

From: East 1 <east1@planninginspectorate.gov.uk>

Sent: 11 May 2022 10:09

To: john.jowitt@piplanning.com

Cc: Bailey, Josh <Joshua.Bailey@herefordshire.gov.uk>; Planning Enquiries <planning_enquiries@herefordshire.gov.uk>

Subject: Appeal 3269986 (Crown and Sceptre Public House, 7 Sherford Street, Bromyard)

Importance: High

Mr Jowitt,

The Inspector has now completed his site visit and would normally proceed to determining the appeal. However, before doing so, he would wish to provide the appellant with the opportunity to consider the attached documents received from the Council in respect of Natural England's approach to achieving nutrient neutrality. The Inspector has sought his own advice from specialists within the Planning Inspectorate.

The Inspector acknowledges your stated position on the matter of European protected sites and reliance on the appellant's counsel advice which has been presented to him. However, as the competent authority, it may be necessary for the Inspector to undertake an Appropriate Assessment under the Habitat Regulations. In this regard, there appears to be insufficient information available to him to undertake an Appropriate Assessment in the evidence presented to date and having regard to Natural England's latest advice.

The Inspector wishes to provide you with the opportunity to make further representations in respect of Natural England's advice. Given the complexities and information that you might consider would be necessary to respond to Natural England's approach, he would be willing to hold the appeal in abeyance for a period of one month.

In addition, the Inspector has noted that the Council has sought to include a second ground for refusal of permission. This relates to the Council's suggestion that revised marketing of the property as a public house be undertaken. It would be helpful to the Inspector to receive your comments on this suggestion.

I look forward to receiving your further comments within one calendar month from today's date.

Kind Regards

Alison Kendall
Case Officer

E-mail east1@planninginspectorate.gov.uk

Tel 0303 44 45397

From: Bailey, Josh <Joshua.Bailey@herefordshire.gov.uk>
Sent: 01 April 2022 14:11
To: East 1 <east1@planninginspectorate.gov.uk>
Subject: APP/W1850/A/W/21/3269986 (Crown and Sceptre Public House, 7 Sherford Street, Bromyard)
Importance: High

FAO Ms Alison Kendall

Dear Ms Kendall,

Appeal: APP/W1850/A/W/21/3269986 (Crown and Sceptre Public House, 7 Sherford Street, Bromyard)

As no decision has yet been taken on the appeal above, the LPA needs to draw your attention to further advice from Natural England which has been received explaining how plans or projects with the potential to have nutrient impacts on Habitats sites should now be considered when making decisions in relation to planning or permitting.

As PINS is the competent authority now, they are being made aware of this by the LPA and should take this into consideration as part of any appeal decision and that you may want to re-consult Natural England for further input.

Kind Regards,

Josh

Josh Bailey

Senior Planning Officer – North Team (Economy & Place Directorate)

Joshua.Bailey@herefordshire.gov.uk

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General Planning Enquiries: planning_enquiries@herefordshire.gov.uk

Herefordshire.gov.uk

From: SM-NE-noreplynutrientneutrality (NE)
<noreplynutrientneutrality@naturalengland.org.uk>
Sent: 16 March 2022 09:13
To: Planning Application <planning_application@herefordshire.gov.uk>;
development.control@malvern hills.gov.uk; devcontrolteam@worcestershires.gov.uk
Cc: Johnson, Emma <Emma.Johnson@naturalengland.org.uk>

Subject: Natural England HRA Advice for Water Quality and Nutrient Neutrality: River Lugg
Special Area of Conservation
Importance: High

F.A.O: Local Planning Authority Chief Executives & Heads of Planning

County Council Chief Executives & Heads of Planning

Environment Agency Area Team Directors

Dear Sir/ Madam

Please find attached a letter which sets out Natural England's advice explaining how plans or projects with the potential to have nutrient impacts on Habitats sites should now be considered when making decisions in relation to planning or permitting.

The contents and attachments of this email relate to River Lugg Special Area of Conservation. Your organisation may receive a number of emails if more than one site affected by this advice is within your area.

The letter outlines which organisations are receiving this advice and the list of Habitat Sites affected (27 sites in total). It explains why Natural England is providing this advice in relation to nutrient impacts and how nutrient neutrality can be used as a potential mitigation solution to enable plans or projects to proceed without causing harm to the Habitat Sites affected.

We have also attached the following tools, guidance and supporting information to enable you to implement nutrient neutrality as a potential mitigation solution:

- National Generic Nutrient Neutrality Methodology
- A Catchment specific nutrient calculator and associated guidance document
- A Catchment map identifying the Habitat Site and size of the catchment affected
- Nutrient Neutrality – A summary Guide, providing a non-technical summary
- A site specific evidence document
- A Nutrient Neutrality Principles Document

The letter outlines key contacts should you have any queries in relation to Natural England's advice.

Kind Regards

Natural England

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