

Neighbourhood Planning Team

From: Turner, Andrew
Sent: 30 January 2017 16:35
To: Neighbourhood Planning Team
Subject: RE: Kings Caple Regulation 16 Neighbourhood Development Plan consultation

RE: Kings Caple Regulation 16 Neighbourhood Development Plan consultation

Dear Neighbourhood planning team,

I refer to the above and would make the following comments with regard to the three 'preferred areas' of potential housing development identified in pink (*land with medium suitability*) in the 'Assessment of land with Housing potential' map.

It is my understanding that you do not require comment on Core Strategy proposals as part of this consultation or comment on sites which are awaiting or have already been granted planning approval.

Having reviewed records readily available, I would advise the following::

The proposed site ; ' HLA/222/001 (Land with medium suitability) which 'offers a further opportunity for sympathetic barn conversions' appears from a review of Ordnance survey historical plans to be immediately adjacent (south) of a historic potentially contaminative use; Unknown filled ground (pond, marsh, river stream dock)

- Sites identified as unknown filled ground can be associated with contaminative fill material. In practice, many sites identified through the historical mapping process as unknown filled ground are instances where hollows have been made level with natural material, have remained as unfilled 'hollows' or have filled through natural processes. However, there are some instances where the nature of the fill is not inert and would require further investigation. Without any additional information it is not possible to comment further on this site. Any additional information you may be able to obtain will help in determining the exact nature of the site.

Because the proposed development is adjacent to UFG and as such it is possible that unforeseen contamination may be present. Consideration should be given to the possibility of encountering contamination as a result of its former uses and specialist advice be sought should any be encountered during the development.

- Further more because the buildings on this site have been identified as opportunity for barn conversions I would also add:

Some farm buildings may be used for the storage of potentially contaminative substances (oils, herbicides, pesticides) or for the maintenance and repair of vehicles and machinery. As such it is possible that unforeseen contamination may be present on the site. Consideration should be given to the possibility of encountering contamination on the site as a result of its former uses and specialist advice be sought should any be encountered during the development.

General comments:

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

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

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

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

Kind regards

Andrew

Andrew Turner
Technical Officer (Air, Land and Water Protection),
Environmental Health & Trading Standards,
Economy, Communities and Corporate Directorate
Herefordshire Council,
8 St Owen Street, PO Box 233,
Hereford. HR1 2PJ.
Direct Tel: 01432 260159
email: aturner@herefordshire.gov.uk

From: Neighbourhood Planning Team
Sent: 13 December 2016 08:41
Subject: Kings Cagle Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Kings Cagle 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/kings-cagle>

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

The consultation runs from 12 December 2016 to 6 February 2017.

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

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

Kind regards

James Latham
Technical Support Officer
Neighbourhood Planning and Strategic Planning teams
Herefordshire Council
Council Offices
Plough Lane
Hereford
HR4 0LE

Neighbourhood Planning Team

From: CPRE Herefordshire Admin <admin@cpreherefordshire.org.uk>
Sent: 13 December 2016 09:19
To: Neighbourhood Planning Team
Subject: RE: Kings Caple Regulation 16 Neighbourhood Development Plan consultation

Thank you James

Forwarded to volunteers

Kind regards
Barbara

Barbara Bromhead-Wragg
CPRE Herefordshire Administrator
www.cpreherefordshire.org.uk

This email is confidential and may also be legally privileged. If you have received it in error, please notify us immediately by reply email and delete this message from your system. Views expressed in this message are those of the sender and may not necessarily reflect the views of CPRE Herefordshire. This email and its attachments have been checked by AVG Anti-Virus. No virus is believed to be resident but it is your responsibility to satisfy yourself that your systems will not be harmed by any of its contents.

From: Neighbourhood Planning Team [mailto:neighbourhoodplanning@herefordshire.gov.uk]
Sent: 13 December 2016 08:41
Subject: Kings Caple Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

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Kind regards

James Latham
Technical Support Officer
Neighbourhood Planning and Strategic Planning teams
Herefordshire Council
Council Offices
Plough Lane

Neighbourhood Planning Team

From: Norman Ryan <Ryan.Norman@dwrcymru.com>
Sent: 31 January 2017 10:04
To: Neighbourhood Planning Team
Cc: Evans Rhys
Subject: RE: Kings Caple Regulation 16 Neighbourhood Development Plan consultation

Dear James,

Thank you for consulting Welsh Water on the below consultation.

We are pleased to note that the Parish Council has taken on board our Regulation 14 representation and included two new policies on wastewater treatment and sustainable drainage. As such, we have no further comment to make.

If you require any further information then please do not hesitate to let me know.

Regards,



Ryan Norman

Forward Plans Officer | Developer Services | Dŵr Cymru Welsh Water

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

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

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

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

Sent: 13 December 2016 08:41

Subject: Kings Caple Regulation 16 Neighbourhood Development Plan consultation

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

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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.

Latham, James

From: Thomas, Edward
Sent: 13 December 2016 11:54
To: Latham, James; Banks, Samantha; Johnson, Karla
Subject: FW: Kings Cagle Regulation 16 Neighbourhood Development Plan consultation

Hi Colleagues,

Have had a quick scan through this. I have to say that in the light of the recent ministerial statement I'd advise them to actually allocate the two preferred housing sites; subject, of course, to those sites actually being available?! My overall take is that it is by no means certain, and the plan actually refers to the need for further assessment, that this NDP would deliver 20 plus houses.

I've had a look over the policies too:

E2 = nebulous in the extreme and it should be noted that we do have a measure of control over agricultural developments that are subject to prior notification. Also, there is nothing in this policy to allow a decision-maker to balance harm against benefits; as the Inspector clearly did in respect of the Polytunnels at Pennoxstone. Whilst I appreciate what the policy is trying to achieve (and support them), I don't think the wording is particularly helpful.

E3 – This duplicate CS policy (LD3)

E4 – This duplicates CS policy (SD3/4)

H3 – How is the local housing context/need identified?

H4 – Presumably this doesn't apply to housing schemes in the open countryside?! Otherwise you run the risk of landowners divorced from the settlement boundary saying "I'll deliver smaller, low-cost market housing for you!"

BD1 – What is design language? Just say design. Also, don't prioritise public elevations...design only works when considered as a whole

BD3 – Good luck with making 2-storeys stick

BD4 – Define what is commensurate

EM1 – Is delivery of high-speed broadband within your average developer's gift – particularly when the housing sites will be small?

TT1 and TT2 don't add anything to CS MT1.

Thanks

Ed

Ed Thomas
Principal Planning Officer
Major Developments Team
Tel: 01432 260479
ethomas@herefordshire.gov.uk

From: Bishop, Kevin
Sent: 13 December 2016 08:50
To: Gibbons, Kelly; Thomas, Edward; Banks, Andrew; Close, Roland; Jenman, Rebecca; Coleman, Yvonne
Subject: FW: Kings Cagle Regulation 16 Neighbourhood Development Plan consultation

Reg 16 Kings Cagle



Historic England

WEST MIDLANDS OFFICE

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

Direct Dial: 0121 625 6887

Our ref: PL00027651

25 January 2017

Dear Mr Latham

KINGS CAPLE NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION

Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. Historic England is supportive of both the content of the document and the vision and objectives set out in it. The emphasis on the conservation of local distinctiveness and the protection of the rural character of the Wye Valley AONB is highly commendable. Overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.

Beyond those observations we have no further substantive comments to make on what Historic England considers is a good example of community led planning. I hope you find this advice helpful.

Yours sincerely,

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

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



Date: 26 January 2017
Our ref: 203813
Your ref: Kings Caple Regulation 16 Neighbourhood Development Plan (NDP)



Mr J Latham
Neighbourhood Planning and Strategic Planning teams
Herefordshire Council
Council Offices
Plough Lane
Hereford
HR4 0LE

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

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Latham

Kings Caple Regulation 16 Neighbourhood Development Plan

Thank you for your consultation on the above dated 13/12/2016.

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 has no further comment to make 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 any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

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

Yours sincerely

Kathryn Davies
Consultations Team

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

Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)¹ 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](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. 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](#)⁴.

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](http://magic.defra.gov.uk/)⁵ website and also from the [LandIS website](http://www.landis.org.uk/)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)⁸ 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.

¹ <http://magic.defra.gov.uk/>

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

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

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

⁵ <http://magic.defra.gov.uk/>

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

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

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

Landscape

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](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. 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](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² 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](#)¹³.

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.

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

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

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

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

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

- Adding a green roof to new buildings.

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

- 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](#)¹⁴).
- 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).

¹⁴ <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/>

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



APPLICATION DETAILS

222374 /

Kings Caple 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

Our department has no further comments in make with regard to this parish plan.

Signed: Susannah Burrage

Date: 15 December 2016

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Kings Caple- Regulation 16 submission version

Date: 19/12/16

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
E1	LD1	Y	
E2	LD1	Y	
E3	LD2, LD3	Y	
E4	SD3, SD4	Y	
E5	SD3, SD4	Y	
E6	SD2	Y	
CH1	LD1, LD4	Y	
CH2	LD4	Y	
CH3	LD4	Y	
CH4	LD1, LD4	Y	
SB1	N/A	Y	
SB2	RA3	Y/N	<p>Minor factual correction required for compliance and clarity:</p> <p><i>...except where it satisfies the criteria identified in Policy RA3 (Agricultural, forestry and rural enterprise dwelling Herefordshire's Countryside) of the Herefordshire Core Strategy.</i></p>
H1	RA2	Y	
H2	RA2	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
H3	RA2	Y	
H4	H3	Y	
H5	H1, H2	Y	
BD1	LD1, LD4	Y	
BD2	N/A	Y	
BD3	LD1	Y	
BD4	OS1	Y	
BD5	LD1	Y	
BD6	N/A	Y	
BD7	LD1	Y	
EM1	N/A	Y	
T1	E4	Y	
TT1	MT1	Y	
TT2	MT1	Y	

Other comments/conformity issues:

The draft NDP is in general conformity with the policies in the Herefordshire Local Plan Core Strategy. There is one advisory general comment on the plan's format as a whole.

It would be helpful if the policies were perhaps given short titles to accompany the numbering system, as is the case with Core Strategy and policies in other NDPs. This would aid the reader in navigating the plan, and provide clarity on the purpose of each of the policies. For example, "E4- [Renewable Energy](#)"