

Planning Consultation 220545 – Land at Llangrove, Outline application for the construction of 2 no bungalows.

Llangarron Parish Council strongly objects to this application for the following reasons.

We believe that application 220601 made by the same applicant and using almost identical supporting documents at an adjoining site in Llangrove should be assessed with this application.

This application relies on a number of inaccurate and outdated assumptions. Most importantly the application does not refer to the relevant planning policies, as the Llangarron NDP has been adopted and carries full weight following a referendum on 24th February 2022. In this context, the applicant's reference to the Herefordshire Local Plan Core Strategy as being the most relevant policy by which to assess this application is incorrect, it should be the NDP which carries full weight.

This application lies outside the settlement boundary for the village of Llangrove which is detailed in the NDP.

The applicant admits that this application is made in the light of two previous refusals of permission on this site, together with a NPI judgement upholding the refusal of Herefordshire Council as the LPA. We believe that the reasons for these refusals still stand, but as can be seen from the text of the NPI judgement APP/W1850/W/21/3270441 the site would also have been deemed unsuitable had the NDP been in place at the time of the appeal as the site is outside the settlement boundary.

We set out more detailed reasons below for refusal, referring to the planning statement submitted by the applicant.

1. Llangarron Parish Neighbourhood Plan

The applicant refers several times to the Llangarron Parish Neighbourhood Planning document having limited weight as it is still 'emerging', not meeting basic conditions for an NDP or not having passed scrutiny. (Paras 4.18 to 4.20 of the applicant's statement)

As Herefordshire Council officers know, this is not the case. Full weight is now given to Llangarron NDP. It has passed through all statutory examination processes. At the referendum on 24 February 2022 the NDP achieved 88.5% support with a large turnout.

The applicant's assertion that in 4.19 that an NDP must allocate sites is not correct and irrelevant as the document satisfied all basic conditions.

2. The site is outside the village settlement boundary

Since the appeal against the rejection of planning permission for P200782 at this site was refused, the Llangarron NDP has passed referendum and is now fully adopted. This application site is now outside the agreed NDP settlement boundary and so it should not be viewed as a resubmission addressing previously identified problems but a new application in open countryside.

See the Llangarron Parish NDP Policy HOU1 *'New Housing will be supported within the identified settlementsPolicies maps 4, 5, 6, 7.'*

The proposed development is outside the Llangrove settlement boundary identified in those policies maps. Therefore, contrary to the claims of the applicant the site is not within the village of Llangrove so policies RA1 and 2 quoted are not relevant. The applicant's assertion in para 3.2 of their planning statement that there are 'neighbouring residential properties located to the north, south and east' is irrelevant, but also misleading.

In fact, only properties to the north are within the Llangrove NDP settlement boundary. Properties to the south, west and east are outside the boundary and are very sparse and intermittent, located in open countryside as can be seen from the aerial photograph of the site.

3. The site is adjacent to Tretawdy Nature Reserve

The Llangarron Parish NDP Policy ENV1: Landscape and Biodiversity seeks to protect our natural environment and notable landscapes. The proposed site is directly adjacent to Tretawdy Nature Reserve, which is an important and fragile area of valuable open space supporting wildlife and providing a precious recreational resource for local people. The Reserve Wardens have seen many bats in the site of the field and there are endangered species such as fieldmice and dormice living in the Nature Reserve directly below the site. The Nature Reserve has a small stream running through it which runs intermittently if there is reasonable rainfall. For wildlife to flourish, the 'dark skies' nocturnal character needs to be preserved as well as the extensive and ancient hedgerows. Development so close to the site would have a significant impact on wildlife due to light pollution, noise and disturbance.

The Preliminary Ecological Appraisal accompanying this application is out of date as it does not reflect the fact that since 2019 the land neighbouring the site has been managed as a Nature Reserve by Herefordshire Wildlife Trust.

4. Highway safety and access concerns remain

The applicant states in para 5.1 of their planning statement, *'it is anticipated that the dwellings would be served via the existing vehicular access at the eastern point of the site.* The proposed access is physically unobtainable on the ground without crossing the property of Tretawdy Bungalow. The owners of the bungalow have not granted such permission.

In addition, a suitable visibility splay could not be achieved at present and would demand the destruction of mature hedgerow.

In para 5.3 the applicant goes on to state, *'The provision of 2no. bungalows would not have an adverse impact upon the surrounding highway network; generate significant levels of vehicular movement; or result in any harm to highway safety.'* While the development might not have an adverse impact on its own there is a cumulative effect. Firstly, as this application cannot be seen in isolation from the 'sister' application 220601 at an adjacent site and secondly due to the impact of several recent developments in the village. Each dwelling would generate at least two cars, possibly more depending on the number of bedrooms.

Access to the village is severely restricted because of the poor, narrow road from Whitchurch which has no official passing places. We believe this application, together with application 220601 represent yet more potential strain on the inadequate road network of Llangrove. When referring to another recent application 220040 'The Elms' in Llangrove, the transport officer made the following remarks ***'the cumulative impact of developments continuing to be proposed in Llangrove is starting to be a***

cause for concern of the LHA'. This is in the context of road safety and overdevelopment.

5. Housing supply and Housing Allocation

The applicant refers to the 5-year housing supply figures for Herefordshire Council, suggesting in para. 4.21 *"It is acknowledged at this moment in time, the Council is unable to demonstrate a five-year housing land supply"*.

The housing supply figures are not relevant to this application, as the NDP for the area is in place. However, it should be pointed out that his statement made by the applicant is out of date as Herefordshire Council is now able to demonstrate a 6.9-year supply of land for housing.

'.....for the first time since the Core Strategy was adopted in 2015 - Herefordshire actually has a 5-year Housing Land Supply. Better than that, in fact it has a 6.9-year supply.' Published: 27th July 2021 by Herefordshire Council

In para 4.5 The applicant refers to a Delegated Decision Report for a previous application 192208 confirming that *"Llangrove is within the Ross-on-Wye HMA, which is earmarked for an indicative 14% indicative housing growth"* The applicant states that *'that target represents a minimum growth'* presumably in order to justify this application.

As Herefordshire Council officers know, Llangarron Parish has considerably overperformed on this minimum target of 64 houses by 2031, having already contributed 105 dwellings.

Again, as the NDP is in place, these specific housing figures are not relevant to this application

6. Impact on the Wye SAC - Concerns Remain

The parish Council has serious concerns regarding the impact on the Wye SAC.

In para 7.3 of their planning statement the applicant states, *'The primary use of the existing site is for the grazing of animals, which naturally produce waste containing phosphates and other nutrients. Should permission be granted for the proposals, the agricultural use of the land would cease, and as such the contamination threat to the River Wye will be reduced.'* In fact, such a mitigation in the level of phosphates would only be the case with very intensive farming which has never existed on this land, so the statement is extremely misleading.

In addition, the Parish Council has concerns regarding the management of drainage, run off and foul water at this site.

It is also unclear whether the Drainage Technical Note for this application refers to this or its sister application (220601) as it appears in both and is only distinguished by the plot name in the title and the maps supplied by Welsh Water. Also, the Drainage Technical Note does not show the application site- the site layout photo and site photo for a Soakaway Assessment show the other field which the applicant is also seeking to develop.

The two applications represent a real danger to the Wye SAC and to the neighbouring nature reserve.

The applicant states, in para.7.1 *'The site is not located in any designated high or medium flood risk zone as shown on the EA mapping system. It is anticipated that roof surface water would discharge to water butts for re-use in the garden area. Water butts can intercept water from downpipes'*

Water butts are not an alternative to drainage, a full and efficient drainage system is required.

The Drainage Report supplied by Link Engineering contains some serious omissions detailed below:

In para 2.1 Surface Drainage 2.1.2 Appendix B 'This shall form the outfall for both surface water and foul water drainage from the site'.

There are no surface water sewers in the vicinity.

*In para 2.2.4 Foul Water Drainage 'The River Wye is over 3 kilometres...'
contamination is considered negligible.'*

The site is adjacent to a Nature reserve and as such, if a problem arises it could pollute the local environment of the reserve, the water course that flows intermittently and the local wildlife that lives or visits the reserve.

In para 2.2.6 'Drinking water protected site not shown on the mapping because no infiltration is proposed.'

This is still an important consideration to avoid contamination, especially as there is no indication of the number of bedrooms involved in the development. More bedrooms, meaning increased occupancy, would be an indicator of an increased possibility of contamination.

Surface water drainage and probable storage is required on site. This is referred to in Llangarron NDP Policy ENV4 Sewerage. This also applies to surface water management.

No highway or land drainage runoff will be permitted to discharge directly or indirectly into the public sewerage system.

All these are factors, particularly in times of increased heavy rainfall offer the potential for further contamination of the water courses and the River Wye.

In para 7.4 the applicant sets out a solution for disposal of waste water involving chemicals. *'As set out in the submitted Drainage Technical Note, there is an existing Welsh Water foul network in close proximity to the site.Due to the high phosphates and nitrates within the River Wye catchment, it is proposed that a Kingspan Klargestor BioDisc® package treatment plant is utilised to treat these compounds before discharging to the Welsh Water sewer. It is further recommended to apply chemical dosing to maximise the plant's efficiency at treatment contaminants.'* The Parish Council is extremely concerned about the use of chemicals as if there is any leakage, particularly in heavy rainfall, it may enter a water course and eventually the River Wye

7. Sustainability and Environment

Policy MT1 – Traffic Management, Highway Safety and Promoting Active Travel (p130) states that *'development proposals should promote and incorporate transport connections, including access to services by means other than private motorised transport'*.

In para. 9.2 of their planning statement the applicant states, *'The site is locationally sustainable with good access to local services and facilities without the private car.'*

In para. 4.30, the applicant writes *'future occupiers would have access to a range of services and facilities by means other than the private car.'*

Both these statements are false. The range of services accessible on foot or indeed by cycle are extremely limited. For example, there are no shops, medical facilities or leisure facilities apart from the village hall in Llangrove. There are almost no businesses and therefore nearly all residents must drive to work. Public transport consists of two buses a week, so creating a strong dependence on the private car. The Parish Council believes that in a time of climate emergency, Llangrove cannot be described as a sustainable location. This view is upheld by the National Planning Inspectorate when assessing an application close to this site. In Appeal Decision APP/W1850/W/19/3235627, the Inspector states in para 10 'The evidence before me suggests that only a basic level of services is available in Llangrove and bus services are limited. There would therefore be a reliance on the private motor vehicle to access a wider range of services and facilities to meet day to day needs. These factors do not indicate that the proximity to Llangrove promotes a particularly sustainable location.'

Policy SS7 – Addressing Climate Change is contrary to development on this site as it advocates '*focusing development on the most suitable locations*'. This location is not suitable because it does not '*deliver development that encourages travel options including walking, cycling and public transport*'. Most services are too far to walk to and only via a narrow busy road with no pavements or verges to walk on. There is no daily public transport therefore the development does not '*reduce carbon emissions and use resources more efficiently*.'

8. General

It is worth noting that there is no detailed landscaping or planting scheme which is essential so close to a nature reserve.

There is no detail concerning the size, design and building materials to be employed

In summary, this is a speculative application seeking to build on agricultural land with poor access outside the settlement boundary of the village. The site is completely unsuitable being adjacent to a nature reserve and close to the Wye SAC. It does not conform with the Llangarron Parish NDP.