

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>4 JULY 2025</b>
<b>TITLE OF REPORT:</b>	<b>240468 - PROPOSED RESIDENTIAL DEVELOPMENT OF 8 NO. DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING AT LAND SOUTH EAST OF GREYHOUND CLOSE, LONGTOWN, HEREFORD, HEREFORDSHIRE.</b>  <b>For: Ms Price per Mr Geraint John, Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA</b>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240468">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240468</a>
<b>Reason Application submitted to Committee – Redirection</b>	

Date Received: 19 February 2024

Ward: Golden Valley  
South

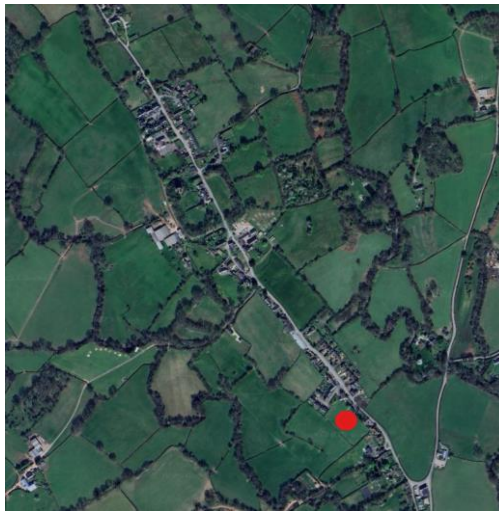
Grid Ref: 332449,228640

Expiry Date: 5 July 2024

Local Member: Cllr Matthew Engel

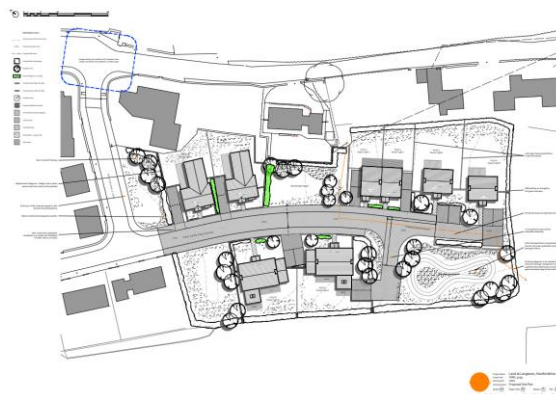
## 1. Site Description and Proposal

- 1.1 The application site comprises an area of Grade 3 (Good to Moderate) agricultural grassland measuring approximately 0.57 hectares. It is located immediately south-east of an existing residential development known as Greyhound Close and comprises an irregularly shaped land parcel with topography sloping gently from north to south and east to west. Boundary treatments comprise hedgerows to all sides with the occasional gap and there are a small number of younger trees positioned in the north-eastern extent of the site.
- 1.2 Both vehicular and pedestrian access is taken from an existing field gate off the U74437 (Greyhound Close). Greyhound Close itself is accessed directly off the C1203, the main thoroughfare through Longtown.
- 1.3 With regards to adjoining land uses, the site backs onto residential curtilages to the north-west, north, north-east and south-east and borders open countryside grassland and farmland in all other directions. The wider area surrounding the application site to the south and west is of varying topography. The Olchon Brook runs parallel to the application site approximately 220 metres to the south-west although the site is wholly within Flood Zone 1 (Low Risk).
- 1.4 Longtown is approximately 5 miles west of Ewyas Harold, 10 miles north-east of Abergavenny, 12 miles south-east of Hay-on-Wye and 18 miles south-west of Hereford. Despite its inherent rural location, it benefits from a good range of services and amenities including a village shop, primary school, public house, place of worship and village hall. There is a bus service to Hereford and to Abergavenny, albeit both services operate as one 'market day' weekly service there and back on Wednesdays and Tuesdays, respectively. The application site, relative to the built form of Longtown, is indicated by the red circle on the annotated aerial image below:



*Figure 1: Site Location (denoted by red circle) relative to Longtown*

- 1.5 There are no public rights of way (PRoW) which run through the site, although there are several short, medium and long-distance PRoWs surrounding, many of which have varying degrees of intervisibility with the site. The rounded peak of Hatterrall Hill lies approximately 1.3 miles west (as the crow flies), forming an eastern boundary to Bannau Brycheiniog (formerly the Beacon Beacons) National Park, as well as a county border with Monmouthshire. Offa's Dyke Path passes along this peak with its outlook offering excellent views down into the valley of Longtown and across the wider area. The site is not within a National Landscape, Conservation Area or designated historic landscape. The site also does not contain any heritage assets but is located in close proximity to a scheduled monument, this being Longtown Castle and Town, and two Grade II listed buildings which are 'The Old Greyhound' and 'Milestone on West Side of approximately 15 metres West of the Old Greyhound'.
- 1.6 Characterised as a linear village consisting of clustered groups of dwellings of random spacing which largely address the lowland C1203 road directly, there are notable pockets of more modern cul-de-sac development as the village has grown. There is also a wide array of architectural styles from modern properties to listed buildings and dwellings of a rural character, but it retains a village layout which notably dates back to its medieval form.
- 1.7 This application seeks full planning permission for the erection of 8 dwellings and associated development. The proposed site layout shows that a new internal access road would extend south-east of Greyhound Close, where vehicular and pedestrian access would continue to be taken from. The road would be built to adoptable standards (4.5 metres wide) with footways either side (2.0 metres wide). They would link with the existing road and footway at Greyhound Close. The dwellinghouses would broadly be arranged in two linear rows with associated parking and amenity space, as shown in Figure 2 (Proposed Site Plan) below:



*Figure 2 – Proposed Site Plan*



Figures 3, 4, 5 and 6 – Proposed Elevations of House Types D, C, B and A

- 1.9 The application also incorporates proposals for additional landscaping including:
  - A proposed SuDs drainage feature;
  - Proposed shared open space;
  - Proposed new 'orchard' planting;
  - Retention or replacement of, where appropriate, native species semi-mature hedgerow; and
  - Proposed native meadow flower/grasses swathes.
- 1.10 Highway improvement works are also proposed, including dropped kerbs to be provided along the C1203 on both sides of the junction with Greyhound Close, enabling enhanced pedestrian safety/accessibility links to local facilities for both current and future occupiers.
- 1.11 Foul water drainage is proposed to be managed by a connection to the existing mains sewer. Surface water is proposed to be managed by permeable paving in car parking areas and shared driveways; raingardens proposed in front and rear gardens, where considered appropriate, and a detention basin proposed in the southern corner of the site which will provide surface water attenuation storage to intercept roof runoff.

1.12 The following supporting documentation has been supplied alongside the application:

- A covering letter from the agent;
- Planning, Design & Access statement;
- Transport statement;
- Landscape character and visual impact assessment;
- Ecological Report, which serves as an update to a previously submitted Preliminary Ecological Appraisal;
- Heritage Impact Assessment;
- Proposed Foul and Surface Water Drainage Strategy;
- Written Scheme of Investigation for an Archaeological Field Evaluation;
- Archaeological Trenched Evaluation; and
- Completion of the Council's Climate Change Measures compliance checklist

1.13 For context, this application is submitted following a previously refused application in 2022 (LPA Reference: P211678/F) for 6 detached dwellinghouses and garages. That application was also considered by the Planning Committee, which resolved to refuse planning permission with the following sole reason for refusal:

*“The proposed development would not result in a scheme that delivers the size, type and range of housing that is required in the settlement to reflect local demand. As such the proposal is contrary to the aims of policy RA2 of the Herefordshire Local Plan – Core Strategy and Policy LGPC2 (d) of the Longtown Group Parish Neighbourhood Plan.”*

1.14 The application was subsequently dismissed on appeal by the Planning Inspectorate. A copy of the appeal decision (APP/W1850/W/22/3304126) is attached as Appendix 1 to this report.

## 2. Policies

### 2.1 Herefordshire Local Plan – Core Strategy 2011-2031 adopted 15 October 2015 (CS)

SS1 – Presumption in favour of sustainable development  
 SS2 – Delivering new homes  
 SS3 – Releasing land for residential development  
 SS4 – Movement and transportation  
 SS6 – Environmental quality and local distinctiveness  
 SS7 – Addressing climate change  
 RA1 – Rural housing distribution  
 RA2 – Housing in settlements outside Hereford and the market towns  
 H3 – Ensuring an appropriate range and mix of housing  
 MT1 – Traffic management, highway safety and promoting active travel  
 LD1 – Landscape and townscape  
 LD2 – Biodiversity and geodiversity  
 LD3 – Green infrastructure  
 LD4 – Historic environment and heritage assets  
 SD1 – Sustainable design and energy efficiency  
 SD3 – Sustainable water management and water resources  
 SD4 – Waste water treatment and river water quality

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Paragraph 34 of the revised National Planning Policy Framework (NPPF) 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 CS was adopted on 15th October 2015 and a review was required to be completed before 15th October 2020. The decision to review the CS 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. In this case, the relevant policies have been reviewed, are considered consistent with the NPPF and therefore attributed significant weight. CS policies together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link:-

[https://www.herefordshire.gov.uk/downloads/download/123/adopted\\_core\\_strategy](https://www.herefordshire.gov.uk/downloads/download/123/adopted_core_strategy)

## 2.2 Longtown Group Neighbourhood Development Plan – made on 6 March 2020 (NDP)

LGPC1 – Housing within Longtown village  
 LGPC2 – Land south-east of Greyhound Close  
 LGPC8 – Highway design requirements  
 LGPC10 – Protecting and enhancing the landscape and its features  
 LGPC13 – Protecting heritage assets  
 LGPC14 – Foul and storm water drainage  
 LGPC15 – Proposals for renewable energy

The Longtown Group NDP policies together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link:-

<https://www.herefordshire.gov.uk/directory-record/3081/longtown-group-neighbourhood-development-plan>

## 2.3 Herefordshire Minerals and Waste Local Plan – adopted on 8 March 2024 (MWLP)

SP1 – Resource Management

The MWLP together with any relevant supplementary planning documentation can be viewed on Herefordshire Council's website by using the following link:-

<https://www.herefordshire.gov.uk/local-plan-1/minerals-waste-local-plan>

## 2.4 National Planning Policy Framework (NPPF) – revised on 12 December 2024

*(Please note that the NPPF was amended on 7 February 2025 to correct cross-references from footnotes 7 and 8, and amend the end of the first sentence of paragraph 155 to make its intent clear. For the avoidance of doubt the amendment to paragraph 155 is not intended to constitute a change to the policy set out in the NPPF as published on 12 December 2024):*

2 – Achieving sustainable development  
 4 – Decision-making  
 5 – Delivering a sufficient supply of homes  
 6 – Building a strong, competitive economy  
 8 – Promoting healthy and safe communities  
 9 – Promoting sustainable transport  
 11 – Making effective use of land  
 12 – Achieving well-designed places  
 14 – Meeting the challenge of climate change, flooding and coastal change  
 15 – Conserving and enhancing the natural environment  
 16 – Conserving and enhancing the historic environment

The NPPF sets out the government's planning policies for England and how these are expected to be applied in both plan-making and decision-making. The revised NPPF can be viewed using the following link:-

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

## 2.5 National Planning Practice Guidance (PPG)



The associated Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents should be read together. The PPG can be accessed through the following link: <https://www.gov.uk/government/collections/planning-practice-guidance>

### 3. Planning History

The following planning applications are considered to be relevant to the current proposal. This also includes planning permission for the seven existing dwellings off the C1203 known as Greyhound Close (planning permission granted back in 2001):

- 3.1 P211678/F – Proposed residential development of 6 no. dwellings with associated access, parking and landscaping – Refused following Planning Committee resolution, with decision notice issued on 1<sup>st</sup> July 2022. An appeal made by the applicant was subsequently dismissed by the Planning Inspectorate on 9<sup>th</sup> May 2023. The previous application and committee minutes can be accessed through the following weblinks, respectively:  
[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=211678](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=211678)  
<https://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=264&MId=8547&Ver=4>
- 3.2 SW2002/3732/F – Removal of condition 4 of planning permission SW2000/2640/F (no development shall take place until a programme of archaeological work has been secured) – Approved 31<sup>st</sup> January 2003:  
[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=023873](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=023873)
- 3.3 SW2002/2744/F – Proposed alterations to approved dwellings on plots 5 and 7 – refused on 21<sup>st</sup> October 2002  
[http://herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=022762](http://herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=022762)
- 3.4 SW2000/2640/F – Demolition of former agricultural buildings and construction of seven dwellings and associated infrastructure. (AMENDED PLANS) – Approved with conditions on 19<sup>th</sup> December 2001  
[http://herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=002036](http://herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=002036)

### 4. Consultation Summary

Statutory Consultations

#### 4.1 **Dwr Cymru Welsh Water – No objections; conditions recommended** 1<sup>st</sup> consultation 20 March 2024 (Superseded Plans)

*“We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.*

#### **SEWERAGE**

*We can advise that Longtown WwTW does not have a phosphate permit. This matter will need to be considered further by the local planning authority. Notwithstanding this we can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. With respect to the disposal of surface water flows from the proposed development, the developer is required to explore and fully exhaust all surface water drainage options outlined under Sections 3.2 and 3.4 of Part H of the publication 'Building Regulations 2000. Disposal should be made through the hierarchical approach, preferring infiltration and, where infiltration is not possible, disposal to watercourses in liaison with the Land*

*Drainage Authority, Natural England and/or the Environment Agency. Discharge of surface water to the public sewer is only to be made as a last resort.*

## **POTABLE WATER SUPPLY**

*Capacity is currently available in the water supply system to accommodate the development. We reserve the right however to reassess our position as part of the formal application for the provision of new water mains under Section 41 and Section 51 of the Water Industry Act (1991) to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon our water systems change continually.*

*Notwithstanding the above, we would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.*

### **Condition**

*No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.*

*Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.*

### **Advisory Notes**

*The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com). The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. In accordance with National Planning Policy Framework (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.*

*Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com). Please quote our reference number in all communications and correspondence."*

2<sup>nd</sup> consultation 30 April 2025 (Amended Plans)

*"We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development. Having reviewed drainage strategy reference 18484-DSR and foul drainage connection plan reference 18484\_501 which shows foul water to be connection to the public sewerage system and surface water to discharge into a water course, we offer no objection to the proposals in principle and refer to our previous response dated 20/03/2024 reference PLA0078726 and recommended condition and advisory notes within. Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries, please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com) Please quote our reference number in all communications and correspondence."*

#### 4.2 **Historic England – Qualified comments**

1<sup>st</sup> consultation 14 March 2024 (Superseded Plans)

*"Thank you for your letter of 1 March 2024 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.*

##### *Summary*

*Historic England has concerns on heritage grounds regarding this proposal. Longtown has exceptional historic value, retaining much of its medieval character which contributes to the significance of the scheduled monument. The proposal site makes a positive contribution to the significance of the scheduled monument by preserving the open space that was occupied by the gardens of the medieval properties that fronted the main street. The proposal represents a medium level of less than substantial harm to the significance of the scheduled monument and is not in accordance with national or local policies. We recognise the site is allocated in the neighbourhood plan and that there is scope for some development on the site. We would welcome further discussion with the local authority and the applicant to arrive at a scheme that minimises harm to the significance of the scheduled monument.*

##### *Historic England Advice*

*The proposal is for a residential development of 9 dwellings with associated access, parking and landscaping on land south east of Greyhound Close, Longtown.*

##### *Significance of designated heritage assets*

*Longtown is a settlement with exceptional historic character, having a very evident and legible medieval form. The settlement is dominated by Longtown Castle, a substantial medieval castle site occupying the high point in the settlement sited on a northwest-southeast ridge. The medieval town was principally located below this to the southeast along the ridge. Immediately below the castle was an enclosed part of the town that incorporated the church and market place. The medieval town, including the proposal site, then extends a further 500m southeast as a series of laid out medieval house plots fronting onto the spinal road of the settlement with their gardens and field closes behind.*

*The castle, core of the medieval town and some of the areas of medieval house plots that survive as earthwork features have been included in the scheduled monument of 'Longtown Castle and town' (National Heritage List for England 1021347). Other medieval house plots are occupied by current dwellings or are present within the gardens of properties. The form of the medieval house plots is well preserved in the current settlement form with properties or archaeological earthworks of medieval houses still being of single depth and fronting the road. The former garden areas and field closes of the medieval house plots, which extended to the full width of the ridge top, are well preserved on both sides of the road as open, permanent pasture fields between the spinal road and the break of slope of the ridge. These open areas are part of the setting of the scheduled*



*monument and make a strong positive contribution to the historic form of the settlement and to the significance of the scheduled monument.*

*Loss of these open areas is limited to the housing on Greyhound Close, which were built on the site of agricultural buildings. The proposal site makes a positive contribution to the significance of the scheduled monument in the following ways:*

- Its open, permanent pasture character preserves the medieval form of the settlement with a single depth of houses fronting the road through the village and open gardens and small fields behind.*
- Two NE-SW orientated ridges are present in the field are likely to represent the former subdivisions of property ownerships and therefore contribute to an understanding of the medieval property divisions and the planned, laying out of the settlement.*
- Views into and across the site allow the settlements ridge location and character to be experienced with good views over the gently sloping land of the medieval gardens and small fields to the break of slope and the wider landscape of the valleys beyond.*

#### *Impact on designated heritage assets*

*The proposal is for 9 houses filling the site between the current houses that front the main street of the settlement and the edge of the ridge. The proposal therefore fills the area that would have been occupied by the medieval house gardens and their small fields causing harm to its contribution to the significance of the scheduled monument.*

*In addition, the proposed layout of plot form, access road, green space and house design causes harm to the identified factors of the site that contribute to the significance of the scheduled monument. The NW-SE orientated ridges have not been respected by the design and the central one to the development site is removed by plot 8A causing the loss of legibility of these former subdivisions. The height and positioning of the proposed houses block the views across the site, particularly from the road removing the legibility of the settlements historic ridge location and form. All these matters add to the harm of infilling this important open space.*

*The construction of a sustainable drainage system on the slope below the proposed development would also create a feature discordant with the historic character of the area and cause further harm. We consider that the overall impact of these proposals is that they would result in medium level of less than substantial harm to the significance of the scheduled monument.*

#### *Policy*

*The National Planning Policy Framework (NPPF) sets out that great weight should be given to conserving the significance of designated heritage assets (NPPF 205) and that through appropriate assessment any conflict between the asset's conservation and any aspect of the proposal should be avoided or minimised (NPPF 200 and 201). Proposal should seek to sustain and enhance the significance of heritage assets (NPPF 203a) and any harm should be clearly and convincingly justified (NPPF 206) before being weighed against public benefit.*

*It is our view that the current proposal does not meet these NPPF requirements.*

*Historic England has previously expressed its concern regarding the site as part of the development of the Longtown Group Neighbourhood Plan stating that it could not support its allocation in our response to the regulation 16 consultation. Our response indicated that with further discussion it may be possible for a sensitive design to be arrived at for a small number of houses on this site dependent on layout and design. Unfortunately no further discussion has been undertaken. The neighbourhood plan examiner's report noted our comments and made amendments to the policies for this allocation (LGPC 2).*

*The neighbourhood plan has been adopted and policies LGPC 1 and 2 are relevant to this development. It is Historic England's view that the proposal is over development of the site and does not meet the neighbourhood plan policies as follows:*

*LGPC 1a - The proposal causes adverse effect to the contribution made to the setting of Longtown Castle and its associated medieval settlement, a scheduled monument.*

*LGPC 1c - The proposal results in the loss of green space that contributes to the historic character of the village.*

*LGPC 2a - The scale and nature of the development harms the highly sensitive landscape of this area and its historic form.*

*LGPC 2b - The proposed tree planting and structural landscaping does not protect the setting of the settlement and Longtown Castle.*

*LGPC 2d - The design of the buildings does not reflect the historic character of the village and creates an urban appearance.*

### *Position*

*Historic England has concerns on heritage grounds regarding the proposed development. Longtown has exceptional historic value, retaining much of its medieval character which contributes to the significance of the scheduled monument. The site makes an important contribution to the significance of the scheduled monument through the preservation of the open space between the road and break of slope of the ridge that would have formed the garden areas of medieval dwellings. It is our position that proposed development would result in infill this open space and introduce a design and layout that challenges the historic character of the settlement. We assess the proposal as causing a medium level of less than substantial harm to the significance of the scheduled monument.*

*We recognise that the site has been allocated as part of the neighbourhood plan and we have previously indicated that with further detailed discussion it may be possible for a sensitive design to be arrived at for a small number of houses dependent on layout and design. Such a sensitive design would seek to maintain the contributions that the site makes to the significance of the scheduled monument including the following:*

- Maintaining a high proportion of open space within the site through a reduction in the number of units and positioning them in proximity to Greyhound Close.*
- Preserving the NE-SW aligned ridges to preserve the evidence of former property ownerships associated with the setting out of the medieval settlement.*
- Preserving views across the site to maintain the legibility of the medieval form of the settlement.*

*We would welcome further discussion with the local authority and the applicant to arrive at a scheme that minimises harm to the significance of the scheduled monument.*

### *Recommendation*

*Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 200, 201, 203a, 205 and 206 of the NPPF and local planning policies. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us."*

### 2<sup>nd</sup> consultation 25<sup>th</sup> April 2025 (Amended Plans)

*"Thank you for your letter of 9 April 2025 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.*

## Summary

*Historic England retains its concerns on heritage grounds regarding this proposal and consider that the proposal does not meet the requirements of neighbourhood, local and national planning policy. Longtown has exceptional historic value, retaining much of its medieval settlement form which contributes to the significance of the scheduled monument. The proposal site makes an important contribution to this significance as set out in our advice below. It is our position that the proposed development would cause a medium level of less than substantial harm to the significance of the scheduled monument. We would welcome discussion with the local authority and the applicant to explore options for amendment to the scheme, as set out in our position below, to reduce the level of harm to the significance of the scheduled monument.*

## Historic England Advice

*The further information is an amended drainage strategy and details. Historic England retains its concerns on heritage grounds as set out in our previous advice letter of the 14 March 2024. The further information does not address these concerns. We refer you to our previous advice letter for our detailed response and provide a short resume below for your information. The proposal is for 8 houses that, with their associated access, parking and landscaping, fill the proposal site.*

## Significance

*Longtown is a settlement of exceptional historic character, having a very evident and legible medieval form. The settlement, which has developed on a northwest-southeast ridge, is dominated by Longtown Castle at its highest point to the northwest. Immediately below the castle is an enclosed part of the town that incorporated the church and market place. The medieval town, then continues a further 500m to the southeast as a series of planned house plots fronting the road and their gardens and small field closes behind extending across the ridge top. Part of this medieval settlement is included in the scheduled monument of 'Longtown Castle and town' (National Heritage List for England 1021347). Other, non-designated, parts of the medieval settlement make a positive contribution to the significance of the scheduled monument by preserving archaeological evidence and the legibility of the medieval form.*

*This includes the proposal site, which makes a positive contribution to the significance of the scheduled monument in the following ways:*

- Its open, permanent pasture character preserves the medieval form of the settlement with a single depth of houses fronting the road through the village and open gardens and small fields behind.*
- Two NE-SW orientated ridges, present in the proposal site, represent the former subdivisions of property ownership and therefore contribute to the understanding of the medieval property divisions and the planned, laying out of the settlement.*
- Views into and across the site allow the settlements ridge location and character to be experienced with good views over the gently sloping land of the medieval gardens and small fields to the break of slope and the wider landscape beyond.*

## Impact

*The proposal will cause a medium level of less than substantial harm to the significance of the scheduled monument. The harm caused will be the result of the following:*

- The proposal infills the entirety of the area of the proposal site resulting in the loss of the open, permanent pasture character that preserves the medieval form of the settlement.*
- The proposal will cause the loss of one of the two NE-SW orientated ridges in the proposal site that represents a former medieval property ownership division therefore reducing the legibility and ability to understand the planned form of the medieval settlement.*

- *The proposal will block views across the site reducing the legibility and ability to experience the historic settlements ridge location and form.*
- *The creation of the sustainable drainage system as an open basin is discordant with the historic character of the historic settlement.*

### *Policy*

*Neighbourhood, Local and National planning policies apply to this proposal and should be taken into account in your determination. Policies LGPC1 and 2 of the Longtown Group Parish Neighbourhood Plan apply to this application. In particular, we note LGPC1a which states that development shall not adversely affect the site of setting of Longtown Castle and LGPC2a which highlights that the development shall respect the highly sensitive landscape including the historic form of the settlement. Policy LD4 applies to the application. In particular that development proposals should protect, conserve and where possible enhance heritage assets and their settings. Paragraphs 208, 210a, 212 and 213 of the National Planning Policy Framework (NPPF) apply to this application and it should be determined in accordance with paragraph 215.*

### *Position*

*Historic England retains its concerns on heritage grounds and consider that the proposal does not meet neighbourhood, local and national planning policy. Longtown has exceptional historic value, retaining much of its medieval settlement form which contributes to the significance of the scheduled monument. The proposal site makes an important contribution to this significance as set out in our advice above. It is our position that the proposed development would cause a medium level of less than substantial harm to the significance of the scheduled monument.*

*We recognise that the site has been allocated as part of the neighbourhood plan. We have previously indicated that with further detailed discussion it may be possible for a sensitive design to be arrived at for a small number of houses dependent on layout and design. This was recognised during the examination stage of the neighbourhood plan with the removal of the indicated number for housing units (8-12). Such as sensitive design would seek to maintain the contributions the site makes to the significance of the scheduled monument and minimise harm.*

*This may include the following:*

- *Maintaining a high proportion of open space within the site through a reduction in the number of units and positioning them in proximity to Greyhound Close.*
- *Preserving the NE-SW aligned ridges to preserve the evidence of former property ownerships associated with the planning of the medieval settlement.*
- *Preserving views across the site to maintain the legibility of the medieval form of the settlement.*

*We would welcome discussion with the local authority and the applicant to explore options for amendment to the scheme to reduce the level of harm to the significance of the scheduled monument.*

### *Recommendation*

*Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of policy LGPC1 and 2 of the Longtown Group Parish Neighbourhood Plan, policy LD4 of the Herefordshire Core Strategy, and paragraphs 208, 210a, 212, 213 and 215 of the NPPF. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us."*



**4.3 Natural England – No response received; please refer to comments received from the Council’s Ecologist**

Internal Council Consultations

**4.4 Principal Building Conservation Officer – No objections; conditions recommended**  
1<sup>st</sup> consultation 22 March 2024 (Superseded Plans)

*“Policy and Documents*

*The Planning (Listed Buildings and Conservation Areas) Act 1990*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 3 The setting of Heritage Assets.*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 2 Managing Significance in Decision-Taking in the Historic Environment.*

*National Planning Policy Framework*

*Herefordshire Local Plan Core Strategy 2011 – 2031 – Policies LD1, LD4*

*I duly note the recent application 211678 and the subsequent appeal and have read the grounds for dismissal, which was not on the grounds of the principle of development on this site where new residential development is acceptable but was not considered to outweigh the harm identified with regards to the mix of units proposed.*

*Longtown is rich in heritage assets, and in terms of the setting of the scheduled monument, I note the comments from Historic England, and would offer no comments in this regard. In terms of the listed buildings; The Old Greyhound UID 1078156 and milestone UID 1078155, I would concur with the Inspectors comments in regard to their setting and would offer no objection in built heritage terms in regard of the setting.*

*Whilst not objecting to the principle of the development on the site, and duly acknowledging the differences between the current application and the recently refused application, it is considered that the prime difference appears to be that in place of a single house no plot 1 there is a pair of semi-detached houses and in place of plot 4 there is a terrace of three houses.*

*However this does not address the concerns raised previously by the built heritage team;*

*In the response dated 14 June 2021 the relevant comments from the built heritage officer could be summarised as follows;*

- 1. The development of this site should be of an exemplary standard respecting the scale, massing, materials and green space of Longtown.*
- 2. Given the visually exposed site edge of settlement the predominant material should be facing stonework and not render which draws the eye.*
- 3. Front garden to have boundary walls as the earlier development of Greyhound Close.*

*Amended plans were received and the concerns repeated on 27/01/2022 in terms of the layout and application of materials.*

*Previously concerns were raised with the proposal to have a front elevation only being stone and the remainder being render. Whilst acknowledging the vernacular tradition on stone and limewash, with some stone properties only part being limewashed, the elevation treatment as proposed is particularly modern and not considered appropriate in this setting where it is not only the front elevation that is visible. I would repeat the concerns raised previously and request that stone be used on all four elevations, if not on all properties at least one some of them, which would give a mix of stone and render to the estate and not stone to the front elevation only. I note the neighbouring development has houses completely of stone and others completely of render and as such the change in material application is not readily understood.*



*I note that the same approach has been suggested for this application with;*  
*house type A ( 2 number) having a stone front and rendered walls apart from the stone bootroom*  
*House type B ( 2 number) having a stone front elevation and rendered 3 walls*  
*House type C ( 1 block of 3) having a stone front elevation and rendered 3 walls*  
*House type D ( pair semi-s) having a stone front elevation and rendered 3 walls*

*In addition I note that the boundary treatment is hedging and not a wall as the other development of Greyhound Close. It is considered that as this development will inevitably be seen as a continuation of that development, albeit in a more sensitive location being now the edge of the village, that consideration be given to boundary treatments firstly to produce a cohesion with the neighbouring development and secondly to mitigate against future devaluation of the design by individual boundary treatments being implemented by individual properties rather than a considered design for the whole scheme.*

*I note the Longtown Group Parish Neighbourhood Plan, and in particular reference to question 3 of the Detailed Site Assessment, that the adjacent site whilst improving the environment by the removal of unsympathetic buildings, the development of this site would exacerbate the uncharacteristic form of development. However the proposal as submitted would appear to be continuing this form of development with individual houses on individual plots reflecting of a suburban character and not such a sensitive site. I also note the criteria of Policy LGPC2 of the Longtown Group Parish Neighbourhood Plan in respect of the design to reflect local distinctiveness and village character and avoid an urban appearance.*

*I would also reference SC policies LD1 and Ld4 which seek to demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection and where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment.*

*As such I would repeat previous concerns for some elements of the development and request that the following amendments be given consideration.*

- 1. The boundary treatments to the estate road to plots 8,9 and the side garden boundary to plot 1 and around the car parking area be stone.*
- 2. Plots 8 and 9 to have stone frontage and gables.*
- 3. Plots 1 and 2 to have stone on 4 elevations*
- 4. Plots 3,4,5,6,7 to be render only.*

*Whilst acknowledging that some of the older properties in Longtown have rendered/painted their gables presumably due to weatherproofing rather than a design choice, I trust that consideration will be given to this request for change in materials.*

*I would also ask for some consideration to the use of self coloured render for some of the rendered properties especially the terrace of 3 ( plots 3,4,5) , that could replicate a stone colour to be less harsh than a white paint, and would also avoid the need for painting in the future, and would avoid piecemeal re-painting of the terrace in different colours.*

*I confirm that I have no objections to the principle, nonetheless I look forward to receiving amended details in respect of materials in due course."*

2<sup>nd</sup> consultation 1<sup>st</sup> July 2024 (Superseded Plans)

*"Policy and Documents*

*The Planning (Listed Buildings and Conservation Areas) Act 1990*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 3 The setting of Heritage Assets.*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 2 Managing Significance in Decision-Taking in the Historic Environment.  
National Planning Policy Framework  
Herefordshire Local Plan Core Strategy 2011 – 2031 – Policies LD1, LD4*

*Thank you for consulting me on the amended plans, and I would refer to my previous comments*

*I note the change in materials which is welcomed, and adds interest and consistency and has addressed the concerns in terms of materials. Whilst it would be preferable for the terrace of 3 ( house type C) to be self coloured render to avoid 3 different colours of paint in the future, there would not be an objection on the use of render and white paint to this small terrace. I would suggest a materials condition, where the use of self coloured render could be considered as opposed to painted render. The only element they do not seem to have fully addressed is the boundary treatment, and the use of stone boundary wall to plot 1 is welcomed being prominently sited, however plots 8 and 9 still have hedges,. It would be preferable if the front garden boundary treatments echoed the neighbouring development at least on the western side which is the approach to this development.*

*I would therefore repeat the comments raised previously in terms of boundary treatments as it is considered that as this development will inevitably be seen as a continuation of that development, albeit in a more sensitive location being now the edge of the village, that consideration be given to boundary treatments firstly to produce a cohesion with the neighbouring development and secondly to mitigate against future devaluation of the design by individual boundary treatments being implemented by individual properties rather than a considered design for the whole scheme. I would therefore again request amendments in this regard and would again request stone walls to the front gardens of plots 8 and 9 to enable consistency between developments and would suggest the removal of PD rights for fences to avoid inappropriate fences in the future.*

*As such I would repeat previous concerns for some elements of the development and request that the following amendments be given consideration.*

- 1. The boundary treatments to the estate road to plots 8,9 be stone.*
- 2. Self-coloured render not painted render to plots 3,4 and 5. This element can be conditioned if preferred.*

*I confirm that I have no objections to the principle, nonetheless I look forward to receiving amended details in respect of boundary treatments in due course.”*

3<sup>rd</sup> consultation 26<sup>th</sup> November 2024

*“Policy and Documents*

*The Planning (Listed Buildings and Conservation Areas) Act 1990*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 3 The setting of Heritage Assets.*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 2 Managing Significance in Decision-Taking in the Historic Environment.*

*National Planning Policy Framework*

*Herefordshire Local Plan Core Strategy 2011 – 2031 – Policies LD1, LD4*

*Thank you for consulting me on the amended plans. Further to my comments of 02/08/2024, I note the amended plans;*

*Proposed Site Plan DWG No 1102 Rev J*

*Proposed House type A DWG No 1301 Rev D*

*Proposed House type B DWG No 1302 Rev B*

*Proposed House type C DWG No 1303 Rev C*

*Proposed House type D DWG No 1304 Rev B*

*I duly note the amended plans and would consider that the previous concerns raised in terms of the boundary treatments and the colour finish to house type C has been resolved.*

*I would therefore offer no objections to the amended plans on built heritage grounds.”*

4<sup>th</sup> consultation 5<sup>th</sup> June 2025 (Amended Plans)

*“Policy and Documents*

*The Planning (Listed Buildings and Conservation Areas) Act 1990*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 3 The setting of Heritage Assets.*

*Historic England – Historic Environment Good Practise Advice in Planning – Note 2 Managing Significance in Decision-Taking in the Historic Environment.*

*National Planning Policy Framework*

*Herefordshire Local Plan Core Strategy 2011 – 2031 – Policies LD1, LD4*

*Thank you for consulting me on the amended plans, and I would refer to my previous comments of 22/03/2024, 01/07/2024, and 26/11/2024.*

*I can confirm that I have viewed the amended plans;*

*DWG No 1102 Rev L*

*DWG No 1103 Rev L*

*DWG No 1204 Rev A*

*DWG No 1304 Rev A*

*DWG No 1303 Rev C*

*Previous comments were in respect of materials and details and not the principle of development itself, and I note that previous concerns in that regard have been taken into consideration with the front boundary treatment of plots; 1,2 7 and 8 being low stone walls to match the neighbouring modern housing development.*

*The amendments to plots 1 and 2 to the now single storey buildings is not opposed in built heritage terms. However as this is a change in orientation from the last comments upon which built heritage consultation was sought, I would request that consideration be given to the removal of PD rights for development at the side of plots 1 and 2 if possible. I note that house type C is to be self-coloured render which would avoid the need to repaint, which is welcomed on a terraced property.*

*I can confirm that there are no objections in built heritage terms in respect of the setting of listed buildings, however would request that consideration be given to safeguarding the quality of the development by appropriate material conditions.*

*Suggested conditions*

*2. C06 in accordance with approved plans*

*3. C13 sample of external materials*

*4. C18 Stonework laid on natural bed amended*

*Those parts of the development which are to be of stonework shall be of local stone, properly coursed, laid on its natural bed in a mortar. The details of the stone, coursing details and mortar shall be approved by the local planning authority prior to the commencement of any works to the stonework. The works shall be carried out in accordance with the approved details*

*Reason: In the interests of conserving the character of the building so as to ensure that the development complies with the requirements of Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.”*

## 4.5 Land Drainage Engineer – No objections

### 1<sup>st</sup> consultation 21 March 2024 (Superseded Plans)

Due to formatting issues, this representation (titled 'Drainage Engineer Comments') can be read in full on the application webpage using the following weblink:

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=240468](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240468)

### 2<sup>nd</sup> consultation 28 May 2025 (Amended Plans)

*"We have been re-consulted on the above application given the reduction in the development size from 9 dwellings to 8 dwellings. It appears that the supporting drainage information has been amended accordingly on this basis, however the proposals remain unchanged. We have amended the previous drainage comments to reflect the revised development proposals and plot references have been altered accordingly; however the majority of the comments remain unchanged. If you feel we have missed anything, please let us know.*

#### *Full Planning Applications: Flood Risk and Drainage Checklist*

*This document provides a list of the information that, in general, must be submitted to support full planning applications in relation to flood risk and drainage.*

#### *Application details*

<b>SITE:</b>	Land South East of Greyhound Close, Longtown, Hereford, Herefordshire
<b>DESCRIPTION:</b>	Proposed residential development of 8 no. dwellings with associated access, parking and landscaping.
<b>APPLICATION NO:</b>	240468
<b>GRID REFERENCE:</b>	OS 332449, 228640
<b>APPLICANT:</b>	Ms Claire Price
<b>AGENT</b>	Mr Geraint John
<b>DATE OF THIS RESPONSE:</b>	28/05/2025

*This response is in regard to flood risk and drainage aspects, with information obtained from the following sources. We previously issued a response in March 2024:*

- *AMENDED Proposed Drainage Strategy Report 4.4.25 (Issue 03);*
- *AMENDED Drainage Summary of Results 4.4.25;*
- *AMENDED Proposed Foul Connection Plan 4.4.25 (Ref: 18484\_501 Rev 02);*
- *AMENDED Proposed Drainage Strategy 4.4.25 (Ref: 18484\_500 Rev 03);*
- *AMENDED Proposed Site Plan 6.3.25 (Ref: 1102 Rev L).*

*We highlight that any planning application should be submitted in accordance with the Herefordshire SuDS Handbook and the Herefordshire Council Planning Applications Flood Risk & Drainage Checklist available on the Council's website:*

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/66/about\\_planning\\_services/11](https://www.herefordshire.gov.uk/info/200142/planning_services/66/about_planning_services/11)

*This review focusses on the principles of the drainage strategy and flood management measures to demonstrate compliance with planning policy and does not provide a detailed review of input or output data. It is assumed that the design of the drainage strategy and flood management measures has been undertaken by a competent engineer and therefore the liability for the proposed design lies with the applicant and not Herefordshire Council.*

*Site location and extract of flood map(s)*

*Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), May 2024*



#### *Development description*


*The Applicant proposes the construction of 8 dwellings. The site occupies an area of approx. 0.57ha and is currently used for agricultural purposes. An ordinary watercourse, the Olchon Brook, flows to the south west of the site. The topography of the site slopes down from approximately 150m in the north west to 144m in the south east.*

#### *Identifying the need for a Flood Risk Assessment*

*All Applicants must provide sufficient information to address the points listed below to enable an accurate assessment of flood risk and the need for a flood risk assessment to be made.*

<i>Information required</i>	<i>Reviewers comments</i>
<i>Confirmation of the site area in hectares or square metres</i>	<i>Site area confirmed as 0.57ha</i>
<i>Identification of all main rivers within 20m of the site boundary</i>	<i>There are no main rivers within 20m of the development site.</i>
<i>Identification of all ordinary watercourses and land drains within 20m of the site boundary</i>	<i>There are no ordinary watercourses or mapped drains within 20m of the site. The nearest ordinary watercourses are the Olchon Brook which flows approximately 225m to the south west of the site and the River Monnow which flows approximately 250m to the north of the site.</i>
<i>Confirmation of the site's location in Flood Zone 1, Flood Zone 2 or Flood Zone 3, and taking climate change effects into account</i>	<i>Review of the EA's Flood Map for Planning / submitted FRA etc confirms the location of the site in Flood Zone 1. Climate change is not likely to impact on the site.</i>



Information required	Reviewers comments
Confirmation and supporting justification of whether the site is at significant risk of flooding from other sources, including surface water flood risk or flood risk from minor watercourses with unmapped flood extents	<p>A review of the surface water flood map indicates that the site is not at risk of surface water flooding.</p>  <p>Ordnance Survey</p> <p>Extent of flooding from surface water</p> <p>High Medium Low Very low</p>

Review of the information summarised in Section 1 indicates that an FRA is not required to support the planning application for this development.

#### Surface Water Management Strategy

- ✓ Information provided is considered sufficient
- ✗ Information provided is not considered sufficient and further information will be required

Information required	Reviewer comments	✓ ✗
Strategy		
Summary and illustration of the proposed surface water drainage system including location of SuDS features, manholes, external pipework, attenuation features, pumping stations (if required) and discharge locations	<p>The Applicant proposes a controlled discharge to the Olchon Brook via an attenuation pond. The outflow will be limited to 3l/s up to the 100 year + 40% climate change event.</p> <p>Roof water and water from the private paving will be directed to the attenuation pond via pipes. The remaining water falling on roads and parking areas, will be directed to the attenuation pond by a series of vegetated rills and filter drains.</p> <p>The Applicant has provided an indicative drainage layout drawing, however full detailed design will need to be provided by condition.</p> <p>When completing the detailed design, the Applicant should be mindful of private drainage runs crossing through back gardens (Plots 7 &amp; 8) and should avoid being located beneath permeable paving where possible.</p>	<p>✓ (with note)</p>

<i>Information required</i>	<i>Reviewer comments</i>	<i>✓ x</i>
<i>Summary of likely ground conditions including permeability and contamination risks</i>	<i>Infiltration testing has previously been undertaken at the site, in 2020, for a superseded planning application at the site. Trial pits were dug to a depth of 1.75m, however these saw ingress of groundwater at 1.5m bgl.  Infiltration tests were not carried out due to the requirement for all infiltration features to be sited a minimum of 1m above groundwater level.  Infiltration techniques are not deemed viable for this site.</i>	<i>✓</i>
<i>Confirmation of whether the site is located in a Source Protection Zone or Principal Aquifer</i>	<i>The site is not situated within a source protection zone or principal aquifer.</i>	<i>✓</i>
<i>Demonstration that the SuDS hierarchy has been considered in accordance with NPPF and justification for the proposed method of surface water discharge</i>	<i>The Applicant has considered the SuDS hierarchy. Infiltration to ground is not a viable option for the site, so a controlled discharge to a local watercourse has been proposed as a surface water discharge to the sewer is not permitted.</i>	<i>✓</i>
<i>Demonstration that best practice SuDS have been promoted, appropriate to the size and nature of development</i>	<i>The Applicant has proposed the use of an attenuation pond to attenuate surface water for the site. Rain gardens and permeable paving are also proposed. We welcome the use of green SuDS.</i>	<i>✓</i>
<i>If pumped systems are proposed, justification for the use of these systems, summary of key design principles and assessment of residual risk, with supporting calculations</i>	<i>The Applicant does not propose to use pumps within the surface water management strategy.</i>	<i>✓</i>
<i>Confirmation that the system will be designed to prevent any flooding of the site in all events up to an including the 1 in 30 annual probability storm event with supporting preliminary calculations</i>	<i>The Applicant has provided supporting surface water calculations to demonstrate that they are providing sufficient storage up to the 1 in 100 year +40% climate change event. Calculations to show the suitability of the whole network will be required at Discharge of Conditions stage.</i>	<i>✓ (with note )</i>
<i>Off-site discharge</i>		
<i>For discharge to a watercourse, sewer or local authority asset, confirmation of the relevant authority from which consent will be required</i>	<i>It is assumed that as there will be no change to Olchon Brook, and the works proposed will only be the construction of a new headwall. However, if any works are proposed to be carried out that will change the watercourse channel, Ordinary Watercourse Flood Defence Consent will be required.</i>	<i>✓</i>

Information required	Reviewer comments	✓ <i>x</i>										
For discharge to a watercourse, sewer or local authority asset, detailed calculations of greenfield and, if relevant, current runoff rates calculated using the methods outlined in The SuDS Manual 2015 for the 1 in 1 year, Qbar, 1 in 30 and 1 in 100 year events	<p>The Applicant has calculated greenfield runoff rates as below:</p> <table><tr><th>Storm Event</th><th>Greenfield Site Runoff Rates (l/s)</th></tr><tr><td>QBAR Rural</td><td>3.38</td></tr><tr><td>1 in 1-year</td><td>2.97</td></tr><tr><td>1 in 30-year</td><td>6.01</td></tr><tr><td>1 in 100-year</td><td>7.36</td></tr></table> <p>These have been calculated using the FEH statistical method, which is acceptable for a site of this size.</p>	Storm Event	Greenfield Site Runoff Rates (l/s)	QBAR Rural	3.38	1 in 1-year	2.97	1 in 30-year	6.01	1 in 100-year	7.36	✓
Storm Event	Greenfield Site Runoff Rates (l/s)											
QBAR Rural	3.38											
1 in 1-year	2.97											
1 in 30-year	6.01											
1 in 100-year	7.36											
For discharge to a watercourse, sewer or local authority asset, detailed calculations of proposed discharge rates and volumes calculated using the methods outlined in The SuDS Manual 2015 for the 1 in 1 year, Qbar, 1 in 30 and 1 in 100 year events	<p>The applicant proposes to discharge at an acceptable rate of 3 l/s, via an 82mm orifice, which is equivalent to the calculated 1 in 1 year greenfield runoff rate.</p>	✓										
For discharge to a watercourse, sewer or local authority asset, detailed calculations of proposed attenuation volume to manage the rate and volume of runoff to greenfield or current rates and volumes, allowing for climate change effects and demonstrating sufficient space within the site	<p>The Applicant has provided calculations that demonstrate that 154m<sup>3</sup> of storage will be required to attenuate the surface water from a 100 year + 40% climate change event from the proposed 1895m<sup>2</sup> of impermeable surfaces, with an additional 10% addition for urban creep.</p>	✓										
Clarification if attenuation structures are to be provided partly or wholly above adjacent ground level (i.e. above ground storage), and assessment of potential failure of above-ground attenuation features, including assessment of residual risks to downstream receptors, and proposed mitigation and management measures	<p>The Applicant does not propose any storage above adjacent ground level.</p>	✓										
Drawing to illustrate that attenuation structures are not located within an area at risk of fluvial flooding up to the 1 in 100 annual probability event and taking the effects of climate	<p>The site is located fully within Flood Zone 1 so no flood storage will be lost.</p>	✓										

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

<i>Information required</i>	<i>Reviewer comments</i>	<i>✓ x</i>
<i>change into account, unless it can be demonstrated that the capacity of the drainage system will not be reduced and that any loss of fluvial flood storage can be compensated for elsewhere without increasing risk to people, property or infrastructure</i>		
<i>For discharge to a watercourse, sewer or local authority asset, demonstration that a viable connection can be made and that the suitability and capacity of the downstream system has been explored in consultation with the relevant authority</i>	<p><i>The Applicant proposes to discharge to the Olchon Brook, which sits approximately 5m lower than the development site. The base of the attenuation pond will be set significantly above the position of Flood Zone 3 and so a viable, gravity connection is deemed achievable.</i></p> <p><i>Although the brook is outside of the red line site boundary, the Applicant has confirmed that they own the land between the development and the brook and so no third party agreements will be required to site the discharge pipework. An easement may be required once the plots have been sold.</i></p>	✓ (with note)
<i>For discharge to a watercourse, sewer or local authority asset, consideration of the risk of water backing up the drainage system from any proposed outfall and how this risk will be managed without increasing flood risk to the site or to people, property and infrastructure elsewhere, noting that this also includes failure of flap valves</i>	<i>As highlighted above, the development site is situated higher than the receiving watercourse and so the risk of water being unable to discharge from the site is limited.</i>	✓
<b>Pollution</b>		
<i>Confirmation of the proposed methods of treating surface water runoff to ensure no risk of pollution is introduced to groundwater or watercourses both locally and downstream of the site, especially from proposed parking and vehicular areas</i>	<p><i>The Applicant proposes the use of an attenuation pond for roof and private path water. This will provide adequate treatment.</i></p> <p><i>Access road and car park drainage will be conveyed to the attenuation pond via filter drains and vegetated rills, which will provide further treatment.</i></p>	✓
<b>General</b>		
<i>If the development is to be delivered in phases, demonstration of proposed delivery and ability to maintain key design criteria</i>	<i>Phased construction is not proposed.</i>	✓

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

<i>Information required</i>	<i>Reviewer comments</i>	<i>✓ x</i>
<i>Exceedance</i>		
<i>Assessment of natural surface water flow paths through the site, noting that natural flow paths should be retained as far as practicable within a development layout, and demonstration that consideration has been given to the potential for overland flow to overwhelm the capacity of the proposed drainage system</i>	<i>There is no significant risk of overland flow pathways impacting the site. The fall of the land would see any flows falling from higher ground in the north being intercepted by the highway prior to reaching the site. The topography is gently sloping so the risk is minimal.</i>	<i>✓</i>
<i>Description and drawings demonstrating the management of surface water runoff during events that may exceed the capacity of the drainage system (including temporary exceedance of inlet features) up to the 1 in 100 annual probability event with climate change (including assessment of where water is likely to emerge) and noting that surface water should be retained within the site boundary and not pose risk to the development</i>	<i>Surface water exceedance flows will follow the fall of the land towards the attenuation pond in the southeast corner of the site, via the access road.  A vegetated rill will be constructed to allow water to flow out of the turning head and conveyed towards the pond.</i>	<i>✓</i>
<i>Access, adoption and maintenance</i>		
<i>If access or works to third party land is required, details of these works and agreement in principal with necessary landowners/consenting authorities to cross third party land and/or make a connection to the proposed watercourse/sewer</i>	<i>Although the Applicant has stated that they own the land between the development plot and the Olchon Brook and there will be no requirement to cross third party land, we note that this will not be the case once the plots have been sold. An easement will be required to ensure the development owners/management company can access the discharge pipe and headwall, on third party land, for future access and maintenance.</i>	<i>✓ (with note )</i>
<i>Confirmation of agreement in principle of proposed adoption and maintenance arrangements for the surface water drainage system</i>	<i>The Applicant has stated that the surface water management system is to remain private and will be operated and maintained by the site occupiers/their assigned management company. Therefore, we understand that the land on which the attenuation pond is located will be communally owned. The Applicant should be mindful that the orifice will need to be checked regularly for blockages.</i>	<i>✓</i>




Information required	Reviewer comments	✓ x
Demonstration that appropriate access is available to maintain SuDS features (including pumping stations)	The final line of the outfall pipe to the Olchon Brook and location of the headwall should be clarified within the detailed drainage design/construction drawings.	✓ (with note)

#### Foul Water Management Strategy

A foul water management strategy should be submitted that includes the following information:

✓ Information provided is considered sufficient

\* Information provided is not considered sufficient and further information will be required

Information required	Reviewers comments	✓ x
Description and illustration of the proposed foul water drainage system including location of manholes, external pipework, package treatment plants, drainage fields, pumping stations and discharge locations	The Applicant proposes to connect to the DCWW public foul sewer that runs to the south of the development site. A gravity connection can be established and DCWW have stated in pre-application advice that a connection could be sought between manholes SO32284501 and SO32283401. The Applicant has stated that they own the land between the development site and the proposed connection point.	✓
Identification of the public foul sewerage network within the vicinity of the development and assessment of the viability to connect to this network	 <p>Due to the fall of the land, it is not possible to design a gravity connection to the existing sewer in Greyhound Close. Instead a connection can be sought to the south east of the site, prior to entering the treatment works.</p>	✓
If pumped systems are proposed, justification for the use of these systems, summary of key design principles and assessment of residual risk, with supporting calculations	The creation of a gravity connection to the sewer to the south east of the site negates the need for pumping.	✓
Discharge to sewerage network		
Demonstration that the suitability and capacity of	A viable gravity connection has been identified and the Applicant has provided correspondence from DCWW that	✓

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

<i>Information required</i>	<i>Reviewers comments</i>	<i>✓ x</i>
<i>the public sewerage system has been explored in consultation with the relevant authority, and that a viable connection can be made</i>	<i>proposed foul flows can be accepted within the foul public sewer.</i>	
<b>General</b>		
<i>If the development is to be delivered in phases, demonstration of proposed delivery and ability to maintain key design criteria</i>	<i>Phased construction is not proposed.</i>	✓
<b>Access, adoption and maintenance</b>		
<i>If access or works to third party land is required, details of these works and agreement in principal with necessary landowners/consenting authorities to cross third party land and/or make a connection to the proposed watercourse/sewer</i>	<i>The Applicant has stated that they own the land between the development plot and the proposed foul sewer connection so no works on third party land are required.</i>	✓
<i>Confirmation of agreement in principle of proposed adoption and maintenance arrangements for the foul water drainage system</i>	<i>It is proposed that DCWW will adopt the foul sewer system. This should be confirmed at DOC stage.</i>	✓ (with note)
<i>Demonstration that appropriate access is available to maintain drainage features (including pumping stations)</i>	<i>The applicant will need to demonstrate how access to foul drainage features will be achieved, particularly for those features not within the development boundary. This can be confirmed at DOC stage.</i>	✓ (with note)

#### Overall Comment

#### NO OBJECTION

Based on the reviewed documents stated above, provided there are no changes made to the proposed surface water and foul water drainage arrangements at any other planning stages and will be constructed in line with the design and plans under this application, in principle, we hold no objections to the proposed development. We recommend that the following information is provided within suitably worded planning conditions:

- Detailed design/construction drawings of the proposed surface water and foul water drainage systems and proposed features;
- Full network calculations to demonstrate that the proposed surface water drainage system has been designed to prevent the surcharging of any below ground drainage network elements in all events up to an including the 1 in 2 annual probability storm event;
- Confirmation that the adoption and maintenance of the foul drainage system has been agreed with Welsh Water."

#### 4.6 Area Engineer – No objections; conditions recommended

Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

1<sup>st</sup> consultation 19<sup>th</sup> March 2024 (Superseded Plans)

*"The Local highways authority has considered the proposed residential development of 9 dwellings with associated access, parking and landscaping and has the following comments.*

*The design layout in drawing 1102 Project reference OAD\_5155 has been used when providing the following comments and can confirm that the proposed details are acceptable.*

- 1) The turning head provided complies with Herefordshire Council design guide*
- 2) Parking provision on site for all properties is acceptable and complies with design guide*
- 3) 2m footways on either side of the adopted highway is acceptable*
- 4) 4.5 m wide adoptable road is acceptable*
- 5) Extension to the existing footway on the East of Greyhound Close is acceptable.*

*The local highway authority has no objection to the development but with the following conditions:*

**CAB- Visibility Splays**

*Before any other works hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 23m metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.*

*Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.*

**CAE- Vehicular Access construction****CAJ- Parking estates****CAP- Highways improvement works – Dropped kerbs along the C1203 as indicated in drawing****CB2 – secure cycle storage**

I45

I43

I11

I09

I07

I08

*All applicants are reminded that attaining planning consent does not constitute permission to work in the highway. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website:*

*[www.herefordshire.gov.uk/directory\\_record/1992/street\\_works\\_licence](http://www.herefordshire.gov.uk/directory_record/1992/street_works_licence)*

*<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>*"

2<sup>nd</sup> consultation 11<sup>th</sup> April 2025

*"The local highways authority has considered the amended drawings submitted 1103 and makes the following comments. There has been a reduction in the number of building on site by 1 dwelling but the road network remains the same as previously agreed by the LHA. There are no objections to the application with the amended drawings and the previous highway comments are still valid and should be implemented."*

**4.7 Ecology – No objections; conditions recommended**1<sup>st</sup> consultation 23<sup>rd</sup> April 2024 (Superseded Plans)

*"The site is within River Wye SAC catchment and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out by the LPA, the final HRA 'appropriate assessment' completed by the LPA must be formally approved by Natural England PRIOR to any future planning consent being granted. This HRA process needs to be completed based on all current requirements and considerations and on information supplied in support of this specific application and that is sufficiently detailed to allow any relevant conditions to be secured. The HRA process must be completed with legal and scientific certainty and using a precautionary approach.*

*From the start of August 2023, there have been changes in the conservation status of the River Wye SSSI - downgraded to "unfavourable declining" by Natural England; and these comments have been completed based on this recent change and updated SSSI Impact Risk Zone information available from Natural England (River Wye SAC – bespoke buffer – Any discharge of water or liquid waste including to mains sewer). The applicant must demonstrate with scientific and legal certainty that the proposed development will create no significant nutrient pathways into the River Wye that may make the current situation worse or hinder any recovery.*

*Additional guidance can be found in the FAQs available on the council's website.*

#### *Notes in respect of HRA*

*The proposal is for NINE new residential dwellings with associated new foul water and surface water flows (nutrient pathways) created*

- *There is a mains sewer connection available at this location.*
- *Mains sewer is considered as the best available option to ensure foul water management with minimal effect from nutrient pathways.*
- *The mains sewer network is managed by Welsh Water through their Longtown Waste Water Treatment Works.*
- *Welsh Water have confirmed that their Longtown WWTW has sufficient capacity to manage the additional foul water flows created by the proposed development.*
- *The Longtown WWTW discharges outfall into the Olchon Brook which is connected via the River Monnow to the Lower River Wye – with a confluence in Wales.*
- *This discharge is over 40km hydrologically from the confluence with the River Wye facilitating significant dilution and natural nutrient management over this large distance.*
- *The additional foul water flows can be considered as accommodated within the nutrient allowance secured through the current Core Strategy housing allowances that were subject to a positive HRA process at the time the CS was adopted.*
- *All surface water can be managed through appropriate onsite Sustainable Drainage Systems and local infiltration.*

*The agreed foul and surface water management systems can be secured by approved plans on any planning permission finally granted. The foul water management is considered as being 'embedded' within the project and can be secured as part of any planning permission granted. The LPA considers that there are no adverse effects on the integrity of the River Wye SAC as a result of the proposed development and the required HRA process can be considered as being 'screened out' at stage 1 of the assessment process.*

#### *Other ecology comments*

*By virtue of the development size <10 dwellings and a site area <1Ha and as the application is validated before 2<sup>nd</sup> April 2024 no statutory biodiversity net gain is applied to this application.*

*From supplied and available information the LPA doesn't identify the construction of the development as having any likely direct effects on local protected species although appropriate precautionary working methods are proposed in the ecology report. The applicant should be*

reminded of their and their contractors' legal obligation to wildlife protection at all time through the Wildlife & Countryside Act. There are records of multiple bat species within the locality.

#### *Wildlife Protection Informative*

The Authority would advise the applicant (and their contractors) that they have a legal Duty of Care as regards wildlife protection. The majority of UK wildlife is subject to some level of legal protection through the Wildlife & Countryside Act (1981 as amended), with enhanced protection for special "protected species" such as Great Crested Newts, all Bat species, Otters, Dormice, Crayfish and reptile species that are present and widespread across the County. All nesting birds are legally protected from disturbance at any time of the year. Care should be taken to plan work and at all times of the year undertake the necessary precautionary checks and develop relevant working methods prior to work commencing. If in any doubt it is advised that advice from a local professional ecology consultant is obtained.

#### *Suggested Conditions:*

The site is in an area with an intrinsically dark landscape that benefits local amenity and nature conservation interests, including nocturnal protected species (Bats) commuting/foraging in wider locality and adjacent habitats. A condition to ensure all local nature conservation interests are not impacted and external lighting is requested:

#### *Protected Species and Dark Skies (external illumination)*

No external lighting shall be provided other than the maximum of one external LED down-lighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K and brightness under 500 lumens. Every such light shall be directed downwards with a 0 degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute. The Lighting shall be maintained thereafter in accordance with these details.

*Reason: To ensure that all species and local intrinsically dark landscape 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; and the council's declared Climate Change and Ecological Emergency*

*As identified in the NPPF, NERC Act, Core Strategy LD2 and action within the council's declared Climate Change & Ecological Emergency all developments should demonstrate how they are going to practically enhance ("Net Gain") the Species (Biodiversity) potential of the area. To secure these enhancements a relevant Condition is suggested:*

#### *To obtain Species (Biodiversity) Net Gain*

*Prior to first occupation of any dwelling approved under planning permission, evidence of the suitably placed installation on the approved dwellings, or on other land under the applicant's control, of a minimum of NINE bird nesting, NINE bat roosting features of mixed types and ONE hedgehog home with hedgehog highways through all impermeable boundary features; should be supplied to and acknowledged by the local authority; and shall be maintained hereafter as approved unless otherwise agreed in writing by the local planning authority. No habitat boxes should be located in Ash trees due to future effects of Ash Dieback Disease and likely loss of these trees.*

*Reason: To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006) and Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3."*



2<sup>nd</sup> consultation 9<sup>th</sup> May 2025

*“Based on the amended drainage and site plans, we do not have further ecology comments. The ecology consultation undertaken on 23 April 2024 stands and we refer to the conditions within. An updated HRA screening has been done for avoidance of doubt which supersedes the HRA screening done on 23 April 2024.”*

Case Officer Note: The completed HRA for both superseded and amended plans can be accessed under the representations section of the application webpage through the following web link:

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=240468](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240468)

#### 4.8 Senior Landscape Officer – Objection

1<sup>st</sup> consultation 5<sup>th</sup> July 2024 (Superseded Plans)

*“The cumulative effect of the development in relation to the existing village has a negative impact on the landscape character and appearance of the village. The inherent qualities of the landscape setting associated with the designated heritage assets (i.e., the castle and surrounding historical settlement) have created the village of Longtown that we experience today. The scale and the mass of the development does not enhance the character of the village in relation to the cultural landscape and wider landscape. The buildings associated with the development would be visible from the surrounding landscape and public visual receptors (i.e., public footpaths). The nature of the topography exposes the site and is not able to be mitigated by landscape. The village streetscape and backdrop would be influenced by the increased depth of development and would harm the skyline of the village looking outwards to the landscape.*

*Landscape character*

*The landscape character Assessment (2023) defines the site within the Landscape Character Type (LCT7) ‘Sandstone Upland Hills and Valleys’. Key characteristics include:*

*Topography, geology and drainage*

- *An upland landscape, with a strong pattern of parallel ridges and deep narrow valleys running north-west to south-east.*

*Agricultural land use and field patterns*

- *A distinctive medieval field pattern of small, irregular, often rounded shaped fields, one of the most ancient field patterns in the county.*

*Settlement and road pattern*

- *The settlement pattern consists of sparsely scattered attractive hamlets and small livestock farms and wayside dwellings linked by narrow winding lanes.*

*Cultural heritage*

- *The landscape has a border character, providing the transition to the uplands of the Black Mountains to the west.*
- *An important area for recreation, with a strong rights of way network, popular for walking and camping.*

*Views and perceptual qualities*

- *One of the most undisturbed parts of England, with strong sense of tranquillity and dark night skies.*
- *Few settlements and relatively little new development or transport infrastructure result in a remote character.*
- *A small-scale enclosed character in the valleys with long views to the Black Mountains.*

*The comments raised in this report are all contributing factors that make this a highly valued landscape with a landscape character that is highly sensitive to change. A complete appraisal of the landscape characters can be found in Herefordshire Council’s Landscape Character Assessment (2023).*

*Tranquillity*

*The development will bring with it an increased vehicle activity, noise, and light pollution that will impact the tranquillity of a quiet rural environment. As stated by the landscape character assessment, Longtown is located within one of the most undisturbed parts of England, with a strong sense of tranquillity and dark night skies.*

*The harm to the landscape setting and character of Longtown due to the development is contrary to CS policies LD1 and LD4.”*

2<sup>nd</sup> consultation 25<sup>th</sup> April 2025 (Amended Plans)

*“Previous comments (29/06/2024) are still relevant – No further comment.”*

#### 4.9 **Archaeological Advisor – No objections**

1<sup>st</sup> consultation 7<sup>th</sup> March 2024 (Superseded Plans)

*“No objection”*

2<sup>nd</sup> consultation 24<sup>th</sup> April 2025 (Amended Plans)

*“No further comments”*

#### 4.10 **Public Rights of Way Development Officer – No objections**

1<sup>st</sup> consultation 4<sup>th</sup> March 2024 (Superseded Plans)

*“No objection”*

#### 4.11 **Waste Management – No objections**

1<sup>st</sup> consultation 25 April 2024 (Superseded Plans)

*“Bin storage locations for each plot to be included on site plans. If bins are to be stored to the front of the property (including when bins are to be placed in the front on collection day) there should be at least 1 metre space around the bin to allow the resident and collection operatives to manoeuvre the bin, and it should not cause an obstruction to the entrance to the property. Bins should not be placed on the pavement on collection day as this causes an obstruction to pedestrians.*

*Storage space will need to be provided at each property for the following containers:*

*1x180 litre wheeled bin for general rubbish*

*1x240 litre wheeled bin for recycling paper & card*

*1x240 litre wheeled bin for recycling tins, cans, glass and plastics*

*1x23 litre food waste caddy (collected weekly)*

Collected on an  
alternate 3 weekly  
basis

*1x240 litre bin at each property with a garden. This is an optional fortnightly (seasonal) garden waste bin, however space should be provided to allow residents with gardens the ability accommodate a garden waste container or home compost bin should they choose to use it.*

*Bin collection points (areas of hardstanding where residents can place their bins for collection) should be provided for any plot located over a 25 metre walking distance from where the RCV can safely access. These should be an area of hardstanding that is large enough to position the required number of containers.*

*With Herefordshire Council’s intention to introduce both a fortnightly garden waste and a weekly food waste collection service, there is a likelihood that two bins may need to be presented at the same time. Bin Collection Points should therefore be of sufficient size to allow at least 1.16 metres space per property in case some collections coincide.*

*In the event that any roads within the development are not adopted, please note that the council will only agree to travel private roads for the purposes of waste collection if:*

*The council and its contractors determine that collections can be carried out safely;  
and*

*The council receive written confirmation from the landowner/developer that the roads over which the RCV will travel are built to a suitable specification for this type of vehicle to travel over on a frequent basis;*

*and*

*The Council and its contractor(s) are indemnified against damage to property and general wear and tear, other than that caused through negligence.”*

## **5. Representations**

### **5.1 Longtown Group Parish Council – Objection**

#### 1<sup>st</sup> consultation 21<sup>st</sup> March 2024 (Superseded Plans)

*“Longtown Group Parish Council sat on 20th March 2024 and heard from local residents objecting to the application. There was no-one in support. Council deliberated and RESOLVED to object to the application. Council noted the inclusion of terraced housing but felt that the objections to the original application were still valid.*

#### It does not reflect the NDP

- *Urban design does not match the style of the village*
- *House type not the preferred single storey building for this site recommended in Policy LGPC2 in the NDP*
- *The large number of two storey buildings will destroy the view and impact too heavily on the historic site and the visual impact of the village from the hillside.*

#### It does not match the needs of the Parish:-

- *Local housing need is for affordable houses not larger more expensive family homes*
- *Single storey dwellings are needed for elderly residents to downsize to*

#### Sewage treatment

- *The current treatment plant is at least 40 years old and is not meeting the needs of the number of houses in the village (in times of heavy rain it overflows polluting the Olchon Brook)*

#### Water supply

- *At times of peak demand there are currently water pressure issues. This problem would get worse.*

#### Destruction of archaeological evidence

- *The site is part of the medieval gardens of the historic village. The open nature of the former medieval gardens is part of the setting of the scheduled ancient monument. This development risks significant harm to a designated heritage asset.*

#### Roads

- *The access road is too small and narrow*
- *The entrance splay is problematic*
- *The current houses need to park their cars in the road narrowing it further*
- *The development proposed would be likely to increase the traffic by about 20 cars*
- *The children have no play area and play in the road*
- *Significant risk and danger would result.”*

#### 2<sup>nd</sup> consultation 21<sup>st</sup> June 2024 (Superseded Plans)

*“Longtown Group Parish Council sat on 19th June 2024 and discussed this application at length. Council RESOLVED to maintain its objection to the application and maintain that its original*

*rationale is still valid. Please refer to the initial application comments that have now dropped from the website."*

3<sup>rd</sup> consultation 3<sup>rd</sup> May 2025 (Amended Plans)

*"Longtown Group Parish Council sat at an extraordinary meeting on 30th April 2025 and RESOLVED to object to this application and commented:-*

*'Land at Greyhound Close - Application 240468*

*The Longtown Group Parish Council recognises that in making changes to the design of houses planned the applicant has started to consider the local needs but it does still not match the requirements of the village. LGPC objects to the current proposals for the reasons stated below.*

*The development does not provide the type of housing required by the area. The NDP consultation discovered a need for affordable housing and the site in question was proposed to provide single storey housing for older people. The single storey buildings are too large (with three bedrooms and at too great a density) The site is equivalent to an urban density of housing. The semi detached designs are suitably affordable but the remaining detached houses are in good supply locally and not needed. This is not consistent with RA2 of the Herefordshire Core Strategy. It is not in line with LGPC1 or LGPC2 of the NDP.*

*The proposed development represents overdevelopment of the site in terms of density, style and size of housing. The current proposal provides a higher number of bedrooms and an increased footprint compared with the previous plan. This is not consistent with LGPC1(b) which states that "dwellings shall be of a scale massing, building line and layout compatible with the character, size and form of the neighbouring properties.*

*The design and layout are not in keeping with a rural village like Longtown particularly considering the visibility of the site from the National Park. The Senior Landscape Officer agrees that the harm to the landscape setting and overall character of Longtown is contrary to LD1 and LD4 of the Core Strategy. LGPC2(d) says the "design and materials of buildings should be locally distinctive, reflecting the existing village character." Local housing is predominantly stone in character and not just faced with stone on one side.*

*We believe the current proposal is not exempt from Biodiversity Net Gain because of temporary small site exemption. It does not meet all three criteria. Specifically that the site should be no larger than 0.5 hectares. Any new application should comply.*

*Following Herefordshire Council's declaration of a Climate Emergency in 2019, SS7 and SS1 refer to the need for compliance with the climate change checklist. This is not evident as the application has not been updated in this respect.*

*The local sewage treatment works is 40 years old. It tries to service the needs of the village and storm water is also fed into it. In the last 6 months alone there have been four occasions when the drains have not been able to cope with the volume of water and effluent and this has resulted in manholes in the road lifting and spilling raw sewage into the road and the treatment works overflowing into the Olchon Brook. This is not an acceptable situation and will be made worse by additional houses.*

*Storm water. The proposed development includes rain gardens and a SUDS system but our local consultant civil engineer is concerned that the provision made in this plan will not accommodate so many units. We would expect Herefordshire Council to check all submissions. The village suffers from low water pressure in some months of the year. This increase in demand would adversely affect supply.*

*Archaeological damage. We have previously stated that this site is part of the medieval gardens of the historic village. The open nature of the former medieval gardens is part of the setting of the*

*scheduled ancient monument. This development risks significant harm to a designated heritage asset.*

*As previously stated we believe the access road is too narrow and the entrance splay is problematic. The existing houses in Greyhound Close need to park their cars in the road narrowing it further. The likelihood is that such a development would increase the number of cars regularly using the road by about 20 resulting in significant risk and danger”.*

5.2 At the time of this report being completed, 43 third party representations have been received from 23 interested parties. With the exception of one representation, all other representations object to the application. The key themes are summarised as follows:

- **Principle of development:**
  - Does not meet the NDP/conflicts with adopted development plan;
  - Market Housing not needed;
  - Low cost or for rent or affordable needed;
  - No first homes or bungalows for elderly; and
  - Longtown has already met housing requirements.
- **Design/Character/Appearance:**
  - Too many houses.
  - Unsuitable and inappropriate;
  - Negative impact/out of keeping;
  - Materials need to be in keeping with houses of Longtown;
  - Over development of rural landscape;
  - Lack of local distinctiveness;
  - Out of keeping and preference to use brownfield sites in existing urban areas;
  - Houses to be in keeping with Greyhound Close in regards to size and materials;
  - Not characteristic with the older style built properties;
  - Large homes – more suited to an urban or suburban estate;
  - Deep square plots – no precedent in village;
  - Not sensitive infilling;
  - Mini housing estate;
  - Poor housing mix; and
  - Lack of outbuilding obscures proposed density.
- **Environment/Landscape/Heritage:**
  - Loss of greenfield/agricultural land;
  - Blot on landscape/impact on views across Olchon Valley;
  - Development not conducive to tourism (Offa's Dyke trail);
  - Visual impact from Bannau Brycheiniog National Park and Offa's Dyke Path;
  - Light pollution;
  - Impact on heritage assets/archaeology;
  - No information given on core construction;
  - No details on Building regulations given;
  - If landscaping and public areas are not maintained then this will reduce quality;
  - Management strategy for landscaping detail;
  - Lack of design detail;
  - Historic England comments on NDP;
  - Loss of hedgerow; and
  - Lack of energy efficiency/addressing climate change in plans.
- **Ecology/Biodiversity:**
  - Detrimental effect on wildlife;
  - Loss of habitats/natural vegetation/prevent loss of rare and endangered flora and fauna;
  - Health of nearby water courses: Olchon Brook, the Monnow River/Wye SAC;
  - Phosphate record for sewage plant – outfall into Olchon Brook which flow into River Monnow and then the Wye;



- Dark Sky Area;
- No mandatory Biodiversity net gain; and
- Provision should be made for swift bricks to provide biodiversity enhancement.
- **Drainage:**
  - Provide additional capacity to water treatment plant;
  - Over flows after rainfall leading to raw sewage entering watercourses;
  - Surface water (heavy rain) overflows down the village;
  - Lack of a phosphate permit at WWTW;
  - Flow of water;
  - Proposed surface water drainage arrangements;
  - Problems with existing system forcing effluent onto land/down road; and
  - Current sewage arrangements are incapable of being achievable.
- **Water Supply:**
  - Minimal pressure of watermain at peak times;
  - Increase demand will exacerbate this; and
  - Proposal is premature
- **Highway Safety:**
  - Infrastructure can't cope. Roads can't cope with extra traffic
  - Existing entrance not wide enough.
  - Greyhound Close road not hard wearing and needs to be upgraded.
  - Parking chaos around School drop off and collection times
  - Construction Traffic is not appropriate to use Greyhound Close.
  - Parking stress locally
- **Amenity:**
  - Noise and disturbance of increased traffic and houses;
  - Noise and traffic during construction;
  - Light pollution; and
  - Loss of privacy, overlooking and light.
- **Infrastructure**
  - Shortage of school places;
  - Pressure on existing drainage, water and sewage systems;
  - Impact on phones, wi-fi, lack of doctors surgery and public services;
  - Limited employment opportunities;
  - No play area within this proposal; and
  - Poor bus service (one per week to Hereford and one to Abergavenny).
- **Procedural issues:**
  - No public engagement with local community;
  - No details on phasing of the proposals;
  - Should be decided by committee not delegated authority;
  - No Habitat Regulations Assessment undertaken;
  - Requirement for Natural England and the Environment Agency to be consulted; and
  - Mandatory 'Biodiversity Net Gain' not provided.
- **Other matters (non-material planning considerations):**
  - Loss of view;
  - Can't sell properties;
  - Damage to property;
  - Impacts during construction phase; and
  - Longtown has many houses 'for sale'.

5.3 All representations can be viewed in full on the Council's website using the following weblink:-  
[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=240468](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=240468)

Internet access is available at the Council's Customer Service Centres:-  
<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

## 6. Officer's Appraisal

### *Policy and legislative context*

- 6.1 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 comprises the Herefordshire Local Plan – Core Strategy (CS), the Longtown Group Neighbourhood Development Plan (NDP), and the Herefordshire Minerals and Waste Local Plan (MWLP). The National Planning Policy Framework (NPPF) is a significant material consideration.
- 6.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and Paragraph 34 of the NPPF requires a review of local plans to be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating. The CS was adopted in October 2015 and a decision to review the CS was taken in November 2020, which is over five years.
- 6.3 In reaching a decision, the level of consistency of policies within the local plan with the NPPF will therefore need to be taken into account by the decision-maker, as per Paragraph 232 of the NPPF. From reviewing those policies within the CS applicable to the determination of this application, these are generally consistent with the guidance contained within the NPPF. As such, significant weighting should continue to be afforded to these relevant policies. This position has also been crystallised at the Appeal Court prior to the most recent revisions to the NPPF coming into effect following *Suffolk Coastal DC v Hopkins Homes & SSCLG and Richborough Estates v Cheshire East BC & SSCLG [2016] EWCA Civ 168* which were described by the Court thus *"We must emphasize here that the policies of the NPPF do not make "out-of-date" policies for the supply of housing irrelevant in the determination of a planning application or appeal. Weight is, as ever, a matter for the decision maker (as described the speech of Lord Hoffmann in Tesco Stores Ltd. v Secretary of State for the Environment [1995] 1 W.L.R. 759, at p.780F-H)"*.
- 6.4 Planning reforms published in December 2024 by Central Government included revisions to the NPPF, which has implications for both plan-making and decision-making. In the context of Herefordshire, this notably includes a 70% increase in the new homes requirement over the plan period – rising from 16,100, as identified within the current CS, to 27,260 new dwellings. These changes have subsequently impacted the Council's publicised housing land supply, which has now dropped below the required five years to **3.06 years** (as of January 2025).
- 6.5 Paragraph 11 of the NPPF, like Policy SS1 of the CS, sets out a presumption in favour of sustainable development. For decision-making, Paragraph 11d will need to apply. It states that where there are no relevant development plan policies, or the policies which are most important for determining the application are 'out-of-date' (in instances where applications involve the provision of housing, as per Footnote 8), to grant planning permission unless:
- the application of policies of the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (11di); or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (11dii).
- 6.6 Paragraph 12 of the NPPF nevertheless does remain relevant, stating that the presumption in favour of sustainable development does not change the statutory status of the development plan

as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the adopted development plan), permission should not usually be granted.

- 6.7 Revisions to the NPPF also have implications for Neighbourhood Development Plans (NDPs). Paragraph 14 of the NPPF states,

*“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*

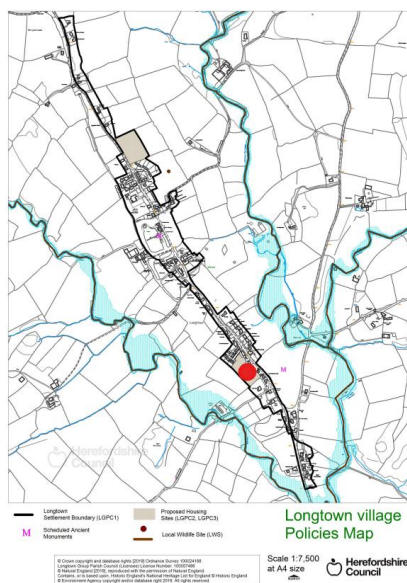
*a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*  
*b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).”*

- 6.8 The Longtown Group NDP was made on 6 March 2020. At the time of decision-making, it is more than 5 years old, which contradicts Paragraph 14a of the NPPF. As such, the NDP does not benefit from the enhanced provisions of Paragraph 14 and accordingly any conflict with the policies contained within the NDP does not automatically amount to harm that should significantly and demonstrably outweigh the benefits of a proposal. The aforementioned planning balance at Paragraph 11d still applies in earnest.
- 6.9 The appraisal makes a detailed assessment of the application against the policies of the adopted development plan, though any decision will need to be considered in accordance with Paragraph 11d of the NPPF given the current housing land supply position.

### **Principle of Development**

- 6.10 Policy SS1 of the CS states that planning applications that accord with the policies in the CS will be approved unless material considerations indicate otherwise. In terms of considering new residential development, Policy SS2 of the CS states that Hereford is the main focus for new housing in supporting its role as the main centre in the county, then the five market towns thereafter. Beyond this, in the rural areas across Herefordshire, new housing development will be principally accepted where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities, and is responsive to the needs of its community, set out under Policies RA1 and RA2. In the wider rural areas beyond such identified settlements, new housing will be carefully controlled, recognising the intrinsic character and beauty of open countryside, and assessed in accordance with CS Policy RA3, which is consistent with Paragraphs 82-84 inclusive of the NPPF. The broad distribution of new residential development across the rural settlements over the current plan period of the CS is expected to deliver a minimum of 5,300 new dwellings, although this is not a ceiling and members will be acutely aware of the recent revisions to the NPPF.
- 6.11 Policy RA1 of the CS explains that the minimum of 5,300 new dwellings will be distributed across seven different Housing Market Areas (HMAs). This recognises that different parts of Herefordshire have differing housing needs and requirements. The policy explains that the indicative target is also to be used as a basis for the production of NDPs and thus growth target figures are set for the HMA as a whole rather than for constituent Neighbourhood Areas, where local evidence and environmental factors will also determine appropriate scales of development. The CS therefore leaves flexibility for NDPs to identify suitable housing sites through policies and/or allocations though amendments to the NPPF has now altered the standard method of calculating housing requirements. Subsequently, the residual growth figures have now gone up.

- 6.12 Policy RA2 of the CS states that to maintain and strengthen locally sustainable communities across rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15 and the following criteria are met:
- Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built-up area.
  - Their locations make best and full use of suitable brownfield sites wherever possible;
  - They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and
  - They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.
- 6.13 The policy aims to encourage new residential development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned. Supporting justification recognises that NDPs will be the principal mechanism by which new rural housing will be allocated.
- 6.14 Longtown is identified as a settlement which is a main focus for proportionate housing development under Policy RA2 (refer to associated Figure 4.14), with proportionate housing growth identified for the Golden Valley HMA of 12% under Policy RA1 of the CS. As stated above, NDPs are the mechanism for setting growth as they allocate land for new residential development or otherwise demonstrate delivery, to provide the levels of housing to meet various targets, indicating levels of suitable and available capacity.
- 6.15 The Longtown Group NDP identifies a settlement boundary and has identified two proposed housing allocations. The site is located wholly within the designated settlement boundary for Longtown, identified under Policy LGPC1. The site also relates to a proposed allocated site for housing, namely 'Policy LGPC2: Land South East of Greyhound Close'.
- 6.16 The sites' allocation and siting within the defined settlement boundary is one that makes the proposal acceptable in principle from a spatial perspective. For ease of reference, the policies map that forms part of the Longtown Group NDP is inserted below with the red circle demarking the site location.



*Figure 7: Extract from Longtown Neighbourhood Plan: Longtown Village Policies Map, with application site denoted by red circle*

- 6.17 Acknowledging the ‘in principle’ acceptability, Policy LGPC2: Land South of Greyhound Close of the NDP is therefore of key relevance. This policy is replicated verbatim below:

***“Policy LGPC 2: Land South East of Greyhound Close***

*The development of 0.6 ha (1.5 acres) of land to the south east of Greyhound Close identified on the Longtown Village Policies Map is proposed for housing development subject to the following additional conditions:*

- a) The scale and nature of development on this site should be informed by a robust Heritage Impact Assessment ensuring that any proposals would not harm the setting of “The Old Greyhound” “Grade 2 Listed Building and respect the highly sensitive landscape of this area with its views of the village, showing its historic form, from the Brecon Beacons National Park.*
- b) There should be tree planting and structural landscaping to protect the setting of the settlement and Longtown Castle.*
- c) Landscape proposals should include measures to protect and enhance biodiversity.*
- d) The design of new buildings and materials used should be locally distinctive reflecting existing village character and avoiding an urban appearance.*
- e) If appropriate the development could provide low-density, single-storey housing to suit older people and to protect the view of Hatterrall Hill.”*

- 6.18 Within the NDP, it makes it clear that any proposals for new residential development should meet the criteria above. Adherence to these conditions listed above (a-e) are explored within the main body of this officer report under the design, landscape and heritage and housing mix sections alongside other relevant policies of the CS and the NDP, taking into account material considerations as appropriate, including the NPPF.
- 6.19 It is acknowledged that a common theme raised in third party representations is a concern that the development would not represent proportionate growth and would thus be detrimental to the well-being of the settlement. It is recognised that the Longtown Group Neighbourhood Area has performed strongly in terms of housing delivery in the past with growth exceeding the minimum target defined by the CS, albeit this has largely been achieved through previous permissions for windfall development in open countryside locations across the surrounding group parishes of Craswall, Llanveynoe and Walterstone (e.g. barn conversions and/or ‘Class Q’ Prior Approval applications), as well as across Longtown parish itself.
- 6.20 As a result of the revisions to the NPPF, the standard method figure has had to be re-calculated. As of April 2025, covering the period of 2025 up to 2031, namely the end of the current CS period, the Neighbourhood Area (Longtown Group) is tasked with still finding a minimum of 39 dwellings. Officers acknowledge this proposed development will deliver housing on an allocated site and help boost housing supply in the locality, assisting the area in contributing towards meeting their growth targets in the immediate area as well as part of wider county requirements.
- 6.21 The effect of the new housing targets is that the Council is no longer able to demonstrate a five-year housing land supply. By extension, the housing policies of the adopted development plan must be regarded as being ‘out-of-date’ as a result. This is highlighted to members as a significantly different context to when the most recent application here was refused permission in 2022. At that point in time the Council was able to demonstrate that it had a sufficient supply of housing to meet its identified housing needs.
- 6.22 It would therefore not be considered justified to resist development based on a purely quantitative assessment of the level of growth relative to the now outdated targets within the CS. In the context of current land supply shortfall and the need to increase housing delivery, the specific details of the scheme must be assessed with regards to wider policies of the development plan to establish whether the development (and associated proportionality of growth) would give rise to clear and tangible harms that demonstrably outweigh the benefits.



## Housing Mix

- 6.23 Appreciating the previous application was solely refused on an inappropriate housing mix, it would be right to consider this policy requirement at an early stage. Policy H1 of the CS sets a clear threshold for the delivery of affordable housing where applications are for more than 10 dwellinghouses. This proposal is for 8 dwellings. Therefore, there is no requirement for affordable housing provision or obligations. Policies LGPC1 and LGPC2 do not require affordable housing to be provided and it should be stressed that it is not considered that there is any question of the number of dwellings being artificially reduced to avoid such provision.
- 6.24 The previous application presented a scheme that was not considered to deliver the size, type and range of housing required in the settlement to reflect local demand. For context, that scheme proposed 6 no. dwellinghouses with garages with a housing mix of 1 no. 5-bedroomed dwelling, 3 no. 4-bedroomed dwellings and 2 no. 3-bedroomed dwellings.
- 6.25 Policy RA2(4) seeks to ensure that schemes generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand. Policy H3 builds on this, requiring residential developments to provide a range and mix of housing. In particular, larger sites, such as this will be expected to:
1. *provide a range of house types and sizes to meet the needs of all households, including younger single people;*
  2. *provide housing capable of being adapted for people in the community with additional needs; and*
  3. *provide housing capable of meeting the specific needs of the elderly population by:*
    - *providing specialist accommodation for older people in suitable locations;*
    - *ensuring that non-specialist new housing is built to take account of the changing needs of an ageing population; ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation.*
- 6.26 Policy H3 of the CS states that residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities. The most recently published Local Housing Market Assessment for Herefordshire (2021) details the affordable and open housing market requirements for each HMAs. The market housing required within the Golden Valley HMA is provided below:

	Golden Valley	1 Bedroom	2 Bedrooms	3 Bedrooms	4+Bedrooms
HMA	Market	5%	30%	50%	15%
	Affordable home ownership	20%	35	40	5%
	Affordable rented housing	35%	35%	25%	5%

Figure 8: Housing market area requirements for Golden Valley HMA (Iceni report July 2021)

- 6.27 Policy H3 does not specifically restrict the development of 2, 3 and 4 bedroom dwellinghouses. Figure 8 evidently shows there is still an identified need for dwellinghouses of varying scales and importantly, has not identified a particular oversupply of certain housing requirements where such assessments have been done in the past.
- 6.28 The applicant, following a suggestion by officers, has also amended Plots 1 and 2 which now provide bungalows to offer an increased range and type of housing. The housing mix is proposed as follows:
- 2 no. 2-bedroomed semi-detached two-storey dwellinghouses (91.9 square metres).
  - 2 no. 3-bedroomed detached bungalows (88 square metres).
  - 2 no. 3-bedroomed detached two-storey dwellinghouses (107 square metres).

- 2 no. 4-bedroomed detached two-storey dwellinghouses (194 square metres).

- 6.29 Given the positively worded nature of these aforementioned policies, officers do not identify conflict with them. The housing mix provides some non-specialist new housing to take account of the changing needs of an ageing population; ensuring the development contains a range of house types, including bungalow accommodation. It also provides 2 no. 2-bedroomed dwellings which may enable local, younger people looking to get onto the housing market and remain in the area. It also provides three-bedroomed and four-bedroomed dwellings which would support families and enable local services to continue to remain viable.
- 6.30 It is acknowledged within NDP Policy LGPC 2 under condition e) that,
- e) If appropriate, the development could provide low-density, single-storey housing to suit older people and to protect the view of Hatterrall Hill.*
- 6.31 Officers acknowledge that 2 no. single-storey dwellinghouses have been proposed. The wording of the policy, with reference to 'could', does not forcibly require a proposal to provide all single-storey dwellings across the site and that subject to assessment of other implications of the proposal, there is no conflict with that policy.
- 6.32 Notably, in the preceding application appeal decision, the Inspector reached a similar view:
- "15. The Council allege conflict with Policy LGPC2 of the NP, which sets out that development of the site should comply with a number of criteria, including part e) which stipulates that; if appropriate the development could provide low density, single-storey housing to suit older people and to protect the view of Hatterrall Hill. Whilst the policy encourages the provision of a specific type of units, it does not prevent other forms of development from taking place on the site. Nor is there any substantive evidence that the appeal scheme would not protect the view of Hatterrall Hill. As such the proposal, for 2 storey dwellings, would not give rise to conflict with NP Policy LGPC2."* (Appeal Decision APP/W1850/W/22/3304126)
- 6.33 For the avoidance of doubt, the provision of the bungalows is regarded as a positive response and it is likely that an officer recommendation would remain positive on this point had the two units remained two-storey dwellings. However, as amended, the proposal does bring forward a further housing type that can meet changing needs and should be viewed as a benefit that weighs positively in the planning balance.

### **Design, residential amenity and impact on character and appearance of area**

- 6.34 The NPPF promotes a high level of design and emphasis on achieving well-designed places. Paragraph 131 states that: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.
- 6.35 The detail of design is assessed by Policy SD1 of the CS. This policy states that proposals should be designed to maintain local distinctiveness through detailing and materials, respecting scale, height, and proportions and massing of surrounding development. The proposal should also safeguard the amenity of existing and proposed residents in terms of overlooking, overshadowing and overbearing.
- 6.36 The requirements of Policy SD1 and RA2 are underpinned by Policy LD1 (landscape and townscape). Development proposals need to demonstrate that features such as scale and site selection have been positively influenced by the character of the landscape, and that regard has also been had to the protection and enhancement of the setting of settlements. Development proposals should also conserve and enhance the natural, historic and scenic beauty of important

landscapes and features, including locally designated parks and gardens; and should incorporate new landscape schemes and their management to ensure development integrates appropriately, through the retention of important trees, appropriate replacement of trees lost through development, and new planting to support green infrastructure.

- 6.37 NDP policy LGPC2 condition d) states: *'The design of new buildings and materials used should be locally distinctive reflecting existing village character and avoiding an urban appearance.'*
- 6.38 Whilst the quantum of dwellings has been amended, the proposal consists of a mixture of two-storey and single-storey properties with communal living space and bedrooms. The form of the dwellings has been amended through consideration of the application with the design of the 8 plots reflecting a more traditional rural approach. The scheme has evolved to take into consideration the historic setting of the village through the provision of smaller units and improved landscaping. The proposed development is considered to be a stand-alone development from Greyhound Close and is designed to retain continued views from the C1203 through the site and towards Hatterrall Hill. The density of development, which is equivalent to approximately 14 dwellings per hectare, is also low and not markedly different to that found on the immediately adjoining development at Greyhound Close.
- 6.39 Retention of, and additionally proposed soft landscaping, also helps to break up the site massing and provide green infrastructure between each of the dwellinghouses. The proposed layout as submitted also provides the opportunity to allow sightlines through the site from public receptors to the surrounding countryside from various positions both within and outside its confines. The proposed landscaping scheme includes a SuDs feature within the formalised boundaries that surround the site. There is a provision of green space, including shared open space for residents, the entrance green incorporates some orchard planting alongside Greyhound Close and the layout affords views through to the countryside from the site entrance. The 'central green' which is enclosed by 4 dwellings would offer passive surveillance over this space; the southern wild garden that will incorporate the SuDs feature will be a less formal space to encourage wildflower growth and insect and bird habitat. Each of these spaces are visually linked to one another and have been designed so that there is a through-site view available from most positions from within the site.
- 6.40 It is considered that the layout is well conceived and appropriate to the local development grain and pattern of development. This has also provided more openness through the site, especially from the main road via Greyhound Close and the materiality of the houses and soft and hard landscaping will help to settle the houses into their site context. The development is also relatively well self-contained. As explained in the site description, the village has an eclectic mix of design types so there is no definitive style characterising in the area.
- 6.41 In terms of the architecture and style of the houses, revisions have secured external materials of rough coursed natural stone, painted timber cladding (mid-grey) and through colour render façades all under blue-grey roof slates creating suitable vernacular through material use. Also, changes to entrance porches, window proportions and style and the treatment additional forms attached to the houses are better proportioned and styled. The overriding concept for the design of the houses is one of traditional cottages hence the symmetrical arrangement, chimneys on gable ends, steep pitched roofs (notably on the two-storey dwellings) and smaller scale add-ons which help to break up the volumes created. The proposed materials, as detailed on the schedule of materials on each proposed house type, are in keeping with the locality. Nevertheless, it is found to be appropriate to condition more precise details and finishes of the materials on any approval, particularly as recognised by the Council's Principal Building Conservation Officer.
- 6.42 It is noted that there have been concerns raised with regards to the building designs but these have evolved over the application period at the request of officers, and this has included a reduction in a unit to loosen up the amenity space, particularly in relation to Plots 3 and 4, which was originally proposed as a terrace of 3 dwellings. Clearly, design is a subjective matter, but it

is considered that the style of the units sits comfortably in this setting and presents a design which is positively influenced by the locality. The materials are in keeping with the surroundings and the differing form respects the ad-hoc way in which the settlement of Longtown has grown.

- 6.43 When looking at amenity impacts, each dwellinghouse will benefit from its own rear garden and the amendments to the site layout do not give rise to issues of overlooking, loss of privacy, overbearing or loss of light to current and/or future occupiers. In relation to existing properties in close proximity to site, given the separation distances, the proposal will safeguard residential amenity. It is however appropriate to condition working hours during the construction phase. The proposal is considered to be an appropriate and informed response to context which safeguards residential amenity and would result in a development of architectural quality which reflects the desire for achieving well-designed places. The proposal accords with the design aims and objectives of the NPPF; Policies SS6, RA2, LD1 and SD1 of the CS and NDP policies LGPC1 b) and e), and LGPC2 d).

### **Climate Change**

- 6.44 CS policy SS7 requires focus on measures to address the impact that new development in Herefordshire has on climate change, outlining how development proposals should include measures which will mitigate their impact on climate change, with Policy SD1 also seeking to support these measures. Policy LGPC15 encourages renewable energy proposal in principle subject to technical criterion. Herefordshire Council has unanimously passed a motion declaring a Climate Emergency, signalling a commitment to ensuring that the council considers tackling Climate Change in its decision-making. A Climate Change Checklist to aid the consideration of development proposals accompanies the application.
- 6.45 Notwithstanding the sustainable location of the development, thus reducing the need to travel for services, the proposal is considered to need to include measures to support low-carbon ways of living & sustainable modes (as defined by the NPPF). Electric vehicle charging points as well as the orientation of the plots and thermal efficiency have been considered. It is noted that under the Future Homes Standard, the vast majority of new build homes will be required to be fitted with solar power but officers concur with this approach due to the importance of maintaining a traditional aesthetic for the site. The proposed plots have been sensitively oriented where possible in order to maximise exposure to sunlight. Similarly, in line with modern construction techniques, the buildings will benefit from energy efficient heating systems and thermally efficient materials. In terms of heat recovery, this will be utilised to preclude the need for triple ventilated windows. The proposals accord with the aforementioned policies.

### **Landscape character and visual effects**

- 6.46 Policies SS6, RA2, LD1, LD3 of the CS, as detailed above are relevant policies when considering the landscape and visual impacts of the proposed development. In this context, NDP Policy LGPC2 conditions b), c) and e) as described below also addresses landscape character and appearance:
- b) There should be tree planting and structural landscaping to protect the setting of the settlement and Longtown Castle.*
  - c) Landscape proposals should include measures to protect and enhance biodiversity.*
  - e) If appropriate the development could provide low-density, single-storey housing to suit older people and to protect the view of Hatterall Hill.*
- 6.47 Further to this, Policy LGPC10, strives to ensure development contributes positively to the area's rural character, notably to:
- a) Protect the views to and from Offa's Dyke Path and the Brecon Beacons National Park.*
  - b) Where appropriate use Tree Preservation Orders to protect important trees.*

*c) Preserve the character, appearance and biodiversity of the Commons.*

- 6.48 The application site is visible, albeit from a long-distance, from Bannau Brycheiniog (formerly the Brecon Beacons) National Park. The landscape is also an important part of the heritage assessment, and this aspect is discussed separately. The application has been supported by a landscape character and visual impact assessment, and this has influenced the revisions to the site layout and assessed views to and from site, particularly from Offa's Dyke Path.
- 6.49 The application has attracted an objection from the Council's Senior Landscape Officer who considers that the cumulative effect of the development, in relation to the existing village, has some negative impacts on both the landscape character and appearance of Longtown. They consider that the inherent qualities of the landscape setting associated with designated heritage assets (i.e., the castle and surrounding historical settlement) dating back to medieval times, has created the village of Longtown that one experiences today. The comments express concerns that the proposed scale and the mass of the development does not enhance the character of the village in relation to the cultural landscape and wider landscape.
- 6.50 The updated Herefordshire Council Landscape Character Assessment (2023) defines the site within the Landscape Character Type (LCT7) 'Sandstone Upland Hills and Valleys'. Key characteristics include:
- Topography, geology and drainage - An upland landscape, with a strong pattern of parallel ridges and deep narrow valleys running north-west to south-east.
  - Agricultural land use and field patterns - A distinctive medieval field pattern of small, irregular, often rounded shaped fields, one of the most ancient field patterns in the county.
  - Settlement and road pattern - The settlement pattern consists of sparsely scattered attractive hamlets and small livestock farms and wayside dwellings linked by narrow winding lanes.
  - Cultural heritage - The landscape has a border character, providing the transition to the uplands of the Black Mountains to the west and an important area for recreation, with a strong rights of way network, popular for walking and camping.
  - Views and perceptual qualities - One of the most undisturbed parts of England, with strong sense of tranquillity and dark night skies; Few settlements and relatively little new development or transport infrastructure result in a remote character; and a small-scale enclosed character in the valleys with long views to the Black Mountains.

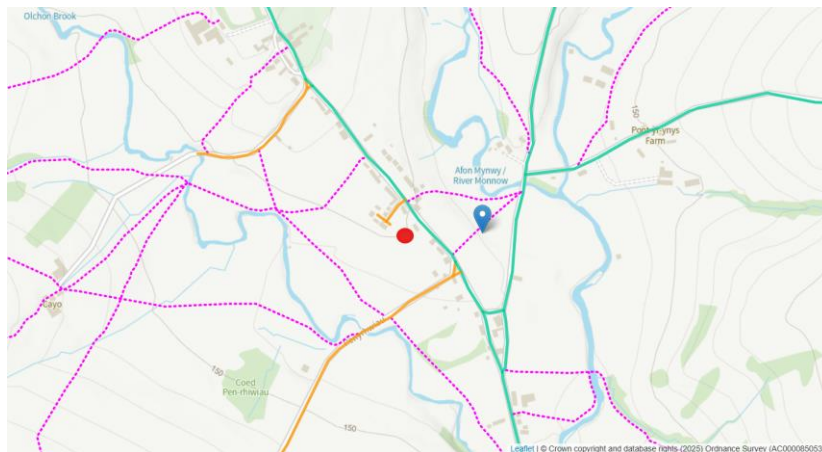
The above are all contributing factors that do make this a highly valued landscape with a landscape character that is inevitably sensitive to any proposed change.

- 6.51 The site lies on the south-western fringes of Longtown. Contextually, it is enclosed by residential land uses on two sides, Greyhound Close located to the north-west and north, and several dwellings fronting the C1203 located to the north-east and east, with a single dwelling known as Lower House being located south-east/south along Penyrhwiau, which leads to the Welsh Water Treatment Plant. The south-western boundary of the site is enclosed by hedgerow, which is a continuation of the hedgerow that demarks the limits of Greyhound Close. In spatial terms, the site is clearly very well related to the existing built-up form of the village as required by the CS and NDP.
- 6.52 The combination of retention of existing vegetation where possible, built environment and proposed landscaping contains the development to a reasonable extent. However, one appreciates that residential development of the site will clearly alter the character from one which is open and inherently rural in its nature.
- 6.53 Development would extend the envelope of the village into surrounding countryside such that there would be some erosion of the site's rural character which positively contributes to the edge-of-settlement transition. The distinctive medieval and sparse settlement pattern would be impacted by increased development and would somewhat infringe on the highly valued levels of



rural tranquillity, dark skies and sense of remoteness experienced within this landscape character type. These elements, taken together, form a part of the key features of this landscape character type, as raised by the Council's Senior Landscape Officer.

- 6.54 However, the adverse impacts are considerably mitigated by the relationship of the site with surrounding housing and the confinement of development to within existing landscape boundary features. Furthermore, the concerns raised in terms of settlement pattern and perceptual qualities are such that development in Longtown of any scale is likely to incur some form of similar impact. The existing hedgerow to the south-west of the site for instance, which aligns with the rear boundary of the existing development along Greyhound Close, is to be retained such that the parcel of land is reasonably well enclosed, and any new housing here would not appear as a discordant protrusion into the countryside relative to its neighbours. Existing boundary hedgerows would be retained where possible and protected during construction, providing further mitigation. Where new hedgerow is proposed, it would be of native species, in looking to reinforce landscape character type. Notwithstanding this, there is some very slight tension with aforementioned policies in terms of landscape character given the scale.
- 6.55 Turning to visual effects, the site is visible from short, medium and long-distance public receptors including PRowS. The extent of the PRow is shown below in Figure 9:



*Figure 9 – Extent of PRow network (dashed in purple) surrounding application site and Longtown, with the application site denoted by the red circle*

- 6.56 It is evident 'on the ground' and from representations received that PRowS in Longtown are well used, providing a link for residents and visitors/tourists to experience the surrounding open countryside. The currently open nature of the site and its surroundings to the west/south-west, akin to a rough pasture, affords picturesque views of the open rugged countryside across the Olchon Brook to the west towards Hatterrall Hill. The characteristics of the site in this regard are such that it contributes positively to the rural setting of the village.
- 6.57 Many short and medium distance views are screened largely by existing housing fronting the C1203. Where visible on PRowS both north-west, east and south-east, it would be largely confined to the previous phase of development adjacent to the site. It is considered that the only perceived visual impact of new development would be from PRow LQ9 where effectively the second storey of the two detached dwellinghouses on the south-west of the site will be visible.
- 6.58 However, the topography between the application site and this specific PRow limits perceived harm to an acceptable degree. As a benefit, Plots 1 and 2, which are located at the arrival point to site, would be provided as bungalows. The lower height and massing would contribute to a greater sense of spaciousness and would limit the intrusion of built form in views through the site towards the wider landscape to the north-west, west and south-west.

- 6.59 There is considered to be negligible visual impact from long distance receptors such as Offa's Dyke Walk looking down onto Longtown from surrounding higher elevations, reading as a more natural extension to the settlement as a whole and not a disjointed or settlement in its own right. Furthermore, with the proposed colour, materials and finish of the roofs and facades, and with the covering of tree foliage overtime, any perceived adverse visual impact can be reduced to an acceptable degree. An enhanced landscape scheme will ensure the proposed dwellings do not need to totally rely on considerable additional planting to screen the development.
- 6.60 There is no denying the fact that the proposal by its very nature will alter landscape character at a local level as development will naturally bring with it increased vehicle activity, noise, and light that will impact the serenity of this quiet, rural environment. As stated within the Senior Landscape Officers' comments, Longtown is located within one of the most undisturbed parts of the county, with a strong sense of tranquillity and dark night skies. In this regard, no rooflights are proposed and a suitably conditioned lighting condition, which reflects best practice adopted in National Landscapes such as the Wye Valley and Malvern Hills, will minimise harm in terms of light pollution. Again, any development in Longtown, given its relationship and context, is likely to encounter similar impacts in terms of perceptual qualities, settlement pattern and views.
- 6.61 The above notwithstanding, the decision maker must recognise that this is an allocated site within a made NDP. There is therefore a recognition locally that the site is expected to accommodate some residential development. The wording of Policy LGPC2 acknowledges that some impacts will be inevitable and strives to ensure that mitigation put forward is appropriate and conserves and where possible, enhances landscape character, visual amenity and other relevant considerations e.g. heritage assets/biodiversity. Although this application proposes an increased quantum of development compared to the previous application for 6 no. predominately 'executive style' detached dwellinghouses, it needs to be highlighted that the Council did not consider there to be harm to the landscape character and visual amenity of the area associated with that application. That view was acknowledged by an Inspector when considering the subsequent appeal.
- 6.62 In conclusion on this section, the proposal will partly erode the rural setting of the village, by way of impacts upon both perceptual qualities as well as field and settlement pattern. There is therefore some degree of tension with Policy LD1 of the CS and Policy LGPC10c of the NDP. However, the level of harm would amount to low to medium. The view is reached by placing a 'medium-high' landscape value on the area. The magnitude of change is then towards the lower end of the low and medium bracket, recognising that development will have some impact in altering existing landscape character features.
- 6.63 The harm identified is further reduced by appreciating that with appropriate landscape mitigation and enhancement, a residential development of the scale proposed would limit the impact upon the visual amenity of the sites' surrounding environs appropriately. Despite some harm being found, it should be recognised that the harm must be weighed in the planning balance, having regard to the 'tilted balance' that is embodied by the presumption in favour of development as set out by Paragraph 11d).

### ***Heritage assets***

- 6.64 The historic environment is defined as all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Those elements of significance with statutory protection are referred to as designated heritage assets. Policy LD4 of the CS is applicable to heritage assets throughout Herefordshire whether formally designated e.g. listed building and conservation areas, or not, ranging from individual structures and their settings, archaeological remains, to larger neighbourhoods of historic value, parks, gardens and other green spaces of local interest. Policy SS6 identifies that development proposals should conserve and enhance those environmental assets that contribute towards the

county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations.

- 6.65 NDP Policy LGPC13 specifically relates to heritage assets and recognises the neighbourhood area is historically important. Many designated and non-designated heritage assets are highly valued by the community. Their sites and settings should be conserved and enhanced and proposals affecting designated and non-designated heritage assets and their settings including those with archaeological interest must comply fully with the requirements of the development plan.
- 6.66 When considering the impact of a development proposal upon the setting of a heritage assets, there are several stages. Firstly, identifying those assets which may be affected and their significance. Then those aspects of their setting which contribute to the significance are identified and lastly the impact of the development upon this significance is considered. It should be noted that a view to or from a heritage asset does not necessarily mean that a site is within that assets' setting, this depends upon whether that view contributes to the significance of the asset. Also, a site can be within the setting of a heritage asset without their being a direct view under certain circumstances. The fundamental principle is whether or not a development affects the significance of a heritage asset, including those aspects of its setting which contribute to its significance.
- 6.67 There are a number of listed buildings and a scheduled monument in close proximity:
- The Old Greyhound and Milestone on West Side of approximately 15 metres West of the Old Greyhound' (both Grade II Listed); and
  - 'Longtown Castle and town' (Scheduled Monument)
- 6.68 Under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority is required, when considering development which affects a listed building or its setting to have special regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.69 It follows that the duties in Section 66 do not allow a decision-maker to treat the desirability of preserving the setting of listed buildings merely as material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building, it must give that harm "considerable importance and weight". Importantly, this does not mean that an authority's assessment of likely harm of proposed development to the setting of a listed building or to a conservation area is other than a matter for its own planning judgement. Nor does it mean that an authority should give equal weight to harm that it considers would be limited or "less than substantial" and to harm that it considers would be "substantial".
- 6.70 The NPPF offers further guidance about heritage assets, recognising that they are irreplaceable resources that should be conserved in a manner appropriate to their significance. Section 16 particularly offers clarity about the assessment to be made of the significance of heritage assets. Paragraph 210 outlines three criteria to be taken account of in the determination of planning applications. These are as follows:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.

- 6.71 Whilst policy requires heritage assets to be protected, conserved and enhanced, and requires the scope of the work to ensure this to be proportionate to their significance, it does not include a mechanism for assessing how harm should be factored into the planning balance. In order to properly consider the effects of development on heritage assets, recourse should be had to the NPPF in the first instance.
- 6.72 A Heritage Statement has been submitted to support the application, in line with Paragraph 207 of the NPPF and as required by NDP policy LGPC2 condition a) which says: *“The scale and nature of development on this site should be informed by a robust Heritage Impact Assessment ensuring that any proposals would not harm the setting of “The Old Greyhound “ Grade 2 Listed Building and respect the highly sensitive landscape of this area with its views of the village, showing its historic form, from the Brecon Beacons National Park.”*
- 6.73 As raised by the Council’s Principal Building Conservation Officer and the comments of Historic England, Longtown village has historic and archaeological value, and this has been recognised by the insertion of the specific condition attached to the NDP policy for this site requiring a heritage impact assessment. Figure 10 highlights the relevant designated heritage assets:



Figure 10 – Historic England Map of designated heritage assets

- 6.74 It is evident from the map above that Greyhound Close separates the site from the listed buildings and the site’s development does not affect their setting, experience or significance. The Council’s Principal Building Conservation Officer also has not objected to the development but provides conditional support, noting that they view the development would not adversely affect the significance of the listed buildings.
- 6.75 Whilst noting the concerns raised by Historic England, the site has been identified to accommodate some form of residential development and further its revised layout and appearance are such officers do not consider the proposal will have a significant adverse effect on the setting, experience or significance of the scheduled monument. As a material planning consideration, the previous appeal decision made this point on the heritage impacts of the previous application:

*“16. The Old Greyhound, a Grade II listed building, lies close to the site as well as a Grade II listed milestone. I am required to have special regard to the desirability of preserving the setting of the listed buildings. With respect to the scale and nature of the development and to its position relative to these, I am satisfied that the setting and significance of the listed buildings would not be adversely affected. Moreover, the Council indicate that, due to the separation distance between the appeal site and the scheduled ancient monument of ‘Longtown Castle and town’ the proposal would not have a significant adverse effect on its setting. I have no reason to disagree with the Council’s assessment in this respect.” (Appeal Ref: APP/W1850/W/22/3304126)*



- 6.76 In regard to archaeology, the application has been supported by specialist reports to assist in the assessment of the proposal upon both archaeological and heritage assets. These reports have been reviewed and following the amended reduced scheme the Archaeology Advisor has confirmed no objection to the proposal.
- 6.77 In light of the previous appeal decision and whilst noting the increased quantum of development and considering the merits of this scheme, the proposed reduced development of 8 dwellings does not cause harm to the setting, significance or experience of these aforementioned heritage assets. The proposals comply with the requirements of Policies SS6 and LD4 of the CS, NDP Policies LGPC 2 and Policy LGPC 13 and the guidance set out in the NPPF.

### ***Accessibility, highway and pedestrian safety***

- 6.78 In respect of matters pertaining to highway safety, CS Policy MT1 is applicable. This requires that proposals demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development. It also requires that developments are designed and laid out to achieve safe entrance and exit and have appropriate operational and manoeuvring space, having regard to the standards of the Council's Highways Development Design Guide for New Development.
- 6.79 Policy LGPC8 from the NDP sets out similar requirements, requiring that there is safe access on to adjacent roads; the proposal is capable of being accommodated in the capacity of the local road network with consideration of the need for adequate passing places; proposals do not result in on-street parking; appropriate provision is made for service vehicles to turn safely; the nature of the development does not lead to pressure for street lighting; and, where possible, developments should be linked to the existing pedestrian network with, if necessary, the creation of new footpaths. Section 9 of the NPPF promotes sustainable transport and is clear at Paragraph 116 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 6.80 There have been representations raising concerns regarding the highways impacts of the proposed development. The proposed development would be served via an existing turning head on Greyhound Close. The access road will be 4.5 metre in width and designed to adoptable standards, with 2.0 metre footways provided along each side, where development exists on both sides. The existing access onto the C1203 is located within the 30mph village speed limit and benefits from good levels of visibility onto the main road.
- 6.81 The Area Engineer confirms that intensification in use of the existing access associated with the proposed development does not raise any safety concern. The Area Engineer has confirmed the proposal is acceptable with regards to the nature of the local network and are adequate to ensure that safe access can be achieved. Plans also intend to provide a pedestrian crossing point over the C1203 to improve connectivity to community facilities. A condition is recommended to secure its delivery. The internal layout makes adequate provision for the parking and manoeuvring of vehicles, and a condition is recommended to secure storage for cycles. Subject to this being imposed and recognising that the Area Engineer has offered no objections to the scheme, there is no conflict with policies MT1 and LGPC8. Paragraph 116 of the NPPF is not considered to be engaged.

### ***Ecology and Biodiversity***

- 6.82 Policy LD2 of the CS seeks the conservation, restoration and enhancement of biodiversity and geodiversity assets. As such, development will not be permitted where it has the potential to harm



these assets or reduce the effectiveness of the ecological network of sites. The introduction, restoration and enhancement of biodiversity and geodiversity features will be actively encouraged. Policy LGPC2c identifies that proposals should include measures to protect and enhance biodiversity.

- 6.83 The application is supported by an update to a previously undertaken Preliminary Ecological Appraisal. This has been reviewed, along with details of the site and relevant ecological records by the Council's Ecologist. The Ecologist has stated there are no immediate ecology related concerns and that the update to the PEA is relevant and suitable for the proposed development. The developer will be reminded of their own legal duty of care for wildlife. Conditions can secure biodiversity net gain/habitat enhancements across the site, ensure that external lighting is strictly controlled and secure protection for the existing hedgerows on the site. The proposal would comply with the requirements of Policy LD2 and LGPC 2c).

### ***Mandatory Biodiversity Net Gain ('BNG')***

- 6.84 Some representations have raised concerns that the application should be subject to mandatory Biodiversity Net Gain ('BNG'). For the avoidance of doubt, the validation date of the application is such that it is not required to deliver a mandatory 10% net gain to biodiversity value relative to pre-development conditions. Legislation came into force for small sites (i.e. non-major applications within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) on 1<sup>st</sup> April 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) when the temporary exemption ceased. The application was clearly made prior to that date. Nevertheless, this does not take away the habitat and biodiversity enhancements proposed and which would be secured by condition.

### ***Drainage and Flood Risk***

- 6.85 Policy SD3 of the CS states that measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk, avoid an adverse impact on water quality, protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation and will be achieved by many factors including developments incorporating appropriate sustainable drainage systems to manage surface water. For waste water, policy SD4 states that in the first instance developments should seek to connect to the existing mains wastewater infrastructure. Where evidence is provided that this option is not practical alternative arrangements should be considered in the following order; package treatment works (discharging to watercourse or soakaway) or septic tank (discharging to soakaway). The NDP has a specific foul and storm water drainage policy (LGPC14) which states that proposals, where required, should include details of how foul and storm water drainage can be accommodated without causing pollution or flooding to other properties or land and how biodiversity should be supported. Developers should utilise Sustainable Drainage Systems and wet systems where this is practicable.
- 6.86 With regards to surface water, the runoff from the impermeable areas on the site are directed into an attenuation pond located in the south-western corner of the development, upon the lowest elevated land within the site boundary. The main purpose of the pond will be to provide sufficient attenuation for all surface water runoff generated by the development however, the use of above ground SuDS will also provide ecological and amenity benefits. It is proposed to discharge all foul effluent generated by the development to a main foul sewer run located 50 metres south-west of the site. Welsh Water records indicate the presence of a main foul sewer some 50 metres south-west of the site, flowing beneath private land adjacent to Penyrhwiau. Records indicate that this foul sewer drains into the treatment plant approximately 110 metres south-west of the site.
- 6.87 The applicant has shown on submitted plans they own land up to the sewer treatment plant. It is proposed to install a new pipe which will connect effluent from the development to the existing

foul sewer network before it enters the treatment works. Local concerns have been raised in regards to capacity of the existing treatment works, however Welsh Water have confirmed capacity exists within the public sewerage network in order to receive the domestic foul flows from the proposed development site.

- 6.88 No evidence has been provided to suggest the site has previously suffered from flooding events and this would align with the Environment Agency mapping (NFRA2 updates March 2025), which identifies the site as being within the 'low risk' Flood Zone 1 for fluvial food risk. The site is also not identified as being at risk from pluvial flooding. The site is considered suitable for development with regards to national guidance.
- 6.89 The most recent comments of the Land Drainage Engineer are noted. Given the size of the site and the supporting information, the methods are found to be policy compliant and achievable on the site to the extent that more detailed design can be secured at discharge of condition stage. As such, it is considered that the requirements of Policies SD3 and SD4 of the CS and Policy LGPC14 of the NDP would be satisfied subject to suitably worded conditions.

### ***Habitat Regulations Assessment (HRA)***

- 6.90 The site is within the Monnow catchment of the River Wye Special Area of Conservation (SAC). This proposed development triggers the legal requirement for a Habitat Regulations Assessment (HRA) process to be carried out by the LPA. Any 'appropriate assessment' completed by the LPA must be formally approved by Natural England prior to any planning consent being granted. This HRA process needs to be completed based on all current requirements and considerations and on information supplied in support of this specific application and is sufficiently detailed to allow any relevant conditions to be secured. The HRA process must be completed with legal and scientific certainty, using a precautionary approach.
- 6.91 The proposal is for 8 new dwellings with associated new foul water and surface water flows (nutrient pathways) created. There is a mains sewer connection available at this location and the mains sewer is considered as the best available option to ensure foul water management with minimal effect from nutrient pathways. The mains sewer network is managed by Welsh Water through their Longtown Waste Water Treatment Works and Welsh Water have confirmed that the Longtown WWTW has sufficient capacity to manage the additional foul water flows created by the proposed development.
- 6.92 The Longtown WWTW discharges outfall into the Olchon Brook which is connected via the River Monnow to the Lower River Wye – with a confluence in Wales. This discharge is over 40 kilometres hydrologically from the confluence with the River Wye facilitating significant dilution and natural nutrient management over this large distance. The additional foul water flows can be considered as accommodated within the nutrient allowance secured through the current CS housing allowances that were subject to a positive HRA process at the time the CS was adopted. All surface water can be managed through appropriate onsite Sustainable Drainage Systems and local infiltration.
- 6.93 The agreed foul and surface water management systems can be secured by approved plans on any planning permission finally granted. The foul water management is considered as being 'embedded' within the project and can be secured as part of any planning permission granted. There are no adverse effects on the integrity of the River Wye SAC as a result of the proposed development and the required HRA process can be 'screened out' at Stage 1.

### **Water Supply**

- 6.94 Welsh Water have identified infrastructure capacity in regards to this proposed development and have advised that there are currently no improvements planned in regards to upgrading water supply. The applicant can fund the provision of essential improvements by way of water

requisition under Sections 40 - 41 of the Water Industry Act 1991. As such, a suitably worded condition can ensure that the water supply can cope with an increased load. This will be secured through a planning condition to secure funding for the provision of Welsh Water services via Sections 40-41 of the Welsh Water Act. The condition is 'pre-commencement' to ensure that a resolution to this issue before works are commenced.

### ***Other considerations***

- 6.95 In accordance with the adopted MWLP, any application for major development, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as may be amended) that includes built development will be required to be accompanied by a comprehensive Resource Audit addressing all the matters set out in policy SP1. A proportionate approach will be applied to all other development proposals that include built development, which should at least provide commentary on waste prevention and management measures to be implemented. The matter in this instance can be dealt with by way of pre-commencement condition which is proportionate to the nature of the proposal namely waste prevention and management measures to be implemented.
- 6.96 Loss of a private view, negative effects on the value and resale of properties, as well as the number of properties 'for sale' in the area, are mentioned in a number of representations but are not material considerations.

### ***Summary/Planning Balance and Conclusion***

- 6.97 CS Policy SS1 and Paragraph 11 of the NPPF apply a presumption in favour of sustainable development. The NPPF is clear that the achievement of sustainable development is dependent on achieving three overarching objectives, which are interdependent and must be pursued in mutually supportive ways. These are economic; social; and environmental. As a material planning consideration, noting the previous decision and the subsequently dismissed appeal, this was solely on the grounds of inappropriate housing mix. Whilst this current application presents an increased quantum of development, effectively the assessment needs to consider whether the previous reason for refusal has been addressed but whether the material harm of increased development as proposed, subsequently has led to identifying harm which, when taken together, would significantly and demonstrably outweighing the benefits of the proposal.
- 6.98 Turning to Paragraph 11di, the area or assets of particular importance to this application are habitats sites, noting the site lies within the Monnow catchment of the River Wye SAC; and designated heritage assets, in terms of the effects upon the significance of these. Whilst the site may contribute to the wider 'setting' of Bannau Brycheiniog National Park, Footnote 7 of the NPPF is precise that assets must relate to land designated as a National Park, with no reference to 'setting'. The application has been reviewed by the Council's Ecologist who views that the nature of the proposal would have no likely significant effects upon the Monnow catchment of the River Wye SAC. Whilst the comments of Historic England are noted, it is viewed by officers that these concerns do not amount to a strong reason for refusing the development proposed. In reaching a view, the previous appeal decision shows that the Inspector did not consider these concerns to warrant dismissing the appeal, aside from the housing mix issue. Notwithstanding the increased quantum of development, the Council's Principal Building Conservation Officer has not objected. Paragraph 11di is not engaged.
- 6.99 Turning to 11dii, a summary of the benefits and harms of the scheme is laid out below. The proposal would lead to the following positive economic, environmental and social effects:
- A modest contribution of 8 dwellings towards the Councils' housing land supply position;
  - Development which conserves designated heritage assets both above and below ground;
  - Future occupiers having availability of active travel options to access nearby services and facilities, without total reliance on privatised transportation;

- Directing residential development to a sustainable location;
- Increased spending within the local economy to help boost activity and support local jobs and businesses throughout the village and surrounding hinterlands post-occupation;
- Construction activity and jobs for possible local tradespersons during the relevant phase;
- A proposed drainage arrangement that would not undermine the integrity of the River Wye SAC, with improved water efficiency;
- Proposed housing types and a housing mix which can help diversify the housing market and increase consumer choice;
- Housing which can support social networks, such as enabling growing families to move into larger homes or older people living in an area can downsize and accommodation that can adapt to the changing needs of life such as requiring carer accommodation;
- Housing built sustainably using recycled and low-carbon materials and use of construction methods that reduce environmental impacts;
- Housing orientated, where possible, to benefit from passive solar gain;
- More energy efficient housing, with higher Energy Performance Certificate (EPC) ratings, new homes built in England achieve much higher sustainability credentials, as evidenced through EPC ratings;
- A pedestrian crossing/drop kerbs onto the C1203 that provides pedestrian connectivity and safety for residents/visitors;
- Property transactions;
- Habitat and biodiversity enhancement;
- Improved and enhanced landscaping; and
- Additional funding (in the form of council tax and new homes bonus) for public services/infrastructure.

6.100 Weighing against the proposals is that there would be an impact on the rural character of the site at this edge-of-settlement location, leading to some harm to the 'Sandstone Upland Hills and Valleys' landscape character type, namely its perceptual qualities and field and settlement pattern. The harm identified would result in some tension with Policies SS6 and LD1 of the CS and Policy LGPC10c of the NDP. However, this harm is limited by recognition that the site has been allocated for residential development in the NDP and Policy LGPC2 by extension accepts that some impacts in landscape terms will be acceptable. It must also be noted that landscape harm was not identified as a refusal reason when the previous application for 6 detached dwellings was refused.

6.101 The harm that has been identified is not considered to significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, taken as a whole, having regard to key policies on directing development to a sustainable location and making effective use of land. Paragraph 11dii is not engaged. As such it is considered that planning permission should be granted as set out in the recommendation below.

## RECOMMENDATION

**That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:**

## CONDITIONS

### Standard Conditions

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990**

2. **The development hereby approved shall be carried out strictly in accordance with the following list of approved plans, except where otherwise stipulated by conditions attached to this permission:**

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Further information on the subject of this report is available from Mr Josh Bailey on 01432 261903

1001 REV B (Location Plan)  
1102 REV L (Proposed Site Plan)  
1103 REV L (Site Plan)  
1201 REV B (House Type A – Plans)  
1202 REV A (House Type B – Plans)  
1203 (House Type C – Plans)  
1204 REV A (House Type D – Plans)  
1301 REV D (House Type A – Elevations)  
1302 REV C (House Type B – Elevations)  
1303 REV D (House Type C – Elevations)  
1304 REV C (House Type D – Elevations)  
18484\_500 REV.03 (Drainage Strategy)  
18484\_501 REV. 02 (Foul Drainage Connection Plan)

**Reason:** To ensure adherence to the approved plans and to protect the general character and amenities of the area in accordance with the requirements of Policies SD1 and LD1 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1 and LGPC2 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

3. During the construction phase, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 7.00 am-6.00 pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

**Reason:** To protect the amenity of local residents and to comply with Policy SD1 of Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

#### **Pre-Commencement Conditions**

4. Before any works approved under this planning permission commences, works to improve and upgrade the existing public water supply system shall be completed and written confirmation of this shall be submitted to the Local Planning Authority for written approval.

**Reason:** To prevent further hydraulic overloading of the public potable water supply network, to protect the health and safety, in accordance with Policies SS6, LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

5. No works, including any site clearance or materials brought onto site, shall take place until details and location of the following have been submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during construction of the development hereby approved:

- A method for ensuring mud is not deposited onto the Public Highway;
- Construction traffic access location;
- Parking for site operatives;
- Construction Traffic Management Plan;
- Siting of site office/compound/storage area;
- Tree/hedgerow protection; and
- Soil management plan

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.



**Reason:** In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

6. No development, including any site clearance or groundworks, shall take place until details of a site waste prevention plan and management measures has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason:** The treatment/handling of any site waste is a necessary initial requirement before any groundworks are undertaken in the interests of pollution prevention and efficient waste minimisation and management so as to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, Policy SP1 of the Herefordshire Minerals and Waste Local Plan and the National Planning Policy Framework.

#### **Pre-Occupancy or other stage conditions**

7. With the exception of any site clearance as shown on the approved plans, no further works shall take place until visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 23m metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

**Reason:** In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC2 and LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

8. With the exception of site clearance, formation of visibility splays and groundworks, no further development shall take place until manufacturers details or samples pertaining to the following matters have been submitted to and approved in writing by the Local Planning Authority:
  - Roof materials to be used externally;
  - Wall materials to be used externally;
  - Materials to be used externally on all windows and doors;
  - Details (i.e. location, design and appearance – including stain colour of any timber fencing) of all means of enclosure (i.e. gates, walls, fencing and other means of enclosure); and
  - Details of all rainwater goods (i.e. design, profile, material & colour).

The development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory appearance to the development and to ensure a quality development, in accordance with policies SS6, LD1 and SD1 of the Herefordshire Local Plan Core Strategy 2011-2031, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

9. All parts of the approved development which are to be of stonework shall be of a local stone, properly coursed, laid on its natural bed in a mortar. The details of the stone, coursing details and mortar shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works to the stonework.

The works shall be carried out in accordance with the approved details and completed prior to first occupation of the relevant dwellinghouses.

**Reason:** In the interests of conserving the character of the building so as to ensure that the development complies with the requirements of Policies SD1, LD1 and LD4 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

10. Notwithstanding the details which have been provided to date, with the exception of any site clearance, formation of visibility splays, and groundworks, no further development shall take place until an enhanced landscaping scheme is submitted to and approved in writing by the local planning authority. The landscaping scheme shall include a scaled plan identifying:

- a) All proposed new planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details; and
- b) All proposed hardstanding, paving and boundary treatments.

The approved details shall subsequently be implemented as follows in accordance with the following timescales:

- All new soft landscaping boundary treatment planting and new ‘orchard’ planting shall be carried out in the first planting season following the approval of the landscaping details.
- All hard landscaping shall be completed prior to first occupation of each dwellinghouse.
- All other planting, seeding or turf laying in the approved landscaping scheme, unless otherwise specified above, shall be carried out in the first planting season following the occupation of the first dwellinghouse or the completion of the development, whichever is the sooner.

Any trees or plants which die, are removed or become severely damaged or diseased within 10 years of planting will be replaced in accordance with the approved plans.

**Reason:** Having regard to the submitted details to date, an enhanced landscaping scheme is necessary to safeguard and enhance the character and amenity of the area including streetscene. Additionally, to ensure implementation of the landscape scheme approved by local planning authority in order to conform with policies SS6, LD1 and LD3 of the Herefordshire Local Plan - Core Strategy, Policies LGPC1, LGPC2, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

11. Prior to relevant works commencing in relation to foul and surface water drainage arrangements, details pertaining to the following matters shall be submitted to and approved in writing by the Local Planning Authority:
- Detailed design/construction drawings of the proposed surface water and foul water drainage systems and proposed features;
  - Full network calculations to demonstrate that the proposed surface water drainage system has been designed to prevent the surcharging of any below ground drainage network elements in all events up to an including the 1 in 2 annual probability storm event; and
  - Confirmation that the adoption and maintenance of the foul drainage system has been agreed with Welsh Water.

The development shall be carried out in accordance with the approved details together with the details agreed in the Drainage Strategy Report (DSR) REF: 18484-DSR Revision 3 dated 31 March 2025, and drawing numbers 18484\_500 REV.03 (Drainage Strategy) and 18484\_501 REV. 02 (Foul Drainage Connection Plan) prior to first occupation of the dwellinghouses hereby approved and thereafter maintained as such for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory drainage arrangements, in accordance with policies SD3 and SD4 of the Herefordshire Local Plan – Core Strategy 2011-2031, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

12. Prior to first occupation of each dwellinghouse, the related areas for car parking shall be laid out within the curtilage of such dwellinghouse, in accordance with the approved plans pursuant to Condition 2. The car parking areas shall be properly consolidated, surfaced and drained, in accordance with further details to be submitted to and approved in writing by the Local Planning Authority and completed prior to first occupation of each dwellinghouse. Once first occupied, the car parking areas shall not, thereafter, be used for any other purpose other than the parking of vehicles.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

13. Prior to first occupation of the development, a scheme demonstrating measures for the efficient use of water for each dwellinghouse approved under this permission, as per the optional technical standards contained within Policy SD3 of the Herefordshire Local Plan - Core Strategy, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and completed prior to first occupation of each dwellinghouse.

Reason: To ensure compliance with Policies SS7, SD3 and SD4 of the Herefordshire Local Plan Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

14. Works in relation to the provision of road and drainage infrastructure shall not commence until the following details are submitted to and approved in writing by the local planning authority:

- Surface finishes
- Drainage details
- Future maintenance arrangements

The development shall be carried in accordance with the approved details and completed prior to the first occupation of each dwellinghouse hereby permitted unless an alternative delivery / completion schedule is submitted to and approved in writing by the Local Planning Authority). Thereafter, these shall be maintained in accordance with the approved details.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

15. The construction of the vehicular access shall be carried out in accordance with a detailed specification to be submitted to and approved in writing by the local planning authority, prior to relevant works commencing, at a gradient not steeper than 1 in 12. The approved details shall thereafter be implemented and completed prior to first occupation of the development hereby permitted.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

16. Prior to the first occupation of each dwellinghouse on the site hereby approved, the driveways and/or vehicular turning areas shall be consolidated and surfaced at a gradient not steeper than 1 in 8. Private drainage arrangements must be made to prevent run-off from the driveway discharging onto the highway.

Details of the driveway, vehicular turning area and drainage arrangements shall be submitted to and approved in writing by the local planning authority prior to relevant commencement of any works in relation to the driveway/vehicle turning area.

The development shall be carried in accordance with the approved details and completed prior to the first occupation of each dwellinghouse hereby permitted unless an alternative delivery / completion schedule is submitted to and approved in writing by the Local Planning Authority). Thereafter, these shall be maintained in accordance with the approved details.

Reason: In the interests of highway safety and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

17. Construction of highway works proposed for adoption shall not begin until details of such works have been submitted to and approved in writing by the Local Planning Authority, following the completion of the technical approval process by the Local Highway Authority.

No dwellinghouse shall be occupied until the approved works have been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic on the highway and to conform to the requirements of Policy MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

18. Prior to first occupation of the first dwellinghouse, details of a scheme for the provision of covered and secure cycle parking facilities within the curtilage of each dwellinghouse approved under this permission shall be submitted to the Local Planning Authority for their written approval.

The covered and secure cycle parking facilities shall be provided in accordance with the approved details and made available for use upon the first occupation of each residential dwelling and thereafter maintained.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policies SS4, SS7, SD1 and MT1 of Herefordshire Local Plan – Core Strategy, Policies LGPC1 and

**LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.**

19. No works in relation to any of the specified highways works shall begin until further details of the drop crossing point on the C1203, as shown on Drawing Number: 1102 REV L (Proposed Site Plan), have been submitted to and approved by the Local Planning Authority in writing, following the completion of the technical approval process by the Local Highway Authority. No dwellinghouse shall be occupied until the scheme has been constructed in accordance with the approved details.

**Reason:** To enhance pedestrian connectivity, improve highway and pedestrian safety, improve active travel modes and to conform to the requirements of Policies SS4 and MT1 of Herefordshire Local Plan – Core Strategy, Policy LGPC8 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

20. Prior to first occupation of any dwellinghouse approved under this permission, evidence of the suitably placed installation on the approved dwellings, or on other land under the applicant's control, of a minimum of EIGHT bird nesting, EIGHT bat roosting features of mixed types and ONE hedgehog home (per dwelling) with hedgehog highways through all impermeable boundary features shall be submitted to and approved in writing by the local planning authority; and shall be maintained hereafter as approved, unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure Biodiversity Net Gain as well as species and habitats enhancement having regard to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'), Wildlife and Countryside Act 1981, National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies LD1, LD2 and LD3 and Policies LGPC1, LGPC2 and LGPC10 of the Longtown Group Neighbourhood Development Plan.

#### **On-going Compliance Conditions**

21. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

**Reason:** To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policies SS6, LD2, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy, Policy LGPC14 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

22. At no time shall any external lighting, except low power (corrected colour temperature not exceeding 2700K and brightness of 500 lumens or less), 'warm-white' LED lighting on directional down-lighters only with 0 degree tilt angle and 0% upward light ratio and controlled by means of a PIR sensor with a maximum overrun time of 1 minute, that is directly required in relation to the immediate safe use of the dwelling and garage, shall be installed or operated throughout the application site, unless otherwise agreed in writing with the Local Planning Authority. No permanently illuminated external lighting shall be operated at any time within the application site, without the written approval of the local planning authority. All lighting shall be maintained thereafter in accordance with these details with all lighting installed demonstrating compliance with latest best practice guidance relating to lighting and protected species-wildlife available from the Institution of Lighting Professionals.

**Reason:** To ensure that all species 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 (2023), NERC Act (2006), Herefordshire Local Plan – Core Strategy policies SS1, SS6, LD1, LD2 and LD3 and Policy LGPC10 of the Longtown Group Neighbourhood Development Plan.

23. All foul water shall discharge through a connection to the local Mains Sewer network (Longtown Wastewater Treatment Works) and all surface water shall be managed through a Sustainable Drainage System (SuDS) within land under the applicant's control; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with 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'), National Planning Policy Framework, NERC Act (2006), Herefordshire Local Plan - Core Strategy policies SS1, SS6, LD2, SD3 and SD4 and Policies LGPC1 and LGPC14 of the Longtown Group Neighbourhood Development Plan.

24. Notwithstanding the provisions of article 3(1) and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order with or without modification), no development which would otherwise be permitted under Classes A, AA and E of Part 1 and Class A of Part 2 both of Schedule 2, shall be carried out.

Reason: In order to protect the character and amenity of the locality, enable re-assessment of impacts upon landscape character, visual amenity and heritage assets, to maintain the amenities of adjoining property and to comply with Policies SD1, LD1 and LD4 of the Herefordshire Local Plan – Core Strategy, Policies LGPC1, LGPC3, LGPC10 and LGPC13 of the Longtown Group Neighbourhood Development Plan and the National Planning Policy Framework.

#### INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework
2. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com) The applicant is also advised that some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. In accordance with the National Planning Policy Framework, the applicant is advised to take a sustainable approach in considering

water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

3. It is an offence under Section 148 of the Highways Act 1980 to allow mud or other debris to be transmitted onto the public highway. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.
4. This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to Balfour Beatty (Managing Agent for Herefordshire Council) Highways Services, Unit 3 Thorn Business Park, Rotherwas, Hereford HR2 6JT, (Tel: 01432 261800), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority. A minimum of 4 weeks notification will be required (or 3 months if a road closure is involved). Under the Traffic Management Act 2004, Herefordshire Council operate a notice scheme to coordinate Streetworks. Early discussions with the Highways Services Team are advised as a minimum of 4 weeks to 3 months notification is required (dictated by type of works and the impact that it may have on the travelling public). Please note that the timescale between notification and you being able to commence your works may be longer depending on other planned works in the area and the traffic sensitivity of the site. The Highway Service can be contacted on Tel: 01432 261800.
5. The developer is required to submit details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations. It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Adequate storm water disposal arrangements must be provided to enable Herefordshire Council, as Highway Authority, to adopt the proposed roadworks as public highways. The applicant is, therefore, advised to submit the engineering and drainage details referred to in this conditional approval at an early date to the Senior Engineer, PO Box 236, Plough Lane, Hereford HR4 0WZ for assessment and technical approval. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into.
6. No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. Please contact the Senior Engineer, PO Box 236, Plough Lane, Hereford HR4 0WZ to progress the agreement.
7. It is the responsibility of the developer to arrange for a suitable outfall or discharge point. It cannot be assumed that the highway drainage system can be used for such purposes.
8. The applicant's attention is drawn to the requirement for design to conform to Herefordshire Council's 'Highways Design Guide for New Developments' and 'Highways Specification for New Developments'.
9. All applicants are reminded that attaining planning consent does not constitute permission to work in the highway. Any applicant wishing to carry out works in the highway should see the various guidance on Herefordshire Council's website:  
[www.herefordshire.gov.uk/directory\\_record/1992/street\\_works\\_licence](http://www.herefordshire.gov.uk/directory_record/1992/street_works_licence)  
<https://www.herefordshire.gov.uk/info/200196/roads/707/highways>

## APPENDIX

### 1. Appeal Decision APP/W1850/W/22/3304126 – Land South East of Greyhound Close, Longtown (LPA Reference: P211678/F) dated 9 May 2023

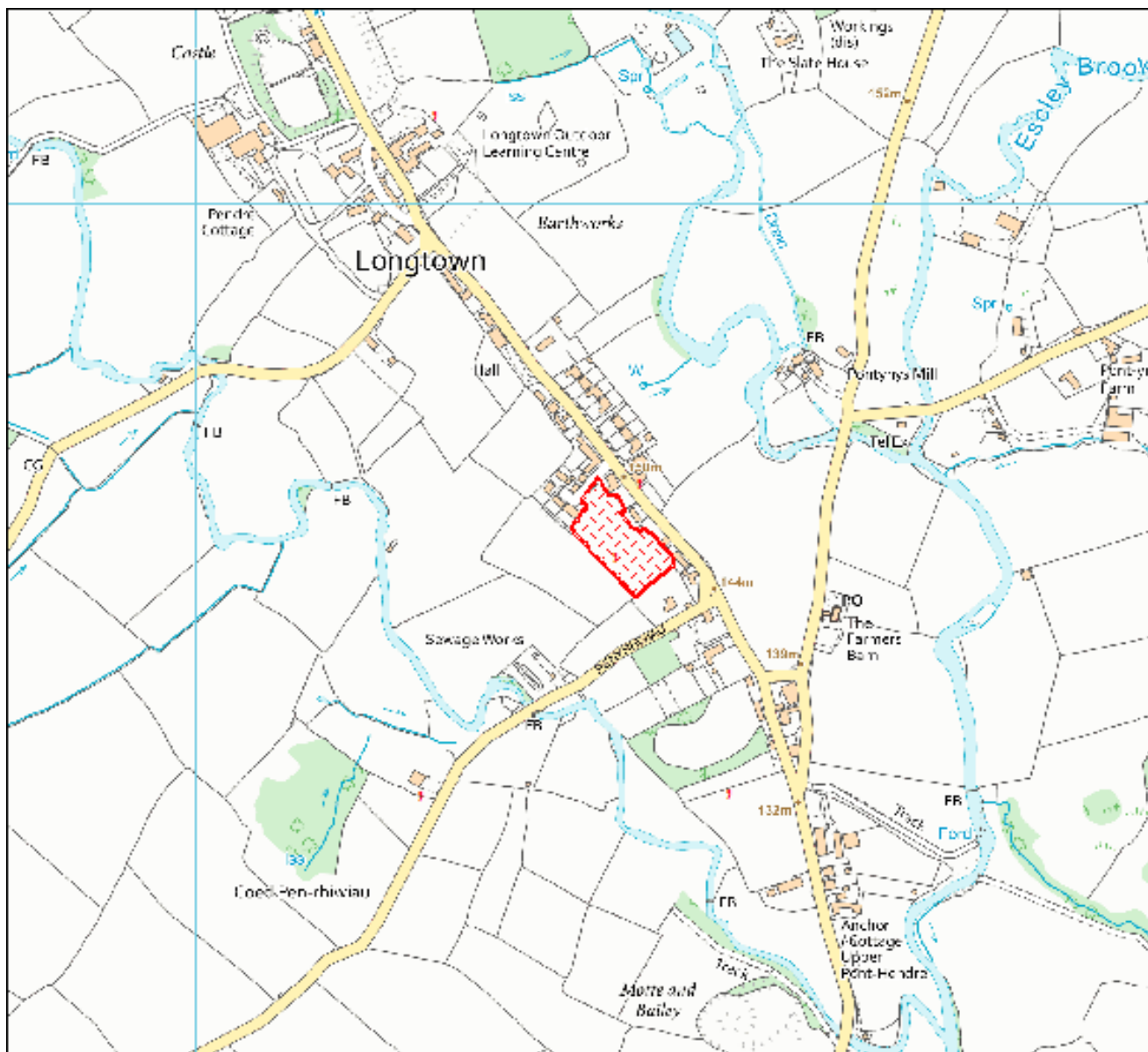
Decision: .....

Notes: .....

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#### Background Papers

None identified.



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**APPLICATION NO:** 240468

**SITE ADDRESS :** LAND SOUTH EAST OF GREYHOUND CLOSE, LONGTOWN, HEREFORD, HEREFORDSHIRE

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