

**Latham, James**

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**From:** Turner, Andrew  
**Sent:** 22 March 2017 14:03  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Cusop Regulation 16 Neighbourhood Development Plan Consultation

**Re: Cusop draft Neighbourhood Development Plan**

Dear Neighbourhood Planning Team,

I refer to the above and would make the following comments with regard to the proposed development plan. It is my understanding that you do not require comment on Core Strategy proposals as part of this consultation. I would therefore advise:

A review of Ordnance survey historical plans indicate a former railway and road haulage site (potentially contaminative uses) were adjacent to the proposed 'Newport Street Housing Location' (Policy 2) indicated with brown dots on Map 2 – 'Cusop Village polices map'.

It is possible that unforeseen contamination may be present at the above mentioned site. Consideration should be given to the possibility of encountering contamination as a result of its former use and specialist advice be sought should any be encountered during the development.

General comments:

Developments such as hospitals, homes and schools may be considered 'sensitive' and as such consideration should be given to risk from contamination notwithstanding any comments. Please note that the above does not constitute a detailed investigation or desk study to consider risk from contamination. Should any information about the former uses of the proposed development areas be available I would recommend they be submitted for consideration as they may change the comments provided.

It should be recognised that contamination is a material planning consideration and is referred to within the NPPF. I would recommend applicants and those involved in the parish plan refer to the pertinent parts of the NPPF and be familiar with the requirements and meanings given when considering risk from contamination during development.

Finally it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe development where a site is affected by contamination.

These comments are provided on the basis that any other developments would be subject to application through the normal planning process.

Kind regards

Andrew

Andrew Turner  
Technical Officer (Air, Land and Water Protection),  
Environmental Health & Trading Standards,  
Economy, Communities and Corporate Directorate  
Herefordshire Council,  
8 St Owen Street,  
Hereford. HR1 2PJ.  
Direct Tel: 01432 260159  
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**From:**  
**Sent:** 20 April 2017 19:21  
**To:** Neighbourhood Planning Team  
**Subject:** Cusop Parish Development Plan

**Comments from Celia Cundale**

**Housing Need ( Point 18)** In view of our aging population and the desire for people to remain within their local community, I think it's essential that more **suitable housing for the elderly** be built and not just for low-income people which sadly seems to be Herefordshire's policy. Unfortunately, one long-standing resident has recently been forced to move to Hereford because there was no suitable housing available.

**Point 19:** As stated, Cusop has an abundance of large houses and new dwellings should be restricted to three or fewer bedrooms. I

therefore cannot understand why planning permission was recently granted for three large houses to be built in Thirty Acres. **This was an opportunistic application and should not have been granted.** This area has always been outside the development plan until very recently when the new plan was being decided. It is now outside the plan again and it's disastrous that this planning was allowed.

Only one of these three houses has been built so far; it is totally disproportionate to the size of the plot and not at all in keeping with the surrounding houses in Thirty Acres which are spaced well-apart and have large gardens. This development is more akin to built-up

Surrey not rural Herefordshire and **I cannot understand why the design of such a huge house and garage was allowed.**

**Point 20:** I strongly agree that "division of the curtilage of an existing dwelling" must only be allowed within the settlement

boundary otherwise Cusop will become a "suburban appendage" to Hay-on-Wye and its unique character and its surrounding natural

landscape value, including Cusop Dingle and the Dulas Brook, will be destroyed. For this reason, it is especially important that Black Lion

Green is preserved.

**Point 13:** Whilst a Parish Councillor for eight years, I fought strongly against the hideous new lighting which caused severe

light pollution. Unfortunately, I lost my battle but I now feel totally vindicated and I'm delighted to know that measures are now being taken

to avoid light pollution. I feel this is particularly important in Cusop Dingle especially as the surrounding area of Hay-on-Wye has considerable light pollution particularly around the main car park and Castle area.

### **\*Environmental Report and Habitats Regulation Assessment\***

I found this extremely interesting in view of protecting the beauty of Cusop Dingle and the surrounding landscape. I have been concerned on several occasions with regard to pollution in the Dulas Brook. I have a large waterfall in my garden and at the sides of the waterfall there has sometimes been an accumulation of pollution, e.g. detergents. I would therefore like the plan to include a strategy for ensuring that the water in the Dulas Brook is monitored and any pollution investigated. The biodiversity of the Dulas Brook is extremely precious and its valuable habitat for animals, birds and plants must be protected. I appreciate that the Western side of the Brook falls within the area of Brecon Beacons National Park Authority and they also need to be consulted about this.

### **Cusop Church and Churchyard**

I was extremely disappointed and question why Cusop Church and Churchyard are not mentioned in the Plan? As Churchwarden, I am very proud of the facilities that our spacious church provides for concerts, plays and other events. It acts as an alternative venue to the Village Hall which is smaller and fully booked for many sessions. Also, we have a very large, beautiful churchyard which is an essential community space constantly used by local residents. Also, numerous tourists frequent our church as a popular footpath passes through the churchyard.

We are affiliated to Caring for God's Acre and focus on conservation because there are magnificent ancient yew trees circling the church and we have developed hay meadows at the back.

**I hope you will consider my comments.**

**Celia Cundale**

## Latham, James

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**From:** Norman Ryan <Ryan.Norman@dwrcymru.com>  
**Sent:** 19 April 2017 11:12  
**To:** Neighbourhood Planning Team  
**Cc:** Evans Rhys  
**Subject:** RE: Cusop Regulation 16 Neighbourhood Development Plan Consultation

Dear Sir/Madam,

Thank you for consulting Welsh Water on the below.

I can confirm that we have no further comment to make over and above our Regulation 14 representation.

Regards,



**Ryan Norman**

**Forward Plans Officer | Developer Services | Dwr Cymru Welsh Water**

Linea | Cardiff | CF3 0LT | T: 0800 917 2652 | [www.dwrcymru.com](http://www.dwrcymru.com)

*We will respond to your email as soon as possible but you should allow up to 10 working days to receive a response. For most of the services we offer we set out the timescales that we work to on our Developer Services section of our website. Just follow this link <http://www.dwrcymru.com/en/Developer-Services.aspx> and select the service you require where you will find more information and guidance notes which should assist you. If you cannot find the information you are looking for then please call us on 0800 917 2652 as we can normally deal with any questions you have during the call.*

*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](#).*

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**From:** Neighbourhood Planning Team [mailto:neighbourhoodplanning@herefordshire.gov.uk]  
**Sent:** 09 March 2017 10:18  
**Subject:** Cusop Regulation 16 Neighbourhood Development Plan Consultation

\*\*\*\*\* External Mail \*\*\*\*\*

Dear Consultee,

Cusop 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://myaccount.herefordshire.gov.uk/cusop>

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

The consultation runs from 9 March 2017 to 20 April 2017.

If you wish to make any comments on this Plan, please do so by e-mailing: [neighbourhoodplanning@herefordshire.gov.uk](mailto: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.

Kind regards



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: PL00072842

7 April 2017

Dear Mr Latham

**CUSOP NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION**

Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. Historic England is supportive of both the content of the document and the vision and objectives set out in it. The emphasis on the conservation of local distinctiveness and the protection of rural landscape character including important views is highly commendable.

Overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.

Beyond those observations we have no further 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](mailto:peter.boland@HistoricEngland.org.uk)

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



Date: 24 March 2017  
Our ref: 210389  
Your ref: Cusop Neighbourhood Plan - Regulation 16 Consultation



James Latham  
Technical Support Officer  
Neighbourhood Planning and Strategic Planning teams  
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**BY EMAIL ONLY**

[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)

Dear Mr Latham

**Cusop Neighbourhood Plan - Regulation 16 Consultation**

Thank you for your consultation on the above dated 09/03/2017

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 specific comments on this neighbourhood plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For clarification of any points in this letter, please contact Yana Burlachka on 02082256013. For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto: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 sincerely

Yana Burlachka  
Adviser  
South Mercia Team

# Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

## Natural environment information sources

The [Magic](#)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas (NCAs)** divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)<sup>5</sup> website and also from the [LandIS website](#)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>8</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

### Landscape

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

### Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

### Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species.

### Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

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<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup> <http://publications.naturalengland.org.uk/publication/35012>



- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) <sup>14</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

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<sup>14</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

## Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Cusop- Regulation 16 submission version

Date: 13/03/17

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
Policy 1- Settlement Boundary	RA2	Y	
Policy 2- Newport Street Housing Allocation	N/A	Y	
Policy 3- New dwellings within the Settlement Boundary	RA2	Y	
Policy 4- Size of Dwellings	H3	Y	Suggested alteration to give the policy more flexibility:  <i>“New dwellings should <del>be</del> consist of predominantly three or fewer bedrooms. Exceptionally, proposals for <del>new</del> larger dwellings of four or more bedrooms will be permitted where they are for single dwellings on small plots and match the character of their immediate neighbourhood.”</i>
Policy 5- Extension of Dwellings	N/A	Y	
Policy 6- Conversion of Residential Buildings	N/A	Y	
Policy 7- New dwellings within the curtilage of existing dwellings	RA2	Y	

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
Policy 8- Parking	MT1	Y	
Policy 9- Safeguarding of Newport Street Employment Land	E2	Y	
Policy 10- Extension of Newport Street employment land	E1, E2	Y	
Policy 11- Employment generating proposals outside the Settlement Boundary	RA5, RA6	Y	
Policy 12- Cusop Hill	N/A	Y	
Policy 13- Black Lion Fields	N/A	Y	
Policy 14- Dulas Brook	N/A	Y	
Policy 15- Avoiding Light Pollution	SD1	Y	
Policy 16- Design	SD1, LD1	Y	

## Latham, James

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**From:** Withers, Simon  
**Sent:** 11 March 2017 08:55  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Cusop Regulation 16 Neighbourhood Development Plan Consultation

Comments/observations as follows:

Policy 1 – how is the term *normally* quantified. The wording differs from RA2 in terms of sites adjacent to the settlement boundary. The term normally needs to be clarified ie when will it be appropriate to look beyond the settlement boundary

Policy 2 is a long established permission – is this site being included within the proportionate growth target for the CS or should this be met in addition to Newport Street allocation

Policy 3 – is the 3 bed limit possible in a HMA where evidence suggests the need includes 4+ dwellings too

Is Policy 7 needed in addition to Policy 3 – possible to amalgamate?

Policy 8 – what are normal parking requirements? Ref/link to Highways Design Guide ?

Policy 9 – should this policy also include reference to long term marketing of the site for employment uses

Policy 10 - same comment as 9. Need to define what long term marketing means

Policies 12 and 13- I think it would be helpful if the specific viewpoints were identified as this could be open to interpretation.

I hope these comments are helpful.

On the whole, I think the policies are worded clearly and subject to the points of clarification above, I felt it represented a well worded and well considered plan.

Regards

## Simon Withers

Development Manager | Development Management

Economy, Communities and Corporate Services

### Personal Contact Details:

@ [swithers@herefordshire.gov.uk](mailto:swithers@herefordshire.gov.uk)

Tel 01432 260612

Mail Development Management, Herefordshire Council, Plough Lane Offices, Plough Lane, Hereford, HR4 0LE

Neighbourhood Planning Team  
Herefordshire Council  
Plough Lane  
Hereford  
HR4 0LE

Robert Deanwood  
Consultant Town Planner

Tel: 01926 439078  
[n.grid@amecfw.com](mailto:n.grid@amecfw.com)

Sent by email to:  
[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)

20 April 2017

Dear Sir / Madam

**Cusop 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 customer. 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 / High Pressure apparatus.

National Grid has identified the following high pressure gas transmission pipeline as falling within the Neighbourhood area boundary:

- FM28 - Three Cocks to Tirley PRI

From the consultation information provided, the above gas transmission does not interact with any of the proposed development sites.

***Gas Distribution – Low / Medium Pressure***

Whilst there is 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](mailto:plantprotection@nationalgrid.com)

### Key resources / contacts

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

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

The first point of contact for all works within the vicinity of gas distribution assets is Plant Protection ([plantprotection@nationalgrid.com](mailto:plantprotection@nationalgrid.com)).

Information regarding the transmission and distribution network can be found at: [www.energynetworks.org.uk](http://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](mailto:n.grid@amecfw.com)

Amec Foster Wheeler E&I UK  
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Gallows Hill  
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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