

13<sup>th</sup> June 2106

Development Management Comments on Hope under Dinmore Neighbourhood Development Plan – Regulation 16

Policy	Comment
HUD1 & HUD2	In principle, the policies deal with the delivery of housing within the neighbourhood area perfectly well. However, there is an almost complete reliance on the delivery of the approved barn conversion scheme at Hampton Court to meet the minimum proportionate growth target, yet no actual reference to it by policy. In the absence of the scheme coming forward, how would proportionate growth be delivered? The settlement boundary provides few opportunities for infill development and, in the absence of the scheme at Hampton Court, there would seem to be little opportunity to meet growth targets.
HUD3	The wording and structure of the policy is fine. Main concern relates to the limitations imposed by the third criteria. Limiting development to five dwellings or less will mean that no affordable housing will be delivered. It is not reasonable to require developments of more than 5 to be phased, but in truth the limitations placed by the village settlement boundary would render a development of such a scale highly unlikely. The need to justify larger scale housing development does not accord with the NPPF and its presumption in favour of sustainable development.
HUD4	Ok
HUD5	The concept of protecting and enhancing community facilities is entirely acceptable. However, the housing policies limiting the scale of development to five dwellings or less mean that it would be contrary to Policy H1 of the Core Strategy and National Planning Practice Guidance to ask for financial contributions from such small scale schemes. Some of the matters listed would, in any event fail to meet the NPPG tests for S106 contributions.
HUD6	Following recent appeal decisions regarding the interpretation of what might be considered as a 'valued landscape' in terms of the NPPF, I am a little concerned about the last sentence and I would suggest that it is omitted. Otherwise ok.
HUD7	Does the land to the rear of Tavern Meadow meet the tests laid out in the NPPF for being designated as a Local Green Space. The narrative to the policy suggests that it is used informally as recreational land. It is dissected by a public footpath, but does not otherwise appear to have any formal use. Contrary to the suggestion of the plan, it does not appear that it meets any of the tests to be applied by the second bullet point of paragraph 77 of the NPPF.
HUD8	The component parts of the policy are ok, but it covers elements of the built and natural environment. Would suggest that it is re-worked into two separate policies; one to deal with biodiversity and one for heritage assets.

HUD9	Ok
HUD10	Ok
HUD11	Ok

Other comments

- The lack of a policy to assess residential extensions and development within residential curtilages is an oversight and needs to be addressed.
- The plan does not contain a policy to deal with tourism. Policy HUD8 makes a reference to Hampton Court in terms of its value as a heritage asset, but not with regard to tourism. Queenswood is also an important leisure resource. It is noted that it falls outside of the designated Neighbourhood Area. It seems to be a missed opportunity not to have included Dinmore as part of an expanded Neighbourhood Area to take account of this.

## Latham, James

---

**From:** Turner, Andrew  
**Sent:** 11 July 2016 11:10  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Hope under Dinmore Group Regulation 16 Neighbourhood Development Plan consultation

### Re: Hope under Dinmore Group 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;

A review of Ordnance survey historical plans indicate a railway track (a potentially contaminative use) has historically run adjacent to the west of sites; 'HUD 2, HUD 3, and HUD 4 (indicated in grey on Plan 4: 'Sites for Assessment' ).

It is possible that unforeseen contamination may be present at the above mentioned sites. 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, Blueschool House, PO Box 233  
Hereford. HR1 2ZB.  
Direct Tel: 01432 260159  
email: [aturner@herefordshire.gov.uk](mailto:aturner@herefordshire.gov.uk)



The Coal  
Authority



200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Web: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the Attention of: Neighbourhood Planning, Strategic Planning &  
Herefordshire Council

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

22 June 2016

Dear Neighbourhood Planning, Strategic Planning & Conservation teams

**Hope Under Dinmore Neighbourhood Development Plan Submission**

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**

## Latham, James

---

**From:** Irwin, Graeme <graeme.irwin@environment-agency.gov.uk>  
**Sent:** 11 July 2016 11:04  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Hope under Dinmore Group Regulation 16 Neighbourhood Development Plan consultation  
**Attachments:** january 2016\_hope under dinmore response.pdf

Good morning.

I have no further comments to make on the Hope Under Dinmore Reg 16 Consultation. I have attached a copy of my previous response for information.

Kind regards.

**Graeme Irwin**

**Senior Planning Officer - Sustainable Places**

Shropshire, Herefordshire, Worcestershire and Gloucestershire  
Environment Agency  
Direct Dial: 02030 251624  
Direct email: [graeme.irwin@environment-agency.gov.uk](mailto:graeme.irwin@environment-agency.gov.uk)

IMPORTANT: Updated Flood Risk Climate Change allowances for Planning Matters are at... [www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances](http://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)



### The climate is changing. Are you?

A support service led by the Environment Agency  
[www.gov.uk/government/policies/adapting-to-climate-change](http://www.gov.uk/government/policies/adapting-to-climate-change)

---

**From:** Neighbourhood Planning Team [mailto:neighbourhoodplanning@herefordshire.gov.uk]  
**Sent:** 01 June 2016 11:04  
**Subject:** Hope under Dinmore Group Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Hope under Dinmore Group 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/hope-under-dinmore-group>

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

The consultation runs from 1 June 2016 to 13 July 2016.

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.

Herefordshire Council  
Neighbourhood Planning  
PO Box 230  
Blueschool House  
Blueschool Street  
Hereford  
Herefordshire  
HR4 0XH

**Our ref:** SV/2010/103979/AP-  
27/IS1-L01

**Your ref:**

**Date:** 18 January 2016

**F.A.O: Mr. J Latham**

Dear Sir

### **HOPE-UNDER-DINMORE NEIGHBOURHOOD PLAN - CONSULTATION**

I refer to your email of the 24 November 2015 in relation to the above Neighbourhood Plan (NP) consultation. We have reviewed the submitted document and would offer the following comments at this time.

As part of the recently adopted Herefordshire Council Core Strategy updates were made to both the Strategic Flood Risk Assessment (SFRA) and Water Cycle Strategy (WCS). This evidence base ensured that the proposed development in Hereford City, and other strategic sites (Market Towns), was viable and achievable. The updated evidence base did not extend to Rural Parishes at the NP level so it is important that these subsequent plans offer robust confirmation that development is not impacted by flooding and that there is sufficient waste water infrastructure in place to accommodate growth for the duration of the plan period.

As stated in the submitted NP Hope Under Dinmore is impacted by flooding from the Cherry Brook which runs through the Parish. The River Lugg (SSSI) also lies to the East.

As confirmed in paragraph 4.8 it has been concluded that no sites are currently considered suitable for allocation within the Plan, in part due to the current flood risk within the Parish. However, it is important that any forthcoming windfall development sites are located on land at the lowest risk of flooding and accord with Herefordshire Councils Core Strategy (Policy SD3 – Sustainable Water Management and water Resources) and the Parish's own Flood Risk Policy (HUD4: Flood Risk).

On the basis of the, above and as there are no sites specific sites proposed within areas at risk of flooding, we would offer no further bespoke comments at this time. You are

Environment Agency  
Hafren House, Welshpool Road, Shelton, Shropshire, Shrewsbury, SY3 8BB.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Cont/d..

advised to utilise the attached Environment Agency guidance and pro-forma which should assist you moving forward with your Plan.

I trust the above is of assistance at this time. Please can you also copy in any future correspondence to my team email address at [SHWGPlanning@environment-agency.gov.uk](mailto:SHWGPlanning@environment-agency.gov.uk)

Yours faithfully

**Mr. Graeme Irwin**

**Senior Planning Advisor**

Direct dial: 02030 251624

Direct e-mail: [graeme.irwin@environment-agency.gov.uk](mailto:graeme.irwin@environment-agency.gov.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: 020 7973 3279

Our ref: PL00024775

14 June 2016

Dear Mr Latham

Thank you for notifying us of the consultation on the draft Neighbourhood Plan for Hope under Dinmore.

Historic England has no comments to make, other than to welcome the focus in the draft plan on the historic environment.

Yours sincerely,

Tim Brennan  
Historic Environment Planning Advisor  
Tim.Brennan@HistoricEngland.org.uk

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870  
HistoricEngland.org.uk



*Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*



## Latham, James

---

**From:** Howells, Mathew  
**Sent:** 12 July 2016 15:10  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Hope under Dinmore Group Regulation 16 Neighbourhood Development Plan consultation

Dear Neighbourhood Planning Team,

There are no comments from Herefordshire's Transportation section.

Thanks  
Mat

---

**From:** Neighbourhood Planning Team  
**Sent:** 01 June 2016 11:04  
**Subject:** Hope under Dinmore Group Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Hope under Dinmore Group 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/hope-under-dinmore-group>

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

The consultation runs from 1 June 2016 to 13 July 2016.

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

**James Latham**

**Technical Support Officer**

Neighbourhood Planning, Strategic Planning & Conservation teams

Herefordshire Council

Planning Services

PO Box 230

Blueschool House

Blueschool Street

Hereford

HR1 2ZB

Tel: 01432 383617

Courier code : H31

Email: [jlatham@herefordshire.gov.uk](mailto:jlatham@herefordshire.gov.uk)

[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk) (for Neighbourhood Planning enquiries)

[ldf@herefordshire.gov.uk](mailto:ldf@herefordshire.gov.uk) (for Strategic Planning enquiries)

10 June 2016

Dear Sir / Madam

## Hope under Dinmore Group 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 Distribution pipeline as falling within the Neighbourhood area boundary:

- 1449 Luggbridge – Leominster – HP Pipeline

From the consultation information provided, the above gas distribution pipeline 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  
Gables House  
Kenilworth Road  
Leamington Spa  
Warwickshire  
CV32 6JX

Spencer Jefferies  
Development Liaison Officer, National Grid

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

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: 11 July 2016  
Our ref: 187100



Mr J Latham

**BY EMAIL ONLY**

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

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

T 0300 060 3900

Dear Mr Latham

Hope under Dinmore Group Regulation 16 Neighbourhood Development Plan consultation

Thank you for your consultation on the above dated 01/06/2016

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 specific comments on this draft 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 James Hughes on 020 802 61000. 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

James Hughes  
South Mercia Planning 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

---

<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:

---

<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).

---

<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/>

## Latham, James

---

**From:** Morgan Barbara <Barbara.Morgan@networkrail.co.uk>  
**Sent:** 13 July 2016 09:10  
**To:** Neighbourhood Planning Team  
**Subject:** Regulation 16 Neighbourhood Development Plan (NDP) Hope under Dinmore

Dear Sir/Madam

Network Rail has been consulted by Herefordshire council on the Hope under Dinmore Regulation 16 Neighbourhood Development Plan (NDP). Thank you for providing us with this opportunity to comment on this Planning document.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.

### Developer Contributions

Hope under Dinmore Neighbourhood Development plan should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure.

Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements.

Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development.

The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network.

To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following:

- A requirement for development contributions to deliver improvements to the rail network where appropriate.
- A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.
- A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.

### Level Crossings

Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:

- By a proposal being directly next to a level crossing
- By the cumulative effect of development added over time
- By the type of crossing involved
- By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing
- By developments that might impede pedestrians ability to hear approaching trains
- By proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs



- By any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing.

Herefordshire Council have a statutory responsibility under planning legislation (**Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010**) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over the railway. Therefore, as Hope under Dinmore Parish Council will be the authority in this case they will still need to consult with Network Rail under schedule 5 on their proposals to determine if they impact upon the above mentioned level crossings.

Planning Applications

We would appreciate Hope under Dinmore Parish Council providing Network Rail with an opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).

We trust these comments will be considered in your Neighbourhood Development Plan document.

Regards,

**Barbara Morgan**

Town Planning Technician (Western and Wales)  
1st Floor, Temple Point  
Redcliffe Way, Bristol BS1 6NL

Tel: 0117 372 1125 – Int: 085 80125

Email: [townplanningwestern@networkrail.co.uk](mailto:townplanningwestern@networkrail.co.uk)

**[www.networkrail.co.uk/property](http://www.networkrail.co.uk/property)**

\*\*\*\*\*  
\*\*\*\*\*

The content of this email (and any attachment) is confidential. It may also be legally privileged or otherwise protected from disclosure.

This email should not be used by anyone who is not an original intended recipient, nor may it be copied or disclosed to anyone who is not an original intended recipient.

If you have received this email by mistake please notify us by emailing the sender, and then delete the email and any copies from your system.

Liability cannot be accepted for statements made which are clearly the sender's own and not made on behalf of Network Rail.

Network Rail Infrastructure Limited registered in England and Wales No. 2904587, registered office  
Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

\*\*\*\*\*  
\*\*\*\*\*

**Latham, James**

---

**From:** Owain Wynne  
**Sent:** 08 June 2016 17:11  
**To:** Neighbourhood Planning Team  
**Subject:** FW: Hope under Dinmore and Newton neighbourhood Plan: Representations on behalf of R & E Wynne

Please see below email and attached

Please confirm that they have been added and fully read as part of the consultation

Owain Wynne

---

From: [peter.draper2@tesco.net](mailto:peter.draper2@tesco.net)  
To: [thelesleyhay@hotmail.co.uk](mailto:thelesleyhay@hotmail.co.uk)  
CC: [lizwynne51@hotmail.co.uk](mailto:lizwynne51@hotmail.co.uk)  
Subject: Hope under Dinmore and Newton neighbourhood Plan: Representations on behalf of R & E Wynne  
Date: Mon, 18 Jan 2016 12:55:21 +0000

**Att of Cllr N Ramsay, Chairman, Hope under Dinmore Parish Council.  
via Mrs Lesley Hay, Parish Clerk.**

**Hope-under-Dinmore Neighbourhood Development Plan.**

Hello Mrs Hay/Cllr Ramsay:

We represent Mr and Mrs R and E Wynne, who are local landowners in Hope under Dinmore and former long-term residents. Mr and Mrs Wynne retain land in the community which is affected by the draft Neighbourhood Plan. We have analysed the draft Plan as published in November and now make representations on this plan on behalf of Mr and Mrs Wynne. As our representations are quite detailed and cover a wide sphere, we consider that your pro-forma for making representations is not quite appropriate in this case. We have therefore attached as a PDF a copy of our representations which is in the form of a planning statement/report.

I trust that this is acceptable, but if there is anything further that you are not quite clear about please let me know.

If you would acknowledge receipt of this email and attachment by email confirmation, I should be most grateful.

With regards,

*Peter J Draper*

**PDA PLANNING / PETER DRAPER ASSOCIATES**

Town & Country Planning Consultants  
Land, Property and Development Consultants

Yew Tree House  
Byford

Hereford HR4 7LB

01981 590500  
07831 105423

[draperbyford@yahoo.co.uk](mailto:draperbyford@yahoo.co.uk) (business)  
[peter.draper2@tesco.net](mailto:peter.draper2@tesco.net) (personal)  
[www.pdaplanning.co.uk](http://www.pdaplanning.co.uk) (website)

*Information in this e-mail message and in any attachments is confidential and may be legally privileged.*

*It is intended for the addressee only.*

*Access to this e-mail by anyone else is unauthorized.*

*If you are not the intended recipient, any disclosure, copying, printing or distribution is prohibited and may be unlawful.  
Please advise the sender immediately if this message has been transmitted to you in error.*

*Any views or opinions in this e-mail are those of the author only.*



**PETER DRAPER ASSOCIATES**

Yew Tree House, Byford, Hereford HR4 7LB  
T: 01981 590500 & 07831 105423  
E: draperbyford@yahoo.co.uk & peter.draper2@tesco.net  
W: www.peterdraperassoc.co.uk

Town & Country Planning Consultants  
Land, Property and Development Consultants

**STATEMENT on behalf of Mr and Mrs R and E Wynne regarding the Hope  
under Dinmore Neighbourhood Plan Consultation Draft**

**Project:** Representations on the Hope under Dinmore Neighbourhood Plan 2015/2016

**Reference:** HR.1010714.NP.Wynne

**Client:** Mr and Mrs R and E Wynne,

## **1. Executive Summary:**

**1.1** Mr and Mrs Wynne have requested that PDA Planning represent them in matters concerning Hope under Dinmore and Newton Neighbourhood Plan (HUDNP) and, especially at this stage, matters concerning the Consultation Draft published in November 2015.

**1.2** In this regard, on behalf of Mr and Mrs Wynne, we object strongly to the draft plan as published including much of the policy and proposals within it and to elements of the text within the draft document and the reasoning and conclusions therein.

**1.3** Principal amongst the objections is the inclusion of a substantial area of private land (3.0 hectares/7.4 acres in extent and known as Tavern Fields) owned by Mr and Mrs Wynne which has been shown on the Proposals Map for designation as a Local Green Space (LGS). Not only is this proposed designation totally unacceptable to Mr and Mrs Wynne and in our opinion without legal or even moral foundation, it is wholly inappropriate for the needs of the village, the local community, for Herefordshire and the Herefordshire Local Plan-Core Strategy 2015 (HLPCS) and for the overarching housing and planning policies pursued by the government through the National Planning Policy Framework (NPPF). Furthermore we can find no evidence of a case of need being put forward for this proposal; nor any evidence of how and why it has been proposed; nor any evidence or evaluation of alternative areas for LGS; nor any evidence of consultation undertaken with Mr and Mrs Wynne.

**1.4** Within the context of a proposed LGS designation we question strongly why another significant area of open land within the village - west of the village street, north of Tavern Meadows and defined as HUD 1 on the draft HUDNP Plan 4 Sites for Assessment – has not been evaluated and considered for LGS designation. On these grounds we object to the draft Plan for not including this land also for LGS designation.

**1.5** The Group Parish Council will be aware that the Tavern Fields land is the subject of a pending application for planning permission for residential development and on behalf of Mr and Mrs Wynne we have submitted copies of the draft development proposals to the Local Planning Authority (LPA) as a Pre-application Enquiry and also to the Group Parish Council (GPC) for information and an invitation to discuss the proposals. However, the GPC has noticeably failed to respond to this to date. This is at odds with the claim within the draft Plan that local landowners have been consulted (or ‘engaged’) on all neighbourhood plan matters and that no suitable sites for development were found as a result. This is further at odds with the Local Plan need for at least 26 new dwellings in HUD and in the context of the NPPF requirement for LPAs to have at least a 5 year supply of readily available housing land – which Herefordshire cannot currently prove – and the Government’s present emphasis on the need for greatly enhanced levels of new housing, especially affordable housing, throughout the country and particularly in rural areas. On the grounds of a lack of, or indeed no consultation, with Mr and Mrs Wynne in the context of land available for new housing within the village, we object strongly to the draft Plan.

**1.6** On the draft Plan’s overall policy for housing we consider that Policy HUD1: Housing Strategy, is fundamentally flawed and will not fulfil either Local Plan or NPPF requirements. This policy and the lack of any evaluation and evidence base for it will not fulfil local housing need through ‘windfall’ or other sites within the proposed settlement boundary or wider rural area and, especially, it is unlikely to fulfil the need for local and affordable housing. We therefore object to this policy.

**1.7** Similarly, draft Policy HUD2: Settlement Boundary is fundamentally flawed inasmuch

as it is so limited in extent as to not possibly cater for the Plan area's defined housing need. Furthermore, it is noted that the settlement boundary is so drawn to include the currently vacant land identified as HUD1 on Plan 4, which to us would suggest that the draft Plan identifies this as being a suitable area for development. This is at odds with the draft Plan elsewhere showing HUD1 as being unsuitable for housing for a variety of reasons. We also note that HUD1 is wholly within a Zone 3 flood area which would be completely unacceptable for development under current national and local planning policy and indeed would be at odds with the draft Plan's various statements relating to resisting development within flood areas. On these grounds we object to draft Policy HUD2 and especially the inclusion of the land described as HUD1 within the settlement boundary.

**1.8** As Tavern Fields, or site HUD2, is shown not being included as a suitable and potential site for housing development (when plainly it has many suitable attributes to fulfil local housing need as well as the village's additional community and open space desires) we object to the draft Plan on the grounds that Tavern Fields/HUD2 should be included as a designated housing site to fulfil the Local Plan housing policy for appropriate local need housing and for affordable housing.

## **2. Specific Comments and/or Objections to the draft Plan**

**2.1 Re paragraph 1.4:** There is no evidence of the neighbourhood plan group seeking to work with local landowners and we cannot understand the statement that 'no significant interest was shown'. Mr and Mrs Wynne, as major and important local landowners have never been approached by the neighbourhood plan group, have never been 'engaged' in discussions and have never been consulted about their land for either potential housing nor on the acceptance or otherwise for their land to be designated as LGS. Mr and Mrs Wynne have never been included in discussions regarding housing site assessments and we are not convinced that such 'assessments' have been undertaken to a suitable and appropriate level as to be considered acceptable as evidence for the draft Plan's subsequent policies. The lack of consultation with Mr and Mrs Wynne is contrary to the specific requirements on consultation with landowners and/or developers as set out in the Neighbourhood Plan legislation or as required in the NPPF and associated advice. On these grounds we would object to the draft Plan.

**2.2 Re Paragraph 2.3:** The parish population figures are based on the 2011 Census figures and we suggest that these should be updated for closer accuracy.

**2.3 Re Paragraph 3.2:** (Social and Community, Chapter 4). This mentions new homes being built in small numbers, yet we find no reference as to the definitions of this. What constitutes 'small' numbers and what is the reasoning and evidence behind this? What specific studies have been done to make such statements valid? How will infrastructure be improved? How and what criteria is a determinate for new development to be 'in keeping'? If it is considered that 'small' numbers would be one or two houses constructed infrequently over a long time-scale, then it is unlikely that local infrastructure improvements would occur as a result of Section 106 or Community Infrastructure Levy income or that required social or local affordable housing need will be met. The draft Plan does not appear to address such matters and therefore must be questioned.

**2.4 Re Paragraph 4.4:** As we have indicated earlier there is no evidence of landowner 'engagement' or contact or consultation. Mr and Mrs Wynne have had no contact whatsoever from the neighbourhood plan group and have not been party to any

supposed Housing Site Assessment. Our view of the Assessment undertaken and reported in July 2015 is that it is short of real evidence and content and merely a subjective view on the perceived need and supply of new housing land in the village. It refers to a Resident's Questionnaire Survey undertaken with a 33% response rate. We contend that this is a very poor level of response for a small community and is well below the response rates expected of Neighbourhood Plan studies as set out by the government and where a 50% response is regarded as a minimum representative target, particularly as similar studies elsewhere in the country and in Herefordshire have easily commanded response rates in excess of 70%. We consider the basis of the evidence to be unrepresentative and in concert with the total lack of required consultation with landowners, particularly in the case of Mr and Mrs Wynne, we object to the draft Plan and the low quality of evidence behind its drafting.

**2.5 Re Paragraph 4.5:** We note that site HUD2/Tavern Meadows is defined as being closely related to the village and in Paragraph 4.4 and it is within the area considered to contain the main built form of the village. We would emphasise also that a part of HUD2, around 0.8 hectares/2.0 acres at the southern end, is not owned by Mr and Mrs Wynne.

**2.6 Re Paragraph 4.8:** However, we note also that the description for HUD2 is then changed to *'sites which may reasonably be considered to form part of ... the main built form of the village'*; we are not certain why there is a change of emphasis from being 'closely related' to 'may reasonably be considered' all within the space of one paragraph. This may be regarded by some as a certain inconsistency in evaluation and clear evidence. Furthermore, we find that the attributes of HUD2 in particular are being too easily dismissed without the quality of evidence to back-up the statement that the site is 'considerably' constrained, with principal issues of flood risk and access and hence, it is summararily dismissed as being unsuitable for a housing allocation in the Plan. The site is currently accessed; in fact it has a fully defined access of 9.5 m width to allow for a new road of 4.5 m width and 2 x 1.5 m footpaths, together with a 1 m width allowance for the existing Public Right of Way access. All or a greater majority of the land is outside of the Environment Agency defined Zone 3 and Zone 2 flood areas. We fail to see why the draft Plan's apparent conclusion, with little or no evidence, is that HUD2 is not appropriate because of flood and access issues. On these grounds we would object to the draft Plan and to the misleading information given within it.

**2.7 Re paragraph 4.9, 4.10 and 4.11:** The Plan seems to consider that 'windfall' opportunities would largely satisfy the housing requirements of the village, yet we find little or no evidence to prove this. Indeed, the draft housing policy appears to be based on this assumption, yet we find that there is no detailed explanation as to what would be a satisfactory windfall development; how it will provide the range of housing needed in the Bromyard Housing Market Area; how it will provide the necessary levels of affordable and local housing; how it will contribute to infrastructure, community and environmental improvements; or even where and in what numbers over the plan period such windfall housing occurs, given a proposed tightly drawn settlement boundary with little or no scope for new housing allocation. This must be set against the background of Herefordshire's serious failure to provide appropriate 5 year housing land supply levels (plus additional contingencies) and the government's call for and the country's need for vastly increased supplies of new housing. On these grounds alone the draft Plan fails and we would object strongly to its housing and settlement boundary policies.

**2.8 Re Paragraphs 4.11 to 4.13 and Policy HUD1:** We have stated earlier our disappointment/disillusionment at the poor response rate of 33% of the Plan area

population and our misgivings about basing a plan and policies on this and we reiterate this in relation to the assumptions set out in these paragraphs and that, on the back of a low evidence base, a sweeping housing policy, HUD1, is formulated. We do not consider that the minimum housing land requirement for the Plan area will be met on the untested whim of windfall housing and that therefore such a policy is seriously at odds with both the HLPCS and the NPPF and associated guidance and on these grounds we object to the draft Plan and Policy HUD1 and HUD2 in particular. We note also that statements within paragraph 4.12 contain misleading information regarding identified 'issues' and that none of these relate to the Tavern Fields/HUD2 land.

**2.9 Re Paragraphs 4.19 to 4.23:** There appears to be nothing in these paragraphs that indicate how or when or in what numbers and types of housing, the important issues of affordable and appropriate local housing are going to be supplied or satisfied. In effect, all possible new housing that 'might' (our emphasis) come forward is likely to be non-affordable and unlikely to cater for the real needs of the local community or the housing market area. This is manifestly shown in the draft Policy HUD3 where statements about housing offering a range of local housing requirements and an arbitrarily introduced figure of 5 houses per site maximum have been forwarded without any real evidence base for its appropriateness, viability or achievability. On these grounds we would object to draft Policy HUD3.

**2.10 Re Paragraph 4.28 to 4.31 and Policy HUD4 and HUD5:** It is more or less a 'planning' given that all future development in flood risk areas must ensure that no flooding exacerbation is caused. Paragraph 4.28 continues the misleading information that suggests site HUD2/Tavern Fields is within a flood risk zone and therefore cannot be developed. The paragraph and the following draft Policy HUD4 and HUD5 suggests that new development will contribute to infrastructure and environmental improvements; however we would contend that small scale, 'whenever', windfall housing is very unlikely to generate sufficient viability to ever contribute to such community benefits. Planned and allocated housing on a wholly suitable site such as HUD2/Tavern Fields is more than likely to generate, through design and layout and accompanying S106/CIF contributions and other appropriate funding sources, the level of infrastructure and environmental improvements and provisions that the local community needs and desires. Because of the dearth of development opportunity that this draft Plan is likely to create then both Policy HUD4 and HUD5 will be seriously flawed and in this respect we would object to these specific policies as proposed in the draft Plan.

**2.11 Re Plan 4, Sites For Assessment:** We would emphasise that not all of the HUD2 area would necessary be put forward for housing development. In our draft proposals on behalf of Mr and Mrs Wynne, only a proportion of the land would be developed and much or a majority of it would be allocated for community, environmental and open space uses, which would be commensurate with any future Local Green Space designation. Therefore we consider the assessment of this site to be flawed, especially as it has not been the subject of any required consultation with the owners, and because of this we would object to the Plan 4 as shown.

**2.12 Re Paragraphs 5.7, 5.8 and draft Policy HUD7, Local Green Space:** We are extremely concerned to find in these paragraphs reference to site HUD2 being classified as 'open green space.' As outlined previously, this is an area of around 3.0 hectares of privately owned and fenced agricultural land and has remained so for many years. We find it alarming therefore to see the draft Plan stating:



*In this respect, open land to the rear of Tavern Meadow has been identified in consultation as meriting protection as suitable for amenity use. It has gained an informal recreational use in recent years and has so demonstrated its value in this respect.*

**2.13** At best these statements are wholly misleading and as far as Mr and Mrs Wynne are concerned are quite breathtakingly wrong. The draft Plan offers no evidence as to how or why the land should be identified as meriting use for amenity use or what such amenity use should or could be. The land certainly has not gained an informal recreational use as it has remained in private ownership for agricultural purposes and any other access on to it by the public or any individuals is clearly a trespass on Mr and Mrs Wynne's land and the land has not been established for any other use other than agriculture. On this factor alone any consideration for LGS designation must fail. Government guidance on this makes it clear in the NPPF and elsewhere that any proposed LGS designation will not be appropriate for most green areas or open space and that such a designation should only be used where *inter alia* :

- *the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land.*

**2.14** There is clearly no appropriate evidence offered as to why Tavern Fields is demonstrably special to the local community over and above any other local tract of land or why such an extensive tract of land is being proposed. In view of the fact that within easy reach of the whole Plan area community are three of Herefordshire's largest publicly accessed areas of recreation and amenity land – Dinmore Hill, Queenswood Country Park and Westhope Common - it would seem to us that the LGS proposal is merely a whim of a minority of local residents to use inappropriate designations to blight privately owned land and prevent possibilities of future development. Government guidance makes it plain that, amongst other things, 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. Furthermore, guidance states that a 'qualifying body' should contact landowners at any early stage about proposals to designate any part of their land as LGS. This, like many other examples within this draft Plan, has patently not happened. On these grounds, Mr and Mrs Wynne object in the strongest terms possible to the proposed LGS designation and draft Policy HUD7 and object also to the seriously misleading information and manner in which this proposal has been formulated.

**2.15 Re Plan 5, Proposals Map:** Our reasons as outlined above confirm that we object to the draft proposals map and specifically the designation of LGS on Mr and Mrs Wynne's land at Tavern Fields; the designation of the Settlement Boundary; and the inclusion of the land between Tavern Fields and the village street, identified as HUD1 within the draft Plan, as unspecified 'white land' within the Settlement Boundary.

### **3. Summary and Conclusions**

**3.1** Mr and Mrs Wynne are greatly concerned at the content of the draft Neighbourhood Plan and the manner in which to date it has been prepared and presented. Their land is significantly affected and potentially blighted by the proposals and is done so without any appropriate level of evidence being shown as to why this should be. There have been no advanced notifications, consultations or discussions prior to the draft Plan, which is wholly contrary to Neighbourhood Plan legislation. There is totally misleading information quoted within the Plan statement and matters of fact that have been misrepresented seriously. In our opinion this is a Plan flawed in both content and

presentation.

**3.2** On these grounds alone, Mr and Mrs Wynne object to the draft Neighbourhood Plan as a whole and to many of the draft policies and proposals contained within it.

Specifically identified policies objected to are:

HUD1 Housing Strategy;

HUD2, Settlement Boundary;

HUD3, Criteria for New Housing Development;

HUD7, Local Green Space;

Plan 5, Proposals Map.

P J Draper -

PDA Planning -

On behalf of Mr and Mrs R and E Wynne -

January 2016

**Latham, James**

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 08 June 2016 17:16  
**To:** Neighbourhood Planning Team  
**Subject:** A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	owain
Last name	wynne
Which plan are you commenting on?	Hope under Dinmore Group Neighbourhood Development Plan
Comment type	Objection
Your comments	<p>1. Executive Summary: 1.2 we object strongly to the draft plan as published including much of the policy and proposals within it and to elements of the text within the draft document and the reasoning and conclusions therein. 1.3 Principal amongst the objections is the inclusion of a substantial area of private land (3.0 hectares/7.4 acres in extent and known as Tavern Fields) owned by Mr and Mrs Wynne which has been shown on the Proposals Map for designation as a Local Green Space (LGS). Not only is this proposed designation totally unacceptable to Mr and Mrs Wynne and in our opinion without legal or even moral foundation, it is wholly inappropriate for the needs of the village, the local community, for Herefordshire and the Herefordshire Local Plan-Core Strategy 2015 (HLPCS) and for the overarching housing and planning policies pursued by the government through the National Planning Policy Framework (NPPF). Furthermore we can find no evidence of a case of need being put forward for this proposal; nor any evidence of how and why it has been proposed; nor any evidence or evaluation of alternative areas for LGS; nor any evidence of consultation undertaken with Mr and Mrs Wynne. 1.4 Within the context of a proposed LGS designation we question strongly why another significant area of open land within the village - west of the village street, north of Tavern Meadows and defined as HUD 1</p>

on the draft HUDNP Plan 4 Sites for Assessment – has not been evaluated and considered for LGS designation. On these grounds we object to the draft Plan for not including this land also for LGS designation.

1.5 The Group Parish Council will be aware that the Tavern Fields land is the subject of a pending application for planning permission for residential development and on behalf of Mr and Mrs Wynne we have submitted copies of the draft development proposals to the Local Planning Authority (LPA) as a Pre-application Enquiry and also to the Group Parish Council (GPC) for information and an invitation to discuss the proposals. However, the GPC has noticeably failed to respond to this to date. This is at odds with the claim within the draft Plan that local landowners have been consulted (or ‘engaged’) on all neighbourhood plan matters and that no suitable sites for development were found as a result. This is further at odds with the Local Plan need for at least 26 new dwellings in HUD and in the context of the NPPF requirement for LPAs to have at least a 5 year supply of readily available housing land – which Herefordshire cannot currently prove – and the Government’s present emphasis on the need for greatly enhanced levels of new housing, especially affordable housing, throughout the country and particularly in rural areas. On the grounds of a lack of, or indeed no consultation, with Mr and Mrs Wynne in the context of land available for new housing within the village, we object strongly to the draft Plan.

1.6 On the draft Plan’s overall policy for housing we consider that Policy HUD1: Housing Strategy, is fundamentally flawed and will not fulfil either Local Plan or NPPF requirements. This policy and the lack of any evaluation and evidence base for it will not fulfil local housing need through ‘windfall’ or other sites within the proposed settlement boundary or wider rural area and, especially, it is unlikely to fulfil the need for local and affordable housing. We therefore object to this policy.

1.7 Similarly, draft Policy HUD2: Settlement Boundary is fundamentally flawed inasmuch as it is so limited in extent as to not possibly cater for the Plan area’s defined housing need. Furthermore, it is noted that the settlement boundary is so drawn to include the currently vacant land identified as

HUD1 on Plan 4, which to us would suggest that the draft Plan identifies this as being a suitable area for development. This is at odds with the draft Plan elsewhere showing HUD1 as being unsuitable for housing for a variety of reasons. We also note that HUD1 is wholly within a Zone 3 flood area which would be completely unacceptable for development under current national and local planning policy and indeed would be at odds with the draft Plan's various statements relating to resisting development within flood areas. On these grounds we object to draft Policy HUD2 and especially the inclusion of the land described as HUD1 within the settlement boundary. 1.8 As Tavern Fields, or site HUD2, is shown not being included as a suitable and potential site for housing development (when plainly it has many suitable attributes to fulfil local housing need as well as the village's additional community and open space desires) we object to the draft Plan on the grounds that Tavern Fields/ HUD2 should be included as a designated housing site to fulfil the Local Plan housing policy for appropriate local need housing and for affordable housing. 2. Specific Comments and/or Objections to the draft Plan 2.1 Re paragraph 1.4: There is no evidence of the neighbourhood plan group seeking to work with local landowners and we cannot understand the statement that 'no significant interest was shown'. Mr and Mrs Wynne, as major and important local landowners have never been approached by the neighbourhood plan group, have never been 'engaged' in discussions and have never been consulted about their land for either potential housing nor on the acceptance or otherwise for their land to be designated as LGS. Mr and Mrs Wynne have never been included in discussions regarding housing site assessments and we are not convinced that such 'assessments' have been undertaken to a suitable and appropriate level as to be considered acceptable as evidence for the draft Plan's subsequent policies. The lack of consultation with Mr and Mrs Wynne is contrary to the specific requirements on consultation with landowners and/or developers as set out in the Neighbourhood Plan legislation or as required in the NPPF and associated advice. On these grounds we would object to the draft Plan. 2.2 Re

Paragraph 2.3: The parish population figures are based on the 2011 Census figures and we suggest that these should be updated for closer accuracy. 2.3 Re Paragraph 3.2: (Social and Community, Chapter 4). This mentions new homes being built in small numbers, yet we find no reference as to the definitions of this. What constitutes 'small' numbers and what is the reasoning and evidence behind this? What specific studies have been done to make such statements valid? How will infrastructure be improved? How and what criteria is a determinate for new development to be 'in keeping'? If it is considered that 'small' numbers would be one or two houses constructed infrequently over a long time-scale, then it is unlikely that local infrastructure improvements would occur as a result of Section 106 or Community Infrastructure Levy income or that required social or local affordable housing need will be met. The draft Plan does not appear to address such matters and therefore must be questioned. 2.4 Re Paragraph 4.4: As we have indicated earlier there is no evidence of landowner 'engagement' or contact or consultation. Mr and Mrs Wynne have had no contact whatsoever from the neighbourhood plan group and have not been party to any 4 supposed Housing Site Assessment. Our view of the Assessment undertaken and reported in July 2015 is that it is short of real evidence and content and merely a subjective view on the perceived need and supply of new housing land in the village. It refers to a Resident's Questionnaire Survey undertaken with a 33% response rate. We contend that this is a very poor level of response for a small community and is well below the response rates expected of Neighbourhood Plan studies as set out by the government and where a 50% response is regarded as a minimum representative target, particularly as similar studies elsewhere in the country and in Herefordshire have easily commanded response rates in excess of 70%. We consider the basis of the evidence to be unrepresentative and in concert with the total lack of required consultation with landowners, particularly in the case of Mr and Mrs Wynne, we object to the draft Plan and the low quality of evidence behind its drafting. 2.5 Re Paragraph 4.5: We note that

site HUD2/Tavern Meadows is defined as being closely related to the village and in Paragraph 4.4 and it is within the area considered to contain the main built form of the village. We would emphasise also that a part of HUD2, around 0.8 hectares/2.0 acres at the southern end, is not owned by Mr and Mrs Wynne. 2.6 Re Paragraph 4.8: However, we note also that the description for HUD2 is then changed to 'sites which may reasonably be considered to form part of ... the main built form of the village'; we are not certain why there is a change of emphasis from being 'closely related' to 'may reasonably be considered' all within the space of one paragraph. This may be regarded by some as a certain inconsistency in evaluation and clear evidence. Furthermore, we find that the attributes of HUD2 in particular are being too easily dismissed without the quality of evidence to back-up the statement that the site is 'considerably' constrained, with principal issues of flood risk and access and hence, it is summararily dismissed as being unsuitable for a housing allocation in the Plan. The site is currently accessed; in fact it has a fully defined access of 9.5 m width to allow for a new road of 4.5 m width and 2 x 1.5 m footpaths, together with a 1 m width allowance for the existing Public Right of Way access. All or a greater majority of the land is outside of the Environment Agency defined Zone 3 and Zone 2 flood areas. We fail to see why the draft Plan's apparent conclusion, with little or no evidence, is that HUD2 is not appropriate because of flood and access issues. On these grounds we would object to the draft Plan and to the misleading information given within it. 2.7 Re paragraph 4.9, 4.10 and 4.11: The Plan seems to consider that 'windfall' opportunities would largely satisfy the housing requirements of the village, yet we find little or no evidence to prove this. Indeed, the draft housing policy appears to be based on this assumption, yet we find that there is no detailed explanation as to what would be a satisfactory windfall development; how it will provide the range of housing needed in the Bromyard Housing Market Area; how it will provide the necessary levels of affordable and local housing; how it will contribute to infrastructure, community and environmental

improvements; or even where and in what numbers over the plan period such windfall housing occurs, given a proposed tightly drawn settlement boundary with little or no scope for new housing allocation. This must be set against the background of Herefordshire's serious failure to provide appropriate 5 year housing land supply levels (plus additional contingencies) and the government's call for and the country's need for vastly increased supplies of new housing. On these grounds alone the draft Plan fails and we would object strongly to its housing and settlement boundary policies. 2.8 Re Paragraphs 4.11 to 4.13 and Policy HUD1: We have stated earlier our disappointment/disillusionment at the poor response rate of 33% of the Plan area 5 population and our misgivings about basing a plan and policies on this and we reiterate this in relation to the assumptions set out in these paragraphs and that, on the back of a low evidence base, a sweeping housing policy, HUD1, is formulated. We do not consider that the minimum housing land requirement for the Plan area will be met on the untested whim of windfall housing and that therefore such a policy is seriously at odds with both the HLPCS and the NPPF and associated guidance and on these grounds we object to the draft Plan and Policy HUD1 and HUD2 in particular. We note also that statements within paragraph 4.12 contain misleading information regarding identified 'issues' and that none of these relate to the Tavern Fields/HUD2 land. 2.9 Re Paragraphs 4.19 to 4.23: There appears to be nothing in these paragraphs that indicate how or when or in what numbers and types of housing, the important issues of affordable and appropriate local housing are going to be supplied or satisfied. In effect, all possible new housing that 'might' (our emphasis) come forward is likely to be nonaffordable and unlikely to cater for the real needs of the local community or the housing market area. This is manifestly shown in the draft Policy HUD3 where statements about housing offering a range of local housing requirements and an arbitrarily introduced figure of 5 houses per site maximum have been forwarded without any real evidence base for its appropriateness, viability or achievability. On these grounds we would



object to draft Policy HUD3. 2.10 Re Paragraph 4.28 to 4.31 and Policy HUD4 and HUD5: It is more or less a 'planning' given that all future development in flood risk areas must ensure that no flooding exacerbation is caused. Paragraph 4.28 continues the misleading information that suggests site HUD2/Tavern Fields is within a flood risk zone and therefore cannot be developed. The paragraph and the following draft Policy HUD4 and HUD5 suggests that new development will contribute to infrastructure and environmental improvements; however we would contend that small scale, 'whenever', windfall housing is very unlikely to generate sufficient viability to ever contribute to such community benefits. Planned and allocated housing on a wholly suitable site such as HUD2/Tavern Fields is more than likely to generate, through design and layout and accompanying S106/CIF contributions and other appropriate funding sources, the level of infrastructure and environmental improvements and provisions that the local community needs and desires. Because of the dearth of development opportunity that this draft Plan is likely to create then both Policy HUD4 and HUD5 will be seriously flawed and in this respect we would object to these specific policies as proposed in the draft Plan. 2.11 Re Plan 4, Sites For Assessment: We would emphasise that not all of the HUD2 area would necessary be put forward for housing development. In our draft proposals on behalf of Mr and Mrs Wynne, only a proportion of the land would be developed and much or a majority of it would be allocated for community, environmental and open space uses, which would be commensurate with any future Local Green Space designation. Therefore we consider the assessment of this site to be flawed, especially as it has not been the subject of any required consultation with the owners, and because of this we would object to the Plan 4 as shown. 2.12 Re Paragraphs 5.7, 5.8 and draft Policy HUD7, Local Green Space: We are extremely concerned to find in these paragraphs reference to site HUD2 being classified as 'open green space.' As outlined previously, this is an area of around 3.0 hectares of privately owned and fenced agricultural land and has remained so for many years. We find

it alarming therefore to see the draft Plan stating: 6 In this respect, open land to the rear of Tavern Meadow has been identified in consultation as meriting protection as suitable for amenity use. It has gained an informal recreational use in recent years and has so demonstrated its value in this respect. 2.13 At best these statements are wholly misleading and as far as Mr and Mrs Wynne are concerned are quite breathtakingly wrong. The draft Plan offers no evidence as to how or why the land should be identified as meriting use for amenity use or what such amenity use should or could be. The land certainly has not gained an informal recreational use as it has remained in private ownership for agricultural purposes and any other access on to it by the public or any individuals is clearly a trespass on Mr and Mrs Wynne's land and the land has not been established for any other use other than agriculture. On this factor alone any consideration for LGS designation must fail. Government guidance on this makes it clear in the NPPF and elsewhere that any proposed LGS designation will not be appropriate for most green areas or open space and that such a designation should only be used where inter alia : • the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and • where the green area concerned is local in character and is not an extensive tract of land. 2.14 There is clearly no appropriate evidence offered as to why Tavern Fields is demonstrably special to the local community over and above any other local tract of land or why such an extensive tract of land is being proposed. In view of the fact that within easy reach of the whole Plan area community are three of Herefordshire's largest publicly accessed areas of recreation and amenity land – Dinmore Hill, Queenswood Country Park and Westhope Common - it would seem to us that the LGS proposal is merely a whim of a minority of local residents to use inappropriate designations to blight privately owned land and prevent possibilities of future development. Government guidance makes it plain that, amongst other things, 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. Furthermore, guidance states that a 'qualifying body' should contact landowners at any early stage about proposals to designate any part of their land as LGS. This, like many other examples within this draft Plan, has patently not happened. On these grounds, Mr and Mrs Wynne object in the strongest terms possible to the proposed LGS designation and draft Policy HUD7 and object also to the seriously misleading information and manner in which this proposal has been formulated. 2.15 Re Plan 5, Proposals Map: Our reasons as outlined above confirm that we object to the draft proposals map and specifically the designation of LGS on Mr and Mrs Wynne's land at Tavern Fields; the designation of the Settlement Boundary; and the inclusion of the land between Tavern Fields and the village street, identified as HUD1 within the draft Plan, as unspecified 'white land' within the Settlement Boundary. 3. Summary and Conclusions 3.1 Mr and Mrs Wynne are greatly concerned at the content of the draft Neighbourhood Plan and the manner in which to date it has been prepared and presented. Their land is significantly affected and potentially blighted by the proposals and is done so without any appropriate level of evidence being shown as to why this should be. There have been no advanced notifications, consultations or discussions prior to the draft Plan, which is wholly contrary to Neighbourhood Plan legislation. There is totally misleading information quoted within the Plan statement and matters of fact that have been misrepresented seriously. In our opinion this is a Plan flawed in both content and 7 presentation. 3.2 On these grounds alone, Mr and Mrs Wynne object to the draft Neighbourhood Plan as a whole and to many of the draft policies and proposals contained within it. Specifically identified policies objected to are: HUD1 Housing Strategy; HUD2, Settlement Boundary; HUD3, Criteria for New Housing Development; HUD7, Local Green Space; Plan 5, Proposals Map.

## Latham, James

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 07 July 2016 05:24  
**To:** Neighbourhood Planning Team  
**Subject:** A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	Peter
Last name	Mosinski
Which plan are you commenting on?	Hope Under Dinmore
Comment type	Comment
Your comments	Tavern Meadow, hr6onp, I strongly believe this should be considered for development, as this field has already had aprox 12 houses built on it in around 1991, and there for should still lend itself to be able to bring this village together and there for be better presented . Peter Mosinski,

**Latham, James**

---

**From:** OWAIN WYNNE  
**Sent:** 08 June 2016 17:05  
**To:** Neighbourhood Planning Team  
**Subject:** Fwd: Hope under Dinmore and Newton neighbourhood Plan: Representations on behalf of R & E Wynne

Please see below email and attached comments regarding Hope under Dinmore and Newton neighbourhood Plan

Please confirm that have been received and considered

Owain wynne

---

From: [peter.draper2@tesco.net](mailto:peter.draper2@tesco.net)  
To: [thelesleyhay@hotmail.co.uk](mailto:thelesleyhay@hotmail.co.uk)  
CC: [lizwynne51@hotmail.co.uk](mailto:lizwynne51@hotmail.co.uk)  
Subject: Hope under Dinmore and Newton neighbourhood Plan: Representations on behalf of R & E Wynne  
Date: Mon, 18 Jan 2016 12:55:21 +0000

**Att of Cllr N Ramsay, Chairman, Hope under Dinmore Parish Council.  
via Mrs Lesley Hay, Parish Clerk.**

**Hope-under-Dinmore Neighbourhood Development Plan.**

Hello Mrs Hay/Cllr Ramsay:

We represent Mr and Mrs R and E Wynne, who are local landowners in Hope under Dinmore and former long-term residents. Mr and Mrs Wynne retain land in the community which is affected by the draft Neighbourhood Plan. We have analysed the draft Plan as published in November and now make representations on this plan on behalf of Mr and Mrs Wynne. As our representations are quite detailed and cover a wide sphere, we consider that your pro-forma for making representations is not quite appropriate in this case. We have therefore attached as a PDF a copy of our representations which is in the form of a planning statement/report.

I trust that this is acceptable, but if there is anything further that you are not quite clear about please let me know.

If you would acknowledge receipt of this email and attachment by email confirmation, I should be most grateful.

With regards,

*Peter J Draper*

## **PDA PLANNING / PETER DRAPER ASSOCIATES**

Town & Country Planning Consultants  
Land, Property and Development Consultants

Yew Tree House  
Byford  
Hereford HR4 7LB

01981 590500  
07831 105423

[draperbyford@yahoo.co.uk](mailto:draperbyford@yahoo.co.uk) (business)  
[peter.draper2@tesco.net](mailto:peter.draper2@tesco.net) (personal)  
[www.pdaplanning.co.uk](http://www.pdaplanning.co.uk) (website)

*Information in this e-mail message and in any attachments is confidential and may be legally privileged.  
It is intended for the addressee only.  
Access to this e-mail by anyone else is unauthorized.  
If you are not the intended recipient, any disclosure, copying, printing or distribution is prohibited and may be unlawful.  
Please advise the sender immediately if this message has been transmitted to you in error.  
Any views or opinions in this e-mail are those of the author only.*



**PETER DRAPER ASSOCIATES**

Yew Tree House, Byford, Hereford HR4 7LB  
T: 01981 590500 & 07831 105423  
E: draperbyford@yahoo.co.uk & peter.draper2@tesco.net  
W: www.peterdraperassoc.co.uk

Town & Country Planning Consultants  
Land, Property and Development Consultants

**STATEMENT on behalf of Mr and Mrs R and E Wynne regarding the Hope  
under Dinmore Neighbourhood Plan Consultation Draft**

**Project:** Representations on the Hope under Dinmore Neighbourhood Plan 2015/2016

**Reference:** HR.1010714.NP.Wynne

**Client:** Mr and Mrs R and E Wynne,

## **1. Executive Summary:**

**1.1** Mr and Mrs Wynne have requested that PDA Planning represent them in matters concerning Hope under Dinmore and Newton Neighbourhood Plan (HUDNP) and, especially at this stage, matters concerning the Consultation Draft published in November 2015.

**1.2** In this regard, on behalf of Mr and Mrs Wynne, we object strongly to the draft plan as published including much of the policy and proposals within it and to elements of the text within the draft document and the reasoning and conclusions therein.

**1.3** Principal amongst the objections is the inclusion of a substantial area of private land (3.0 hectares/7.4 acres in extent and known as Tavern Fields) owned by Mr and Mrs Wynne which has been shown on the Proposals Map for designation as a Local Green Space (LGS). Not only is this proposed designation totally unacceptable to Mr and Mrs Wynne and in our opinion without legal or even moral foundation, it is wholly inappropriate for the needs of the village, the local community, for Herefordshire and the Herefordshire Local Plan-Core Strategy 2015 (HLPCS) and for the overarching housing and planning policies pursued by the government through the National Planning Policy Framework (NPPF). Furthermore we can find no evidence of a case of need being put forward for this proposal; nor any evidence of how and why it has been proposed; nor any evidence or evaluation of alternative areas for LGS; nor any evidence of consultation undertaken with Mr and Mrs Wynne.

**1.4** Within the context of a proposed LGS designation we question strongly why another significant area of open land within the village - west of the village street, north of Tavern Meadows and defined as HUD 1 on the draft HUDNP Plan 4 Sites for Assessment – has not been evaluated and considered for LGS designation. On these grounds we object to the draft Plan for not including this land also for LGS designation.

**1.5** The Group Parish Council will be aware that the Tavern Fields land is the subject of a pending application for planning permission for residential development and on behalf of Mr and Mrs Wynne we have submitted copies of the draft development proposals to the Local Planning Authority (LPA) as a Pre-application Enquiry and also to the Group Parish Council (GPC) for information and an invitation to discuss the proposals. However, the GPC has noticeably failed to respond to this to date. This is at odds with the claim within the draft Plan that local landowners have been consulted (or ‘engaged’) on all neighbourhood plan matters and that no suitable sites for development were found as a result. This is further at odds with the Local Plan need for at least 26 new dwellings in HUD and in the context of the NPPF requirement for LPAs to have at least a 5 year supply of readily available housing land – which Herefordshire cannot currently prove – and the Government’s present emphasis on the need for greatly enhanced levels of new housing, especially affordable housing, throughout the country and particularly in rural areas. On the grounds of a lack of, or indeed no consultation, with Mr and Mrs Wynne in the context of land available for new housing within the village, we object strongly to the draft Plan.

**1.6** On the draft Plan’s overall policy for housing we consider that Policy HUD1: Housing Strategy, is fundamentally flawed and will not fulfil either Local Plan or NPPF requirements. This policy and the lack of any evaluation and evidence base for it will not fulfil local housing need through ‘windfall’ or other sites within the proposed settlement boundary or wider rural area and, especially, it is unlikely to fulfil the need for local and affordable housing. We therefore object to this policy.

**1.7** Similarly, draft Policy HUD2: Settlement Boundary is fundamentally flawed inasmuch



as it is so limited in extent as to not possibly cater for the Plan area's defined housing need. Furthermore, it is noted that the settlement boundary is so drawn to include the currently vacant land identified as HUD1 on Plan 4, which to us would suggest that the draft Plan identifies this as being a suitable area for development. This is at odds with the draft Plan elsewhere showing HUD1 as being unsuitable for housing for a variety of reasons. We also note that HUD1 is wholly within a Zone 3 flood area which would be completely unacceptable for development under current national and local planning policy and indeed would be at odds with the draft Plan's various statements relating to resisting development within flood areas. On these grounds we object to draft Policy HUD2 and especially the inclusion of the land described as HUD1 within the settlement boundary.

**1.8** As Tavern Fields, or site HUD2, is shown not being included as a suitable and potential site for housing development (when plainly it has many suitable attributes to fulfil local housing need as well as the village's additional community and open space desires) we object to the draft Plan on the grounds that Tavern Fields/HUD2 should be included as a designated housing site to fulfil the Local Plan housing policy for appropriate local need housing and for affordable housing.

## **2. Specific Comments and/or Objections to the draft Plan**

**2.1 Re paragraph 1.4:** There is no evidence of the neighbourhood plan group seeking to work with local landowners and we cannot understand the statement that 'no significant interest was shown'. Mr and Mrs Wynne, as major and important local landowners have never been approached by the neighbourhood plan group, have never been 'engaged' in discussions and have never been consulted about their land for either potential housing nor on the acceptance or otherwise for their land to be designated as LGS. Mr and Mrs Wynne have never been included in discussions regarding housing site assessments and we are not convinced that such 'assessments' have been undertaken to a suitable and appropriate level as to be considered acceptable as evidence for the draft Plan's subsequent policies. The lack of consultation with Mr and Mrs Wynne is contrary to the specific requirements on consultation with landowners and/or developers as set out in the Neighbourhood Plan legislation or as required in the NPPF and associated advice. On these grounds we would object to the draft Plan.

**2.2 Re Paragraph 2.3:** The parish population figures are based on the 2011 Census figures and we suggest that these should be updated for closer accuracy.

**2.3 Re Paragraph 3.2:** (Social and Community, Chapter 4). This mentions new homes being built in small numbers, yet we find no reference as to the definitions of this. What constitutes 'small' numbers and what is the reasoning and evidence behind this? What specific studies have been done to make such statements valid? How will infrastructure be improved? How and what criteria is a determinate for new development to be 'in keeping'? If it is considered that 'small' numbers would be one or two houses constructed infrequently over a long time-scale, then it is unlikely that local infrastructure improvements would occur as a result of Section 106 or Community Infrastructure Levy income or that required social or local affordable housing need will be met. The draft Plan does not appear to address such matters and therefore must be questioned.

**2.4 Re Paragraph 4.4:** As we have indicated earlier there is no evidence of landowner 'engagement' or contact or consultation. Mr and Mrs Wynne have had no contact whatsoever from the neighbourhood plan group and have not been party to any

supposed Housing Site Assessment. Our view of the Assessment undertaken and reported in July 2015 is that it is short of real evidence and content and merely a subjective view on the perceived need and supply of new housing land in the village. It refers to a Resident's Questionnaire Survey undertaken with a 33% response rate. We contend that this is a very poor level of response for a small community and is well below the response rates expected of Neighbourhood Plan studies as set out by the government and where a 50% response is regarded as a minimum representative target, particularly as similar studies elsewhere in the country and in Herefordshire have easily commanded response rates in excess of 70%. We consider the basis of the evidence to be unrepresentative and in concert with the total lack of required consultation with landowners, particularly in the case of Mr and Mrs Wynne, we object to the draft Plan and the low quality of evidence behind its drafting.

**2.5 Re Paragraph 4.5:** We note that site HUD2/Tavern Meadows is defined as being closely related to the village and in Paragraph 4.4 and it is within the area considered to contain the main built form of the village. We would emphasise also that a part of HUD2, around 0.8 hectares/2.0 acres at the southern end, is not owned by Mr and Mrs Wynne.

**2.6 Re Paragraph 4.8:** However, we note also that the description for HUD2 is then changed to *'sites which may reasonably be considered to form part of ... the main built form of the village'*; we are not certain why there is a change of emphasis from being 'closely related' to 'may reasonably be considered' all within the space of one paragraph. This may be regarded by some as a certain inconsistency in evaluation and clear evidence. Furthermore, we find that the attributes of HUD2 in particular are being too easily dismissed without the quality of evidence to back-up the statement that the site is 'considerably' constrained, with principal issues of flood risk and access and hence, it is summararily dismissed as being unsuitable for a housing allocation in the Plan. The site is currently accessed; in fact it has a fully defined access of 9.5 m width to allow for a new road of 4.5 m width and 2 x 1.5 m footpaths, together with a 1 m width allowance for the existing Public Right of Way access. All or a greater majority of the land is outside of the Environment Agency defined Zone 3 and Zone 2 flood areas. We fail to see why the draft Plan's apparent conclusion, with little or no evidence, is that HUD2 is not appropriate because of flood and access issues. On these grounds we would object to the draft Plan and to the misleading information given within it.

**2.7 Re paragraph 4.9, 4.10 and 4.11:** The Plan seems to consider that 'windfall' opportunities would largely satisfy the housing requirements of the village, yet we find little or no evidence to prove this. Indeed, the draft housing policy appears to be based on this assumption, yet we find that there is no detailed explanation as to what would be a satisfactory windfall development; how it will provide the range of housing needed in the Bromyard Housing Market Area; how it will provide the necessary levels of affordable and local housing; how it will contribute to infrastructure, community and environmental improvements; or even where and in what numbers over the plan period such windfall housing occurs, given a proposed tightly drawn settlement boundary with little or no scope for new housing allocation. This must be set against the background of Herefordshire's serious failure to provide appropriate 5 year housing land supply levels (plus additional contingencies) and the government's call for and the country's need for vastly increased supplies of new housing. On these grounds alone the draft Plan fails and we would object strongly to its housing and settlement boundary policies.

**2.8 Re Paragraphs 4.11 to 4.13 and Policy HUD1:** We have stated earlier our disappointment/disillusionment at the poor response rate of 33% of the Plan area

population and our misgivings about basing a plan and policies on this and we reiterate this in relation to the assumptions set out in these paragraphs and that, on the back of a low evidence base, a sweeping housing policy, HUD1, is formulated. We do not consider that the minimum housing land requirement for the Plan area will be met on the untested whim of windfall housing and that therefore such a policy is seriously at odds with both the HLPCS and the NPPF and associated guidance and on these grounds we object to the draft Plan and Policy HUD1 and HUD2 in particular. We note also that statements within paragraph 4.12 contain misleading information regarding identified 'issues' and that none of these relate to the Tavern Fields/HUD2 land.

**2.9 Re Paragraphs 4.19 to 4.23:** There appears to be nothing in these paragraphs that indicate how or when or in what numbers and types of housing, the important issues of affordable and appropriate local housing are going to be supplied or satisfied. In effect, all possible new housing that 'might' (our emphasis) come forward is likely to be non-affordable and unlikely to cater for the real needs of the local community or the housing market area. This is manifestly shown in the draft Policy HUD3 where statements about housing offering a range of local housing requirements and an arbitrarily introduced figure of 5 houses per site maximum have been forwarded without any real evidence base for its appropriateness, viability or achievability. On these grounds we would object to draft Policy HUD3.

**2.10 Re Paragraph 4.28 to 4.31 and Policy HUD4 and HUD5:** It is more or less a 'planning' given that all future development in flood risk areas must ensure that no flooding exacerbation is caused. Paragraph 4.28 continues the misleading information that suggests site HUD2/Tavern Fields is within a flood risk zone and therefore cannot be developed. The paragraph and the following draft Policy HUD4 and HUD5 suggests that new development will contribute to infrastructure and environmental improvements; however we would contend that small scale, 'whenever', windfall housing is very unlikely to generate sufficient viability to ever contribute to such community benefits. Planned and allocated housing on a wholly suitable site such as HUD2/Tavern Fields is more than likely to generate, through design and layout and accompanying S106/CIF contributions and other appropriate funding sources, the level of infrastructure and environmental improvements and provisions that the local community needs and desires. Because of the dearth of development opportunity that this draft Plan is likely to create then both Policy HUD4 and HUD5 will be seriously flawed and in this respect we would object to these specific policies as proposed in the draft Plan.

**2.11 Re Plan 4, Sites For Assessment:** We would emphasise that not all of the HUD2 area would necessary be put forward for housing development. In our draft proposals on behalf of Mr and Mrs Wynne, only a proportion of the land would be developed and much or a majority of it would be allocated for community, environmental and open space uses, which would be commensurate with any future Local Green Space designation. Therefore we consider the assessment of this site to be flawed, especially as it has not been the subject of any required consultation with the owners, and because of this we would object to the Plan 4 as shown.

**2.12 Re Paragraphs 5.7, 5.8 and draft Policy HUD7, Local Green Space:** We are extremely concerned to find in these paragraphs reference to site HUD2 being classified as 'open green space.' As outlined previously, this is an area of around 3.0 hectares of privately owned and fenced agricultural land and has remained so for many years. We find it alarming therefore to see the draft Plan stating:

*In this respect, open land to the rear of Tavern Meadow has been identified in consultation as meriting protection as suitable for amenity use. It has gained an informal recreational use in recent years and has so demonstrated its value in this respect.*

**2.13** At best these statements are wholly misleading and as far as Mr and Mrs Wynne are concerned are quite breathtakingly wrong. The draft Plan offers no evidence as to how or why the land should be identified as meriting use for amenity use or what such amenity use should or could be. The land certainly has not gained an informal recreational use as it has remained in private ownership for agricultural purposes and any other access on to it by the public or any individuals is clearly a trespass on Mr and Mrs Wynne's land and the land has not been established for any other use other than agriculture. On this factor alone any consideration for LGS designation must fail. Government guidance on this makes it clear in the NPPF and elsewhere that any proposed LGS designation will not be appropriate for most green areas or open space and that such a designation should only be used where *inter alia* :

- *the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land.*

**2.14** There is clearly no appropriate evidence offered as to why Tavern Fields is demonstrably special to the local community over and above any other local tract of land or why such an extensive tract of land is being proposed. In view of the fact that within easy reach of the whole Plan area community are three of Herefordshire's largest publicly accessed areas of recreation and amenity land – Dinmore Hill, Queenswood Country Park and Westhope Common - it would seem to us that the LGS proposal is merely a whim of a minority of local residents to use inappropriate designations to blight privately owned land and prevent possibilities of future development. Government guidance makes it plain that, amongst other things, 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. Furthermore, guidance states that a 'qualifying body' should contact landowners at any early stage about proposals to designate any part of their land as LGS. This, like many other examples within this draft Plan, has patently not happened. On these grounds, Mr and Mrs Wynne object in the strongest terms possible to the proposed LGS designation and draft Policy HUD7 and object also to the seriously misleading information and manner in which this proposal has been formulated.

**2.15 Re Plan 5, Proposals Map:** Our reasons as outlined above confirm that we object to the draft proposals map and specifically the designation of LGS on Mr and Mrs Wynne's land at Tavern Fields; the designation of the Settlement Boundary; and the inclusion of the land between Tavern Fields and the village street, identified as HUD1 within the draft Plan, as unspecified 'white land' within the Settlement Boundary.

### **3. Summary and Conclusions**

**3.1** Mr and Mrs Wynne are greatly concerned at the content of the draft Neighbourhood Plan and the manner in which to date it has been prepared and presented. Their land is significantly affected and potentially blighted by the proposals and is done so without any appropriate level of evidence being shown as to why this should be. There have been no advanced notifications, consultations or discussions prior to the draft Plan, which is wholly contrary to Neighbourhood Plan legislation. There is totally misleading information quoted within the Plan statement and matters of fact that have been misrepresented seriously. In our opinion this is a Plan flawed in both content and

presentation.

**3.2** On these grounds alone, Mr and Mrs Wynne object to the draft Neighbourhood Plan as a whole and to many of the draft policies and proposals contained within it.

Specifically identified policies objected to are:

HUD1 Housing Strategy;

HUD2, Settlement Boundary;

HUD3, Criteria for New Housing Development;

HUD7, Local Green Space;

Plan 5, Proposals Map.

P J Draper -

PDA Planning -

On behalf of Mr and Mrs R and E Wynne -

January 2016

**Latham, James**

---

**From:** peter.draper2@tesco.net  
**Sent:** 13 July 2016 13:32  
**To:** Neighbourhood Planning Team  
**Subject:** Hope under Dinmore Neighbourhood Plan Submission Draft May 2016 - representations on behalf of Mr and Mrs R and E Wynne  
**Attachments:** HuD, Statement on draft Submission HuD NP 0616 - FINAL COPY.pdf

Hello:

We were notified, as the professional representatives of Mr and Mrs R and E Wynne, by email on 1 June 2016 of the publication of the Hope under Dinmore Neighbourhood Plan Submission Draft of May 2016. The information, under Regulation 16 requirements, invited representations on the document by 13 July 2016.

Will you please find, therefore, attached as a PDF copy, our representations on the Submission Draft on behalf of Mr and Mrs Wynne.

We should be grateful if you would notify and acknowledge the receipt of this email and the attached representation statement. If you have any problems or queries with regard to this, please let us know.

With thanks and regards,

*Peter J Draper*

**pda planning / PETER DRAPER ASSOCIATES**

Town & Country Planning Consultants  
Land, Property and Development Consultants

Yew Tree House  
Byford  
Hereford HR4 7LB

01981 590500  
07831 105423

[draperbyford@yahoo.co.uk](mailto:draperbyford@yahoo.co.uk) (business)  
[peter.draper2@tesco.net](mailto:peter.draper2@tesco.net) (personal)  
[www.pdaplanning.co.uk](http://www.pdaplanning.co.uk) (website)

*Information in this e-mail message and in any attachments is confidential and may be legally privileged.  
It is intended for the addressee only.*

*Access to this e-mail by anyone else is unauthorized.*

*If you are not the intended recipient, any disclosure, copying, printing or distribution is prohibited and may be unlawful.*

*Please advise the sender immediately if this message has been transmitted to you in error.*

*Any views or opinions in this e-mail are those of the author only.*



**PETER DRAPER ASSOCIATES**

Yew Tree House, Byford, Hereford HR4 7LB  
T: 01981 590500 & 07831 105423  
E: draperbyford@yahoo.co.uk & peter.draper2@tesco.net  
W: www.peterdraperassocs.co.uk

Town & Country Planning Consultants  
Land, Property and Development Consultants

**REPRESENTATION STATEMENT on behalf of Mr and Mrs R and E Wynne  
regarding the Hope under Dinmore Neighbourhood Plan Submission Draft  
May 2016**

**Project:** Representations on the Hope under Dinmore Neighbourhood Plan 2015/2016

**Reference:** HR.1010714.NP.Wynne

**Client:** Mr and Mrs R and E Wynne

## **Executive Summary:**

**E.1** Mr and Mrs Wynne have requested that PDA Planning represent them in matters concerning Hope under Dinmore and Newton Neighbourhood Plan (HUDNP) including the Submission Draft published in May 2016.

**E.2** In this regard, on behalf of Mr and Mrs Wynne, we object very strongly to the Submission Draft as published, including much of the policy and proposals within it and to specific text elements within the draft document and the reasoning and conclusions therein.

**E.3** Principal amongst the objections is the inclusion of a substantial area of private land (3.0 hectares/7.4 acres in extent and commonly known as Tavern Fields) owned by Mr and Mrs Wynne which has been shown on the Proposals Map as being within a larger area marked HUD2 for designation as a Local Green Space (LGS). Not only is this proposed designation totally unacceptable to Mr and Mrs Wynne and in our opinion without legal or even moral foundation, it is wholly inappropriate for the needs of the village, the local community, for Herefordshire and the Herefordshire Local Plan-Core Strategy 2015 (HLPCS) and for the overarching housing and planning policies pursued by the government through the National Planning Policy Framework (NPPF). Furthermore we can find no evidence whatsoever of a case of need being put forward for this proposal; nor any evidence of how and why it has been proposed; nor any evidence or evaluation of alternative areas for LGS; nor any evidence of any consultation undertaken with Mr and Mrs Wynne.

**E.4** Within the context of a proposed LGS designation we question strongly why another significant area of open land within the village - west of the village street, north of Tavern Meadows and defined as HUD1 on the draft HUDNP Plan 4 Sites for Assessment – has not been evaluated and considered for LGS designation. On these grounds we object to the draft Submission Plan for not including this land as an alternative for LGS designation.

**E.5** The Group Parish Council will be aware that the Tavern Fields land is the subject of a pending application for planning permission for residential development, including substantial public open space, on part of it. On behalf of Mr and Mrs Wynne we have submitted copies of our draft development proposals to the Local Planning Authority (LPA) as a Pre-application Enquiry (from August 2015) and also to the Group Parish Council (GPC) for their information and an invitation to discuss the proposals. During the latter end of 2015 and the start of 2016, the GPC and the Neighbourhood Plan Group (NPG) failed to respond to this until a meeting was held finally between the owners and some representatives of the NPG in April 2016. Prior to this, from the very start of the Neighbourhood Plan proceedings, the NPG had no contact at all with Mr and Mrs Wynne, owners of one of the most significant areas of land within the plan area and the draft Plan policies. This is at odds with the claim within the draft Submission Plan and the Consultation Statement of May 2016 that local landowners have been consulted (or 'engaged') on all neighbourhood plan matters and that no suitable sites for development were found as a result. This is further at odds with a Local Plan need for at least 26 new dwellings in HUD and in the context of the NPPF requirement for LPAs to have at least a



5 year supply of readily available housing land – which Herefordshire cannot currently provide – and the Government’s present emphasis on an urgent need for greatly enhanced levels of new housing, especially affordable housing, throughout England and especially in rural areas. On the grounds of a lack of, or indeed, of no consultation, with Mr and Mrs Wynne in the context of land available for new housing within the village, we object most strongly to the draft Submission Plan.

**E.6** With regard to the draft Submission Plan’s overall policy for housing we consider that Policy HUD1: Housing Strategy is fundamentally flawed and will not fulfil either Local Plan or NPPF requirements. This policy and the lack of any evaluation and evidence base for it will not fulfil local housing need through ‘windfall’ or other sites within the proposed settlement boundary or wider rural area and, especially, it is unlikely to fulfil the need for local and affordable housing. We therefore object to this policy.

**E.7** Similarly, we consider that draft Policy HUD2: Settlement Boundary is fundamentally flawed inasmuch as it is so limited in extent as to not possibly cater for the Plan area’s defined housing need. Furthermore, it is noted that the settlement boundary is so drawn to include the currently vacant land identified as HUD1 on Plan 4, which to us would suggest that the draft Submission Plan identifies this area as being suitable for future development. This is at odds with the draft Submission Plan which elsewhere indicates HUD1 as being unsuitable for housing for a variety of reasons. We also note that HUD1 is wholly within a Zone 3 flood area which would be completely unacceptable for development under current national and local planning policy and indeed would be contrary to the draft Submission Plan’s various statements relating to resisting development within flood areas. On these grounds we object to draft Policy HUD2 and especially the inclusion of the land described as HUD1 within the settlement boundary.

**E.8** As Tavern Fields (which does not actually form all of site HUD2), or site HUD2, is shown to be not included as a suitable and potential site for housing development (when plainly it has many suitable attributes to fulfil local housing need as well as the village’s additional community and open space desires) we object to the draft Submission Plan on the grounds that Tavern Fields/part of HUD2, should be included as a designated housing site to fulfil the Local Plan housing policy for appropriate local need housing and for affordable housing.

**E.9** The foregoing represents the major elements of our objections and representations to the draft Submission Plan, on behalf of Mr And Mrs Wynne. There are also additional points and matters within the Submission draft on which we make representation and these are addressed in the following parts of our statement and particular representations and/or objections are highlighted in bold text.

## **1. Background:**

**1.1** Peter Draper is the principal of PDA Planning / Peter Draper Associates, which was first established in 1993. Peter Draper is a qualified Town Planner, holding a Diploma in Town & Country Planning from Nottingham Trent University. He was first elected as a Member of the Royal Town Planning Institute in 1975 and was a Chartered Town Planner

for over 30 years, but has chosen to relinquish membership in recent times. He is a Fellow of the Property Consultants Society, first elected in 1983 and has held previous Memberships of the Incorporated Association of Architects and Surveyors and the British Institute of Management. He has had extensive experience of Town & Country Planning and Land, Property & Development matters in both the Public and Private sectors.

**1.2** Mr and Mrs Wynne have requested that PDA Planning represent them in matters concerning Hope under Dinmore and Newton Neighbourhood Plan (HUDNP). We submitted a representation in January 2016 with regard to matters of concern at the stage of the Consultation Draft published in November 2015.

**1.3** In this regard, on behalf of Mr and Mrs Wynne, we objected strongly to the draft plan as published including much of the policy and proposals within it and to elements of the text within the draft document and the reasoning and conclusions therein.

**1.4** Principal amongst the objections was the inclusion of a substantial area of private land (3.0 hectares/7.4 acres in extent and known as Tavern Fields) owned by Mr and Mrs Wynne which was being shown on the Proposals Map within a larger site area for designation as a Local Green Space (LGS). Not only was this proposed designation totally unacceptable to Mr and Mrs Wynne and in our opinion without legal or even moral foundation, it was wholly inappropriate for the needs of the village, the local community, for Herefordshire and the Herefordshire Local Plan-Core Strategy 2015 (HLPCS) and for the overarching housing and planning policies pursued by the government through the National Planning Policy Framework (NPPF). Furthermore we found no evidence of a case of need being put forward for this proposal; nor any evidence of how and why it had been proposed; nor any evidence or evaluation of alternative areas for LGS; nor any evidence of consultation undertaken with Mr and Mrs Wynne.

**1.5** Within the context of a proposed LGS designation we questioned strongly why another significant area of open land within the village - west of the village street, north of Tavern Meadows and defined as HUD1 on the draft HUDNP Plan 4 Sites for Assessment – had not been evaluated and considered for LGS designation. On these grounds we objected to the draft Plan for not including this land also for LGS designation.

**1.6** The Group Parish Council and Neighbourhood Plan Group should have been aware that the Tavern Fields land was the subject of a pending application for planning permission for residential development. On behalf of Mr and Mrs Wynne we had submitted, in August 2015, copies of the draft development proposals to the Local Planning Authority (LPA) as a Pre-application Enquiry. We sent copies of the Pre-application (which we are not obliged to do) to the GPC and NPG (as well as to local residents) for their information and an invitation to discuss the proposals. However, the GPC and NPG noticeably failed to respond to this at the time, other than a general acknowledgement of receipt. This was very much at odds with the claim within the draft Neighbourhood Plan that local landowners have been consulted (or 'engaged') on all neighbourhood plan matters and that, as a result, no suitable sites for development were found. This was further at odds both with the HLPCS need for at least 26 to 32 new dwellings in HUD (based on a population estimate of 411 residents/211 households) and the draft HUDNP stated needs for at least 26 new dwellings (although the draft HUDNP

does seem to suggest this as being a 'target' figure) as well as in the context of the NPPF requirement for LPAs to have at least a 5 year supply of readily available housing land – which Herefordshire cannot currently provide – and the Government's present emphasis on the need for greatly enhanced levels of new housing, especially affordable and social housing, throughout England and particularly in rural areas. On the grounds of a lack of or, indeed, no consultation with Mr and Mrs Wynne in the context of land which will be readily available for new housing within the village, we objected strongly to the draft Plan.

**1.7** With regard to the draft Consultation Plan's overall policy for housing, we considered that Policy HUD1: Housing Strategy was fundamentally flawed and would not fulfil either Local Plan or NPPF requirements. This policy and the lack of any evaluation and evidence base for it would not fulfil local housing need by finding 'windfall' or other sites within the proposed settlement boundary or the wider rural area and, especially, it was unlikely to fulfil the need for local and affordable housing. We therefore objected to this policy.

**1.8** Similarly, draft Policy HUD2: Settlement Boundary was considered to be fundamentally flawed inasmuch as it was so limited in extent as to not possibly cater for the Plan area's defined housing need. Furthermore, it was noted that the settlement boundary was so drawn to include the currently vacant land identified as HUD1 on Plan 4, which to us suggested that the draft Plan identified this as being a suitable area for future development. This was strangely at odds with the fact that elsewhere the draft Plan showed HUD1 as being unsuitable for housing for a variety of reasons. We also noted that HUD1 is wholly within a Zone 3 flood area which would be completely unacceptable for development under current national and local planning policy and indeed was at odds with the draft Plan's various statements relating to resisting development within flood areas. On these grounds we objected to draft Policy HUD2 and especially to the inclusion of the land described as HUD1 within the settlement boundary.

**1.9** As Tavern Fields or (largely) site HUD2, was shown not being included as a suitable and potential site for housing development (when plainly it has many suitable attributes to fulfil local housing need as well as the village's additional community and open space desires) we objected to the draft Consultation Plan. Our grounds were that the Tavern Fields portion of HUD2 should be included as a designated housing site to fulfil the Local Plan housing policy for appropriate local need housing and for affordable housing.

**1.10** Post Neighbourhood Plan Consultation Draft of November 2015: Following their presumed assessment of the Consultation Draft responses the NPG suggested a meeting with our clients. This was agreed and held on 26 April 2016 with some of the Neighbourhood Plan Group and their Planning Consultant. Reasonably amicable and frank discussions and debate occurred and the opinions of both parties were aired. Some of the main points our clients raised was the fact that a reasonable and acceptable housing development on part of the HUD2 land would result in, amongst other things:

i) A positive establishment of the community's local open space aspirations providing, through land donation and S106 or CIL contributions, planned areas for public open space, play space, recreation space and landscape and wildlife enhancement;

ii) An opportunity to solve the local flood problems caused by the Cherry Brook, with funding from development contributions and detailed engineering design including Suds and similar measures;

iii) Provision of local affordable housing, as required by the NPPF and HLPCS policies and which appears to be absent within the draft NP policies and proposals.

**1.11** It is to be noted that this meeting has been the only 'engagement' during the whole Neighbourhood Plan process to date between the Neighbourhood Plan Group and our clients, who are one of the primary landowners within the village area. Despite the NP Group's claim of proper engagement with all local landowners, our clients have been quite perplexed by the lack of real action and dialogue by the NP Group.

**1.12** We note that a subsequent NPG committee meeting was held on 28 April 2016 when it was resolved to reaffirm the draft plan and not to alter their proposals by one iota.

**1.13** Subsequently we were notified by email correspondence from Herefordshire Council on 1 June 2016 that Hope under Dinmore Group Parish Council had submitted their Regulation 16 Neighbourhood Development Plan (NDP) to the Council for consultation, with a 6 week consultation period to 13 July 2016.

**1.14** We have prepared our response on behalf of Mr and Mrs Wynne and the principal details and objections are set out in the following part of this statement.

## **2. Specific Comments and/or Objections to the draft Consultation Plan**

**2.1 Re paragraph 1.4:** There is no evidence of the NPG seeking to work with local landowners and we cannot understand the statement that 'no significant interest was shown'. Mr and Mrs Wynne, as major and important local landowners, were never approached by the NPG, were never 'engaged' in discussions and were never consulted about their land for either potential housing or on the acceptance or otherwise for their land to be included in a designation of Local Green Space. Mr and Mrs Wynne have never been included in discussions regarding housing site assessments and we are not convinced that such 'assessments' have been undertaken to a suitable and appropriate level as to be considered acceptable as evidence for the draft Plan's subsequent policies. The lack of consultation with Mr and Mrs Wynne is contrary to the specific requirements on consultation with landowners and/or developers as set out in the Neighbourhood Plan legislation or as required in the NPPF and associated advice. The only time that the Wynne family have ever been involved in any form of discussions was a meeting finally arranged on 26 April 2016 with some of the NP Group and their Planning Consultant and this was only as a result of our own attempts to meet and notify the Group during September and October 2015 following our Pre-application enquiry to Herefordshire Council. We notified the Parish Council, the Neighbourhood Plan Group and local residents by letter on 18 September 2015, together with both PDF and CD copies of our draft proposals and with invitations to discuss the draft proposals with us. It was our intention to hold a local public meeting in addition but this never materialised. Hence

there was no engagement from the NP Group whatsoever prior to this or between then and 26 April 2016, some 7 months later. **On these grounds we would object in the strongest possible terms to the draft Plan and its legal validity.**

**2.2 Re Paragraph 2.3:** We note that the parish population figures are based on the 2011 Census figures and we suggest that these should be updated for closer accuracy. Our own research suggests that at 2014 the figures are 411 residents and 211 households (Herefordshire Council/ONS/HUDNP Consultation Statement). As the NP area includes Newton, population figures for this area probably should be added. **We suggest that this is critical in determining the minimum numbers of new dwellings to be assessed in the plan.**

**2.3 Re Paragraph 2.7:** We note that the NP accepts that: *'The main part of the village lies between the A49 and the railway line and as a result is linear in form, with a historic core and modern development to the north.'* **It should be clear therefore that our clients land is within the main part of the village and that the HLPCS policy for proportional village development requires new development to be within or adjacent to the main built-up area - Policy RA2.** We note also that a substantial proportion of dwellings within the main village core, at Cherrybrook Close, are essentially in the form of a grouped estate. **Therefore the main village cannot be fully described as 'linear in form', but more accurately it tends towards both linear and nucleated.**

**2.4 Re Paragraph 3.2:** (Social and Community, Chapter 4 and Environment and Heritage, Chapter 5). This covers objectives to 'guide the plan' and covers several issues. Amongst others, it mentions new homes being built in small numbers, yet we find no reference as to the definitions of this. What constitutes 'small' numbers and what is the reasoning and evidence behind this? What specific studies have been done to make such statements valid? How will infrastructure be improved to reduce flood risk? How and what criteria is a determinate for new development to be 'in keeping'? If it is considered that 'small' numbers would be one or two houses constructed infrequently over a long time-scale, then it is unlikely that local infrastructure improvements would occur as a result of Section 106 or Community Infrastructure Levy income or that required social or local affordable housing need will be met or that local open spaces for amenity and leisure will be available for residents to 'appreciate and enjoy'. **The earlier draft Consultation Plan did not appear to address such matters in sensible, pragmatic or practical ways and neither does this Submission draft and therefore the current plan's soundness must be questioned deeply.**

**2.5 Re Paragraph 4.2:** We note that the draft Plan confirms that new housing, within HLPCS policy, should be located within or adjacent to the main built-up area of the village. **We contend therefore that this objective should define and endorse development opportunity within the village's main built-up area, as defined in paragraph 2.7 of the draft Submission Plan.**

**2.6 Re Paragraph 4.3:** HLPCS makes it clear that housing assessments in the rural areas and the proportional growth villages are for a minimum number of new dwellings; they are not seen as a finite target for the plan period and the Public Examination of HLPCS also made this clear. The NPPF and more recent government guidance also make it clear

that suitable sustainable development should be encouraged as far as possible. Furthermore, the proportionate growth multiples for the Housing Market Areas within the Local Plan (i.e. 15% for Bromyard HMA) are defined as being indicative and not finite targets. The draft NP seems to suggest that a figure of 26 new dwellings is the finite figure for the parish. This should not be so when measured against all other national and local planning guidance. We have also suggested earlier that 211 might be a current representative figure for households in the plan area; this could indicate a minimum assessment of 32 new dwellings. **We contend therefore that a figure of 26 new dwellings can only be accepted as a minimum guidance level and not as an absolute finite target for basing future housing needs in the neighbourhood plan.**

**2.7 Re Paragraph 4.4 (and Paragraphs 4.4 to 4.13 in general):** As we have very strongly indicated earlier there is and has been no evidence of landowner 'engagement' or contact or consultation. Mr and Mrs Wynne have had no contact whatsoever from the Neighbourhood Plan Group and have not been party to any supposed Housing Site Assessment. We have been shown a copy of a letter that was apparently sent out to all landowners in September 2014. Our clients, who no longer live locally, are categorically adamant that they have never received this letter and there has been no subsequent attempt to notify them, contact them or work with them during the earlier preparations of the draft plan. **Considering that our clients' land- holding is probably the most significant within the village and within the draft plan and very mindful that the draft plan is attempting to designate the land for a supposed use that would blight and remove future ownership from them, it is nothing short of a disgrace that the Neighbourhood Plan Group have seemingly failed to engage with them in the plan-making process for some two years; on this basis we strongly object to the draft Consultation Plan's soundness and its treatment of our clients generally.**

**2.8** Our view of the Assessment undertaken and reported in July 2015 is that it is short of real evidence and content and is merely a subjective view on the perceived need and supply of new housing land in the village. It refers to a Resident's Questionnaire Survey undertaken with an overall 33% response rate. We contend that this is a very poor and disastrously low level of response for a small community and it is well below the response rates expected of Neighbourhood Plan studies as set out by the government and its Neighbourhood Plan advice and where a 50% response is regarded as a minimum representative target. It is particularly poor when measured against similar studies and public participation elsewhere in England and in Herefordshire in particular where neighbourhood plans have easily commanded response rates in excess of 70%. Our own simple research has shown the following examples of advanced plans within the County:

Regulation 14 stage: Bishops Frome, 64% response; Kings Caple, 80%.

Regulation 16 stage: Dorstone, 70% response; Kingsland, 57%; Sutton St Nicholas, 68%.

Referendum stage: Humber, Ford & Stoke Prior, 82% response.

Adopted stage: Eardisley, 82% response; Staunton on Wye, 80%; Weston under Penyard, 72%.

**2.9 We consider therefore that the basis of the evidence presented in the draft NP is particularly unrepresentative of the plan area as a whole and in concert with the total**

**lack of required consultation with landowners, particularly in the case of Mr and Mrs Wynne, we object to the draft Submission Plan and the low quality of evidence behind its drafting.**

**2.10 Re Paragraph 4.5:** We note that site HUD2/Tavern Fields is defined as being ‘closely related’ to the village and in Paragraph 4.4 it is ‘within the area considered to contain the main built form of the village’. **We would emphasise also that a part of HUD2, around 0.8 hectares/2.0 acres at the southern end, is not owned by Mr and Mrs Wynne and we consider that some delineation and acknowledgement is given to this.**

**2.11 Re Paragraph 4.8:** We find that the attributes of HUD2 in particular are being too easily dismissed without the quality of evidence to back-up the statement that the site is ‘considerably’ constrained, with principal issues of flood risk and access and hence, it is summararily dismissed as being unsuitable for a housing allocation in the Plan. There is a distinct lack of hard and compelling evidence in the assessments behind the plan preparation which we find most alarming, whereas we consider, from our own studies to date, that it is quite likely a greater part of the site is totally unconstrained. We have commissioned consultants to undertake detailed flood and associated studies relating to Tavern Fields and Tavern Meadow as well as the village as a whole and the results will be available shortly. We are confident that the outcomes will be that the site contains wholly suitable, sustainable and developable areas.

**2.12** The site is currently accessed; in fact it has a fully defined access of 9.5 m width to allow for a new road of 4.5 m width and 2 x 1.5 m footpaths, together with a 1 m width allowance for the existing Public Right of Way / Footpath access. All or a greater majority of the land is outside of the Environment Agency defined Zone 3 and Zone 2 flood areas. **We fail to see why the draft Plan’s apparent conclusion, with little or no evidence, is that HUD2 is not appropriate because of flood and access issues; on these grounds we would object to the draft Consultation Plan and to the wholly misleading information given within it.**

**2.13 Re paragraph 4.9, 4.10 and 4.11:** The Plan seems to consider that ‘windfall’ opportunities would largely satisfy the housing requirements of the village, yet we find little or no evidence to prove this. Indeed, the draft housing policy appears to be based on this assumption, yet we find that there is no detailed explanation as to what would be a satisfactory windfall development; how it will provide the range of housing needed in the Bromyard Housing Market Area; how it will provide the necessary levels of affordable and local housing; how it will contribute to infrastructure, community and environmental improvements; or even where and in what numbers over the plan period such windfall housing occurs, given a proposed tightly drawn settlement boundary with little or no scope for new housing allocation. This must be set against the background of Herefordshire’s serious failure to provide appropriate 5 year housing land supply levels (plus additional contingencies) and the government’s call for and the country’s need for vastly increased supplies of new housing. **On these grounds alone the draft Plan fails and we would object strongly to its housing and settlement boundary policies.**

**2.14** With regard to the recent permission for conversions from agricultural buildings to residential at Hampton Court, we fail to see how these fulfil NPPF and HLPCS policies for

a range of affordable and social houses in sustainable locations. There is no evidence that these, even if completed, will serve local housing need. They are likely to be specialist forms of housing probably at a sales-value beyond local reach. They are more than likely to attract purchasers from outside of the local area and, given the special location and surroundings, are more likely to be bought as second or holiday homes. They are not situated within or adjacent to the main village as required in HLPCS policy RA2 and are located in a wholly unsustainable location, remote from facilities and requiring extensive use of cars for everyday access. They certainly would not fulfil RA2 requirements of being part of the *'role of village development in bolstering existing service provision, improving facilities and infrastructure, and meeting local housing needs'*. **We therefore object to the draft Submission Plan now trying to fix its housing responsibilities on the basis of a single and unsuitable windfall permission.**

**2.15 Re Paragraphs 4.11 to 4.13 and Policy HUD1:** We have expressed earlier our disappointment and disillusionment at the poor response rate of 33% of the Plan area population and our misgivings about basing a plan and policies on this. We reiterate this in relation to the assumptions set out in these paragraphs and that, on the back of a low evidence base, a sweeping housing policy, HUD1, is formulated. **We do not consider that the minimum housing land requirement for the Plan area (which we consider to be more likely to be in the region of a minimum of 30 or 31 dwellings) will be met on the untested whim of windfall housing and that therefore such a policy is seriously at odds with both the HLPCS and the NPPF and associated guidance; on these grounds we object to the draft Submission Plan and Policy HUD1 and HUD2 in particular. We note also that statements within paragraph 4.12 contain misleading information regarding identified 'issues' and that none of these relate to the Tavern Fields/HUD2 land.**

**2.16 Re Paragraphs 4.19 to 4.23:** There appears to be nothing in these paragraphs that indicate how or when or in what numbers and types of housing, the important issues of affordable and appropriate local housing are going to be supplied or satisfied. In effect, all possible new housing that **'might'** (our emphasis) come forward as 'windfall' or 'infill' is likely to be non-affordable and unlikely to cater for the real needs of the local community or the housing market area. This is manifestly shown in draft Policy HUD3 where statements about housing offering a range of local housing requirements and an arbitrarily introduced figure of 5 houses per site maximum have been forwarded without any real evidence base for its appropriateness, viability or achievability. **On these grounds we would object to draft Policy HUD3.**

**2.17 Re Paragraph 4.27 to 4.31 and Policy HUD4 and HUD5:** It is more or less a 'planning' given that all future development in flood risk areas must ensure that no flooding exacerbation is caused. Paragraph 4.28 continues the misleading information that suggests site HUD2/Tavern Fields is within a flood risk zone and therefore cannot be developed. The paragraph and the following draft Policy HUD4 and HUD5 suggests that new development will contribute to infrastructure and environmental improvements; however we would contend that small scale, 'whenever', windfall housing is very unlikely to generate sufficient viability to ever contribute to such community benefits. Planned and allocated housing on a wholly suitable site such as HUD2/Tavern Fields is more than likely to generate, through design and layout and accompanying S106/CIL contributions and other appropriate funding sources, the level of infrastructure and environmental



improvements and provisions that the local community needs and desires. **Because of the dearth of development opportunity that this draft Submission Plan is likely to create then both Policy HUD4 and HUD5 will be seriously flawed and in this respect we would object to these specific policies as proposed in the draft Plan.**

**2.18 Re Plan 4, Sites for Assessment:** We would emphasise that not all of the HUD2 area would necessarily be put forward for housing development. In our original draft proposals on behalf of Mr and Mrs Wynne, only a proportion of the land would be developed and much or a majority of it would be allocated for community, environmental and open space uses, which would be commensurate with any future Local Green Space designation. Current amendments to our proposals are seeking to increase even further the proportion of the site given to community and open space uses – this may well be in the region of 60% or more of the site being donated and designated for local community use. **Therefore we consider the NPG assessment of this site to be flawed, especially as it has not been the subject of any required consultation with the owners, and because of this we would object to the Plan 4 as shown.**

**2.19 Re Paragraphs 5.7, 5.8 and draft Policy HUD7, Local Green Space:** We are extremely concerned to find in these paragraphs reference to site HUD2 being classified as ‘open green space.’ As outlined previously, this is an area of around 3.0 hectares of privately owned and fenced agricultural land and has remained so for many years. We find it alarming therefore to see the draft Plan stating:

*In this respect, open land to the rear of Tavern Meadow has been identified in consultation as meriting protection as suitable for amenity use. It has gained an informal recreational use in recent years and has so demonstrated its value in this respect.*

**2.20** At best these statements are wholly misleading and as far as Mr and Mrs Wynne are concerned are quite breathtakingly wrong and without foundation. The draft Plan offers no evidence as to how or why the land should be identified as meriting use for amenity use or what such amenity use should or could be. The land certainly has not gained an informal recreational use as it has remained in private ownership for agricultural purposes for many, many years and any other access on to it by the public or any individuals is clearly a trespass on Mr and Mrs Wynne’s land. The land has not been established for any other use than agriculture. On this factor alone any consideration for LGS designation must fail. Government guidance on this makes it clear in the NPPF and elsewhere that any proposed LGS designation will not be appropriate for most green areas or open space and that such a designation should only be used where *inter alia* :

- *the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land.*

**2.21** There is clearly no appropriate evidence offered as to why Tavern Fields is demonstrably special to the local community over and above any other local tract of land or why such an extensive tract of land is being proposed. In view of the fact that within easy reach of the whole Plan area community are three of Herefordshire’s largest publicly accessed areas of recreation and amenity land – Dinmore Hill, Queenswood

Country Park and Westhope Common - it would seem to us that the LGS proposal is merely a whim of a specific minority of local residents to use inappropriate designations to blight privately owned land and prevent possibilities of future development. Government guidance makes it plain that, amongst other things, 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. Furthermore, guidance states that a 'qualifying body' should contact landowners at any early stage about proposals to designate any part of their land as LGS. This, like many other examples within this draft Plan, has patently not happened. If the Neighbourhood Plan Group persist in pursuing this particular designation and policy it is more than likely that our clients would seek redress in available law. **On these grounds, Mr and Mrs Wynne object in the strongest terms possible to the proposed LGS designation and draft Policy HUD7 and object also to the seriously misleading information and manner in which this proposal has been formulated. On behalf of our clients we request that this policy is removed in its entirety from the draft Consultation plan and any subsequent versions of the Neighbourhood Plan.**

**2.22 Re Plan 5, Proposals Map:** Our reasons as outlined above confirm that **we object to the draft proposals map and specifically the designation of LGS on Mr and Mrs Wynne's land at Tavern Fields; the designation of the Settlement Boundary; and the inclusion of the land between Tavern Fields and the village street, identified as HUD1 within the draft Plan, as unspecified 'white land' within the Settlement Boundary.**

### **3. Additional Matters: Consultation Statement (May 2016) and Residents Questionnaire Survey and Results Report (June 2015)**

**3.1** The draft Neighbourhood Plan evidence base appears to put great reliance on the results of the public participation undertaken and, in particular, with a Residents Questionnaire Survey undertaken in January 2015. We see that the survey was undertaken amongst a total of 211 households representing the population of the Plan area. The results report indicates that 70 of the 211 questionnaires were completed/returned, a response rate of 33%. This poor response rate and its level of validity have been discussed earlier in our statement. Of particular concern for our clients is the response to two specific and charged questions that were posed:

Q4 – are there locations you think are suitable for new homes? -

Q5 – are there locations where you think houses should not be built? -

**3.2** Of the responses to Q4, there are a number of noticeable facts. The total response was 38 out of 211, a rate of 18%. The most favoured site was the Tavern Meadow/Village Street frontage with 13 responses (6% rate); it should be noted that this land is within a Zone 3 flood area and thus undevelopable. The second most favoured site was Northside with 9 responses (4% rate); it should be noted that this is away from the main village area and in open countryside and has Zone 3 flood implications. For our clients Tavern Field site there was 1 positive response (0.5% rate).

**3.3** Of the Q5 responses, there are other noticeable facts. The total response was 36 out of 211, a rate of 17%. The most favoured 'anti' site was Tavern Fields with 12 responses

(6% rate); it should be noted that there are precisely 12 houses fronting Tavern Fields, these being arguably the most potentially 'affected' by future development. The second-most 'anti' was for 'Flood risk areas' with 10 responses (5% rate); it should be noted that this is not a direct corollary to the 'favoured' site on Tavern Meadow/Village Street. There were a further 3 'antis' for the Tavern Meadow/Village Street frontage land. There was a further 5 'anti' responses against development in the 'Historic Core', although this is not particularly defined; this suggests a dislike for 'infill' development.

**3.4** From these very low response rates and rather variable views, it is difficult to glean any truly favoured or unfavoured sites that would be suitable for future housing development. The Neighbourhood Plan Group seem to have put a lot of weight towards the 'anti development' of the Tavern Fields land or else the land to the rear of the 12 houses constituting Tavern Meadow, where there was a questionnaire response of precisely 12 against development. We are not party to the exact details of where the respondents came from, but there does on the face of it appear to be a direct link to 12 respondents/12 houses against new housing on Tavern Fields out of a total surveyed field of 211 households; this represents less than 6% of the plan area's household population.

**3.5** On the basis of these extremely low response rates and the possibly skewed nature of the results, we find it very difficult to believe in a whole Neighbourhood Plan whose goals/aims/objectives and its policies and proposals, appear to be based on very thin evidence and criteria.

**3.6** With regard to the Consultation Statement we again note that there is a claim to 'landowner engagement' (Paragraph 2.13 and section 4) and 'assessing housing sites including how landowners were engaged and other consultation' (Paragraph 2.13 and Section 6). To repeat, our clients were not a part of these particular elements.

**3.7** We note also at Paragraphs 4.8 and 4.9 assertion of extensive 'evidence' of landowner involvement in helping to identify and assess potential new housing sites, together with a claim that there were no responses from landowners. It is noticeable therefore that besides our own clients being disenfranchised from the landowner 'engagement', there had been a further (and late) response to the earlier Consultation Draft from representatives of another significant landowner (Mr Williams) who, we believe, lives within the plan area. This suggests that this landowner, similarly, was not involved in the initial 'landowner engagement' or the opportunity to 'influence' initial plan-making.

**3.8** We can only observe once again that there has been both a dire dearth of real and confidence-giving evidence emanating from the NP Group's work over the past 2 years or so and a lack of proper engagement with local landowners, which is totally contrary to the requirements and expectations laid down in the Neighbourhood Planning legislation and, indeed, legislation concerning Localism. As a result, we have no real confidence in the Neighbourhood Plan as described in the Submission Draft. **On behalf of our clients we consider that the Consultation Statement is fundamentally flawed and adds weight to the fact that the Neighbourhood Plan Submission Draft is fundamentally flawed also and should be rejected.**

#### **4. Summary and Conclusions**

**4.1** Mr and Mrs Wynne are greatly concerned at the content of the draft Submission Neighbourhood Plan and the manner in which to date it has been prepared and presented. Our views and objections to the earlier Consultation Draft of November 2015, given on their behalf, appear to have been totally ignored and dismissed by the Neighbourhood Plan Group. Our clients' land is significantly affected and potentially blighted by the proposals and is done so without any appropriate level of evidence being shown as to why this should be. There have been no advanced notifications, consultations or discussions prior to the Consultation Draft and one 'last minute' meeting prior to the Submission Draft, which is wholly contrary to Neighbourhood Plan legislation. There is totally ill-informed, misleading and wrong information quoted within the Plan statement and matters of fact that have been misrepresented seriously. The government makes it clear in terms of the legislation covering Neighbourhood Plans together with accompanying advice and guidance that Neighbourhood Plans should set out the vision for an area and the planning policies for the use and development of land. It emphasises that plans should be focused on guiding development rather than stopping it. It seems to us that the Hope under Dinmore Neighbourhood Plan Group and a small minority of local residents are more interested in using the NP process to prevent development in general and, specifically, to prevent development of our clients' land at Tavern Fields for ever and to effectively 'steal' it from their control, blighting it for future use. This is not what Neighbourhood Planning should be about. **In our opinion this is a Plan grossly flawed in both content and presentation and should be rejected and not allowed to continue in its present form.**

**4.2** On these grounds alone, Mr and Mrs Wynne object to the draft Neighbourhood Plan as a whole and in particular to several specific draft policies and proposals contained within it. Specifically identified policies objected to are:

**HUD1 Housing Strategy;**

**HUD2, Settlement Boundary;**

**HUD3, Criteria for New Housing Development;**

**HUD7, Local Green Space;**

**Plan 5, Proposals Map.**

P J Draper DipTP(Nottm), FPCS -  
PDA Planning -  
On behalf of Mr and Mrs R and E Wynne -

July 2016

**Addendum:**

Our clients have requested us to add a personal letter to accompany our representations on and objections to the NP Submission draft, which concisely sets out their feelings. This is attached to this statement.

Raymond & Elizabeth Wynne

9/7/16

Dear Sir/Madam,

My husband and I own Tavern fields, Hope-Under-Dinmore (HE5933).

I wish to object to the Hope-Under-Dinmore neighbourhood draft plan in the strongest terms.

My husband's family have owned this land since 1926 when as the tenant farmer they bought Village Farm. 3 generations farmed it including ourselves until 1981, when it became impracticable to farm due to its position in the centre of the village. Having inherited the land previously we had no option to sell up and move to a new farm.

Tavern Meadows was retained as we always believed it to be a future development site, sitting as it does in the centre of the village. In 1988 we sold the front portion of the land for development and 12 houses were built. We retained the back portion (Tavern Fields) with full access to the village road.

Over the years since, we have rented out the land for grazing and latterly to an individual in the village on a yearly agricultural tenancy. Over the last 30 years we have made numerous enquiries regarding development, and even had an application turned down in 1999.

In early 2014 we were made aware of the urgent need for more housing plots in the county. We put in a pre-planning application in March 2014, the result of which gave us the hope to continue. In the 2 and half years since, we have been working on our plan, engaging local planning consultants and architects. Our brief to them was to produce a scheme that would enhance the village visually and socially. We believed we had done that with the pre-plan we submitted in September 2015.

Up to the 26<sup>th</sup> of April 2016 when we finally had a meeting with the Hope-Under-Dinmore neighbourhood committee, we received no communication from them whatsoever, no consultation, no letters, nothing. From September 2015 to 26/4/16 our planning consultant repeatedly tried to arrange a meeting to talk through our plan with the committee. This was always refused. In the meantime they pressed ahead with their draft plan including our field to become their 'village open

space'. How can this be legal or right? They have not for one minute studied the plans with an open mind or considered the benefits for the whole village and the wider community.

After meeting them on 26/4/16 we have spent more time and money working on the plan to take into account some of their fears about the development of the site. They have again just carried on regardless, submitting their draft plan within only 8 weeks of meeting us.

We have still had NO written communication from them regarding OUR FIELD. This cannot be right. What powers have they been given for them to even think they can do this? They have not followed proper procedure. How can they appropriate and dictate what happens to private land.

We feel we have been very badly treated.

Yours sincerely,

Elizabeth J Wynne

Ray H Wynne

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



**APPLICATION DETAILS**

208498 /  
Hope-under-Dinmore Parish  
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**

We have no further observations to make with regard to the neighbourhood plan.

Signed: Susannah Burrage  
Date: 27 June 2016



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

From Herefordshire Council Strategic Planning Team

Name of NDP: Hope-under-Dinmore- Regulation 16 submission version

Date: 02/06/16

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
HUD1- Housing Strategy	RA1, RA2	Y	<p>Previous concerns over the deliverability of housing requirements have been largely addressed by a planning permission granted in March 2016 (P140817) for the conversion of barns at Hampton Court to create 21 dwellings.</p> <p>As an existing planning permission, it can contribute to the target and should be accounted for in Paragraph 4.3 and Table 1.</p>
HUD2- Settlement Boundary	N/A	Y	
HUD3- Criteria for New Housing Development	N/A	Y	
HUD4- Flood Risk	SD3	Y	<p>Development should be located in accordance with the sequential and (where appropriate) exception tests in accordance with national guidance set out in National Policy (NPPF paras. 100-104). It should also have regard to the Strategic Flood Risk Assessment for Herefordshire (SFRA 2009).</p>
HUD5- Community	SC1	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>
Facilities			
HUD6- Landscape Character	LD1	Y	
HUD7- Local Green Space	LD3	Y	
HUD8- Biodiversity and Heritage Assets	LD1-LD4	Y	
HUD9- Renewable Energy	SD2	Y	
HUD10- Employment Development	RA5, RA6	Y	
HUD11- Communications Infrastructure	N/A	Y	

## Latham, James

---

**From:** Chris Bucknell <wellingtonclerk@btopenworld.com>  
**Sent:** 11 July 2016 15:19  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Hope under Dinmore Group Regulation 16 Neighbourhood DevelopmentPlan consultation

Hi

Wellington Parish Council supports these proposals.

Chris

Chris Bucknell  
Clerk to Wellington Parish Council

---

**From:** [Neighbourhood Planning Team](#)  
**Sent:** 01 June 2016 11:05  
**Subject:** Hope under Dinmore Group Regulation 16 Neighbourhood DevelopmentPlan consultation

Dear Consultee,

Hope under Dinmore Group 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/hope-under-dinmore-group>

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

The consultation runs from 1 June 2016 to 13 July 2016.

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

**James Latham**  
**Technical Support Officer**

Neighbourhood Planning, Strategic Planning & Conservation teams  
Herefordshire Council  
Planning Services  
PO Box 230  
Blueschool House  
Blueschool Street  
Hereford  
HR1 2ZB  
Tel: 01432 383617  
Courier code : H31  
Email: [jlatham@herefordshire.gov.uk](mailto:jlatham@herefordshire.gov.uk)  
[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk) (for Neighbourhood Planning enquiries)