

**Progression to Examination Decision Document**



**Neighbourhood Planning (General) (Amendment) Regulations 2012**

Name of neighbourhood area	Kingsland Parish Neighbourhood Area
Parish Council	Kingsland Parish Council
Draft Consultation period (Reg14)	17 December 2014 – 10 February 2015
Submission consultation period (Reg16)	17 November 2015 – 4 January 2016
Re-submission consultation period (Reg16)	11 July - 22 August 2016

**Determination**

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

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

### Summary of comments received during submission consultation

Herefordshire Council – Environmental Health (contamination)	No specific sites have been identified therefore unable to provide comment with regard to potential contamination.
Herefordshire Council – Strategic Planning	See appendix 1  Conformity with the Core Strategy with the exception of Policy KNDP14
Herefordshire Council - Environmental Health	No further comment to add
Herefordshire Council – Economic Development	No issues
Natural England	Does not have any specific comments on this neighbourhood plan.
Historic England	Comments remain substantively as those expressed on 17 December 2015.  Support content of the document particularly the comprehensive treatment of the wider historic environment, local distinctiveness, non-designated heritage assets and their setting.  Well considered, concise and fit for purpose

	document that effectively embraces the ethos of constructive conservation. Good example of community led planning.
Coal Authority	No specific comment to make
Sport England	Generic response highlighting the need to have reference to para 73 and 74 of the NPPF
Welsh Water / Dwr Cymru	No further comments to add over and above our regulation 14 representation
Hereford and Worcester Fire and Rescue Service	The service provided a response for the overall plan for Herefordshire and have no further comments.
Network Rail	Generic response highlighting developer contributions
David A Thompson Resident Support	<p>Support the plan and additional amendments, making it a robust and compliant plan.</p> <p>Important the anticipated housing requirements can be fulfilled within the defined settlement boundary as indicated on the proposal maps.</p> <p>Important that the heritage assets, conservation area and green corridor between Kingsland and West Town are protected.</p> <p>No capacity in the school, GP or sewerage works. Concerns about pollution and phosphate in Wye catchment.</p> <p>Important that any small scale developments within the settlement boundary utilise brownfield rather than green fields.</p>
Pam Copper Resident Support	<p>Wholeheartedly support the Kingsland Plan. All points made are constructive. Amount and type of housing required are fair and justified.</p> <p>Villagers consulted at every stage and lot of time and hard work has been put in.</p>
Graham Bradley Resident Objection	<p>Again no provision for new sites for affordable housing. Everyone who tries is shot down.</p> <p>The sites mentioned for housing in the plan will only result in expensive homes which will not benefit the village in the long term. Some mentioned sites just to give enough to satisfy</p>

	<p>Herefordshire Council figures and are not 100% sure.</p> <p>Feel we are a retirement village for the wealthy. Nothing in the plan will help to change it.</p>
<p>John Guest Resident Support</p>	<p>Support the Kingsland NP. This village has been kept informed throughout the process.</p> <p>Plan will support how development is the area should be in the future.</p>
<p>Alison Guest Resident Support</p>	<p>Support the Kingsland NDP as the village needs this plan to ensure that the village develops in the future in such a way to preserve the village and its character.</p>
<p>Jason Richards Gloucestershire Objection</p>	<p>Object to Policies KNDP2 and KNDP14 relating to Land south of Martindale, Kingsland</p> <p>Subject to outline planning application for up to 10 dwellings. Concur with the previous comments that the development boundary of Kingsland is tight with limited development potential for infill to accommodate proportionate growth.</p> <p>Revised NDP continues to rely on windfall development with no firm evidence submitted that the numbers can be achieved.</p> <p>Land south of Martindale should be allocated for housing or at least identified in an amended settlement boundary.</p> <p>(Separate representation expands on these comments)</p>
<p>Keith Warren (on behalf of Jason Richards) (Jason Richard also submitted separately)</p>	<p>Objecting to land to the south of Martindale (recently submitted outline planning application) not being identified as a housing allocation under Policy KNDP14 and its non-inclusion within the settlement boundary under Policy KNDP2</p> <p>No opportunity to engage with the parish council and given indication there was no intention to review sites.</p> <p>Disappointing as an allocation would represent a 'ready-made' solution, providing more certainty with minimal impact on form and character.</p> <p>Site is situated within a residential area along the north-western edge of the village, outside conservation area, well related to settlement pattern, lies adjacent to the defined settlement boundary of Kingsland within the NDP. Access is achieved via the A4110, village services within a kilometre.</p>

	<p>Lack of specific sites identified represents a major recurring theme in the context of previous comments submitted.</p> <p>Figure of 26 dwellings known to be available within the boundary is not based on a thorough assessment of potential land</p> <p>Five potential windfall sites have a high degree of uncertainty and all have technical constraints.</p> <p>Within the parish council document, sites are exclusively reviewed in terms of impact on the conservation area and reference to previous planning applications on adjacent plots. Previous windfall completion rates on which projections were based was achieved before the national restriction on development of garden areas.</p> <p>The provisions of NPPF para 47 are not addressed.</p> <p>Not in conformity with SS3, SS2, RA1 and RA2 of the Core Strategy</p> <p>Need to identify limited forms of additional housing development beyond the boundary. Martindale should be identified as a new allocation to meet the resulting shortfall.</p> <p>Application is supported by a suite of documents to demonstrate suitability</p> <p>KNDP remains unsound as it fails to provide any certainty regarding the need to accommodate sufficient housing as identified within the adopted Core Strategy</p> <p>Previous concerns expressed by Herefordshire Council have not been addressed</p> <p>The plan is in conflict with objective 4 and neither have the provisions of the NPPF and Core Strategy been met contrary to submitted Basic Condition Statement</p> <p>Shortfall can be addressed by identification of specific land for development. Martindale meets recognised site selection criteria and should be identified as housing allocation</p> <p>Land south of Martindale should be include for up to 10 dwellings under Policy KNDP14, within the extended settlement boundary under Policy KNDP2 and shown on the policies map.</p>
Mike Harries (on behalf of Mrs Hinton Powell)	KNDP fails to meet the basic conditions in terms of regard to key elements of national planning

policy, not being in conformity with the strategic policies of the adopted development plan and not contributing to the achievement of sustainable development

Despite allocation work being undertaken significant concerns remain regarding the lack of certainty and clarity with respect to housing supply.

Still concern that a settlement a size of Kingsland has not included a housing allocation within its NDP nor has this option ever been consulted upon nor a call for sites undertaken.

Relies on very high windfall. Major concerns raised previously therefore remain. NDP is contrary to para 17 of the NPPF.

Settlement boundary remains the same as the previously adopted development plan (UDP) and has not been extended despite Kingsland being identified in the Core Strategy as a main focus for growth.

Concern regarding the provision of affordable housing, relying on current commitments, ignoring the 2014 Housing Needs Survey

Current approach do not lead itself to the delivery of future community facilities as laid out in the plan.

Continuation of an infill approach to development within a conservation area and within a settlement boundary which has not been expanded since 1996 is a major concern and effectively infill the last remaining green spaces.

Concern regarding the lack of opportunity given to the option of a new greenfield site and the lack of recognition of the level of support that appears to have been given to an extension of the village settlement boundary

Land to the rear of the Lindens provides a highly sustainable and deliverable development opportunity to deliver a mix of market and affordable housing, community benefits.

KNDP fails to allow a balanced approach in weighing harm to significance with no acknowledgement of the proportionality with regards to status of designated and non-designated heritage assets.

Identified windfall sites are contrary to the established character of the conservation area and represent harmful over-development of the linear settlement pattern



	<p>Land to the rear of the Lindens is located within a portion of the conservation area considered lesser sensitivity according to the designation document.</p>
<p>Mary Champion Resident Support</p>	<p>Fully support the plan which retains the character of a rural village within limited small scale development and keeping the conservation area at the heart of the plan.</p> <p>Any attempt to build housing estates should be resisted at all costs and would destroy an historic village.</p> <p>Agricultural land must be retained for benefit of future generations</p>
<p>John Green Border Oak Kingsland comment</p>	<p>Followed every stage of the NDP with interest and engaged in the process. Impressed with the professional, thorough and efficient manner plan has been produced and highly commend hard work.</p> <p>In main support most of the policies, specifically self build and custom home building. Strongly support policies aimed at protecting and enhancing environment and heritage.</p> <p>However some concerns and reservations regarding realistic development opportunities within the proposed settlement boundaries for Kingsland, Shirlheath and Cobnash.</p> <p>Boundaries seem overly conservative and restrictive. Feel that there are some remaining issues in terms of delivery and growth, resulting settlement boundaries effectively prevent growth and do not provide enough flexibility.</p> <p><b>Cobnash</b> - Boundary for Cobnash includes some land that cannot be developed and yet excludes other which are more suitable and available. Boundary drawn without full consideration of actual viability or sufficient variety of options.</p> <p>Adapting boundary slightly would help facilitate growth and meet objectives and criteria. Some wording supporting small scale development proposals on areas adjacent to the boundary with restriction on numbers might provide flexibility.</p>
<p>Mr and Mrs Jaynes Resident</p>	<p>Support on the understanding that no further amendments are made to its content.</p> <p>Believe proposed plan covers all aspects of village development for the next 15 years in a</p>

Support	considered and sustainable way whilst also enhancing Kingsland village life
Robin Fletcher Resident Objection (submitted twice)	<p>Cobnash – plan does not reflect consultation with residents. Proposed settlement boundary is far too small and tight to allow for the proportional growth required.</p> <p>Part of Cobnash House land has been excluded from the boundary is appropriate and environmentally preferable for 1 / 2 houses. Would not harm amenity and easily accessed.</p> <p>Request that the NDP is revised to reflect the wishes of the majority of the residents in Cobnash and the parish as a whole by enlarging the proposed Cobnash settlement boundary.</p>
Nick Caine Resident comment	<p>Cobnash - Proposed development boundary for Cobnash appear to be unnecessarily conservative and restrictive with few realistic opportunities to provide required amount of growth.</p> <p>Some areas within the boundary are difficult or unviable yet areas adjacent and close would be suitable.</p> <p>The boundary does not reflect the built form of Cobnash and does not provide any flexibility during the plan period.</p> <p>My land is partially within the boundary and yet a much larger area is available with existing access in the centre of Cobnash.</p> <p>Believe the boundary could be extended without compromising other elements of the emerging plan to allow sympathetic and sensitive growth over the next 15 years.</p>
Chris Southgate Resident Support	Plan interprets the wishes of the parish as a whole as establishes through the various stages of the process. Enables the spirit of the community to be retained whilst facilitating appropriate development over the next 15 years. Fully endorse the plan.
Caroline Southgate Resident Support (submitted twice)	A considerable amount of work has gone into producing the plan which interprets the wishes of the village in an excellent document.
Heather Morris Resident	The Steering group have done a great job getting this plan together. Hope it gets approval so we can stop excessive applications for housing in the village.



Support	
John Morris Resident Support	The Steering group have done a great job getting this plan together. Hope it gets approval so we can stop excessive applications for housing in the village.
Ursula Priday Resident support	The village is slowly changing beyond all recognition so need this plan to succeed to stop further inappropriate housing development
Kaye Fletcher Resident Objection	<p>Cobnash – majority of the plan for Kingsland has been well thought out and addressed concerns of local inhabitants.</p> <p>But Cobnash feel our concerns have been largely ignored. Agree there should be housing development within Cobnash.</p> <p>Object to proposed settlement boundary drawn seemingly arbitrarily in Cobnash. Policy KNDP16 proposed linear plan for development with frontages on B4360, potentially dangerous and much too restrictive. It would spoil the open rural aspect of Cobnash. Boundary cuts through the middle of several properties, cutting off suitable development land to the south.</p> <p>Should be individual housing in sufficiently large plans to retain open aspect.</p> <p>Footpath to Kingsland would enable residents to take a more active part in community.</p>
David and Yvonne Pryce Resident Support	<p>Fully support the final public consultation and trust it will be given favourable consideration.</p> <p>Considerable amount of thought and hard work has been given to this plan and committee have taken all aspects of Kingsland village structure into consideration.</p>
Lydia Stevens Resident Objection	<p>Restrictive policies will not allow much needed development outside of the settlement boundary.</p> <p>Strongly agree that the affordable /capped housing development adjoining Kingsleane should be included instead of cramming development into one area</p> <p>Main part of village is heavily congested. Allowing development only within the main part of the village itself will only add to this. Already several new houses crammed into jammed areas leaving little green space.</p>

<p>Paul Stevens</p> <p>Resident</p> <p>Objection</p>	<p>Restrictive policies will not allow much needed development outside of the settlement boundary.</p> <p>Strongly agree that the affordable /capped housing development adjoining Kingsleane should be included instead of cramming development into one area</p> <p>Main part of village is heavily congested. Allowing development only within the main part of the village itself will only add to this. Already several new houses crammed into jammed areas leaving little green space.</p>
<p>G Higgs</p> <p>Resident</p>	<p>Previously petition asked for: If planning permission requested, Kingsleane site to be allocated for housing A clear plan should location of sites for housing/community buildings/ car parking Plan should show extent of areas to be protected and specific reasons. Do not agree with need to be a clear separation between Kingsleane and West Town</p> <p>Would like the Kingsleane scheme which had been included as a 'commitment site' in the previous NDP included in the current NPD for housing.</p> <p>Scheme includes mist of housing suitable for both young and older people in a location convenient for all facilities without traffic congestion</p> <p>'Benefits of the Kingsleane Scheme' paper attached containing 16 benefits – no five year land supply, 40% affordable housing, financial benefits to community, enormous support for proposal, sustainable drainage scheme, no loss of agricultural land, biodiversity gain, new homes bonus, additional council tax, supporting local businesses and rural economy, employment opportunities, no impact on traffic congestion, additional footpath, recruit retained firefighters, retention of rural character of Arbour Lane, self-contained site.</p> <p>Do not think the existing settlement boundary should be retained</p> <p>Like to see settlement boundary extended to include small pieces of land suitable for housing</p> <p>Putting all proposed growth in the existing settlement boundary will affect the setting of important listed buildings and detrimental to conservation area.</p>
<p>J Higgs</p> <p>Resident</p>	<p>Previously petition asked for: If planning permission requested, Kingsleane site to be allocated for housing A clear plan should location of sites for</p>

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<p>P Parker Resident</p>	<p>Previously petition asked for: If planning permission requested, Kingsleane site to be allocated for housing</p> <p>A clear plan should location of sites for housing/community buildings/ car parking</p>

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<p>Wendy Schenke</p> <p>Resident</p> <p>Objection</p>	<p>Concern expressly with the adequacy of housing provision to be provide for the settlement of Kingsland.</p> <p>Plan does not put forward a robust mechanism or additional policy direction to deliver housing objectives. Spatial strategy constricts development in the confines of the old UDP plan boundary rather than to promote the expansion needed to retain and support local services.</p> <p>Main areas of concern:</p> <ol style="list-style-type: none"> <li>1) Declarations of interest – serious concerns in respect of declarations of interest on agenda items particularly at open meetings discussing plots. Call for sites should be undertaken</li> <li>2) Detailed and accurate plans – insufficient information available in plan format during consultation period. 'Meeting Future Housing Requirements in the Parish' document only available as evidence base on the Kingsland Life website. Not made available on the Herefordshire Council website or in the Customer Service Centres. Document has not been assessed by the Council's Conservation Officer People making representations need clear plans showing location of proposed dwellings, possible community buildings, possible village parking, play area, Grade 2/3 agricultural land, 'protected areas', wildlife corridor.</li> <li>3) Chosen option in conflict with residents</li> </ol>

preferred option – survey marginal. It appears people wanted to extend the settlement boundary than retain the existing one. Believe necessary for a call for sites of all residents to choose sites. Settlement boundary is drawn so tightly will destroy rural characteristics of the village core and significant detriment to the character of the conservation area

- 4) Housing rationale conflicts with heritage policies – KNDP1, KNDP4, KNDP5, KNDP6, KNDP8, KNDP14. Whole settlement boundary is within a conservation area and where proposed housing growth is located. Do not believe there has been a robust assessment of heritage assets in relation to identified housing sites.
- 5) Affordable housing – amended settlement boundary would help to provide an inclusive mix of housing types suitable for open market and affordable whereas developing the identified plots is unlikely to achieve this.
- 6) Financial contributions from developers – small plots unlikely to attract financial contributions from developers. Other schemes including Kingsleane are likely to result in benefits from the whole village
- 7) Removal of Kingsleane housing site from plans without consultation – large number of residents support given to the 'commitment site' shown in previous document (Kingsleane), does not appear to have been taken into account at possible site considered in the revision. Removal is significant as not only residents support but additional requirement to locate more housing in the most sensitive and historic part of the village.
- 8) Urgency in wanting to proceed to adoption – plan will be in force until 2031. Must be robust, important to get right, will affect the whole community for many years to come.
- 9) Consideration of the Reg16 consultation

	<p>responses – concern views of residents who took time to make representations have not been taken into account when revisiting the KNDP when identifying possible sites.</p> <p>10) List of farmsteads – do not understand how this can be an accurate assessment as farmsteads were not visited</p> <p>11) Inaccurate information – local wildlife site should no longer be considered as such and removed from the map</p> <p>Concentrating development within the existing settlement boundary will exacerbate congestion through the village, roadside parking already a problem.</p> <p>Core Strategy figures are minimum, Herefordshire Council is unable to demonstrate a five year land supply</p> <p>Conservation officers should ensure plots are not detrimental to the fragility of the heritage assets. No use if identified plots are subsequently refused on conservation grounds.</p>
<p>Glynn Schenke Resident Objection</p>	<p>Concern expressly with the adequacy of housing provision to be provide for the settlement of Kingsland.</p> <p>Plan does not put forward a robust mechanism or additional policy direction to deliver housing objectives. Spatial strategy constricts development in the confines of the old UDP plan boundary rather than to promote the expansion needed to retain and support local services.</p> <p>Main areas of concern:</p> <ol style="list-style-type: none"> <li>1) Declarations of interest – serious concerns in respect of declarations of interest on agenda items particularly at open meetings discussing plots. Call for sites should be undertaken</li> <li>2) Detailed and accurate plans – insufficient information available in plan format during consultation period. 'Meeting Future Housing Requirements in the Parish' document only available as evidence base on the Kingsland Life website. Not made available on the Herefordshire Council website or in the</li> </ol>

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- 3) Chosen option in conflict with residents preferred option – survey marginal. It appears people wanted to extend the settlement boundary than retain the existing one. Believe necessary for a call for sites of all residents to choose sites. Settlement boundary is drawn so tightly will destroy rural characteristics of the village core and significant detriment to the character of the conservation area
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**Please note the above are summaries of the response received during the submission consultation. Full copies of the representations are available on the Herefordshire Council website and will be sent to the Examiner in due course.**

**Officer’s Appraisal**

This plan is a resubmission NDP following concerns regarding the ability for growth to occur within the defined settlement boundary for Kingsland. Additional work has been undertaken by the parish council to provide support for the original housing strategy proposed.

However concerns are still being expressed from both internal and external respondents with regards to the ability of the plan to meet the required minimum proportional growth to contribute towards the deliverability of the Core Strategy.

There are no site allocations within the plan but an indication within an accompanying background evidence document of 'sites' in which windfall development can take place within the designated settlement boundaries. Therefore the plan still places a great reliance on windfalls both within the settlement boundaries and the wider rural area. Comments from the Strategic Planning team have highlighted concerns regarding the highway and heritage considerations in determining availability of these 'sites' and that 'sites' have not been indicated within the NDP itself.

A number of representations continue to be made indicating that potential alternative sites are available and a number have questioned the site evaluation process as a whole.

Conformity appears to be mainly concerning these points and in particular Policy KNDP14 to KNDP16. It is considered that at this point these issues should now be further explored as part of the examination process but acknowledging that there are still concerns about this plan's ability to meet the 'basic conditions' in relation to conformity with Policy RA1 and RA2 of the Core Strategy.

**Assistant Director's comments**

*The comments within the officer appraisal are noted and should be considered in the course of the examination process, hence the decision to support progression to appoint an examiner to review & test conformity with Core Strategy.*

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

The decision to progress to appoint an examiner for the above neighbourhood plan has been **approved**.



**Richard Gabb**

**Programme Director – Growth**

Date:



## Appendix 1

### Neighbourhood Development Plan – conformity assessment

Name of NDP Kingsland Neighbourhood Development Plan- Regulation 16 Re-submission consultation

Date 17/08/2016.....

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Policy KNDP 1: Promoting a Sustainable Community	SS1, SS6, E1	Y	
Policy KNDP 2: Development Strategy	RA1, RA2, RA3	Y	
Policy KNDP 3: Sustainable Design	SD1	Y	
Policy KNDP 4: Retaining the Rural Character of Kingsland Parish	SS6, LD1, LD2, LD4	Y	
Policy KNDP 5: Protecting Kingsland's Heritage Assets	SS6, LD4, RA5	Y	
Policy KNDP 6: Retaining the Character of the Conservation Area and Kingsland Village	SS6, LD1, LD3, LD4, SD1,	Y	3(C) 'Trees that die should be replaced'. Questionable how this will be enforced as it may occur post development.
Policy KNDP 7: Addressing Flood Risk	SD3	Y	
Policy KNDP 8:	SS4, MT1	Y	Observations:

Highways and Transport Infrastructure			<p>'Parking standards shall conform with Herefordshire Core Strategy but should also include additional parking for visitors'.</p> <p>Supporting Statement  'The need for a 20 mph limit within Kingsland village centre close to its primary school and extending the 30 mph limit in certain other locations such as North Road and Longford'.</p> <p>Views from Highways need to be sought</p>
Policy KNDP 9: Kingsland Sewage Treatment Works	SD4	Y	WwTW require attention and current capacity is less than 36 dwellings. Phosphate levels in excess of maximum levels. Policy now included.
Policy KNDP 10: Community Renewable Energy	SS7, SD2	Y	
Policy KNDP 11: Infrastructure for Broadband	SS5, RA6	Y	
Policy KNDP 12: Protection and Enhancement of Services and Facilities for the Community	SC1	Y	
Policy KNDP 13: Open Space and Play Areas	OS1, OS2	Y	
Policy KNDP 14: New Homes in Kingsland Village	RA1, RA2	N	Primary focus for housing. Please see comments below
Policy KNDP 15: New Homes in Shirlheath	RA1, RA2	Y	Provided sites are deemed suitable. Please see comments below
Policy KNDP 16: New Homes in Cobnash	RA1, RA2	Y	Provided sites are deemed suitable. Please see comments below
Policy KNDP 17: Supporting Local	SS5, RA6, E1	Y	

Business			
Policy KNDP 18: Agriculture, Forestry and Rural Enterprises	SS5, RA6, E1	Y	

**Comments/conformity issues:**

**KNDP 14 to KNDP 16**

The supporting information for housing policies KNDP 14 to KNDP 16 are reliant on evidence provided in the document 'Kingsland Neighbourhood Development Plan, Meeting Future Housing Requirements in the Parish'. The document provides some detail on where the housing sites are as well as the assessment approach. Table 3 lists *the sites which are considered to be publicly identified as suitable, viable and available for development within the settlement boundaries defined for the three villages in the Neighbourhood Plan*. The three villages are identified as Kingsland, Shirlheath and Cobnash. In this instance the *availability* of the sites is accepted based on confirmation from the Neighbourhood Planning group. However in para 6.3 it is evident that not all are available so is it the case that the capacity for the 37 presented in the evidence are known to all be available (There were 45 in total).

Although stated, there is no evidence to support the *viability* of the sites put forward. Further comment on the *suitability* of the sites is set out below.

The document on meeting the parishes housing needs contains a lack of information on each of the sites identified. The suitability test has not explored the sites adequately. For example no Highways assessment for potential access points are documented. There are issues of land ownership and third party access which could impede release of some sites. If such sites are to form part of a Plan then more certainty is required.

There is no conservation area assessment to determine if each site, assessed on its own merit would be acceptable for housing development particularly in Kingsland due to the presence of the conservation area designation. This is particularly necessary due to the infill approach in the housing strategy. The cumulative effects of existing permissions on the villagescape together with proposed sites should also be taken into account. The settlements of Cobnash and Shirlheath identify plots of land with generally lower capacities but a landscape assessment would further inform the suitability of the sites identified in these locations.

In two instances, ecological issues exist on the sites and therefore require further analysis.

Given the evidence base document provides a table indicating site suitability and achievability it would normally be expected that the larger sites should be identified within the plan rather than only being within the evidence base. Each site needs to be clearly labelled indicating the extent of the site boundary for clarity as this will be the development plan for the area.

Although the overall capacity (37) in the search for sites evidence is higher than the residual target (25 and minus the windfall allowance is 13), in quantitative terms this may be acceptable but further clarification is needed before this can be deemed to be a sound approach to housing delivery.

### **Windfalls**

Para 6.2 refers to windfalls and how historically they have come forward at a rate of 2.3 dwellings per annum. An estimate of 12 dwellings between 2016 and 2031 is provided as an allowance within the target of 65 dwellings (total provision). The acceptability of that allowance is dependent on how the housing strategy is approached i.e. it should be underpinned with further evidence. If sites with larger capacities are identified for housing delivery; sites with smaller capacity may not need identification on a map and could potentially be future windfalls.

### **Kingsland Waste Water Treatment Works**

Welsh Water has highlighted issues with the waste water treatment works and phosphate flow. Therefore it necessary to consider when the housing comes forward. As there is no certainty whether or not the required works by Welsh Water will take place in AMP 7 (2020-2025) or AMP8 (2025-2030) as stated by Welsh Water. Policy KNDP9 refers to defining development to ensure this is addressed.

### **Other comments**

Para 6.1: The monitoring period would not stretch until 30<sup>th</sup> April. The most recent Herefordshire Council monitoring period began 1<sup>st</sup> April 2015 and finished 4<sup>th</sup> April 2016

Para 6.3: Second sentence- 'the' before Neighbourhood Plan

Exclamation marks throughout the plan, a formatting error perhaps.

End