

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 221222

Whitchurch House Care Home, Whitchurch, Ross-On-Wye, HR9 6BZ

---

**CASE OFFICER: Mrs G Webster**

**DATE OF SITE VISIT: 3 May 2022**

**Relevant Development**      **Herefordshire Local Plan – Core Strategy**  
**Plan Policies:**                **Policies: LD1, LD4, SD1, SD3**

**Whitchurch and Ganarew Neighbourhood Development Plan**  
**- Made 13 March 2019**

**WG7** Housing Design and Appearance

**WG8** Sustainable Design

**WG14** Conserving the landscape and scenic beauty, both within and outside of the Wye Valley AONB

**WG16** Protecting heritage assets

**WG17** Protection from flood-risk

**NPPF**

**Relevant Site History:**      **S110342/F – proposed conservatory to the front and internal alterations – approved**  
**S110343/L - proposed conservatory to the front and internal alterations – approved**

**A number of historic applications dating in 1990's**

### CONSULTATIONS

|                            | Consulted | No Response | No objection | Qualified Comment | Object |
|----------------------------|-----------|-------------|--------------|-------------------|--------|
| Parish Council             | X         |             | X            |                   |        |
| Transportation             | X         |             | X            |                   |        |
| Historic Buildings Officer | X         |             | X            |                   |        |
| Ecologist                  | X         |             | X            |                   |        |
| Tree Officer               | X         |             | X            |                   |        |
| Land Drainage              | X         |             | X            |                   |        |
| Historic England           | X         |             | X            |                   |        |
| PROW                       | X         |             | X            |                   |        |
| Natural England            | X         |             | X            |                   |        |

|                    |    |    |   |  |  |
|--------------------|----|----|---|--|--|
| Press/ Site Notice | XX | XX |   |  |  |
| Local Member       | X  |    | X |  |  |

## PLANNING OFFICER'S APPRAISAL:

### Site description and proposal:

Whitchurch House is a large Grade II listed property sitting within large grounds accessed via Old Wharf Lane. The property is now a care home. The River Wye is less than 100m to the east of the site.

The site is located within the Wye Valley AONB.

There is an existing flood wall on site, a small stone wall bounding the front garden to the Lane with a concrete flood wall sited behind, however the site suffered flooding through storm flooding and following advice from Insurers and a flood risk assessment, recommendations were to increase the height of the walls by 0.73m and to remove some walls within the plot.

This proposal is to increase the flood wall to 1.93m using stone to match existing, on the front elevation, to increase the height of the concrete flood walls to 1.93 with native planting in front of the wall, to increase the concrete wall in proximity to the listed building to 1.93m with trellis planting and a new concrete wall of 1.93m with trellis planting.

### Representations:

**Whitchurch and Ganarew PC** – No objections

**Transport** – No objections

**HBO** - I can confirm that the building is a listed building UID 1266430 and is in close proximity to a cluster of listed buildings associated with the church of St Dubricius namely;

UID 1224924 grade II\* Church of St Dubricius

UID 1225239 grade II\* Churchyard cross at Church– also a Scheduled monument UID 1016116

UID 11266587 Drew memorial 8m west of Church of St Dubricius

UID 1224925 Chest Tom 15m from Church of St Dubricius

UID 1225289 Thomas Watkins memorial 5m NW of Church of St Dubricius

UID 1225261 James and Elizabeth Davies memorial 6m NW Church of St Dubricius

UID 1225288 Gwillim Memorial 15m NW Church of St Dubricius

I am aware that the steps to undertake when assessing setting of heritage assets is laid out in Historic England Good Practise Advise in Planning Note 3 – Setting of Heritage Assets.

The document advises 5 steps to be considered when assessing setting.

1. Identify which heritage assets and their setting are affected.
2. Assess whether, how and to what degree these settings make a contribution to the significance of the heritage assets.
3. Assess the effects of the proposed development whether beneficial or harmful on that significance,

4. Explore the way to maximise enhancement or minimise harm
5. Make and document the decision and monitor outcomes.

Old Wharf Lane is an old road to the Church of St Dubricius which has a C13 foundation, rebuilt in the C14 with the north aisle and south porch added in 1861. Beyond the Church is the River Wye.

Whitchurch House is a large property and attributed to the early to mid C19th and is prominently sited on old Wharf Lane, with a front garden between the Lane and the listed building.

The property currently has a small stone wall bounding the front garden to the Lane which appears to be of some age, with more recent concrete flood wall sited behind and on the flanking walls into the garden of concrete which is unashamedly functional.

The proposal is to increase the flood wall to 1.93m using stone to match existing, on the front elevation, to increase the height of the concrete flood walls to 1.93 with native planting in front of the wall, to increase the concrete wall in proximity to the listed building to 1.93m with trellis planting and a new concrete wall of 1.93m with trellis planting.

The existing flood walls are significantly lower than the proposed and are a brutal addition to the setting of this listed building. I am mindful of the duties under section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of setting of Heritage assets which should be afforded considerable weight as detailed in section 200 of NPPF.

Paragraph 200 of NPPF which advises that 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.

The “setting of a heritage asset” is defined in the Glossary of the National Planning Policy Framework as “The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

Significance is defined in the Glossary of the National Planning Policy Framework as. “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”.

Given the distance from the Church of St Dubricius and the cluster of buildings at that point, I would not consider that the proposal would harm the setting of this collection of listed buildings at the Church.

In respect of Whitchurch House , the proposal is for a high concrete wall around the property with the front section of the wall being stone to match. The impact on the setting has to be given special regard and when assessing what constitutes ‘harm’ to a heritage asset the NPPF (paragraphs 193 – 202) categorises harm into three areas: substantial harm; less than substantial harm; and no harm.

The introduction of a wall of such height and material so sited could not be considered to have no harm to the setting of the listed building, and as such it is the degree of harm that is to be considered.

It could be argued that a house designed with its front elevation facing the road to the church set back from the road but with a low boundary wall was designed to be seen from that road and to enclose the building would harm the setting of the listed building to a less than substantial harm.

Local policies reflect national guidance.

Policy SD1 of the Herefordshire Local Plan – Core Strategy requires that:

Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:

- ensure that proposals make efficient use of land - taking into account the local context and site characteristics;
- new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;

Policy LD1 of the Herefordshire Local Plan – Core Strategy 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;

Policy LD4 of the Herefordshire Local Plan – Core Strategy requires that:

Development proposals affecting heritage assets and the wider historic environment should:

1. 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;
2. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;

Whilst acknowledging that the proposal would have less than substantial harm on the setting of the listed building, it is acknowledged that drawing number 76155/GD/003 tries to mitigate against the harm by having a new stone wall on the front elevation and screening the other walls with planting. However the plan does not fully indicate how this mitigation will be achieved.

The existing flood wall will be increased to 1.93 using stone to match. However the plans do not indicate if the existing flood wall of green concrete will be clad in stone or stone just on the new upper part.

I also note that the eastern concrete wall bounding the drive would be increased in height and planting in front. However this wall is visible from both elevations and the existing wall is visible from Old Wharf Lane, however does not appear to be capable of screening from the drive elevation due to the width and proximity of the drive. As such the existing visible wall would be higher.

It is considered that the proposal would harm the setting of the listed building. However mindful of the reason for the construction of the wall it would be reasonable to explore the way to maximise enhancement or minimise harm.

The existing stone wall to the front (magenta on drawing no 76155/GD/003) is to be increased in height in stone, this will have an impact on the visible views of the listed building. However on the assumption that when Old Wharf Lane is flooded there would be little viewers to experience the views, and when there is no flood or threat of flood the demountable barrier along the gateway will be open to enable vehicular access, there will at least be some views of the house visible for the majority of the year. However notwithstanding the details on drawing number 76155/GD/100 it is recommended that a condition be imposed requiring details of the stone coursing and a stone sample be submitted. Should it be difficult to get a good match or if the existing foundations of the wall would not take the extra weight, consideration should be given to retaining the wall at its current height and the construction of a new wall of stone inside the existing stone wall.

In respect of the concrete walls proposed coloured green on drawing no 76155/GD/003. I would consider that planting in front of the western wall would mitigate the impact of the existing and increased height wall and would merge into the trees on the other side. However I would request that consideration be given to painting the wall a colour that would recede more into the woodland such as a dark stone grey or similar. I would also request a landscaping condition to be considered.

In respect of the wall on the eastern side abutting the drive, this wall is clearly visible from Old Wharf Lane and would be increasingly so when the height is raised. The elevation facing the drive would be visible and no mitigation is being proposed for this elevation. I would therefore suggest that if space permits that there should be planting on both side of this wall, and again consideration given to the colour of the paint. Should there be insufficient space on the drive side for robust and meaningful planting, then I would recommend that the wall be faced with stone as mitigation.

I would recommend that amended details be submitted in respect of the above considerations, and to avoid a condition if details of the stone coursing and stone sample could be provided that would be useful at this stage.

The walls marked blue and red on drawing no 76155/GD/003 I would consider are mitigated appropriately given the distance from the public viewpoint.

Whilst there will be harm by the proposal, it is duly acknowledged that the reason for the application is not one of desire for privacy or similar but simply to protect the property from flood damage, and as such with appropriate mitigation as detailed above I would not raise any objections to the proposal. I await the amended details for further comments.

*Further comments received July 2022 following amended plans*

I note with thanks that the green paint colour of the walls is to be changed to a darker grey colour.

Whilst noting the trellis and planting to be provided on the concrete wall adjacent to the drive, I would still have concerns for this element of the works which will be visible from the road and would be considered harmful to the setting of this listed building. I would again request that consideration be given to cladding this section in stone or screening by hedging or similar. The small concrete wall in situ currently is noted which is modest in height, and if the increased height wall cannot be clad in stone, then I would request that the new wall be set back to enable hedging to be planted adjacent to the drive to enable the wall to be screened by meaningful landscaping.

It is considered that this slight change in location of the new concrete wall would be acceptable in terms of the setting of the listed building as the location proposed on the application and the location proposed by myself would be new walls with no historic precedent.

Notwithstanding the reasons for the walls which are understood, it is not considered that the mitigation offered by the amended plans are sufficient. I would therefore have to repeat my concerns, and request again that either this section of wall adjacent to the driveway be clad in stone or slightly resited to enable meaningful planting in front of the concrete walls on both sides and not a trellis.

Given the harm that would occur by the enclosure of this listed building with a concrete wall, it is again repeated that the mitigation has to be meaningful and a hedge in front both concrete walls to the sides of the front garden (both sides in the case of the wall adjacent to the drive) is considered to be the minimum mitigation that could be offered,

Without adequate or meaningful mitigation I would not support the application, and would again request robust and meaningful planting on the front garden. I would again request amended plans.

*Further comments received 31/8/22 following amended plans*

I note the amended block plan 76155/GD/003, and the proposed landscaping plan 76155/GD/004, which still indicate landscaping on one side of the wall adjacent to the driveway only. This has not addressed my concerns in respect of the height and stark nature of a concrete wall of the height and position proposed.

However in the e-mail from the agent dated 04/08/2022 the photograph suggests that there may be sufficient room to plant a hedge adjacent to the driveway to screen the wall. However the plans do not illustrate that.

Whilst noting that the trellis planting has been omitted from this section of wall, could I ask for clarification that as the photograph suggested that there was to be a hedge (not trellis planting) between the new wall and the driveway, that this element of landscaping is proposed but has been omitted from the landscaping and block plan as the driveway elevation has not been addressed in the amended block plan or landscaping plan.

Without either this wall being stone on the drive elevation or meaningful planting as per my comments of 22 July, I would have to repeat my previous concerns, and again request amended plans. Should amended plans be received which are acceptable, for the avoidance of doubt as to the approved plans could the new amended plans be annotated with a revision or revised date.

*Further comments received 21/9/22*

Thank you for this clarification. Subject to there being robust and meaningful planting both sides of the wall adjacent to the driveway, in addition to the other landscaping indicated, I can confirm that I would offer no objections to the proposal. Whilst noting the planting schedule on the submitted plans, could I request that consideration be given to appropriate conditions to secure the planting indicated and its retention.

Subject to the planting being undertaken I can confirm that I would have no objections to the latest plans.

**Tree Officer** - The applicant needs to provide a soft landscaping plan to show where new trees will be planted and what species will be used. As this is a project concerning a wall I would suggest planting large shallow rooted trees close to the wall should be avoided to lower the risk of direct damage as the trees mature.

Additionally, there are some large trees adjacent to the existing wall and I need to know that none of the proposed works will affect them.

Can the applicant confirm if the existing wall will be demolished prior to the construction or will the additional height be constructed directly on the existing wall?

Any ground works within the rooting area of trees would in all likelihood require a tree report, hence the need for confirmation if the wall will be demolished first.

*Following amended plans*

The additional information from the agent clarifying works to the wall and new shrub planting address my previous concerns. Accordingly, I don't have any objections to the proposals.

**Ecology** - The site is within 100m of the River Wye SAC (SSSI) 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 2km of sites included within the Wye Valley Woodlands SAC (Horseshoe Bats are an associated species) and 7km 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 LPA must complete a relevant Habitat Regulations Assessment process and have legal and scientific certainty that there are no adverse effects on the integrity of the designated site PRIOR to any grant of a planning consent. The LPA must as required submit any HRA appropriate assessment for formal consultation and approval by Natural England prior to any planning consent being granted.

The LPA requires all information to be beyond doubt and legally and scientifically certainty in order to complete the HRA process.

*Notes and comments in respect of HRA*

The proposal is for replacement/new flood protection walls and a raising in height of other lengths of existing flood protection wall.

There are no identified effects in respect of additional nutrients created or other effects from the ongoing 'operation' of the proposed development.

The proposed construction works including groundworks and use of concrete are an identified potential effect if not fully considered and relevant protection and mitigation measures secured. A fully comprehensive Construction Environmental Management Plan can be secured by a relevant pre-commencement condition on any planning permission granted to provide required scientific certainty that all potential effects of construction will be considered and mitigation measures secured. A helpful guide to all considerations in a CEMP can be found at

[https://www.designingbuildings.co.uk/wiki/Construction\\_environmental\\_management\\_plan](https://www.designingbuildings.co.uk/wiki/Construction_environmental_management_plan)

To ensure that no invasive or non-native species are introduced into the River Wye SAC or spread downstream through the River Wye SAC catchment under flood conditions a condition can be included to secure that only fully native tree, shrub and plant species will be planted on the 'flood' side of the walls.

The proposed development does not involve any additional potential external lighting or illumination during future operation and no loss of bat foraging or commuting is identified as an effect of the development once construction works are completed. The CEMP previously referred to and secured will include consideration of lighting and other effects during construction on bats and other protected species. No effects on the Wye Valley Woodlands or Wye Woodlands and Forest of Dean Bat SAC are identified subject to the CEMP being secured.

The HRA appropriate assessment completed by the LPA should receive a formal 'no objection' response from Natural England PRIOR to any final planning permission being granted.

#### *General ecology comments*

The comments above in respect of the HRA and SAC considerations and secured mitigation are equally applicable to the council's required consideration in respect of SSSI sites and other local wildlife and nature conservation designations.

The CEMP as identified for HRA provides required mitigation and certainty that the proposed development will not have any significant effect on local populations of protected species.

There are no other ecology comments and no objection is raised.

#### **Natural England – no objection**

**PRoW** - Public footpath WC1 must not be obstructed in any way. No objection providing this is the case

#### **Historic England – No comment to make**

#### **Land Drainage –**

##### *Flood Risk*

##### *Fluvial Flood Risk*

The site is located within a high risk Flood Zone 3.

The existing flood wall was overtopped during Storm Dennis in February 2020 and resulted in the care home being flooded throughout (up to 1m in depth). An initial Flood Risk Assessment (FRA) has been undertaken that focuses on better understanding the risk from the River Wye and identifying how much higher the wall would need to be set above existing level to be able to provide protection from different magnitude flood events.

Due to the vulnerability of the care home (more vulnerable), it is proposed to raise the existing flood wall up to a crest height of 23.76mAOD, which is 0.73m higher than present and would be the same height as the neighbour's flood wall which has already been raised. This would provide a standard of protection to between a 1 in 75 year and a 1 in 100 year event.

The submitted FRA has not appeared to address potential third party impacts during larger events. Correspondence from the EA has suggested that due to the extent of the floodplain of the River Wye



in this location and the wider flooding regime, it is unlikely that significant concerns about an increased standard of protection by raising the level of the wall will be raised.

As the proposals are for a new flood defence wall, in certain sections, we understand that the Applicant has proposed to keep the structure closer to the property, to ensure a flow path to the east of the building is maintained. However, raising the existing wall does not raise concerns. We remind the Applicant that the wall will be subject to hydraulic pressure and so the raised wall will be at increased risk of collapse. The wall will require specialist design. A collapse would lead to a wave of water that could cause damage within the premises.

#### *Surface Water Drainage*

We understand that surface water drainage would not be required as part of the proposed raised wall development.

#### *Foul Water Drainage*

We understand that foul water drainage would not be required as part of the proposed raised wall development.

#### *Overall Comments*

We have no objections to the proposed development

Local Member updated via email, content with delegated decision

#### Pre-application discussion:

P212857 – Elsie Morgan – Raising the flood defence wall

#### Constraints:

Grade II, Adj Grade II\* and II listed buildings  
Wye Valley AONB  
Adj PRoW  
Adj scheduled monument  
Article 4  
Ancient tree  
Flood zone 2&3  
SSSI impact zone

#### Appraisal:

##### *Policy context and Principle of Development*

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.”*

In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS) and the ‘made’ Whitchurch and Ganarew Neighbourhood Development Plan (NDP). In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.

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. 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.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 advises that in considering whether to grant listed building consent for works which affects a listed building or its setting the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this respect, the advice set out at paragraph 193 of the Framework is relevant, insofar as it requires that great weight be given to the conservation of a designated heritage asset.

The more important the asset, the greater the weight should be. Paragraph 194 goes on to advise that any harm to, or loss of, the significance of designated heritage assets should require clear and convincing justification. At paragraph 195, it states that where substantial harm is identified local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 196 goes on to state that 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.

Policy SS6 of the Core Strategy states that development proposals should be shaped through an integrated approach to planning a range of environmental components from the outset, including the historic environment and heritage assets.

In this regards policy LD4 of the Core Strategy is also of relevance, which requires amongst other things to ensure that new developments ‘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’.

Policy SD1 also requires that development proposals take into account the local context and site characteristics. Moreover, new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the architectural diversity and character of the area.

Policy LD1 of the CS is also of note for this development and states that development proposals should be influenced by the existing townscape and landscape in regards to design, scale and nature.

The main issue to consider as part of this application is the proposal's impact on the character and special interest of the listed building and the visual impact within the wider context.

The relevant NDP policy WG17 seeks to ensure where flood-risk is identified, developers shall undertake full and detailed flood-risk assessments, including taking into account climate change, to inform decisions on planning applications.

A Flood Risk Assessment (FRA) has been submitted with the application, indicating the appropriate increase of flood wall height to offer suitable level of protection. Due to the vulnerability of the care home (more vulnerable), it is proposed to raise the existing flood wall up to a crest height of 23.76mAOD, which is 0.73m higher than present and would be the same height as the neighbour's flood wall which has already been raised. This has been reviewed by Land Drainage who states no objection.

The increase of 0.73 metres would not overbear the care home itself, but would represent a notable difference in height in comparison to the existing 1.2 metre rendered wall. The wall is in principle supported and complies with planning policy for flood defence, and the height is considered to be appropriate with regards to function and appearance.

#### *Visual amenity and impact upon setting of Listed Building*

Given the materials required for the flood defence wall and its scale, it can be visually harsh to the landscape and in particular impact upon the setting of the Grade II listed building. However, through amended plans it has been demonstrated that the stone clad facing wall along the northern boundary, and the wall to be painted dark stone grey along the eastern and western boundaries with native hedgerow being planted each side of the wall, will reduce the overall visual impact of the proposal upon the Wye Valley AONB and the setting of the Listed building. Whilst it is maintained that there may be some harm to the setting, this has been significantly reduced through the sensitive landscaping and planting scheme proposed, and will be conditioned. The harm that has been identified would in my view be outweighed by the benefits of securing better flood protection of the site and reducing flood related damage to the asset during future flooding events

#### *Ecology / HRA*

Whilst there are no identified effects in respect of additional nutrients created or other effects from the ongoing 'operation' of the proposed development.

The proposed construction works including groundworks and use of concrete are an identified potential effect upon the SAC, if not fully considered and relevant protection and mitigation measures secured. Therefore, a fully comprehensive Construction Environmental Management Plan will be secured by a relevant pre-commencement condition to provide required scientific certainty that all potential effects of construction will be considered and mitigation measures secured.

There are no further ecological concerns from the development.

### *Conclusion*

In conclusion, it is recognised that there is a need for further works to the flood wall in order to protect the care home, a vulnerable use, from further flooding episodes. The principle and height of the wall is accepted. Following the amended plans received in regards to ensuring sufficient and satisfactory visual mitigation will be in place it complies with the requirements of LD1, LD4 and SD1 to ensure the setting of the listed building is protected as well as visually enhancing the landscape.

Overall, the proposal complies with planning policy and is recommended for approval.

**RECOMMENDATION:**    **PERMIT** ☒    **REFUSE** ☐

### **CONDITION(S) & REASON(S):**

*(please note any variations to standard conditions)*

1. C01
2. C06 – 76155/GD/003A; 76155/GD/004A; 76155/GD/100 – received 4.8.22
- 3 . At no time shall any non-native or otherwise invasive plant, tree or shrub species be planted on the “flood” side of the flood protection walls approved under this permission.

Reason: To ensure that all species and habitats 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.

4. Before any work; including demolition or site clearance begins or equipment and materials are moved on to site, a fully detailed and comprehensive Construction Environmental Management Plan (CEMP) including a specified ‘responsible shall be supplied to the local planning authority for written approval. The approved CEMP shall be implemented and remain in place until all work approved under both applications 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, habitats 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, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD1-3.

5. CK4 – plan numbers 76155/GD/003A; 76155/GD/004A

### **Informatives**

1. IP2

Signed: *Gemma Webster* ..... Dated: ...22/9/22.....

**TEAM LEADER'S COMMENTS:**

**DECISION:**

**PERMIT**

☒

**REFUSE**

☐

Signed:



..... Dated: 22 September 2022.....

Is any redaction required before publication?    No