

25th October 2023

Planning Services,

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Dear Ms Griffiths

P232919/PA4 – (Part 3) Class Q - Prior Approval. Agricultural buildings northeast of Little Breinton, Breinton, Hereford HR4 7PH.

Notification for prior approval for a proposed change of use of agricultural buildings to three smaller dwellinghouses and two larger dwellinghouses with associated building operations.

Breinton Parish Council considered this revised application in some detail at its extraordinary meeting on the 23rd of October 2023. We object to the applicants attempt to have this proposed housing development regarded by the Planning Authority as 'permitted' and thus benefitting from prior approval.

What is being proposed is nothing less than a small housing estate in the middle of open countryside. Housing of the sort proposed at any other similar location in the parish would likely be rejected outright if a full planning application were ever made. Building at this location is contrary to Breinton's Neighbourhood Development Plan policies B3 and B4 as well as the Core Strategy Policies RA3, RA5 and H2. We believe that on these grounds alone the applicant should be expected to go through the full planning process if they wish to pursue their conversion scheme. The information provided in the current drainage report and the consideration of hydrological issues further reinforce our belief.

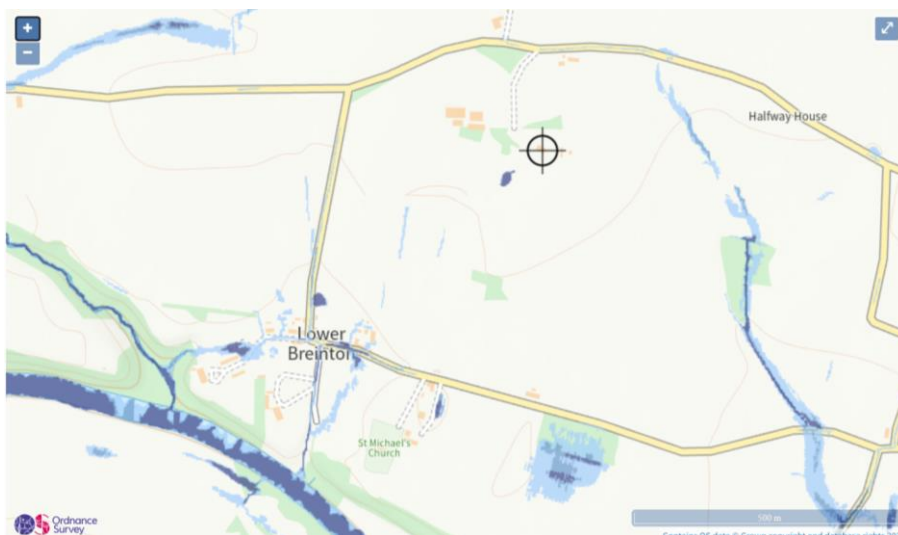
With consideration of this application the Parish Council comments on the following matters

a) Transport and highways impact of the development – this development will generate a considerable increase in vehicle movements and the plans show car parking for 12 vehicles. The road to the development site is a single-track road accessing onto a single track lane with a national speed limit (60mph), at a point where there is poor visibility in both directions. The site is not located near to any bus service. The narrow country lanes have few passing places, no pavements and this development will increase the risk posed to those who regularly walk and ride (bikes and horses) on the lanes by generating significant extra vehicle traffic. The site is not well located to employment, schools, mains gas or sewerage systems or any other services and so cannot be considered a sustainable development in planning terms. The proposed development will not promote residents to travel by sustainable modes of travel but will encourage car dependency both within the development and the surrounding area.

b) Flooding and pollution risks on the site - The site has no mains sewerage and is located a short distance uphill from the Pigeon House Farm Buildings development. The Pigeon House Farm Buildings development is already subject to repeated flooding of gardens and grounds due to the runoff from the fields around Little Breinton, and the seasonal watercourse which wraps around the north and west side of this residential site. Five new homes of the scale proposed, discharging to the watercourse that flows down to Pigeon House Farm Buildings development will, overall, likely exacerbate the flooding of the existing properties.

Poor percolation test results south of the proposed barn developments indicated the local soils will not accept water and are unlikely to support a surface water soak-away drain. The percolation tests were undertaken in June 2022 when weather conditions were unusually dry for a prolonged period. No tests have been undertaken across a range of dates and seasons, in particular when the soils may already be waterlogged, such as in August 2023. Discharging the current site surface drainage into the local seasonal watercourse results in surface water flooding adjacent to the housing in the converted barns (The Pigeon House Farm Buildings Development) and roads downstream.

The Environmental Agency long term flood risk service indicates a high risk of surface water flooding downstream of the proposed development in Lower Breinton.



Source: <https://check-long-term-flood-risk.service.gov.uk/map?easting=347651&northing=240083&map=SurfaceWater>

The parish council notes that the total surface area of the existing barn roofs and yards are circa 2,300m² and the proposed development will see that area reduced to an effective surface of circa 1,348m². We also note the runoff rates must be no more than 2 litres per second to reflect greenfield runoff rates and 76m³ of attenuation pond is considered necessary. The parish council has concerns that the overall area of the site will be the dominant factor regarding surface water runoff through the seasonal water course, and not the reduced roof area of the buildings. This will only be mitigated by the proposed water harvesting up to the point the water harvesting tanks become full. The seasonal high volumes of surface water flows in the watercourse reflect the complex hydrology of the catchment area. This seasonal watercourse, evident on the Environment Agency surface flood risk map, drains a broad catchment. The catchment area of clay rich soils supplying the surface watercourse is an order of magnitude greater than the existing hardstanding and farm buildings.

Therefore, the reduction in hardstanding and roofing for the proposed development is unlikely to reduce surface flooding to the road and properties downstream. In fact, surface water flood risk is increasing with more frequent and more intense rainfall.

The percolation test pits were all south of the existing barns, where the drainage mound is to be sited. We note the proposed re-use of a redundant slurry pit downstream plus a storm break flow management chamber to enable flow rates to be maintained below 2 litres per second.

The parish council has concerns over the excavation and repurposing of a redundant slurry pit, the location of which does not appear on the drainage plans.

We can find no mention of the slurry pit in the Geo-Environmental Phase 2 report and survey for ground conditions and potential site contamination.

The Geo-Environmental Phase 2 survey sampling was confined to the building site and may not include any analysis of the surrounds or content of the former slurry pit to be excavated for a surface water attenuation pond. With no analysis of the slurry pit there is a risk of contamination to adjoining properties and to the river Wye SAC, by running the surface water discharge through it and down the surface watercourse.

The application is silent as to the current state of the slurry pit structure and whether it will even hold water.

With the slurry pit referred to as historic and overgrown such a damp undisturbed site is likely to include habitat, such as marsh, mosses or bogs and rare amphibians. Little Breinton is known to be a good habitat for Great crested newts and the Parish Council would recommend that a habitat assessment is undertaken of this large undisturbed area.

The application is equally silent as to whether excavation of the sides and base of the slurry pit will produce concentrations of toxins which could then run into the water course that feeds the River Wye at Breinton Springs. There is no explanation as to how any waste in the excavation of the slurry pit will be handled and disposed of.

With respect to the foul water treatment and disposal we note that the percolation tests were such that a soak-away for the treated fluid waste is not possible in this location but a 399m² mound to the southwest would suffice. This calculation of 399m² is based on percolation tests undertaken on a dry day in June 2022 and takes no account of the lack of percolation of more usual ground conditions, particularly during a wet winter, after prolonged periods of rain. The mound level of 399m² would therefore be inadequate for more normal and wetter weather conditions normally experienced in Breinton.

The proposed downslope land drain, from the manmade sand and gravel drainage mound discharging into the surface water channel offers a direct route for pollution of the surface water channel that currently floods the road and houses to the south of the proposed site and allows excess nutrients to enter the river Wye SSSI SAC.

The drainage report says that pollution from residential car parks is "low". Recent research shows that run off from roads and parking areas poses a risk of pollution discharging into watercourses.

We note that the Cider Orchard Trust has restored a drovers' pond downstream, to reduce flooding impact, and that it may be adversely affected by this development again increasing

the risk to properties located in the Pigeon Farm area and making the C1189 road impassable.

With a designed discharge of 3,300L a day from the sewage treatment plant to the drainage mound there is a risk that the local water course could be seasonally polluted by the system and a permit to discharge will be required from the Environment Agency. The Parish Council are concerned that despite their previous requests the Environment Agency have not been consulted, particularly when the development risks increasing flood levels downstream of the development.

The parish council believes that the necessary permit to discharge wastewater in a watercourse that, historically flooded roads and adjacent properties, be obtained before planning permission is considered.

The current drainage report recommends a maintenance schedule for the packaged sewage treatment plant, but the parish council is sceptical that such procedures will be reliably carried out by new residents on an ongoing basis, particularly when the cost will be borne by the new residents. The risk of flooding and pollution arising from a lack of maintenance will only increase the risk to existing residents located downhill and downstream of the proposed development. Local residents have previously raised concerns over maintenance of the seasonal watercourse downstream of the proposed development. They have also raised concerns about foul odours from the existing watercourse due to it being seasonal with respect to surface water drainage and yet with this development it will then have a year-round overflow from the sewage treatment plant.

The seasonal water course is a shallow dug ditch which has been clearly rerouted around the field boundaries and deviating from what would have been its natural course. It is already causing flooding concerns downstream from the proposed five new dwellings for the residents of Pigeon House Farm Development during the winter months, and at a time of climate change induced excessive rainfall events. Also, the volume of water moving downstream has exceeded the capacity of the road ditch and culvert to the southwest, overflowing onto and beyond the C1189 road.

An objection to the previous application raised the issue of seasonal surface flows in the area north and south of the site and likely connections with springs through a network of underground flows. (See comment on application P224335/PA4 by Dr Nichola Geeson).

The Parish Council requests that the application for an Environment Agency license to operate the proposed site water management considers:

- 1) The continued seasonal surface water flooding of the road and gardens of houses south of the site.
- 2) Directing the flood elevation flow system through a former slurry pit with the risk of contaminating surrounding soils and watercourses.
- 3) Linking the drainage from the raised mound for the foul water treatment plant outflow into the surface water drainage
- 4) The increased potential for pollution in high rainfall to:
 - a. The road and ditches to the south
 - b. The gardens and houses to the south
 - c. The underground network of water flows that serve the springs, including the National Trust managed Breinton Springs site to the south.

The National Trust, owner of the Breinton Springs listed ancient monument will suffer increased waterlogging and erosion of its land if flows across this land are increased as a result of this development.

Over the years, Breinton, a predominantly rural area, has lost livestock sheds and a variety of barns and agricultural buildings (Pigeon House Farm and at Pigeon House Farm Buildings sites and Lower Hill Farm sites). This has then resulted in new, large steel structures constructed on increasing areas of hard standing in Breinton Parish, further increasing flood risk across the parish. As the land around Little Breinton is still being farmed it is not clear that there will be no future requirement for agricultural storage and barns such as these being recommended for conversion to a non-agricultural use.

c) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order - The site is open countryside, not well located to any services, employment, or schools and lacks mains sewerage. We do not believe that the principle of development has been established and maintain that the location and siting of the proposed five houses is undesirable i.e., harmful, or objectionable in policy terms alone.

d) Standard of architectural design - The parish council are of the opinion that the visual appearance of the development structures has been compromised by the need to achieve a 'permitted' development, this being driven by the requirement to retain the original barn structure and materials. This further suggests that full planning permission should be obtained to give more architectural freedom.

We look forward to the Planning Authority confirming our view and rejecting the application. Should the applicant then come back with a full planning application in the normal way, the Parish Council will consider the matter afresh including other aspects of the proposed development which will at that stage be material considerations, addressing the issues raised above.

Yours sincerely,

Lisa Law

Clerk

Breinton Parish Council.

30th October 2023

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Breinton parish council would like to submit the following photographs to support our letter of objection submitted on 25th October 2023.

The photographs were taken on 26th of October 2019 from the driveway of the Pigeon House Farm Buildings development. The view is looking west towards the entrance to the Breinton Springs car park (National trust).

It shows the flooding to the C1189 road on that day due to surface water being unable to flow through the culvert under the road, and the runoff from the roadside ditch as it receives water from the seasonal water course from the Little Breinton development.





Thank you.

Lisa Law, Clerk

Breinton Parish Council.