



The Coal
Authority



INVESTOR IN PEOPLE



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For the Attention of: Neighbourhood Planning and Strategic Planning teams
Herefordshire Council

[By Email: neighbourhoodplanning@herefordshire.gov.uk]

23 November 2016

Dear Neighbourhood Planning and Strategic Planning teams

Belmont Rural Regulation 16 Neighbourhood Development Plan

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on it.

Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.

Yours sincerely

Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*
Chief Planner / Principal Manager
Planning and Local Authority Liaison

Neighbourhood Planning Team

From: Norman Ryan <Ryan.Norman@dwrcymru.com>
Sent: 12 December 2016 14:12
To: Neighbourhood Planning Team
Cc: Evans Rhys
Subject: RE: Belmont Rural Regulation 16 Neighbourhood Development Plan consultation

Dear Sir/Madam,

Thank you for consulting Welsh Water on the Belmont Rural Regulation 16 Neighbourhood Development Plan.

I can confirm that given the small level of proposed housing growth, Welsh Water have no further comment to make.

Should you require any further information then please do not hesitate to contact me.

Regards,



Ryan Norman

Forward Plans Officer | Developer Services | Dŵr Cymru Welsh Water

Linea | Cardiff | CF3 0LT | T: 0800 917 2652 | Ext: 40719 | www.dwrcymru.com

Have you seen Developer Services new web pages at www.dwrcymru.com? Here you will find information about the services we have available and all of our application forms and guidance notes. You can complete forms on-line and also make payments. If you have a quotation you can pay for this on-line or alternatively by telephoning 0800 917 2652 using a credit/debit card. If you want information on [What's new in Developer Services?](#) please click on this link.

If we've gone the extra mile to provide you with excellent service, let us know. You can nominate an individual or team for a Diolch award through our [website](#)

From: Neighbourhood Planning Team [mailto:neighbourhoodplanning@herefordshire.gov.uk]

Sent: 02 November 2016 13:32

Subject: Belmont Rural Regulation 16 Neighbourhood Development Plan consultation

***** External Mail *****

Dear Consultee,

Belmont Rural Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

The plan can be viewed at the following link: <https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/belmont-rural>

Once adopted, this NDP will become a Statutory Development Plan Document the same as the Core Strategy.

The consultation runs from 2 November 2016 to 14 December 2016.

If you wish to make any comments on this Plan, please do so by e-mailing: neighbourhoodplanning@herefordshire.gov.uk, or sending representations to the address below.

If you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan, please indicate this on your representation.

Neighbourhood Planning Team,
Herefordshire Council,
Planning Services,
Plough Lane,
PO Box 230,
HR1 2ZB
By email to: neighbourhoodplanning@herefordshire.gov.uk

Re: Belmont Rural Neighbourhood Plan – Submission Version

This letter provides the response of Gladman Developments Ltd. (hereafter referred to as "Gladman") to the current consultation held by Herefordshire Council (HC) on the submission version of the Belmont Rural Neighbourhood Plan (BRNP) under Regulation 16 of Neighbourhood Planning (General) Regulations 2012.

Through this response, Gladman seeks to clarify the relationship of the BRNP to both national and local policy requirements. This submission provides an analysis of the neighbourhood plan as currently proposed, highlighting areas in which we feel the document currently lacks clarity and would benefit from amendments to several policies to ensure that it complies with the Neighbourhood Plan Basic Conditions.

Legal Requirements

Before a neighbourhood plan can proceed to referendum, it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic conditions that the BRNP must meet are as follows:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order;
- d) The making of the order contributes to the achievement of sustainable development;
- e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
- f) The making of the order does not breach, and is otherwise compatible with, EU obligations.

National Planning Policy and Guidance

National Planning Policy Framework

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so, it sets out the

requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet identified development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that qualifying bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development that plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 49 of the Framework is clear that *'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*. This applies not only to statutory development plan documents but is also applicable to both emerging and 'made' neighbourhood plans. This has also been confirmed in the High Court¹.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

Planning Practice Guidance

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan. In particular, the changes to the PPG stress the importance of considering housing reserve sites, and providing indicative delivery timetables to ensure that emerging evidence of housing needs is addressed to help minimise any potential conflicts that can arise and are not overridden by a new Local Plan.

¹ Woodcock Holdings v SSCLG [2015] EWHC 1173 (Admin)

On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is that Gladman has reservations regarding the BRNP's ability to meet basic condition (a) and (d) and will be discussed in greater detail throughout this response.

Development Plan

To meet the requirements of the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The adopted development plan the BRNP needs to be in conformity with is the Herefordshire Local Plan Core Strategy 2011-2031. Policy SS2 of the plan sets a target for **minimum** of 16,500 new homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need. This policy sets out the broad distribution of the new dwellings in the County, including a **minimum** of 6,500 dwellings in Hereford. Policy HD1 sets the spatial strategy for Hereford with 3,200 dwellings to be provided through implementation of existing commitments, windfall development and the development of non-strategic sites allocated through the production of the Hereford Area Plan or Neighbourhood Development Plans. Policy SS3 sets out the stepped minimum housing targets of the plan period. The Council will monitor the delivery rates to ensure housing need is met and where the figure is below that cumulative target has set out mechanisms that may be adopted in such an event:

- A partial review of the Local Plan – Core Strategy; or
- The preparation of new Development Plan Documents; or
- The preparation of an interim position statement and utilizing evidence from the Strategic Housing Land Availability Assessment to identify additional housing land.

In light of the above, should a review or future Development Plan Documents be required, the BRNP will need to ensure that it allows for a sufficient degree of flexibility and adaptability so that it can fully react to changes that may arise through the preparation of a new Local Plan. This degree of flexibility is required to ensure that the Plan is capable of enduring over its plan period and not ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:

'if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be).'

Belmont Rural Neighbourhood Plan

It is considered that some policies are currently not in accord with the NPPF and there is a lack of proportionate robust evidence to justify the inclusion of some policies in the plan. Currently

the BRNP is not planning to help meet the needs of Hereford which may result in the need for a Local Plan Review as detailed above.

Neighbourhood Plan Policies

Policy 1: Open Space and Local Green Spaces

The intention of this policy is to designate 4 parcels of land as Local Green Space. In order to designate land as LGS the Parish Council must ensure that it is able to demonstrate robust evidence to meet national policy requirements set out in the Framework. The Framework makes clear at §76 that the role of local communities seeking to designate land as LGS should be consistent with the local planning of sustainable development for the wider area. Paragraph 76 states that:

*'Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. **Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period***

Further guidance is provided at §77 which sets out three tests that must be met for the designation of LGS and states that:

'The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

-Where the green space is reasonably close proximity to the community it serves;

-Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreation value (including as a playing field), tranquility or richness of its wildlife; and

*-Where the green area concerned is local in character and is **not an extensive tract of land.***

The requirements of the Framework have now been supplemented by the advice and guidance contained in the PPG. Gladman note paragraph 007 of the PPG which states, *'Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines the aim of plan making.'*

Gladman further note paragraph 015 of the PPG(ID37-015) which states, '*Paragraph 77 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.*' Designation of LGS should not be used as a mechanism to designate new areas of Green Belt (or similar), as the designation of Green Belt is inherently different and must meet a set of stringent tests for its allocation (paragraphs 82 to 85 of the Framework).

It appears sufficient evidence has not been undertaken to demonstrate whether the parcels of land identified under this policy meet the three tests required by national planning policy. This is considered most pertinent following the Examiner's Report to the Wantage Neighbourhood Plan² which confirmed that '*There is no appropriate appraisal of each space in relation to the criteria... Overall, there is simply insufficient, proportionate, robust evidence to support the proposed designations in the plan promoted by policy. Given this I am not in a position to determine which green spaces should be retained in the plan. I would recommend that policy be deleted.*'

Further, the issue of whether LGS meets the criteria for designation has also been explored in a number of Examiner's Reports across the country and highlight the following decisions:

- The Blackwell Neighbourhood Plan Examiner's Report³ recommended the deletion of two LGS designations measuring approximately 19ha and 32ha respectively and found both designations did not have regard to national policy which states that LGS should only be used where the area concerned 'is not an extensive tract of land.'
- The Seldlescombe Neighbourhood Plan Examiner's Report⁴ recommended the deletion of a LGS measuring approximately 4.5ha as it was found to be an extensive tract of land.
- The Oakley and Deane Neighbourhood Plan Examiner's Report⁵ recommended the deletion of a LGS measuring approximately 5ha and also found this area not to be local in character. Thereby failing to meet 2 of the 3 tests for LGS designation.
- The Alrewas Neighbourhood Plan Examiner's Report⁶ identifies that both sites proposed as LGS in the neighbourhood plan 'in relation to the overall size of Alrewas Village' to be extensive tracts of land. The Examiner in this instance recommended the deletion of the proposed LGSs which measured approximately 2.4ha and 3.7ha.

²<http://www.whitehorsedc.gov.uk/sites/default/files/Wantage%20NP%20Report%20Final%2030.7.16.pdf>

³ <http://www.backwell-pc.gov.uk/public/images/backwell-neighbourhood-plan-examiners-report.pdf>

⁴ <http://www.rother.gov.uk/CHttpHandler.ashx?id=22996&p=0>

⁵ <https://www.basingstoke.gov.uk/content/doclib/1382.pdf>

⁶ <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Neighbourhoodplans/Downloads/Alrewas/Alrewas-Neighbourhood-Plan-Examiners-Report.pdf>

Gladman submit that appropriate evidence base though the testing of individual LGS designations is required to assess whether they meet all of the requirements set out by national policy.

Conclusion

Gladman recognise the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area.

Through this consultation response, Gladman have sought to clarify the relation of the BRNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the use of specific policies as detailed in this response are not consistent with basic conditions (a) and (d), as they lack the necessary evidence base to support their inclusion within the Plan.

Gladman hope you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours Faithfully,
Richard Agnew
Gladman Developments Ltd
r.agnew@gladman.co.uk



Historic England

WEST MIDLANDS OFFICE

Mr James Latham
Herefordshire Council
Neighbourhood Planning & Strategic Planning
Planning Services, PO Box 230, Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Direct Dial: 0121 625 6887

Our ref: PL00047205

23 November 2016

Dear Mr Latham

BELMONT RURAL NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION DRAFT

Thank you for the invitation to comment on the above Neighbourhood Plan. As stated in our response to the Regulation 14 consultation (19th March 2015) we are supportive of the content of the document and consider that it takes a suitably proportionate approach to the historic environment of the area.

Beyond that observation we have no substantive comments to make on what Historic England considers is a good example of community led planning.

I hope you find this advice helpful.

Yours sincerely,

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



Neighbourhood Planning Team

From: Howells, Mathew
Sent: 14 December 2016 14:48
To: Neighbourhood Planning Team
Subject: RE: Belmont Rural Regulation 16 Neighbourhood Development Plan consultation

Good afternoon,

Please find below a response to the NDP consultation from transportation:

We would like to see some mention of a cycle link as part of the Home Farm management plan – specifically the triangle. Not sure if or how we missed it previously, but we have anticipated such a link in extending the Belmont Cycleway west of Dorchester Way, across Abbey View (green space 1 in the plan) so it would be helpful to refer to it in Policy 2 (page30):

Policy 2: Protecting Home Farm and the Land Adjacent to Ruckhall Lane

- a) The land at Home Farm (also known as “the Triangle”) shown on Figure 10 will be protected from any development which will have a detrimental impact on its important open character and the setting of key heritage assets.
 - b) Opportunities to enhance the ecological assets, including hedgerow habitats and the landscape character of the Triangle area will be promoted **particularly with a view to supporting a walking and cycling link between Abbey View West and Belmont Abbey.**
 - c) Any future proposals must have regard to policies SS4 and HD3 of the adopted Hereford Local Plan detailing policy on the proposed Hereford Relief Road
- This area has been recognised as an important ecological site together with a collection of key heritage assets; Belmont Abbey, Home Farm Stables, Belmont House former Golf Club site, The Almshouses and Chapel. It is important that the site is protected so that there is no harm to the character and appearance of the area.

While I appreciate policies SS4 and HD4 might indirectly include this, these concentrate on new developments and we would presumably wish to protect Home Farm from development so will need a way for it to be conditioned on neighbouring developers. With a couple of potential neighbouring sites coming up for development, this would seem to be a way of providing an in, particularly as Objective 3 for the golf course makes a similar mention.

Kind Regards
Mathew Howells
Senior Transport Planning Officer
Transportation - Planning
Herefordshire Council
P.O. Box 236
Plough Lane,
Hereford
HR4 0WZ
Tel: 01432 383143
Mob: 07792 881618
E-mail: mathew.howells@herefordshire.gov.uk

From: Neighbourhood Planning Team
Sent: 02 November 2016 13:32
Subject: Belmont Rural Regulation 16 Neighbourhood Development Plan consultation

23 November 2016

Dear Sir / Madam

Belmont Rural Neighbourhood Plan Consultation SUBMISSION ON BEHALF OF NATIONAL GRID

National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Gas Distribution – Low / Medium Pressure

Whilst there are no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

Gables House
Kenilworth Road
Leamington Spa
Warwickshire CV32 6JX
United Kingdom
Tel +44 (0) 1926 439 000
amecfw.com

Amec Foster Wheeler Environment
& Infrastructure UK Limited
Registered office:
Booths Park, Chelford Road, Knutsford,
Cheshire WA16 8QZ
Registered in England.
No. 2190074



<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

The electricity distribution operator in Herefordshire Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Robert Deanwood
Consultant Town Planner

n.grid@amecfw.com

Spencer Jefferies
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

Amec Foster Wheeler E&I UK
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours faithfully

[via email]

Robert Deanwood
Consultant Town Planner

cc. Spencer Jefferies, National Grid

Date: 18 November 2016
Our ref: 200384
Your ref: Belmont Rural



Neighbourhood Planning and Strategic Planning teams
Herefordshire Council
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Plough Lane
Hereford
HR4 0LE

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

neighbourhoodplanning@herefordshire.gov.uk

Dear Sir/Madam,

Belmont Rural Regulation 16 Neighbourhood Development Plan consultation

Thank you for your consultation on the above dated 2nd November 2016.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..

Natural England does not have any further specific comment on this regulation 16 neighbourhood development plan consultation.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours faithfully,

Victoria Kirkham
Consultations Team



**TO: DEVELOPMENT MANAGEMENT- PLANNING AND
TRANSPORTATION
FROM: ENVIRONMENTAL HEALTH AND TRADING
STANDARDS**



APPLICATION DETAILS

220278 /

Susannah Burrage, Environmental Health Officer

I have received the above application on which I would be grateful for your advice.
The application form and plans for the above development can be viewed on the Internet within 5-7 working days using the following link: <http://www.herefordshire.gov.uk>

I would be grateful for your advice in respect of the following specific matters: -

	Air Quality		Minerals and Waste
	Contaminated Land		Petroleum/Explosives
	Landfill		Gypsies and Travellers
	Noise		Lighting
	Other nuisances		Anti Social Behaviour
	Licensing Issues		Water Supply
	Industrial Pollution		Foul Drainage
	Refuse		

Please can you respond by ..

Comments

From a noise and nuisance perspective our department has no comments to make with regard to the proposed plan.

Signed: Susannah Burrage

Date: 10 November 2016

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Belmont Rural- Regulation 16 submission version

Date: 15/12/16

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Policy 1- Open Space	OS1-OS3, LD3	Y	
Policy 2- Protecting Home Farm and the Land Adjacent to Ruckhall Lane	LD1, LD2, LD4	Y	
Policy 3- Belmont Golf Course	LD1, LD4, HD5, SS4	Y	
Policy 4- Community Facilities	SC1	Y	
Policy 5- Infill Housing	SS2, H1, H3	Y	The impact that point D may have on parking issues is questionable. Whether annexes to properties are sold off as a separate property or not- there's still a likelihood the occupier will own a car.
Policy 6- Accessibility and Connectivity	MT1	Y	
Policy 7- Supporting small and medium businesses in Belmont Rural	E1, E3	Y	

Other comments/conformity issues:

The issues highlighted at Regulation 14 consultation stage would appear to have been addressed and the plan is in conformity with the policies of the Local Plan Core Strategy.

14 December 2016
Representation Letter FINAL



Neighbourhood Planning Team
Herefordshire Council
Planning Services
Plough Lane
Hereford
PO Box 230
HR1 2ZB

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Dear Sir/Madam

Representations to the Regulation 16 Consultation of Belmont Rural Neighbourhood Plan

We act on behalf of Golf Inns Ltd who are the owners of the former Belmont Golf Course and the area of agricultural land to the south of the golf course. A site plan is attached for your reference. This letter sets out the response to the Regulation 16 consultation on the Belmont Rural Neighbourhood Plan on behalf of our client. We provide comments to both policies and supporting text within the Neighbourhood Plan and have set our comments out in relation to the Objective/Policy that they are referring to.

Site Context

Our client's land is split between the parishes of Belmont Rural and Clehonger. The site covers approximately 84 hectares (208 acres) and around 44 hectares (110 acres) falls within Belmont Rural parish boundary. Since the closure of the golf course in March 2014 the land has been used for livestock grazing purposes as has the area of land to the south of the former golf course.

The majority of our client's land falls within Belmont House unregistered park and garden. In the Submission Belmont Rural Neighbourhood Plan, under Policy 3, 'Belmont Golf Course', the northern section of Golf Inns Ltd's land is proposed to be allocated for development and under Policy 2, 'Protecting Home Farm and the Land Adjacent to Ruckhall Lane', the southern section of their land is proposed to be safeguarded from any development.

General Neighbourhood Plan Comments

Paragraph 4.2 (page 12) states that the Herefordshire Local Plan Core Strategy was adopted in December 2015. This is incorrect as the Core Strategy was adopted on 16 October 2015. Although this is not a major issue, the plan should be amended.

Paragraph 5.1 (page 14) sets out the Belmont Rural Neighbourhood Plan's vision for 2031. Whilst Golf Inns Ltd welcome the Parish Council's general support for growth around the Western Relief Road, the blanket requirement for green areas and open spaces to be protected is unjustified. Therefore further evidence is required on why the Parish Council proposes this blanket protection. We cannot find any justification for this approach in the Plan.

Objective/Policy 2 Comments

Paragraph 5.6 (page 16) has been written by the Parish Council to support Objective 2 to protect 'Home Farm'. This paragraph refers to a planning application from 2012 for a residential development of up to 85 dwellings at Home Farm. This application was refused by the Council and an appeal was dismissed in

January 2014 (appeal reference APP/W1850/A/13/2192461). Within the Inspector's report, he noted that it was uncertain whether the Relief Road would bisect the Unregistered Parkland and therefore he did not give it weight in the argument (paragraph 39). Clearly there has been a major change in these circumstances since this appeal was dismissed with proposals for the route of the Western Relief Road Inner Corridor cutting through the Belmont House Unregistered Parkland. The Inspector made reference to the "*unspoilt open qualities of the site and its tranquillity, along with the loss of agricultural character*" (paragraph 46). The proposed Western Relief Road will cut through the Unregistered Parkland and will inevitably change the landscape character. We therefore consider that reference to this appeal case is flawed and there are other more significant up to date material considerations that should be taken into account when considering Objective 2.

Golf Inns Ltd has appointed landscape specialist, Waterman Infrastructure & Environment Limited, to undertake a review of the sensitivity of the landscape around the former Belmont Golf Course and to assess how the Western Relief Road may affect the sensitivity of the Belmont Unregistered Parkland landscape. They have concluded that the overall effect of the relief road passing through the Unregistered Parkland will lower the sensitivity of the landscape for a number of reasons, including:

1. causing fragmentation of the Unregistered Parkland
2. loss of landmark features (e.g. the removal of the large mature parkland trees along the proposed route),
3. diminish the scenic quality of the area,
4. have an adverse effect on the quality of views and
5. reduce the levels of tranquillity within the parkland due to the noise of traffic.

When examining the 'Home Farm' proposal, the Inspector had regard to paragraph 135 of the National Planning Policy Framework which states that non-designated heritage assets (such as Belmont House parkland) should be taken into account in determining applications which affect them. It goes on to note that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any loss or harm and the significance of the asset. The Inspector concluded that the proposal at 'Home Farm' would harm the character and appearance of the area. However, we consider that when the proposed Western Relief Road cuts through Belmont House parkland, the proposal for development on/around the parkland will now be assessed very differently in landscape terms and the Parish Council should take this into account and the Plan should be based on up to date evidence..

We object to Policy 2 for a number of reasons. Firstly, in 'part a.' the policy states that "*land at Home Farm (also known as 'the Triangle') shown on Figure 10 will be protected from any development...*". Our client's land is not part of 'the Triangle' of land which was subject to appeal (as referred to on page 16) and therefore our client's land should not be referred to as 'the Triangle'. The area of land that was the subject of the appeal was publicly accessible with public footpaths linking the proposal site to the public open space and housing to the north and east. The Inspector noted in his report that it was evident that the appeal site is cherished by a number of residents and is likely to add to the amenity value of these parts of the public realm. Our client's land to the north of 'the Triangle' is not publicly accessible and therefore it should not be assumed that it should be given the same level of protection from development as 'the Triangle'.

'Part c'. of Policy 2 states that future proposals must have regard to Policy SS4. Policy SS4 of Herefordshire's adopted Core Strategy states that 'new development should be designed and located to minimise the impacts on the transport networks' and that 'development proposals that will generate high journey numbers should be in sustainable locations, accessible by means other than private car'. When the Western Relief Road is built, the land around it will become an even more accessible and sustainable location (including footpath, cycle and public transport links) which could be developed to help support the future growth of Hereford.

Objective/Policy 3 Comments

Golf Inns Ltd welcomes the Parish Council's support for development of the former Belmont Golf Course in Objective 3 (pages 17 and 18). However, we strongly object to the development boundary that has been set by the Parish Council on Figure 5 as it is not justified and fails to take account of the Western Relief Road. If the Parish Council supports long term development at this site then proper consideration of site

constraints/opportunities should be undertaken. To date Golf Inns Ltd (or other surrounding landowners) have not been engaged during the preparation of this plan to consider the potential opportunities this area of the Parish could bring to the wider community.

We object to Policy 3 for a number of reasons. Firstly, 'point f.' of the Policy states that 'the site lies within a flood zone', this is not an accurate reflection of the status of the site and potentially misleading and we would like this position to be made more clear. The site is within flood zone 1 (least risk) and the area of land which is at most risk to flooding (flood zone 2 and 3) is to the north of the site boundary shown on Figure 11.

The Policy states that future development of the former Belmont Golf Course site will be supported for a range of uses including housing, B1 employment and leisure use. However, the boundary that has been drawn by the Parish Council has failed to take into account the Western Relief Road. When the road is built it will split the Parish's proposed Policy 3 site in two which will inevitably focus development into the western part of the site and will result in the rest of the site not being connected to the Hereford urban area. The Western Relief Road will ensure that any development on our client's land, including the area of their land identified as 'Home Farm' in the Plan, would be accessible and connected to the existing settlement. Whereas development on the area of land currently identified by the Parish Council would not be easily accessible or connected to the Hereford urban area.

Policy 3 also requires that any development of the former golf course must re-use and convert the existing buildings. We object to this point as it is overly restrictive, unjustified and has not taken account of the existing internal layout, condition or viability of re-use. In short, this policy is without evidence or justification. Planning Practice Guidance states that viability assessments should be considered as a tool that can assist with the development of Neighbourhood Plans (005) and should not compromise the quality of development but should ensure that the Plan's vision and policies are realistic. In a letter to our client (dated September 2008), English Heritage (now Heritage England) concluded that grant aid and/or enabling development will be needed to resolve the significant problems associated with Belmont House and adjoining Unregistered Parkland. In addition they noted that the financial scale of the problem to rejuvenate Belmont House and adjoining Unregistered Parkland, is such that it is unlikely that English Heritage (now Heritage England) could offer a grant of the size required to resolve the case. Therefore they concluded that the solution lies in enabling development. The current site boundary that has been drawn by the Parish Council is not of a size that could support viable redevelopment of the existing buildings on site. Therefore, we consider that an opportunity should be provided for Golf Inns Ltd to engage with the Parish Council to properly consider viable ways in which their land could best be reused to take account of the Western Relief Road and rejuvenate Belmont House.

Objective/Policy 5 Comments

Paragraph 5.12 of Objective 5 in the Neighbourhood Plan states that *"it is recognised there are little opportunities for any large scale development within the parish, smaller infill is more achievable and appropriate"*. We strongly object to this point as there is no evidence to support this approach or take account of how the Western Relief Road will change the context of this area in the future. The proposed Western Relief Road running through the former Belmont Golf Course could provide new strategic opportunities. New development proposals at this location will be sustainable, accessible and able to contribute to new infrastructure, including providing new community facilities, such as a dentist, which is referred to in Objective 4 as a facility not currently provided within the Parish. Golf Inns Ltd would like to engage collaboratively with the Parish Council and agree on the most appropriate treatment for their land in the context of the Western Relief Road and establish opportunities to enhance facilities.

We object to Policy 5 as we consider that there is a strategic opportunity at the former Belmont Golf Course which the Parish Council has not considered. We also object to 'Point c.' of Policy 5 as it is unclear as to what the Parish Council mean by "useable garden space".

Objective/Policy 6 Comments

We object to Policy 6 because it is based on accessibility and connectivity yet there is no reference to the Western Relief Road within the Policy itself. The relief road will provide the opportunity to enhance accessibility and connectivity within the Parish and we consider that it is imperative that it is referenced within Policy 6. This should be properly assessed in the Parish Plan. English Heritage (now Heritage England) consider that Belmont House will require significant enabling development to restore it to its former glory. This should be taken into account by the Parish Plan.

Objective/Policy 7 Comments

Policy 7 states that existing small/medium businesses will be supported within the Parish. We object to this policy because currently there is no support shown by the Parish Council in relation to the former Belmont Golf Course to consider all uses and invest in Belmont House.

Summary

In summary we strongly object to a Policies 2, 3, 5, 6 and 7 within the Belmont Rural Neighbourhood Plan. Although Belmont Rural Parish Council do make reference to the Western Relief Road, once built, the road will have a significant impact on the Parish by lowering the sensitivity of the landscape. These impacts and changes in circumstances have not been properly taken into account or reflected in the formulation of this draft plan. We therefore consider that the road should be given greater weight in the Neighbourhood Plan than it is currently given, specifically in Policies 2,3 and 6 and an assessment of the benefits and changes it will bring to the Parish and wider area of western Hereford.

We consider that the type of development which was not previously considered appropriate within the Parkland in the 'Home Farm' case, will be appropriate once the road is built given that the road will reduce the sensitivity of the landscape and increase access to the area. We consider that Golf Inns Ltd's land at the former Belmont Golf Course could provide a sustainable and accessible strategic development opportunity which could help meet the future growth needs of Hereford. Furthermore the road and associated development opportunities will potentially include enabling development identified by Heritage England to support the rejuvenation of Belmont House.

We would welcome the opportunity to properly engage with the Parish Council in considering the most appropriate response to the Western Relief Road and assessing the benefits that it could bring to the Parish and wider community.

Yours faithfully

Michael Davies
Director

Site Location Plan
Belmont Golf Course

