

**From:** watchmakers cottage [REDACTED]  
**Sent:** 18 June 2023 13:38  
**To:** Withers, Simon <[Simon.Withers@herefordshire.gov.uk](mailto:Simon.Withers@herefordshire.gov.uk)>; Webster, Gemma <[Gemma.Webster3@herefordshire.gov.uk](mailto:Gemma.Webster3@herefordshire.gov.uk)>  
**Subject:** P222006/F & P222007/L 2nd Habitat Regulations Assessment

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mr Withers

Please publish this further objection and this correspondence along with my email to Mr. Nikitik of the 9th December 2022 and his reply eventually received on 26th April 2023) to the new HRA assessment.

I feel his answers are ambiguous and unsatisfactory and have not properly addressed to the questions that I asked. In particular the original HRA and subsequently other Consultees including Natural England have made their assessments unaware of the current UN APPROVED location of the PTP.

Proposals in the original ecology mitigation no longer relates to the current proposed development ( which is now going to be for holiday accommodation not a workshop) which now includes 9 new windows in the barn facing W. and glazed doors to the S. gable. A new build tin barn, also for holiday accommodation and a laundry has all windows orientated south with a transparent polycarbonate roof over decking, facing towards the bats foraging area. Is Mr. Nikitik suggesting that the lighting professionals advice will also mitigate all these new sources of lighting and will not need reconsidering?

The question I asked about the amount of waste water and effluent discharging into our wetland and wildlife ponds has been ignored and no answer was forthcoming as to why the 2012 plans for landscaping (prepared for the previous owners) had been used for the HRA it has no bearing on the current situation apart from the fact it showed

where the approved planning permission had been given originally for the PTP. ( 7m east of the 2012 extension) None of this has been implemented, and as you have recently confirmed in writing “ the current location of the PTP is unauthorised “.

With regard to the flow of the stream, which we have seen in all its manifestations over the last [REDACTED] here, I have to disagree that it is non seasonal., even if the description defines non seasonal as ‘including periods of drought’.The reality is that we are not currently in a drought after 4 weeks of very low rainfall but the brook has virtually no flow and was dry for about 3 months last year also, of which we have photographic evidence and in this situation most of the flow that enters our wild life ponds will be effluent from Lower Daffaluke septic tank and unauthorised PTP, ie. with minimum dilution. Also once the level of our wild life ponds fall below the level of the pond outlet there will be no flow so the level of pollution will inevitably increase. The applicants' new Ecology survey finally acknowledges that it is highly likely that these ponds contain GCN's as we have always maintained as we also have photographic evidence.

The stream was dry last summer, as was the Luke Brook into which it flows, and is frequently so as confirmed by nearby Glewstone resident [REDACTED] in his objection

to another local Planning Application P222569. As you know this is all part of the Wye SAC and the Luke is a feeder stream.

Regards

Jenny Clark

Jenny Clark

On 9 Dec 2022, at 11:51, watchmakers cottage

wrote:

Dear Mr Nikitik

I have been looking at the HRA assessment for P222006F and P222007/L and would like to raise the following points.

1 Haydn Brookes' ecology report made for the applicants' first planning application P212661/F and concluded in September 2021 has been re submitted for their 3rd application P222006/F and P222007/L made in June 2022. It was already out of date not least because the applicants had changed their plans.

Their previous 2 applications were to use the end of the stone barn and the tin barn for day workshops implying no evening light pollution in this south west corner as recommended in their bat survey.

Their current plans for accommodation for up to ten people staying in self catering holiday accommodation has many new windows on the south and west elevations of the stone barn. Also the new build 'tin barn' with its one unit ensuite accommodation and laundry now has windows, decking with a translucent roof over looking straight out onto the SW corner of the paddock and the hedge line where the bats forage, leading to a huge increase in light pollution as NOT recommended in their bat survey.

2) Regarding surface water and foul drainage. It has been pointed out by Land Drainage that soakaways are not a viable option on this site, due to high groundwater levels. The HRA and subsequently other Consultees have made their assessments based on the false positioning the PTP and the assumption that it is still to be installed with a drainage field. In fact it was placed in its current position in spring 2021 with no planning permission and does not have the required drainage field but instead a straight pipe discharging directly into the stream, which is only 25 metres away and flow is seasonal.

3 The applicants plan to use a private water supply being a spring and a well on their land, to supply up to 10 holidaymakers at any one time. This water will need testing both for available volume of supply and for quality as it has not been in use for human consumption for many years. If projected holiday water usage is 200 litres per person per day then this must surely have an impact on our wildlife ponds which the stream with the PTP runs into before entering the Luke Brook and then the river Garron and Wye catchment area. This stream was dry for several weeks this summer and flow is seasonal.

4. Lastly I would very much like to know why the 2012 proposed site plan prepared for the previous owners by the architect Derek Whittaker has appeared in the HRA. There is no explanation. The previous owners only built the extension to Lower Daffaluke and did not follow through with any landscaping, nor did they install the PTP before it was sold to the current owners. If Mr Nikitik has used the 2012 plans for his assessment, he should revisit this as his conclusions will surely be based on misleading information as will other Consultees' opinions, such as Natural England and Herefordshire Wildlife, not to forget the council's own Consultees.

I look forward to your reply to the above especially to point 4.

Yours sincerely

Jennifer Clark

Daffaluke House, Glewstone, Ross-on-Wye HR9 6BB

"Any opinion expressed in this e-mail or any attached files are those of the individual and not necessarily those of Herefordshire Council or Wye Valley NHS Trust. You should be aware that Herefordshire Council and Wye Valley NHS Trust monitors its email service. This e-mail and any attached files are confidential and intended solely for the use of the addressee. This communication may contain material protected by law from being passed on. If you are not the intended recipient and have received this e-mail in error, you are advised that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please contact the sender immediately and destroy all copies of it."



From: **Nikitik, Christopher** Christopher.Nikitik@herefordshire.gov.uk  
Subject: RE: HRA assessment for P222006/F and P222007/L  
Date: 26 April 2023 at 11:56  
To: [REDACTED]  
Cc: **Webster, Gemma** Gemma.Webster3@herefordshire.gov.uk, **Withers, Simon** Simon.Withers@herefordshire.gov.uk

CN

Dear Ms. Clark,

I apologise for the time it has taken me to respond to your queries. My response is detailed below:

1. In relation to the ecology report being highly opportunistic species bat surveys are usually only considered valid for 12 month (1 optimal period) and due to ability for ecological change general preliminary ecology reports for a period of 2 years or less depending upon circumstance/ location/local changes etc. Consequently, as you point out, the Ecology Survey Report by Environmental Methods dated September 2021 (with bat surveys conducted between May and August 2021) requires updating. I understand that the applicant is in the process of commissioning an updated Ecological Survey. Ecology comments will be readdressed in light of the findings of the updated report. I have also suggested that they update information concerning great crested newts to assuage other concerns raised in objections. It should be noted that while a proposal may change the ecological assessment will remain relevant for a development site as long as all ecological aspects relating to the development are assessed and the information is within date.

In relation to illumination from the proposed development in the original ecology comments a condition has been suggested which should keep illumination levels to within guidance relating to lighting and protected species. This guidance by the Institution of Lighting Professionals is designed to avoid or reduce the harmful effects which artificial lighting may have on bats and their habitats and to ensure that local intrinsically dark landscapes are protected. It should be noted that the most common bat species encountered on the site were Pipistrelle species which are one of the least light-sensitive species. It is considered that the stated condition will control any additional lighting and that its adoption will result in no unmitigated effects that could impact bat activity in the area on and around the site.

2. It is confirmed that the foul water will be managed by PTP discharging to the watercourse to the south of the development site and that the scheme does not incorporate a drainage field as ground conditions are not suitable. It is evident that conflicting information about the state of receiving watercourse has been provided with indications from yourself and others that flow is seasonal and drainage engineers have also confirmed flow as non-seasonal while the applicant's agent previously indicated constant flow and HC reference maps also indicate constant flow.

According to DEFRA General Binding Rules for Small Sewage Discharges any discharge to a watercourse or ditch with a non-seasonal constant flow may be permitted if the site is not within:

- 500m of a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site, Biological Site of Special Scientific Interest (SSSI), freshwater pearl mussel population, designated bathing water, or protected shellfish water.
- 200m of an aquatic local nature reserve.

- 50m of a chalk river or aquatic local wildlife site.

The binding rules also state that new discharges (i.e. those started after 1st January 2015) must be made to a watercourse that in normal circumstances has flow throughout the year – normal circumstances to be anything other than a drought or abnormally prolonged period of dry weather. Again, this condition is satisfied by the watercourse under consideration.

3. In relation to quality and reliability of potable water supply I draw your attention to comments from Environmental Health available on the planning portal:  
08/07/2022 - EHO (Water Team Officer)  
07/09/2022 - EHO (Noise, Nuisance and Water Supply)  
29/12/2022 – EHO (Air, Land and Water)
4. In relation to the HRA this is being redrafted to accurately reflect the drainage schemes (foul and surface) proposed. It should be noted that in relation to drainage the conclusion remains the same in that adoption of the proposed drainage schemes would result in no adverse effects on the integrity of the River Wye SAC.

As indicated above an updated ecology/bat survey is requested the results of which will inform the appropriate assessment relating to the Wye Valley Woodlands SAC

I hope that these comments satisfy your queries.

Kind Regards,

Chris Nikitik

**Herefordshire.gov.uk**

Chris Nikitik  
Senior Ecologist  
Built and Natural Environment  
Tel: 01432 261998  
[christopher.nikitik@herefordshire.gov.uk](mailto:christopher.nikitik@herefordshire.gov.uk)  
Economy & Environment Directorate  
Plough Lane  
Hereford  
HR4 0LE



VACCINES



FRESH AIR



FACE COVERING



STAY HOME IF UNWELL



HAND WASHING

From: [REDACTED]  
Sent: 24 March 2023 11:36  
To: Nikitik Christopher <Christopher.Nikitik@herefordshire.gov.uk>