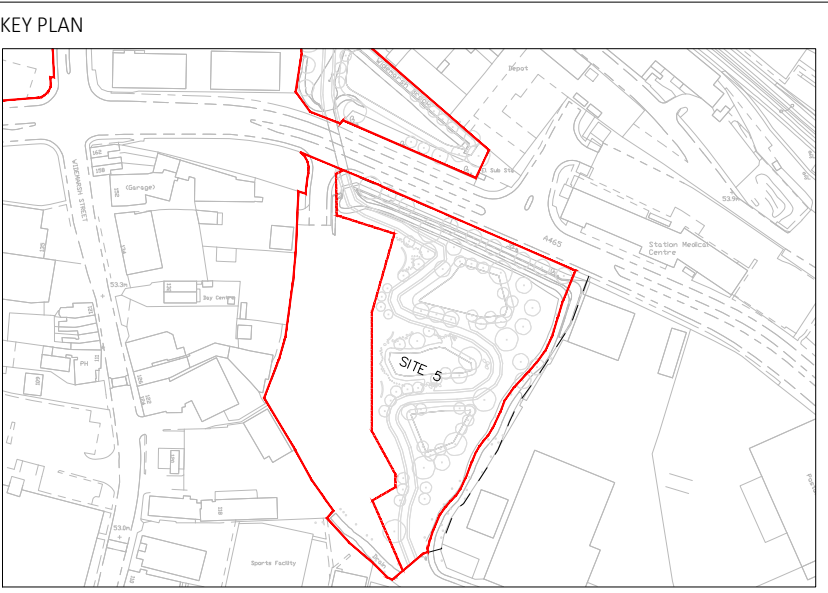
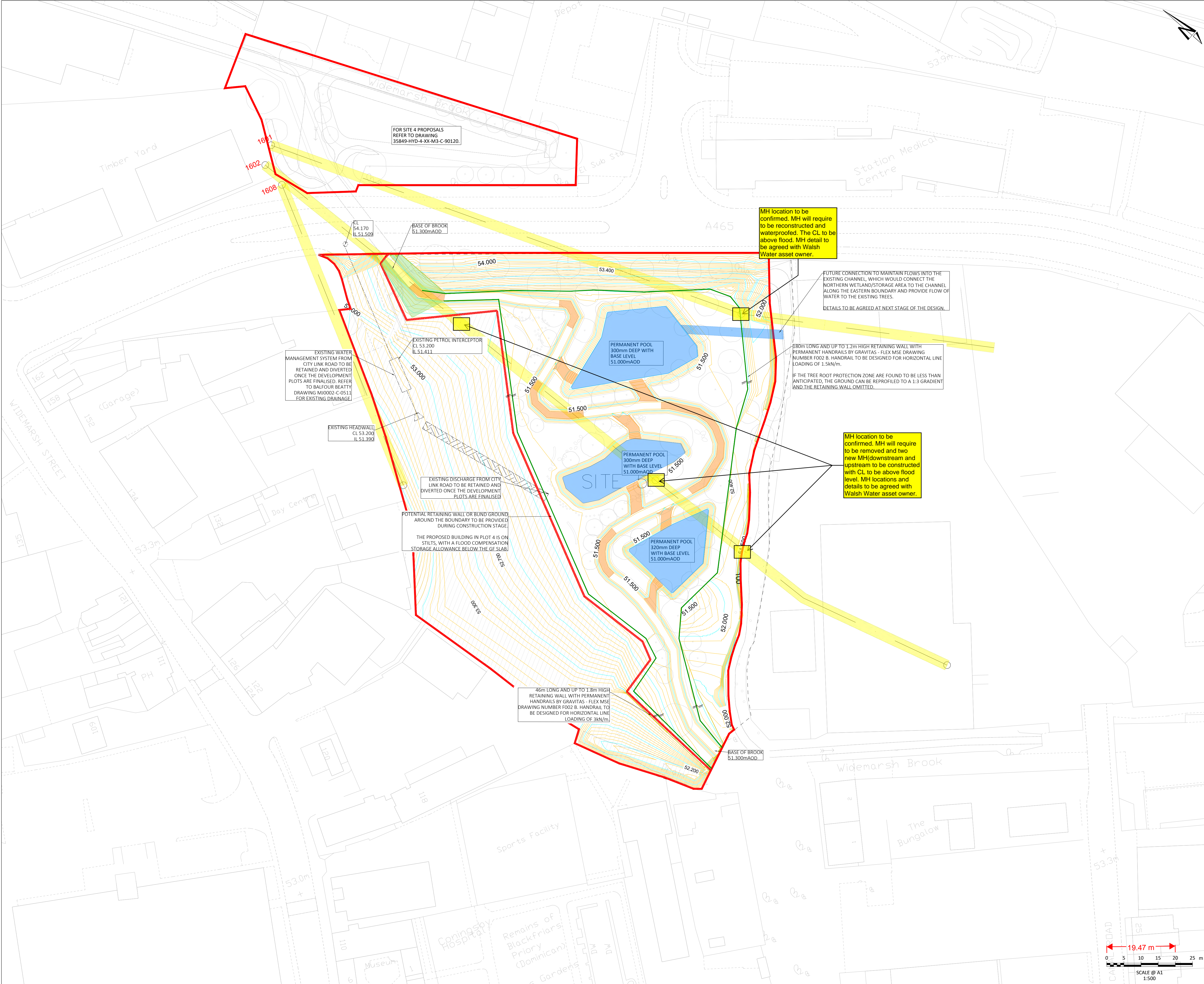


Figure showing the difference in the extent of the flood between the existing baseline model and the post-development model

Appendix D

D.1 Sketch showing the proposed remedial work to the existing sewer in plot 5.



- NOTES
1. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT HYDROCK AND THIRD PARTY DRAWINGS AND SPECIFICATIONS.
 2. THE CONTRACTOR SHALL CONDUCT THE WORKS WITH DUE REGARD FOR THE ECOLOGICAL AND ENVIRONMENTAL REQUIREMENTS OF THE SCHEME.
 3. THE DRAWING SHALL BE USED FOR THE INTENDED PURPOSE ONLY.
 4. THIS DRAWING HAS BEEN BASED ON INFORMATION PROVIDED BY OTHER PARTIES AND HYDROCK DO NOT WARRANT THE ACCURACY OF THIS INFORMATION.
 5. DIMENSIONS SHALL NOT BE SCALED FROM THE DRAWING AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL DIMENSIONS AND LEVELS ON SITE FOR THE ACTUAL SETTING OUT OF THE WORKS.
 6. HYDROCK IS NOT RESPONSIBLE FOR CHECKING DIMENSIONS ON SITE.
 7. HYDROCK IS NOT RESPONSIBLE FOR SETTING OUT GRID LINES, BUILDING LINE, ETC.
 8. TEMPORARY WORKS DESIGN ASSOCIATED WITH THE CONSTRUCTION OF THE WORKS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 9. THE CONTRACTOR SHALL MAINTAIN FREE AND OPEN ACCESS TO PUBLIC HIGHWAY AND ADJACENT LANDS AT ALL TIMES DURING THE COURSE OF THE WORKS UNLESS OTHERWISE AGREED IN WRITING WITH THE INTERESTED PARTIES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL TRAFFIC MANAGEMENT PROPOSALS & PHASING. SUCH DETAILS SHALL BE SUBMITTED TO THE LOCAL HIGHWAYS AUTHORITY FOR APPROVAL PRIOR TO THE START OF THE WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASSOCIATED COSTS AND ORDERS.
 11. CONFLICTING INFORMATION SHOWN ON THE ENGINEER'S DRAWINGS OR DISCREPANCIES BETWEEN THE INFORMATION GIVEN BY THE INFORMATION AND THAT PROVIDED BY OTHERS MUST BE REFERRED TO THE ENGINEER BEFORE THE WORKS COMMENCE.
 12. EXISTING TOPOGRAPHICAL SURVEY FROM AZIMUTH LAND SURVEYS LIMITED, DWG REFERENCE BB3585 01-02 RECEIVED ON 28/11/2024.
 13. TREE SURVEY FROM ALL SILVA TREE CONSULTANCY, DWG REFERENCE 15429-Tree_Survey_Plan_ASTC RECEIVED ON 12/03/2025.
 14. FOR EXTERNAL DETAILS REFER TO DRAWING 35849-HYD-XX-XX-DR-C-91010.

- LEGEND :
- MAJOR CONTOURS (0.500m INTERVALS)
 - MINOR CONTOURS (0.100m INTERVALS)
 - AREAS OUTSIDE OF FAS WORKS
 - BROOK RADIUS BEND DETAILS BY GRAVITAS - FLEX MSE DRAWING NUMBER F089
 - PEDESTRIAN BRIDGE REQUIRED BY OTHERS
 - SEWER EASEMENT
 - EXISTING BANK SLOPE STABILITY RETAINED
 - ANCHORING TRENCH



THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

P02	UPDATED RED LINE BOUNDARIES				
	O.FITZGERALD	12.05.25	V.KARATANOV	12.05.25	V. KARATANOV
P01	INITIAL ISSUE				
	O.FITZGERALD	29.04.25	V.KARATANOV	29.04.25	V. KARATANOV
REV	REVISION NOTES/COMMENTS				
	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY



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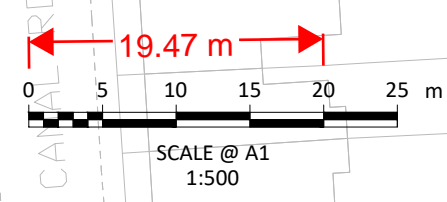
CLIENT



PROJECT
MERTON MEADOWS
FLOOD ALLEVIATION SCHEME

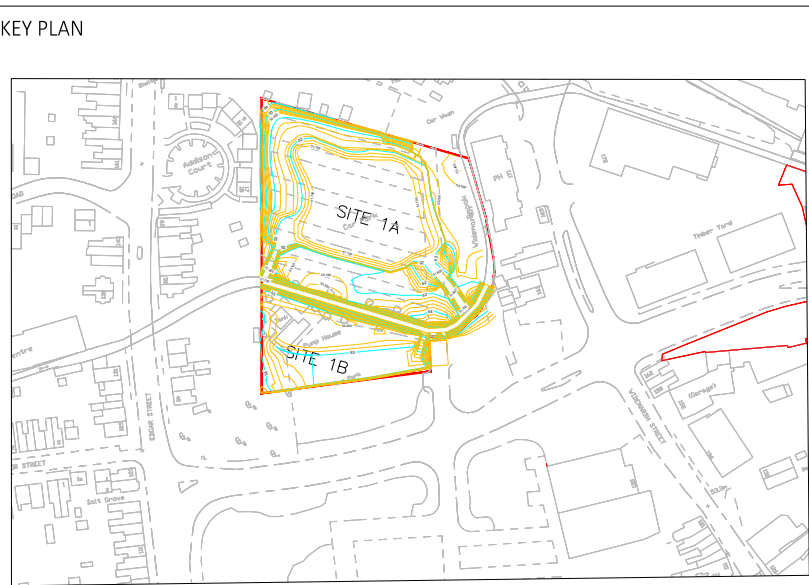
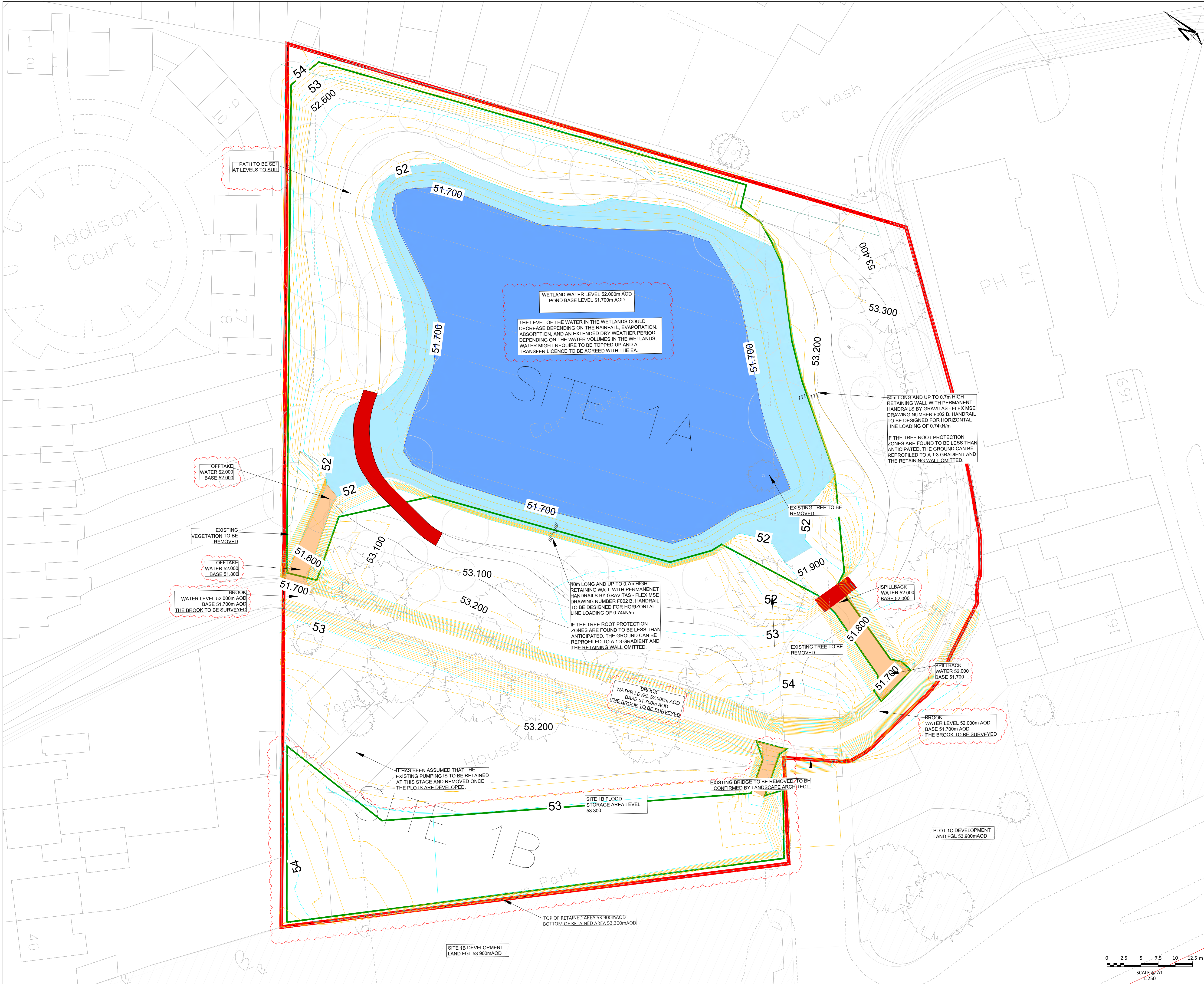
TITLE
PLOT 5
PROPOSED CONTOURS

HYDROCK PROJECT NO. 35849		SCALE @ A1 1:500	
STATUS DESCRIPTION SUITABLE FOR INFORMATION			STATUS S2
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 35849-HYD-5-XX-M3-C-90120			REVISION P02



Appendix E

E.1 Proposed contour drawing 35849-HYD-1-XX-M3-C-90130 for plot 1



- NOTES
1. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT HYDROCK (NOW STANTEC) AND THIRD PARTY DRAWINGS AND SPECIFICATIONS.
 2. THE CONTRACTOR SHALL CONDUCT THE WORKS WITH DUE REGARD FOR THE ECOLOGICAL AND ENVIRONMENTAL REQUIREMENTS OF THE SCHEME.
 3. THE DRAWING SHALL BE USED FOR THE INTENDED PURPOSE ONLY.
 4. THIS DRAWING HAS BEEN BASED ON INFORMATION PROVIDED BY OTHER PARTIES AND HYDROCK (NOW STANTEC) DO NOT WARRANT THE ACCURACY OF THIS INFORMATION.
 5. DIMENSIONS SHALL NOT BE SCALED FROM THE DRAWING AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL DIMENSIONS AND LEVELS ON SITE FOR THE ACTUAL SETTING OUT OF THE WORKS.
 6. HYDROCK (NOW STANTEC) IS NOT RESPONSIBLE FOR CHECKING DIMENSIONS ON SITE.
 7. HYDROCK (NOW STANTEC) IS NOT RESPONSIBLE FOR SETTING OUT GRID LINES, BUILDING LINE, ETC.
 8. TEMPORARY WORKS DESIGN ASSOCIATED WITH THE CONSTRUCTION OF THE WORKS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 9. THE CONTRACTOR SHALL MAINTAIN FREE AND OPEN ACCESS TO PUBLIC HIGHWAY AND ADJACENT LANDS AT ALL TIMES DURING THE COURSE OF THE WORKS UNLESS OTHERWISE AGREED IN WRITING WITH THE INTERESTED PARTIES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL TRAFFIC MANAGEMENT PROPOSALS & PHASING. SUCH DETAILS SHALL BE SUBMITTED TO THE LOCAL HIGHWAYS AUTHORITY FOR APPROVAL PRIOR TO THE START OF THE WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASSOCIATED COSTS AND ORDERS.
 11. CONFLICTING INFORMATION SHOWN ON THE ENGINEER'S DRAWINGS OR DISCREPANCIES BETWEEN THE INFORMATION GIVEN BY THE INFORMATION AND THAT PROVIDED BY OTHERS MUST BE REFERRED TO THE ENGINEER BEFORE THE WORKS COMMENCE.
 12. THE PROPOSED SITE LAYOUT IS BASED ON THE FOLLOWING ASSUMPTIONS:
 - 12.1. ALL EXISTING SURFACE WATER DRAINAGE REMOVED.
 - 12.2. EXISTING PUMPING STATION REQUIRED TO BE RETAINED AS IT PROVIDES DRAINAGE FOR SURROUNDING AREAS. REMOVAL TO BE CONSIDERED AT A LATER STAGE WHEN RESIDENTIAL PLOTS ARE DEVELOPED.
 - 12.3. ALL BOARDWALKS ARE DESIGNED BY SPECIALIST AND ARE TO WITHSTAND A DESIGN LIFE OF 50 YEARS.
 - 12.4. ALL BOARDWALKS ARE RAISED ABOVE THE SAFE FLOOD LEVEL OF 53.900m AOD, AND THERE IS A CLEAR, SAFE ESCAPE PATH IN CASE OF FLOODING EVENTS.
 - 12.5. THE PROPOSED BUILDING IN PLOT 1B IS ON STILTS, WITH A FLOOD COMPENSATION STORAGE ALLOWANCE BELOW THE GF SLAB.
 - 12.6. THE DESIGN OF ALL RETAINING STRUCTURES IS TO BE DONE BY SPECIALISTS.
 - 12.7. THE EXISTING BRIDGE IS TO BE RETAINED.
 13. IF THE EXISTING BRIDGE IS INTENDED TO BE USED DURING CONSTRUCTION, IT MUST BE CHECKED AND ASSESSED BY A COMPETENT STRUCTURAL ENGINEER FOR THE CONSTRUCTION TRAFFIC.
 14. THE SITE'S AREA IS PRONE TO FLOODING. A SUITABLE METHOD STATEMENT SHOULD BE PUT IN PLACE TO ENSURE THE RISK OF FLOODING IS CORRECTLY CONSIDERED DURING CONSTRUCTION.
 15. FOR EXTERNAL DETAILS REFER TO DRAWING 35849-HYD-XX-XX-DR-C-91010.

LEGEND :

- MAJOR CONTOURS (0.500m INTERVALS)
- MINOR CONTOURS (0.100m INTERVALS)
- AREAS OUTSIDE OF FAS WORKS
- BROOK RADIUS BEND DETAILS BY GRAVITAS - FLEX MSE DRAWING NUMBER F069
- PEDESTRIAN BRIDGE REQUIRED BY OTHERS
- ANCHORING TRENCH

THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

UPDATED PROPOSED LEVELS					
P02	J.HO	27.06.25	V.KARATANOV	27.06.25	V.KARATANOV
ISSUED FOR INFORMATION					
P01	O.FITZGERALD	24.04.25	V.KARATANOV	24.04.25	V.KARATANOV
REVISION NOTES/COMMENTS					
REV	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY

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e: london@hydrock.com

CLIENT

Buttress

Herefordshire Council

PROJECT
HEREFORD URBAN VILLAGE

TITLE
PROPOSED CONTOURS
PLOTS 1A & 1B

HYDROCK PROJECT NO. 35849	SCALE @ A1 1:250	STATUS S2
STATUS DESCRIPTION FOR INFORMATION		REVISION P02
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 35849-HYD-1-XX-M3-C-90120		

11 July 2025

Project/File: 35849 - Hereford Urban Village

Lucy Brackenbury
41 Bengal Street, Manchester M4 6AF

Dear Lucy Brackenbury,

**Reference: Civil and Flood Design Response to Environment Agency Comments for Application
Ref: 251273/CD3**

Thank you for sharing the detailed feedback from the Environment Agency regarding the Merton Meadows Flood Alleviation Scheme. We welcome the Agency's continued engagement and recognise the importance of aligning the civil and flood design with wider objectives, including alleviating the risk of flooding, improving flood risk management, enhancing biodiversity, restoring watercourses, enhancing public realm quality, and promoting long-term ecological resilience.

The feedback received and the requirements of EA to full review of the modelling methodology (attached in the appendix A) is seen as a valuable opportunity to strengthen the scheme and ensure that its delivery contributes not only to flood alleviation but also to the strategic vision for the Widemarsh Brook corridor and Hereford's wider urban planning.

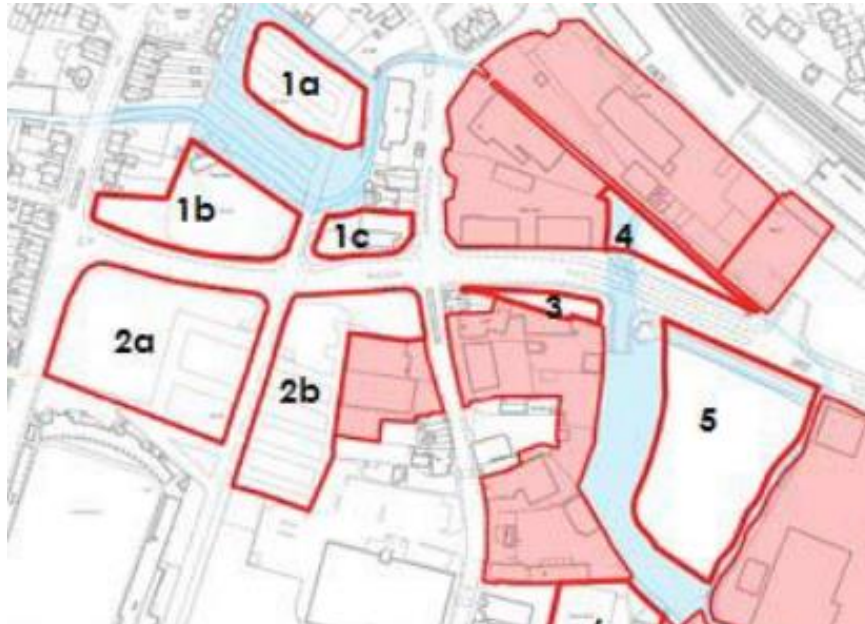


Figure 1- Key plan of Merton Meadow FAS works

1 Environment Agency (EA) Comments

Comment 1

- “Were the modelled scenarios defended, i.e with the upstream Yazor Brook FAS fully working or undefended?”

The Merton Meadows FAS design model has been built and developed with the assumption that the Yazor Brook Credenhill FAS is fully operational. The existing Yazor Brook model results were reviewed, and the 50% blockage scenario of the Credenhill FAS was shown to have very little additional flood risk to the site.

Comment 2

- “What additional flood storage capacity did the Merton Meadow FAS, in the 4 plots, actually provide?”

The proposed FAS scheme provides the following betterment:

Plot 1 - Drawing 35849-HYD-1-XX-M3-C-90110_P05 Flood Compensation Plan

The current flood storage required is 9,861 m³ over an area of 10,100 m². The average depth of water is 976mm.

The proposed storage volume is 11,316 m³, covering the same area, which corresponds to an average water depth of 1,120 mm.

From the above, we can see that the additional capacity within plot 1 is 1,455m³ (11,316-9,861m³) or, on average, there will be a reduction in average water depth of 144mm (1,120mm-976mm).

Plot 4 - Drawing 35849-HYD-4-XX-M3-C-90110_P02 Flood Compensation Plan

The current flood storage required is 1,240 m³ over an area of 2,600 m². The average depth of water is 477mm.

The proposed storage volume is 3,037 m³, covering the same area, which corresponds to an average water depth of 1,168 mm.

From the above, we can see that the additional capacity within plot 4 is 1,797m³ (3,037 – 1,240 m³) or, on average, there will be a reduction in average water depth of 691mm (1,168mm-477mm).

Plot 5 - Drawing 35849-HYD-5-XX-M3-C-90110_P02 Flood Compensation Plan

The current flood storage required is 12,701 m³ over an area of 14,450 m². The average depth of water is 879mm.

The proposed storage volume is 14,702 m³, covering the same area, which corresponds to an average water depth of 1,017 mm.

From the above, we can see that the additional capacity within plot 4 is 2,001m³ (14,702-12,701m³) or, on average, there will be a reduction in average water depth of 138mm (1,017mm-879mm).

Reference: Application Ref: 251273/CD3

Betterment over Plot 1,2,5

The total additional flood storage capacity over the scheme is 5,253m³ of water.

Comment 3

- “Whether post-development outlines with the new additional storage proposals in place had been produced in order to demonstrate the betterment being provided by the scheme.”

In line with the requirements of national and local planning policy, a detailed assessment of flood risk to the Merton Meadows site is being carried out. This includes a reappraisal of existing modelling studies that have been carried out historically, as well as further detailed modelling to consolidate and update the various studies, thereby presenting a comprehensive picture of flooding at the site from the key watercourses in the area. The proposed methodology involves reappraising the baseline conditions at the site, with the results then informing the design of flood alleviation options to mitigate risks at the site. The proposed flood alleviation scheme was then incorporated into a post-development model, which we compared with the baseline scenario to assess the potential impacts of the development.

The results of the baseline modelling indicate that sites 1a, 1b, 1c, 2b, 4 and 5 are likely to flood in the future fluvial 1 in 100-year event. Site 2a is shown to remain free from flooding. Using these results, options have been developed to mitigate flood risk to the site, including the re-profiling of sites 1a and 1b to enhance floodplain storage and creating a wetland habitat within site 1a to capture and store water away from the proposed development. Within site 5, the Brook will be realigned to a more natural path, with ground levels reprofiled to create a wetland and provide additional floodplain storage. Further storage capacity is also being provided within site 4.

In addition to the above and part of this wider outline masterplan application, it has been proposed that plots 1C, 2A and 2B are filled and the finished ground levels are set 150mm above 1:100years+CC event and the FFL are set further 150mm above the finished ground level or 300mm above the flood level.

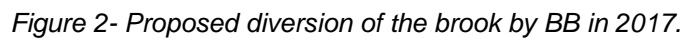
The comparison models attached in Appendix C demonstrate that the proposed mitigation measures reduce flood risk to the proposed development without increasing flood risk to adjacent or third-party lands.

2 EA Full review of the model

We welcome EA's full review of the model, and we will liaise with EA at the consultation stage for the outline wider masterplan.

3 Plot 5 design intent

Based on the discussion with LLFA and HCC the current alignment of the brook constructed when the City Link Road (CLR) was built is temporary, and based on the information provided to us, there is a previous record planning document that suggests the brook was always to be realigned to suit the proposed plot layout. Figure 2 below shows the 2017 proposal for the brook diversion.



From a civil and hydrological perspective, the new brook alignment represents the like-for-like size, profile, length, floor rate, and velocity of the existing brook. The realignment of the brook has been tested within the hydraulic model and shown to suitably address the flood risk issues without increasing flood risk elsewhere.



Figure 3- Proposed layout 35849-HYD-5-XX-M3-C-90120_P02

The current civil proposal is to retain most of the existing bankside trees. The eastern part of the brook is outside our site boundary; therefore, no work is proposed in this area of the brook. To maintain the flow into the existing brook channel running to the east, we propose a water connection from the wetlands into the existing canal, as advised by the Arboriculturalist. (Figure below). The details of the overflow water channel into the existing brook alignment will need to be developed at the next stage of the design, relying on a non-permanent feed that only occurs when the water level in the proposed new brook alignment reaches a specific level.

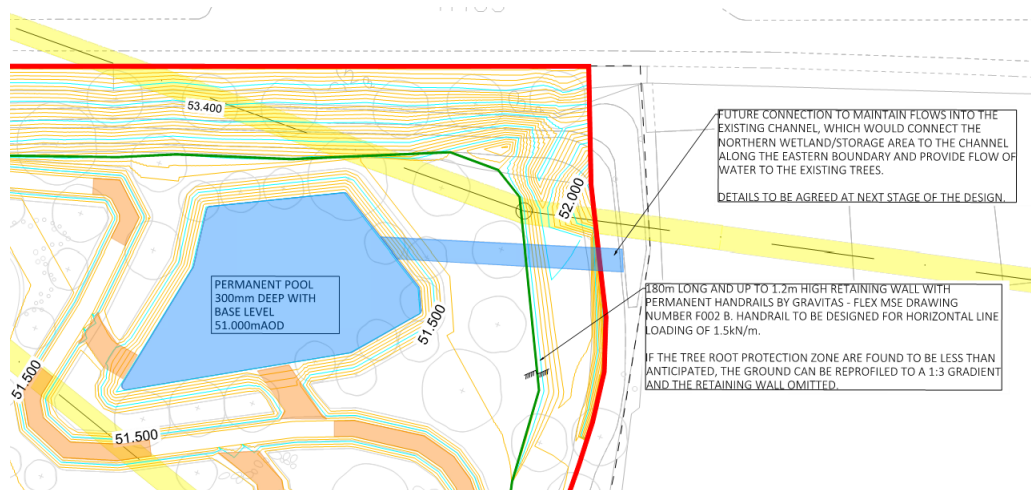
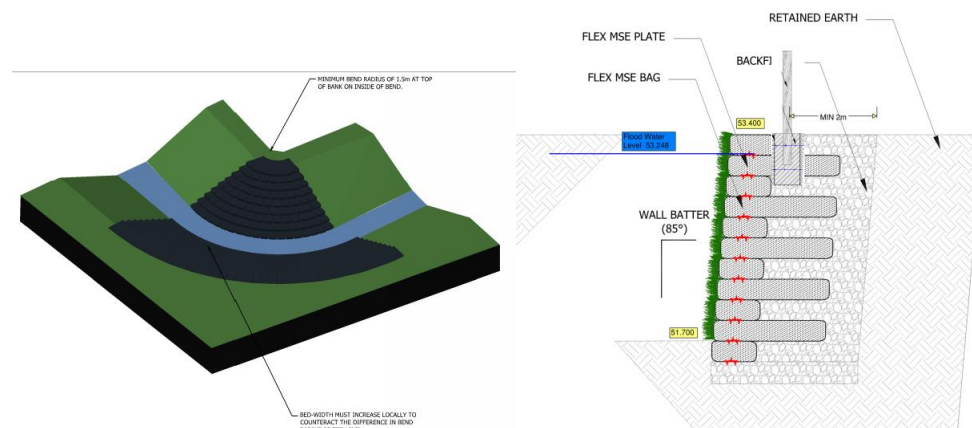


Figure 4- Proposed water connection to maintain flows into the existing canal

Reference: Application Ref: 251273/CD3

It is worth mentioning that an environmentally friendly green retaining wall structure and erosion protection around the bends have been proposed as alternatives to concrete structures.



Based on the Geotechnical Design Report 35849-HYD-XX-XX-RP-GE-4000 and Ground Investigation Report 35849-HYD-XX-XX-RP-GE-0002, no contamination has been reported on site.

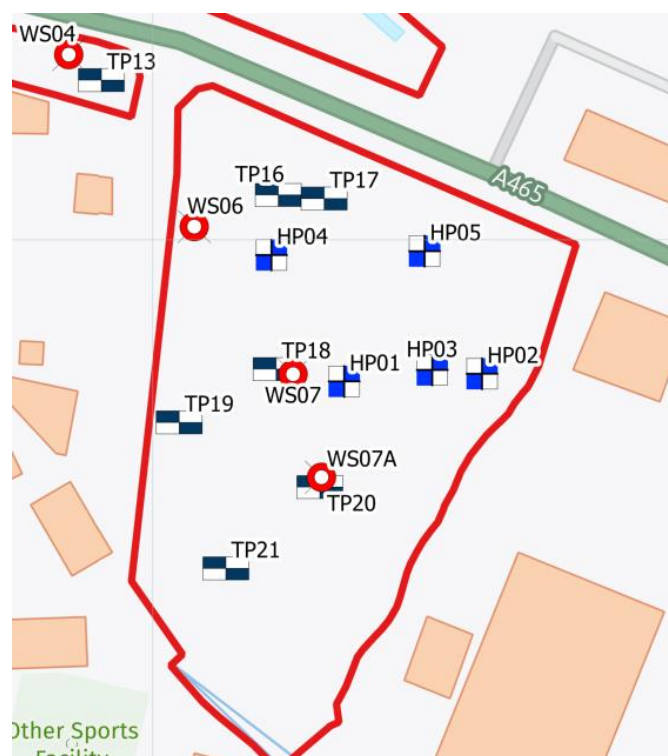


Figure 5- Ground investigation plan.

Reference: Application Ref: 251273/CD3

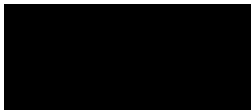
4 Conclusion

We are working closely with MOOWD and Greengage to ensure integration of hydraulic modelling, habitat data, and BNG principles into the detailed design and long-term management strategy.

We hope this response provides assurance that the flood and civil design has been developed to deliver both technical function and strategic value. We remain committed to working with the Agency to ensure the scheme continues to evolve in line with national guidance and local priorities.

Yours sincerely,

Stantec UK Limited



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Associate
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Attachment: [Attachment]

Appendix A

A.1 Environment Agency Comments

Herefordshire Council
Central Division
PO Box 230
Hereford
Herefordshire
HR1 2ZB

Our ref: SV/2025/113023/03-L01
Your ref: 251273/CD3
Date: 02 July 2025

FAO: Heather Carlisle

Dear Heather

PROPOSED FLOOD ALLEVIATION SCHEME TO ADDRESS HISTORIC FLOODING ACROSS THE MERTON MEADOWS AREA OF THE CITY. CAR PARK (PLOT 1A & 1B) TOGETHER WITH PLOTS 4 & 5 EAST OF WIDEMARSH STREET HEREFORD HEREFORDSHIRE HR4 9JU

Thank you for your re-consultation of the above planning application, received by us on 18 June 2025. We have the following additional comments for your consideration at this time.

Flood Risk

We responded to this application on 28 May 2025 with broadly supportive comments in flood risk terms given the proposals are for a flood alleviation scheme (FAS) and can only provide a level of flood risk betterment as well as the potential for biodiversity benefits. Whilst we offered a conditioned response overall, we did raise a number of queries, particularly:

- Were the modelled scenarios defended i.e. with the upstream Yazor Brook FAS fully working or undefended?
- What additional flood storage capacity did the Merton Meadows FAS, in the 4 plots, actually provide?
- Whether post development outlines with the new additional storage proposals in place had been produced in order to demonstrate the betterment being provided by the scheme.

We also confirmed that given the overall intentions to open up currently flood vulnerable areas for development (particularly those of a 'more vulnerable' nature), that we would expect to undertake a full review of the modelling methodology through our national Evidence and Risk (E&R) team. As we highlighted in our response, this was discussed at the February pre-application meeting. We seek to do that prior to any forthcoming residential planning applications rather than for this

Environment Agency
Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

flood alleviation scheme application itself and discussed this further in our previous response (SV/2025/113023/01-L01).

As discussed at the meeting and within our previous response, the model review would fall under our Cost Recovery service and would incur a charge. Due to the timescales involved we would look to carry out this review prior to any formal planning submission and would recommend further dialogue to ensure the modelling is agreed and signed off before any more subsequent development is progressed. This would give additional certainty to the council on the flood model and assist in your decision-making process.

The latest information on the planning portal includes an updated FRA (Ref: Flood Risk Assessment (FRA) produced by Stantec (Ref: 35849-HYD-XX-XX-RP-WENV-0002/PO2 dated 20 May 2025). The latest version of the document contains an updated Chapter 5 (Sources of Flood Risk), particularly Section 5.2.3 with additional figures and a new Appendix E containing the Merton Meadows FAS Hydraulic Report which will be a key document when our Evidence & Risk team review the modelling. Whilst we had no objections to the flood alleviation proposals as outlined in our letter of 28 May 2025, the FRA is now clearer than the previous version particularly the new Figures 8, 9 and 10 which show the changes in flood depths post Flood Alleviation Scheme and the area of floodplain being reduced. Table 5 of the FRA confirms that an additional 3545m³ of flood storage is being provided in Plot 5.

We note the comments made in Section 5.2.4 regarding an increase in flood risk downstream of Plot 5 (Figures 8 to 10) particularly to Rockford Rd allotment. There are also increases in the channel immediately downstream of Plot 5 though no out of channel impacts occur as the levels do not come out of bank. Again, these can be checked as part of the E&R review.

We would reiterate that we have no objection to this application for the Merton Meadows FAS on flood risk grounds, but we would wish to formally review the modelling prior to any future residential applications particularly in areas where the flood extents have been reduced to ensure the modelling is robust and fit for purpose. Previously ESG modelling with Herefordshire Council and WSP had included undefended scenarios with the Yazor Brook FAS partially and fully blocked in order to ensure no internal flooding of proposed residential properties in a worst-case scenario, and this should also form part of the future residential plot applications.

Ecology and Landscaping

Further to our previous comments, we have reviewed the letter dated 13th June by Greengage (their reference: 552924jc25June09DV01_EA_Consultation_Response).

Whilst we continue to recommend the condition that we offered in our previous response ref: SV/2025/113023/01-L01 for a Landscape and Ecological Management Plan that was offered in order to; ensure the protection of: wildlife, supporting habitat and to secure additional enhancements for the benefit of local ecology, we recognise that the ultimate wording of appropriate planning conditions to secure ecological protection, compensation and enhancement of the watercourse and associated land is a decision for the local planning authority. This enhancement opportunity would align with the ambitions of River Basin Management Plans and the Water Framework Directive as discussed below.

Our principal concern is that appropriate conditions are secured /included at the discretion of the local planning authority to ensure a more resilient and naturalistic solution which reflects best practice in design and sustainability. We would welcome clarification that further detailed design is ongoing and outstanding technical design and ecological challenges are being resolved.

We maintain the position/advice that the claimed positive long-term effects for wildlife (including fish and aquatic macroinvertebrates as well as other species) will only be achieved if:

- The design (geometry, sections and layout) of the realigned watercourse and wetlands is refined to be more varied and naturalistic.
- The implications or the proposed permanent year-round flow split and excavation of basins below the brook bed level on the hydrology and ecological value of the existing Widemarsh brook are addressed.

Aquatic Macroinvertebrates: We sought to draw attention to the availability of EA data for aquatic invertebrates rather than relying exclusively on citizen science data. We agree with the conclusion that ‘the abundance of individuals recorded indicates Widemarsh brook could provide an important resource for foraging bat and birds’ irrespective of the presence of protected or notable invertebrates. Invertebrates are also a key ecological resource for fish.

Further Impact Assessment for Fish: We welcome the acknowledgement that a fish rescue will be implemented where the brook is to be realigned. Best practice is also to translocate channel substrate vegetation and attendant invertebrates into a diverted channel.

It is also best practice is to retain as much as possible of the previous channel as a backwater habitat. In Plot 5 all the current alignment is shown as being infilled. Implications for the existing bankside trees are also not clear.

The reports submitted to date don’t provide extensive information, on the baseline or future hydromorphological condition of the existing watercourse (existing habitat for fish) at a site level or more strategic level. To ensure all relevant potential adverse impacts are evaluated, avoided or mitigated and that enhancements are optimised more technical information should be considered.

Although some aspects of the brook are described there is no explicit reference to substrate, hydrology or groundwater. For example, in section 5. the existing stream is straight and has a uniform and overwide wetted channel and bank full channel however it has a natural gravelly substrate and existing ecological and visual value.

The channel in section 1 is also uniform, overwide and siltier. It would benefit from some in-channel improvements to create more flow diversity and encourage a more resilient sinuous low flow channel. Subject to tree rootzone protection areas the brook would also benefit from some sympathetic bank reprofiling. It might also be possible to soften the visual and ecological impact of the concrete wall along the right bank in section 1a. The best practice construction methodology makes no reference to the management of risks associated with potentially contaminated land.

Design Principals and Detail: Further to our previous response, we offer the following clarification of our advice on design principles and detail. To achieve the stated aims of ecological enhancement, visual interest and user experience the natural character and soft flowing forms of the layout and hard landscaping, referred

in the landscape statement, would usefully extend to all dimensions of the brook and the wetland features.

Layout: It is not clear that sufficient space has been left along the diverted watercourse to allow natural processes to occur. In other words, there does not appear to be much design tolerance for the watercourse to adjust to the new alignment and develop features of ecological and visual value.

For example, if the detailed design, or subsequent interventions, require or rely on bank protection to prevent the channel migrating, then that would be counter to the stated aims of naturalising the watercourse.

We also note that approximately 50m of the diverted channel is in a straight line directly along the toe of the road embankment. This will constrain its functionality. Realigning the watercourse away from the road would allow for a more genuinely attractive design. Similarly moving the path further from the watercourse would be advisable. Along much of the proposed new alignment it appears to be as close as 2-3m away. Similarly, the distance between the basins and the watercourse is only 2-3m in many locations.

If the area to the west is planned for development, then the edge of development is very close to the proposed realigned watercourse. Expanding the wetland watercourse complex to the west would help resolve these challenges. The proposed ecological enhancement for the retained channels appears to be limited to 'introducing native plant communities and enhancing riparian habitats' in the landscape assessment. The brook is over wide, particularly in the upstream half of site one with a uniform cross section and silty bed.

It would be helpful to assess the contribution of these proposals in the context of the broader strategic initiative by the council to manage flood risk while enhancing ecological networks and public realm quality improvement along the Widemarsh brook corridor which is cited in the Landscape assessment.

Water Framework Directive (WFD): The Hereford Urban Village Phase 1 Desk Study and Groundsure report make reference to the Widemarsh Brook being within the Yazor Bk – source to confluence river Wye water body GB109055037040 and highlights the reason for the water body currently having a moderate status is due to ammonia temperature pH and specific pollutant levels. There is however no reference to WFD or River Basin Management Plans as a driver to inform the extent and nature of river restoration in any other supporting information.

Yours faithfully

Mr. Matt Bennion
Planning Specialist

Direct e-mail matthew.bennion@environment-agency.gov.uk

Appendix B

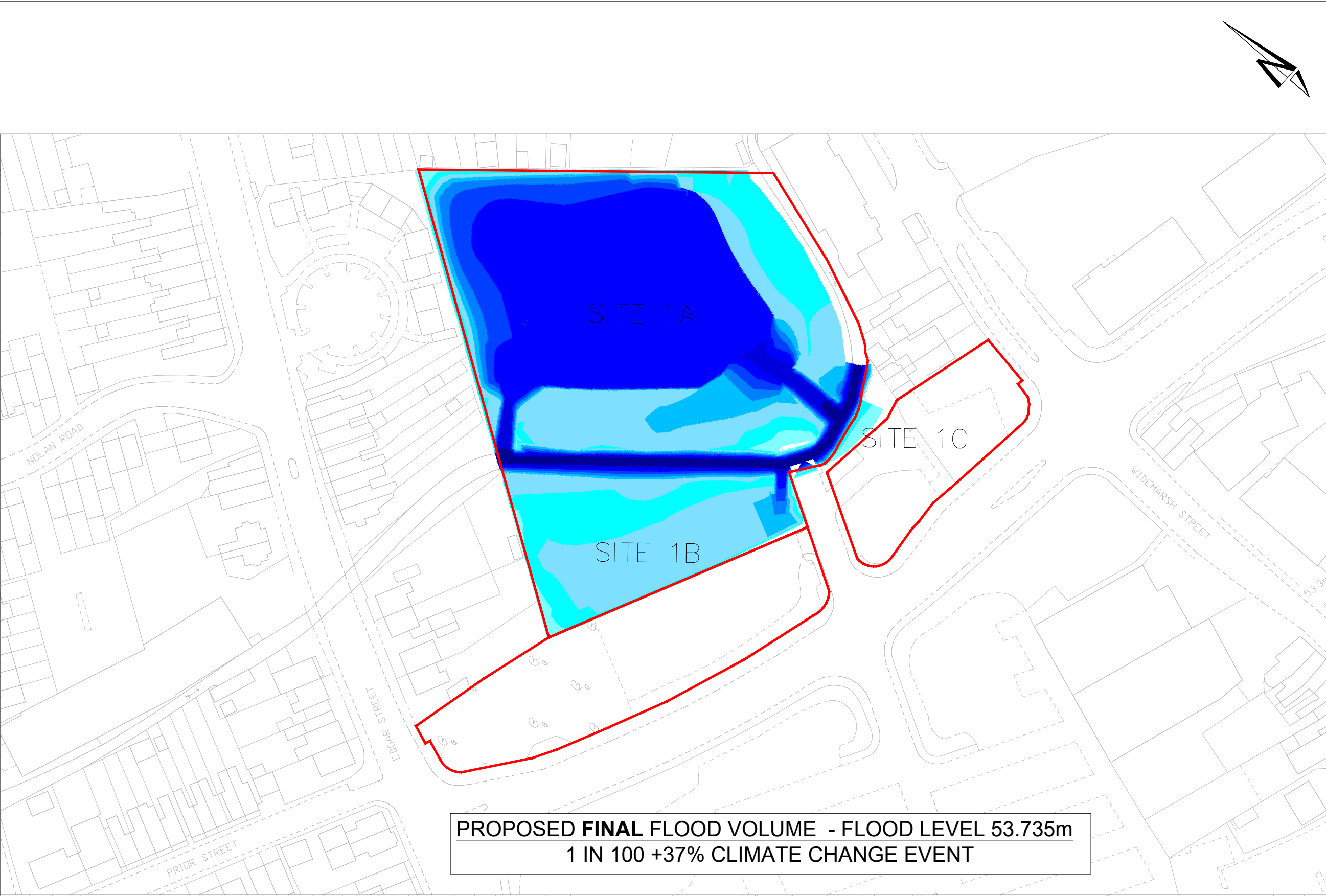
B.1 35849-HYD-1-XX-M3-C-90110 Flood Compensation Plan

B.2 35849-HYD-4-XX-M3-C-90110 Flood Compensation Plan

B.3 35849-HYD-5-XX-M3-C-90110 Flood Compensation Plan



EXISTING FLOODPLAIN STORAGE EXTENTS - FLOOD LEVEL 53.735m
1 IN 100 + 37% CLIMATE CHANGE EVENT



PROPOSED FINAL FLOOD VOLUME - FLOOD LEVEL 53.735m
1 IN 100 +37% CLIMATE CHANGE EVENT

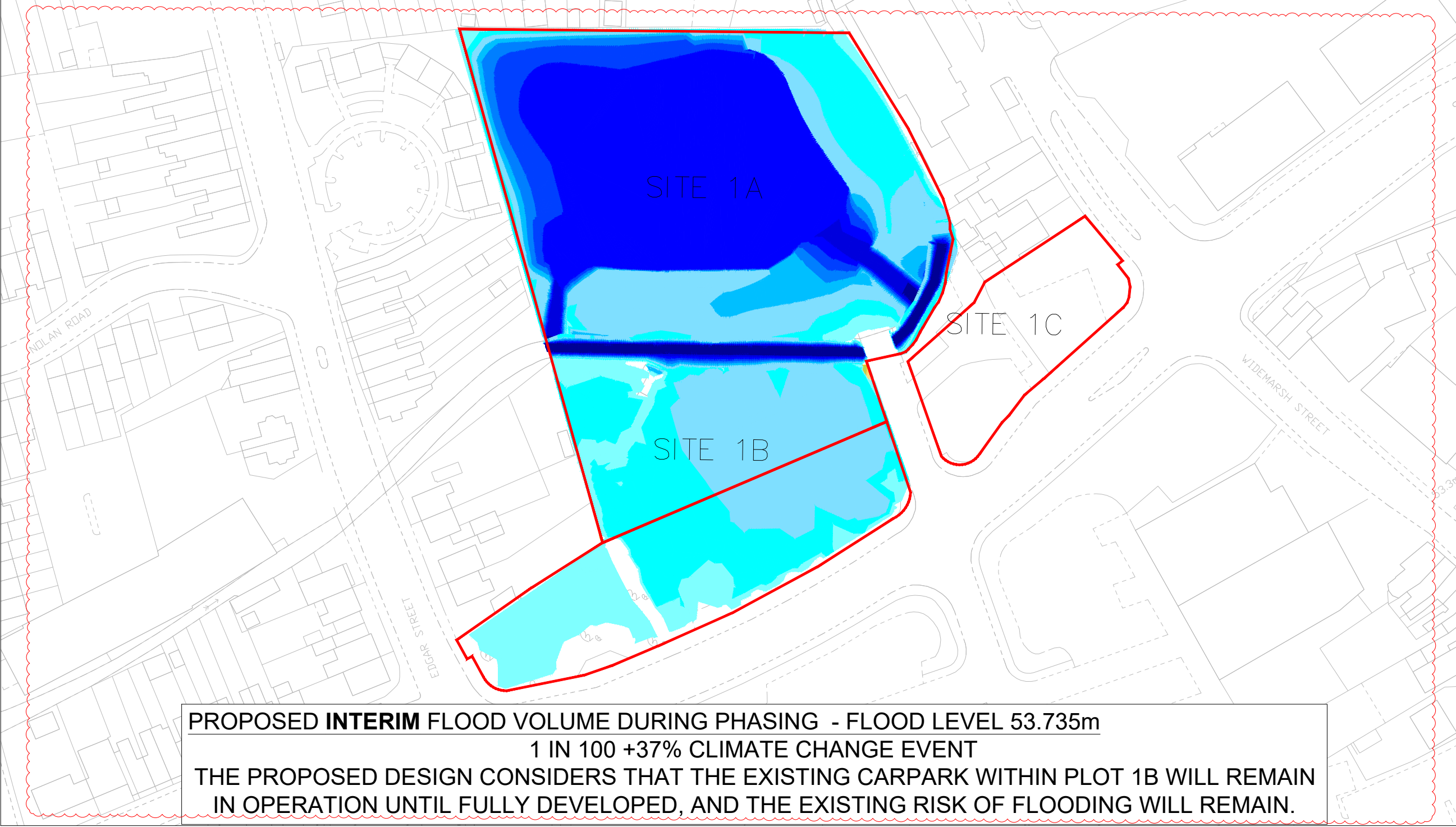
EXISTING VOLUME SUMMARY PLOT 1 AND 2B					
FLOOD WATER LEVEL VOLUME	PLOT 1A- FLOOD STORAGE VOLUME (m³)	PLOT 1B- FLOOD STORAGE VOLUME (m³)	PLOT 1C- FLOOD STORAGE VOLUME (m³)	PLOT 2B - FLOOD STORAGE VOLUME (m³) SEE DRAWING 35849-HYD-2-XX-M3-C-90110	PLOT 1 AND 2B TOTAL - FLOOD STORAGE VOLUME (m³)
EXISTING GROUND vs 1:100Y + 37%CC	4288	2751	255	2567	9861

PROPOSED VOLUME SUMMARY PLOT 1					
NAME	PLOT 1A AND 1B - FLOOD STORAGE VOLUME (m³)	PLOT 1C- FLOOD STORAGE VOLUME (m³)	PLOT 2B - FLOOD STORAGE VOLUME (m³)	TOTAL FLOOD STORAGE VOLUME (m³)	PROP VOL > EXTG VOL?
PROPOSED FINISHED GROUND LEVEL vs 1:100Y +37% FLOOD WATER LEVEL VOLUME	11316	0	0	11316	YES

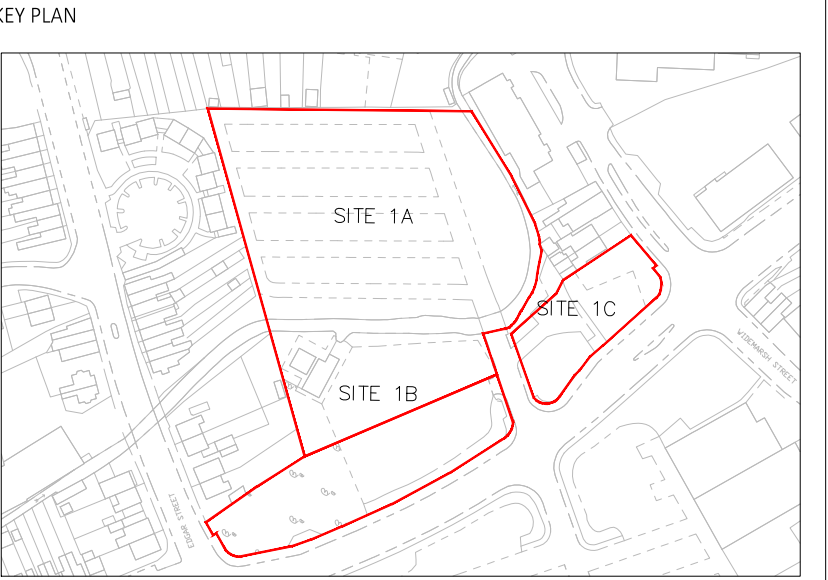
PROPOSED INTERIM PHASING VOLUME SUMMARY PLOT 1						
NAME	PLOT 1A - FLOOD STORAGE VOLUME (m³)	PLOT 1B - FLOOD STORAGE VOLUME (m³)	PLOT 1C - FLOOD STORAGE VOLUME (m³)	PLOT 2B - FLOOD STORAGE VOLUME (m³)	TOTAL FLOOD STORAGE VOLUME (m³)	PROP VOL > EXTG VOL?
PROPOSED FINISHED GROUND LEVEL vs 1:100Y +37% FLOOD WATER LEVEL VOLUME	8844	2751	0	0	11595	YES

PROPOSED FINISH GROUND LEVELS FOR PLOT 1			
NAME	PLOT 1A - mAOD	PLOT 1B - mAOD	PLOT 1C - mAOD
PROPOSED FINISH GROUND LEVEL	53.900	53.900	53.900

THE PROPOSED WATER TABLE OF THE BROOK IS ASSUMED TO BE 52.000. LEVEL TO BE SURVEYED.
THE PROPOSED FINISH GROUND LEVELS MIGHT CHANGE PENDING OF THE WATER LEVEL IN THE BROOK AND AGREEMENT WITH ENVIRONMENT AGENCY.



PROPOSED INTERIM FLOOD VOLUME DURING PHASING - FLOOD LEVEL 53.735m
1 IN 100 +37% CLIMATE CHANGE EVENT
THE PROPOSED DESIGN CONSIDERS THAT THE EXISTING CARPARK WITHIN PLOT 1B WILL REMAIN IN OPERATION UNTIL FULLY DEVELOPED, AND THE EXISTING RISK OF FLOODING WILL REMAIN.



- NOTES
- THE VOLUMES PROVIDED ARE AN APPROXIMATION ONLY AND ARE BASED ON CURRENT DESIGN LEVELS.
 - THE VOLUMES PROVIDED ARE BASED ON THE CLIENT SUPPLIED TOPOGRAPHICAL SURVEY.
 - A DESIGN FLOOD LEVEL OF 53.150M AOD FOR 1 IN 100 YEAR EVENT HAS BEEN USED FOR ALL PLOTS. A FLOOD LEVEL OF 53.734M AOD FOR 1 IN 100 YEAR + 37% CC EVENT HAS BEEN USED FOR PLOT 1A AND 1C, AND FLOOD LEVEL OF 53.735M AOD FOR 1 IN 100 YEAR + 37% CC HAS BEEN USED FOR PLOT 1B.
 - THE FLOOD STORAGE AREA INCLUDED IN THESE CALCULATIONS RELATES TO THAT AREA BOUNDARY BY THE RED LINE AND DOES NOT REPRESENT THE ENTIRETY OF THE SITE.
 - THE PROPOSED SITE LAYOUT IS BASED ON THE FOLLOWING ASSUMPTIONS:
 - ALL EXISTING SURFACE WATER DRAINAGE REMOVED.
 - EXISTING PUMPING STATION REQUIRED TO BE RETAINED AS IT PROVIDES DRAINAGE FOR SURROUNDING AREAS. REMOVAL TO BE CONSIDERED AT A LATER STAGE WHEN RESIDENTIAL PLOTS ARE DEVELOPED.
 - ALL BOARDWALKS ARE DESIGNED BY SPECIALIST AND ARE TO WITHSTAND A DESIGN LIFE OF 50 YEARS.
 - ALL BOARDWALKS ARE RAISED ABOVE THE SAFE FLOOD LEVEL OF 53.900M AOD, AND THERE IS A CLEAR, SAFE ESCAPE PATH IN CASE OF FLOODING EVENTS.
 - THE PROPOSED BUILDING IN PLOT 1B IS ON STILTS, WITH A FLOOD COMPENSATION STORAGE ALLOWANCE BELOW THE GF SLAB.
 - THE DESIGN OF ALL RETAINING STRUCTURES IS TO BE DONE BY SPECIALISTS. THE EXISTING BRIDGE IS TO BE RETAINED.
 - IF THE EXISTING BRIDGE IS INTENDED TO BE USED DURING CONSTRUCTION, IT MUST BE CHECKED AND ASSESSED BY A COMPETENT STRUCTURAL ENGINEER FOR THE CONSTRUCTION TRAFFIC.
 14. THE SITE'S AREA IS PRONE TO FLOODING. A SUITABLE METHOD STATEMENT SHOULD BE PUT IN PLACE TO ENSURE THE RISK OF FLOODING IS CORRECTLY CONSIDERED DURING CONSTRUCTION.

THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

SURFACE LEVEL DATA			
NUMBER	MINIMUM LEVEL	MAXIMUM LEVEL	COLOUR
1	0.00	0.25	
2	0.25	0.50	
3	0.50	0.75	
4	0.75	1.00	
5	1.00	1.25	
6	1.25	1.50	
7	1.50	1.75	
8	1.75	2.00	
9	2.00	2.25	

EXISTING BROOK LEVELS & PROPOSED LEVELS UPDATED					
P05	J.HO	27.06.25	V.KARATANOV	27.06.25	V. KARATANOV 27.06.25
PROPOSED LEVELS UPDATED					
P04	Ö.FITZGERALD	24.04.25	V.KARATANOV	24.04.25	V. KARATANOV 24.04.25
FLOOD VOLUMES UPDATED					
P03	Ö.FITZGERALD	14.03.25	V.KARATANOV	14.03.25	V. KARATANOV 14.03.25
ISSUED FOR INFORMATION					
P02	S.GADHIKAR	10.02.25	V.KARATANOV	10.02.25	V. KARATANOV 10.02.25
ISSUED FOR INFORMATION					
P01	S.GADHIKAR	17.12.24	V.KARATANOV	17.12.24	V. KARATANOV 17.12.24
REVISION NOTES/COMMENTS					
REV	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY DATE

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CLIENT

Buttress

Herefordshire Council

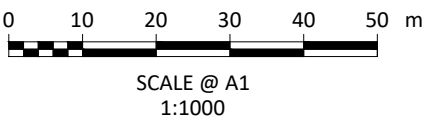
PROJECT

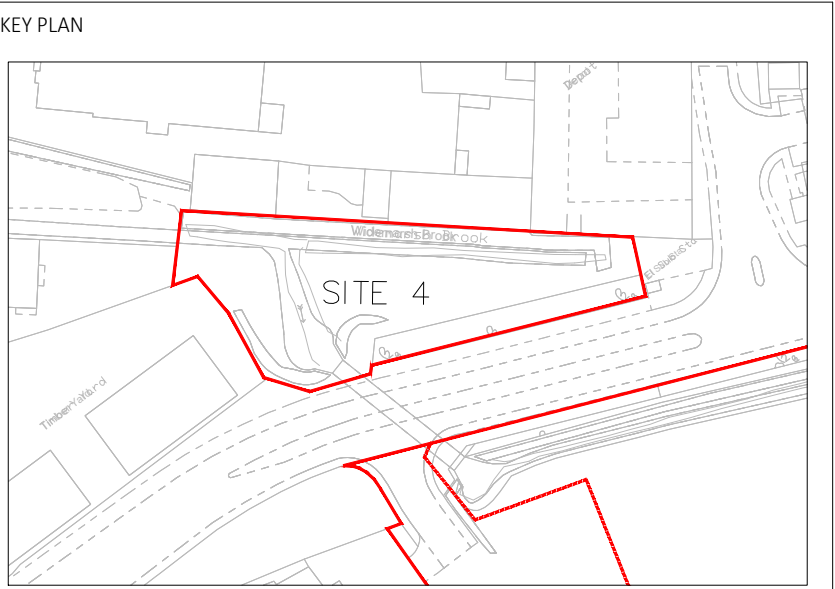
HEREFORD URBAN VILLAGE

TITLE

FLOOD COMPENSATION VOLUMES PLAN
SITE 1A, 1B AND 1C

HYDROCK PROJECT NO. 35849	SCALE @ A1 1:1000	STATUS S2
STATUS DESCRIPTION SUITABLE FOR INFORMATION		REVISION P05
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 35849-HYD-1-XX-M3-C-90110		





- NOTES
1. THE VOLUMES PROVIDED ARE AN APPROXIMATION ONLY AND ARE BASED ON CURRENT DESIGN LEVELS.
 2. THE VOLUMES PROVIDED ARE BASED ON THE CLIENT SUPPLIED TOPOGRAPHICAL SURVEY.
 3. A DESIGN FLOOD LEVEL OF 52.57mAOD FOR 1 IN 100 YEAR EVENT AND 53.345mAOD FOR 1 IN 100 YEAR + 37% CC EVENT HAS BEEN USED IN THE CALCULATION OF FLOOD STORAGE VOLUMES.
 4. THE FLOOD STORAGE AREA INCLUDED IN THESE CALCULATIONS RELATES TO THAT AREA BOUNDARY BY THE ORANGE LINE AND DOES NOT REPRESENT THE ENTIRETY OF THE SITE.
 5. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT HYDROCK AND THIRD PARTY DRAWINGS AND SPECIFICATIONS.
 6. THE CONTRACTOR SHALL CONDUCT THE WORKS WITH DUE REGARD FOR THE ECOLOGICAL AND ENVIRONMENTAL REQUIREMENTS OF THE SCHEME.
 7. THE DRAWING SHALL BE USED FOR THE INTENDED PURPOSE ONLY.
 8. THIS DRAWING HAS BEEN BASED ON INFORMATION PROVIDED BY OTHER PARTIES AND HYDROCK DO NOT WARRANT THE ACCURACY OF THIS INFORMATION.
 9. DIMENSIONS SHALL NOT BE SCALED FROM THE DRAWING AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL DIMENSIONS AND LEVELS ON SITE FOR THE ACTUAL SETTING OUT OF THE WORKS.
 10. HYDROCK IS NOT RESPONSIBLE FOR CHECKING DIMENSIONS ON SITE.
 11. HYDROCK IS NOT RESPONSIBLE FOR SETTING OUT GRID LINES, BUILDING LINE, ETC
 12. TEMPORARY WORKS DESIGN ASSOCIATED WITH THE CONSTRUCTION OF THE WORKS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
 13. THE CONTRACTOR SHALL MAINTAIN FREE AND OPEN ACCESS TO PUBLIC HIGHWAY AND ADJACENT LANDS AT ALL TIMES DURING THE COURSE OF THE WORKS UNLESS OTHERWISE AGREED IN WRITING WITH THE INTERESTED PARTIES.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL TRAFFIC MANAGEMENT PROPOSALS & PHASING. SUCH DETAILS SHALL BE SUBMITTED TO THE LOCAL HIGHWAYS AUTHORITY FOR APPROVAL PRIOR TO THE START OF THE WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASSOCIATED COSTS AND ORDERS.

THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

SURFACE LEVEL DATA			
NUMBER	MINIMUM LEVEL	MAXIMUM LEVEL	COLOUR
1	0.00	0.08	
2	0.08	0.15	
3	0.15	0.23	
4	0.23	0.30	
5	0.30	0.38	
6	0.38	0.46	
7	0.46	0.53	
8	0.53	0.61	

EXISTING VOLUME SUMMARY	
NAME	FLOOD STORAGE VOLUME (m³)
1:100Y – EXISTING GROUND vs 52.57mAOD	282.6
1:100Y + 37%CC – EXISTING GROUND vs 52.345mAOD	1240.4

PROPOSED VOLUME SUMMARY PLOT 4	
NAME	FLOOD STORAGE VOLUME (m³)
PROPOSED FINISH GROUND LEVEL vs 1:100Y +37% FLOOD WATER LEVEL (FGL vs 53.345mAOD)	3037.1


P02	FLOOD VOLUMES UPDATED					
	Ó.FITZGERALD	17.04.25	V.KARATANOV	17.04.25	V. KARATANOV	17.04.25
P01	ISSUED FOR INFORMATION					
	S.GADHIKAR	20.12.24	V.KARATANOV	20.12.24	V. KARATANOV	20.12.24
REV	REVISION NOTES/COMMENTS					
	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE




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e: london@hydrock.com



CLIENT





PROJECT
HEREFORD URBAN VILLAGE

TITLE
FLOOD COMPENSATION VOLUMES PLAN
SITE 4

HYDROCK PROJECT NO. 35849		SCALE @ A1 1:500
STATUS DESCRIPTION SUITABLE FOR INFORMATION		STATUS S2
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER) 35849-HYD-4-XX-M3-C-90110		REVISION P02



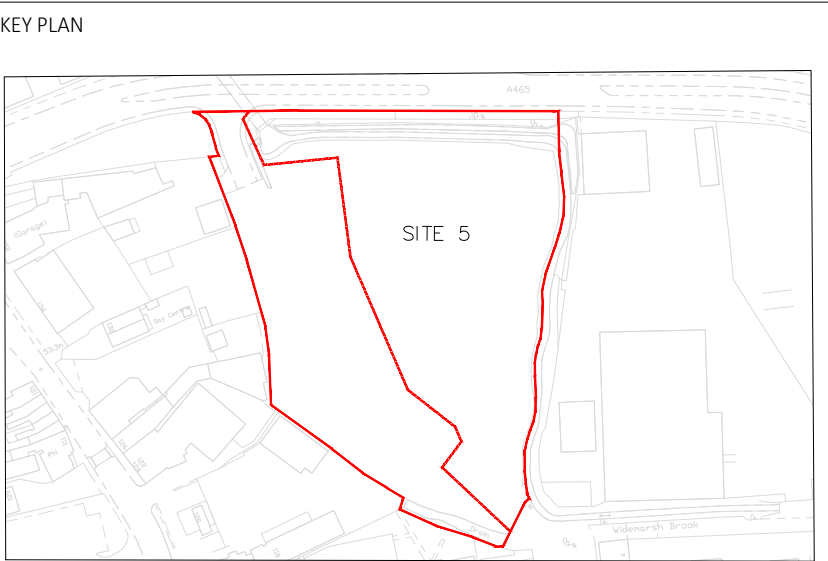
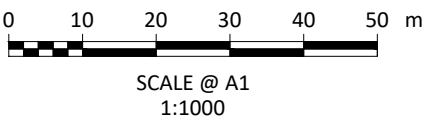
EXISTING FLOODPLAIN STORAGE EXTENTS - FLOOD LEVEL 53.248m
1 IN 100 + 37% CLIMATE CHANGE EVENT

PROPOSED NEW FLOOD VOLUME - FLOOD LEVEL 53.248m

EXISTING VOLUME SUMMARY			
NAME	FLOOD STORAGE VOLUME (m³)	VOLUME FROM CITY LINK ROAD (m³)	TOTAL VOLUME REQUIRED (m³)
1:100Y + 37%CC – EXISTING GROUND vs 53.248mAOD	11911	790	12701

REQUIRED PROPOSED VOLUME SUMMARY PLOT 5	
NAME	FLOOD STORAGE VOLUME (m³)
PROPOSED FINISHED GROUND LEVEL vs 1:100Y+37% FLOOD WATER LEVEL VOLUME (FGL vs 53.248mAOD)	14702

SURFACE LEVEL DATA			
NUMBER	MINIMUM LEVEL	MAXIMUM LEVEL	COLOUR
1	0.00	0.08	
2	0.08	0.15	
3	0.15	0.23	
4	0.23	0.30	
5	0.30	0.38	
6	0.38	0.46	
7	0.46	0.53	
8	0.53	0.61	
9	0.61	0.69	
10	0.69	0.76	



- NOTES
- THE VOLUMES PROVIDED ARE AN APPROXIMATION ONLY AND ARE BASED ON CURRENT DESIGN LEVELS.
 - THE VOLUMES PROVIDED ARE BASED ON THE CLIENT SUPPLIED TOPOGRAPHICAL SURVEY.
 - A DESIGN FLOOD LEVEL OF 53.248mAOD IN THE 1 IN 100 YEAR + 37% CC EVENT HAS BEEN USED IN THE CALCULATION OF FLOOD STORAGE VOLUMES.
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 - HYDROCK IS NOT RESPONSIBLE FOR SETTING OUT GRID LINES, BUILDING LINE, ETC.
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 - CONFLICTING INFORMATION SHOWN ON THE ENGINEER'S DRAWINGS OR DISCREPANCIES BETWEEN THE INFORMATION GIVEN BY THE INFORMATION AND THAT PROVIDED BY OTHERS MUST BE REFERRED TO THE ENGINEER BEFORE THE WORKS COMMENCE.
 - EXISTING TOPOGRAPHICAL SURVEY FROM AZIMUTH LAND SURVEYS LIMITED, DWG REFERENCE BB3585 01-02 RECEIVED ON 28/11/2024.

THE EXTENT OF THE SITE BOUNDARY IS TO BE CONFIRMED.

FROM THE EXISTING TOPOGRAPHICAL SURVEY INFORMATION PROVIDED, IT APPEARS THAT EARTH BUNDS AND PONDING AREAS HAVE FORMED ON PLOT 5, WHICH WE COULD NOT SEE DURING OUR SITE WALKOVER ON 11.09.24. THE CLIENT SHOULD CONFIRM THAT THE EXISTING TOPOGRAPHICAL SURVEY REFLECTS THE EXACT TOPOGRAPHY OF THE SITE.

P04	UPDATED RED LINE BOUNDARIES					
	Ó.FITZGERALD	12.05.25	V.KARATANOV	12.05.25	V.KARATANOV	12.05.25
P03	FLOOD VOLUMES UPDATED					
	Ó.FITZGERALD	29.04.25	V.KARATANOV	29.04.25	V.KARATANOV	29.04.25
P02	SITE BOUNDARY AND FLOOD VOLUMES UPDATED					
	S.GADHIKAR	21.02.25	V.KARATANOV	21.02.25	V.KARATANOV	21.02.25
P01	ISSUED FOR INFORMATION					
	S.GADHIKAR	20.12.24	V.KARATANOV	20.12.24	V.KARATANOV	20.12.24
REV	REVISION NOTES/COMMENTS					
	DRAWN BY	DATE	CHECKED BY	DATE	APPROVED BY	DATE
<div><div><div>Hydrock</div><div>now</div><div>Stantec</div></div><div>Great Suffolk Yard 127-131 Great Suffolk Street London SE1 1PP t: +44 (0) 2038 468456 e: london@hydrock.com</div></div>						

CLIENT

Buttress

Herefordshire Council

PROJECT

HEREFORD URBAN VILLAGE

TITLE

FLOOD COMPENSATION VOLUMES PLAN
SITE 5

HYDROCK PROJECT NO.	SCALE @ A1
35849	1:1000
STATUS DESCRIPTION	STATUS
SUITABLE FOR INFORMATION	S2
DRAWING NO. (PROJECT CODE-ORIGINATOR-ZONE-LEVEL-TYPE-ROLE-NUMBER)	REVISION
35849-HYD-5-XX-M3-C-90110	P04

Appendix C

C.1 Figure showing the difference in the extent of the flood between the existing baseline model and the post-development model

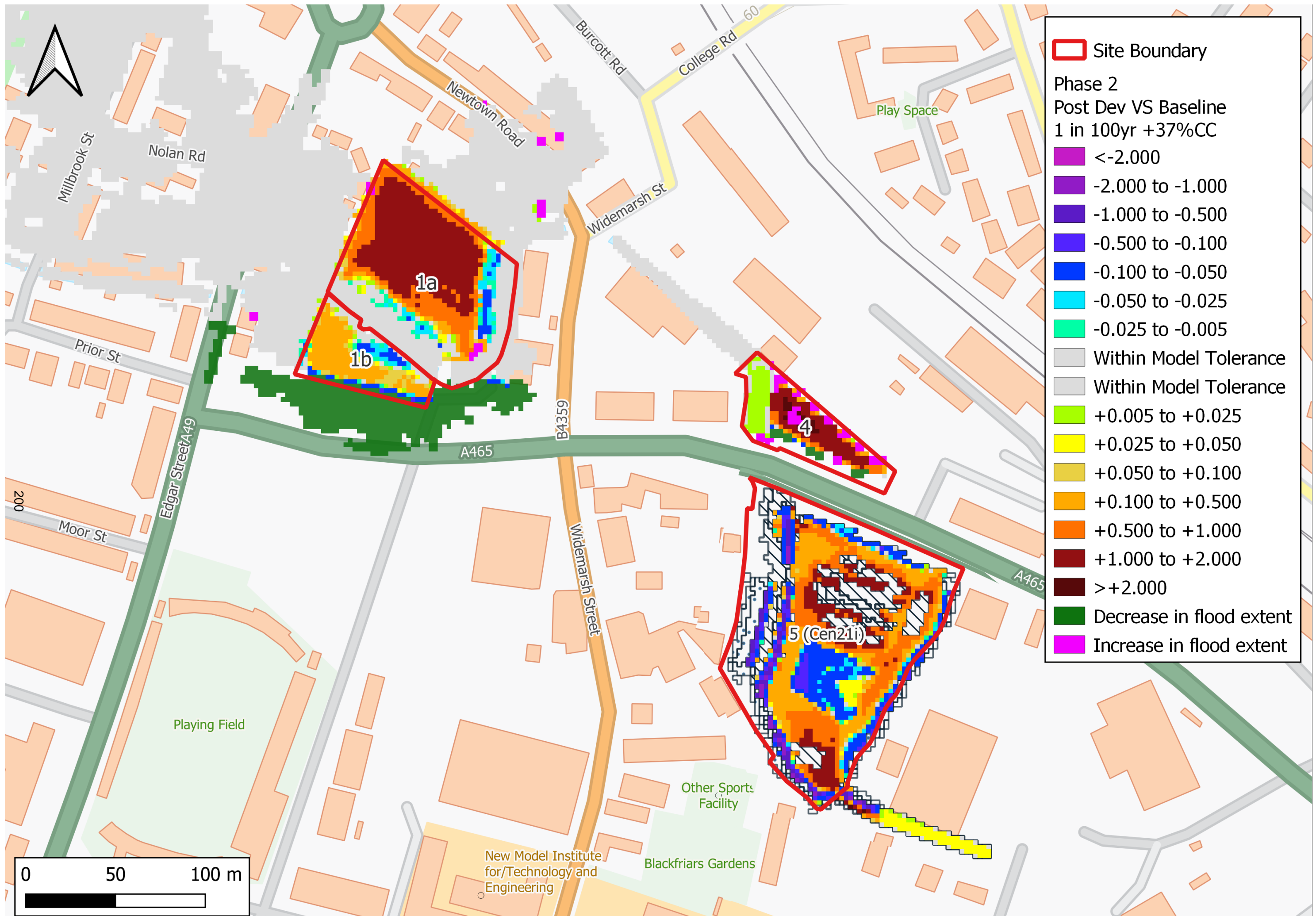


Figure showing the difference in the extent of the flood between the existing baseline model and the post-development model

Additional Comments from Greengage to support Stantec's Response Above;

The existing brook will be left to run dry. We acknowledge the EA preference a substrate translocation, the can be achieved within the realigned brook, not withstanding the redline boundary.

Landscape Design Response to Environment Agency Comments

Application Ref: 251273/CD3

Site: Car park (Plot 1A & 1B) together with Plots 4 & 5, East of Widemarsh Street, Hereford, Herefordshire, HR4 9JU

Date: 9 July 2025

Attention: Lucy Brackenbury

Thank you for sharing the detailed feedback from the Environment Agency regarding the Merton Meadows Flood Alleviation Scheme. We welcome the Agency's continued engagement and recognise the importance of aligning the landscape design with wider objectives around watercourse restoration, public realm quality, and long-term ecological resilience.

The feedback received is seen as a valuable opportunity to strengthen the scheme and ensure that its delivery contributes not only to flood alleviation, but also to the strategic vision for the Widemarsh Brook corridor and Hereford's wider urban landscape.

Design Principles and Layout

The alignment of the brook and configuration of the wetland basins have been shaped to deliver a multifunctional and adaptive landscape. The design reconciles several core priorities: flood risk management, ecological enhancement, public space delivery, and unlocking of residential development plots. As outlined in Section 4.2 of the Landscape Design Statement (Rev C), the brook realignment introduces varied edge conditions, topographic modulation, and planting typologies that support biodiversity and visual legibility.

This green-blue corridor is intended as a dynamic, place-responsive landscape. Subtle meanders, adaptive geometry, and changes in bank profile are employed to enhance user experience and ecological richness. We acknowledge spatial constraints in several areas and commit to reviewing channel geometry, buffer widths, and footpath alignments during Stage 4 design, to improve resilience and support natural processes wherever feasible.

Spatial Buffers and Constrained Edges

In areas where proximity between watercourse, paths, or infrastructure is limited, the design adopts landscape-led techniques to mitigate impact. These include soft edge treatments, planted shelves, and vegetated transitions to maintain ecological function and soften the visual interface. Figure 12 and the design sections within the Landscape Statement illustrate how these elements respond to constrained contexts while promoting hydromorphological benefit.

Importantly, engineered bank protection is avoided except at structurally necessary access or path crossing points. This supports the Agency's objective to allow space for natural adjustment and vegetation succession over time.

Wetland Basin Integration

The attenuation basins are not standalone infrastructure but form part of a continuous flood-adaptive and ecologically enriched landscape. As outlined in Section 5.3 of the Landscape Design Statement, they incorporate marginal planting, varied depths, and ecological edge treatments that contribute to both habitat value and public realm character.

Urban Context and Deliverability

The positioning of the brook and open space also reflects the need to release and structure land for residential development. As described in Section 3.1 of the Landscape Design Statement, the brook realignment enables delivery of flood-resilient housing alongside a multifunctional parkland. This reinforces the scheme's role in balancing growth, resilience, and quality of life in line with Herefordshire's spatial strategy.

Public Realm and Long-Term Vision

The scheme contributes to the strategic vision for the Widemarsh Brook corridor as a continuous green-blue network. Section 6.1 of the Landscape Design Statement highlights the role of this linear space as a civic and ecological connector through the new urban village.

The design responds to Water Framework Directive ambitions and supports the River Basin Management Plan by restoring channel structure, expanding wetland coverage, and improving access to nature in urban areas.

Collaboration and Forward Steps

To ensure continued alignment, we would welcome the opportunity to engage in a design review session with the Environment Agency during Stage 4 technical development. This would provide a forum to further test ideas, refine channel and path geometry, and explore long-term landscape and ecological performance.

We are working closely with Stantec and Greengage to ensure integration of hydraulic modelling, habitat data, and BNG principles into the detailed design and long-term management strategy. The LEMP will include a 10-year monitoring framework aligned with RBMP objectives, with a focus on vegetation succession, hydromorphology, and access to nature.

We hope this response provides assurance that the landscape design has been developed to deliver both technical function and strategic value. We remain committed to working with the Agency to ensure the scheme continues to evolve in line with national guidance and local priorities.

Best regards,



Michael Cowdy
Director, MOOWD
michael.cowdy@moowd.studio
+44 7496 282281

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	30 JULY 2025
TITLE OF REPORT:	250688 - PROPOSED DEMOLITION OF THE EXISTING NORTHWEST ANNEX AND CONSTRUCTION OF A SINGLE-STOREY EXTENSION WITH TERRACE AT BISHOPSTONE HOUSE, BISHOPSTONE, HEREFORD, HR4 7JG For: Mrs & Mrs Mason per N Middleton Jones, Studio 2, Thorn Office Centre, Rotherwas, Hereford, HR2 6JT
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=250688&search-term=250688
Reason Application submitted to Committee – Councillor Application	

Date Received: 26 February 2025

Ward: Stoney Street

Grid Ref: 341737,243369

Expiry Date: 23 April 2025

Local Members: Cllr David Hitchiner

1. Site Description and Proposal

- 1.1 The application relates to a large detached stone built dwelling set within a rural landscape located to the west of Bishopstone and to the immediate south of an historic Roman Villa. As such, Bishopstone House, the subject of this application, although not a designated heritage asset, is of some historical and archaeological importance. The site is accessed by a private driveway off the C1097.
- 1.2 The proposal seeks permission for the demolition of an existing L-shaped single storey extension to the north elevation of the existing dwelling and to erect a replacement single storey extension with a first floor terrace. The proposed development would infill a space to the north and west elevation of the dwelling. In addition, there are some minor changes to existing fenestration proposed.
- 1.3 It is noted that the application is largely a variation of an application approved in November 2022 (P221443/FH) to allow an extension and external alterations to the north west of the existing dwelling. It is understood however that this permission has not been implemented.

2. Policies

2.1 The Herefordshire Local Plan – Core Strategy (CS)

- | | | |
|------------|---|--|
| Policy SS1 | – | Presumption in favour of sustainable development |
| Policy MT1 | – | Traffic management, highway safety and promoting active travel |
| Policy LD1 | – | Landscape and townscape |
| Policy LD2 | – | Biodiversity and geodiversity |
| Policy SD1 | – | Sustainable design and energy efficiency |

Further information on the subject of this report is available from Ms Heloise Hardwick on

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

https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy

2.2 Bishopstone Group Neighbourhood Development Plan

The Bishopstone Group Neighbourhood Development Plan was made on 28 June 2019

Policy G1 – Housing development sites and design

The Bishopstone Group Neighbourhood Development Plan can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/directory-record/3030/bishopstone-group-neighbourhood-development-plan>

2.3 The National Planning Policy Framework (NPPF)

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

2.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020 and the review process is currently underway. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application. In this case, the most relevant policies of the CS – which are considered to be those relating to meeting housing needs, guiding rural housing provision, highways safety and safeguarding features of environmental value (amongst others) – have been reviewed and are considered to be consistent with the NPPF. As such, it is considered that they can still be attributed significant weight.

3. Planning History

- 3.1 P221443/FH – Replacement of existing rear service entrance with formal rear entrance hall, formation of glazed cupola with lead roof on existing rear truncated tower, formation of new bay window, re use of existing bay window flat roof to accessible balcony – Approved with conditions.

4. Consultation Summary

- 4.1 Statutory Consultations
None

- 4.2 Internal Council Consultations

Archaeological Advisor – No Objections: Condition Recommended

This proposal is similar to the previously approved 221443 but involves some amended additional areas of work.

As the applicants acknowledge, given the sensitivity of the site as regards Roman archaeology [known Villa site], that means some additional archaeological recording.

Further information on the subject of this report is available from Ms Heloise Hardwick on 01432 261947

However in this instance, I would agree that this can be done as a condition of consent, in accordance with NPPF Para 218.

Standard archaeological ‘survey and record’ Condition C48 or similar

Ecologist – Original Comment

After reviewing Tom Fairfield's Bat Assessment and Survey Report (2022), it is evident that the site has significant bat interest, with multiple species recorded roosting. However, the report and proposed mitigation measures pertain to the broader site rather than this specific application. Additionally, as the report and surveys are nearing three years old, and given the site's significant bat interest, the ecologist should reassess and determine the validity of the existing bat survey report. Given the mobility of bats, the bat surveys should also be updated.

Ecologist – Updated Comment

Further information with regards to bats has been provided following the previous consultation, and the Bat Assessment and Emergence Survey 2025 document by Tom Fairfield has been reviewed.

The building subject to this planning application was found to have negligible potential for roosting bats, however the adjacent building (Building 4) is a known bat roost and impacts to this roost from destruction and construction of the proposed development have the potential to elicit adverse impacts. Mitigation proposed will require an EPS licence.

Recommended Conditions

Lighting (Bats)

Having regard to known bat roosts in the locale, details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied. The lighting plan should be undertaken alongside an ecologist to ensure no adverse impacts to nearby bat roosts occur. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

EPS Licence

No development shall commence until a European Protected Species (EPS) licence for bats has been obtained from Natural England, and a copy of the licence has been submitted to the Local Planning Authority. The licence must include detailed mitigation and compensation measures to safeguard the known bat roosts that would be adversely affected by the proposed works. These measures shall include, but not be limited to, the timing of works, provision of alternative roosting features, and post-construction monitoring (if required). All works shall thereafter be carried out in strict accordance with the approved licence and mitigation strategy.

Reason: The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework,

Further information on the subject of this report is available from Ms Heloise Hardwick on 01432 261947

NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

5. Representations

5.1 Bishopstone Group Parish Council – No Objections

Bishopstone Group Parish Council discussed this application at their meeting held on Wednesday 26th March 2025 – there were no objections raised.

5.2 Third Party Representations

There have been no representations made by third parties in respect of the application.

5.3 The consultation responses can be viewed on the Council's website by using the following link:- https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=250688&search-term=250688

6. Officer's Appraisal

Policy context and Principle of Development

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

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

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the 'made' Bishopstone Group Neighbourhood Development Plan. The National Planning Policy Framework is a significant material consideration.

6.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any applications.

6.4 The Development Plan also incorporates the Bishopstone Neighbourhood Development Plan.

6.5 Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

6.6 Policy LD1 of the Herefordshire Core Strategy notes that development proposals should demonstrate that the character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas.

6.7 Policy G1 of the Bishopstone Group Neighbourhood Development Plan further emphasises that all new development must be designed to a high quality and this can be assessed by the orientation, siting, scale, proportions, massing, rooflines, materials and detailing of the design;

Further information on the subject of this report is available from Ms Heloise Hardwick on 01432 261947

planning and architectural integrity of the design and the way it fits in with the surrounding buildings and landscape; and ensuring the construction design and materials reflect the dwellings in the immediate area.

- 6.8 In assessing the principle of the development, adopted policies establish that this is supported with the assessment focused upon the details of the proposal.

Scale, Design and Appearance

- 6.9 With the above in mind, the proposed extension would replace an existing single storey extension to the rear of the dwelling and would largely infill a space between the north and west elevations. In considering the amount of built development as a result of the proposal, the proposed development is of an acceptable size and scale which would not constitute overdevelopment of the existing dwelling and would be appropriate in terms of massing and size in a way that reflects the character of Bishopstone House and the wider surrounding area.
- 6.10 In addition, it is considered that the proposed extension is appropriately designed to be viewed as subservient to the dwelling and would not detract from its existing character.
- 6.11 With regard to proposed materials, the use of matching stone is considered to be in-keeping and would harmonise well with existing materials to the dwelling.
- 6.12 Moreover, the proposed fenestrations of the extension and minor alterations to existing fenestration proposed to the west elevation of the dwelling are reflective of the character of existing fenestration and this design is not considered to result in any adverse impact to the visual appearance of the dwelling.
- 6.13 The development is therefore of a scale, design and appearance that would not harm the character or appearance of the host property or the area in which it is situated.

Residential Amenity

- 6.14 Policy SD1 of the Herefordshire Core Strategy states that development proposals should safeguard residential amenity for existing and proposed residents. The proposed development in this case relates to a single storey extension with a first floor terrace. Although it is acknowledged that the introduction of a first floor terrace could result in overlooking and loss of privacy of neighbouring amenities, it is clear that there are no neighbouring properties within close proximity to the proposed development and the first floor terrace would solely overlook agricultural fields within the applicant's ownership.
- 6.15 The proposal is considered to maintain the amenity of neighbours and would not result in overlooking/loss of privacy/loss of light/visual dominance to a degree that would be contrary to the above policies.

Access and Parking Arrangements

- 6.16 Policy MT1 of the Herefordshire Core Strategy states that development proposals should ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services.
- 6.17 The proposed development would retain the existing access to the site and would result in no adverse impact upon existing parking arrangements on the site. The proposal is therefore not considered to present any adverse impact to the local highway network.

Archaeological Considerations

Further information on the subject of this report is available from Ms Heloise Hardwick on 01432 261947

- 6.18 Paragraph 207 of the NPPF states that where a site on which development is proposed includes or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 6.19 The Council's Archaeological Advisor was consulted in respect of the application and advises that owing to the site's archaeological sensitivity given the adjacent Roman Villa site, a standard archaeological survey and recording condition is recommended.

Ecology and Biodiversity

- 6.20 Policy LD2 of the Herefordshire Core Strategy states that development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire.
- 6.21 Following receipt of an updated Bat Assessment and Emergence Survey, it is considered that mitigation is deemed necessary to ensure the proposal will not cause direct harm to protected species, in addition to control over external illumination given the rural nature of the landscape. This is secured by condition.
- 6.22 For the avoidance of doubt, an informative note is added to alert the applicant to their obligations under the Wildlife and Countryside Act. In this regard, I do not consider there to be any conflict with Policy LD2.

Conclusion

- 6.23 Therefore, it is considered that the proposed development complies with the policies of the Development Plan and is recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. Time limit for commencement

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. Development in accordance with approved plans and materials

The development hereby approved shall be carried out strictly in accordance with the approved plans (drawing nos. 8533-01C; 8533-02; 8533-03; 8533-04; 8533-05; 8533-06; 8533-07) and the schedule of materials indicated thereon.

Reason: To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy, Bishopstone Group Neighbourhood Development Plan and the National Planning Policy Framework.

3. Archaeological survey and recording

No development shall take place until the developer has secured the implementation of a programme of archaeological survey and recording [to include recording of the

standing historic fabric and any below ground deposits affected by the works]. This programme shall be in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority and shall be in accordance with a brief prepared by the County Archaeology Service.

Reason: To allow for recording of the building/site during or prior to development and to comply with the requirements of Policy LD4 of the Herefordshire Local Plan – Core Strategy. The brief will inform the scope of the recording action and the National Planning Policy Framework. The commencement of development in advance of such approval could result in irreparable harm to any identified heritage asset.

4. External Illumination

Having regard to known bat roosts in the locale, details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied. The lighting plan should be undertaken alongside an ecologist to ensure no adverse impacts to nearby bat roosts occur. Development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.

Reason: To ensure that all species and local intrinsically dark landscape are protected having regard to The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

5. European Protected Species (EPS) Licence

No development shall commence until a European Protected Species (EPS) licence for bats has been obtained from Natural England, and a copy of the licence has been submitted to the Local Planning Authority. The licence must include detailed mitigation and compensation measures to safeguard the known bat roosts that would be adversely affected by the proposed works. These measures shall include, but not be limited to, the timing of works, provision of alternative roosting features, and post-construction monitoring (if required). All works shall thereafter be carried out in strict accordance with the approved licence and mitigation strategy.

Reason: The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife & Countryside Act (1981 amended); National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3; and the council's declared Climate Change and Ecological Emergency.

INFORMATIVES:

1. Application Approved Without Amendment

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.

2. 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 “Higher Status Protected Species” such as all Bat species, Great Crested Newts, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it advised that advice from a local professional ecology consultant is obtained. If any protected species or other wildlife is found or disturbed during works then all works should stop and the site made safe until professional ecology advice and any required ‘licences’ have been obtained. Any additional lighting should fully respect locally dark landscapes and associated public amenity and nature conservation interests.

3. Biodiversity Net Gain (Exemption Informative)

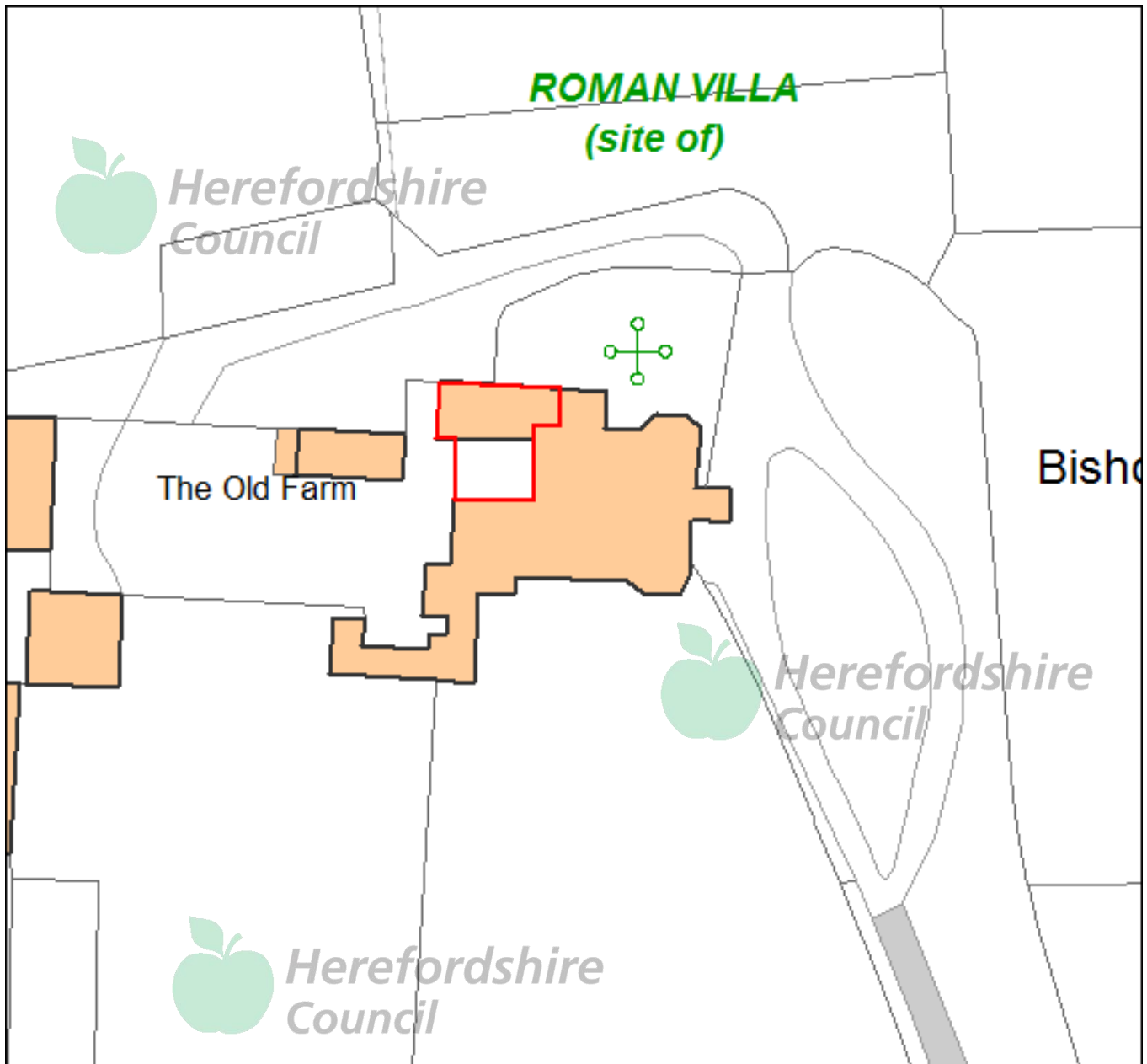
Decision:

Notes:

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Background Papers

None identified.



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APPLICATION NO: 250688

SITE ADDRESS : BISHOPSTONE HOUSE, BISHOPSTONE, HEREFORD, HEREFORDSHIRE, HR4 7JG

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