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# Appeal Decision

Site visit made on 20 March 2023

**by Emma Worley BA (Hons) Dip EP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 09 May 2023**

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**Appeal Ref: APP/W1850/W/22/3304126**

**Land South East of Greyhound Close, Longtown**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Claire Price against the decision of Herefordshire Council.
  - The application Ref 211678, dated 22 April 2021, was refused by notice dated 1 July 2022.
  - The development proposed is described as 'Proposed residential development of 6 no. dwellings with associated access, parking and landscaping'.
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## Decision

1. The appeal is dismissed.

## Applications for costs

2. An application for costs was made by Ms Claire Price against Herefordshire Council. This application is the subject of a separate Decision.

## Preliminary Matters

3. The description of development given above is taken from the appeal form. It reflects amendments that were made to the scheme during the application process, which included the reduction of the number of dwellings proposed from 10 to 6. The application was determined on the basis of the amended description and plans, as is the appeal.
4. The Council's refusal reason refers to Policy LGPC2 d) of the Longtown Group Parish Neighbourhood Plan (NP), however their appeal submissions indicate that the correct reference is in fact part e) of Policy LGPC2.

## Main Issue

5. The main issue is whether the proposed development would provide an appropriate housing mix within the settlement.

## Reasons

6. The appeal site comprises a parcel of grassland located to the rear of the existing residential properties which front the main road through the village. Access to the site is via a field gate to the side boundary of the site from the small cul-de-sac known as Greyhound Close. The proposal for 6 open market dwellings would include 4 different 2 storey house types of a traditional design, including one 5 bedroom unit, three 4 bedroom units and two 3 bedroom units.

7. Policy RA2 of the Herefordshire Local Plan Core Strategy 2011-2031 (HLPCS) supports proposals for new housing in settlements outside Hereford and the market towns where they meet specific criteria, including that 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. The supporting text indicates that residential development will be expected to contribute to the future housing needs of each Housing Market Area (HMA) by providing an appropriate mix of dwelling types and sizes having regard to the Local Housing Market Assessment and other relevant evidence sources.
8. The Housing Market Area Needs Assessment Final Report (Iceni Projects Limited on behalf of Herefordshire Council) July 2021 sets out a recommended market housing mix in the Golden Valley Housing Market Area of 5% one bedroom, 30% 2 bedroom, 50% 3 bedroom and 15% 4+ bedroom units. Whilst this is not for particular settlements, I have not been provided with any evidence that this would not be relevant to this particular settlement or that it would not reflect local demand.
9. The appeal proposal, which was amended during the planning application process to include the provision of a number of 3 bedroom dwellings in order to provide a greater mix of dwelling sizes, also includes a range of house types. Nevertheless, the scheme comprises entirely of units with 3 bedrooms or more, with 33% of the units having 3 bedrooms and 67% having 4 or more bedrooms. As a consequence of the over provision of larger units, specifically 4+ units, together with the lack of provision for 2 bedroom units, the proposed mix of dwelling sizes, would deviate from the recommended housing mix to meet the identified local need.
10. I note the appellants contention that the provision of 3, 4 and 5 bedroom dwellings would go towards meeting the greater demand for such units which is identified in the HMA. Nevertheless, the provision of 4+ bedroom units exceeds the need of 15% set out in the HMA and the provision of 3 bedroom units falls below the identified need of 50%. In addition, there would be no smaller 1 and 2 bedroom units, for which the HMA also identifies a need. As such the proposals fail to provide the mix of housing that is required to meet local demand.
11. Even though the proposal represents only a small part of the wider delivery of housing within the context of HLPCS Policy RA2, it has not been demonstrated that the need for an appropriate mix of dwelling sizes to reflect local demand is not an expectation of all development, regardless of the overall number of units proposed or that other relevant evidence sources indicate that the proposal is an appropriate mix.
12. My attention is drawn to Policy H3 of the HLPCS. Whilst it may be that Policy H3 does not prevent the provision of larger units, its primary purpose is to contribute to the creation of balanced and inclusive communities and in this respect, it is consistent with HLPCS Policy HA2. Nevertheless, I agree that on the whole, the criteria within Policy H3 are intended to relate to larger housing sites and given the number of houses proposed these criteria would not be relevant here. Even so, Policy RA2 relates to the rural part of the settlement and market towns and there is no indication that allocations in Neighbourhood Development Plans should not be required to meet the criteria in Policy RA2.

13. I note the appellant's suggestion that the introduction of a greater mix of dwelling sizes would inevitably lead to a larger quantum of dwellings, which the appeal submissions indicate was the subject of concern. Nonetheless, there is no substantive evidence to demonstrate that a greater number of smaller units could not be accommodated on the site without a notable increase in built form.
14. I therefore conclude the predominance of 3, 4 and 5 bedroom houses does not reflect the housing mix required in the area and would be harmful to the housing mix within the settlement. The proposal would therefore fail to accord with Policy RA2 of the HLPCS in that regard.
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 Hatterall 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 Hatterall Hill. As such the proposal, for 2 storey dwellings, would not give rise to conflict with NP Policy LGPC2.

### **Other Matters**

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.
17. The proposal for new residential development is acceptable in principle on the appeal site, which is allocated for such in the NP, it would also be of a high-quality design. However, this would not outweigh the harm I have identified with regards to the mix of units proposed. Furthermore, whilst the proposal may be policy compliant in all other respects, compliance with the development plan is a neutral factor that neither weighs for or against the proposal.
18. I have had regard to other matters raised including traffic generation; highway safety; difficulties of access for construction; absence of renewable energy technology; potential effects on wildlife; concerns regarding infrastructure such as water supply and sewage provision; and lack of play provision. However, I note that the Council did not object to the proposal on these grounds. Moreover, as I am dismissing the appeal on the main issue for the reasons given above, I have not pursued these matters further.
19. I note the appellant's comments about the advice that was received from officers prior to the determination of the planning application. However, I have determined this appeal on its individual planning merits and none of the other matters outweigh or overcome my conclusion on the main issue.

## **Conclusion**

20. The proposal would conflict with the development plan taken as a whole and there are no material considerations that indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

*Emma Worley*

INSPECTOR