

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Longtown Group Neighbourhood Area
Parish Council	Longtown Group Parish Council
Draft Consultation period (Reg14)	28 January to 12 March 2018
Submission consultation period (Reg16)	13 June to 8 August 2019

Determination

Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act		Yes
Are all the relevant documentation included within the submission <ul style="list-style-type: none"> • Map showing the area • The Neighbourhood Plan • Consultation Statement • SEA/HRA • Basic Condition statement 	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes
Does the plan specify the period for which it is to have effect?	2004 Act 38B (1and 2)	Yes

<p>Are any 'excluded development' included?</p> <ul style="list-style-type: none"> • County matter • Any operation relating to waste development • National infrastructure project 	1990 61K / Schedule 1	No
Does it relation to only one neighbourhood area?	2004 Act 38B (1and 2)	Yes
Have the parish council undertaken the correct procedures in relation to consultation under Reg14?		Yes
<p>Is this a repeat proposal?</p> <ul style="list-style-type: none"> • Has an proposal been refused in the last 2 years or • Has a referendum relating to a similar proposal had been held and • No significant change in national or local strategic policies since the refusal or referendum. 	Schedule 4B para 5	No

Summary of comments received during submission consultation

<p>Herefordshire Council Strategic Planning</p>	<p>No conformity issues raised, please refer to appendix 1 for full comments.</p>
<p>Herefordshire Council Environmental Health (contamination)</p>	<p>Policy LGPC2 and LGPC3 – no historic contaminative use.</p> <p>Policy LGPC4 – farm buildings could have been storage for potential contaminative substances</p>
<p>Herefordshire Council Conservation</p>	<p>Concern about potential harm to non-designated heritage assets by the southern housing sites.</p> <p>Longtown is a Roman Fort, later adapted to a Motte and Bailey castle with a linear town. This site is highly important, although not designated as a Conservation Area.</p> <p>The southern site has the potential to affect the understanding of the history of the wider settlement as the layout already established by the cul-de-sac would not be characteristic of the wider settlement.</p> <p>This would harm the setting of the 'Old Greyhound' Grade 2 listed.</p> <p>It may be possible to carefully design a scheme which reinforces</p>

	<p>the linearity of both historic plots and the village, a specific policy or a Conservation Area designation, to help to control the nature of the development on this site may be beneficial.</p>
<p>Historic England</p>	<p>As noted in our previous consultation response at the Regulation 14 stage:</p> <p><i>“Historic England is generally extremely supportive of both the content of the document and the vision and objectives set out in it.</i></p> <p><i>The emphasis on the conservation of local distinctiveness through good design and the protection of locally significant buildings and landscape character including archaeological remains, farmsteads and important views is to be applauded.</i></p> <p>However, in the Regulation 14 response we also registered our significant concern in relation to the allocated housing site “south-east of Greyhound Close” (Site reference No. 3) pointing out that Historic England could not support the allocation of this site in the Neighbourhood Plan for housing development.</p> <p>As stated previously, in the view of our Assistant Inspector of Ancient Monuments, Alison Macdonald:</p> <p><i>“The siting of 8-12 houses on this plot would change the character of this part of the village and therefore the setting of the Scheduled Monument. Although it is acknowledged that the re-development of the adjacent farmyard has already had a negative impact on the character of the village this should not set a precedent. It is acknowledged in the site assessment (pg 32) that “the development of this site would exacerbate the uncharacteristic form of development in this location”. Housing within the core of historic Longtown of which this is part (as acknowledged by the SM parcel on the other side of the road) faces the road and is within the burgage plot divisions. This plot has no street frontage and access would be through the farm development (Greyhound Close). The landscape of this area is also highly sensitive in this location, with views of the village, showing its historic form, from the Brecon Beacons National Park”.</i></p> <p>Alison concluded that, with further detailed discussion with both the neighbourhood plan team and the local planning authority, it may be possible for a sensitive design to be arrived at for a small number of houses on this site, but not the numbers suggested and it would very much depend on layout and design.</p> <p>Unfortunately, no such detailed discussion about the proposed allocation has since taken place and the current Regulation 16 iteration of the Plan still contains the allocation (Policy LGPC2: Land South East of Greyhound Close) with the same suggested</p>

	<p>quantum of development.</p> <p>The issues raised in our Regulation 14 response, therefore, remain to be addressed.</p> <p>To these ends Alison is still happy to be contacted to progress this further at this address.</p> <p>In conclusion, Historic England cannot support this housing allocation in its present form but remain hopeful that further discussions will prove productive.</p>
National Grid	No apparatus within the neighbourhood area
Highways England	Unlikely to have any implications on the highway network
Coal Authority	No specific comments to make
Welsh Water	<p>Please by the provision of Policy LGPC14 – no issues in the network or WWTW accommodating the foul only flows from the number of dwellings proposed.</p> <p>Policy LGPC2 – Land south east of Greyhound Close</p> <p>There are currently isolated water pressure issues across the network and on-going investigate. No issues with the public sewerage network.</p> <p>Policy LGPC3 – Land north of Penbailey</p> <p>There are currently isolated water pressure issues across the network and on-going investigate. No issues with the public sewerage network.</p> <p>The site is traversed by 150mm public foul sewer which protection measures are required.</p>
Peter Kirby for and on behalf of Sunderlands	<p>Sunderlands act for the owners of the parcels of land edged red on the attached plan being adjacent to the proposed settlement boundary and immediately abutting Pontilla HR2 OLG.</p> <p>Would like to state that this land is available for housing during the plan period. Our clients would also be sympathetic to the nature and scale of housing as set out in Policy LGPC1. In our view the allocation of one or both of these sites would be consistent with the pattern of the development of Longtown with the parcels being in a sustainable location for access to the village facilities.</p>
Jeanette and Russell Pryce Resident	<p>The introduction of additional clarity and explanation in policies LGPC1 and LGPC 4 (which we commented on at reg 14 stage and our letter is attached as some of the concerns remain) is welcomed.</p> <p>However, we remain of the view that permitting infill ribbon development running northwards out of the village is not</p>

	<p>necessary to fulfil the CS housing requirements and moreover, will adversely affect the character and setting of the village. We have no objections to additional housing but consider the modest level of housing delivery that will arise from extending the settlement boundary so far north does not justify the adverse impact that will raise.</p> <p>Whilst the policy reference and intention to retaining green gaps is an improvement, this will be difficult to enforce in practice and over time, it is inevitable that there will be a continuous run of properties from the far northern end of the settlement boundary into the village. The character of this end of the village is primarily clusters of properties orientated to both address the road and at 90 degrees to the road with generous gaps/fields between them. This character will be lost with infill development.</p> <p>The settlement boundary should not therefore extend north of the Penbailly allocation.</p> <p>In terms of policy LGPC 4, this is still a little ambiguous and could be interpreted that new build housing is permitted on farms beyond the allowance within national policy for enabling development or exceptional design.</p> <p>Also, the Longtown settlement boundary has now be drawn to exclude The Crown Public House and properties in this immediate area which I assume is an error as this was not the case at the reg 14 stage. Perhaps the shop should also be within the village settlement boundary?</p> <p>Thank you for the consideration of these comments</p>
Charles O'Neill	<p>The proposed number of possible additional dwellings is unsustainable for a village like Longtown.</p> <p>Access to and from is narrow and limited and very poor state of repair.</p> <p>Longtown's very important status as a historic site would be adversely affected and in view of Offas Dyke.</p> <p>The proposals for the field to SE of Greyhound Close has limited access, the entrance is narrow and there is insufficient room for 2 cars to pass.</p> <p>The fields contain red kites and any development would have an impact on their habitat. Also used by a number of lesser horseshoe bat.</p> <p>The capacity of the sewage plant is a concern.</p> <p>Longtown is isolated and there is a need for cars adding to the carbon footprint.</p>

Please note the above are summaries of the response received during the submission consultation. Full copies of the representations will be sent to the examiner in due course.

Officer appraisal

This plan has met the requirements of the regulations as set out in the table above. All the requirements of regulation 14 were undertaken by the parish council and all the required documentation was submitted under regulation 15.

A total of 11 representations were received during the submission consultation period. 3 internal comments, 5 statutory consultees and 3 local residents.

There is concern about the site allocation at Land south of the Greyhound from both Heritage England and Herefordshire Council's Conservation team. This can be addressed during the examination and any potential revision of this site would not affect the ability of the plan to meet its growth targets.

Existing commitments together with the provisions within the NDP have demonstrated that the proportional growth for the plan area can be achieved. The Strategic Planning team have also confirmed that the NDP is in general conformity with the Core Strategy.

The plan has met the requirements to move forward to examination.

Assistant Director's comments

Decision under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012.

Approved

A handwritten signature in black ink, appearing to read 'Richard Gabb', with a large, sweeping initial flourish on the left side.

Richard Gabb

Programme Director – Housing and Growth

Date: 20/8/2019.

Appendix 1



Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP REG 16: Longtown Group NDP

Date: 01/08/19

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
LGPC1 Housing within Longtown village	RA2; LD1; SD1; MT1; E1; E3; LD3	Y	
LGPC2 Land south east of Greyhound Close	RA2; LD3; SS6; LD1; H3	Y	
LGPC3 Land north of Penbailey	SC1; OS1; MT1	Y	
LGPC4 Residential use associated with historic farmsteads	SS1; RA3; RA4; RA5; H2	Y	
LGPC 5 Providing for local housing need	N/A	Y	LGPC 5 has echoes of Policy H1 (Affordable housing) but is largely a housing allocation policy, which is not in the CS ; never the less it does not conflict with the CS .
LGPC 6 Supporting local enterprise	E3; RA4; MT1; SS1;	Y	
LGPC 7 Broadband and mobile telephone infrastructure	SS5; E1	Y	
LGPC8 Highway design requirements	SS4; MT1	Y	
LGPC9 Protection and development of public rights of way	OS1	Y	
LGPC10 Protection and enhancement of community facilities and	OS3; OS2; SC1	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
services			
Policy LGPC 11: Contributions to Community Services, Youth Provision and Recreational Facilities	OS2	Y	
Policy LGPC 12: Protecting and Enhancing the Landscape and its Features	SS1; LD1; LD2; SS6; LD3; OS3; LD4	Y	
LGPC13 Protecting heritage assets	SS6; LD4	Y	
LGPC14 Foul and storm water drainage	SD3	Y	
LGPC15 Proposals for renewable energy	SD1; SD2	Y	

Other comments/conformity issues: