

## BREINTON PARISH COUNCIL

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### **P222769/F Land to the south-west of Breinton Lee, Swainshill, Herefordshire HR4 0SW**

Breinton Parish Council has reviewed the amendments made by the applicant for this planning application, the addition of the addition of the Sequential Test July 2024 and the amended Flood Risk Assessment Rev 8 May 2024.

These amendments do not alter the detailed views expressed by the Parish Council in its responses dated 23<sup>rd</sup> October 2022 and 1<sup>st</sup> June 2023.

After initiating its review of the latest amendments, the Parish Council called an extraordinary meeting to discuss the application. This was attended by 19 members of the public and the acting Ward Councillor. The public in attendance were, as might be expected, residents living close to the proposed development.

The views expressed in the public forum were in line with the views of the Parish Council after initiating its review. Other valid detail comments were raised by residents which will likely have been submitted as objections to this amendment of the application.

#### **Sequential Test Report**

In reviewing this report the Parish Council completed an independent assessment of approved and completed planning applications in the parish. The Breinton Parish Neighbourhood Development Plan 2011-2031 (NDP) reflects the growth requirement of 18% based on the dwelling count of 401 at the time. This equates to a requirement of 72 dwellings up to 2031.

The Parish Council review of approved and completed applications from April 2011 to date showed 53 dwellings leaving an outstanding requirement of 19.

This in line with the submitted Sequential Test Report number of 29 when factoring for the 10 approved dwellings not accounted for in the report. The Parish Council does not accept that the five dwellings at Little Haven, Conifer Walk (P230275/F), and the five dwellings converted from agricultural buildings northeast of Little Breinton (P240822/PA4) will not discharge conditions considering the recent approval dates.

In considering an outstanding NDP requirement of 19 dwellings the Parish Council considers the decision to approve the search area for the Sequential Test Report as confined to

Breinton Parish inappropriate. The application for 45 houses far exceeds the considered outstanding NDP requirement for 19 dwellings and as such the search area should have been established to a far wider radius, preferably outside of the Yazor Brook flood catchment zone bounded by the Breinton ridge.

A significant issue of contention has been identified in the reported Windfall sites. The listed Hereford Housing and Economic Land Availability assessment (HHELAA) 2019 site ref. Cre06, land adjacent to Kings Acre Halt, was rejected at appeal due to potential traffic conflict with traffic leaving the Hereford Garden Centre (Blue Diamond). This was considered to be significant due to the speed limit at the site entrance/exit being the national speed limit of 60mph.

After the rejection at appeal of this building site for up to 73 dwellings the speed limit at the proposed site entrance/exit has been reduced to 40mph. This, along with the proposed Western Bypass being moved to the east, close to the Bay Horse Inn, suggests that this site could be counted as an alternate site that would not suffer the pluvial water flooding from the Breinton ridge.

These two issues lead Breinton Parish Council to believe that the Sequential Test Report does not meet the requirements of the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

### **Amended Flood Risk Assessment Report Rev.8**

Breinton Parish Council has reviewed this amended report and has listened to the comments and concerns of residents living close to the proposed development.

We believe that the Flood Risk Assessment report does not adequately cover the impact of surface water running north to south from the Breinton ridge that runs from the south of the proposed development, running parallel to the length of Kings Acre Road.

The Parish Council has noted the concerns raised by the BBLP Land Drainage Engineer and considers the questions he has raised as valid. The issue of the site ground, and house slab levels being raised by 300mm to 500mm with the resultant displacement of pluvial flood waters is a very serious concern for us.

The photograph in Fig. 1 shows the surface water flooding on the proposed development site taken on 2<sup>nd</sup> January 2024. The photograph was taken looking west through the approximate middle of the site as evidenced by the thicket of trees on the western Boundary. This gives evidence of the surface water sitting of the proposed site which clearly did not just fall only on the site.

The degree of pluvial water pooling here raises questions about the accuracy of the Environment Agency surface flooding analysis used in the Flood Risk Assessment, and indeed raises the question as to whether this land should be classed as flood Zone 1 with respect to surface water flooding.



Fig. 1

The raising of the ground will undoubtedly protect the new houses on the development from surface water flooding and it is accepted that rainwater falling on the site can be directed the complex water infiltration ponds and drainage ditches south and east of the site.

Due to the current flood water depths shown in the location of the proposed southern complex water infiltration device we maintain that when they are most needed it will be ineffective due to the high levels of the water table. We understand that a similar style infiltration device has been used by the Environment Agency to deal with pluvial flooding at the eastern edge of Kings Acre Road. This has apparently not worked, resulting in a pond which is wet for most of the year.

The pluvial water displaced by the raised ground of the development will have to go somewhere and we believe that it will infiltrate the southern complex infiltration device and enter the ditches to the south and east of the development. This will in turn back up against the high level of Kings Acre Road from where it has nowhere to go due to no functional onward drains.

This will lead to increased flooding of the front and rear of houses on Kings Acre Road adjacent to Breinton Lee. Fig. 2 shows a photograph of one of the adjacent houses on Kings Acre Road taken on 2<sup>nd</sup> of January 2024. It shows the silted nature of the flood water indicating run-off from the agricultural land to the south, bordering Breinton Ridge.



Fig. 2

The Flood Risk Assessment has not considered the raised ground of the recent development of 10 houses to the east of the proposed development. We consider this to be a serious omission with respect to obtaining an integrated analysis of the wider area.

Residents have stated that the surface water flooding at Breinton Lee has been made worse by the raised ground on which the 10-house development is sited.

There are many modelling assumptions and boundary conditions that can and have been challenged in the Flood Risk Assessment. We believe it is the observations of the current flooding conditions, with consideration of the displaced water from the sump of the low-lying ground where the new development is to be sited, that show the potentially damaged nature of the proposed development.

### **Transport Assessment**

Breinton Parish Council would like to re-iterate the comments made in its 23<sup>rd</sup> of January 2022, and 1<sup>st</sup> June 2023 responses. The level of surface water flooding at the junction of Breinton Lee and the A438 Kings Acre Road amplifies our concerns with respect to traffic safety considering the proximity to the Blue Diamond Garden Centre entrance directly opposite Breinton Lee. We believe that the presence of traffic queuing to turn right into Blue Diamond, and the proximity of traffic entering Kings Acre Road at speed from the Credenhill Road junction will cause difficulty for vehicles exiting Breinton Lee, turning right towards Hereford. The addition of the proposed development with 45 houses will significantly increase the volume of traffic making this manoeuvre. This will be made more difficult when negotiating flood waters across the Breinton Lee Junction as shown in Fig. 3.

Furthermore, the anticipated increase in flooding poses a risk to active transportation measures specifically walking and cycling. This will be both from Breinton Lee, and also along the Kings Acre Road.



Fig. 3

### **Summary**

In reviewing the requisite Sequential Test Report, noting our concerns over its validity, and reviewing the evidence of the current situation regarding surface water flooding the Parish Council feels even more strongly that this proposed development of 45 houses is a serious risk to the existing house holders on Kings Acre Road, and Breinton Lee. As such we feel strongly that this application should be refused.

Lisa Law,  
Clerk/RFO,  
Breinton Parish Council.