

Eardisland Parish Council wishes to make a further representation to the applicant's amended and new documents for P152779/F, Land adjoining Orchard Farm, Eardisland – Proposed construction of 5 no dwellings with garages. Formation of new access and private drive and close existing. Demolition of outbuilding, steel framed barn, wind tunnel and greenhouse.

Please note the following points:

- The Eardisland Neighbourhood Development Plan has completed Regulation 16 Consultation, has been found to be in conformity with Herefordshire Council's Core Strategy and is now being progressed to Examination. Therefore material weight must be given to the policies in the NDP as well as the National Planning Policy Framework (NPPF) and the Core Strategy.
- The application has still not addressed the access issues highlighted in a previous response from the Parish Council and repeated below. The application does not conform to policy E1(f) of Eardisland Neighbourhood Development Plan (Submission Draft April 2016) as the proposed access is onto the road at a point that is known to flood in heavy rain, as shown in picture 1 below (please note this photo was taken when road flooding conditions were improving).

Picture 1



- At the Parish Council site visit on 12 November, the applicant stated that future application might be made for some small, probably terraced, dwellings for rent/social housing sited near the entrance to the site. The Parish Council notes that the amended plan now appears to show a road area within the site to facilitate this, increasing the risk to the access to the main road.
- The amended Flood Risk Assessment (May 2016) notes the response from Mr Irwin of the Environment Agency (appendix E and below):

*'The need for such a scheme on undeveloped agricultural land such as this suggests that a sequential approach is not being fully adopted and that **too many dwellings are being proposed for the site given its constraints.** (Parish Council highlighting). Given the size of the development, the Sequential Test is a matter for the LPA to comment on but we would seek clarification that they are comfortable with the proposed development within the southern portion of the site.'*

Proposals assessed in earlier revisions of this report considered a more open layout, in which two of the proposed dwellings were sited within areas designated as Flood Zones 2 and 3, in the southern part of the site. In response to Mr. Irwin's comments, the proposed layout has been rearranged such that the dwellings are all on higher land, beyond the modelled limits of 1:

1,000 year flooding. Floodplain storage compensation is no longer required and the Sequential Test is no longer relevant.

The amended FRA has indeed rearranged the dwellings so that all are sited on the higher portion of the site. However the applicant has still not addressed the issue of flooding in the flood zone 2/3 part of the site (documented by local residents – see representations from Mr and Mrs Staples – and below by the Parish Council).

This flooding will be exacerbated by 5 houses on the north of the site reducing the land available to take rain water and field run-off, particularly as ‘the current proposals have abandoned any floodplain storage compensation’. The southern part of the site is regularly under water in heavy rain and without floodplain storage compensation in this area, the situation will only be made worse for any resident in the application dwellings and the neighbouring residents. The applicant has ignored Mr Irwin’s comment above that there are ‘too many dwellings being proposed for the site given its constraints’.

Therefore the application still does not conform to policy E1(j) as seen in pictures 2, 3 and 4 below (taken with consent from the adjoining property, when the flooding was improving)

Pictures 2, 3 and 4 showing the lower southern portion of the site



- By siting all 5 dwellings on the northern part of the site, the applicant has gone against his Planning Design and Access Statement para 41. The amended site layout no longer takes ‘account of the high voltage electricity supply crossing the site’.
- There is currently a major issue with the sewage treatment plant sited adjacent and on the edge of the proposed development. This plant, for the Housing Association properties in Green Elms, is currently being emptied 1-2 times every day as the plant has failed and has been discharging raw sewage into the ditch running along the field edge adjacent to the development site. This has been logged as an incident with the Environment Agency. By siting all 5 dwellings on the northern part of the site, the applicant has further gone against his Planning Design and Access Statement para 41, as the amended site layout no longer

‘accommodates the effluent pipe from the housing Association development (*sic*) and farmhouse to the treatment plant’.

Therefore this amended application does not conform to the NDP policies E1(e) and E9(k) as it will unduly harm the amenity of both the proposed development and existing neighbouring properties.

- The amended layout does not conform to E1(n) and (m) and E9(c). Although the density of housing on Green Elms is high, they are small mostly semi-detached or terraced houses. The proposed development is for large 4-bedroom dwellings which should be at a density of surrounding dwellings of this size and therefore ‘appropriate and proportionate to its surroundings’. By siting all 5 proposed dwellings on the northern part of the site to avoid flood zone 2-3, the applicant has reduced the plot size to unsuitable proportions and scale. The application does not contribute to local identity and sense of place. In addition, policy E10 is still not addressed and the application is therefore not in conformity with it.
- The Parish Council notes that the amended FRA for this application continues to rely on a flood evacuation route outlined in the FRA for 143390 The Elms. This route takes residents up Burton Lane. This is unsafe as the lower end of Burton Lane is known to flood to substantial depth before the main road is affected. The application will need to provide a safer evacuation route, following discussion with and input from the Parish Council and residents who understand the actual flooding sequence and risk.
- As a result of all the points above, Eardisland Parish Council objects to this amended application and considers it is unsustainable development and therefore not in conformity with the NPPF, the Core Strategy and the Eardisland NDP.