

Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

August, 2016

Dear Neighbourhood Planning Team

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

**Other Comments:**

Name:

Address:

Date:

20/8/16

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people**.

### **BENEFIT 3 – Financial benefits for the community**

In Kingsland Neighbourhood Development Plan, 54% of residents stated they wanted development that attracted 106 financial contributions. This proposal provides the following monies:

- **£33,466.00** to provide enhanced educational infrastructure at Kingsland Primary School and Wigmore Secondary School.
- **£22,609.00** to provide sustainable transport infrastructure to serve the development. The monies shall be used by Herefordshire Council, in consultation with the Parish Council, at its option for any or all of the following purposes:
  - improvements to public right of way network within the vicinity of the development;
  - improved crossing facilities between application site and village facilities and;
  - improved bus infrastructure within vicinity of the development
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- **£14,278.00** for off-site play facilities (provision and maintenance). The contribution would be used towards improving the existing play facilities in Kingsland as identified in the Neighbourhood Plan and in consultation with the Parish Council.
- **£9,166.00** for outdoor sports. The money shall be used by Herefordshire Council in accordance with priorities identified in the playing pitch assessment & the outdoor sports investment plan at Mortimer Park.

### **BENEFIT 4 – Enormous support for Kingsleane proposal**

The proposal has received enormous support from residents.

84 letters of support - 6 letters of objection - 1 mixed letter

Petition of 85 signatures in support of the application

Further petition of 31 letters in support of the application – disagreeing with the planning officer's recommendation to refuse the application

Draft KNDP first Reg 16 consultation - (Kingsleane site was a commitment site in the plan)

95 signature petition supported the Kingsleane site requesting that KNDP retain it as an allocated site in the plan.

A number of letters objected to KNDP

A number of letters supported KNDP which included Kingsleane as a 'commitment site', but **ONLY ONE** requested that this site is removed from the KNDP.

### **BENEFIT 5 – Sustainable drainage scheme**

It is intended that the new sustainable drainage scheme will take the surface water from the existing Kingsleane properties – a major benefit for the whole community. Rather than this scheme adding to the surface water in the village, it will reduce it by ten properties.

### **BENEFIT 6 – No loss of agricultural production land**

No loss of agricultural/horticultural production land or loss of employment as a result of developing this very small amount of land. Nor will there be a reduction or loss of amenity or recreational area.

### **BENEFIT 7 – Biodiversity gain**

There will be a large biodiversity gain as a result of the additional landscaping incorporated in the Kingsleane scheme. This, together with the introduction of the sustainable drainage scheme will introduce new biodiversity in this area of the village which will complement the new wildlife corridor that the steering group has suddenly introduced in KNDP.

### **BENEFIT 8 – New Homes Bonus**

Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

### **BENEFIT 9 – Additional Council tax**

Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
- More local people using village businesses such as the post office/shop, pubs and garage will help to retain current employment levels with the likelihood of more employment opportunities to sustain the new level of service required to meet local demand.
- By contributing towards Mortimer Park facilities (Luctonians Rugby & Cricket Club), this will increase the number of sporting visitors to the village – again more employment opportunities for local people and additional 'spending' in the village helping to sustain economic growth in rural areas such as Kingsland.

### **BENEFIT 12 – No impact on transport congestion in village**

This scheme will not have a detrimental impact on the transport congestion currently experienced in the village as all the facilities are within easy walking distance including the school, post office/shop, doctors, pubs, village hall, etc. via safe and level footpaths. Anyone wanting to drive outside the village will use the Arbour Lane to the A4110 junction avoiding the village centre. Buses also pass the site. The more people who are of working age who would use the buses to go to work, the more likely the frequency of buses will improve.

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A new footpath is proposed as part of the proposal to join the existing network of footpaths. The Transport Manager stated in an email dated 25 February 2014 *'I think I'd prefer the external path. I realise it is probably more expensive, but it would be a start of a path towards the Showers Farm complex.'* Therefore, this would be a benefit to the whole community.

### **BENEFIT 14 – More opportunities to recruit retained firefighters – benefit to whole of Herefordshire**

The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

### **BENEFIT 15 – Retention of rural character of Arbour Lane:**

- No loss of existing mature hedgerows
- Landscape Management Plan for the restoration and enhancement of existing hedgerows including the roadside hedge in the Arbour Lane will conserve and enhance the rural character and encourage wildlife in the area. Currently no management agreement is in place for the existing hedgerows..
- Additional hedgerows and trees planted on site and on adjoining land will enhance the conservation area.

### **BENEFIT 16 – Self-contained site will not affect residents' enjoyment/appreciation of the village landscape or conservation area**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 01 August 2016 18:47  
**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	Alison
Last name	Guest
Which plan are you commenting on?	Kingsland Neighbourhood Plan
Comment type	Support
Your comments	I support the Kingsland Neighbourhood Plan 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.



## Latham, James

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**From:** Turner, Andrew  
**Sent:** 17 August 2016 15:16  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Kingsland Regulation 16 Neighbourhood Development Plan consultation

### RE: Kingsland Regulation 16 Neighbourhood Development Plan consultation

Dear Neighbourhood Planning Team,

My understanding is that no specific sites have been identified in this plan and as such I would advise:

- Given that no specific sites have been identified in the plan I am unable to provide comment with regard to potential contamination.

#### 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)

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**From:** Neighbourhood Planning Team  
**Sent:** 11 July 2016 13:24  
**Subject:** Kingsland Regulation 16 Neighbourhood Development Plan consultation

**Latham, James**

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 10 August 2016 14:57  
**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	Border Oak Kingsland Sawmills Kingsland Leominster Herefordshire
Postcode	HR6 9SF
First name	John
Last name	Greene
Which plan are you commenting on?	Kingsland
Comment type	Comment
Your comments	<p>We have followed every stage of the KNDP with interest and have engaged with the various consultation events throughout the process. We have been impressed with the professional, thorough and efficient manner in which the plan has been produced and highly commend the hard work and time given by the volunteers on the KNDP Steering Committee. In the main we support most of the policies, criteria and objectives in the KNDP. We specifically endorse the policies providing opportunities for Self build and Custom Home building - which has proven to be a positive way to deliver a wide range of housing in the parish. We also strongly support the policies aimed at protecting and enhancing the environment/heritage and those prioritising high standards of design and sustainability. We do however have some concerns and reservations regarding realistic development 'opportunities' within the proposed settlement boundaries for Kingsland, Shirlheath and Cobnash. The boundaries seem to be overly conservative and restrictive, and whilst we understand that the housing numbers/opportunities have been recently reassessed, we do feel that there are some remaining issues regarding both the short and longer term delivery of growth. We appreciate that the Steering Committee wish to avoid medium/large estates of new housing impacting upon the parish and its infrastructure, but we are concerned that the</p>

resulting settlement boundaries effectively prevent growth and do not provide enough flexibility. It may be something that the Steering Committee can revisit at a later date based upon actual delivery and completions. It might also be possible to demonstrate growth and a variety of realistic opportunities with some minor amendments to the existing plan boundaries - for example, we understand that the boundary for Cobnash includes some land that cannot be developed and is unviable, and yet the boundary line has been drawn to exclude other areas which are more suitable and are available. Whilst we understand that Cobnash is a difficult settlement to provide a boundary for - due to the organic and sporadic nature of the existing built form - it seems that the proposed boundary has been drawn without full consideration of actual viability or with sufficient variety of options. Adapting the boundary slightly, or the policies regarding this boundary, would help facilitate development options, provide appropriate growth and enable landowners/developers to meet all the other KNDP objectives and criteria. Some wording/policy that supported any required small scale development proposals - possibly focusing upon live work, or self build and custom home projects - on areas 'adjacent' to the settlement boundaries, but with a restriction on the housing numbers (i.e. 1 - 5 dwellings per scheme) might be another reasonable and controlled way to deliver housing opportunities and provide flexibility. This could be 'needs led' (based upon data from the Self Build and Custom Home Register) and would still prevent undesirable, disproportionate, speculative estate-type delivery. Although we feel that the proposed boundaries are conservative and restrictive, in conclusion we support most of the policies and criteria within the KNDP and would be very happy to work within the document guidance. Yours Sincerely John Greene - Director, Border Oak

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 August 2016 10:49  
**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	Caroline
Last name	Southgate
Which plan are you commenting on?	Kingsland NDP
Comment type	Support
Your comments	A considerable amount of work has gone into producing this Plan which interprets the wishes of the village in an excellent document. It is to be hoped this is reflected by a favourable referendum in due course.

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 August 2016 10:45  
**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	Chris
Last name	Southgate
Which plan are you commenting on?	Kingsland NDP
Comment type	Support
Your comments	The Plan interprets the wishes of the parish as a whole, as established through the various stages of the process. This will enable the spirit of the community to be retained whilst facilitating appropriate development over the next 15 years. I fully endorse the Plan.



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) ]**

27 July 2016

Dear Neighbourhood Planning, Strategic Planning & Conservation team

**Kingsland Neighbourhood Development Plan - Pre-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**

Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

August, 2016

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

**Item 2**

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
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**Item 3**

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Address:

Date:



20/8/16



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## Latham, James

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**From:** Norman Ryan <Ryan.Norman@dwrwymru.com>  
**Sent:** 22 August 2016 14:10  
**To:** Neighbourhood Planning Team  
**Cc:** Evans Rhys  
**Subject:** RE: Kingsland Regulation 16 Neighbourhood Development Plan consultation

Dear Sirs,

Thank you for consulting Welsh Water on the Kingsland Parish Council Regulation 16 NDP.

We have no further comments to add over and above our Regulation 14 representation.

If you require any further information, please do not hesitate to contact us.

Regards,



**Ryan Norman**

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

Linea | Cardiff | CF3 0LT | T: 0800 917 2652 | Ext: 40719 | [www.dwrwymru.com](http://www.dwrwymru.com)

*Have you seen Developer Services new web pages at [www.dwrwymru.com](http://www.dwrwymru.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](#)**

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

**Sent:** 11 July 2016 13:24

**Subject:** Kingsland Regulation 16 Neighbourhood Development Plan consultation

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

Dear Consultee,

Kingsland Parish Council have re-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/kingsland>

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

The consultation runs from 11 July 2016 to 22 August 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

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 01 August 2016 12:53  
**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	Graham
Last name	Bradley
Which plan are you commenting on?	Kingsland
Comment type	Comment
Your comments	Again no provision for new sites for affordable housing, everyone who tries is shot down by the better off people in the village. 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 of the mentioned proposed sites seem to just give enough to satisfy Herefordshire council figures for future housing and are not 100 percent sure) I feel that we are a retirement village for the wealthy and since they are the ones who have the voice nothing in the plan will help it change

August, 2016

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**Other Comments:**

1. I do not think the KNDP should retain the existing settlement boundary.
2. I would like to see the settlement boundary extended to include small pieces of land suitable for housing outside the existing boundary
3. I think putting all the proposed housing growth in the existing settlement boundary will affect the setting of important listed buildings and have a detrimental effect on the conservation area. The village street, at the present time, is nice because the street scene is broken up with trees and hedgerows. It would be a shame if more development was allowed in this main street as it would spoil the rural nature of the village. It would be far better to have a few small pockets of housing just outside the settlement boundary so that the historic core of the village remains undisturbed by further development.

Name: G Higgs

Address:

Date: 22.8.16

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95 signature petition supported the Kingsleane site requesting that KNDP retain it as an allocated site in the plan.

A number of letters objected to KNDP

A number of letters supported KNDP which included Kingsleane as a 'commitment site', but **ONLY ONE** requested that this site is removed from the KNDP.

### **BENEFIT 5 – Sustainable drainage scheme**

It is intended that the new sustainable drainage scheme will take the surface water from the existing Kingsleane properties – a major benefit for the whole community. Rather than this scheme adding to the surface water in the village, it will reduce it by ten properties.

### **BENEFIT 6 – No loss of agricultural production land**

No loss of agricultural/horticultural production land or loss of employment as a result of developing this very small amount of land. Nor will there be a reduction or loss of amenity or recreational area.

### **BENEFIT 7 – Biodiversity gain**

There will be a large biodiversity gain as a result of the additional landscaping incorporated in the Kingsleane scheme. This, together with the introduction of the sustainable drainage scheme will introduce new biodiversity in this area of the village which will complement the new wildlife corridor that the steering group has suddenly introduced in KNDP.

### **BENEFIT 8 – New Homes Bonus**

Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

### **BENEFIT 9 – Additional Council tax**

Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
- More local people using village businesses such as the post office/shop, pubs and garage will help to retain current employment levels with the likelihood of more employment opportunities to sustain the new level of service required to meet local demand.
- By contributing towards Mortimer Park facilities (Luctonians Rugby & Cricket Club), this will increase the number of sporting visitors to the village – again more employment opportunities for local people and additional 'spending' in the village helping to sustain economic growth in rural areas such as Kingsland.

### **BENEFIT 12 – No impact on transport congestion in village**

This scheme will not have a detrimental impact on the transport congestion currently experienced in the village as all the facilities are within easy walking distance including the school, post office/shop, doctors, pubs, village hall, etc. via safe and level footpaths. Anyone wanting to drive outside the village will use the Arbour Lane to the A4110 junction avoiding the village centre. Buses also pass the site. The more people who are of working age who would use the buses to go to work, the more likely the frequency of buses will improve.

### **BENEFIT 13 – Additional footpath beneficial to whole village**

A new footpath is proposed as part of the proposal to join the existing network of footpaths. The Transport Manager stated in an email dated 25 February 2014 *'I think I'd prefer the external path. I realise it is probably more expensive, but it would be a start of a path towards the Showers Farm complex.'* Therefore, this would be a benefit to the whole community.

### **BENEFIT 14 – More opportunities to recruit retained firefighters – benefit to whole of Herefordshire**

The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

### **BENEFIT 15 – Retention of rural character of Arbour Lane:**

- No loss of existing mature hedgerows
- Landscape Management Plan for the restoration and enhancement of existing hedgerows including the roadside hedge in the Arbour Lane will conserve and enhance the rural character and encourage wildlife in the area. Currently no management agreement is in place for the existing hedgerows..
- Additional hedgerows and trees planted on site and on adjoining land will enhance the conservation area.

### **BENEFIT 16 – Self-contained site will not affect residents' enjoyment/appreciation of the village landscape or conservation area**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.



21<sup>st</sup> August, 2016

Neighbourhood Planning Team  
Herefordshire Council  
P O Box 230  
Blueschool House  
Blueschool Street  
Hereford

Dear Sir/Madam

Please find attached a copy of my response in relation to the revised Kingsland Neighbourhood Development Plan.

**You will note that I have drawn attention to what I believe may be serious matters of concern to you and trust that you will investigate these fully prior to publishing this consultation response on the website. I also believe the process is seriously flawed leaving the KNDP open to legal challenge.**

In respect of references to the Kingsleane site throughout this document, I would like to register a declaration of my interest in this regard.

Yours faithfully

Glynne J Schenke

Enc.

## KINGSLAND PARISH NEIGHBOURHOOD DEVELOPMENT PLAN

I object to the adoption of the revised Draft Kingsland Parish Neighbourhood Development Plan in its current format. I am concerned expressly with the adequacy of housing provision to be provided for the settlement of Kingsland.

- 1.0 The stated purpose of the Plan is to help deliver the local community's requirements and aspirations for the Herefordshire plan period up to 2031. (Page 2).
- 2.0 The Plan sets out the vision, objectives and policies for growth of the Parish of Kingsland up to 2031 (Page 3).
- 3.0 OBJECTIVE FOUR seeks to provide sufficient housing to meet the future needs of the community, in terms of numbers and type based upon robust evidence. (Page 14)
- 4.0 Policy KNDP 1 states that Housing provision should meet the on-going identified needs of the community with a suitable mix of size, style and tenure. (Page 15).

All of these aims and objectives are considered commendable and fully supported.

However the KNDP does not put forward any robust mechanism or additional policy direction to deliver these housing objectives above and beyond the policies essentially put forward in the Herefordshire Core Strategy. It merely imitates and reflects the policies of the Core Strategy and does not add anything. The proposed housing allocation only adopts the required addition to the settlement indicated by the Core Strategy making the KNDP superfluous in this respect. I do not believe KNDP will deliver the housing objective as it has retained the existing restrictive settlement boundary. Furthermore, it anticipates that all the housing requirement can be accommodated within it even though the whole of the settlement boundary lies within the conservation area and there are approximately 45 listed buildings in this area which is the historic core of the village. The Core Strategy will deliver the same housing objective.

The National Planning Policy Framework advises that neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community.

Whilst such plans have to conform to the strategic objectives of the Core Strategy they offer communities the power and opportunity to **add to** the growth and sustainability of the settlement which only land use development can bring over and above that provided by the Core Strategy

The plan seeks to retain and create key services and states that to deliver essential community needs the Kingsland Parish Council will use any monies received through the Community Infrastructure Levy, *although this is likely to be limited*. But it is only limited because the KNDP does not seize the opportunity that the neighbourhood plan process provides and empowers the local community to stimulate economic growth and use the funds from allocated development opportunities to support and develop essential community services. (KNDP12).

The National Planning Policy Guidance States

*"A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities".*

The Spatial Strategy adopted by the KNDP however, is to constrict development in the confines of the old UDP Plan red lined boundary where the only changes proposed are to further restrict development, rather than to promote the expansion needed to retain and support local services.

No expansion of housing development is indicated to provide and above all to sustain the existing schools, post office and other important local services over the next 15 years. This restrictive

approach has failed in the last plan period to meet the overall housing needs of Herefordshire. In agreeing to save some of the policies of the UDP the Secretary of State made it clear that he would not necessarily accept the same regulatory approach in considering future Local Plans. It is an approach that makes any urgently needed changes cumbersome.

The adoption of a red line approach fetters the local communities' discretion and flexibility in meeting future community needs. The NPPF directs that Plans should have sufficient flexibility to adapt to rapid change as well as to take into account market signals, such as land prices, and housing affordability.

## **The main areas of concern in respect to KNDP are:**

### **1. Declarations of Interest**

I have serious concerns in respect of the KNDP as declarations of interest do not appear to have been included as agenda items on any Agenda until 20 June 2016 – when the first meeting of KNDP steering group took place on 17 February 2014.

**In the interests of transparency, it should surely be a requirement that an agenda item for 'Declarations of Interest' should be on each Agenda and the steering group and/or parish councillors given the opportunity to declare interests at every meeting. I believe this omission is unacceptable and a fundamental omission that undermines the whole process of the Kingsland Neighbourhood Development Plan KNDP).**

**One particular concern is that declarations of interest were not on the Agenda or recorded at the open meeting on 4 April 2016 when the group were ascertaining the likelihood of identified plots within the three settlement boundaries coming forward.**

**As a result of this, I believe that it is now important that a call for sites should be made so that all landowners who have put forward sites during the KNDP process or wish to put forward sites can do so and that these sites can then be considered by the community so that the parish residents can say where they want future housing to be located in the village.**

I understand the terms of reference for the steering group had been circulated during a meeting on 17 February 2014 and that in the Steering Group Terms of Reference, under 'Roles' it states that '*It is expected that all Steering Group members abide by the principles and practice of the Parish Council Code of Conduct including declarations of interest.*'

It should also be noted that many members of KNDP steering group are also parish councillors – some of whom have special responsibilities who will be aware of the regulations and responsibilities in respect of declarations of interest.

It appears that the Terms of Reference for Principles and Practice of the Code of Conduct of the steering group and declarations of interest were emphasised during a meeting held on 31 May 2016. It would appear from this, that it is possible that the correct procedures regarding declarations of interest may not have been followed for the majority of the KNDP steering group meetings.

## 2. Detailed and accurate plans

As I and many others pointed out in the previous Regulation 14 and the first Regulation 16 consultation processes, insufficient information has been available in plan format as part of the consultation process.

Having attended the KNDP steering group meetings in 2016, I am aware of information and documents discussed at these meetings. For example, KNDP produced a document called **'Meeting Future Housing Requirements in the Parish'**. This document discusses sites where the steering group believe housing can be delivered within the settlement boundary. As far as I am aware, it is only available in the evidence base on the Kingsland Life website (the community website). However, I think it is difficult to find on this website and, as far as I can see, it is not referenced in the Draft Kingsland Neighbourhood Development Plan. So, unless you were at that particular meeting, residents may not know that this document exists. (Having attended meetings in 2016, I believe my husband and I have been the only two members of the public who have been in attendance.)

In a letter from Mr Gabb (Programme Director Growth) dated 18 May 2016, he stated in his letter: *'The 'Meeting Future Housing Requirements' report will need to be made available so the wider local community and those making representations can view it along with a resubmitted plan. This is forming evidence base for your plan and should be publicly available for comment during the submission period.'*

Below is Herefordshire Council's Neighbourhood Planning Website where the KNDP is available online:

### Regulation 16 plan re-submission stage

Kingsland Parish Council re-submitted their Neighbourhood Development Plan to Herefordshire Council on 6 July 2016.

These are the plans and accompanying reports.

The plans can also be viewed at Hereford Customer Service Centre, Hereford Library, Leominster Customer Service Centre and Blueschool House.

The consultation runs from 11 July 2016 to 22 August 2016.

To make representations or comments on this plan you may do so by:

- [Online comment form](#)
- Email to [neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)
- Post to Neighbourhood Planning Team, Planning Services, PO Box 230, Hereford HR1 2ZB

Please note: Any representations may include a request to be notified of the local planning authority's decision under regulation 19 in relation to this Neighbourhood Development Plan.

- [Neighbourhood Development Plan submission version July 2016 - 3.31MB \(PDF\)](#)
- [Kingsland parish policies map - 2.05MB \(PDF\)](#)
- [Kingsland village policies map - 1.77MB \(PDF\)](#)
- [Shirlheath village policies map - 547KB \(PDF\)](#)
- [Cobnash policies map - 731KB \(PDF\)](#)
- [Environmental report July 2016 - 11.46MB \(PDF\)](#)
- [Habitats regulations assessment addendum July 2016 - 433KB \(PDF\)](#)
- [Consultation statement - 6.44MB \(PDF\)](#)
- [Basic conditions statement - 1.53MB \(PDF\)](#)
- [Regulation 16 consultation site notice - 41KB \(PDF\)](#)

I think the fact that 'Meeting Future Housing Requirements' report has not been placed alongside the KNDP on the Council's website is fundamentally wrong and undermines the whole process of KNDP. I believe the document should have been placed with KNDP on the Council's website and at Herefordshire Council's Customer Service Centres so that the wider community making representations could read it in conjunction with KNDP.

There is no mention of the 'Meeting Future Housing Requirements or any links to show that this document exists for residents to look at. The web page specifically states *'These are the plans and accompanying reports.'* There is no reference that states residents should go on to the Kingsland Life website and look for further documentation. Therefore, residents may be unaware

that the 'sketches' provided in that particular document are in existence. Mr Gabb specifically stated that the wider community should be able to view it along with the resubmitted plan.

The Council's website states where plans can be viewed at Herefordshire Council buildings – when I telephoned to see if the service centres had hard copies I was told no, but they would be available online (documents would be the same as when accessed at home), or they could try and order the actual file from Modern Records. I am sure how people who are unfamiliar with computers would manage.

Listed below are some of the questions I raised in consultation responses to the Draft KNDP Reg 14 and the first Reg 16. Some will have been partially dealt with in the 'Meeting Future Housing Requirements report, but I do not believe this document is on the Council's website for people to refer to. Although I am aware of the proposed plots for housing, many people I have spoken to in the village have no idea where the proposed housing is to be located – so for a lot of the residents some of these questions may still apply.

1. KNP may have discussed sites which they believe are suitable, but they may have constraints that they are unaware of. In addition, these sites may also have impacts on neighbouring properties. The residents from these properties may inadvertently support the KNP, only to find out at a later stage that it affects them in a detrimental manner. This information needs to be made public NOW before the plan goes any further.
2. *'This walk looked at the centre section of Kingsland village in and around the settlement boundary including some of the SHLAA sites. **Where specifically?***
3. *The walk discussed some sites, sufficiently close to the church and school, which may possibly accommodate a new pre-school building. These various sites were adjacent to, but not within, the settlement boundary. **Where specifically?***
4. *Some sites with potential for new dwellings, within the settlement boundary, were also observed. **Where specifically?***
5. *Sites with potential for additional car parking, within and adjacent to the settlement boundary were also discussed. **Where specifically?***
6. *Possible spaces for an older children's playground were considered in various locations. **Where specifically?***
7. *It was recognised that all sites discussed and those not seen would be dependent upon owners coming forward with land to offer. **Where specifically?** If sites are not available they should be discounted.*
  - Why haven't ALL the sites mentioned above been identified on a plan for Kingsland residents to consider at this stage in the consultation process?
  - *'All sites had advantages and disadvantages in terms of impact upon surrounding residents and conservation area status. Subsequently other sites within the settlement boundary with potential for additional dwellings have been discussed making it evident that there is sufficient room for growth in line with the redrawn settlement boundary.'* **Where specifically?**
  - *'The village walks undertaken by the KNP Steering Group were specifically intended to make sure that the land enclosed in the redrawn settlement boundary was capable of accepting the housing development required and needed by 2031. The resulting Walks Report show that this is feasible.'* **Where specifically?**
  - Where is the evidence to support KNP's walkers in determining that there is sufficient capacity within the settlement boundary to provide the housing required
  - The one thing residents will want to know is *'what new housing sites will be put forward and how will they affect me'* The KNP does not answer this very important question. The walks do not appear to have achieved or moved the KNP any further forward as it is not known whether any of the land visited/discussed is available.

#### **People making representations need clear plans showing:**

- Location of proposed dwellings
- Location of possible community buildings
- Location of possible village parking

- Location of play area
- Location of grade 2 and 3 agricultural land steering group intend protecting
- Location of other 'protected areas'
- It also appears that a wildlife corridor has now been introduced into the revised KNDP – the exact location of this needs to be made public so the affected landowners have an opportunity to seek legal advice and respond. The only information available on this wildlife corridor is a sketch. I do not know why this wildlife corridor has been introduced since the last Reg 16 consultation took place and seek some clarification.

As stated above, some of the questions have been discussed in the 'Meeting Future Housing Requirements' report, however, as the sites have not been assessed by Herefordshire Council's conservation officer, it is now known whether these sites are acceptable in respect of heritage assets. It also appears that some sites included also have access implications.

### **3. Is the housing option chosen by KNDP steering group in conflict with residents' preferred option.**

It appears that the survey was marginal as to whether housing should be within or outside the existing settlement boundary with 52% voting to retain the existing settlement boundary.

However, it is important to note that, according to the survey, when asked if more homes were to be built in the parish would you like them to be built . . . in new areas outside the current settlement boundary/building envelope but still WITHIN the village boundary? – 48% said yes but only **24% said no.**

It appears that according to the June 14 Consultation Options Choices 5.11.14:

Of the total number of community votes and businesses and groups –

33 wanted to retain the current settlement boundary;

34 wanted to widen the middle of boundary/extend boundary edges/widen middle and extend edges and

67 wanted to redraw the boundary to protect open/special spaces

Therefore, it appears that more people wanted to extend the settlement boundary than retain the existing one. Please refer to Appendix 2a and 2b for KNDP documentation.

Nobody wants to see large scale housing developments in rural villages and Kingsland is no different. However, most people accept that some small scale housing development is required for the village to retain its vitality and sustain local businesses such as the post office and shop, pubs, garage, etc and the different facilities, clubs and social events which the residents currently enjoy in the village.

This is why I believe it is necessary for call for sites is made to ALL landowners in the parish so that ALL residents can then choose where they believe housing would be more appropriate and beneficial to the community when taking into account heritage assets, transport issues and location to all village facilities.

The settlement boundary is drawn so tightly around the centre of the village (and all within the conservation area) that I believe developing this area further will destroy the rural characteristics of the village core itself and be of significant detriment to the character of the conservation area and listed buildings by depleting any valuable green breaks in between dwellings which will give the village an urban feel. Concentrating housing within the existing very tightly drawn settlement boundary will exacerbate traffic and parking problems in the main village centre and will change the very nature of the historic village centre.

#### **4. KNDP proposed housing site rationale appears to be in conflict with KNDP Policies relating to heritage assets**

It is difficult to see how KNDP can go forward to examination, referendum and adoption when its evidence for locating housing does not appear to meet the very policies it is promoting as part of KNDP.

#### **Is the main street of Kingsland not worthy of protecting its historic character?**

Extract from KNDP

***‘Objective One: Ensure the visual effect of all development preserves and enhances the traditional character of the parish and protects our landscape and historic environment.’***

Page 8:

*‘This plan is designed to support, develop and protect this community, its special character and its surround.’*

Page 11

*‘There is a danger that the character, rural nature and heritage of the village and wider parish could be irrevocably changed if housing and development is not sympathetically incorporated, either physically, ecologically or socially.’*

Pg 13

*‘This plan seeks to build on this heritage asset and to maintain the setting and surroundings which provide a much valued leisure and tourist facility for the wider community, whilst allowing for the necessary housing that has been identified.’*

I believe Kingsland is a large village which can accommodate several small housing schemes on small pockets of land outside the settlement boundary.

An internationally renowned conservation consultant stated in respect of the Kingsleane development – although I think it is true of several similar places in Kingsland: *‘It is sites such as these which will allow the demand for additional housing to be met without overdeveloping the truly significant historic core of the village which is an irreplaceable and fragile entity easily damaged by over development of spaces comprising the setting of ancient buildings. One only has to walk through the village centre and experience the unfolding sequence of progression and recession of houses and former agricultural buildings, some medieval, some Georgian and some later to understand that this composition deserves protection through the planning process as a heritage asset of great significance.’*

This appears to be a view shared by the majority of residents in the parish. According to page 11 of KNDP: *‘However, there is a dilemma here, as most people would also like to see a halt to the gradual infilling of the main street where the gardens and hedges add to the traditional rural feel.’*

It should also be noted that Herefordshire Council’s conservation officer does not appear to have provided any conservation responses to KNDP’s proposal.

#### **Policies that KNDP appears to be in conflict with**

Policy KNDP1 – Promoting a sustainable community

- (a) *‘The highest priority will be given to maintaining and enhancing the rural character and local distinctiveness within the parish. This includes the settings and amenity within its settlement, particularly in relation to the preservation of the Kingsland Conservation Area and its associated character, landscape and views.’*

*‘Development proposals must comply with the policies in this Neighbourhood Plan.’*



#### KNDP 4: Retaining the Rural Character of Kingsland Parish

*'To ensure development contributes positively to the area's rural character proposals should:*

- a) Not adversely affect landscape character and, where appropriate, include measures to conserve, restore or enhance this character.*
- d) Retain important natural assets of the parish such as orchards and hedgerows*
- f) Retain the character and setting of historic and traditional rural buildings, the historic landscape and archaeological sites.'*

#### KNDP 5: Protecting Kingsland's Heritage Assets

*'In order to ensure that heritage assets and their settings, including those which have not yet been identified, are not destroyed or disturbed, development proposals are required to ensure that the Parish's historic character and local distinctiveness shall be conserved or enhanced by:*

- a) Retaining its historic landscape character.*
- b) Opposing developments that adversely affect important buildings, archaeological sites and other heritage assets within the parish, including their settings.*
- c) Retaining the character of traditional rural buildings, in particular farmsteads.'*

#### KNDP 6: Retaining the Character of the Conservation Area and Kingsland Village

*'Proposals to enhance the landscape setting, character and local distinctiveness of Kingsland village will be supported, especially those that address the detailed conservation and environmental requirements set out below.*

*Development proposals will only be permitted where they:*

- i) Conserve or enhance the character and appearance of Kingsland Conservation Area*
- ii) Do not adversely affect the setting of important buildings and other heritage assets within the village.*
- iii) Meet the detailed conservation and environmental criteria established for the Conservation Area as set out below.'*

*'The following conservation and environmental criteria set out below should be complied with in order to conserve or enhance Kingsland Conservation Area*

- 1. Proposals for development should preserve important settings where they relate to the character and appearance within, into and from the conservation area. These should remain protected from inappropriate forms of development. Key settings and characteristics include:*
  - c. Long distance views of St Michael's and All Angels Church particularly from the east and south. (WRITER'S NOTE: I think the views of the Church are also important from the North – but this is not mentioned in the plan)*
  - e. The sense of enclosure within the village historic core formed principally around the staggered crossroads at the Corners Inn with its concentration of listed buildings, extending south east to Fairfield Cottage, north east to Myrtle Cottage, north-west to Lilac Cottage and south west to Kingsland House (the Old Rectory)'*
- 2. New development should contribute positively to the village and Conservation Area:*
  - b) Developers should demonstrate how their layout reflects village character, in particular the relationship with the village street and its associated spaces. The height, size, massing and scale of buildings and plot width and form should respect those surrounding the development.' (WRITER'S NOTE: I also think there is no robust evidence or conservation officer assessment available to show KNDP can locate all the housing growth in the settlement boundary without causing detriment to the heritage assets consisting of the conservation area, listed buildings and their settings.)*
- 3. 'Trees and hedgerows should be an integral part of any new development as essential components of the rural character of Kingsland Village as well as Shirlheath and Cobnash:*
  - e) Hedgerows that support the historic pattern of the village setting and development should not be removed.*

- f) *The retention of small or remnant hedgerows that currently remain within the village and have been used to mark building frontages is considered highly important. Further provision of native hedgerows will be encouraged wherever possible.'*

**KNDP 8: Highways and Transport Infrastructure**

- e. *'They do not lead to a significant increase in the volume of traffic travelling through the villages, at major junctions within the parish and on roads that do not have sufficient capacity.'*

I believe the residents have made it perfectly clear in surveys, open consultation days and even at Parish Council meetings that they have major concerns with traffic issues in the main street in the village. This is the very location that KNDP proposes to locate its proposed housing growth right in the main street of the village.

**KNDP 14: New Homes in Kingsland Village**

*'To meet housing needs within Kingsland village, provision will be made solely within the defined settlement boundary as shown on the Kingsland Village Inset Map, and in accordance with the following specific criteria:*

- a) *Development shall complement and where possible enhance the village character and comply with the conservation requirements for Kingsland Conservation Area, its Listed Buildings and other heritage assets and their settings, and be in accordance with Policy KNDP 6.'*

The whole of the settlement boundary is within the conservation area which is where KNDP want to locate the proposed housing growth. My opinion is that this plan will completely change the historic core of the village which I think is completely at odds with the original conservation area designation and the very policies contained within the KNDP. The original conservation document states: *'This is a most sensitive part of the boundary as the settlement of the main village street becomes more broken – and therefore open to 'infill, some infill has been allowed – but not as yet to the detriment of the continuing village – associated landscape of the area: the small plots, and particularly the plot of woodland to the north of Holgate Farm, are therefore included in the proposed boundary to give increased protection to this part of the village.'*

**Further Extract from the Introduction within the Draft Proposed Kingsland Conservation Area**

*'... The village itself is largely aligned along the B4360 in a north-west/south-east orientation and is a distinctly linear settlement with a major exception of that part of it situated on the A4110 in West Town.'*

**Extract from the present form of the village within the Draft Proposed Kingsland Conservation Area**

*'Because of its linear shape, Kingsland rarely offers any settlement in depth: it seems to have developed as a mixed community of farms and houses for about one mile along the orientation of the main B4360 route through it. The exceptions to this are the cul-de-sac lane to the Church and the crossroads about 300 yards to the north-west of the Church, the south-western side of this leading, with a break in development, to West Town about ¼ mile away. However, considerable stretches of the main route, and most of the crossroads junction to the north-east are made up of post-war and inter-war development – as is a development along a cul-de-sac on the north-east side of the road opposite the lane to the Church.'*

Refer to Appendix 1 for the following documents:

- a) The DRAFT Proposed Conservation Area Designation 1975 text and plan.  
b) Draft Conservation Area Designation Analysis 1975 – this is my own interpretation of the document – others may have a different interpretation of it  
c) Draft Conservation Area Designation Analysis Boundaries 1975 – again, this is my own interpretation of the document – others may have a different interpretation of it.

- d) The full text of the Conservation Consultants overview in respect of Kingsleane – which I believe is an important consideration and is also applicable to other possible development sites in Kingsland.
- e) Historic England Listed Buildings Map

In the original Draft Proposed Conservation Area Designation document setting out the conservation area in 1975, and in the Herefordshire UDP, areas in the centre of the village were deemed to be significant in character with the open spaces relating to the surrounding buildings shown as ‘protected open spaces’. However, it appears that some of these are the very areas where the proposed housing sites are located. These areas were protected in the UDP but subsequently disappeared off the plan when the Core Strategy came into force. I believe these important areas should be reinstated in KNDP to protect this historic area of the village.

I was of the opinion that any sites put forward for housing are required to be available and deliverable. Due to the conservation area and the close proximity of the identified sites to the large number of listed buildings in the core of the village, it is difficult to know if these sites will be deliverable as I cannot see any reference to the sites having been assessed by Herefordshire Council’s conservation officer as advised to do so by Herefordshire Council after the initial Reg 16 consultation. Therefore, I do not believe that the evidence that KNDP can locate all proposed housing growth within the settlement boundary, which includes the identified sites, is robust. Kingsland has already had experience of a site put forward for housing in previous local plans which has only recently started construction for a reduced number of dwellings. Kingsland certainly does not want a repeat of this.

I do not believe there has been a robust assessment of heritage assets in relation to the identified housing sites. It appears that KNDP have, instead, quoted planning officer comments from other applications in the village which may not apply for these identified sites. For example, a planning application was approved for housing within the conservation area, however, when a further application was submitted for another dwelling adjoining the site I understand it was refused on heritage grounds and the proximity of the site to a listed building. Therefore, I believe it is wrong to assume that just because Herefordshire Council has approved a particular application that it would do the same for adjacent sites, as each individual application is considered on its own merit which will, surely, take into account the cumulative effect of development within the conservation area and its effect on listed buildings and their settings.

Herefordshire Council’s Appendix 1 NDP – conformity assessment regarding the first Regulation 16 consultation:

*‘Other comments/conformity issues:*

*There is a strong heritage/conservation element to this Plan and the views from Archaeology and Conservation should also be sought.’*

I have been unable to find any evidence to suggest that these views have been sought as there do not appear to be any conservation officer comments available to view online.

## **5. Affordable housing**

KNDP suggests that it has already met the current demand for affordable housing through existing commitments and that any other requirements can be met through the rural exceptions policy.

However, according to the letters of support for the planning application at Kingsleane (143252), it appears that residents of Kingsland want to see more affordable housing and smaller open market housing. Refer to page 11. By amending the settlement boundary slightly in several areas of the village this will help to provide an *inclusive* mix of house types suitable for both open market and

affordable housing, whereas developing the identified plots is unlikely to achieve an inclusive mix of open market/affordable housing types.

I believe KNDP should positively promote inclusive sites for a mix of all house types.

## **6. Financial contribution from developers**

54% of residents were in favour of Section 106 funds to use for village projects. However, as KNDP proposes that new housing is located on small plots in the main street in the village (within the settlement boundary and conservation area), this is unlikely to attract any financial contributions from developers.

In contrast, however, other schemes put forward during the KNDP process which are just outside the settlement boundary but within the village boundary - including the Kingsleane site – are likely to result in benefits for the whole village including the play area, new footpath, etc. These are benefits that the residents have highlighted during the consultation open days and surveys as being important where new development is proposed and would also be beneficial to the community as a whole.

As stated above 54% of residents do want development that attracts developer contributions.

## **7. The removal of the Kingsleane housing site from plan without consultation with residents**

It is disappointing that the large number of residents' support given to the 'commitment site' shown in the previous Draft KNDP Reg 16 consultation process, namely Kingsleane, does not appear to have been taken into consideration when the identification of possible sites was being considered by KNDP steering group members during the revised KNDP process. It is also disappointing that there does not appear to be any justification why KNDP did not take this support and the comments in the petition into consideration when only one consultation response asked for the site's removal from the plan. Excluding that one letter requesting the site's removal from KNDP, the other letters supporting KNDP did not ask for the site to be removed.

During the draft KNDP consultation process a petition in excess of 90 signatures asked for the Kingsleane site to be retained in KNDP as an allocated site. The Kingsleane planning application attracted in excess of 80 letters of support, and two petitions of support - one with 85 signatures, and another with 31 signatures, with only 6 letters of objection. On what basis was the Kingsleane site removed from KNDP and when was this decided? At what open meeting was the decision to remove the Kingsleane site from the plan decided? I cannot see any discussion relating to this in the Minutes.

KNDP are proposing to put all new housing in the very heart of the village where I believe the DRAFT Proposed Conservation Area Designation document states is a sensitive area.

I think changing KNDP by removing the Kingsleane scheme from the plan is significant, not only in view of the overwhelming resident support it had, but also due to the additional requirement to locate even more housing in the most sensitive and historic part of the village and believe it should result in a call for sites for housing. I strongly believe residents should have been informed that KNDP were intending removing this site from the plan prior to the resubmission of Regulation 16.

Kingsland Consultation Statement 2016 C29 (8) states that *'The site lies outside the settlement boundary and not adjacent to it. An extended boundary to encompass this would incorporate other*

*significant areas of land which would considerably exceed the housing requirement and also be beyond the means of the WwTWs'.*

I do not believe this to be the case. The boundary could quite simply extend from Birch Walk Avenue to include the existing and proposed Kingsleane. This 'toe' is no different to the 'toe' at Boarsfield. Please refer to the hatched black line I have added to the plan below as an example of how this will not affect any other land.



The hatched line shows how the settlement boundary could be amended to include both the original Kingsleane and the proposed Kingsleane without affecting any other land. Extending the settlement boundary in this way would still protect any views to and from the Church.

By increasing the settlement boundary in a sensible and considerate manner such as this in several other areas in the village will allow the core of the village to retain its rural character whilst still allowing flexibility for much needed growth to sustain a vibrant community.

## **8. KNDP's urgency in wanting to proceed to adoption**

Another concern is the apparent keenness to 'rush through' the KNDP process. The Plan will be in force until 2031 and is an extremely important document. It must be robust. It is more important to get the plan right as it will affect the whole community for many years to come.

The following are some examples:

Item 6 of Minutes of KNP Steering Group Meeting on 3 March 2014

*'Kingsland is exposed to potentially inappropriate development when the settlement boundary is removed and before the neighbourhood plan is in place therefore **it is important to expedite the process.** This is a large undertaking therefore **need to identify which processes are essential and where corners can be cut.** We can refer to other neighbourhood plans for guidance.'*

Item 10 of Minutes of KNP Steering Group 7 April, 2014

*'Much discussion regarding settlement boundary. Core Strategy not likely to be ratified until late 2014. Kingsland still at risk of ad hoc planning applications being approved before the neighbourhood plan is adopted and a proper planning strategy for Kingsland in place. **Therefore a need for speed in this process agreed.***

Appendix 2 of Kingsland Consultation Statement 2016 a Letter to Shirlheath Residents seeking volunteers to join the Steering Group and help with NDP Events:

*'The designated figure is 14% of current numbers which means an additional 7 (on the basis that Herefordshire Council has assessed there to be 50 dwellings in Shirlheath at the moment). However, there is also an issue arising at the moment in that, because Herefordshire has not yet adopted the Core Strategy, until we have the Neighbourhood Plan in place settlements like Kingsland and Shirlheath are open to speculative planning applications by developers. **Speed is therefore of the essence.**'*

Item 5 of Minutes of the meeting held on 9 May 2016

*'Agree any further action towards resubmission for Reg 16 and/or examination*

*A letter was proposed and agreed asking HC if they will **move directly to examination** in the light of the evidence that the predicted housing growth in Kingsland is broadly accurate. The addition of the water issues to the letter was discussed but generally felt to be clouding a simple point. The water issues need to be followed up separately.*

## **9. Was KNDP revision undertaken prior to the steering group considering the Regulation 16 consultation responses**

Item 5 of the minutes of the KNDP meeting of 4 April 2016 state:

*'We need to find out which sites within the three settlement boundaries are likely to come forward. It is understood that a relatively informal question process to ascertain intent verbally from each plot holder is sufficient evidence. (subsequently reconfirmed by HC)*

*There was discussion regarding various methods of doing this, some more formal than others. It would not be a commitment on the landowners' part, purely an intention. This information would then help prove the credibility of the KNDP point that sufficient dwellings will be built.*

*Eventual release of data regarding identified plots is to be discussed with HC regarding freedom of information as well as data protection for individuals.*

*The wording to use when approaching landowners was agreed as follows:*

- *HC needs to demonstrate that a certain number of houses will come forward within the KNDP settlement boundaries up to 2031*
- ***Details will be kept from public documents but may be shared on a need to know basis** (my emphasis)*
- *Q1 Is it likely that the land (identified) will be made available for residential development within the next 15 years?*
- *Q2. Do you know of any constraints that would prevent this delivery?*

*The plots were then divided among the steering group members for approaching relevant landowners.'*

Item 7 of the same meeting – AOB communications from the community:

*'A community observer asked 'Has the committee considered the Reg 16 representations?' This, it was explained, is a matter for Herefordshire Council to action, although Steering Group members have read them. All responses to reg 16 representations are to be made or directed by Herefordshire Council.'*

It would appear, therefore, that the views of all the residents who took the time to make representations at Reg 16 may not have been taken into account when revisiting KNDP or when identifying possible sites. The minutes state that steering group members had read the representations but it appears that the steering group may have continued placing all housing in the existing settlement boundary without considering any of the consultation responses – hence it

seems that responding to the consultation responses in the consultation statement may have been done AFTER the steering group had agreed the revised plan. It would be a shame if the group did not consider the responses before identifying the sites within the settlement boundary as the responses could have informed the group as to where residents preferred to see new housing in the village. Letters of objection at Reg 16 related to the fact that the settlement boundary was too restrictive.

## **10. List of farmsteads**

At a meeting on 9 May 2016 the steering group was advised to consider the list of farmsteads in the housing growth forecast in relation to potential windfalls outside the settlement boundaries.

At a meeting on 31 May 2016 a further request for information was made to ensure the list of farmsteads was complete and accurate.

At a meeting on 20 June 2016 information regarding the accuracy of the farmsteads list on the housing assessments document was asked for once more and a final list was agreed in the meeting. It was understood that the information is as accurate as can be ascertained at this time and could change in the future.

I do not understand how this can be considered an accurate assessment as the farmsteads concerned were not visited to ascertain if buildings were capable of conversion or whether they had already been converted or whether they were actually sustainable, available and deliverable. I do not believe this is a robust assessment of farmsteads in the parish.

## **11. Inaccurate Information**

On Kingsland Policies Map, the field to the west of Kingsleane is designated as a '*local wildlife site – site of importance for nature conservation*'. The steering group and Herefordshire Council's ecologist and planning department are well aware that this site should no longer be considered as a local wildlife site. I believe this should be removed from the map in KNDP as the site should no longer be classed as a local wildlife site as it was cultivated and reseeded approximately four years ago, therefore, the map is inaccurate.

The red outline also includes the original Kingsleane development which was built in 1993. If KNDP is to be adopted, and planning applications will need to accord with it, then the information contained within it should be accurate and up-to-date.

## **The following are questions I asked during the Regulation 14 & 16 Consultations which I believe have not been answered**

- If the identification of sites was '*based upon criteria*'. What specific criteria did KNP apply to each site visited and/or considered in coming to their conclusion?

*According to the written comments made during the community consultation events for the Parish and Neighbourhood Plans and for the survey, residents, although supporting more housing, do not want inappropriate, large developments built on the edges of the village. They want to keep the settlement boundary largely where it is to prevent sprawl and to protect separation between different areas such as West Town and Kingsland village. However, there is a dilemma here, as most people would also like to see a halt to the gradual infilling of the main street where the gardens and hedges add to the traditional rural feel. This plan is based upon a finely balanced reflection of those needs and preferences.'*



- Why specifically is there a need to protect a separation between West Town and Kingsland village when West Town is within the Kingsland village boundary?
- Where is the evidence to support 'protecting this separation' as it appears to conflict with the large number of supportive letters for the recent planning application at Kingsleane which was granted planning approval with only two letters of objection from residents. In addition, a petition in respect of KNP has in excess of 90 signatures stating that they did not agree with the statement that there needs to be a separation between West Town and Kingsland village and do not consider West Town to be a separate area of the village such as Cobnash and Shirlheath but consider it part of the village. Unlike Cobnash and Shirlheath, it is situated within Kingsland village boundary. *(Please note that the permission was quashed in February 2016)*

According to Schedule 1: Community Representations and Responses: *'To include the exception site (referring to Kingsleane) would potentially affect the availability of affordable housing for the village in that the requirement for it to remain affordable 'in perpetuity' could be more easily challenged.'*

I do not believe this to be the case as the planning permission stipulates 'in perpetuity' and the land was sold on the condition that the affordable housing would be 'in perpetuity'. Whether these houses are within or outside the settlement boundary would not affect this status. These dwellings form part of the existing built form and to not include them within the settlement boundary is discriminating against this type of housing whereas the village should be one inclusive community regardless of housing type.

***'Walk through Kingsland Village to look at valued Green Spaces and Street Scenes***

*It was agreed that the area in front of Kingsleane had matured into an attractive green space in the village. The walk across public footpaths towards West Town Court highlighted the need for more footways (pavements) so that residents from West Town Court can reach the village safely and easily without recourse to a car. It also identified a clear, traditional separation by farmland, between the main village and West Town Court. This is a favourite area, enjoyed by walkers and their dogs*

Is this a favourite area enjoyed by walkers and their dogs?

This public footpath leads onto the extremely busy A4110 with a high volume of HGVs and there is no pavement until nearer the village junction. It is not always possible for two lorries or tractors to pass each other near the Arbour Corner junction without going on the footpath, so it is not common to see people walking down the A4110 from the end of the public footpath and back towards the village.

- Was this the 'opinions' of the residents of Kingsland or just the few who took part in the walk?

## Conclusion:

To conclude, I believe that concentrating development within the existing settlement boundary will exacerbate congestion through the village. Roadside parking in the village centre is already a problem both in working hours and in the evening. These problems have been highlighted in KNDP as a major concern amongst Kingsland residents. Kingsland needs to grow steadily to maintain its sustainability and this can be achieved by allowing small scale housing development surrounding the settlement boundary, but not necessarily within it.

The Core Strategy housing land figure is a minimum figure and not a maximum target figure.

Herefordshire Council is unable to demonstrate a five year housing land supply and has been unable to do so for a long time – subsequently it needs to add a further 20% buffer in its housing land supply calculations. Herefordshire Council is required to carefully monitor these figures annually and implement changes if necessary. I do not believe there is any mention or provision for this in the KNDP.

This plan is going to be used in determining planning applications until 2031, therefore it is a very IMPORTANT document and it is equally important that the residents of Kingsland are fully aware of ALL the facts so that they can make informed decisions as to whether to support the plan or object to the plan.

It is extremely important that KNDP is not rushed through the system, and that it is adequately assessed by Herefordshire Council to ensure that the correct decisions are taken now to achieve the best for our community. If this means a delay so that the proposed plots can be properly assessed by Herefordshire Council's conservation officers to ensure that those plots proposed in KNDP are not detrimental to the fragility of the heritage assets (conservation area and listed buildings) in the main street in the village, then this would be more worthwhile and beneficial to the village than having a plan which is not fit for purpose. The Core Strategy is reliant on neighbourhood plans in bringing forward rural housing and rural economic growth, therefore, KNDP will be of no use to anyone if these identified plots are subsequently refused planning permission on conservation grounds. Unfortunately, the plan appears more restrictive than the outdated Herefordshire UDP and that failed to meet Herefordshire Council's housing land supply figures.

If residents are unaware of the document 'Meeting Future Housing Requirements' how can residents be confident that the required growth can take place within the proposed settlement boundary and that there is sufficient flexibility to meet any growing need during the plan period.

In a letter dated 18<sup>th</sup> May from Mr Richard Gabb he states: *'The October 2015 plan text needs to be amended to reflect the study and its findings to provide robust justification for the plan's continuing policy position and to address the major objections which were received at the Reg 16 stage.'*

I do not think KNDP have addressed the major objections.

Whilst I appreciate that the steering group members have undertaken a considerable amount of work in researching and producing the KNDP and should be commended for it, unfortunately I do think that certain procedures are fundamentally flawed.

# Appendix 1

- a) The DRAFT Proposed Conservation Area Designation 1975 text and plan.
- b) Draft Conservation Area Designation Analysis 1975 –  
*this is my own interpretation of the document – others may have a different interpretation of it*
- c) Draft Conservation Area Designation Analysis Boundaries 1975 –  
*this is my own interpretation of the document – others may have a different interpretation of it*
- d) The full text of the Conservation Consultants overview in respect of Kingsleane
- e) Historic England Listed Buildings - Kingsland

PROPOSED  
KINGSLAND CONSERVATION AREA

Introduction:

Situated about four miles to the north-west of Leominster, between the A44 to Pembridge and Kington and the A4110 to Wigmore and Knighton, Kingsland is one of Leominster District's larger villages. Its actual site is also one of the flattest in the District - most of it being along a very slight ridge between the River Lugg and its tributary, the Pinsley Brook. The land to the north and west of the village rises quite substantially into a quite distinct upland zone, whilst that to the south and east is more gently rolling in character. The village itself is largely aligned along the B4360 in a north-west/south-east orientation, and is a distinctly linear settlement with a major exception of that part of it situated on the A4110 in West Town.

The present form of the village

Because of its linear shape, Kingsland rarely offers any settlement in depth: it seems to have developed as a mixed community of farms and houses for about one mile along the orientation of the main B4360 route through it. The exceptions to this are the cul-de-sac lane to the Church and the crossroads about 300 yards to the north-west of the Church, the south-western side of this leading, with a break in development, to West Town about  $\frac{1}{4}$  mile away. However, considerable stretches of the main route, and most of the crossroads junction to the north-east are made up of post-war and inter-war development - as is a development along a cul-de-sac on the north-east side of the road opposite the lane to the Church.

Despite this considerable proportion of the village made up of more recent development, Kingsland also has a large number of old and, often, listed buildings. There is however no particularly marked concentration of these buildings - which might point to the old core of Kingsland. The Motte and Bailey Castle, with its surrounding earthworks, immediately to the west of the Church, does however tend to confirm the original siting of Kingsland: the cul-de-sac crossroads, to the north of the Church, and the cluster of historic buildings around it would appear to fall within what remains of an old village enclosure - it extends north-north-east from each side of the castle site area between the Church and the main crossroads in the village. With the siting of a public house, the Post Office and the main village store, formerly with its own bakery, in this part of the village, it seems reasonable to assume this to be its old core. The public house at the main crossroads (The Corners Inn) and the general aspect of the architecture in this part of the village tend to draw the eye to this point as the most urban part of the village however. It is possible to conclude therefore, that the roads bounding the castle site on three sides (west, north and east), along with the fine dominating Church building, form the centre of Kingsland, from which the conservation area must work outwards.

The actual street scenes in Kingsland are very varied - often depending on how much the trees and hedgelines have been removed when new development has been initiated.

The main road through Kingsland is the best example of this: starting at the south-eastern end of the village, where the road bends into a long straight



stretch through the village, the development is mature: there is a definite feel of entering the village while passing The Elms, an unfortunately empty farmstead, the cottage which used to be The Lion Inn, the Shrublands complex of buildings and the cottages scattered nearby. In the road improvements on the bend however, is an example of how minor eyesores can multiply in Kingsland to detract from its overall character: where the kerbstones have been built up blocking the former entrance to the Shrublands in an ugly manner, both the road and the entrance have been left looking somewhat unfinished and untidy.

The nature of the village remains broken as the road travels north-west, with most development being on the north-east side of the road. Most of the existing buildings are fine local examples set at varying distances from the road - and of varied styles and sizes - from the stone Holgates complex to the small cottages, close to the road front, though some of the latter have been modernised in an unfortunate manner. However, before the fine St. Mary's Farm complex is reached there are several cases of infill - including new bungalows, but despite the fact that they rarely reflect local character, at this end of the village, they are not too conspicuous in that they are built behind existing hedgelines and settle into the landscape. As the Church begins to loom larger on the south-west side of the road a high hedge conceals a house on the north-east side of the road, and, the first enclosed section of the village is passed through; mainly it is of brick or brick and render. Whilst the nature of any future development is a sensitive issue throughout Kingsland, nowhere is it more important than in this part of the village: some inter-war development here just about fits into the street scene (though a development behind that existing on the north-east side of the road is very suburban in character) but should the former orchard plot immediately north of the Church ever be developed, this could very easily cause quite severe visual damage to the village. Improvement to this and other parts of the village - especially on the main road - could be made if it proved possible to resite the transformers-on-poles found on fairly open sites in several places: wirescape is generally a difficulty in the visual amenities of Kingsland - rather more than most Leominster District villages, in fact, and any improvement by the statutory undertakings should be welcomed.

Where the road passes through what has been described as the core area of the village, there is a complete sense of enclosure for around 600 yards. In the first stretch of this, immediately to the north of the castle site, most buildings are of brick, with red-tile roofs - but there is still considerable variety evident, and not only in materials, but also in the siting of the buildings in relation to the road. Relationships between buildings are in no way formal however; they are more casual groupings which just happen to relate to each other in terms of the space between them, their architecture, materials, the hedges, trees and so on. Such characteristics are typical of Kingsland at its best, and it is mainly where this relationship has broken down, usually because of new development, that this character is lost.

This is the case with regard to much of the development along the road to the north-east - towards the Lugg and Yarpole: council and other development (along with new concrete kerbing, which unfortunately decorates much of the village unnecessarily) has had too little regard for the character of the village to which this added directly. Yet less than 200 yards away at the main crossroads in Kingsland, the village exhibits its character at its best. Whilst the development is formally unrelated, each corner of the crossroads exhibits fine, or potentially fine buildings: there is a black-and-white house on the south-east side of the crossroads, a brick and half-timbered building on the south-west side, the black-and-white Corners Inn complex on the north-east side (which has timber



shed extensions and an unfortunate concrete-block extension) and a fine mature three storey brick-cased timber framed building on the north-west side. Three storey buildings form an integral part of the character of Kingsland inevitably dominating the street scene where they occur - as in the case with this building - Croase House.

The importance of trees and hedges in the Kingsland street scene emerges particularly well at this point: to the south-east, the view along the largely straight main road curves away to hide the perspective of the south-eastern part of the village, high hedges and trees playing an important part in this, while to the north-west more mature trees help considerably to unify the disparate elements in a street scene which, between some fine buildings, is somewhat broken up with post-war housing. The trees, of which there is a wide variety, also help to give a greater sense of enclosure, and to disguise the wirescape - and for these reasons alone Tree Preservation is of primary importance at this point (note: the 1974 Act now protects all trees in Conservation Areas). There is another sensitive plot of open ground in this part of Kingsland too; the plot to the east of Yew Tree Villa where the hedge boundary is vital to the maintenance of the street scene.

Only a little further to the north-west of this part of the village, the disastrous results of the removal of the hedgeline are revealed to all who travel through Kingsland. Whilst new development elsewhere in the village is maturing into the existing landscape, with the removal of the hedgerows at the front of the new bungalow development on both sides of the road, a completely new street scene is created quite at odds with the overall character of the village. The hedge bank still exists, in some places with just a lawn to its edge, in others a stone wall, and others just a rather untidy petering out of the plot onto an unfinished looking and unnecessarily widened road. Bungalow development in Kingsland can just be aesthetically acceptable but bearing in mind the domination of three-storey dwellings scattered through the village, these variable buildings and their superficial finish, and the sudden open aspect of them all together, are completely unconnected to the village and its character, and as such, must be excluded from the conservation area.

To the north-west of this dominating development, beyond the Methodist Chapel, the character of Kingsland hardly returns, nor presents a true idea of the character of the village at its best, despite the fact that some hedgelines and some orchards remain. The inter-war housing has matured into the landscape somewhat, and the new bungalows are not such an intrusion on the street scene as those to the south-east, but the general semi-suburban street scene presents little to warrant the inclusion of this end of the village in the conservation area.

The area of Kingsland on the main road, West Town, still maintains a distinct character however, - after passing along the sunken high-hedged lane from the main street (Longford) to the main A4110 road, a pleasant if somewhat different street scene meets the eye. Although the settlement pattern is generally somewhat broken through West Town, there are several groups of farm buildings and fine houses which tend to give the street scene, as it bends and curves through the area, a fine village 'feel', with many orchard and other small plots of land adjacent to the road. There is a particularly fine group of buildings on the junction which leads back to the village core - and even a new bungalow at this point is well-sited enough not to intrude on the village character of the area: tree preservation particularly on this junction would give vital help in maintaining this part of the village however.

Finally some mention of ways in which the street scene in Kingsland could be positively improved:-

No more concrete kerbstones should be installed of any type - if any more kerbstones are to be used at all, smaller granite setts should be used:

The wirescape should, wherever possible, be re-routed underground and the posts (particularly jarring in Kingsland) removed:

A comprehensive tree survey conducted in the village, trees being particularly important in adding relief to a flat landscape:

Further environmental improvement could perhaps be achieved by re-routing south bound Leominster traffic away from the village core by changing the signposting at the fork by the Monument on the northern edge of the village.

Such policies as these would become much more real when a conservation area is set up in Kingsland: the following outlines the draft proposals for such an area:

#### The Boundary

This description of the boundary of the proposed Kingsland conservation area starts on the western side of the village and circumnavigates it in a clockwise direction from around Lincoln's Inn Farm on the lane to 'The Brook' and Ledicot. The boundary leaves the road along the edge of a mature orchard through which the housing of West Town is clearly visible. The hedge boundary line to the orchard is high but broken, and likely to become more so when the dead elms in it are felled. After turning along the northern edge of the orchard, the boundary takes a northern tack once more, following lower hedges amidst pleasant small meadows and fine trees, the smaller fields adding to the village feel. Where the proposed boundary line turns sharply southwards along the east side of the main A4110 road, the newer development on Longford are clearly visible, though the main road itself offers a quite pleasant perspective. The boundary however, follows the rear edge of an orchard parallel to the sunken lane leading through to Longford, but because the development on that part of the main road through Kingsland does not warrant conservation area status, the line itself then turns into a south-easterly orientation, follows the unfortunately demolished near hedgeline of the new development across the sunken lane and continues in the same orientation to include Old Hall. Where there is a short break in the development on the south-west side of Longford the boundary turns towards the road, follows it for a short distance, and then, following a signposted public footpath alongside a large new detached house, turns to follow the rear plot boundaries on the north-east side of Longford. (Where this public footpath reaches the rear plot boundary, a clearance needs to be made in the hedge to make the public right of way passable).

At this point, the orientation of the boundary once more returns to a south-east/north-west alignment. Local field boundaries - the outlook towards the north and east from this stretch of boundary is across large flat fields - take the boundary along the rear edges of the plots, parallel with Longford, crossing the road to Lugg Green and Yarpole before changing course. This line seems to mark the definite edge to the village, with the old development along the main street (Longford) being only intermittantly visible through the trees. The conservation



area excludes the development along the road to the north-east: it adds nothing of any architectural, historical or landscape merit to the village. Just to the east of this road, the boundary turns northwards for a few yards before once more returning to an orientation parallel with the main village street - again largely with orchard plots between it and the main street houses, giving this line the quality of dividing the enclosed village from the open fields beyond. Some features of this boundary could be improved upon however: as in other rear views of the main street plots, concrete and wire fencing occasionally has replaced the old hedgeline and should, if possible, be replaced with hedging, and tree planting. In this location, along the rear plot boundary of the new housing development, tree planting could help make up for the loss of the view of the Church tower, which the new development has caused: the Church tower is of elemental importance to many aspects of the proposed conservation area in Kingsland.

From this new orchard-land development, the boundary continues along the rear line of the orchard plots to the fine St. Mary's Farm complex. At this point, the regular orientation of the boundary changes: it first follows the high hedge around a small meadow, before turning into a north-west/south-east orientation - towards Holgate Farm. This is a most sensitive part of the boundary as the settlement of the main village street becomes more broken - and therefore open to 'infill': some infill has been allowed - but not as yet to the detriment of the continuing village - associated landscape of the area: the small plots, and particularly the plot of woodland to the north of Holgate Farm, are therefore included in the proposed boundary to give increased protection to this part of the village. The irregular configuration of this east end of the proposed conservation area then continues to include the mature landscape, with many coniferous and some deciduous trees, around Shrublands. Some tree planting to replace existing old trees is advisable here, as well as a close watch on the future of the Shrublands complex itself, which at time of writing is empty, though with a planning application for conversion of one of the outbuildings into a dwelling. By and large however, the Shrublands complex is a fine punctuation to this eastern-end of the proposed conservation area: the land around it is in need of some maintenance work, though the orchard plots continue the village feel of the landscape just to the east of the cottage property on the north side of the cul-de-sac lane, which continues east out of Kingsland from the sharp bend of the main street on this eastern edge of the village.

The boundary immediately to the east of this cottage is the most easterly part of the proposed conservation area. From this point, the boundary turns briefly into an east-west alignment along the south side of the lane, before skirting the eastern edge of the farm complex and crossing the adjacent field to the east side of the trackway in a north-south alignment. It leaves this trackway, to skirt the south-eastern and southern boundary of the small orchard plots to the rear of the fine, but vacant, Elms farmstead, to rejoin the road between Kingsland and Cobnash just to the north of the former railway line.

Where the boundary reaches the course of the old railway line, there is a well kept orchard on the west side of the road, and just to the south of the railway track the proposed boundary turns into an east-south-east/west-north-west orientation along the south bank of the Pinsley Brook. These village-associated fields, with views through to the Church, and occasional glimpses of the development in the main street (beyond the western end of the above orchard) are fine examples of the lowland setting of Kingsland: where the boundary recrosses the old railway and then continues once more in a west-north-west/east-south-east orientation along the south bank of the Pinsley Brook there is a barn complex which adds to the village perspective of these high-hedged fields. The Pinsley



Brook seems to form the most suitable boundary to the proposed conservation area, because of its permanence in the landscape - in comparison to the fine trees and hedges whose lives are more limited: a conservation area which came as far south as the Pinsley Brook would also allow the complete area with Kingsland's unique character to be protected and enhanced for generations to come.

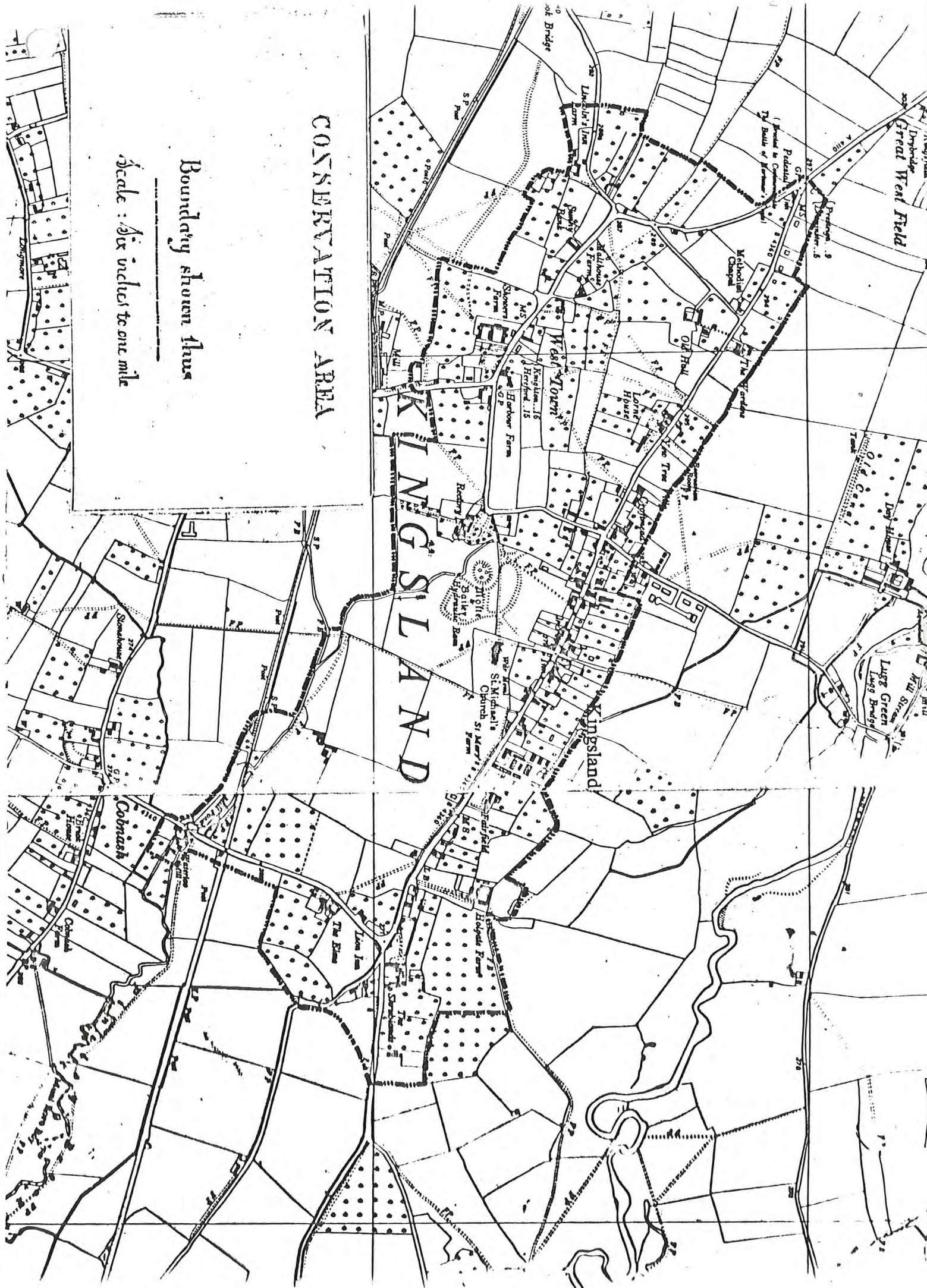
At a point due south of the Church, where its dominance over the village scene is particularly notable, the proposed boundary turns briefly northwards, before following a broken hedgeline to the south of the Mott and Bailey Castle, again giving fine open views of the core of the village. As the boundary moves to a position due south of the Rectory, views of the core of the village are blocked by some old ivy strangled trees, though some of these have been replaced. This section of the boundary line continues in an east-west orientation, with the village playing field to the north, within the conservation area, and the actual boundary being a high hedge: this hedgeline boundary then turns into a north-south alignment on the west side of the playing field, before returning to an east-west alignment to complete this southern limit to the proposed conservation area. Maintenance of old kissing gates on this part of the boundary, (there are a number of these in Kingsland which are somewhat rundown: their restoration would make a feature of Kingsland's street furniture) as well as some tree planting to replace dead elms and screen the timberyard, would enhance this approach to the West Town section of the proposed conservation area.

To the west of the main road, the boundary continues in an east-west orientation across a large open field to the south of the Showells Farm complex: the field boundary shown on the plan no longer exists, but the edge of the conservation area still takes approximately the same course. South-west of Showells Farm, the proposed boundary follows a new fence line in a north-south alignment, before cutting east-west across the corner of a large field to enclose the small plots to the south of Sunny Bank. It then encloses the group of cottages near Lincoln's Inn Farm and follows the rear boundary of this property to complete the circumnavigation of the proposed Kingsland Conservation Area.

### Conclusion

The proposed boundary, which this report outlines, is drawn in such a way as to include as much of the varied character of the settlement of Kingsland as possible. However, this is by no means the final boundary decided upon: this department now engages in public discussion within the village itself and consults the County Council, who have concurrent Conservation powers, with regard to reaching an agreement on the exact course of the conservation area boundary - with particular regard to the Kingsland villagers themselves. As one of the most populated parishes in the Leominster District, it is hoped Kingsland will, as a community, be able to realise its full potential as a lowland village settlement, set on the edge of the fine upland landscape of north-west Herefordshire.





CONSERVATION AREA

Boundary shown thus

Scale : Six inches to one mile

KINGSLAND

Kingsland

Great West Field

Lugg Green  
Lugg Bridge

Coburnah

St. Michael's  
Church

Hyde's Farm

The Broom

Leon Inn

St. Michael's  
Church

Hyde's Farm

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# Draft Conservation Area Designation 1975

A plan to identify the relevant areas of the village in relation to the text appraisal provided in the Draft Proposed Kingsland Conservation Area Document

Conservation Area covers circa 137 hectares –  
proposed site circa 0.6 hectare

**11** To the north-west of this dominating development, beyond the Methodist Chapel, the character of Kingsland hardly returns, nor presents a true idea of the character of the village at its best, despite the fact that some hedgelines and some orchards remain. The inter-war housing has matured into the landscape somewhat, and the new bungalows are not such an intrusion on the street scene as those to the south-east, but the general semi-suburban street scene presents little to warrant the inclusion of this end of the village in the conservation area.

**10** Only a little further to the north-west of this part of the village, the disastrous results of the removal of the hedgeline are revealed to all who travel through Kingsland. Whilst new development elsewhere in the village is maturing into the existing landscape, with the removal of the hedgerows at the front of the new bungalow development on both sides of the road, a completely new street scene is created quite at odds with the overall character of the village. The hedge bank still exists, in some places with just a lawn to its edge, in others a stone wall, and others just a rather untidy petering out of the plot onto an unfinished looking and unnecessarily widened road. Bungalow development in Kingsland can just be aesthetically acceptable but bearing in mind the domination of three-storey dwellings scattered through the village, these variable buildings and their superficial finish, and the sudden open aspect of them all together, are completely unconnected to the village and its character, and as such, must be excluded from the conservation area.

**8** The importance of trees and hedges in the Kingsland street scene emerges particularly well at this point: to the south-east, the view along the largely straight main road curves away to hide the perspective of the south-eastern part of the village, high hedges and trees playing an important part in this, while to the north-west more mature trees help considerably to unify the disparate elements in a street scene which, between some fine buildings, is somewhat broken up with post-war housing. The trees, of which there is a wide variety, also help to give a greater sense of enclosure, and to disguise the wirescape -

**6** This is the case with regard to much of the development along the road to the north-east – towards the Lugg and Yarpole: council and other development (along with new concrete kerbing, which unfortunately decorates much of the village unnecessarily) has had too little regard for the character of the village to which this added directly.

**5** Where the road passes through what has been described as the core area of the village, there is a complete sense of enclosure for around 600 yards. In the first stretch of this, immediately to the north of the castle site, most buildings are of brick, with red tile roofs – but there is still considerable variety evident, and not only in materials but also in the siting of the buildings in relation to the road. Relationships between buildings are in no way formal however; they are more casual groupings which just happen to relate to each other in terms of the space between them, their architecture, materials, the hedges, trees and so on. Such characteristics are typical of Kingsland at its best, and it is mainly where this relationship has broken down, usually because of new development, that this character is lost.

**4** As the Church begins to loom larger on the south-west side of the road a high hedge conceals a house on the north-east side of the road, and, the first enclosed section of the village is passed through; mainly it is of brick or brick and render. Whilst the nature of any future development is a sensitive issue throughout Kingsland, nowhere is it more important than in this part of the village: some inter-war development here just about fits into the street scene (though a development behind that existing on the north-east side of the road is very suburban in character) but should the former orchard plot immediately north of the Church ever be developed, this could very easily cause quite severe visual damage to the village.

**3** However, before the fine St. Mary's Farm complex is reached there are several cases of infill – including new bungalows, but despite the fact that they rarely reflect local character, at this end of the village, they are not too conspicuous in that they are built behind existing hedgelines and settle into the landscape.

**2** The nature of the village remains broken as the road travels north-west, with most development being on the north-east side of the road. Most of the existing buildings are fine local examples set at varying distances from the road – and of varied styles and sizes – from the stone Holgate complex to the small cottages, close to the road front, though some of the latter have been modernised in an unfortunate manner

**12** The area of Kingsland on the main road, West Town, still maintains a distinct character however, - after passing along the sunken high-hedged lane from the main street (Longford) to the main A4110 road, a pleasant if somewhat different street scene meets the eye. Although the settlement pattern is generally somewhat broken through West Town, there are several groups of farm buildings and fine houses which tend to give the street scene, as it bends and curves through the area, a fine village 'feel', with many orchard and other small plots of land adjacent to the road.

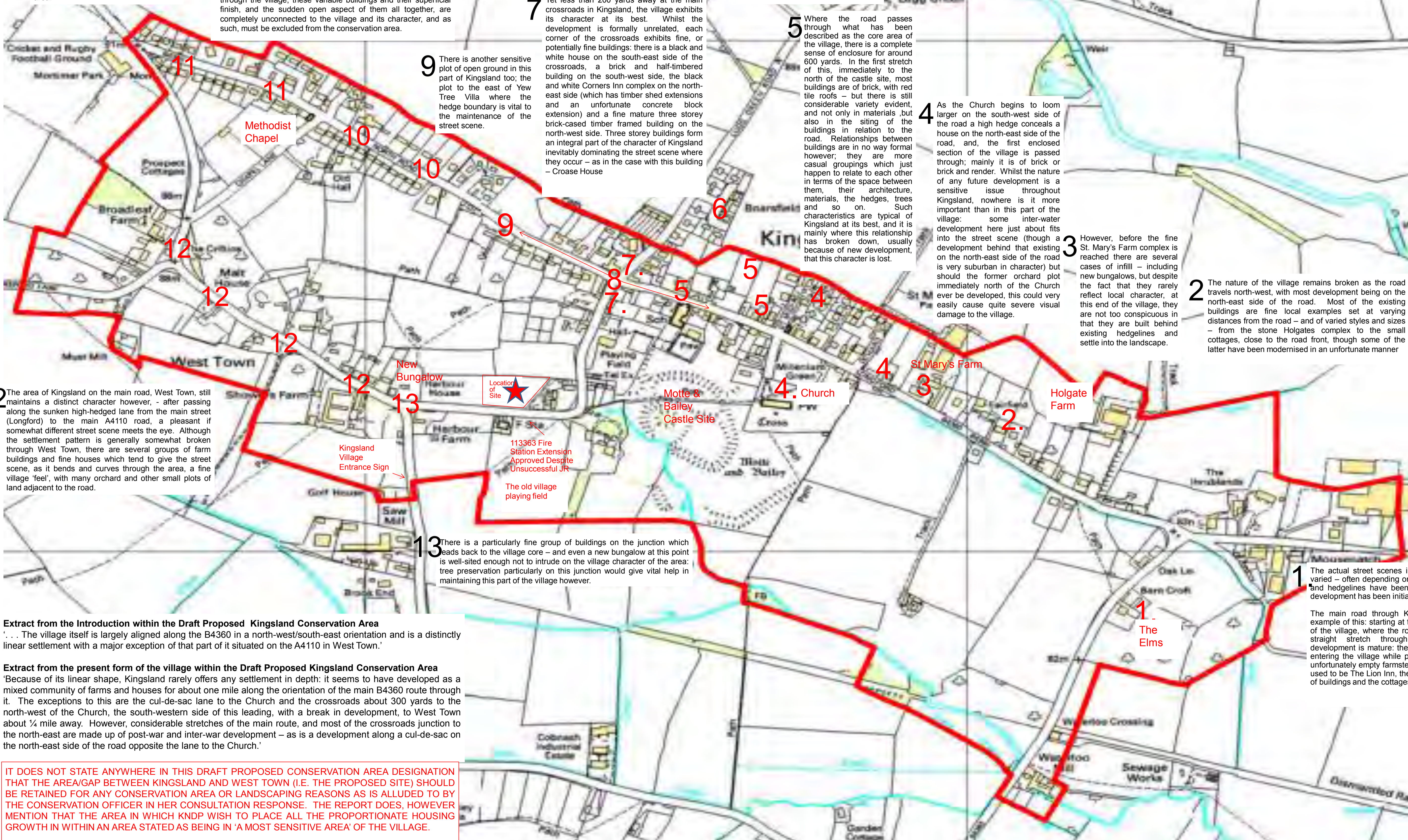
**9** There is another sensitive plot of open ground in this part of Kingsland too: the plot to the east of Yew Tree Villa where the hedge boundary is vital to the maintenance of the street scene.

**7** Yet less than 200 yards away at the main crossroads in Kingsland, the village exhibits its character at its best. Whilst the development is formally unrelated, each corner of the crossroads exhibits fine, or potentially fine buildings: there is a black and white house on the south-east side of the crossroads, a brick and half-timbered building on the south-west side, the black and white Corners Inn complex on the north-east side (which has timber shed extensions and an unfortunate concrete block extension) and a fine mature three storey brick-cased timber framed building on the north-west side. Three storey buildings form an integral part of the character of Kingsland inevitably dominating the street scene where they occur – as in the case with this building – Croase House

**13** There is a particularly fine group of buildings on the junction which leads back to the village core – and even a new bungalow at this point is well-sited enough not to intrude on the village character of the area: tree preservation particularly on this junction would give vital help in maintaining this part of the village however.

**1** The actual street scenes in Kingsland are very varied – often depending on how much the trees and hedgelines have been removed when new development has been initiated.

The main road through Kingsland is the best example of this: starting at the south-eastern end of the village, where the road bends into a long straight stretch through the village, the development is mature: there is a definite feel of entering the village while passing The Elms, an unfortunately empty farmstead, the cottage which used to be The Lion Inn, the Shrublands complex of buildings and the cottages scattered nearby.



**Extract from the Introduction within the Draft Proposed Kingsland Conservation Area**  
'... The village itself is largely aligned along the B4360 in a north-west/south-east orientation and is a distinctly linear settlement with a major exception of that part of it situated on the A4110 in West Town.'

**Extract from the present form of the village within the Draft Proposed Kingsland Conservation Area**  
'Because of its linear shape, Kingsland rarely offers any settlement in depth: it seems to have developed as a mixed community of farms and houses for about one mile along the orientation of the main B4360 route through it. The exceptions to this are the cul-de-sac lane to the Church and the crossroads about 300 yards to the north-west of the Church, the south-western side of this leading, with a break in development, to West Town about ¼ mile away. However, considerable stretches of the main route, and most of the crossroads junction to the north-east are made up of post-war and inter-war development – as is a development along a cul-de-sac on the north-east side of the road opposite the lane to the Church.'

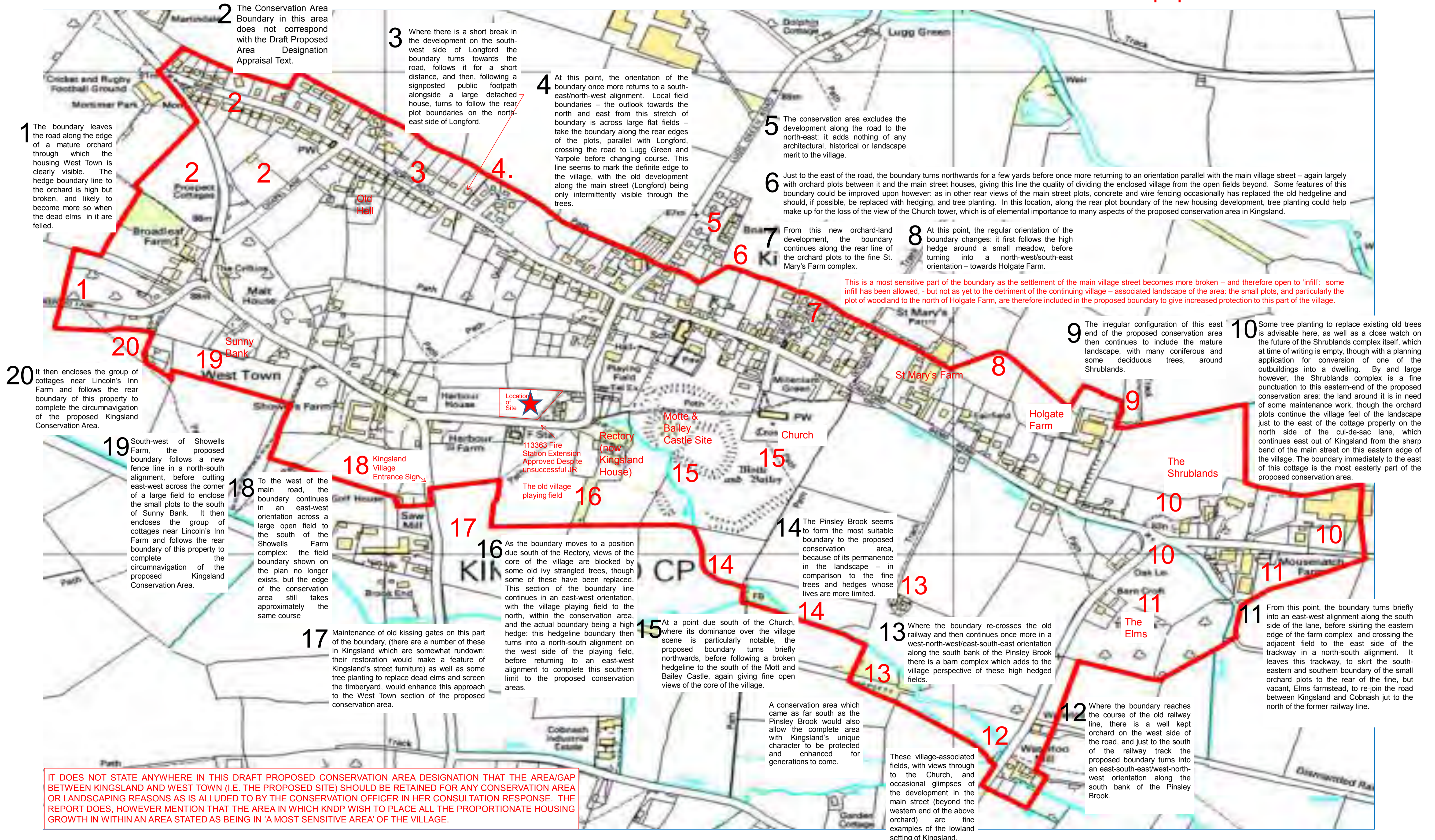
IT DOES NOT STATE ANYWHERE IN THIS DRAFT PROPOSED CONSERVATION AREA DESIGNATION THAT THE AREA/GAP BETWEEN KINGSLAND AND WEST TOWN (I.E. THE PROPOSED SITE) SHOULD BE RETAINED FOR ANY CONSERVATION AREA OR LANDSCAPING REASONS AS IS ALLUDED TO BY THE CONSERVATION OFFICER IN HER CONSULTATION RESPONSE. THE REPORT DOES, HOWEVER MENTION THAT THE AREA IN WHICH KNDP WISH TO PLACE ALL THE PROPORTIONATE HOUSING GROWTH IN WITHIN AN AREA STATED AS BEING IN 'A MOST SENSITIVE AREA' OF THE VILLAGE.



# Draft Conservation Area Designation Analysis

A plan to identify the relevant areas of the village in relation to navigation of the conservation area boundary in the Draft Proposed Kingsland Conservation Area Document

Conservation Area covers circa 137 hectares  
 –  
 proposed site circa 0.6 hectare





# CJR Heritage Services

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Fairfield

Eyton

Leominster HR6 0BZ

Tel: 01568 620468

Mobile: 07891432991

Or 07826050765

Email: [info@cjrheritage.com](mailto:info@cjrheritage.com)

[colin.richards@tesco.net](mailto:colin.richards@tesco.net)

DEAR MRS SCHENKE RE LAND ADJACENT TO KINGSLEANE KINGSLAND HEREFORDSHIRE

Further to your request for me to give an independent assessment of heritage issues relating to the above proposed development I can report as follows:

Much has been reported of the significance of this site in terms of its contribution to the character of Kingsland Conservation Area yet in my estimation I believe it represents a logical development site which contributes to the natural evolution of the village as a key settlement within the hinterland of Leominster. It is sites such as these which allow the demand for additional housing to be met without overdeveloping the truly significant historic core of the village which is an irreplaceable and fragile entity easily damaged by over development of spaces comprising the setting of ancient buildings. One only has to walk through the village centre and experience the unfolding sequence of progression and recession of houses and former agricultural buildings, some medieval, some Georgian and some later to understand that this composition deserves protection through the planning process as a heritage asset of great significance.

In turn as a very desirable community in which to live it is reasonable for the settlement to grow in a manner which provides a range of house types to meet a cross section of demand. A key determining factor must be quality of design and this has been recognised as a feature of your submission.

Kingsland is set in a very rural area surrounded by open countryside interspersed with outlying hamlets and clusters of cottages formerly associated with farming or supporting industries. The application site is not unique or critical to the maintenance of this landscape character as it is all around and the area is a composite of fields and housing juxtaposed in haphazard form becoming more densely built up close to the village centre. The proposed development maintains such morphology.

As has been emphasised in supporting documentation the conservation area was originally conceived because of its special character as a village settlement and its assemblage of ancient properties and farmsteads aligned along the main street, supported by ribbons of lower density dwellings interspersed with enclaves of residential infill as the village merges with its agricultural hinterland beyond. This arrangement creates an almost stellar form with projections of open meadow land interjecting close to the village core. The current proposal does not diminish this interest of acknowledged importance and does not compromise the setting of listed buildings in the vicinity.

Kingsland does not have a rigid form but one which embraces a tight nucleus and then a much looser transition area into the open countryside beyond. It is held that the Kingsleane site reinforces an established form, which, because of the topography and landscape/vegetation cover immediately adjacent is a very discreet addition to the variety of housing forms available to village residents and would be residents. In fact because of the extensive hedgerow and tree cover the site would only present glimpses of its existence from key locations close by or even travelling along the adjacent road.

The proposal will in my opinion not detract from the key characteristics of the conservation area and not incur harm to established heritage assets embodied in the village. Moreover it represents an appropriate means of the village expanding to meet demand for additional dwellings and support existing village services and facilities.

With regard to the design layout and individual house types, these have been created to flow with the road alignment adjacent, and use a palette of materials and architectural details derivative of the vernacular form and character of traditional buildings in the village. It is intended that the development will merge with the existing village scene and not be visually competitive with the key buildings and groupings which will remain pre-eminent.

Overall it is considered that this proposal constitutes a subtle extension of Kingsland village reinforcing its existing form and maintaining a cherished character which is rightly identified as being worthy of conservation.

CJ Richards

Colin J Richards MBE BA(Hons) Dip Arch Cons IHBC

# British Listed Buildings

History in Structure

If you [log in \(/me\)](#), you can comment on buildings, submit new photos or update photos that you've already submitted.

We need to upgrade the server that this website runs on. Can you [spare a quid \(/site/donate\)](#) to help?

## Listed Buildings Map

### NICEIC Contractors

Industrial, Commercial, Education &. Listed Buildings - SCI Management

This is an experimental map using Google Fusion Tables to display the location of (almost) every listed building in Great Britain. It has a few known issues, including the fact that the markers are sometimes not clickable, and there are some buildings missing.

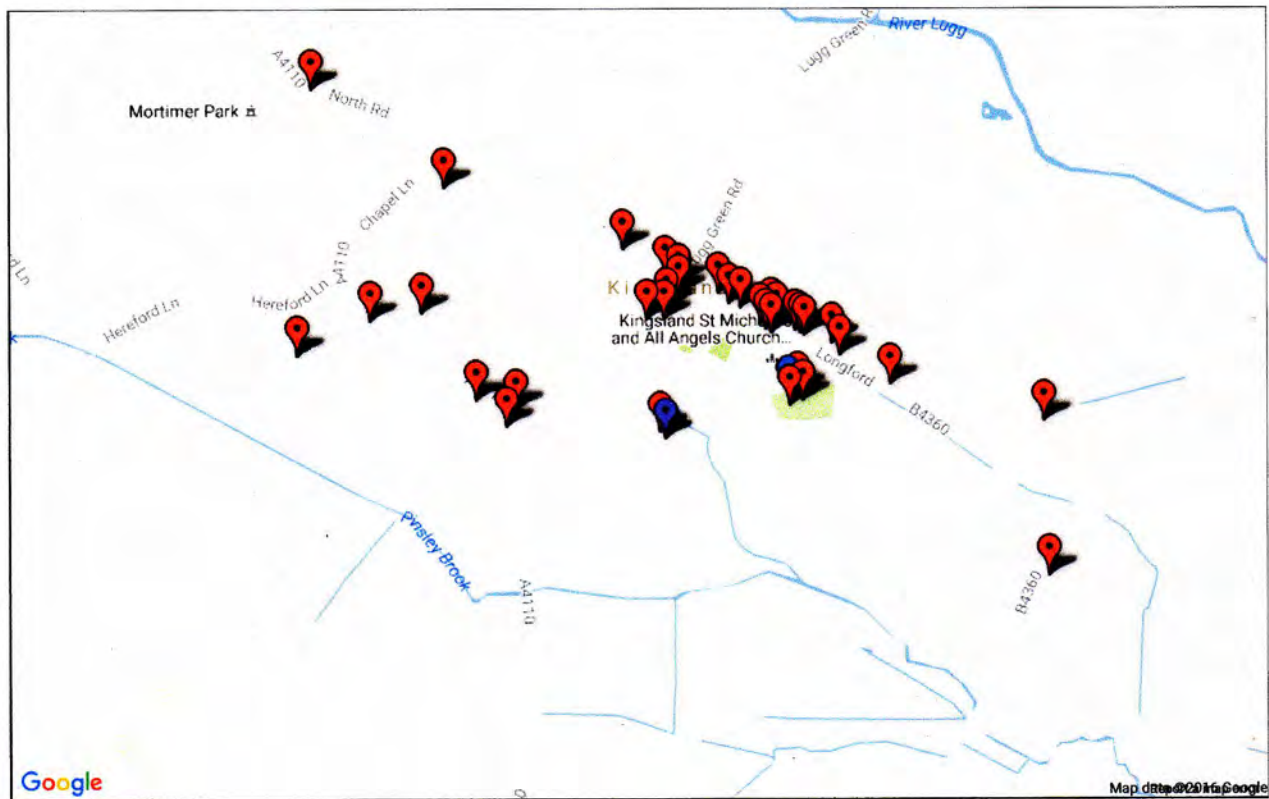
These are limitations of Fusion Tables, and not something I can fix here. But there are no other freely available mapping products capable of displaying upwards of half a million markers on one page, so it's still better than nothing.

#### Key

-  Grade I
-  Grade II\*
-  Grade II
-  Unknown

The map only shows the first 100,000 items in the visible window, so the overview can be a bit misleading. Once you start zooming in to lower levels then more buildings will show up.

For an overview of all the properties in the database, then try the [heatmap visualisation \(/heatmap\)](#).



## Appendix 2

- a) June 14 Consultation Options Choices 05.11.14 (1)
- b) Vision Criteria Options FINAL PRINT VERSION SD 15.5.14



Options		Votes community	Businesses and groups	TOTALS
Shirlheath 1	Small scale development to meet agreed criteria	26	17	43
Shirlheath 2	Specific sites small scale	77	2	79
Kingsland 1	Retain current settlement boundary	33	0	33
Kingsland 2a	Widen middle of boundary	4	0	4
Kingsland 2b	Extend boundary edges	12	0	12
Kingsland 2c	Widen middle and extend edges	15	3	18
Kingsland 3	Redraw boundary to protect open/special spaces	51	16	67
Kingsland 4	No boundary small projects	16	1	17

Analysis:

Option 2 preferred for Shirlheath by a wide margin  
Option 3 preferred for Kingsland by a wide margin

Option 1 was the second most popular in Kingsland

Kingsland event results consistent across both events  
Shirlheath event results showed that businesses and groups preferred option 1 which is opposite to the community preferences

The business and community groups event had 25 attendees representing 11 businesses, four community groups, one church, Kingsland School, Kingsland pre-School, our local councillor and one private citizen

# Neighbourhood Plan Land Use for Kingsland Parish

## Overall Vision

Protect and enhance the rural nature of the parish, where all groups and ages can thrive and develop in a sustainable way

## Objectives

### Objective one:

*Provide sufficient housing to meet the future needs of the community, in terms of numbers and type, based upon robust evidence.*

### Objective two:

*Ensure that new and existing business and commerce, including tourism, beneficial to the economic health of the parish, can grow and is in scale with and sensitive to the rural character of the parish.*

### Objective three:

*Ensure all infrastructure including services, facilities and amenities are retained and developed in line with the current needs and future growth of the community.<sup>1</sup>*

### Objective four:

*Ensure that all development is based upon sound environmental sustainability principles including energy sourcing and conservation, water and sewerage management, waste minimization, wildlife conservation and habitat protection.*

### Objective five:

*Ensure that the visual effect of all development preserves and enhances the traditional character of the parish and protects our landscape and historic environment.*

---

<sup>1</sup> such as pavements, paths, parking, traffic management, playgrounds, flood defense, sewerage and community buildings

## Criteria for development

### All options to include the following criteria: (mainly from Parish Plan)

- Ensure that new build housing is designed to be sympathetically in keeping with the area.
- To ensure that there is a mix of size and tenure types in all new housing to cater for residents differing and changing needs.
- Use local craftsmen and local and natural materials where possible and practical.
- Maximize the use of renewable energy, energy saving and environmentally friendly design to keep the carbon footprint to a minimum.
- Ensure that parking, flooding, sewerage, pavement and traffic issues, resulting from any new build, are fully and satisfactorily considered before planning is agreed.
- Seek to maximize community benefit from development
- Ensure requirements for permeable ground surfacing are strictly adhered to, so that surface water can soak away adequately.
- Ensure sewerage management is fully compliant with environmental requirements and does not cause overload of the main systems
- Use brownfield sites and conversion of redundant buildings where possible before building on green field sites.
- Prevent such extensive infill that the streetscape appears suburban rather than rural.
- Seek to protect identified sites and objects such as trees, which have been chosen to enhance the rural village experience.
- Prevent undue and additional pollution from lighting to compromise our enjoyment of dark skies.
- Ensure the protection of Grade 1 and 2 agricultural land.
- Ensure any development includes green spaces and corridors to protect and enhance the rural character and biodiversity of the parish.

## **Development Planning options: (leading from the Parish Plan)**

### **Kingsland Village**

#### **Option 1**

- Retain the current settlement boundary so that any development takes place within it and ensure all development meets the criteria specified in the Neighbourhood Plan.

#### **Option 2**

- Redraw the current settlement boundary by choosing one of the following:
  - a. Either widening the middle
  - b. Or extending at its edges
  - c. A mix of both

#### **Option 3**

- Redraw the settlement boundary to protect important open spaces, views and areas of important character.

#### **Option 4**

- Have no settlement boundary and limit development to small projects in line with the agreed criteria.

### **Shirlheath**

**Option 1** – To allow small scale development, that meets the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.

**Option 2** – To identify specific sites for small-scale development which must meet the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.

## **Cobnash and Mortimer's Cross**

These areas are defined in the core strategy as allowing development as follows "proportional housing growth will be restricted to smaller market housing (or affordable housing) which meets the needs of people with local connections, whom would not otherwise be able to live in their area" (*Herefordshire Council Core Strategy Pre Submission Publication July 13: Place Shaping section*)

### **Proposal for Cobnash and Mortimer's Cross**

Beside meeting the rules laid down in the Core Strategy, all new development must also meet the Vision, Objectives and Criteria set out in the Neighbourhood Plan for Kingsland parish.

The Core Strategy sets out specific rules for these areas as follows...

'...proportional residential growth will be limited to the provision of smaller market housing, where the residential development proposal satisfies criteria 1 – 5 (of policy RS2) and:

6. Through the submission of appropriate evidence to demonstrate the development meets an identified local housing need. Residential developments will be considered to contribute towards meeting an identified need, where it will provide accommodation for any of the following:

- Existing residents of the parish requiring separate accommodation;
- Persons who have current and long standing family links (immediate family only e.g. parent, sibling or adult child) with the parish;
- Grandparents, grandchildren, aunts or uncles will be included only where the council considers it necessary for the applicant to be accommodated within the Parish in order to provide or receive medical or social support to or from a relative;
- Persons with permanent full time or mainly employment based within the parish;

7. The dwelling size is limited to a net internal floor area of 80 sq m (1 or 2 bedroom house) or 90 sq m (3 bedroom house) or 100 sq m (4 bedroom house). Only where medical needs necessitate the provision of specific facilities will any resulting additional floor space requirements be considered;

8. The plot size is limited to a maximum area of 350 sq m unless site characteristics or Draft Core Strategy Version for Cabinet July 2013 105 configuration render this impractical.

Permission granted in these cases will be subject to planning obligations that safeguard occupation of the development for identified local housing needs and will continue to do so in perpetuity. To achieve this policy, planning permissions will be subject to a condition removing permitted development rights for the erection of any extension or detached buildings within the curtilage and a condition restricting the conversion of an ancillary garage in to habitable accommodation. Applications for such developments in variation of these conditions will only be approved in exceptional circumstances. Proposals for affordable housing in the villages identified in Figure 4.22 will also be supported where the development is in line with criteria 1 to 4 of Policy H2.' (*Herefordshire Council Core Strategy Pre Submission Publication July 13: Place Shaping: Policy RA2*)

**Latham, James**

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 August 2016 10:58  
**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	Heather
Last name	Morris
Which plan are you commenting on?	Kingsland NDP
Comment type	Support
Your comments	The Steering Group have done a great job getting this Plan together. Lets hope it soon gets approval so we can stop all these excessive applications for housing in the village.



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: PL00030048

15 August 2016

Dear Mr Latham

**DRAFT KINGSLAND NEIGHBOURHOOD PLAN REGULATION 16  
CONSULTATION**

Thank you for the invitation to comment on the re-submitted regulation 16 Neighbourhood Plan.

Our comments remain substantively the same as those expressed in our earlier correspondence (17<sup>th</sup> December 2015) that is:

*"We are supportive of the content of the document, particularly the comprehensive treatment of the wider historic environment including its' emphasis on local distinctiveness, non-designated heritage assets and their setting.*

*Overall, therefore, Historic England consider the Plan to be a well-considered, concise and fit for purpose document that effectively embraces the ethos of "constructive conservation" and is a very good example of community led planning".*

Beyond these observations we have no other substantive comments to make. I hope this is 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



## Latham, James

---

**From:** Marshall, George <GMarshall@hwfire.org.uk>  
**Sent:** 11 July 2016 15:02  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Kingsland Regulation 16 Neighbourhood Development Plan consultation

Hi James,

Thank you for your e-mail and the opportunity to comment on your proposed development. Hereford and Worcester Fire and Rescue Service provided a response for the overall plan for Herefordshire and we have no further comments.

Regards  
George

George Marshall  
Group Commander Operational Assurance

Hereford & Worcester Fire and Rescue Service  
Headquarters  
2 Kings Court  
Charles Hastings Way  
Worcester  
WR5 1 JR

01905 368316  
07785 451796  
[gmarshall@hwfire.org.uk](mailto:gmarshall@hwfire.org.uk)

---

**From:** Neighbourhood Planning Team [<mailto:neighbourhoodplanning@herefordshire.gov.uk>]  
**Sent:** 11 July 2016 13:25  
**Subject:** Kingsland Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Kingsland Parish Council have re-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/kingsland>

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

The consultation runs from 11 July 2016 to 22 August 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.



Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

August, 2016

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

**Item 2**

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
- The petition asked that a plan should be available showing the extent of areas to be protected as part of KNP with specific reasons why that area should be protected from development.

**Item 3**

- *'I do not agree with the statement that there needs to be a clear separation between Kingsleane and West Town.'*

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on '*The Benefits of the Kingsleane Scheme*' which I have included as part of this second Regulation 16 re-consultation response attached to this letter.

**Other Comments:**

Name:

Address:

Date: 20. 08. 16 .

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people**.

### **BENEFIT 3 – Financial benefits for the community**

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- **£33,466.00** to provide enhanced educational infrastructure at Kingsland Primary School and Wigmore Secondary School.
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### **BENEFIT 4 – Enormous support for Kingsleane proposal**

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84 letters of support - 6 letters of objection - 1 mixed letter

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### **BENEFIT 7 – Biodiversity gain**

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Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

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Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
- More local people using village businesses such as the post office/shop, pubs and garage will help to retain current employment levels with the likelihood of more employment opportunities to sustain the new level of service required to meet local demand.
- By contributing towards Mortimer Park facilities (Luctonians Rugby & Cricket Club), this will increase the number of sporting visitors to the village – again more employment opportunities for local people and additional 'spending' in the village helping to sustain economic growth in rural areas such as Kingsland.

### **BENEFIT 12 – No impact on transport congestion in village**

This scheme will not have a detrimental impact on the transport congestion currently experienced in the village as all the facilities are within easy walking distance including the school, post office/shop, doctors, pubs, village hall, etc. via safe and level footpaths. Anyone wanting to drive outside the village will use the Arbour Lane to the A4110 junction avoiding the village centre. Buses also pass the site. The more people who are of working age who would use the buses to go to work, the more likely the frequency of buses will improve.

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A new footpath is proposed as part of the proposal to join the existing network of footpaths. The Transport Manager stated in an email dated 25 February 2014 *'I think I'd prefer the external path. I realise it is probably more expensive, but it would be a start of a path towards the Showers Farm complex.'* Therefore, this would be a benefit to the whole community.

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The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

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- No loss of existing mature hedgerows
- Landscape Management Plan for the restoration and enhancement of existing hedgerows including the roadside hedge in the Arbour Lane will conserve and enhance the rural character and encourage wildlife in the area. Currently no management agreement is in place for the existing hedgerows..
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The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.

## Latham, James

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 01 August 2016 18:43  
**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	John
Last name	Guest
Which plan are you commenting on?	Kingsland Neighbourhood Plan
Comment type	Support
Your comments	I support the Kingsland Neighbourhood Plan. The village has been kept informed throughout the process and this plan will support how developments in the area should develop in the future.

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

**Item 2**

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
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**Item 3**

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I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on '*The Benefits of the Kingsleane Scheme*' which I have included as part of this second Regulation 16 re-consultation response attached to this letter.

**Other Comments:**

1. I do not think the KNDP should retain the existing settlement boundary.
2. I would like to see the settlement boundary extended to include small pieces of land suitable for housing outside the existing boundary
3. I think putting all the proposed housing growth in the existing settlement boundary will affect the setting of important listed buildings and have a detrimental effect on the conservation area. The village street, at the present time, is nice because the street scene is broken up with trees and hedgerows. It would be a shame if more development was allowed in this main street as it would spoil the rural nature of the village. It would be far better to have a few small pockets of housing just outside the settlement boundary so that the historic core of the village remains undisturbed by further development.

Name: J M L Higgs

Address:

Date: 22.8.16

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

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## Latham, James

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 August 2016 11:00  
**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	John
Last name	Morris
Which plan are you commenting on?	Kingsland NDP
Comment type	Support
Your comments	The Steering Group have done a great job getting this Plan together. Lets hope it soon gets approval so we can stop all these excessive applications for housing in the village.



August, 2016

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

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- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
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My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on '*The Benefits of the Kingsleane Scheme*' which I have included as part of this second Regulation 16 re-consultation response attached to this letter.

**Other Comments:**

I think putting all the proportionate housing growth in the main village street will spoil the historic listed buildings and be detrimental to the conservation area. It will also exacerbate the existing traffic issues in the main street.

Name: J Nunn

Address:

Date: 22.8.16

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## Latham, James

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 04 August 2016 10:21  
**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	Jason
Last name	Richards
Which plan are you commenting on?	Kingsland Neighbourhood Development Plan
Comment type	Objection
Your comments	<p>Object to Policies KNDP2 and KNDP 14. These objections relate to Land South of Martindale, Kingsland which is subject to a current outline planning application for up to 10 detached dwellings. We concur with Herefordshire Council's previous comments that the development boundary of Kingsland is tight with limited potential for infill to accommodate proportionate growth. The revised NDP continues to rely on windfall development with no firm evidence submitted that the numbers can be achieved. The land south of Martindale should therefore be allocated for housing or at least be identified in an amended settlement boundary. These comments are expanded on in a separate representation document.</p>

**Representations on  
Kingsland Neighbourhood  
Development Plan (July  
2016) on behalf of Mr  
Jason Richards**

---

Land South of Martindale,  
Kingsland, Herefordshire

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August 2016



# Summary

## Proposal

Representations on Kingsland Neighbourhood Development Plan (July 2016)

## Location

Land adjacent to Martingdale, Herefordshire

## Date

August 2016

## Project Reference

16.486

## Client

Jason Richards

## Product of

Asbri Planning Limited  
Unit 9 Oak Tree Court  
Mulberry Drive  
Cardiff Gate Business Park  
Cardiff  
CF23 8RS

02920 732652

## Prepared by

Keith Warren | Associate Director

## Approved by

Barrie Davies | Director

## Disclaimer

*This report has been prepared for the sole and exclusive use of Jason Richards for whom it was commissioned and has been prepared in response to their particular requirements and brief. This report may not be relied upon by any other party.*

*The Contracts (Rights of Third Parties) Act 1999 shall not apply to this report and the provisions of the said Act are expressly excluded from this report. This report may not be used for any purpose other than that for which it was commissioned. This report may not be reproduced and/or made public by print, photocopy, microfilm or any other means without the prior written permission of Asbri Planning Ltd.*

*The conclusions resulting from this study and contained in this report are not necessarily indicative of future conditions or operating practices at or adjacent to the Site. Much of the information presented in this report is based on information provided by others. That information has neither been checked nor verified by Asbri Planning Ltd.*

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## **Chapter 2**

Site Description

## **Chapter 3**

Review of Supporting Information

## **Chapter 4**

Comments on the Content of the Neighbourhood Development Plan

## **Chapter 5**

Merits of the Site Promoted

## **Chapter 6**

Conclusions and Grounds of Objection

## 1.0 Introduction

- 1.1 These representations on the Kingsland Neighbourhood Development Plan (July 2016 version) which is currently being consulted on under Regulation 16, are submitted on behalf of Mr Jason Richards and relates to land south of Martindale, Kingsland, which is subject to a recently submitted outline planning application for up to 10 dwellings (Ref: P/162166/O). We are objecting to it not being identified as a housing land allocation under NDP Policy KNDP 14, and its non-inclusion within the settlement boundary under Policy KNDP 2 and on the Kingsland Policies Map.
  - 1.2 There has been no opportunity to engage with the Parish Council hitherto with a view to seek inclusion of the site as a small scale, housing land allocation in the revised document. When the Parish Council were contacted, the response given was that there was no intention to review any sites.
  - 1.3 This was disappointing as the allocation of the site would have represented a 'ready made' solution for the Parish Council in addressing previous objections, by providing more certainty in contributing to the remaining shortfall in required dwelling numbers, with a minimal impact on the form and character of the village.
  - 1.4 This document reviews the revised Neighbourhood Development Plan in terms of its overall soundness, and considers issues associated with the need to accommodate future development in the village of Kingsland, particularly the continued reliance on windfall development. It points out discrepancies and contradictions in the NDP and supporting documentation, and with reference to recent site visits/assessments, questions the capacity of land within the village boundary to accommodate further development.
  - 1.5 We therefore elaborate on the basic points made on the submitted consultation form under the following headings:
    2. Site Description
    3. Review of Supporting Information
    4. Comments on the Content of the Neighbourhood Development Plan
    5. Merits of the Site Promoted
    6. Conclusions and Grounds of Objection
  - 1.6 We also refer to the following Appendices.
    - Appendix 1 – Site Location Plan
    - Appendix 2 - Kingsland Housing/Planning Review (Prepared by the Client)
-



## 2.0 Site Description (See Site Location Plan -Appendix 1)

- 2.1 This section sets out the site's general location and provides a brief description of the alternative site promoted and its immediate surroundings.
- 2.2 The site is situated within a residential area along the north-western edge of the village. This area is generally characterised by more recent development as historically the village has developed in a linear manner along North Road. The site is well related to the settlement pattern.
- 2.3 The site is bounded by Westcroft, a single detached dwelling, to the east, and residential properties, including The Keys and Martindale, to the north. To the west of the site is a small parcel of agricultural land and The Paddocks, a single detached dwelling is located further west. The site lies adjacent to the defined settlement boundary of Kingsland as identified in the emerging Neighbourhood Development Plan. The site also lies **outside the Kingsland Conservation Area** boundary, which encompasses most of the built form of the village together with open land to the south..
- 2.4 Mortimer Park, which accommodates 4 no. rugby pitches, a cricket pitch, and a clubhouse and function facility, is situated on the opposite side of the A4110, to the south of the site. The area is served by onsite car park which can accommodate up to approximately 200 cars.
- 2.5 General access into the site is achieved via the A4110. The existing site access comprises a single agricultural gate bounded by hedgerows on both sides. A junction with the B4360 North Road is located to the south-east of the application site. North Road is the main route which serves the village on an east-west axis.
- 2.6 Most of the village's local services lie between 800 and a kilometre to the east, and include a recently opened village shop/post office, doctor's surgery, pharmacy, primary school, two public houses, garage, and Church. Regular bus services link the village to the town of Leominster, and other large villages such as Pembridge, as well as the City of Hereford.
- 2.7 A number of small trees are sporadically located throughout the site in addition to an area of foliage encompassing a small, dilapidated shed towards the centre of the southern site boundary. The site is level in nature and comprises of a level grassed area with the aforementioned trees and is enclosed within a trimmed hedgerow which provides a high degree of containment, and distinguishes the site from the wider rural areas to the north.

**Further consideration of the site's merits and advantages is provided in Section 5.**

## 3.0 Review of NDP Supporting Documentation

### Supporting Documentation

- 3.1 This section considers the following supporting documentation which has informed the 'revised' NDP:

***Kingsland Neighbourhood Development Plan – Consultation Statement (November 2015)***

***Environmental Report***

***Kingsland NDP – Basic Conditions Statement***

***Meeting Future Housing Requirements in the Parish***

These are discussed in turn below with sub headings (underlined) relating to appropriate relevant sections.

***Kingsland Neighbourhood Development Plan – Consultation Statement (November 2015)***

Regulation 14 (Draft Plan stage) Consultation (Section 6)

- 3.2 The Statement refers to the draft plan stage where 38 representations were received from the community. The most frequently raised issue was connected to **a lack of specific sites being identified to ensure the target levels of growth.**

- 3.3 The response, by the Parish Council, laid out in paragraphs 6.1 to 6.4 of the Neighbourhood Plan, was to set out in greater detail the assessment of housing needed, along with the level of current commitments, the provision for windfall development in the countryside and the level of development that might result from proposals in the plan covering the three settlements. The Parish Council maintained that this indicated the target would be exceeded and potentially by a significant amount.

Herefordshire County Council Comments

- 3.4 The Parish Council summarise the County Council comments as follows:

*Confirmation that in general conformity with the adopted Core Strategy with the exception of Policy KNDP14 – development boundary of Kingsland is tight with limited potential for infill to accommodate proportionate growth. Kingsleane site is undergoing a Judicial Review. **A revision of capacity will be necessary to reflect this.***

- 3.5 The full Officer's Appraisal in the **Progress to Examination Decision Document** which considered the previous Regulation 16 exercise was as follows:

*'This plan has met the requirements of the regulations as set out in the table above.*

*Concern has been raised from both internal and external responses with regards to **the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy.***

*There are no site allocations but the plan places a great reliance on windfalls (just under half of the requirement). Since submission, a committed site (as shown on the policies map) is likely to be quashed by Judicial Review and therefore will place a greater reliance on windfalls. **It is not apparent from the plan***

***whether there is suitable and available capacity within the settlement boundary of Kingsland to accommodate the increased windfall requirement.***

***A number of representations have been made to demonstrate potential alternative sites are available and a number have questioned the site evaluation process as a whole.***

***Welsh Water has also raised concerns regarding sewerage capacity, planned growth could assist in redressing this issue than individual windfalls.'***

3.6 In addition, the Assistant Director's comments state that:

'Given the changes in circumstances surrounding the committed site and the associated greater reliance on windfalls **it is not clear** that this plan can meet its proportional growth requirements.

3.7 The resulting Decision under Regulation 17 of the Neighbourhood Plans (General) Regulations 2012 was that ***the NDP does not progress to examination at this stage and that additional consultation (under Regulation 16) is undertaken.***

#### Parish Council Response

3.8 The response highlighted in the Consultation Statement is "*Further work has been undertaken and submitted to Herefordshire Council which it is understood its officers are happy with. This will be placed on the Neighbourhood Plan website under its evidence base and changes proposed to the plan that reflect the information gathered.*"

***The above is disputed for reasons given in the following section of these representations.***

#### **Environmental Report**

3.9 The submitted Environmental Report lists 5 Neighbourhood Development Plan objectives which are tested under the SEA Regulations. These include Objective 4 – '***Provide sufficient housing to meet the future needs of the community, in terms of numbers and type, based on robust evidence.***'

***For reasons given in the following section of these representations this objective is not met.***

#### **Kingsland NDP – Basic Conditions Statement**

3.10 The Basic Conditions Statement has been prepared to show that the Neighbourhood Development Plan complies with the provisions of Schedule 4B of the Town & Country Planning Act 1990 as amended. The conditions required are that:

- i. Appropriate regard is paid to national planning policy;
- ii. It is in general conformity with the Herefordshire Core Strategy;
- iii. It meets relevant European obligations.

***For reasons given in the following section the Neighbourhood Development Plan fails to meet the above conditions.***

### **Meeting Future Housing Requirements in the Parish**

- 3.11 The above document seeks to update the position regarding completions and outstanding planning applications and seeks to estimate the level of potential windfall development by considering 5 sites in Kingsland.
- 3.12 This document confirms that 18 dwellings have been completed or are under construction. A further 20 in the village benefit from a current planning permission. It goes on to consider 'suitable and available sites', 5 of which are in Kingsland. These are:

K1 – Land east of Little Holgate (2 dwellings)

K2 – Land behind Vine House, Vine Cottage and The Old Forge (11 dwellings)

K3 – Land to the rear of Westmead and Stone House (9 dwellings)

K4 – Remaining land to north at Croft Mead (3 dwellings)

K5 – Parcel of land to south of Kingsland Court (1 dwelling)

In total these are stated to accommodate the 26 dwellings referred to in the NDP.

***For reasons given in the following section it is considered that these numbers are not achievable.***

## 4.0 Comments on the Content of the Document

- 4.1 It can be seen from the above that the lack of specific sites identified in the village of Kingsland represents a major recurring theme in the context of previous comments submitted, both by individual interests and the County Council.
- 4.2 Revised Paragraph 6.5 of the Neighbourhood Development Plan (July 2016) states:
- '6.5 Kingsland village, as the principal settlement within the parish is expected to accommodate the majority of the housing required. Development of the village, comprising small sites and individual plots, has normally taken place within the former settlement boundary. Some 17 dwellings have been or are being built and a further 23 have planning permission within its current settlement boundary since 2011. Sites for a further 26 dwellings are known to be available within that boundary during the plan period with further potential remaining. Notwithstanding the issue of phosphate discharge into the River Lugg there will remain little spare capacity to accommodate further development at Kingsland WwTWs. The following policy would enable the suggested number of further dwellings to come forward.'*
- 4.3 The text refers to Policy KNDP 14 where the wording has remained unchanged in the July 2016 NDP from the October 2015 version.
- 4.4 The above figure of 26 dwellings '*known to be available within the boundary*' is **not** based on a thorough assessment of the potential of land within the village boundary to accommodate the specified number of dwellings, as evidenced by the assessment of 5 potential sites in the *The Kingsland Housing/Planning Review discussed below*, and therefore **fails to provide any certainty that the numbers can be delivered**.
- 4.5 The statement regarding capacity of the Waste Water Treatment Works (WwTW) also conflicts with views expressed during the earlier consultation, where Welsh Water actually commented that planned growth could secure sufficient contributions to upgrade the works.
- The Kingsland Housing/Planning Review (Appendix 2 Refers)***
- 4.6 This document has been prepared by Mr Jason Richards, a chartered planner and development surveyor (MRICS) who visited the sites in July 2016. It seeks to review approved and undetermined planning applications, and also considers the 5 potential 'windfall' allocations in Kingsland referred to in the '*Meeting Future Housing Requirements in the Parish*' document discussed above.
- 4.7 A brief review is also carried out of undetermined planning applications. It should be mentioned in this context that the 12 dwellings proposed on land adjoining Kingsleane, which was subject to the judicial review, was subsequently subject to a further planning application (P140534) **which has been refused**.
- 4.8 The current application (Ref. P/161869/F) - Proposed 30 dwellings with highway access onto North Road; associated infrastructure and landscaping/open space provision on Land to the Rear of the Lindens, North Road, Kingsland, has been subject to **rigorous objections**, both from ourselves and other parties, (including Herefordshire CC's Conservation Officer) particularly regarding the use of high grade agricultural land, impact on the conservation area and neighbouring listed buildings, access and adverse impact on the village form.
- 4.9 It is apparent that from this evidence by Mr Richards, (who has a town planning background and is an experienced developer), that the 5 potential 'windfall' sites reviewed have a **high degree of uncertainty**

regarding future development prospects. **All have technical constraints**, including ecology and access concerns; and are described as '*unlikely to become available*' (Site 1); '*may not be technically suitable*' (Site 2); '*not deliverable*' (Site 3); '*not readily available*' ((Site 4); and limited in size with hedge/landscaping issues (Site 5). These conclusions are reached with reference to photographic evidence.

- 4.10 It is noted that in the Parish Council document, the sites are reviewed almost exclusively in terms of impact on the Conservation Area (they all lie within the CA boundary), while reference is made to previous planning applications on adjacent plots. It is worth mentioning in this context that some of the sites are overgrown with vegetation, where hedgerows have not been maintained. This is particularly apparent in 'Picture 1' of Mr Richard's assessment.
- 4.11 Where hedgerows consist of semi-mature and mature trees **they are protected in a conservation area** context and have the same status as Tree Preservation Orders in contributing to the character and landscaped setting of the Conservation Area. This is consequently a further major constraint to development which is not mentioned in the Parish Council's assessment and represents a significant omission.
- 4.12 It can be concluded, therefore that **the windfall sites put forward cannot be relied upon** and, as such there is a conflict with Objective 4 of the Neighbourhood Development Plan, i.e. '*Provide sufficient housing to meet the future needs of the community, in terms of numbers and type, based on robust evidence.*'
- 4.13 It is also worth mentioning at this juncture that previous windfall completion rates on which projections are based **were achieved largely before the national restriction on the development of garden areas** was imposed. As a consequence it is not appropriate to project previous rates forward as there is less capacity for windfall forms of development in the village. The sites examined are either within, or at least well related to existing residential curtilages. NPPF Paragraph 53 clearly states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Paragraph 48 is also adamant that **windfall allowances should not include residential gardens**.
- 4.14 It is considered that, in particular, other provisions of National Planning Policy, embodied in NPPF, are **not addressed**, i.e.
- *Identify sites that are key to delivery of the Strategy within the housing market area over the plan period (NPPF paragraph 47, bullet 1);*
  - *Illustrate housing delivery over the plan period showing a 5 year supply of housing land (NPPF paragraph 47, bullet 4);*
  - *Set out approach to housing density to reflect local circumstances (NPPF Para 47, bullet 5);*
- 4.15 The NDP as proposed, also, contrary to the Basic Conditions Statement is not in conformity with the following Herefordshire Core Strategy Policies:4.19

**POLICY SS3 - Ensuring sufficient housing land delivery**

**POLICY SS2 - Delivering new homes**

**POLICY RA1 – Rural housing distribution**

**POLICY RA2 – Housing in settlements outside Hereford and the market towns.**

## 5.0 Merits of the Site Promoted

- 5.1 **As a result of the comments highlighted in the previous section, there is consequently an identified need to provide for limited forms of additional housing development beyond the village boundary on sites which complement the existing form and character of Kingsland. For this reason we are promoting land south of Martindale as an Alternative Site which should be identified as a new allocation to meet the resulting shortfall.**
- 5.2 The land south of Martindale is subject to a current outline planning application for up to 10 dwellings. The application is accompanied by a suite of supporting documents which effectively demonstrate that the site is suitable to accommodate the small residential scheme as proposed, without any undue impacts on the scale and form of the village, or its facilities and infrastructure. These include
- Proposed Site Layout prepared by Doug Hughes Architects
  - Access Drawing prepared by Asbri Transport/Quad/DHA
  - Drainage Strategy prepared by Quad Consult
  - Phase 1 Extended Habitat Survey prepared by Richard Watkins
  - Landscape & Visual Impact Assessment prepared by Anthony Jellard Associates
  - Pre Development Tree Survey & assessment – Tirlun Design Associates Ltd
  - Tree Constraints Plan – Tirlun Design Associates Ltd
  - Transport Statement prepared by Asbri Transport;
  - Design & Access Statement prepared by Asbri Planning Ltd.
  - Archaeological Desk Based Assessment prepared by Border Archaeology
- 5.3 These documents comprehensively address site specific considerations and have informed the indicative site layout plan.
- 5.5 Of particular note is the Planning Statement which brings all the supporting information together and highlights the site's advantages. These are
- The site **is not** in existing agricultural use and would not represent a loss of high quality agricultural land;
  - The site is contained in relation to **the strong hedgerow boundaries** and position in respect of adjacent residential uses;
  - Development **would not represent an incursion into the wider countryside;**
  - The site is compatible with the scale and existing linear form of the village and it would represent a logical extension to the village boundary at this location;
  - Access directly onto the A4110 **would not contribute to traffic congestion** in the village;
  - The site lies **outside** the Conservation Area;
  - The site is **outside recognised areas of flood risk** which affect other parts of the village;
  - The scale of the proposed development **would not overload existing facilities and infrastructure** (DCWW have confirmed that there is capacity in the system to accommodate the 10 dwellings associated with the site);
  - It would **not constitute the over-development** of an existing residential curtilage;
  - The site is in a **sustainable location** close to existing recreational and community facilities;
  - At up to 10 dwellings, it would contribute to meeting the required minimum target of 65 dwellings, but would **not** give rise to an excessive number of dwellings which could affect the overall village character;
  - The site is **immediately deliverable;**

- For the reasons given, **the site compares favourably with other sites in the village** including those subject to current planning applications.



---

## 6.0 Conclusions/Grounds of Objection

6.1 It can therefore be concluded that the Kingsland Neighbourhood Development Plan (July 2016) remains unsound as it fails to provide any certainty regarding the need to accommodate for sufficient housing needs as identified in the adopted Herefordshire Core Strategy.

6.2 The windfall sites referred to in the supporting evidence prepared by the Parish Council, have been thoroughly assessed. It is clear that there are significant access and ecological constraints and that the presence of mature trees within the conservation area has been ignored. The sites are also associated with existing curtilages and development would be contrary to principles which aim to restrict overdevelopment of garden areas. There is consequently little, if any certainty that the sites can be developed.

6.3 Previous concerns expressed by Herefordshire Council have not therefore been addressed, i.e

- ***It is not apparent from the plan whether there is suitable and available capacity within the settlement boundary of Kingsland***
- ***the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy.***

6.4 There is also a conflict with Objective 4 of the Neighbourhood Development Plan, i.e. *'Provide sufficient housing to meet the future needs of the community, in terms of numbers and type, based on robust evidence.'* Neither have the Provisions of NPPF and the Core Strategy been met, contrary to the submitted NDP Basic Conditions Statement.

6.5 The resulting shortfall can be addressed by the identification of specific land for development in the village of Kingsland which is compatible with National Policies embodied in the National Planning Policy Framework (NPPF) and County Wide Policies included in the adopted Herefordshire Core Strategy.

6.6 Accordingly the site subject to these representations meets recognised site selection criteria and should be identified as a housing land allocation and a logical extension of the village settlement boundary in the Neighbourhood Development Plan,

**6.7 The Neighbourhood Development Plan (July 2016) is objected to as it is not sound for the above reasons. This can be addressed by the allocation of suitable land as put forward below:**

**The land south of Martindale, Kingsland, should be included as a housing land allocation for up to 10 dwellings under Policy KNDP 14.**

**The land south of Martindale should be included within an extended settlement boundary for the Village of Kingsland under Policy KNDP 2.**

**The site should also be shown on the Kingsland Policies Map as a housing land allocation and within an extended settlement boundary.**

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 APPLICATION SITE BOUNDARY



Head Office  
29 Broad Street  
Newtown  
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SY16 2BQ  
t - 01686 610311  
w - www.hughesarchitects.co.uk

Project :- <b>Site at Kingsland</b>		
Drawing Status :- <b>CONCEPT</b>	Drawing Title :- <b>Location Plan</b>	
Scale :-1:1250@A3	Date :-06.07.16	Drawing No :- <b>R051.1.3.01</b>
Drawn by :-RL	Checked :-	Rev :-

Enter revision text if required.

# KINGSLAND HOUSING/PLANNING REVIEW

REVIEW UNDERTAKEN 20 JULY 2016

## 1.0 REVIEW OF APPROVED PLANNING APPLICATIONS

All Planning Applications approved from 2011 were reviewed and the key sites were visited to understand if the sites were under construction, completed or yet to be started.

The Kingsland Policies Map was used to annotate the sites. Letters A-F were used to illustrate sites that had Planning Permission. The following offers a summary of the situation of each of the sites:

**Site A** – 1 dwelling currently under construction

**Site B** – all 4 dwellings have been completed

**Site C** – this development is currently under construction with 5 of the dwellings being offered for sale as ‘self builds’.

**Site D** – 1 dwelling completed and the other 2 currently under construction (just commenced)

**Site E** – 1 dwelling completed

**Site F** – this development has just started with ground works under way

See Appendix A for illustration of location of sites A-F

**NOTE:** Therefore, **all sites with Planning Permission** are either completed or under construction.

## 2.0 REVIEW OF UNDETERMINED APPLICATIONS

All current/pending applications were reviewed. The applications were also reviewed on site.

The Kingsland Policies Map was used to annotate the sites. Letters AA, BB and CC were used to illustrate the sites that had pending planning applications.

The following offers a summary of the situation of each of the sites:

### Site AA

- This application for 30 units has a **very narrow access** between two properties.
- The site is also of **high quality agricultural land**.
- The site is **inside the conservation area** and its location is **movement away** from the village 'ribbon development' characteristic.
- The site has a **very low density** and not in accordance with HCC land use policy.

### Site BB

- This site is off access through a small development and the access and pavements appear of **low quality**. It could not be ascertained if this access is adopted?

### Site CC

- This site has commenced.

See Appendix A for illustration of location of sites AA-CC

### 3.0 REVIEW OF WINDFALL ALLOCATIONS

#### 3.1 KINGSLAND

Appendix B illustrates the five key suggested windfall sites in Kingsland according to the Kingsland NDP. These are noted as 1-5 on the policies map in Appendix B.

Each site was reviewed 'on the ground' and the following text and photographs illustrates the findings.

**Site 1** – This parcel of land is an enclosed piece of land belonging to the adjoining property. The land is totally enclosed by **matured hedging** as illustrated in Picture 1.

Also, the land has a **high ecology element** as illustrated by picture 2.

This land is **unlikely to become available** and is potentially undeliverable due to the landscaping/ecology nature of it.

*Picture 1: Site 1 location and hedging*





*Picture 2: Site 1 ecology/landscaping element*



**Site 2** – This small parcel of land is adjacent to the St. Marty’s Farm development. It could be suitable for development depending on the access and visibility as the access already serves the 18 units development at St. Marty’s Farm and **may not be technically suitable**.

*Picture 3: St. Mary’s Farm development access*





**Site 3** – this small parcel of land has been identified in the NDP as an available site but for access/visibility reasons alone it is **not deliverable**. Pictures 4 and 5 clearly illustrate this poor access/visibility.

*Pictures 4 & 5: Illustrating very poor access/visibility in both directions*





**Site 4** – This small parcel of land is a garden for a very large house.

The land would **not be readily available** as it forms part of the the house. The land also has significant hedging etc.

Also, the access to this land is via Chapel Lane which is a **very narrow single carriageway** which could not accommodate cars passing or any form of pavements.

*Picture 4: Current hedging at small parcel of land*



*Picture 5: illustrating extent of current house that land forms party of*



**Site 5** – This small parcel of land could be suitable for a very small site although the current hedge/landscaping issues would need to be overcome.



### 3.2 COBNASH & SHIRLHEATH

The parcels of land in the areas of Cobnash and Shirlheath are either gardens or high quality agricultural land. Most of these parcels are **not suitable for development**. These small parcels of land are **very rural in nature**.

Also, the villages are **not sustainable** and have no facilities in any form.

## 4.0 CONCLUSION

This document reviewed the sites with current planning, sites with undetermined planning applications and 'windfall sites' in the parish of Kingsland.

**Section 1.0** illustrated the **need for housing in Kingsland is high** as all sites with current planning have either been constructed or are under construction.

**Section 2.0** illustrated the 3 key sites with current planning application pending.

Site AA for 30 units was deemed as **not suitable** due to the access, use of high quality agricultural land and the poor use of land due to the **low density**. The site also **moves away** from the village 'ribbon development' characteristic.

Site BB was found to be outside the current settlement boundary and the access and pavements are in **poor condition**.

Site CC was found to already be under construction.

**Section 3.0** reviewed the 'windfall sites' recommended by the NDP. The 5 sites put forward by the NDP have varying findings but most have issues.

Site 1 has **landscaping constraints** and availability would be questionable.

Site 2 would use the access developed for the St. Mary's Farm development and the access/visibility would have to be reviewed as it already serves 18 dwellings.

Site 3 has **significant technical constraints** and could not be delivered due to the very poor access/visibility.

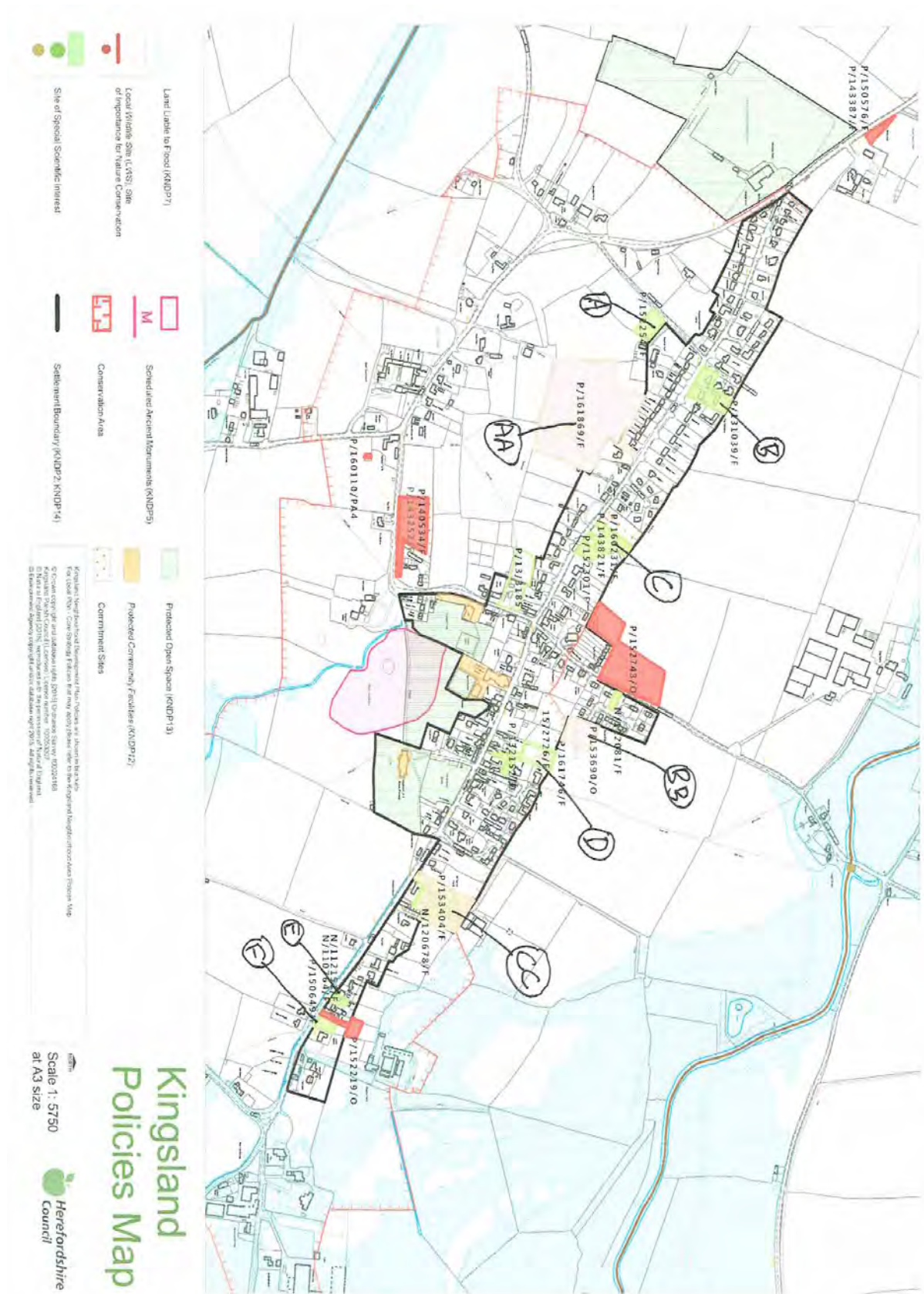
Site 4 is the garden of a very large dwelling and the **delivery should be questioned** as development of this land would significantly harm the existing dwelling. Also, the land is served by a **very narrow lane** that may not be suitable for a development.

Site 5 could possibly be delivered for a small site although there may be landscaping constraints.

This review has shown that **most of the 'windfall sites** in Kingsland put forward by the Kingsland NDP are **not deliverable** so their use towards the windfall or NDP Housing numbers **cannot be relied upon**.

Also, section 3.2 clearly illustrated that the 'windfall sites' for Cobnash and Shirlheath should **not be relied upon** as they may not be available and are very rural in nature. The areas of Cobnash and Shirlheath **are not sustainable** and development should perhaps not be considered there anyway.

# APPENDIX A KINGSLAND NDP POLICIES MAP



# APPENDIX B KINGSLAND VILLAGE POLICIES MAP – WITH NDP AVAILABLE SITES

**Map 1: Kingsland Village – South East End.**



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**Map 2: Kingsland Village – North West End.**



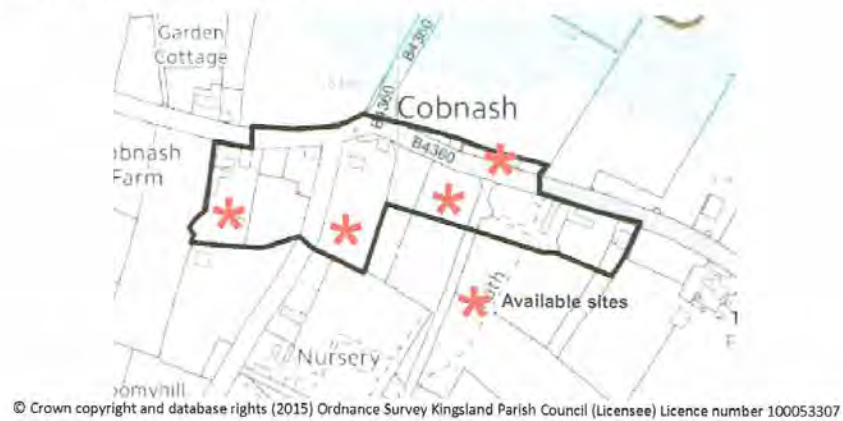
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## APPENDIX C COBNASH & SHIRLHEATH POLICIES MAP -- WITH NDP AVAILABLE SITES

### Appendix 2: Proposed settlement boundaries for Cobnash and Shirlheath

Map 3: Cobnash proposed settlement boundary



Map 4: Shirlheath proposed settlement boundary



Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

August, 2016

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

**Item 2**

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
- The petition asked that a plan should be available showing the extent of areas to be protected as part of KNP with specific reasons why that area should be protected from development.

**Item 3**

- *'I do not agree with the statement that there needs to be a clear separation between Kingsleane and West Town.'*

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on *'The Benefits of the Kingsleane Scheme'* which I have included as part of this second Regulation 16 re-consultation response attached to this letter.

**Other Comments:**

Name:

Address:

Date:

20/8/16

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people**.

### **BENEFIT 3 – Financial benefits for the community**

In Kingsland Neighbourhood Development Plan, 54% of residents stated they wanted development that attracted 106 financial contributions. This proposal provides the following monies:

- **£33,466.00** to provide enhanced educational infrastructure at Kingsland Primary School and Wigmore Secondary School.
- **£22,609.00** to provide sustainable transport infrastructure to serve the development. The monies shall be used by Herefordshire Council, in consultation with the Parish Council, at its option for any or all of the following purposes:
  - improvements to public right of way network within the vicinity of the development;
  - improved crossing facilities between application site and village facilities and;
  - improved bus infrastructure within vicinity of the development
- **£560.00** to provide 1x waste and 1x recycling bin for each open market property.
- **£14,278.00** for off-site play facilities (provision and maintenance). The contribution would be used towards improving the existing play facilities in Kingsland as identified in the Neighbourhood Plan and in consultation with the Parish Council.
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The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

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The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

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- No loss of existing mature hedgerows
- Landscape Management Plan for the restoration and enhancement of existing hedgerows including the roadside hedge in the Arbour Lane will conserve and enhance the rural character and encourage wildlife in the area. Currently no management agreement is in place for the existing hedgerows..
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### **BENEFIT 16 – Self-contained site will not affect residents' enjoyment/appreciation of the village landscape or conservation area**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.



**Latham, James**

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 20 August 2016 09:48  
**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	Kaye
Last name	Fletcher
Which plan are you commenting on?	Kingsland
Comment type	Objection
Your comments	<p>Cobnash Proposals With reference to the Kingsland Neighbourhood Plan: The majority of the plan for the development of Kingsland has been well thought out and has addressed the concerns of local inhabitants. But: I am a resident of Cobnash and feel that our concerns about the proposed recommendations for development in Cobnash have largely been ignored. I do agree that there should be housing development in Cobnash in line with the Herefordshire Core Strategy. With reference to the Kingsland Neighbourhood Plan I object to the proposed settlement boundary drawn seemingly arbitrarily as seen on the Cobnash Inset Map. If left as it is I believe it would contravene the criteria set out in 'Policy KNDP 16: New Homes in Cobnash'. In the draft Neighbourhood Plan the proposed linear plan for development in Cobnash with frontages on to the B 4360 is potentially dangerous and much too restrictive. It would spoil the open rural aspect of Cobnash and would be intrusive to the present houses. The proposed boundary also cuts through the middle of several properties, dividing them and pushing potential development down towards the B 4360, cutting off more suitable development land to the south which would have far less impact on the rural aspect of Cobnash. Surely it would be preferable to allow housing development in Cobnash on an individual basis, with each planning application being</p>

judged on the merits of a) location with appropriate access b) sympathetic design c) retaining the rural aspect Some housing development in Cobnash would enhance the community but it should still retain the rural aspect of the hamlet. To this end individual houses should be in plots sufficiently large to retain this open aspect. In line with this a settlement boundary should encompass the majority of Cobnash, with the possible exception of agricultural land. A footpath alongside the B4360 road into Kingsland would enable residents to take a more active part in the Kingsland community.

Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

August, 2016

Dear Neighbourhood Planning Team

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

**Other Comments:**

I think putting all the proportionate housing growth in the main village street will spoil the historic listed buildings and be detrimental to the conservation area. It will also exacerbate the existing traffic issues in the main street.

Name: Lucy Reeve

Address:

Date: 22/8/16

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people**.

### **BENEFIT 3 – Financial benefits for the community**

In Kingsland Neighbourhood Development Plan, 54% of residents stated they wanted development that attracted 106 financial contributions. This proposal provides the following monies:

- **£33,466.00** to provide enhanced educational infrastructure at Kingsland Primary School and Wigmore Secondary School.
- **£22,609.00** to provide sustainable transport infrastructure to serve the development. The monies shall be used by Herefordshire Council, in consultation with the Parish Council, at its option for any or all of the following purposes:
  - improvements to public right of way network within the vicinity of the development;
  - improved crossing facilities between application site and village facilities and;
  - improved bus infrastructure within vicinity of the development
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- Additional hedgerows and trees planted on site and on adjoining land will enhance the conservation area.

### **BENEFIT 16 – Self-contained site won't affect residents' enjoyment of village**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.

22<sup>nd</sup> August 2016

Dear Herefordshire Planning,

I write to disagree with the current KNDP plan due to its restrictive policies which will not allow much needed development outside of the settlement boundary. I strongly agree that the affordable/capped housing development adjoining Kingsleane should be included instead of cramming development into one area (North Road to the Shrublands).

Currently the main part of the village is heavily congested often resembling a slalom with cars often parked on either side of the road making it difficult to travel through; another issue is the road itself is in a terrible state. Allowing only further development within the main part of the village itself will only add to this, there are already several new houses crammed into already jammed areas leaving little green space. The proposed site near Kingsleane is a perfect site to develop and won't impact on the village as the likelihood is traffic will mainly be using entrance and exit from the Fire station end.

Kind regards,

Lydia Stevens



## Latham, James

---

**From:** donotreply@herefordshire.gov.uk  
**Sent:** 09 August 2016 20:58  
**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	Mary
Last name	Champion
Which plan are you commenting on?	KingslandNeighbourhood Development Plan
Comment type	Support
Your comments	I fully suport the plan which retains the character of a rural village with limited small scale development and keeping the conservation area at the heart of the plan. Any attempt to build housing estates should be resisted at all costs.,and would destroy an historic village.Agricultural land must be retained for the benefit of future generations.

August, 2016

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

**Item 2**

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
- The petition asked that a plan should be available showing the extent of areas to be protected as part of KNP with specific reasons why that area should be protected from development.

**Item 3**

- *'I do not agree with the statement that there needs to be a clear separation between Kingsleane and West Town.'*

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on '*The Benefits of the Kingsleane Scheme*' which I have included as part of this second Regulation 16 re-consultation response attached to this letter.

**Other Comments:**

I think putting all the proportionate housing growth in the main village street will spoil the historic listed buildings and be detrimental to the conservation area. It will also exacerbate the existing traffic issues in the main street.

Name: Matt Nunn

Address:

Date: 22.8.16

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11th August 2016

Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

Dear Sirs

**Kingsland Neighbourhood Development Draft Plan**

We have read the revised draft plan and would like to express our support of it on the understanding that no further amendments are made to its contents.

We believe that the proposed plan covers all aspects of village developments for the next 15 years in a considerate and sustainable way whilst also enhancing Kingsland village life.

Yours faithfully

Mr & Mrs R W Jaynes

## Latham, James

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**From:** David Pryce  
**Sent:** 21 August 2016 09:09  
**To:** Neighbourhood Planning Team  
**Subject:** Kingsland Neighbourhood Plan.

I am writing to support the revised consultation of the Kingsland Neighbourhood Plan. I fully support the "Regulation 16" final public consultation and trust that it will be given favourable consideration. A considerable amount of thought and hard work has been given to this plan and the committee have taken into consideration all aspects of the Kingsland village structure.

David and Yvonne Pryce (Kingsland Residents)

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**Kingsland Neighbourhood Development Plan**

**Re-submission Draft Regulation 16**

**Representation**

**Prepared on behalf of Mrs Hinton Powell**

**By CR Planning Solutions**

**July 2016**

## 1. Introduction

- 1.1 This representation has been made by CR Planning Solutions on behalf of Mrs Hinton Powell and is being made to the re-submission draft Regulation 16 version (July 2016) of the Kingsland Neighbourhood Development Plan (KNDP).
- 1.2 This representation needs to read alongside a representation which has been prepared by CgMs on behalf of Mrs Hinton Powell which focusses on the heritage aspects of the resubmitted KNDP.
- 1.3 This representation also needs to be read alongside CR Planning Solutions previous representation to the first Regulation 16 NDP draft (October 2015). This is provided at Appendix A.
- 1.4 It is noted that the KNDP reached its Regulation 16 stage in November 2015, though the Plan has not advanced through to Examination. The Herefordshire Council concluded within its 'Progress to Examination Report' that it was not convinced that the KNDP could meet its proportional growth requirements; with the Strategic Planning section of Herefordshire Council stating that the development boundary for Kingsland *'is tight with limited potential for infill to accommodate proportionate growth'*.
- 1.3 As a result of this, Herefordshire Council required additional work to be undertaken to show that the KNDP policies, in particular as they related to Kingsland village, were robust and compliant with the Herefordshire Core Strategy and that the housing growth requirements could be accommodated within the settlement boundary proposed.
- 1.4 To address these concerns a report, 'Meeting Future Housing Requirements in the Parish June 2016' has been prepared and forms part of the KNDP evidence base. This provides details on the housing supply position for the Parish and has been used to justify the continued position taken within the KNDP.
- 1.5 The Resubmitted Regulation 16 KNDP, which remains largely unchanged with respect to its approach to housing delivery, is now out to public consultation with representations invited for consideration by an independent examiner. This consultation period ends on 22/08/16.

## 2. Representation to Draft 1 of the submitted Regulation 16 KNDP (October 2015)

- 2.1 As stated above this representation needs to read together with a previous representation submitted by CR Planning Solutions to the first draft of the Regulation 16 KNDP (October 2015). All points made in this previous representation remain valid and of relevance for consideration through the independent examination into the KNDP.
- 2.2 This previous representation which is provided at Appendix A addressed the following points:
  - Paragraph 1.3 refers to the four basic conditions which need to be met by the KNDP.
  - Section 2 provides the plan policy context within which the KNDP needs to be in conformity with.
  - Paragraph 3.1 list those aspects of the KNDP which are welcomed.

- Paragraph 3.2 states that despite these sound starting points there are concerns with the KNDP primarily due to a lack of certainty being built into providing a robust Plan and the delivery of its development requirements.
- At Section 4 the representation expands upon these concerns as follows:
  1. Meeting Housing Need – Please see paragraphs 4.2 – 4.8 for further details,
  2. Delivery of Affordable Housing – Please see paragraph 4.9 for further details,
  3. Delivery of Community Facilities- Please see paragraph 4.10 for further details,
  4. Safeguarding Kingsland’s services and facilities – Please see paragraph 4.11 for further details,
  5. Impact of the KNDP infill approach on the Conservation Area- Please see paragraph 4.12-4.15 for further details.
- To address these concerns and ensure a positive plan is prepared with certainty and clarity the representation states in Section 5 the need for the KNDP to identify a housing allocation within the KNDP- an option never consulted upon during the preparation of the KNDP.
- The representation at Section 6 identifies Land to the Rear of The Lindens as a highly sustainable development opportunity adjacent to the built form of Kingsland which would ensure a deliverable allocation and help to provide affordable housing and community benefit as well as provide certainty that the housing needs of the area will be met.

### **3. Review of the Resubmitted Regulation 16 KNDP (July 2016)**

- 3.1 This representation which needs to be read in conjunction with the representation prepared by CgMS will continue to demonstrate that the KNDP has failed to meet the basic conditions in terms of not having paid due regard to key elements of national planning policy; not being in conformity with the strategic policy of the adopted development plan; and not contributing to the achievement of sustainable development.

#### *Meeting Housing Need*

- 3.2 The re-submitted KNDP has updated the housing supply position to April 2016 and confirms that Kingsland Parish has a requirement to deliver a minimum of 65 units by 2031. The Plan states that between 01/04/11 and 30/04/16 some 18 dwellings have been built or were under construction and a further 22 had planning permission. This leaves a minimum target of some 25 dwellings (38% of the original minimum requirement) to be found before 2031.
- 3.3 The KNDP refers to an expected rural windfall figure of 12 dwellings being delivered 2016 – 2031 in addition to an estimated 45 houses coming forward through the policies put forward for the Policy RA 2 settlements of Kingsland, Shirlheath and Cobnash. The KNDP states that of these 45 units, some 37 dwellings are currently identified as available. The recently prepared report ‘Meeting Future Housing Requirements in the Parish June 2016’, which forms part of the evidence base to the KNDP, identifies

where this growth could potentially take place. The report identifies eleven potential sites located within the three villages of which five sites are situated in Kingsland village and have been highlighted as being suitable and available.

- 3.4 These five sites have been calculated as having an estimated capacity of 26 dwellings and include:
- Site K1 – Land east of Little Holgate (2 dwellings)
  - Site K2 – Land behind Vine Tree House, Vine Cottage and The Old Forge (11 dwellings)
  - Site K3 – Land to rear of Westmead and Stone House (9 dwellings)
  - Site K4 Remaining Land at Croft Mead (3 dwellings)
  - Site K5 Parcel of land to the north west of Kingsland Court (1 dwelling)
- 3.5 As a result, the evidence based report 'Meeting Future Housing Requirements in the Parish June 2016' at Table 5 concludes that the KNDP provides opportunity for 89 units to be delivered 2011-2031. This is made up of 18 dwellings being built since 2011 or under construction, 22 commitments, 12 rural windfalls and 37 dwellings coming forward through further windfall opportunity within Kingsland, Cobnash and Shirlheath.
- 3.6 Despite this additional work being undertaken, significant concerns remain regarding the lack of certainty and clarity being built into the KNDP with respect to the above approach to housing supply. It is still of concern that a settlement the size of Kingsland has not included a housing allocation within its NDP, nor has this option ever been consulted upon, nor has there ever been a call for sites exercise undertaken whilst progressing the Plan to its re-submitted Regulation 16 stage.
- 3.7 The Plan remains wholly reliant upon commitments and windfall opportunities to meet its residual minimum housing requirement. Of the 89 units identified 49 units (55%) form windfall opportunities. This is a very high windfall figure which is being relied upon to deliver the KNDP's residual minimum housing requirement; amounting to 38% of its overall minimum requirement.
- 3.8 The eleven sites that have collectively been identified in a supporting report to provide the opportunity to deliver an estimated 37 dwellings have not been individually identified in the KNDP and have not been identified as plan allocations. No certainty can therefore be built into the KNDP that the minimum housing requirement can be met.
- 3.9 The major concerns raised previously therefore remain. The KNDP is contrary to Paragraph 17 of the NPPF which states that planning should be genuinely plan-led and should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. This KNDP is not plan led, will not provide the clarity that the NPPF seeks or indeed that of the Core Strategy. Indeed, the Core Strategy requires a robust approach to housing delivery within NDP's, stating at paragraph 4.8.21 that NDP's '*will be the principal mechanism by which new rural housing will be allocated*'.
- 3.10 Notably, with respect to Kingsland, the draft KNDP settlement boundary remains the same as the settlement boundary for the village which was identified within the



previous adopted development plan, namely the Herefordshire Unitary Development Plan which was adopted in March 2007 and covered the period 1996 - 2011. The boundary has not been extended despite Kingsland being identified in the adopted Core Strategy as a main focus for growth in the Parish and needing to meet identified housing needs to 2031.

#### *Delivery of Affordable Housing*

- 4.9 The concerns relating to the delivery of affordable housing which were raised within the previous representation by CR Planning Solutions remain.
- 4.10 The approach to the provision of affordable housing has not changed in the re-submitted version of the KNDP. The KNDP continues to rely on current commitments to meet affordable needs within the Parish up until 2031. Six affordable homes are expected to come forward through the St Mary's Farm development which the KNDP states will meet a need of 7 affordable homes as identified in the 2014 Housing Need Survey.
- 4.11 This approach is wholly un-sound as it ignores the fact that the 2014 Housing Needs Survey only covered a three year period and the KNDP and Core Strategy covers a plan period up until 2031. In addition, the need to provide affordable homes is a key requirement of the Core Strategy as stated in paragraph 5.1.3: '*the need for affordable housing across the county is significantly high*'. The KNDP must be sufficiently flexible to changing circumstances as well as provide a level of certainty with respect to meeting its range of housing requirements.
- 4.11 It is noted that the KNDP also refers to the Exceptions Policy, Policy H2 of the Core Strategy. Relying on this approach to meet future affordable housing needs delivers no certainty that a site will be made available on the edge of the settlement to deliver an affordable housing scheme.
- 4.12 The most robust approach to ensuring that future affordable needs in Kingsland are met are to plan positively and identify a deliverable housing allocation which would provide a mix of housing types, including affordable homes, to meet a range of housing needs. The approach adopted by the KNDP is un-sound and negative, being wholly reactionary to future proposals rather than plan led and as a result is fostering uncertainty.

#### *Delivery of Community Facilities*

- 4.13 The continued approach taken to windfall planning through small infill opportunities within the settlement boundary does not lend itself to the delivery of future community facilities as laid out in the KNDP. The points previously made and provided at Appendix A remain of relevance and valid.

#### *Safeguarding Kingsland's services and facilities*

- 4.14 The fact that the re-submitted KNDP has not built-in certainty regarding housing delivery means that there is a continuing knock-on concern with respect to how this approach to housing delivery will impact on Kingsland's valued community facilities and services. The points raised in the previous submission remain valid. A clear

direction on how housing needs are going to be met is vital in supporting and safeguarding the village's services and facilities for future generations. Such a heavy reliance on windfall opportunities as proposed by the KNDP runs counter to planning for sustainable village life.

#### *Impact of the KNDP Infill approach on the Kingsland Conservation Area*

- 4.15 This representation conveys a major concern with a NDP policy framework which promotes the continuation of an infill approach to development within a Conservation Area and within a settlement boundary that has not been expanded since the former UDP (which covered the period 1996 -2011). This is despite the settlement having been identified as a main focus for housing growth within the Core Strategy. The five windfall sites that have been highlighted in Kingsland as having potential to meet the remaining residual minimum housing requirement within an accompanying report to the KNDP would effectively infill the last remaining spaces within the draft settlement boundary of the village other than the Church, Millennium Green and the playing fields.
- 4.16 This representation needs to be read in conjunction with the representation prepared by CgMs on behalf of our client which focusses on issues related to the KNDP approach to heritage.
- 4.17 In addition the CgMs representation reviews the approach to infill development, assesses the five potential windfall sites listed in paragraph 3.4, reviews the introduction of a Kingsland Characterisation Map at Diagram 1 of the KNDP and the protection of land between West Town and Kingsland Village.

#### *KNDP Consultation Statement*

- 5.1 A consultation statement accompanies the KNDP and details the engagement that has been undertaken with the local community during the progression of the KNDP.
- 5.2 At the initial stages and as part of the preparation of a Parish Plan a questionnaire was undertaken in February 2013. The outputs of this were used to inform the preparation of the Parish Plan and the conclusions of the Parish Plan were then taken forward into the commencement of the KNDP.
- 5.3 Having reviewed the original questions asked within the 2013 questionnaire; the responses provided; and some of the conclusions drawn, there are concerns over how this information has been interpreted and followed through in the approach ultimately taken to housing growth within the KNDP. For example:
- The questions that were asked within the February 2013 questionnaire did not offer the opportunity of commenting on what would appear an entirely reasonable and arguably obvious option of providing new housing on a greenfield site on the edge of the village. In the event, the options provided were restricted to building on previously developed sites; conversion opportunities; and/or infill development.
  - Question 3 within this questionnaire refers to options which related to retaining the settlement boundary or allowing an extended village boundary. The results on page 9 of the Parish Plan appear to offer similar levels of support for the two options yet the

Parish Plan Key Findings conclude that the existing settlement boundary should be retained. This issue was again emphasised in June 2014 when a further community consultation was undertaken when 33 people voted to retain the existing settlement boundary whilst 31 people collectively voted on a range of options to extend the settlement boundary (See Appendix 4 of the KNDP Consultation Statement). Again, this level of support to expand the boundary appears to have been put aside in the KNDP in favour of an approach to continue with its previous boundary.

- 5.4 There is, therefore, major concern at the lack of opportunity that has been given to the option of a new greenfield site within the early stages of consulting upon the KNDP and the lack of recognition that has been made to the level of support that appears to have been given to an extension of the village settlement boundary.
- 5.5 There is also concern at the way the data from the various consultations undertaken in the preparation of the KNDP has been interpreted, which has resulted in an infill approach to housing provision within an existing settlement boundary for Kingsland as described in paragraph 6.3 of the KNDP.

## Conclusions

- 6.1 In consideration of the above representation, which is to be read alongside the previous representations by CR Planning Solutions and by CgMs, it is concluded that this KNDP is not plan led; has not been positively prepared; and does not provide the certainty that the NPPF in seeking in its aim to boost the supply of housing. Therefore, the KNDP fails to meet the basic conditions outlined above and is un-sound.
- 6.2 To address this current position and ensure that Kingsland in 2031 is a thriving sustainable settlement supported by a range of vibrant services and facilities the KNDP needs to take a positive plan-led approach to the delivery of its minimum housing requirement through the allocation of new housing sites. The inclusion of such allocations will ensure that the KNDP is fully committed to meeting its housing requirements; is able to robustly demonstrate with certainty where the growth will be accommodated; and that the KNDP has been positively prepared and meets the requirements of the NPPF.
- 6.3 Land to the rear of The Lindens provides a highly sustainable and deliverable development opportunity within Kingsland village which would deliver a mix of market and affordable housing as well as community benefits to include a community orchard. Crucially, it would provide certainty that the housing needs of the area will be met whilst preserving the character of the Conservation Area of the village. Further details on this site are provided within the previous representation at Appendix A.

**Appendix A**

**Kingsland Neighbourhood Development Plan**

**Regulation 16**

**Representation**

**Prepared on behalf of Mrs Hinton Powell**

**By CR Planning Solutions**

**December 2015**



## 1. Introduction

- 1.1 This representation has been made by CR Planning Solutions on behalf of Mrs Sarah Hinton Powell and is being made to the submitted version of the Kingsland Neighbourhood Development Plan (KNDP).
- 1.2 The KNDP has reached Regulation 16 and is now out to public consultation when representations are invited for consideration by an independent examiner. This consultation ends on 04/01/16.
- 1.3 The KNDP has to meet four basic conditions which include:
- Having regard to national planning policy.
  - Being in conformity with the strategic policy of the development plan.
  - Contributing to the achievement of sustainable development.
  - Being compatible with EU obligations and Human Rights.
- 1.4 This representation welcomes certain aspects of the KNDP, however, has a number of concerns relating to its delivery particularly with respect to meeting its housing requirements and providing community facilities. This representation will demonstrate that the Plan as written does not meet the basic conditions in that it takes too restrictive an approach to housing delivery; does not therefore conform with the strategic development plan and in turn the National Planning Policy Framework (NPPF).
- 1.5 This representation seeks inclusion of a housing allocation within the KNDP to ensure a plan led approach which provides clarity and certainty on where and how Kingsland will deliver its housing requirements and fulfil its role as a main focus for growth within the Parish.

## 2. Adopted Herefordshire Core Strategy

- 2.1 The KNDP should be in conformity with the adopted Core Strategy for Herefordshire and plan positively to support local development as per paragraph 16 of the NPPF. Paragraph 4.8.26 of the Core Strategy states that, Neighbourhood Plans will be the principle mechanism by which new rural housing will be identified, allocated and managed. It goes on to say that the proportional growth **target** for each Parish provides the basis for the **minimum** level of new housing that will be accommodated in each neighbourhood plan.
- 2.2 Kingsland has been identified in Policy RA2 as a settlement to accommodate future growth to meet the housing needs of the Parish. In meeting Policy RA2 development should be located within or adjacent to the main built up area and result in a high quality sustainable scheme.

## 3. KNDP - Areas of Support

- 3.1 There are several aspects of the KNDP which are welcomed. These relate to:
- Policy KNDP1 which promotes sustainable development, seeks preservation of the Conservation Area, directs that new development should be accommodated within the



infrastructure limits of the village, seeks improvements to community facilities and the delivery of housing to meet identified needs.

- the development strategy provided in Policy KNDP2 identifies Kingsland as the main focus for growth in the Parish helping to sustain its wide range of services including a primary school, doctor's surgery, garage, two public houses and village hall. The KNDP states that given the concentration of these services in Kingsland the village should accommodate the major part of the housing target set for the parish.
- the need to plan positively for development reflecting the requirements of the NPPF. Paragraph 6.3 of the KNDP states that the housing figure provided 'is a minimum and that in planning positively for development the Neighbourhood Plan should enable development to meet its local needs.
- the need, as per para 5.3 of the KNDP, for additional services and facilities in the village with developers making land available for community facilities in association with development.
- the approach taken to protecting the valued Conservation Area of Kingsland village and as part of this the KNDP seeking to put a '*halt to the gradual infilling of the main street where gardens and hedges add to the traditional rural feel*' (para 1.18 of the KNDP).

3.2 This representation supports these positive and sound starting points, however, has concern that these are not followed through into the detail of the KNDP. These concerns relate primarily to a lack of certainty being built into providing a robust Plan and the delivery of its development requirements.

#### **4. Meeting the Basic Conditions**

4.1 This representation will demonstrate that the KNDP has failed to meet the basic conditions in terms of not having due regard to key elements of national planning policy, not being in conformity with the strategic policy of the development plan and not contributing to the achievement of sustainable development.

##### *Meeting Housing needs*

4.2 It is of significant concern that a settlement the size of Kingsland has not included a housing allocation within its NDP nor has this option been consulted upon or a call for sites exercise undertaken whilst progressing the Plan to its Regulation 16 stage.

4.3 The Inspector when examining the Herefordshire Core Strategy raised the importance of delivering housing in the Rural Areas, of meeting the housing requirement of 5300 dwellings by 2031 and sought Neighbourhood Plans to provide the clarity and certainty required to ensure these housing needs were met.

4.4 Indeed, the NPPF states at Paragraph 17 that planning should be genuinely plan-led and should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. This representation will demonstrate that the KNDP is not plan led, will not provide the clarity that the NPPF seeks and does not significantly boost the supply of housing with its restrictive approach to development within a tightly drawn boundary for Kingsland. Based on this the KNDP does not meet the basic conditions outlined above.

- 4.5 The KNDP states that Kingsland Parish has a requirement to deliver a minimum of 65 units by 2031. The Plan states that 47 dwellings have either been built (10 dwellings) or committed (37 dwellings). The Plan then refers to meeting its residual requirement (18 dwellings) through rural windfalls (12-17 dwellings) based on historic rates and in addition supports infill opportunities within the settlement boundary.
- 4.6 It is of significant concern that up to 26% of the identified need for the Parish is to be met through windfalls. This is a high windfall figure, does not represent a sustainable approach to delivery of housing and is in conflict with the development strategy of KNDP2 which identifies Kingsland as the main focus for growth in the Parish helping to sustain its wide range of services. There is also concern that 50% of the Parishes overall requirement has been left to the full implementation of current planning permissions without any lapse rate included.
- 4.7 It is also worth noting that the settlement boundary provided within the KNDP generally reflects that of the now superseded Unitary Development Plan. This is despite Kingsland being identified in the adopted Core Strategy as a main focus for growth in the Parish and needing to meet identified housing needs to 2031. The revised settlement boundary has been tweaked to exclude land designated as protected open space around the Scheduled Ancient Monument.
- 4.8 This approach to meeting housing needs does not represent a positive approach to facilitating sustainable development. This is contrary to the NPPF and Core Strategy as it unreasonably restricts housing delivery. This lack of clarity on where the identified housing needs of the Parish will be met raises concerns as to whether the KNDP will be able to meet its own housing needs as identified within the Core Strategy. This in turn indicates that the KNDP has not been positively prepared and is not therefore in conformity with the Core Strategy.

#### *Delivery of Affordable Housing*

- 4.9 This approach raises further concerns as to how other development needs relating to affordable housing and community facilities will be met. It is noted that the KNDP considers that the current commitments will meet, in full, the affordable housing needs of the Parish. This may well reflect the current position, however, this Plan covers the period until 2031 and over this period needs may well change. The Plan must be sufficiently flexible to changing circumstances as well as provide a level of certainty with respect to meeting its range of housing requirements. It is noted that the KNDP refers to the Exceptions Policy, Policy H2 of the Core Strategy. However, there is no certainty that a site will be made available on the edge of the settlement to deliver an affordable housing scheme. In light of this the most robust approach would be to identify a deliverable housing allocation which would provide a mix of housing types, including affordable homes, to meet a range of housing needs.

#### *Delivery of Community Facilities*

- 4.10 In addition, the approach taken to windfall planning through small infill opportunities does not lend itself to the delivery of future community facilities as laid out in the KNDP. The Plan states developers could help in bringing forward the identified community facilities by making land available in association with development. This approach would apply

where an allocation had been made to the Plan. The allocation could be drawn to accommodate a housing scheme as well as identifying land to deliver community benefit. This approach would give certainty on how and where the development requirements included within the plan would be met and provide clarity to developers in terms of what is required of them.

#### *Safeguarding Kingsland's services and facilities*

- 4.11 There is also concern over how the KNDP approach to housing delivery will impact on Kingsland's valued community facilities and services. The KNDP rightly recognises the importance of new development in supporting these services and indeed in attracting new opportunities. However, the lack of certainty provided in the KNDP to where new housing development will happen will hinder this KNDP objective. According to representations made at Regulation 14, Kingsland has already seen the closure of a play area, tea rooms, shop and pub and identifies the need to encourage and retain a younger population and avoid the school from closing. A clear direction on how housing needs are going to be met is vital in supporting and safeguarding the village's services and facilities for future generations.

#### *Impact of the KNDP Infill approach on the Conservation Area*

- 4.12 As mentioned above, the KNDP recognises the identified housing numbers as being a minimum and suggests that additional capacity could be found on infill sites within the settlement boundary. The KNDP suggests that there would be opportunity to accommodate between 31 and 36 dwellings within the settlement boundary of Kingsland. The plan does not identify where these opportunities are, whether the sites are deliverable and how this approach fits with protecting the Conservation Area and putting a 'halt to the gradual infilling of the main street where gardens and hedges add to the traditional rural feel' (para 1.18 of the KNDP). A policy approach which encourages infilling on the one hand risks damaging the heritage asset of the Conservation Area on the other and is in conflict with other parts of the KNDP which seek to protect and enhance the character of the area.
- 4.13 In addition the approach taken is at odds with the Council's Neighbourhood Plan Guidance note 20 which states that settlement boundaries should be drawn to facilitate an appropriate level of proportional growth within the plan period. This guidance states that if land within the boundary is not formally allocated, there will be a requirement on NDPs to demonstrate that there is enough available capacity within the boundary to enable development to take place. With respect to KNDP, no evidence has been provided on where the additional growth will be delivered other than reference to Land North of Longford.
- 4.14 This site has not been assessed through SHLAA and no further evidence has been provided to demonstrate that this site is suitable, available and achievable and therefore cannot be relied upon to meet the infill opportunities as stated in the KNDP.
- 4.14 In addition, this area of land was previously protected from development under Policy HBA 9 of the Unitary Development Plan. Policy HBA9 sought to protect important open areas of green space which contributed to the distinctive spatial character, form and pattern of a settlement. The KNDP provides no clear explanation as to why this designation has

been removed and in turn indicates this area as having some development potential without any consideration of the impact of this approach on the Conservation Area.

- 4.15 It is also worth noting that the KNDP does retain the HBA 9 designation to the south of North Road and has renamed it Protected Open Space under KNDP 13. An inconsistent approach has therefore been taken to previously protected Policy HBA 9 without any clear rational and justification.

## **5. Provision of a Housing Allocation in the KNDP**

- 5.1 A village the size of Kingsland in planning positively needs to provide a clear indication of how its growth requirements will be delivered. This is best addressed through a defined housing allocation within the KNDP.

- 5.2 Provision of a housing allocation would:

- Ensure the plan has been positively prepared providing certainty that the identified housing needs of the Parish would be met in full and where;
- Provide certainty to the local community and the development industry on where future growth will take place in the future;
- Robustly demonstrate that the allocation would deliver affordable housing;
- Demonstrate proportionate community benefit through an allocation
- Help safeguard the village's services and facilities
- Help preserve the character of the Conservation Area through allocation of a suitable site which has minimal impact on the character of the area.

## **6 Land to the Rear of The Lindens, Kingsland**

- 6.1 Land to the rear of The Lindens presents a highly sustainable development opportunity adjacent to the built form of Kingsland which would ensure a deliverable allocation and help to provide affordable housing and community benefit as well as provide certainty that the housing needs of the area will be met. A site location plan is provided at Appendix A.

- 6.2 The site is located within Kingsland Conservation Area and has an existing vehicular access onto the main road which is shared with a public footpath. The historic core of Kingsland lies to the south east of the site whilst properties immediately adjacent and further north west are part of a 20<sup>th</sup> Century extension to the village.

- 6.3 The 2.8 hectare site is flat, well contained and bounded by existing trees and hedges and could accommodate between 25 to 30 dwellings of a mix of 2,3,4 and 5 bed properties along with affordable housing. A development of approximately 25-30 houses would represent a relatively low density of development. This is an appropriate design approach given the site's context, neighbouring development and in consideration of the overall settlement pattern of Kingsland and the Conservation Area setting of the site. In addition the relative containment of the site will help mitigate any visual impact of new development within the Conservation Area.

- 6.4 The site has been assessed through the SHLAA Second Review 2012 and is considered suitable, available and achievable with a capacity of 30 dwellings though is regarded as land with significant constraints. To address these constraints measured highway access

design drawings have been prepared which demonstrate that a satisfactory vehicular and pedestrian access arrangement can be provided to serve a future residential development on the site. In addition a considered, well designed, high quality residential development with appropriate landscaping on the site which would respect the setting of the Conservation Area and would take design and layout cues from the historic settlement pattern is proposed. It is accepted that Kingsland has a generally linear development pattern strung out along the B4360. However, there are several examples of more recent developments being sited behind the historic building line eg St Michaels Avenue, Church Green and Orchard Close. The SHLAA also confirms that the site is relatively well contained. The timescale for delivery of residential development on the site is 1-10 years as the site is available, achievable and there are no known significant site constraints or barriers to delivery.

## **7. Conclusion and Recommendation**

- 7.1 This representation has demonstrated that the KNDP is not plan led, does not provide the clarity that the NPPF seeks and does not significantly boost the supply of housing with its restrictive approach to development within a tightly drawn boundary for Kingsland. Based on this the KNDP does not meet the basic conditions outlined above.
- 7.2 To address this and ensure that Kingsland in 2031 is a thriving sustainable settlement supported with a range of vibrant services and facilities the KNDP needs to take a plan led approach. This would ensure the plan is meeting the requirements of the NPPF in that it is positively prepared, clearly showing how its development needs will be met and would provide both the community and the development industry with clarity and certainty on where new housing growth will be considered suitable, achievable and deliverable.
- 7.3 This plan led approach can best be met through an identified housing allocation in the KNDP. Land to the rear of The Lindens provides a highly sustainable development opportunity within Kingsland village which could deliver affordable housing and community benefit as well as provide certainty that the housing needs of the area will be met.





**Built Heritage  
Kingsland  
Neighbourhood  
Development Plan  
Rebuttal Statement**

In respect of

Land to the rear of Lindens  
North Road  
Kingsland

On behalf of

Mrs Sarah Hinton-Powell

RPS CgMs Ref: EH/JGC21113

August 2016

## QUALITY MANAGEMENT

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Date:	<b>August 2016</b>
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## 1.0 **INTRODUCTION**

- 1.1 This Built Heritage Rebuttal Statement has been prepared by RPS CgMs on behalf of Mrs Hinton Powell in respect of Land to the rear of Lindens, North Road, Kingsland. It should be read in conjunction with the Neighbourhood Plan rebuttal that has been prepared by CR Planning Solutions.
- 1.2 This rebuttal has been prepared in response to policy contained within the resubmitted Regulation 16 Kingsland Neighbourhood Development Plan (NDP), This rebuttal considers specific policies relating to heritage contained within the NDP, namely policies KNDP4, KNDP5 and KNDP6.
- 1.3 This rebuttal will also assess the heritage impact of the five suggested sites in the NDP site report and the cumulative impact of this infill approach on the character and appearance of the Kingsland Conservation Area. Finally it will identify the positives of developing land to the rear of Lindens in preference to the infill approach offered by the NDP.

## 2.0 **KINGSLAND NEIGHBOURHOOD DEVELOPMENT PLAN**

### **Review of NDP Heritage Policies**

- 2.1 Paragraph 131 of the National Planning Policy Framework (NPPF) states that local planning authorities, when making planning decisions, should take into account *the desirability of new development making a positive contribution to local character and distinctiveness*. This balanced approach, which allows for the possibility that development may be approved which has a neutral, or indeed negative impact, is reflected in policy LD4 of the Herefordshire Local Plan, which states that proposed development should *'where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas'*.
- 2.2 In contrast the policies within the resubmitted Kingsland NDP relating to heritage, as detailed in section 3 of the plan, are not compliant with either the NPPF or the Local Plan, in that they fail to provide this balanced approach. **Policy KNDP4**, for example, states that *'proposals [for development] should retain the character and setting of historic and traditional buildings, the historic landscape and archaeological sites'*. This wording is overly restrictive, contains no balancing mechanism, and furthermore wrongly infers the application of legislation regarding designated heritage assets across landscape, archaeological features and non-designated heritage assets.
- 2.3 **Policy KNDP5**, which specifically relates to heritage assets, states that *'the Parish's historic character and local distinctiveness shall be conserved or enhanced by...opposing developments that adversely affect important buildings, archaeological sites and other heritage assets within the parish, including their settings'*. This policy wording is entirely restrictive, and additionally fails to refer to the statutorily protected 'special interest' or significance of designated heritage assets. Historic England's settings guidance highlights that setting itself is not a designation, and only insofar as it contributes to an asset's significance does it attract a statutory duty. Again, as with the previous policy, there is a failure to allow for a balanced approach in weighing harm to significance, as is required by the NPPF, in particular at paragraphs 131, 133 and 134, and no

acknowledgement of the proportionality required in this approach with regard to the status of the designated or non-designated heritage assets. What results is a blanket policy, which effectively states that any harm or adverse impact to any level of significance will result in refusal of consent. This approach is non-compliant with the NPPF, including specific policies contained within the NPPF and the 'golden thread' of sustainable development that is the central principle of the NPPF. As with Policy KNDP4 it also fails to differentiate between designated and non-designated heritage assets in decision-making, which is contrary to the NPPF.

- 2.4 **Policy KNDP6** refers specifically to Kingsland Conservation Area and the retention of its character. The Local Planning Authority's statutory duty in relation to conservation areas derives from the Planning (Listed Buildings and Conservation Areas) Act 1990, specifically Section 72, which requires that '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'. No Conservation Area Character Appraisal exists for Kingsland Conservation Area, however there is a Designation Justification Document (undated – but presumably preceding the area's designation on 5<sup>th</sup> September 1975). This report is provided in full at appendix A of this statement.
- 2.5 As with previous policy contained in the NDP, setting appears to be viewed as a designation in its own right, rather than as a contributor to either the significance of designated or non-designated heritage assets within the Conservation Area, or to the character and appearance of the Conservation Area as a whole. By stating that proposals will receive refusal if they fail to '*preserve important settings*', the policy substantially restricts any new development.
- 2.6 Policy KNDP 6 also refers to the protection of the clear separation between Kingsland village and West Town from inappropriate development. Whilst the Conservation Area Designation document (Leominster District Council, 1975) refers to the differing characters of West Town and Kingsland village core, it does not specifically state that the separation between them is integral to this difference, and that the retention of it is key to the character of the Conservation Area, whereas this is stated unequivocally in the documents with regard to land north of the Church and in the vicinity of Holgate Farm. The clauses contained in KNDP6 (lettered a–e) are evidenced within the Designation Document, and it is therefore considered that Clause f) is less soundly evidenced, and would require further substantiation to hold weight.

#### *Heritage Review of Kingsland's Five Potential NDP Windfall Sites*

- 2.7 The NDP identifies five potential windfall sites (K1-K5) which it considers suitable for development within the existing settlement boundary of Kingsland Village. All five of these sites are located adjacent to plots which have recently been granted planning permission and the development of these adjacent sites would result in further infill development which would create a sense of enclosure along the length of the main thoroughfare. This would be contrary to the character of the Conservation Area, of which the Designation Document notes '*relationships between buildings are in no way formal however; they are more casual groupings which just happen to relate to each other in terms of the space between them*'. Continuous enclosure is only recorded for c. 600 yards within the historic core of the village. Development of these sites, in what is arguably the more sensitive area of the Conservation Area, as documented in the designation document, would effectively infill the last remaining spaces within the NDP draft



settlement boundary of the village, other than the land around the Church, Millennium Green and the playing fields.

- 2.8 It is further noted that development of the site identified adjacent to Chapel Lane would have a cumulative effect in conjunction with the approved development adjacent to the south-west, which would affect the immediate setting of the Grade II listed Shambles. Development of the Site adjacent to the Grade II listed Croft Mead House would likewise affect its setting, and the same holds true of St Mary's Farmhouse (Grade II listed) and Holgate Farmhouse (Grade II listed). The cumulative effect of impacts to these designated assets' settings, in combination with the impact to the Conservation Area, is considered to be of greater detriment to the character and appearance of the Conservation Area than the allocation of one site in a less sensitive area of the Conservation Area..

*Development Site: Land to the rear of The Lindens, North Road*

- 2.9 In contrast to this infill approach, which impacts the identified historic core of the settlement, the development opportunity at Land to the rear of The Lindens is located within a less sensitive region of the Conservation Area. This is attested to in the Designation Document, which states that existing development in the vicinity of the Site is '*completely unconnected to the village and its character and must be excluded from the conservation area*', and that development to the north-west of the Wesleyan Chapel '*presents little to warrant inclusion of this end of the village within the Conservation Area*'. This is further reinforced on page 4 of the report where it states that '*Where the proposed boundary line turns sharply southwards along the east side of the main A4110 road, the newer development on Longford are clearly visible, though the main road itself offers a quite pleasant perspective. The boundary however follows the rear edge of an orchard parallel to the sunken land leading through to Longford, **but because the development on that part of the main road through Kingsland does not warrant conservation area status**, the line itself then turns into a south easterly orientation, follows the unfortunately demolished near hedgeline of the new development across the sunken land and continues in the same orientation to include Old Hall.*' It therefore calls into question whether this section of North Road should be within the Conservation Area designation, particularly when the boundary drawn specifically excludes development to the north along Lugg Road, which is of a similar age and character.
- 2.10 As noted in paragraph 2.6 above, there is no specific reference within the Designation Document to the separation of the linear and nodal groups being integral to their character. Exceptions to the linear character of Kingsland are noted within paragraph 2 of the document, specifically the lane to the Church, and the cross-roads to the north-west of the church, which is considered to display the village character 'at its best'.
- 2.11 The Land to the rear of The Lindens is identified within the Herefordshire Strategic Housing Land Availability Assessment (SHLAA) 2012 as suitable for development. The SHLAA recognises that the plot has constraints and that its development would be contrary to the historic settlement pattern, but states that the Site is '*relatively well contained*'.
- 2.12 The contained nature of the Site, referred to in the SHLAA, reinforces its suitability as a development site. The Designation Document refers to development within West Town as having a 'somewhat broken' settlement pattern, which is experienced from a '*sunken high-hedged*' lane, and in this context, the Site's development will be less perceptible from sensitive receptors than

the infilling of the northern boundary of the main thoroughfare, which is visible in long views north of Lugg Green.

### **3.0 CONCLUSIONS**

- 3.1 This rebuttal addresses heritage policy contained within the Regulation 16 Resubmission Draft of the Kingsland NDP in terms of its compliance with nation and local policy and finds that policies KNDP4, KNDP5 and KNDP6 are non-compliant.
- 3.2 There is a failure in the draft KNDP heritage policies to allow for a balanced approach in weighing harm to significance, as is required by the NPPF with no acknowledgement of the proportionality required in this approach with regard to the status of the designated or non-designated heritage assets. What results is a blanket policy which effectively states that any harm or adverse impact to any level of significance will result in refusal of consent.
- 3.3 The rebuttal further demonstrates that the identified potential windfall sites within the NDP are contrary to the established character of the Conservation Area and would represent a harmful over-development of the linear settlement pattern of the main thoroughfare, with the harmful nature of this development more evident in long views of the historic settlement than the development of Land to the rear of The Lindens.
- 3.4 Lastly this rebuttal identifies that Land to the rear of The Lindens is located within a portion of the Conservation Area which is considered of lesser sensitivity according to the original Designation Document and therefore presents a more appropriate location for sustainable development than the infilling of the settlement boundary to the detriment of a number of listed buildings and, it is argued, greater harm to the appearance and character of the Conservation Area.

PROPOSED  
KINGSLAND CONSERVATION AREA

Introduction:

Situated about four miles to the north-west of Leominster, between the A44 to Pembridge and Kington and the A4110 to Wigmore and Knighton, Kingsland is one of Leominster District's larger villages. Its actual site is also one of the flattest in the District - most of it being along a very slight ridge between the River Lugg and its tributary, the Pinsley Brook. The land to the north and west of the village rises quite substantially into a quite distinct upland zone, whilst that to the south and east is more gently rolling in character. The village itself is largely aligned along the B4360 in a north-west/south-east orientation, and is a distinctly linear settlement with a major exception of that part of it situated on the A4110 in West Town.

The present form of the village

Because of its linear shape, Kingsland rarely offers any settlement in depth: it seems to have developed as a mixed community of farms and houses for about one mile along the orientation of the main B4360 route through it. The exceptions to this are the cul-de-sac lane to the Church and the crossroads about 300 yards to the north-west of the Church, the south-western side of this leading, with a break in development, to West Town about  $\frac{1}{4}$  mile away. However, considerable stretches of the main route, and most of the crossroads junction to the north-east are made up of post-war and inter-war development - as is a development along a cul-de-sac on the north-east side of the road opposite the lane to the Church.

Despite this considerable proportion of the village made up of more recent development, Kingsland also has a large number of old and, often, listed buildings. There is however no particularly marked concentration of these buildings - which might point to the old core of Kingsland. The Motte and Bailey Castle, with its surrounding earthworks, immediately to the west of the Church, does however tend to confirm the original siting of Kingsland: the cul-de-sac crossroads, to the north of the Church, and the cluster of historic buildings around it would appear to fall within what remains of an old village enclosure - it extends north-north-east from each side of the castle site area between the Church and the main crossroads in the village. With the siting of a public house, the Post Office and the main village store, formerly with its own bakery, in this part of the village, it seems reasonable to assume this to be its old core. The public house at the main crossroads (The Corners Inn) and the general aspect of the architecture in this part of the village tend to draw the eye to this point as the most urban part of the village however. It is possible to conclude therefore, that the roads bounding the castle site on three sides (west, north and east), along with the fine dominating Church building, form the centre of Kingsland, from which the conservation area must work outwards.

The actual street scenes in Kingsland are very varied - often depending on how much the trees and hedgelines have been removed when new development has been initiated.

The main road through Kingsland is the best example of this: starting at the south-eastern end of the village, where the road bends into a long straight



stretch through the village, the development is mature: there is a definite feel of entering the village while passing The Elms, an unfortunately empty farmstead, the cottage which used to be The Lion Inn, the Shrublands complex of buildings and the cottages scattered nearby. In the road improvements on the bend however, is an example of how minor eyesores can multiply in Kingsland to detract from its overall character: where the kerbstones have been built up blocking the former entrance to the Shrublands in an ugly manner, both the road and the entrance have been left looking somewhat unfinished and untidy.

The nature of the village remains broken as the road travels north-west, with most development being on the north-east side of the road. Most of the existing buildings are fine local examples set at varying distances from the road - and of varied styles and sizes - from the stone Holgates complex to the small cottages, close to the road front, though some of the latter have been modernised in an unfortunate manner. However, before the fine St. Mary's Farm complex is reached there are several cases of infill - including new bungalows, but despite the fact that they rarely reflect local character, at this end of the village, they are not too conspicuous in that they are built behind existing hedgelines and settle into the landscape. As the Church begins to loom larger on the south-west side of the road a high hedge conceals a house on the north-east side of the road, and, the first enclosed section of the village is passed through; mainly it is of brick or brick and render. Whilst the nature of any future development is a sensitive issue throughout Kingsland, nowhere is it more important than in this part of the village: some inter-war development here just about fits into the street scene (though a development behind that existing on the north-east side of the road is very suburban in character) but should the former orchard plot immediately north of the Church ever be developed, this could very easily cause quite severe visual damage to the village. Improvement to this and other parts of the village - especially on the main road - could be made if it proved possible to resite the transformers-on-poles found on fairly open sites in several places: wirescape is generally a difficulty in the visual amenities of Kingsland - rather more than most Leominster District villages, in fact, and any improvement by the statutory undertakings should be welcomed.

Where the road passes through what has been described as the core area of the village, there is a complete sense of enclosure for around 600 yards. In the first stretch of this, immediately to the north of the castle site, most buildings are of brick, with red-tile roofs - but there is still considerable variety evident, and not only in materials, but also in the siting of the buildings in relation to the road. Relationships between buildings are in no way formal however; they are more casual groupings which just happen to relate to each other in terms of the space between them, their architecture, materials, the hedges, trees and so on. Such characteristics are typical of Kingsland at its best, and it is mainly where this relationship has broken down, usually because of new development, that this character is lost.

This is the case with regard to much of the development along the road to the north-east - towards the Lugg and Yarpole: council and other development (along with new concrete kerbing, which unfortunately decorates much of the village unnecessarily) has had too little regard for the character of the village to which this added directly. Yet less than 200 yards away at the main crossroads in Kingsland, the village exhibits its character at its best. Whilst the development is formally unrelated, each corner of the crossroads exhibits fine, or potentially fine buildings: there is a black-and-white house on the south-east side of the crossroads, a brick and half-timbered building on the south-west side, the black-and-white Corners Inn complex on the north-east side (which has timber



shed extensions and an unfortunate concrete-block extension) and a fine mature three storey brick-cased timber framed building on the north-west side. Three storey buildings form an integral part of the character of Kingsland inevitably dominating the street scene where they occur - as in the case with this building - Croase House.

The importance of trees and hedges in the Kingsland street scene emerges particularly well at this point: to the south-east, the view along the largely straight main road curves away to hide the perspective of the south-eastern part of the village, high hedges and trees playing an important part in this, while to the north-west more mature trees help considerably to unify the disparate elements in a street scene which, between some fine buildings, is somewhat broken up with post-war housing. The trees, of which there is a wide variety, also help to give a greater sense of enclosure, and to disguise the wirescape - and for these reasons alone Tree Preservation is of primary importance at this point (note: the 1974 Act now protects all trees in Conservation Areas). There is another sensitive plot of open ground in this part of Kingsland too; the plot to the east of Yew Tree Villa where the hedge boundary is vital to the maintenance of the street scene.

Only a little further to the north-west of this part of the village, the disastrous results of the removal of the hedgeline are revealed to all who travel through Kingsland. Whilst new development elsewhere in the village is maturing into the existing landscape, with the removal of the hedgerows at the front of the new bungalow development on both sides of the road, a completely new street scene is created quite at odds with the overall character of the village. The hedge bank still exists, in some places with just a lawn to its edge, in others a stone wall, and others just a rather untidy petering out of the plot onto an unfinished looking and unnecessarily widened road. Bungalow development in Kingsland can just be aesthetically acceptable but bearing in mind the domination of three-storey dwellings scattered through the village, these variable buildings and their superficial finish, and the sudden open aspect of them all together, are completely unconnected to the village and its character, and as such, must be excluded from the conservation area.

To the north-west of this dominating development, beyond the Methodist Chapel, the character of Kingsland hardly returns, nor presents a true idea of the character of the village at its best, despite the fact that some hedgelines and some orchards remain. The inter-war housing has matured into the landscape somewhat, and the new bungalows are not such an intrusion on the street scene as those to the south-east, but the general semi-suburban street scene presents little to warrant the inclusion of this end of the village in the conservation area.

The area of Kingsland on the main road, West Town, still maintains a distinct character however, - after passing along the sunken high-hedged lane from the main street (Longford) to the main A4110 road, a pleasant if somewhat different street scene meets the eye. Although the settlement pattern is generally somewhat broken through West Town, there are several groups of farm buildings and fine houses which tend to give the street scene, as it bends and curves through the area, a fine village 'feel', with many orchard and other small plots of land adjacent to the road. There is a particularly fine group of buildings on the junction which leads back to the village core - and even a new bungalow at this point is well-sited enough not to intrude on the village character of the area: tree preservation particularly on this junction would give vital help in maintaining this part of the village however.



Finally some mention of ways in which the street scene in Kingsland could be positively improved:-

No more concrete kerbstones should be installed of any type - if any more kerbstones are to be used at all, smaller granite setts should be used:

The wirescape should, wherever possible, be re-routed underground and the posts (particularly jarring in Kingsland) removed:

A comprehensive tree survey conducted in the village, trees being particularly important in adding relief to a flat landscape:

Further environmental improvement could perhaps be achieved by re-routing south bound Leominster traffic away from the village core by changing the signposting at the fork by the Monument on the northern edge of the village.

Such policies as these would become much more real when a conservation area is set up in Kingsland: the following outlines the draft proposals for such an area:

#### The Boundary

This description of the boundary of the proposed Kingsland conservation area starts on the western side of the village and circumnavigates it in a clockwise direction from around Lincoln's Inn Farm on the lane to 'The Brook' and Ledicot. The boundary leaves the road along the edge of a mature orchard through which the housing of West Town is clearly visible. The hedge boundary line to the orchard is high but broken, and likely to become more so when the dead elms in it are felled. After turning along the northern edge of the orchard, the boundary takes a northern tack once more, following lower hedges amidst pleasant small meadows and fine trees, the smaller fields adding to the village feel. Where the proposed boundary line turns sharply southwards along the east side of the main A4110 road, the newer development on Longford are clearly visible, though the main road itself offers a quite pleasant perspective. The boundary however, follows the rear edge of an orchard parallel to the sunken lane leading through to Longford, but because the development on that part of the main road through Kingsland does not warrant conservation area status, the line itself then turns into a south-easterly orientation, follows the unfortunately demolished near hedgeline of the new development across the sunken lane and continues in the same orientation to include Old Hall. Where there is a short break in the development on the south-west side of Longford the boundary turns towards the road, follows it for a short distance, and then, following a signposted public footpath alongside a large new detached house, turns to follow the rear plot boundaries on the north-east side of Longford. (Where this public footpath reaches the rear plot boundary, a clearance needs to be made in the hedge to make the public right of way passable).

At this point, the orientation of the boundary once more returns to a south-east/north-west alignment. Local field boundaries - the outlook towards the north and east from this stretch of boundary is across large flat fields - take the boundary along the rear edges of the plots, parallel with Longford, crossing the road to Lugg Green and Yarpole before changing course. This line seems to mark the definite edge to the village, with the old development along the main street (Longford) being only intermittantly visible through the trees. The conservation



area excludes the development along the road to the north-east: it adds nothing of any architectural, historical or landscape merit to the village. Just to the east of this road, the boundary turns northwards for a few yards before once more returning to an orientation parallel with the main village street - again largely with orchard plots between it and the main street houses, giving this line the quality of dividing the enclosed village from the open fields beyond. Some features of this boundary could be improved upon however: as in other rear views of the main street plots, concrete and wire fencing occasionally has replaced the old hedgeline and should, if possible, be replaced with hedging, and tree planting. In this location, along the rear plot boundary of the new housing development, tree planting could help make up for the loss of the view of the Church tower, which the new development has caused: the Church tower is of elemental importance to many aspects of the proposed conservation area in Kingsland.

From this new orchard-land development, the boundary continues along the rear line of the orchard plots to the fine St. Mary's Farm complex. At this point, the regular orientation of the boundary changes: it first follows the high hedge around a small meadow, before turning into a north-west/south-east orientation - towards Holgate Farm. This is a most sensitive part of the boundary as the settlement of the main village street becomes more broken - and therefore open to 'infill': some infill has been allowed - but not as yet to the detriment of the continuing village - associated landscape of the area: the small plots, and particularly the plot of woodland to the north of Holgate Farm, are therefore included in the proposed boundary to give increased protection to this part of the village. The irregular configuration of this east end of the proposed conservation area then continues to include the mature landscape, with many coniferous and some deciduous trees, around Shrublands. Some tree planting to replace existing old trees is advisable here, as well as a close watch on the future of the Shrublands complex itself, which at time of writing is empty, though with a planning application for conversion of one of the outbuildings into a dwelling. By and large however, the Shrublands complex is a fine punctuation to this eastern-end of the proposed conservation area: the land around it is in need of some maintenance work, though the orchard plots continue the village feel of the landscape just to the east of the cottage property on the north side of the cul-de-sac lane, which continues east out of Kingsland from the sharp bend of the main street on this eastern edge of the village.

The boundary immediately to the east of this cottage is the most easterly part of the proposed conservation area. From this point, the boundary turns briefly into an east-west alignment along the south side of the lane, before skirting the eastern edge of the farm complex and crossing the adjacent field to the east side of the trackway in a north-south alignment. It leaves this trackway, to skirt the south-eastern and southern boundary of the small orchard plots to the rear of the fine, but vacant, Elms farmstead, to rejoin the road between Kingsland and Cobnash just to the north of the former railway line.

Where the boundary reaches the course of the old railway line, there is a well kept orchard on the west side of the road, and just to the south of the railway track the proposed boundary turns into an east-south-east/west-north-west orientation along the south bank of the Pinsley Brook. These village-associated fields, with views through to the Church, and occasional glimpses of the development in the main street (beyond the western end of the above orchard) are fine examples of the lowland setting of Kingsland: where the boundary recrosses the old railway and then continues once more in a west-north-west/east-south-east orientation along the south bank of the Pinsley Brook there is a barn complex which adds to the village perspective of these high-hedged fields. The Pinsley



Brook seems to form the most suitable boundary to the proposed conservation area, because of its permanence in the landscape - in comparison to the fine trees and hedges whose lives are more limited: a conservation area which came as far south as the Pinsley Brook would also allow the complete area with Kingsland's unique character to be protected and enhanced for generations to come.

At a point due south of the Church, where its dominance over the village scene is particularly notable, the proposed boundary turns briefly northwards, before following a broken hedgeline to the south of the Mott and Bailey Castle, again giving fine open views of the core of the village. As the boundary moves to a position due south of the Rectory, views of the core of the village are blocked by some old ivy strangled trees, though some of these have been replaced. This section of the boundary line continues in an east-west orientation, with the village playing field to the north, within the conservation area, and the actual boundary being a high hedge: this hedgeline boundary then turns into a north-south alignment on the west side of the playing field, before returning to an east-west alignment to complete this southern limit to the proposed conservation area. Maintenance of old kissing gates on this part of the boundary, (there are a number of these in Kingsland which are somewhat rundown: their restoration would make a feature of Kingsland's street furniture) as well as some tree planting to replace dead elms and screen the timberyard, would enhance this approach to the West Town section of the proposed conservation area.

To the west of the main road, the boundary continues in an east-west orientation across a large open field to the south of the Showells Farm complex: the field boundary shown on the plan no longer exists, but the edge of the conservation area still takes approximately the same course. South-west of Showells Farm, the proposed boundary follows a new fence line in a north-south alignment, before cutting east-west across the corner of a large field to enclose the small plots to the south of Sunny Bank. It then encloses the group of cottages near Lincoln's Inn Farm and follows the rear boundary of this property to complete the circumnavigation of the proposed Kingsland Conservation Area.

### Conclusion

The proposed boundary, which this report outlines, is drawn in such a way as to include as much of the varied character of the settlement of Kingsland as possible. However, this is by no means the final boundary decided upon: this department now engages in public discussion within the village itself and consults the County Council, who have concurrent Conservation powers, with regard to reaching an agreement on the exact course of the conservation area boundary - with particular regard to the Kingsland villagers themselves. As one of the most populated parishes in the Leominster District, it is hoped Kingsland will, as a community, be able to realise its full potential as a lowland village settlement, set on the edge of the fine upland landscape of north-west Herefordshire.







## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 17 August 2016 22:22  
**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	Nick
Last name	Caine
Which plan are you commenting on?	Kingsland Neighbourhood Development Plan
Comment type	Comment
Your comments	<p>The proposed development boundary for Cobnash would appear to be unnecessarily conservative and restrictive - with few realistic opportunities to provide the required amount of housing growth. Some areas within the proposed boundary are difficult or unviable to develop and yet there are areas adjacent and close to the proposed boundary that would be more suitable and viable. The proposed boundary doesn't reflect the built form of Cobnash and doesn't provide any flexibility during the plan period. My land is partially within the boundary and yet a much larger area is available to be used with an existing large access onto the B4360 in the centre of Cobnash. I believe that the boundary could be extended without compromising other elements of the emerging plan - to allow for sympathetic and sensitive growth over the next 15 years.</p>

## Latham, James

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**From:** Kinsey, Nadine  
**Sent:** 22 August 2016 14:10  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Kingsland Regulation 16 Neighbourhood Development Plan consultation

No issues.

Kind Regards  
Nadine

---

**From:** Neighbourhood Planning Team  
**Sent:** 11 July 2016 13:24  
**Subject:** Kingsland Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Kingsland Parish Council have re-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/kingsland>

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

The consultation runs from 11 July 2016 to 22 August 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  
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Web: [www.herefordshire.gov.uk/neighbourhoodplanning](http://www.herefordshire.gov.uk/neighbourhoodplanning) (Neighbourhood Planning)  
[www.herefordshire.gov.uk/local-plan](http://www.herefordshire.gov.uk/local-plan) (Strategic Planning)  
[www.herefordshire.gov.uk/conservation](http://www.herefordshire.gov.uk/conservation) (Conservation)

August, 2016

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

**Item 2**

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
- The petition asked that a plan should be available showing the extent of areas to be protected as part of KNP with specific reasons why that area should be protected from development.

**Item 3**

- *'I do not agree with the statement that there needs to be a clear separation between Kingsleane and West Town.'*

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on '*The Benefits of the Kingsleane Scheme*' which I have included as part of this second Regulation 16 re-consultation response attached to this letter.

**Other Comments:**

I think putting all the proportionate housing growth in the main village street will spoil the historic listed buildings and be detrimental to the conservation area. It will also exacerbate the existing traffic issues in the main street.

Name: Nigel Lewis

Address:

Date: 22.8.16

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people**.

### **BENEFIT 3 – Financial benefits for the community**

In Kingsland Neighbourhood Development Plan, 54% of residents stated they wanted development that attracted 106 financial contributions. This proposal provides the following monies:

- **£33,466.00** to provide enhanced educational infrastructure at Kingsland Primary School and Wigmore Secondary School.
- **£22,609.00** to provide sustainable transport infrastructure to serve the development. The monies shall be used by Herefordshire Council, in consultation with the Parish Council, at its option for any or all of the following purposes:
  - improvements to public right of way network within the vicinity of the development;
  - improved crossing facilities between application site and village facilities and;
  - improved bus infrastructure within vicinity of the development
- **£560.00** to provide 1x waste and 1x recycling bin for each open market property.
- **£14,278.00** for off-site play facilities (provision and maintenance). The contribution would be used towards improving the existing play facilities in Kingsland as identified in the Neighbourhood Plan and in consultation with the Parish Council.
- **£9,166.00** for outdoor sports. The money shall be used by Herefordshire Council in accordance with priorities identified in the playing pitch assessment & the outdoor sports investment plan at Mortimer Park.

### **BENEFIT 4 – Enormous support for Kingsleane proposal**

The proposal has received enormous support from residents.

84 letters of support - 6 letters of objection - 1 mixed letter

Petition of 85 signatures in support of the application

Further petition of 31 letters in support of the application – disagreeing with the planning officer's recommendation to refuse the application

Draft KNDP first Reg 16 consultation - (Kingsleane site was a commitment site in the plan)

95 signature petition supported the Kingsleane site requesting that KNDP retain it as an allocated site in the plan.

A number of letters objected to KNDP

A number of letters supported KNDP which included Kingsleane as a 'commitment site', but **ONLY ONE** requested that this site is removed from the KNDP.

### **BENEFIT 5 – Sustainable drainage scheme**

It is intended that the new sustainable drainage scheme will take the surface water from the existing Kingsleane properties – a major benefit for the whole community. Rather than this scheme adding to the surface water in the village, it will reduce it by ten properties.

### **BENEFIT 6 – No loss of agricultural production land**

No loss of agricultural/horticultural production land or loss of employment as a result of developing this very small amount of land. Nor will there be a reduction or loss of amenity or recreational area.



### **BENEFIT 7 – Biodiversity gain**

There will be a large biodiversity gain as a result of the additional landscaping incorporated in the Kingsleane scheme. This, together with the introduction of the sustainable drainage scheme will introduce new biodiversity in this area of the village which will complement the new wildlife corridor that the steering group has suddenly introduced in KNDP.

### **BENEFIT 8 – New Homes Bonus**

Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

### **BENEFIT 9 – Additional Council tax**

Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
- More local people using village businesses such as the post office/shop, pubs and garage will help to retain current employment levels with the likelihood of more employment opportunities to sustain the new level of service required to meet local demand.
- By contributing towards Mortimer Park facilities (Luctonians Rugby & Cricket Club), this will increase the number of sporting visitors to the village – again more employment opportunities for local people and additional 'spending' in the village helping to sustain economic growth in rural areas such as Kingsland.

### **BENEFIT 12 – No impact on transport congestion in village**

This scheme will not have a detrimental impact on the transport congestion currently experienced in the village as all the facilities are within easy walking distance including the school, post office/shop, doctors, pubs, village hall, etc. via safe and level footpaths. Anyone wanting to drive outside the village will use the Arbour Lane to the A4110 junction avoiding the village centre. Buses also pass the site. The more people who are of working age who would use the buses to go to work, the more likely the frequency of buses will improve.

### **BENEFIT 13 – Additional footpath beneficial to whole village**

A new footpath is proposed as part of the proposal to join the existing network of footpaths. The Transport Manager stated in an email dated 25 February 2014 *'I think I'd prefer the external path. I realise it is probably more expensive, but it would be a start of a path towards the Showers Farm complex.'* Therefore, this would be a benefit to the whole community.

### **BENEFIT 14 – More opportunities to recruit retained firefighters – benefit to whole of Herefordshire**

The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

### **BENEFIT 15 – Retention of rural character of Arbour Lane:**

- No loss of existing mature hedgerows
- Landscape Management Plan for the restoration and enhancement of existing hedgerows including the roadside hedge in the Arbour Lane will conserve and enhance the rural character and encourage wildlife in the area. Currently no management agreement is in place for the existing hedgerows..
- Additional hedgerows and trees planted on site and on adjoining land will enhance the conservation area.

### **BENEFIT 16 – Self-contained site will not affect residents' enjoyment/appreciation of the village landscape or conservation area**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.

Date: 17 August 2016  
Our ref: 190450  
Your ref: none



Mr James Latham  
Herefordshire Council

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

**BY EMAIL ONLY**

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

T 0300 060 3900

Dear Mr Latham

**Kingsland Neighbourhood Development Plan Regulation 16 consultation**

Thank you for your consultation on the above dated 11/07/2016.

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 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 Tom Reynolds on 020 802 61050. 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,

Tom Reynolds  
Planning Adviser  
Sustainable Development  
South Mercia  
Consultations Team

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

## Natural environment information sources

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

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

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

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

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

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

## Natural environment issues to consider

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

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

### Landscape

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

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

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

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

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

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

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

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

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

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

### Wildlife habitats

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

### Priority and protected species

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

### Best and Most Versatile Agricultural Land

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

## **Improving your natural environment**

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

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

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

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

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

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

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

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

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

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



## Latham, James

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**From:** Morgan Barbara <Barbara.Morgan@networkrail.co.uk>  
**Sent:** 11 August 2016 14:52  
**To:** Neighbourhood Planning Team  
**Subject:** Kingsland Regulation 16 Neighbourhood Development Plan

Dear Sir/Madam

Network Rail has been consulted by Herefordshire Council on the Kingsland Regulation 16 Neighbourhood Development Plan. Thank you for providing us with this opportunity to comment on this Planning Policy 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

The 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

Development proposals' affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision.

As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services.

In this regard, we would request that the potential impacts from development affecting Network Rail's level crossings, is specifically addressed through planning policy as there have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing. We request that a policy is provided confirming that:

- The Council have a statutory responsibility under planning legislation 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 a railway:
  - *Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010 requires that... "Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway (public footpath, public or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval".*
- Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact: and
- The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.

Planning Applications

We would appreciate the 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 preparation of the forthcoming 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)**

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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:** donotreply@herefordshire.gov.uk  
**Sent:** 26 July 2016 15:34  
**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	Pam
Last name	Cooper
Which plan are you commenting on?	Kingsland Neighbourhood Plan
Comment type	Support
Your comments	I wholeheartedly support the Kingsland Parish Plan. All points made are constructive and I feel that the amount and type of housing required are fair and justified. The villagers were consulted at every stage of the plan, and a lot of time and hard work has been put into it by the Kingsland Neighbourhood Planning Committee and the Parish Council.

August, 2016

Dear Neighbourhood Planning Team

During the first Regulation 16 Consultation I signed a petition containing the following:

**Summary**

**Item 1**

- *'If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.'*

**Item 2**

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
- The petition asked that a plan should be available showing the extent of areas to be protected as part of KNP with specific reasons why that area should be protected from development.

**Item 3**

- *'I do not agree with the statement that there needs to be a clear separation between Kingsleane and West Town.'*

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on '*The Benefits of the Kingsleane Scheme*' which I have included as part of this second Regulation 16 re-consultation response attached to this letter.

**Other Comments:**

I think putting all the proportionate housing growth in the main village street will spoil the historic listed buildings and be detrimental to the conservation area. It will also exacerbate the existing traffic issues in the main street.

Name: Pamela Lewis

Address:

Date: 22.8.16

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people**.

### **BENEFIT 3 – Financial benefits for the community**

In Kingsland Neighbourhood Development Plan, 54% of residents stated they wanted development that attracted 106 financial contributions. This proposal provides the following monies:

- **£33,466.00** to provide enhanced educational infrastructure at Kingsland Primary School and Wigmore Secondary School.
- **£22,609.00** to provide sustainable transport infrastructure to serve the development. The monies shall be used by Herefordshire Council, in consultation with the Parish Council, at its option for any or all of the following purposes:
  - improvements to public right of way network within the vicinity of the development;
  - improved crossing facilities between application site and village facilities and;
  - improved bus infrastructure within vicinity of the development
- **£560.00** to provide 1x waste and 1x recycling bin for each open market property.
- **£14,278.00** for off-site play facilities (provision and maintenance). The contribution would be used towards improving the existing play facilities in Kingsland as identified in the Neighbourhood Plan and in consultation with the Parish Council.
- **£9,166.00** for outdoor sports. The money shall be used by Herefordshire Council in accordance with priorities identified in the playing pitch assessment & the outdoor sports investment plan at Mortimer Park.

### **BENEFIT 4 – Enormous support for Kingsleane proposal**

The proposal has received enormous support from residents.

84 letters of support - 6 letters of objection - 1 mixed letter

Petition of 85 signatures in support of the application

Further petition of 31 letters in support of the application – disagreeing with the planning officer's recommendation to refuse the application

Draft KNDP first Reg 16 consultation - (Kingsleane site was a commitment site in the plan)

95 signature petition supported the Kingsleane site requesting that KNDP retain it as an allocated site in the plan.

A number of letters objected to KNDP

A number of letters supported KNDP which included Kingsleane as a 'commitment site', but ONLY ONE requested that this site is removed from the KNDP.

### **BENEFIT 5 – Sustainable drainage scheme**

It is intended that the new sustainable drainage scheme will take the surface water from the existing Kingsleane properties – a major benefit for the whole community. Rather than this scheme adding to the surface water in the village, it will reduce it by ten properties.

### **BENEFIT 6 – No loss of agricultural production land**

No loss of agricultural/horticultural production land or loss of employment as a result of developing this very small amount of land. Nor will there be a reduction or loss of amenity or recreational area.



### **BENEFIT 7 – Biodiversity gain**

There will be a large biodiversity gain as a result of the additional landscaping incorporated in the Kingsleane scheme. This, together with the introduction of the sustainable drainage scheme will introduce new biodiversity in this area of the village which will complement the new wildlife corridor that the steering group has suddenly introduced in KNDP.

### **BENEFIT 8 – New Homes Bonus**

Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

### **BENEFIT 9 – Additional Council tax**

Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
- More local people using village businesses such as the post office/shop, pubs and garage will help to retain current employment levels with the likelihood of more employment opportunities to sustain the new level of service required to meet local demand.
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Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

August, 2016

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**Other Comments:**

Name:

Address:

Date:

22 Aug '16

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Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

### **BENEFIT 9 – Additional Council tax**

Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
- More local people using village businesses such as the post office/shop, pubs and garage will help to retain current employment levels with the likelihood of more employment opportunities to sustain the new level of service required to meet local demand.
- By contributing towards Mortimer Park facilities (Luctonians Rugby & Cricket Club), this will increase the number of sporting visitors to the village – again more employment opportunities for local people and additional 'spending' in the village helping to sustain economic growth in rural areas such as Kingsland.

### **BENEFIT 12 – No impact on transport congestion in village**

This scheme will not have a detrimental impact on the transport congestion currently experienced in the village as all the facilities are within easy walking distance including the school, post office/shop, doctors, pubs, village hall, etc. via safe and level footpaths. Anyone wanting to drive outside the village will use the Arbour Lane to the A4110 junction avoiding the village centre. Buses also pass the site. The more people who are of working age who would use the buses to go to work, the more likely the frequency of buses will improve.

### **BENEFIT 13 – Additional footpath beneficial to whole village**

A new footpath is proposed as part of the proposal to join the existing network of footpaths. The Transport Manager stated in an email dated 25 February 2014 *'I think I'd prefer the external path. I realise it is probably more expensive, but it would be a start of a path towards the Showers Farm complex.'* Therefore, this would be a benefit to the whole community.

### **BENEFIT 14 – More opportunities to recruit retained firefighters – benefit to whole of Herefordshire**

The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

### **BENEFIT 15 – Retention of rural character of Arbour Lane:**

- No loss of existing mature hedgerows
- Landscape Management Plan for the restoration and enhancement of existing hedgerows including the roadside hedge in the Arbour Lane will conserve and enhance the rural character and encourage wildlife in the area. Currently no management agreement is in place for the existing hedgerows..
- Additional hedgerows and trees planted on site and on adjoining land will enhance the conservation area.

### **BENEFIT 16 – Self-contained site will not affect residents' enjoyment/appreciation of the village landscape or conservation area**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.

22<sup>nd</sup> August 2016

Dear Herefordshire Planning,

I write to disagree with the current KNDP plan due to its restrictive policies which will not allow much needed development outside of the settlement boundary. I strongly agree that the affordable/capped housing development adjoining Kingsleane should be included instead of cramming development into one area (North Road to the Shrublands).

Currently the main part of the village is heavily congested often resembling a slalom with cars often parked on either side of the road making it difficult to travel through; another issue is the road itself is in a terrible state. Allowing only further development within the main part of the village itself will only add to this, there are already several new houses crammed into already jammed areas leaving little green space. The proposed site near Kingsleane is a perfect site to develop and won't impact on the village as the likelihood is traffic will mainly be using entrance and exit from the Fire station end.

Kind regards,

Paul Stevens



## Latham, James

---

**From:** Roger Crump  
**Sent:** 28 August 2016 22:13  
**To:** Neighbourhood Planning Team  
**Cc:** Neighbourhood Planning Team  
**Subject:** KNDP Reg 16 Petition (2)

Dear Neighbourhood Planning Team

August, 2016

I wish to object to Kingsland Neighbourhood Development Plan as I do not believe the residents' comments/views made during the previous consultation process were considered or acted upon in respect of this revised KNDP. During the first Regulation 16 Consultation I signed a petition containing the following:

### Summary

#### Item 1

- If the planning permission is quashed, I respectfully request that this site is now allocated as a housing development site in KNP prior to the examination by the Inspector and before the referendum.

#### Item 2

- The petition asked for a clear plan showing the location of sites for housing/community buildings/parking/etc.
- The petition asked that a plan should be available showing the extent of areas to be protected as part of KNP with specific reasons why that area should be protected from development.

#### Item 3

- I do not agree with the statement that there needs to be a clear separation between Kingsleane and West Town.

Item 1: The planning permission was quashed, but it does not appear from the minutes of KNDP Open Meetings that the steering group even discussed the contents of the petition when considering the revisions of the KNDP for the second Regulation 16 consultation.

- Why didn't KNDP steering group discuss the option of retaining the Kingsleane site in the plan during their open meetings when it received such enormous support from residents with residents actually requesting that it be retained in the plan?
- Why did KNDP remove the Kingsleane site from the plan when ONLY ONE response at Reg 16 asked for the site to be removed?
- Why didn't KNDP consider altering the settlement boundary when a lot of the objections/concerns expressed during the initial Reg 16 consultation related to the retention of the existing settlement boundary?

Item 2: Clear and detailed plans requested do not appear to have been provided with the resubmission.

Item 3: KNDP has now proposed a wildlife corridor between Kingsland and West Town despite the petition saying that residents did not agree with a clear separation between Kingsleane and West Town. However, the Kingsleane scheme has proposed such detailed landscaping plans, that the scheme will provide large biodiversity gains whilst at the same time encouraging wildlife to the area, thereby adding to the wildlife corridor proposed by KNDP.

I wish to see the Kingsleane site allocated for housing in Kingsland Neighbourhood Plan as I believe:

- It will integrate well into the surrounding landscape and conservation area.
- It will not have a detrimental impact on historic assets such as listed buildings or the conservation area.
- It will cause the least impact on heritage assets whereas locating all housing requirements in the centre of the village will have a much greater detrimental impact on heritage assets and their settings.

- It will also cause least disruption to village life whereas locating all housing requirements in the centre of the village will add to the problematic transport congestion already experienced in the centre of the village.
- It will not affect the residents' enjoyment of heritage assets, whereas 'cramming' all housing requirements in the centre of the village will have an effect on residents' enjoyment of these heritage assets.
- The financial contributions will benefit the whole community, whereas locating all housing requirements within the settlement boundary is unlikely to attract financial contributions and will disadvantage the village.

My support for including the Kingsleane housing scheme as a housing site in KNDP is also based on 'The Benefits of the Kingsleane Scheme' which I have included as part of my Reg 16 Re-consultation Comments below.

Name: Roger Crump

Address:

Date: August 28<sup>th</sup> 2016

### Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

#### **BENEFIT 1 – The council does not have a five year housing land supply.**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

#### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people.**

#### **BENEFIT 3 – Financial benefits for the community**

In Kingsland Neighbourhood Development Plan 54% of residents stated they wanted development that attracted 106 financial contributions. This proposal provides the following monies:

- **£33,466.00** to provide enhanced educational infrastructure at Kingsland Primary School and Wigmore Secondary School.
- **£22,609.00** to provide sustainable transport infrastructure to serve the development. The monies shall be used by Herefordshire Council, in consultation with the Parish Council, at its option for any or all of the following purposes:
  - improvements to public right of way network within the vicinity of the development;
  - improved crossing facilities between application site and village facilities and;
  - improved bus infrastructure within vicinity of the development
- **£560.00** to provide 1x waste and 1x recycling bin for each open market property.
- **£14,278.00** for off-site play facilities (provision and maintenance). The contribution would be used towards improving the existing play facilities in Kingsland as identified in the Neighbourhood Plan and in consultation with the Parish Council.
- **£9,166.00** for outdoor sports. The money shall be used by Herefordshire Council in accordance with priorities identified in the playing pitch assessment & the outdoor sports investment plan at Mortimer Park.

#### **BENEFIT 4 – Enormous support for Kingsleane proposal**

The proposal has received enormous support from residents.

84 letters of support - 6 letters of objection - 1 mixed letter

Petition of 85 signatures in support of the application

Further petition of 31 letters in support of the application – disagreeing with the planning officer's recommendation to refuse the application

Draft KNDP first Reg 16 consultation - (this site was a commitment site in the plan)  
95 signature petition supported the Kingsleane site requesting that KNDP retain it as an allocated site in the plan.

A number of letters objected to KNDP

A number of letters supported KNDP which included Kingsleane as a 'commitment site', but ONLY ONE requested that this site is removed from the KNDP.

#### **BENEFIT 5 – Sustainable drainage scheme**

It is intended that the new sustainable drainage scheme will take the surface water from the existing Kingsleane properties – a major benefit for the whole community. Rather than this scheme adding to the surface water in the village, it will reduce it by ten properties.

#### **BENEFIT 6 – No loss of agricultural production land**

No loss of agricultural/horticultural production land or loss of employment as a result of developing this very small amount of land. Nor will there be a reduction or loss of amenity or recreational area.

#### **BENEFIT 7 – Biodiversity gain**

There will be a large biodiversity gain as a result of the additional landscaping incorporated in the Kingsleane scheme. This, together with the introduction of the sustainable drainage scheme will introduce new biodiversity in this area of the village which will complement the new wildlife corridor that the steering group has suddenly introduced in KNDP.

#### **BENEFIT 8 – New Homes Bonus**

Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

#### **BENEFIT 9 – Additional Council tax**

Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

#### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc. thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

#### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
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#### **BENEFIT 12 – No impact on transport congestion in village**

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The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

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- Additional hedgerows and trees planted on site and on adjoining land will enhance the conservation area.

**BENEFIT 16 – Self-contained site won't affect residents' enjoyment of village**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.

Late Representation

**Latham, James**

---

**From:** Robin Fletcher  
**Sent:** 16 August 2016 16:44  
**To:** Neighbourhood Planning Team  
**Subject:** Kingsland Neighbourhood Plan Consultation

Dear Sir/Madam,

This representation concerns the draft Kingsland Neighbourhood Plan submission version July 2016 - Policy 16 – New Homes in Cobnash.

Following the change in the Herefordshire Core Strategy to regard Cobnash as a potential settlement for further development of housing, a consultation with residents took place in early September 2015. All Cobnash residents who responded wanted development to take place, and over 52 % of total Parish respondents wanted development to take place.

Sadly the plan does not reflect this. The proposed settlement boundary is far too small and tight to allow for the proportional growth required.

The proposed boundary has arbitrarily bisected the land/gardens of several Cobnash properties, including that of my property, REDACTED. To the best of my knowledge this was done without a site visit.

That part of REDACTED land which has been excluded from the proposed boundary (the area at the South-East of the property) is the most appropriate and environmentally preferable part for locating 1 or 2 houses. This part would not harm the amenity of REDACTED or neighbouring properties and the heritage setting they currently enjoy, would not have a negative visual/landscape impact and would not lead to dangerous and undesirable development blighted by road traffic and noise. It could also be easily accessed from the existing drive on Broomy Hill Lane.

Additionally, if development were to take place on the portions of REDACTED land included within the proposed settlement boundary, then the portion of land excluded from the proposed settlement boundary could potentially become inaccessible, which is nonsensical.

I therefore request that the draft KNDP is revised to reflect the wishes of the majority of the residents of Cobnash, and the Parish as a whole, in order to enable the sensible and sustainable development that is both desired and required. This can only be done by enlarging the proposed Cobnash settlement boundary.

Yours sincerely

Robin Fletcher



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



**APPLICATION DETAILS**

212559 /  
Kingsland Parish Neighbourhood Plan  
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 to add.

Signed: Susannah Burrage  
Date: 28 July 2016

## Neighbourhood Development Plan – conformity assessment

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

Date 17/08/2016.....

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
Policy 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: Highways and Transport	SS4, MT1	Y	Observations:  'Parking standards shall conform with Herefordshire Core Strategy but should also

Infrastructure			include additional parking for visitors’ .  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’.  Views from Highways need to be sought
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



**Latham, James**

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**From:** Zoe Hughes <Zoe.Hughes@sportengland.org>  
**Sent:** 12 July 2016 11:51  
**To:** Neighbourhood Planning Team  
**Subject:** Kingsland Regulation 16 Neighbourhood Development Plan consultation

Thank you for consulting Sport England on the above Neighbourhood Consultation.

Planning Policy in the **National Planning Policy Framework** identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.

It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, '**A Sporting Future for the Playing Fields of England – Planning Policy Statement**'.

<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

Sport England provides guidance on developing policy for sport and further information can be found following the link below:

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.

<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/>

If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If you need any further advice please do not hesitate to contact Sport England using the contact details below.

Yours sincerely

Planning Administration Team  
[Planning.central@sportengland.org](mailto:Planning.central@sportengland.org)



**Latham, James**

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**From:** Carrie Cameron <c.cameron@st-hereford.co.uk>  
**Sent:** 26 July 2016 14:18  
**To:** Neighbourhood Planning Team  
**Subject:** Kingsland Neighbourhood Development Plan 2011 - 2031 Resubmission Draft July 2016

**THIS EMAIL HAS BEEN SENT ON BEHALF OF DAVID A THOMPSON**

26 July 2016

From: Mr & Mrs DA Thompson

Dear Neighbourhood Planning Team

We understand our Parish Council has approved the resubmission draft and we write in support of the Plan and the additional amendments, making it a robust and compliant Plan in accord with Herefordshire Local Plan Core Strategy.

In this important agricultural area, surrounded by Grade 1 and 2 agricultural land the anticipated housing requirements for the combined Parish of Kingsland, Shirlheath and Cobnash, can be fulfilled within the defined settlement boundaries, as indicated on the proposal maps.

It is important that the heritage assets, the defined Conservation Area and the green corridor between Kingsland and West Town are protected at all times for future generations. This is a rural village area and whilst acknowledging economic growth is desirable, the area is not suitable to create a satellite suburbia. There is no extra capacity in the school, GP surgery, or sewerage works, lying between the Rivers Lugg and Arrow in the flood plain and adjoining the Pinsley Brook within the Wye catchment. There are concerns of pollution and phosphate discharges in breach of European directives.

It is important that any small scale development within the defined settlement boundaries utilises brown field rather than green field sites, barn and farm building conversions etc, that are all capable of producing the required number of both affordable and open market dwellings within the Plan period. Thus we fully support policies of the KNDP set out in the resubmission draft.

Yours sincerely

**David A Thompson FRICS FAAV**

[d.thompson@st-hereford.co.uk](mailto:d.thompson@st-hereford.co.uk)

**Sunderlands & Thompsons LLP**

**Chartered Surveyors, Auctioneers, Land and Estate Agents**

Offa House, St Peters Square, Hereford, HR1 2PQ

Tel: 01432 278888 Fax: 01432 352311



**Offa House, St Peters Square, Hereford HR1 2PQ – Tel. 01432 356161**

**Also at:**

**3 Pavement House, The Pavement, Hay on Wye HR3 5BU – Tel. 01497 822522**

**Visit our websites: [www.st-hereford.co.uk](http://www.st-hereford.co.uk) and [www.st-property.co.uk](http://www.st-property.co.uk)**

This message is confidential. It may not be disclosed to, or used by, anyone other than the addressee. If you receive this message in error, please advise us immediately .

**Latham, James**

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 August 2016 11:04  
**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	Ursula
Last name	Priday
Which plan are you commenting on?	Kingsland NDP
Comment type	Support
Your comments	The village is slowly changing beyond all recognition so we need this Plan to succeed to stop further inappropriate housing development.

Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford HR1 2ZB

August, 2016

Dear Neighbourhood Planning Team

I would like the Kingsleane scheme which had been included as a 'commitment site' in the previous Kingsland Neighbourhood Development Plan to be included in the current KNDP as a site for housing. The scheme includes a good mix of housing suitable for both young and older people in a location which is convenient for all village facilities without adding to the traffic congestion in the main village street.

**Other Comments:**

I think putting all the proportionate housing growth in the main village street will spoil the historic listed buildings and be detrimental to the conservation area. It will also exacerbate the existing traffic issues in the main street.

Name: William Reeve

Address:

Date: 22/8/16

## Benefits of the Kingsleane Scheme

There will be a very small loss of a greenfield site (approx. 0.6 ha) but there will be considerable additional benefits as follows:

### **BENEFIT 1 – The council does not have a five year housing land supply:**

This proposal will contribute towards achieving this much needed supply of housing in Herefordshire. The council has been unable to sustain a robust five year housing supply in Herefordshire for a considerable number of years.

### **BENEFIT 2 – included 40% affordable housing:**

The majority of residents (including letters of support from residents) want affordable housing in the village – this proposal will provide **5 affordable units for local people**.

### **BENEFIT 3 – Financial benefits for the community**

In Kingsland Neighbourhood Development Plan, 54% of residents stated they wanted development that attracted 106 financial contributions. This proposal provides the following monies:

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### **BENEFIT 4 – Enormous support for Kingsleane proposal**

The proposal has received enormous support from residents.

84 letters of support - 6 letters of objection - 1 mixed letter

Petition of 85 signatures in support of the application

Further petition of 31 letters in support of the application – disagreeing with the planning officer's recommendation to refuse the application

Draft KNDP first Reg 16 consultation - (this site was a commitment site in the plan)

95 signature petition supported the Kingsleane site requesting that KNDP retain it as an allocated site in the plan.

A number of letters objected to KNDP

A number of letters supported KNDP which included Kingsleane as a 'commitment site', but **ONLY ONE** requested that this site is removed from the KNDP.

### **BENEFIT 5 – Sustainable drainage scheme**

It is intended that the new sustainable drainage scheme will take the surface water from the existing Kingsleane properties – a major benefit for the whole community. Rather than this scheme adding to the surface water in the village, it will reduce it by ten properties.

### **BENEFIT 6 – No loss of agricultural production land**

No loss of agricultural/horticultural production land or loss of employment as a result of developing this very small amount of land. Nor will there be a reduction or loss of amenity or recreational area.



### **BENEFIT 7 – Biodiversity gain**

There will be a large biodiversity gain as a result of the additional landscaping incorporated in the Kingsleane scheme. This, together with the introduction of the sustainable drainage scheme will introduce new biodiversity in this area of the village which will complement the new wildlife corridor that the steering group has suddenly introduced in KNDP.

### **BENEFIT 8 – New Homes Bonus**

Herefordshire Council would receive the New Homes Bonus payment – a benefit for Herefordshire services.

### **BENEFIT 9 – Additional Council tax**

Herefordshire Council would receive additional council tax as a result of the development. Twelve houses would make a vital contribution towards meeting the Council's corporate plan 2016-2020 which stated on page 24: *'Funding Local Authorities will be almost entirely funded locally through council tax and business rates from 2019/20; from 2016/17 funding from central government will reduce annually.'*

### **BENEFIT 10 – Supporting local businesses and rural economy**

The construction of these twelve houses will help to support local businesses in the village including the two pubs, post office/shop, garage, etc thereby helping to sustain economic growth in rural areas such as Kingsland. It is important to residents that Kingsland remains a vibrant community and a housing scheme such as this with a good mix of house types will help to achieve this.

### **BENEFIT 11 – Employment Opportunities**

- Construction jobs
- More local people using village businesses such as the post office/shop, pubs and garage will help to retain current employment levels with the likelihood of more employment opportunities to sustain the new level of service required to meet local demand.
- By contributing towards Mortimer Park facilities (Luctonians Rugby & Cricket Club), this will increase the number of sporting visitors to the village – again more employment opportunities for local people and additional 'spending' in the village helping to sustain economic growth in rural areas such as Kingsland.

### **BENEFIT 12 – No impact on transport congestion in village**

This scheme will not have a detrimental impact on the transport congestion currently experienced in the village as all the facilities are within easy walking distance including the school, post office/shop, doctors, pubs, village hall, etc. via safe and level footpaths. Anyone wanting to drive outside the village will use the Arbour Lane to the A4110 junction avoiding the village centre. Buses also pass the site. The more people who are of working age who would use the buses to go to work, the more likely the frequency of buses will improve.

### **BENEFIT 13 – Additional footpath beneficial to whole village**

A new footpath is proposed as part of the proposal to join the existing network of footpaths. The Transport Manager stated in an email dated 25 February 2014 *'I think I'd prefer the external path. I realise it is probably more expensive, but it would be a start of a path towards the Showers Farm complex.'* Therefore, this would be a benefit to the whole community.

### **BENEFIT 14 – More opportunities to recruit retained firefighters – benefit to whole of Herefordshire**

The local fire brigade need people to be retained firefighters in the village to sustain its service. Providing a good mix of housing such as this in the village that are suitable for both young and older members of the community will help retain this much valued service in the village.

### **BENEFIT 15 – Retention of rural character of Arbour Lane:**

- No loss of existing mature hedgerows
- Landscape Management Plan for the restoration and enhancement of existing hedgerows including the roadside hedge in the Arbour Lane will conserve and enhance the rural character and encourage wildlife in the area. Currently no management agreement is in place for the existing hedgerows..
- Additional hedgerows and trees planted on site and on adjoining land will enhance the conservation area.

### **BENEFIT 16 – Self-contained site won't affect residents' enjoyment of village**

The site is self-contained with only very localised views from the entrance and glimpses from parts of the footpath opposite the site.

21<sup>st</sup> August, 2016

Neighbourhood Planning Team  
Herefordshire Council  
P O Box 230  
Blueschool House  
Blueschool Street  
Hereford

Dear Sir/Madam

Please find attached a copy of my response in relation to the revised Kingsland Neighbourhood Development Plan.

**You will note that I have drawn attention to what I believe may be serious matters of concern to you and trust that you will investigate these fully prior to publishing this consultation response on the website. I also believe the process is seriously flawed leaving the KNDP open to legal challenge.**

In respect of references to the Kingsleane site throughout this document, I would like to register a declaration of my interest in this regard.

Yours faithfully

Wendy S Schenke

Enc.

## KINGSLAND PARISH NEIGHBOURHOOD DEVELOPMENT PLAN

I object to the adoption of the revised Draft Kingsland Parish Neighbourhood Development Plan in its current format. I am concerned expressly with the adequacy of housing provision to be provided for the settlement of Kingsland.

- 1.0 The stated purpose of the Plan is to help deliver the local community's requirements and aspirations for the Herefordshire plan period up to 2031. (Page 2).
- 2.0 The Plan sets out the vision, objectives and policies for growth of the Parish of Kingsland up to 2031 (Page 3).
- 3.0 OBJECTIVE FOUR seeks to provide sufficient housing to meet the future needs of the community, in terms of numbers and type based upon robust evidence. (Page 14)
- 4.0 Policy KNDP 1 states that Housing provision should meet the on-going identified needs of the community with a suitable mix of size, style and tenure. (Page 15).

All of these aims and objectives are considered commendable and fully supported.

However the KNDP does not put forward any robust mechanism or additional policy direction to deliver these housing objectives above and beyond the policies essentially put forward in the Herefordshire Core Strategy. It merely imitates and reflects the policies of the Core Strategy and does not add anything. The proposed housing allocation only adopts the required addition to the settlement indicated by the Core Strategy making the KNDP superfluous in this respect. I do not believe KNDP will deliver the housing objective as it has retained the existing restrictive settlement boundary. Furthermore, it anticipates that all the housing requirement can be accommodated within it even though the whole of the settlement boundary lies within the conservation area and there are approximately 45 listed buildings in this area which is the historic core of the village. The Core Strategy will deliver the same housing objective.

The National Planning Policy Framework advises that neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community.

Whilst such plans have to conform to the strategic objectives of the Core Strategy they offer communities the power and opportunity to **add to** the growth and sustainability of the settlement which only land use development can bring over and above that provided by the Core Strategy

The plan seeks to retain and create key services and states that to deliver essential community needs the Kingsland Parish Council will use any monies received through the Community Infrastructure Levy, *although this is likely to be limited*. But it is only limited because the KNDP does not seize the opportunity that the neighbourhood plan process provides and empowers the local community to stimulate economic growth and use the funds from allocated development opportunities to support and develop essential community services. (KNDP12).

The National Planning Policy Guidance States

*"A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities".*

The Spatial Strategy adopted by the KNDP however, is to constrict development in the confines of the old UDP Plan red lined boundary where the only changes proposed are to further restrict development, rather than to promote the expansion needed to retain and support local services.

No expansion of housing development is indicated to provide and above all to sustain the existing schools, post office and other important local services over the next 15 years. This restrictive

approach has failed in the last plan period to meet the overall housing needs of Herefordshire. In agreeing to save some of the policies of the UDP the Secretary of State made it clear that he would not necessarily accept the same regulatory approach in considering future Local Plans. It is an approach that makes any urgently needed changes cumbersome.

The adoption of a red line approach fetters the local communities' discretion and flexibility in meeting future community needs. The NPPF directs that Plans should have sufficient flexibility to adapt to rapid change as well as to take into account market signals, such as land prices, and housing affordability.

## **The main areas of concern in respect to KNDP are:**

### **1. Declarations of Interest**

I have serious concerns in respect of the KNDP as declarations of interest do not appear to have been included as agenda items on any Agenda until 20 June 2016 – when the first meeting of KNDP steering group took place on 17 February 2014.

**In the interests of transparency, it should surely be a requirement that an agenda item for 'Declarations of Interest' should be on each Agenda and the steering group and/or parish councillors given the opportunity to declare interests at every meeting. I believe this omission is unacceptable and a fundamental omission that undermines the whole process of the Kingsland Neighbourhood Development Plan KNDP).**

**One particular concern is that declarations of interest were not on the Agenda or recorded at the open meeting on 4 April 2016 when the group were ascertaining the likelihood of identified plots within the three settlement boundaries coming forward.**

**As a result of this, I believe that it is now important that a call for sites should be made so that all landowners who have put forward sites during the KNDP process or wish to put forward sites can do so and that these sites can then be considered by the community so that the parish residents can say where they want future housing to be located in the village.**

I understand the terms of reference for the steering group had been circulated during a meeting on 17 February 2014 and that in the Steering Group Terms of Reference, under 'Roles' it states that '*It is expected that all Steering Group members abide by the principles and practice of the Parish Council Code of Conduct including declarations of interest.*'

It should also be noted that many members of KNDP steering group are also parish councillors – some of whom have special responsibilities who will be aware of the regulations and responsibilities in respect of declarations of interest.

It appears that the Terms of Reference for Principles and Practice of the Code of Conduct of the steering group and declarations of interest were emphasised during a meeting held on 31 May 2016. It would appear from this, that it is possible that the correct procedures regarding declarations of interest may not have been followed for the majority of the KNDP steering group meetings.

## 2. Detailed and accurate plans

As I and many others pointed out in the previous Regulation 14 and the first Regulation 16 consultation processes, insufficient information has been available in plan format as part of the consultation process.

Having attended the KNDP steering group meetings in 2016, I am aware of information and documents discussed at these meetings. For example, KNDP produced a document called **'Meeting Future Housing Requirements in the Parish'**. This document discusses sites where the steering group believe housing can be delivered within the settlement boundary. As far as I am aware, it is only available in the evidence base on the Kingsland Life website (the community website). However, I think it is difficult to find on this website and, as far as I can see, it is not referenced in the Draft Kingsland Neighbourhood Development Plan. So, unless you were at that particular meeting, residents may not know that this document exists. (Having attended meetings in 2016, I believe my husband and I have been the only two members of the public who have been in attendance.)

In a letter from Mr Gabb (Programme Director Growth) dated 18 May 2016, he stated in his letter: *'The 'Meeting Future Housing Requirements' report will need to be made available so the wider local community and those making representations can view it along with a resubmitted plan. This is forming evidence base for your plan and should be publicly available for comment during the submission period.'*

Below is Herefordshire Council's Neighbourhood Planning Website where the KNDP is available online:

### Regulation 16 plan re-submission stage

Kingsland Parish Council re-submitted their Neighbourhood Development Plan to Herefordshire Council on 6 July 2016.

These are the plans and accompanying reports.

The plans can also be viewed at Hereford Customer Service Centre, Hereford Library, Leominster Customer Service Centre and Blueschool House.

The consultation runs from 11 July 2016 to 22 August 2016.

To make representations or comments on this plan you may do so by:

- [Online comment form](#)
- Email to [neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)
- Post to Neighbourhood Planning Team, Planning Services, PO Box 230, Hereford HR1 2ZB

Please note: Any representations may include a request to be notified of the local planning authority's decision under regulation 19 in relation to this Neighbourhood Development Plan.

- [Neighbourhood Development Plan submission version July 2016 - 3.31MB \(PDF\)](#)
- [Kingsland parish policies map - 2.05MB \(PDF\)](#)
- [Kingsland village policies map - 1.77MB \(PDF\)](#)
- [Shirlheath village policies map - 547KB \(PDF\)](#)
- [Cobnash policies map - 731KB \(PDF\)](#)
- [Environmental report July 2016 - 11.46MB \(PDF\)](#)
- [Habitats regulations assessment addendum July 2016 - 433KB \(PDF\)](#)
- [Consultation statement - 6.44MB \(PDF\)](#)
- [Basic conditions statement - 1.53MB \(PDF\)](#)
- [Regulation 16 consultation site notice - 41KB \(PDF\)](#)

I think the fact that 'Meeting Future Housing Requirements' report has not been placed alongside the KNDP on the Council's website is fundamentally wrong and undermines the whole process of KNDP. I believe the document should have been placed with KNDP on the Council's website and at Herefordshire Council's Customer Service Centres so that the wider community making representations could read it in conjunction with KNDP.

There is no mention of the 'Meeting Future Housing Requirements or any links to show that this document exists for residents to look at. The web page specifically states *'These are the plans and accompanying reports.'* There is no reference that states residents should go on to the Kingsland Life website and look for further documentation. Therefore, residents may be unaware



that the 'sketches' provided in that particular document are in existence. Mr Gabb specifically stated that the wider community should be able to view it along with the resubmitted plan.

The Council's website states where plans can be viewed at Herefordshire Council buildings – when I telephoned to see if the service centres had hard copies I was told no, but they would be available online (documents would be the same as when accessed at home), or they could try and order the actual file from Modern Records. I am sure how people who are unfamiliar with computers would manage.

Listed below are some of the questions I raised in consultation responses to the Draft KNDP Reg 14 and the first Reg 16. Some will have been partially dealt with in the 'Meeting Future Housing Requirements report, but I do not believe this document is on the Council's website for people to refer to. Although I am aware of the proposed plots for housing, many people I have spoken to in the village have no idea where the proposed housing is to be located – so for a lot of the residents some of these questions may still apply.

1. KNP may have discussed sites which they believe are suitable, but they may have constraints that they are unaware of. In addition, these sites may also have impacts on neighbouring properties. The residents from these properties may inadvertently support the KNP, only to find out at a later stage that it affects them in a detrimental manner. This information needs to be made public NOW before the plan goes any further.
2. *'This walk looked at the centre section of Kingsland village in and around the settlement boundary including some of the SHLAA sites. **Where specifically?***
3. *The walk discussed some sites, sufficiently close to the church and school, which may possibly accommodate a new pre-school building. These various sites were adjacent to, but not within, the settlement boundary. **Where specifically?***
4. *Some sites with potential for new dwellings, within the settlement boundary, were also observed. **Where specifically?***
5. *Sites with potential for additional car parking, within and adjacent to the settlement boundary were also discussed. **Where specifically?***
6. *Possible spaces for an older children's playground were considered in various locations. **Where specifically?***
7. *It was recognised that all sites discussed and those not seen would be dependent upon owners coming forward with land to offer. **Where specifically?** If sites are not available they should be discounted.*
  - Why haven't ALL the sites mentioned above been identified on a plan for Kingsland residents to consider at this stage in the consultation process?
  - *'All sites had advantages and disadvantages in terms of impact upon surrounding residents and conservation area status. Subsequently other sites within the settlement boundary with potential for additional dwellings have been discussed making it evident that there is sufficient room for growth in line with the redrawn settlement boundary.'* **Where specifically?**
  - *'The village walks undertaken by the KNP Steering Group were specifically intended to make sure that the land enclosed in the redrawn settlement boundary was capable of accepting the housing development required and needed by 2031. The resulting Walks Report show that this is feasible.'* **Where specifically?**
  - Where is the evidence to support KNP's walkers in determining that there is sufficient capacity within the settlement boundary to provide the housing required
  - The one thing residents will want to know is *'what new housing sites will be put forward and how will they affect me'* The KNP does not answer this very important question. The walks do not appear to have achieved or moved the KNP any further forward as it is not known whether any of the land visited/discussed is available.

#### **People making representations need clear plans showing:**

- Location of proposed dwellings
- Location of possible community buildings
- Location of possible village parking

- Location of play area
- Location of grade 2 and 3 agricultural land steering group intend protecting
- Location of other 'protected areas'
- It also appears that a wildlife corridor has now been introduced into the revised KNDP – the exact location of this needs to be made public so the affected landowners have an opportunity to seek legal advice and respond. The only information available on this wildlife corridor is a sketch. I do not know why this wildlife corridor has been introduced since the last Reg 16 consultation took place and seek some clarification.

As stated above, some of the questions have been discussed in the 'Meeting Future Housing Requirements' report, however, as the sites have not been assessed by Herefordshire Council's conservation officer, it is now known whether these sites are acceptable in respect of heritage assets. It also appears that some sites included also have access implications.

### **3. Is the housing option chosen by KNDP steering group in conflict with residents' preferred option.**

It appears that the survey was marginal as to whether housing should be within or outside the existing settlement boundary with 52% voting to retain the existing settlement boundary.

However, it is important to note that, according to the survey, when asked if more homes were to be built in the parish would you like them to be built . . . in new areas outside the current settlement boundary/building envelope but still WITHIN the village boundary? – 48% said yes but only **24% said no.**

It appears that according to the June 14 Consultation Options Choices 5.11.14:

Of the total number of community votes and businesses and groups –

33 wanted to retain the current settlement boundary;

34 wanted to widen the middle of boundary/extend boundary edges/widen middle and extend edges and

67 wanted to redraw the boundary to protect open/special spaces

Therefore, it appears that more people wanted to extend the settlement boundary than retain the existing one. Please refer to Appendix 2a and 2b for KNDP documentation.

Nobody wants to see large scale housing developments in rural villages and Kingsland is no different. However, most people accept that some small scale housing development is required for the village to retain its vitality and sustain local businesses such as the post office and shop, pubs, garage, etc and the different facilities, clubs and social events which the residents currently enjoy in the village.

This is why I believe it is necessary for call for sites is made to ALL landowners in the parish so that ALL residents can then choose where they believe housing would be more appropriate and beneficial to the community when taking into account heritage assets, transport issues and location to all village facilities.

The settlement boundary is drawn so tightly around the centre of the village (and all within the conservation area) that I believe developing this area further will destroy the rural characteristics of the village core itself and be of significant detriment to the character of the conservation area and listed buildings by depleting any valuable green breaks in between dwellings which will give the village an urban feel. Concentrating housing within the existing very tightly drawn settlement boundary will exacerbate traffic and parking problems in the main village centre and will change the very nature of the historic village centre.

#### **4. KNDP proposed housing site rationale appears to be in conflict with KNDP Policies relating to heritage assets**

It is difficult to see how KNDP can go forward to examination, referendum and adoption when its evidence for locating housing does not appear to meet the very policies it is promoting as part of KNDP.

##### **Is the main street of Kingsland not worthy of protecting its historic character?**

Extract from KNDP

***'Objective One: Ensure the visual effect of all development preserves and enhances the traditional character of the parish and protects our landscape and historic environment.'***

Page 8:

*'This plan is designed to support, develop and protect this community, its special character and its surround.'*

Page 11

*'There is a danger that the character, rural nature and heritage of the village and wider parish could be irrevocably changed if housing and development is not sympathetically incorporated, either physically, ecologically or socially.'*

Pg 13

*'This plan seeks to build on this heritage asset and to maintain the setting and surroundings which provide a much valued leisure and tourist facility for the wider community, whilst allowing for the necessary housing that has been identified.'*

I believe Kingsland is a large village which can accommodate several small housing schemes on small pockets of land outside the settlement boundary.

An internationally renowned conservation consultant stated in respect of the Kingsleane development – although I think it is true of several similar places in Kingsland: *'It is sites such as these which will allow the demand for additional housing to be met without overdeveloping the truly significant historic core of the village which is an irreplaceable and fragile entity easily damaged by over development of spaces comprising the setting of ancient buildings. One only has to walk through the village centre and experience the unfolding sequence of progression and recession of houses and former agricultural buildings, some medieval, some Georgian and some later to understand that this composition deserves protection through the planning process as a heritage asset of great significance.'*

This appears to be a view shared by the majority of residents in the parish. According to page 11 of KNDP: *'However, there is a dilemma here, as most people would also like to see a halt to the gradual infilling of the main street where the gardens and hedges add to the traditional rural feel.'*

It should also be noted that Herefordshire Council's conservation officer does not appear to have provided any conservation responses to KNDP's proposal.

#### **Policies that KNDP appears to be in conflict with**

Policy KNDP1 – Promoting a sustainable community

- (a) *'The highest priority will be given to maintaining and enhancing the rural character and local distinctiveness within the parish. This includes the settings and amenity within its settlement, particularly in relation to the preservation of the Kingsland Conservation Area and its associated character, landscape and views.'*

*'Development proposals must comply with the policies in this Neighbourhood Plan.'*

#### KNDP 4: Retaining the Rural Character of Kingsland Parish

*'To ensure development contributes positively to the area's rural character proposals should:*

- a) *Not adversely affect landscape character and, where appropriate, include measures to conserve, restore or enhance this character.*
- d) *Retain important natural assets of the parish such as orchards and hedgerows*
- f) *Retain the character and setting of historic and traditional rural buildings, the historic landscape and archaeological sites.'*

#### KNDP 5: Protecting Kingsland's Heritage Assets

*'In order to ensure that heritage assets and their settings, including those which have not yet been identified, are not destroyed or disturbed, development proposals are required to ensure that the Parish's historic character and local distinctiveness shall be conserved or enhanced by:*

- a) *Retaining its historic landscape character.*
- b) *Opposing developments that adversely affect important buildings, archaeological sites and other heritage assets within the parish, including their settings.*
- c) *Retaining the character of traditional rural buildings, in particular farmsteads.'*

#### KNDP 6: Retaining the Character of the Conservation Area and Kingsland Village

*'Proposals to enhance the landscape setting, character and local distinctiveness of Kingsland village will be supported, especially those that address the detailed conservation and environmental requirements set out below.*

*Development proposals will only be permitted where they:*

- i) *Conserve or enhance the character and appearance of Kingsland Conservation Area*
- ii) *Do not adversely affect the setting of important buildings and other heritage assets within the village.*
- iii) *Meet the detailed conservation and environmental criteria established for the Conservation Area as set out below.'*

*'The following conservation and environmental criteria set out below should be complied with in order to conserve or enhance Kingsland Conservation Area*

1. *Proposals for development should preserve important settings where they relate to the character and appearance within, into and from the conservation area. These should remain protected from inappropriate forms of development. Key settings and characteristics include:*
  - c. *Long distance views of St Michael's and All Angels Church particularly from the east and south. (WRITER'S NOTE: I think the views of the Church are also important from the North – but this is not mentioned in the plan)*
  - e. *The sense of enclosure within the village historic core formed principally around the staggered crossroads at the Corners Inn with its concentration of listed buildings, extending south east to Fairfield Cottage, north east to Myrtle Cottage, north-west to Lilac Cottage and south west to Kingsland House (the Old Rectory)'*
2. *New development should contribute positively to the village and Conservation Area:*
  - b) *Developers should demonstrate how their layout reflects village character, in particular the relationship with the village street and its associated spaces. The height, size, massing and scale of buildings and plot width and form should respect those surrounding the development.'* (WRITER'S NOTE: I also think there is no robust evidence or conservation officer assessment available to show KNDP can locate all the housing growth in the settlement boundary without causing detriment to the heritage assets consisting of the conservation area, listed buildings and their settings.)
3. *'Trees and hedgerows should be an integral part of any new development as essential components of the rural character of Kingsland Village as well as Shirlheath and Cobnash:*
  - e) *Hedgerows that support the historic pattern of the village setting and development should not be removed.*

- f) *The retention of small or remnant hedgerows that currently remain within the village and have been used to mark building frontages is considered highly important. Further provision of native hedgerows will be encouraged wherever possible.*

**KNDP 8: Highways and Transport Infrastructure**

- e. *'They do not lead to a significant increase in the volume of traffic travelling through the villages, at major junctions within the parish and on roads that do not have sufficient capacity.'*

I believe the residents have made it perfectly clear in surveys, open consultation days and even at Parish Council meetings that they have major concerns with traffic issues in the main street in the village. This is the very location that KNDP proposes to locate its proposed housing growth right in the main street of the village.

**KNDP 14: New Homes in Kingsland Village**

*'To meet housing needs within Kingsland village, provision will be made solely within the defined settlement boundary as shown on the Kingsland Village Inset Map, and in accordance with the following specific criteria:*

- a) *Development shall complement and where possible enhance the village character and comply with the conservation requirements for Kingsland Conservation Area, its Listed Buildings and other heritage assets and their settings, and be in accordance with Policy KNDP 6.'*

The whole of the settlement boundary is within the conservation area which is where KNDP want to locate the proposed housing growth. My opinion is that this plan will completely change the historic core of the village which I think is completely at odds with the original conservation area designation and the very policies contained within the KNDP. The original conservation document states: *'This is a most sensitive part of the boundary as the settlement of the main village street becomes more broken – and therefore open to 'infill, some infill has been allowed – but not as yet to the detriment of the continuing village – associated landscape of the area: the small plots, and particularly the plot of woodland to the north of Holgate Farm, are therefore included in the proposed boundary to give increased protection to this part of the village.'*

**Further Extract from the Introduction within the Draft Proposed Kingsland Conservation Area**

*'... The village itself is largely aligned along the B4360 in a north-west/south-east orientation and is a distinctly linear settlement with a major exception of that part of it situated on the A4110 in West Town.'*

**Extract from the present form of the village within the Draft Proposed Kingsland Conservation Area**

*'Because of its linear shape, Kingsland rarely offers any settlement in depth: it seems to have developed as a mixed community of farms and houses for about one mile along the orientation of the main B4360 route through it. The exceptions to this are the cul-de-sac lane to the Church and the crossroads about 300 yards to the north-west of the Church, the south-western side of this leading, with a break in development, to West Town about ¼ mile away. However, considerable stretches of the main route, and most of the crossroads junction to the north-east are made up of post-war and inter-war development – as is a development along a cul-de-sac on the north-east side of the road opposite the lane to the Church.'*

Refer to Appendix 1 for the following documents:

- a) The DRAFT Proposed Conservation Area Designation 1975 text and plan.  
b) Draft Conservation Area Designation Analysis 1975 – this is my own interpretation of the document – others may have a different interpretation of it  
c) Draft Conservation Area Designation Analysis Boundaries 1975 – again, this is my own interpretation of the document – others may have a different interpretation of it.



- d) The full text of the Conservation Consultants overview in respect of Kingsleane – which I believe is an important consideration and is also applicable to other possible development sites in Kingsland.
- e) Historic England Listed Buildings Map

In the original Draft Proposed Conservation Area Designation document setting out the conservation area in 1975, and in the Herefordshire UDP, areas in the centre of the village were deemed to be significant in character with the open spaces relating to the surrounding buildings shown as ‘protected open spaces’. However, it appears that some of these are the very areas where the proposed housing sites are located. These areas were protected in the UDP but subsequently disappeared off the plan when the Core Strategy came into force. I believe these important areas should be reinstated in KNDP to protect this historic area of the village.

I was of the opinion that any sites put forward for housing are required to be available and deliverable. Due to the conservation area and the close proximity of the identified sites to the large number of listed buildings in the core of the village, it is difficult to know if these sites will be deliverable as I cannot see any reference to the sites having been assessed by Herefordshire Council’s conservation officer as advised to do so by Herefordshire Council after the initial Reg 16 consultation. Therefore, I do not believe that the evidence that KNDP can locate all proposed housing growth within the settlement boundary, which includes the identified sites, is robust. Kingsland has already had experience of a site put forward for housing in previous local plans which has only recently started construction for a reduced number of dwellings. Kingsland certainly does not want a repeat of this.

I do not believe there has been a robust assessment of heritage assets in relation to the identified housing sites. It appears that KNDP have, instead, quoted planning officer comments from other applications in the village which may not apply for these identified sites. For example, a planning application was approved for housing within the conservation area, however, when a further application was submitted for another dwelling adjoining the site I understand it was refused on heritage grounds and the proximity of the site to a listed building. Therefore, I believe it is wrong to assume that just because Herefordshire Council has approved a particular application that it would do the same for adjacent sites, as each individual application is considered on its own merit which will, surely, take into account the cumulative effect of development within the conservation area and its effect on listed buildings and their settings.

Herefordshire Council’s Appendix 1 NDP – conformity assessment regarding the first Regulation 16 consultation:

*‘Other comments/conformity issues:*

*There is a strong heritage/conservation element to this Plan and the views from Archaeology and Conservation should also be sought.’*

I have been unable to find any evidence to suggest that these views have been sought as there do not appear to be any conservation officer comments available to view online.

## **5. Affordable housing**

KNDP suggests that it has already met the current demand for affordable housing through existing commitments and that any other requirements can be met through the rural exceptions policy.

However, according to the letters of support for the planning application at Kingsleane (143252), it appears that residents of Kingsland want to see more affordable housing and smaller open market housing. Refer to page 11. By amending the settlement boundary slightly in several areas of the village this will help to provide an *inclusive* mix of house types suitable for both open market and

affordable housing, whereas developing the identified plots is unlikely to achieve an inclusive mix of open market/affordable housing types.

I believe KNDP should positively promote inclusive sites for a mix of all house types.

## **6. Financial contribution from developers**

54% of residents were in favour of Section 106 funds to use for village projects. However, as KNDP proposes that new housing is located on small plots in the main street in the village (within the settlement boundary and conservation area), this is unlikely to attract any financial contributions from developers.

In contrast, however, other schemes put forward during the KNDP process which are just outside the settlement boundary but within the village boundary - including the Kingsleane site – are likely to result in benefits for the whole village including the play area, new footpath, etc. These are benefits that the residents have highlighted during the consultation open days and surveys as being important where new development is proposed and would also be beneficial to the community as a whole.

As stated above 54% of residents do want development that attracts developer contributions.

## **7. The removal of the Kingsleane housing site from plan without consultation with residents**

It is disappointing that the large number of residents' support given to the 'commitment site' shown in the previous Draft KNDP Reg 16 consultation process, namely Kingsleane, does not appear to have been taken into consideration when the identification of possible sites was being considered by KNDP steering group members during the revised KNDP process. It is also disappointing that there does not appear to be any justification why KNDP did not take this support and the comments in the petition into consideration when only one consultation response asked for the site's removal from the plan. Excluding that one letter requesting the site's removal from KNDP, the other letters supporting KNDP did not ask for the site to be removed.

During the draft KNDP consultation process a petition in excess of 90 signatures asked for the Kingsleane site to be retained in KNDP as an allocated site. The Kingsleane planning application attracted in excess of 80 letters of support, and two petitions of support - one with 85 signatures, and another with 31 signatures, with only 6 letters of objection. On what basis was the Kingsleane site removed from KNDP and when was this decided? At what open meeting was the decision to remove the Kingsleane site from the plan decided? I cannot see any discussion relating to this in the Minutes.

KNDP are proposing to put all new housing in the very heart of the village where I believe the DRAFT Proposed Conservation Area Designation document states is a sensitive area.

I think changing KNDP by removing the Kingsleane scheme from the plan is significant, not only in view of the overwhelming resident support it had, but also due to the additional requirement to locate even more housing in the most sensitive and historic part of the village and believe it should result in a call for sites for housing. I strongly believe residents should have been informed that KNDP were intending removing this site from the plan prior to the resubmission of Regulation 16.

Kingsland Consultation Statement 2016 C29 (8) states that *'The site lies outside the settlement boundary and not adjacent to it. An extended boundary to encompass this would incorporate other*

*significant areas of land which would considerably exceed the housing requirement and also be beyond the means of the WwTWs'.*

I do not believe this to be the case. The boundary could quite simply extend from Birch Walk Avenue to include the existing and proposed Kingsleane. This 'toe' is no different to the 'toe' at Boarsfield. Please refer to the hatched black line I have added to the plan below as an example of how this will not affect any other land.



The hatched line shows how the settlement boundary could be amended to include both the original Kingsleane and the proposed Kingsleane without affecting any other land. Extending the settlement boundary in this way would still protect any views to and from the Church.

By increasing the settlement boundary in a sensible and considerate manner such as this in several other areas in the village will allow the core of the village to retain its rural character whilst still allowing flexibility for much needed growth to sustain a vibrant community.

## **8. KNDP's urgency in wanting to proceed to adoption**

Another concern is the apparent keenness to 'rush through' the KNDP process. The Plan will be in force until 2031 and is an extremely important document. It must be robust. It is more important to get the plan right as it will affect the whole community for many years to come.

The following are some examples:

Item 6 of Minutes of KNP Steering Group Meeting on 3 March 2014

*'Kingsland is exposed to potentially inappropriate development when the settlement boundary is removed and before the neighbourhood plan is in place therefore **it is important to expedite the process.** This is a large undertaking therefore **need to identify which processes are essential and where corners can be cut.** We can refer to other neighbourhood plans for guidance.'*

Item 10 of Minutes of KNP Steering Group 7 April, 2014

*'Much discussion regarding settlement boundary. Core Strategy not likely to be ratified until late 2014. Kingsland still at risk of ad hoc planning applications being approved before the neighbourhood plan is adopted and a proper planning strategy for Kingsland in place. **Therefore a need for speed in this process agreed.***

Appendix 2 of Kingsland Consultation Statement 2016 a Letter to Shirlheath Residents seeking volunteers to join the Steering Group and help with NDP Events:

*'The designated figure is 14% of current numbers which means an additional 7 (on the basis that Herefordshire Council has assessed there to be 50 dwellings in Shirlheath at the moment). However, there is also an issue arising at the moment in that, because Herefordshire has not yet adopted the Core Strategy, until we have the Neighbourhood Plan in place settlements like Kingsland and Shirlheath are open to speculative planning applications by developers. **Speed is therefore of the essence.**'*

Item 5 of Minutes of the meeting held on 9 May 2016

*'Agree any further action towards resubmission for Reg 16 and/or examination*

*A letter was proposed and agreed asking HC if they will **move directly to examination** in the light of the evidence that the predicted housing growth in Kingsland is broadly accurate. The addition of the water issues to the letter was discussed but generally felt to be clouding a simple point. The water issues need to be followed up separately.*

## **9. Was KNDP revision undertaken prior to the steering group considering the Regulation 16 consultation responses**

Item 5 of the minutes of the KNDP meeting of 4 April 2016 state:

*'We need to find out which sites within the three settlement boundaries are likely to come forward. It is understood that a relatively informal question process to ascertain intent verbally from each plot holder is sufficient evidence. (subsequently reconfirmed by HC)*

*There was discussion regarding various methods of doing this, some more formal than others. It would not be a commitment on the landowners' part, purely an intention. This information would then help prove the credibility of the KNDP point that sufficient dwellings will be built.*

*Eventual release of data regarding identified plots is to be discussed with HC regarding freedom of information as well as data protection for individuals.*

*The wording to use when approaching landowners was agreed as follows:*

- *HC needs to demonstrate that a certain number of houses will come forward within the KNDP settlement boundaries up to 2031*
- ***Details will be kept from public documents but may be shared on a need to know basis** (my emphasis)*
- *Q1 Is it likely that the land (identified) will be made available for residential development within the next 15 years?*
- *Q2. Do you know of any constraints that would prevent this delivery?*

*The plots were then divided among the steering group members for approaching relevant landowners.'*

Item 7 of the same meeting – AOB communications from the community:

*'A community observer asked 'Has the committee considered the Reg 16 representations?' This, it was explained, is a matter for Herefordshire Council to action, although Steering Group members have read them. All responses to reg 16 representations are to be made or directed by Herefordshire Council.'*

It would appear, therefore, that the views of all the residents who took the time to make representations at Reg 16 may not have been taken into account when revisiting KNDP or when identifying possible sites. The minutes state that steering group members had read the representations but it appears that the steering group may have continued placing all housing in the existing settlement boundary without considering any of the consultation responses – hence it

seems that responding to the consultation responses in the consultation statement may have been done AFTER the steering group had agreed the revised plan. It would be a shame if the group did not consider the responses before identifying the sites within the settlement boundary as the responses could have informed the group as to where residents preferred to see new housing in the village. Letters of objection at Reg 16 related to the fact that the settlement boundary was too restrictive.

## **10. List of farmsteads**

At a meeting on 9 May 2016 the steering group was advised to consider the list of farmsteads in the housing growth forecast in relation to potential windfalls outside the settlement boundaries.

At a meeting on 31 May 2016 a further request for information was made to ensure the list of farmsteads was complete and accurate.

At a meeting on 20 June 2016 information regarding the accuracy of the farmsteads list on the housing assessments document was asked for once more and a final list was agreed in the meeting. It was understood that the information is as accurate as can be ascertained at this time and could change in the future.

I do not understand how this can be considered an accurate assessment as the farmsteads concerned were not visited to ascertain if buildings were capable of conversion or whether they had already been converted or whether they were actually sustainable, available and deliverable. I do not believe this is a robust assessment of farmsteads in the parish.

## **11. Inaccurate Information**

On Kingsland Policies Map, the field to the west of Kingsleane is designated as a '*local wildlife site – site of importance for nature conservation*'. The steering group and Herefordshire Council's ecologist and planning department are well aware that this site should no longer be considered as a local wildlife site. I believe this should be removed from the map in KNDP as the site should no longer be classed as a local wildlife site as it was cultivated and reseeded approximately four years ago, therefore, the map is inaccurate.

The red outline also includes the original Kingsleane development which was built in 1993. If KNDP is to be adopted, and planning applications will need to accord with it, then the information contained within it should be accurate and up-to-date.

## **The following are questions I asked during the Regulation 14 & 16 Consultations which I believe have not been answered**

- If the identification of sites was '*based upon criteria*'. What specific criteria did KNP apply to each site visited and/or considered in coming to their conclusion?

*According to the written comments made during the community consultation events for the Parish and Neighbourhood Plans and for the survey, residents, although supporting more housing, do not want inappropriate, large developments built on the edges of the village. They want to keep the settlement boundary largely where it is to prevent sprawl and to protect separation between different areas such as West Town and Kingsland village. However, there is a dilemma here, as most people would also like to see a halt to the gradual infilling of the main street where the gardens and hedges add to the traditional rural feel. This plan is based upon a finely balanced reflection of those needs and preferences.'*



- Why specifically is there a need to protect a separation between West Town and Kingsland village when West Town is within the Kingsland village boundary?
- Where is the evidence to support 'protecting this separation' as it appears to conflict with the large number of supportive letters for the recent planning application at Kingsleane which was granted planning approval with only two letters of objection from residents. In addition, a petition in respect of KNP has in excess of 90 signatures stating that they did not agree with the statement that there needs to be a separation between West Town and Kingsland village and do not consider West Town to be a separate area of the village such as Cobnash and Shirlheath but consider it part of the village. Unlike Cobnash and Shirlheath, it is situated within Kingsland village boundary. *(Please note that the permission was quashed in February 2016)*

According to Schedule 1: Community Representations and Responses: *'To include the exception site (referring to Kingsleane) would potentially affect the availability of affordable housing for the village in that the requirement for it to remain affordable 'in perpetuity' could be more easily challenged.'*

I do not believe this to be the case as the planning permission stipulates 'in perpetuity' and the land was sold on the condition that the affordable housing would be 'in perpetuity'. Whether these houses are within or outside the settlement boundary would not affect this status. These dwellings form part of the existing built form and to not include them within the settlement boundary is discriminating against this type of housing whereas the village should be one inclusive community regardless of housing type.

***'Walk through Kingsland Village to look at valued Green Spaces and Street Scenes***

*It was agreed that the area in front of Kingsleane had matured into an attractive green space in the village. The walk across public footpaths towards West Town Court highlighted the need for more footways (pavements) so that residents from West Town Court can reach the village safely and easily without recourse to a car. It also identified a clear, traditional separation by farmland, between the main village and West Town Court. This is a favourite area, enjoyed by walkers and their dogs*

Is this a favourite area enjoyed by walkers and their dogs?

This public footpath leads onto the extremely busy A4110 with a high volume of HGVs and there is no pavement until nearer the village junction. It is not always possible for two lorries or tractors to pass each other near the Arbour Corner junction without going on the footpath, so it is not common to see people walking down the A4110 from the end of the public footpath and back towards the village.

- Was this the 'opinions' of the residents of Kingsland or just the few who took part in the walk?

## Conclusion:

To conclude, I believe that concentrating development within the existing settlement boundary will exacerbate congestion through the village. Roadside parking in the village centre is already a problem both in working hours and in the evening. These problems have been highlighted in KNDP as a major concern amongst Kingsland residents. Kingsland needs to grow steadily to maintain its sustainability and this can be achieved by allowing small scale housing development surrounding the settlement boundary, but not necessarily within it.

The Core Strategy housing land figure is a minimum figure and not a maximum target figure.

Herefordshire Council is unable to demonstrate a five year housing land supply and has been unable to do so for a long time – subsequently it needs to add a further 20% buffer in its housing land supply calculations. Herefordshire Council is required to carefully monitor these figures annually and implement changes if necessary. I do not believe there is any mention or provision for this in the KNDP.

This plan is going to be used in determining planning applications until 2031, therefore it is a very IMPORTANT document and it is equally important that the residents of Kingsland are fully aware of ALL the facts so that they can make informed decisions as to whether to support the plan or object to the plan.

It is extremely important that KNDP is not rushed through the system, and that it is adequately assessed by Herefordshire Council to ensure that the correct decisions are taken now to achieve the best for our community. If this means a delay so that the proposed plots can be properly assessed by Herefordshire Council's conservation officers to ensure that those plots proposed in KNDP are not detrimental to the fragility of the heritage assets (conservation area and listed buildings) in the main street in the village, then this would be more worthwhile and beneficial to the village than having a plan which is not fit for purpose. The Core Strategy is reliant on neighbourhood plans in bringing forward rural housing and rural economic growth, therefore, KNDP will be of no use to anyone if these identified plots are subsequently refused planning permission on conservation grounds. Unfortunately, the plan appears more restrictive than the outdated Herefordshire UDP and that failed to meet Herefordshire Council's housing land supply figures.

If residents are unaware of the document 'Meeting Future Housing Requirements' how can residents be confident that the required growth can take place within the proposed settlement boundary and that there is sufficient flexibility to meet any growing need during the plan period.

In a letter dated 18<sup>th</sup> May from Mr Richard Gabb he states: '*The October 2015 plan text needs to be amended to reflect the study and its findings to provide robust justification for the plan's continuing policy position and to address the major objections which were received at the Reg 16 stage.*'

I do not think KNDP have addressed the major objections.

Whilst I appreciate that the steering group members have undertaken a considerable amount of work in researching and producing the KNDP and should be commended for it, unfortunately I do think that certain procedures are fundamentally flawed.

# Appendix 1

- a) The DRAFT Proposed Conservation Area Designation 1975 text and plan.
- b) Draft Conservation Area Designation Analysis 1975 –  
*this is my own interpretation of the document – others may have a different interpretation of it*
- c) Draft Conservation Area Designation Analysis Boundaries 1975 –  
*this is my own interpretation of the document – others may have a different interpretation of it*
- d) The full text of the Conservation Consultants overview in respect of Kingsleane
- e) Historic England Listed Buildings - Kingsland

PROPOSED  
KINGSLAND CONSERVATION AREA

Introduction:

Situated about four miles to the north-west of Leominster, between the A44 to Pembridge and Kington and the A4110 to Wigmore and Knighton, Kingsland is one of Leominster District's larger villages. Its actual site is also one of the flattest in the District - most of it being along a very slight ridge between the River Lugg and its tributary, the Pinsley Brook. The land to the north and west of the village rises quite substantially into a quite distinct upland zone, whilst that to the south and east is more gently rolling in character. The village itself is largely aligned along the B4360 in a north-west/south-east orientation, and is a distinctly linear settlement with a major exception of that part of it situated on the A4110 in West Town.

The present form of the village

Because of its linear shape, Kingsland rarely offers any settlement in depth: it seems to have developed as a mixed community of farms and houses for about one mile along the orientation of the main B4360 route through it. The exceptions to this are the cul-de-sac lane to the Church and the crossroads about 300 yards to the north-west of the Church, the south-western side of this leading, with a break in development, to West Town about  $\frac{1}{4}$  mile away. However, considerable stretches of the main route, and most of the crossroads junction to the north-east are made up of post-war and inter-war development - as is a development along a cul-de-sac on the north-east side of the road opposite the lane to the Church.

Despite this considerable proportion of the village made up of more recent development, Kingsland also has a large number of old and, often, listed buildings. There is however no particularly marked concentration of these buildings - which might point to the old core of Kingsland. The Motte and Bailey Castle, with its surrounding earthworks, immediately to the west of the Church, does however tend to confirm the original siting of Kingsland: the cul-de-sac crossroads, to the north of the Church, and the cluster of historic buildings around it would appear to fall within what remains of an old village enclosure - it extends north-north-east from each side of the castle site area between the Church and the main crossroads in the village. With the siting of a public house, the Post Office and the main village store, formerly with its own bakery, in this part of the village, it seems reasonable to assume this to be its old core. The public house at the main crossroads (The Corners Inn) and the general aspect of the architecture in this part of the village tend to draw the eye to this point as the most urban part of the village however. It is possible to conclude therefore, that the roads bounding the castle site on three sides (west, north and east), along with the fine dominating Church building, form the centre of Kingsland, from which the conservation area must work outwards.

The actual street scenes in Kingsland are very varied - often depending on how much the trees and hedgelines have been removed when new development has been initiated.

The main road through Kingsland is the best example of this: starting at the south-eastern end of the village, where the road bends into a long straight



stretch through the village, the development is mature: there is a definite feel of entering the village while passing The Elms, an unfortunately empty farmstead, the cottage which used to be The Lion Inn, the Shrublands complex of buildings and the cottages scattered nearby. In the road improvements on the bend however, is an example of how minor eyesores can multiply in Kingsland to detract from its overall character: where the kerbstones have been built up blocking the former entrance to the Shrublands in an ugly manner, both the road and the entrance have been left looking somewhat unfinished and untidy.

The nature of the village remains broken as the road travels north-west, with most development being on the north-east side of the road. Most of the existing buildings are fine local examples set at varying distances from the road - and of varied styles and sizes - from the stone Holgates complex to the small cottages, close to the road front, though some of the latter have been modernised in an unfortunate manner. However, before the fine St. Mary's Farm complex is reached there are several cases of infill - including new bungalows, but despite the fact that they rarely reflect local character, at this end of the village, they are not too conspicuous in that they are built behind existing hedgelines and settle into the landscape. As the Church begins to loom larger on the south-west side of the road a high hedge conceals a house on the north-east side of the road, and, the first enclosed section of the village is passed through; mainly it is of brick or brick and render. Whilst the nature of any future development is a sensitive issue throughout Kingsland, nowhere is it more important than in this part of the village: some inter-war development here just about fits into the street scene (though a development behind that existing on the north-east side of the road is very suburban in character) but should the former orchard plot immediately north of the Church ever be developed, this could very easily cause quite severe visual damage to the village. Improvement to this and other parts of the village - especially on the main road - could be made if it proved possible to resite the transformers-on-poles found on fairly open sites in several places: wirescape is generally a difficulty in the visual amenities of Kingsland - rather more than most Leominster District villages, in fact, and any improvement by the statutory undertakings should be welcomed.

Where the road passes through what has been described as the core area of the village, there is a complete sense of enclosure for around 600 yards. In the first stretch of this, immediately to the north of the castle site, most buildings are of brick, with red-tile roofs - but there is still considerable variety evident, and not only in materials, but also in the siting of the buildings in relation to the road. Relationships between buildings are in no way formal however; they are more casual groupings which just happen to relate to each other in terms of the space between them, their architecture, materials, the hedges, trees and so on. Such characteristics are typical of Kingsland at its best, and it is mainly where this relationship has broken down, usually because of new development, that this character is lost.

This is the case with regard to much of the development along the road to the north-east - towards the Lugg and Yarpole: council and other development (along with new concrete kerbing, which unfortunately decorates much of the village unnecessarily) has had too little regard for the character of the village to which this added directly. Yet less than 200 yards away at the main crossroads in Kingsland, the village exhibits its character at its best. Whilst the development is formally unrelated, each corner of the crossroads exhibits fine, or potentially fine buildings: there is a black-and-white house on the south-east side of the crossroads, a brick and half-timbered building on the south-west side, the black-and-white Corners Inn complex on the north-east side (which has timber



shed extensions and an unfortunate concrete-block extension) and a fine mature three storey brick-cased timber framed building on the north-west side. Three storey buildings form an integral part of the character of Kingsland inevitably dominating the street scene where they occur - as in the case with this building - Croase House.

The importance of trees and hedges in the Kingsland street scene emerges particularly well at this point: to the south-east, the view along the largely straight main road curves away to hide the perspective of the south-eastern part of the village, high hedges and trees playing an important part in this, while to the north-west more mature trees help considerably to unify the disparate elements in a street scene which, between some fine buildings, is somewhat broken up with post-war housing. The trees, of which there is a wide variety, also help to give a greater sense of enclosure, and to disguise the wirescape - and for these reasons alone Tree Preservation is of primary importance at this point (note: the 1974 Act now protects all trees in Conservation Areas). There is another sensitive plot of open ground in this part of Kingsland too; the plot to the east of Yew Tree Villa where the hedge boundary is vital to the maintenance of the street scene.

Only a little further to the north-west of this part of the village, the disastrous results of the removal of the hedgeline are revealed to all who travel through Kingsland. Whilst new development elsewhere in the village is maturing into the existing landscape, with the removal of the hedgerows at the front of the new bungalow development on both sides of the road, a completely new street scene is created quite at odds with the overall character of the village. The hedge bank still exists, in some places with just a lawn to its edge, in others a stone wall, and others just a rather untidy petering out of the plot onto an unfinished looking and unnecessarily widened road. Bungalow development in Kingsland can just be aesthetically acceptable but bearing in mind the domination of three-storey dwellings scattered through the village, these variable buildings and their superficial finish, and the sudden open aspect of them all together, are completely unconnected to the village and its character, and as such, must be excluded from the conservation area.

To the north-west of this dominating development, beyond the Methodist Chapel, the character of Kingsland hardly returns, nor presents a true idea of the character of the village at its best, despite the fact that some hedgelines and some orchards remain. The inter-war housing has matured into the landscape somewhat, and the new bungalows are not such an intrusion on the street scene as those to the south-east, but the general semi-suburban street scene presents little to warrant the inclusion of this end of the village in the conservation area.

The area of Kingsland on the main road, West Town, still maintains a distinct character however, - after passing along the sunken high-hedged lane from the main street (Longford) to the main A4110 road, a pleasant if somewhat different street scene meets the eye. Although the settlement pattern is generally somewhat broken through West Town, there are several groups of farm buildings and fine houses which tend to give the street scene, as it bends and curves through the area, a fine village 'feel', with many orchard and other small plots of land adjacent to the road. There is a particularly fine group of buildings on the junction which leads back to the village core - and even a new bungalow at this point is well-sited enough not to intrude on the village character of the area: tree preservation particularly on this junction would give vital help in maintaining this part of the village however.

Finally some mention of ways in which the street scene in Kingsland could be positively improved:-

No more concrete kerbstones should be installed of any type - if any more kerbstones are to be used at all, smaller granite setts should be used:

The wirescape should, wherever possible, be re-routed underground and the posts (particularly jarring in Kingsland) removed:

A comprehensive tree survey conducted in the village, trees being particularly important in adding relief to a flat landscape:

Further environmental improvement could perhaps be achieved by re-routing south bound Leominster traffic away from the village core by changing the signposting at the fork by the Monument on the northern edge of the village.

Such policies as these would become much more real when a conservation area is set up in Kingsland: the following outlines the draft proposals for such an area:

#### The Boundary

This description of the boundary of the proposed Kingsland conservation area starts on the western side of the village and circumnavigates it in a clockwise direction from around Lincoln's Inn Farm on the lane to 'The Brook' and Ledicot. The boundary leaves the road along the edge of a mature orchard through which the housing of West Town is clearly visible. The hedge boundary line to the orchard is high but broken, and likely to become more so when the dead elms in it are felled. After turning along the northern edge of the orchard, the boundary takes a northern tack once more, following lower hedges amidst pleasant small meadows and fine trees, the smaller fields adding to the village feel. Where the proposed boundary line turns sharply southwards along the east side of the main A4110 road, the newer development on Longford are clearly visible, though the main road itself offers a quite pleasant perspective. The boundary however, follows the rear edge of an orchard parallel to the sunken lane leading through to Longford, but because the development on that part of the main road through Kingsland does not warrant conservation area status, the line itself then turns into a south-easterly orientation, follows the unfortunately demolished near hedgeline of the new development across the sunken lane and continues in the same orientation to include Old Hall. Where there is a short break in the development on the south-west side of Longford the boundary turns towards the road, follows it for a short distance, and then, following a signposted public footpath alongside a large new detached house, turns to follow the rear plot boundaries on the north-east side of Longford. (Where this public footpath reaches the rear plot boundary, a clearance needs to be made in the hedge to make the public right of way passable).

At this point, the orientation of the boundary once more returns to a south-east/north-west alignment. Local field boundaries - the outlook towards the north and east from this stretch of boundary is across large flat fields - take the boundary along the rear edges of the plots, parallel with Longford, crossing the road to Lugg Green and Yarpole before changing course. This line seems to mark the definite edge to the village, with the old development along the main street (Longford) being only intermittantly visible through the trees. The conservation



area excludes the development along the road to the north-east: it adds nothing of any architectural, historical or landscape merit to the village. Just to the east of this road, the boundary turns northwards for a few yards before once more returning to an orientation parallel with the main village street - again largely with orchard plots between it and the main street houses, giving this line the quality of dividing the enclosed village from the open fields beyond. Some features of this boundary could be improved upon however: as in other rear views of the main street plots, concrete and wire fencing occasionally has replaced the old hedgeline and should, if possible, be replaced with hedging, and tree planting. In this location, along the rear plot boundary of the new housing development, tree planting could help make up for the loss of the view of the Church tower, which the new development has caused: the Church tower is of elemental importance to many aspects of the proposed conservation area in Kingsland.

From this new orchard-land development, the boundary continues along the rear line of the orchard plots to the fine St. Mary's Farm complex. At this point, the regular orientation of the boundary changes: it first follows the high hedge around a small meadow, before turning into a north-west/south-east orientation - towards Holgate Farm. This is a most sensitive part of the boundary as the settlement of the main village street becomes more broken - and therefore open to 'infill': some infill has been allowed - but not as yet to the detriment of the continuing village - associated landscape of the area: the small plots, and particularly the plot of woodland to the north of Holgate Farm, are therefore included in the proposed boundary to give increased protection to this part of the village. The irregular configuration of this east end of the proposed conservation area then continues to include the mature landscape, with many coniferous and some deciduous trees, around Shrublands. Some tree planting to replace existing old trees is advisable here, as well as a close watch on the future of the Shrublands complex itself, which at time of writing is empty, though with a planning application for conversion of one of the outbuildings into a dwelling. By and large however, the Shrublands complex is a fine punctuation to this eastern-end of the proposed conservation area: the land around it is in need of some maintenance work, though the orchard plots continue the village feel of the landscape just to the east of the cottage property on the north side of the cul-de-sac lane, which continues east out of Kingsland from the sharp bend of the main street on this eastern edge of the village.

The boundary immediately to the east of this cottage is the most easterly part of the proposed conservation area. From this point, the boundary turns briefly into an east-west alignment along the south side of the lane, before skirting the eastern edge of the farm complex and crossing the adjacent field to the east side of the trackway in a north-south alignment. It leaves this trackway, to skirt the south-eastern and southern boundary of the small orchard plots to the rear of the fine, but vacant, Elms farmstead, to rejoin the road between Kingsland and Cobnash just to the north of the former railway line.

Where the boundary reaches the course of the old railway line, there is a well kept orchard on the west side of the road, and just to the south of the railway track the proposed boundary turns into an east-south-east/west-north-west orientation along the south bank of the Pinsley Brook. These village-associated fields, with views through to the Church, and occasional glimpses of the development in the main street (beyond the western end of the above orchard) are fine examples of the lowland setting of Kingsland: where the boundary recrosses the old railway and then continues once more in a west-north-west/east-south-east orientation along the south bank of the Pinsley Brook there is a barn complex which adds to the village perspective of these high-hedged fields. The Pinsley



Brook seems to form the most suitable boundary to the proposed conservation area, because of its permanence in the landscape - in comparison to the fine trees and hedges whose lives are more limited: a conservation area which came as far south as the Pinsley Brook would also allow the complete area with Kingsland's unique character to be protected and enhanced for generations to come.

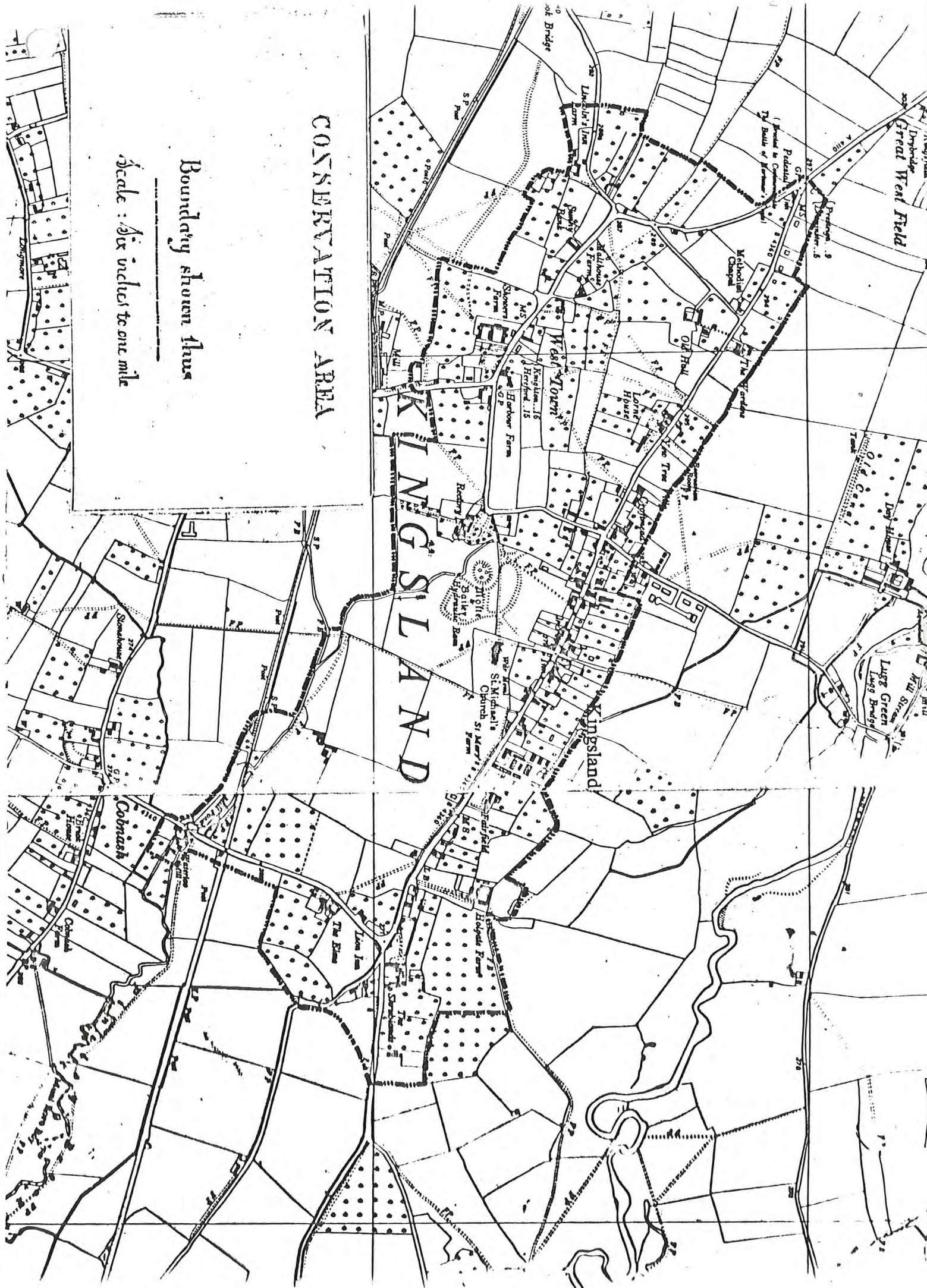
At a point due south of the Church, where its dominance over the village scene is particularly notable, the proposed boundary turns briefly northwards, before following a broken hedgeline to the south of the Mott and Bailey Castle, again giving fine open views of the core of the village. As the boundary moves to a position due south of the Rectory, views of the core of the village are blocked by some old ivy strangled trees, though some of these have been replaced. This section of the boundary line continues in an east-west orientation, with the village playing field to the north, within the conservation area, and the actual boundary being a high hedge: this hedgeline boundary then turns into a north-south alignment on the west side of the playing field, before returning to an east-west alignment to complete this southern limit to the proposed conservation area. Maintenance of old kissing gates on this part of the boundary, (there are a number of these in Kingsland which are somewhat rundown: their restoration would make a feature of Kingsland's street furniture) as well as some tree planting to replace dead elms and screen the timberyard, would enhance this approach to the West Town section of the proposed conservation area.

To the west of the main road, the boundary continues in an east-west orientation across a large open field to the south of the Showells Farm complex: the field boundary shown on the plan no longer exists, but the edge of the conservation area still takes approximately the same course. South-west of Showells Farm, the proposed boundary follows a new fence line in a north-south alignment, before cutting east-west across the corner of a large field to enclose the small plots to the south of Sunny Bank. It then encloses the group of cottages near Lincoln's Inn Farm and follows the rear boundary of this property to complete the circumnavigation of the proposed Kingsland Conservation Area.

### Conclusion

The proposed boundary, which this report outlines, is drawn in such a way as to include as much of the varied character of the settlement of Kingsland as possible. However, this is by no means the final boundary decided upon: this department now engages in public discussion within the village itself and consults the County Council, who have concurrent Conservation powers, with regard to reaching an agreement on the exact course of the conservation area boundary - with particular regard to the Kingsland villagers themselves. As one of the most populated parishes in the Leominster District, it is hoped Kingsland will, as a community, be able to realise its full potential as a lowland village settlement, set on the edge of the fine upland landscape of north-west Herefordshire.





CONSERVATION AREA

Boundary shown thus

Scale : Six inches to one mile

KINGSLAND

Kingsland

Great West Field

Lugg Green  
Lugg Bridge

Coburnah

St. Michael's  
Church

Hyde's Farm

The Broom

Leon Inn

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# Draft Conservation Area Designation 1975

A plan to identify the relevant areas of the village in relation to the text appraisal provided in the Draft Proposed Kingsland Conservation Area Document

Conservation Area covers circa 137 hectares –  
proposed site circa 0.6 hectare

**11** To the north-west of this dominating development, beyond the Methodist Chapel, the character of Kingsland hardly returns, nor presents a true idea of the character of the village at its best, despite the fact that some hedgelines and some orchards remain. The inter-war housing has matured into the landscape somewhat, and the new bungalows are not such an intrusion on the street scene as those to the south-east, but the general semi-suburban street scene presents little to warrant the inclusion of this end of the village in the conservation area.

**10** Only a little further to the north-west of this part of the village, the disastrous results of the removal of the hedgeline are revealed to all who travel through Kingsland. Whilst new development elsewhere in the village is maturing into the existing landscape, with the removal of the hedgerows at the front of the new bungalow development on both sides of the road, a completely new street scene is created quite at odds with the overall character of the village. The hedge bank still exists, in some places with just a lawn to its edge, in others a stone wall, and others just a rather untidy petering out of the plot onto an unfinished looking and unnecessarily widened road. Bungalow development in Kingsland can just be aesthetically acceptable but bearing in mind the domination of three-storey dwellings scattered through the village, these variable buildings and their superficial finish, and the sudden open aspect of them all together, are completely unconnected to the village and its character, and as such, must be excluded from the conservation area.

**8** The importance of trees and hedges in the Kingsland street scene emerges particularly well at this point: to the south-east, the view along the largely straight main road curves away to hide the perspective of the south-eastern part of the village, high hedges and trees playing an important part in this, while to the north-west more mature trees help considerably to unify the disparate elements in a street scene which, between some fine buildings, is somewhat broken up with post-war housing. The trees, of which there is a wide variety, also help to give a greater sense of enclosure, and to disguise the wirescape -

**6** This is the case with regard to much of the development along the road to the north-east – towards the Lugg and Yarpole: council and other development (along with new concrete kerbing, which unfortunately decorates much of the village unnecessarily) has had too little regard for the character of the village to which this added directly.

**5** Where the road passes through what has been described as the core area of the village, there is a complete sense of enclosure for around 600 yards. In the first stretch of this, immediately to the north of the castle site, most buildings are of brick, with red tile roofs – but there is still considerable variety evident, and not only in materials but also in the siting of the buildings in relation to the road. Relationships between buildings are in no way formal however; they are more casual groupings which just happen to relate to each other in terms of the space between them, their architecture, materials, the hedges, trees and so on. Such characteristics are typical of Kingsland at its best, and it is mainly where this relationship has broken down, usually because of new development, that this character is lost.

**4** As the Church begins to loom larger on the south-west side of the road a high hedge conceals a house on the north-east side of the road, and, the first enclosed section of the village is passed through; mainly it is of brick or brick and render. Whilst the nature of any future development is a sensitive issue throughout Kingsland, nowhere is it more important than in this part of the village: some inter-war development here just about fits into the street scene (though a development behind that existing on the north-east side of the road is very suburban in character) but should the former orchard plot immediately north of the Church ever be developed, this could very easily cause quite severe visual damage to the village.

**3** However, before the fine St. Mary's Farm complex is reached there are several cases of infill – including new bungalows, but despite the fact that they rarely reflect local character, at this end of the village, they are not too conspicuous in that they are built behind existing hedgelines and settle into the landscape.

**2** The nature of the village remains broken as the road travels north-west, with most development being on the north-east side of the road. Most of the existing buildings are fine local examples set at varying distances from the road – and of varied styles and sizes – from the stone Holgate complex to the small cottages, close to the road front, though some of the latter have been modernised in an unfortunate manner

**12** The area of Kingsland on the main road, West Town, still maintains a distinct character however, - after passing along the sunken high-hedged lane from the main street (Longford) to the main A4110 road, a pleasant if somewhat different street scene meets the eye. Although the settlement pattern is generally somewhat broken through West Town, there are several groups of farm buildings and fine houses which tend to give the street scene, as it bends and curves through the area, a fine village 'feel', with many orchard and other small plots of land adjacent to the road.

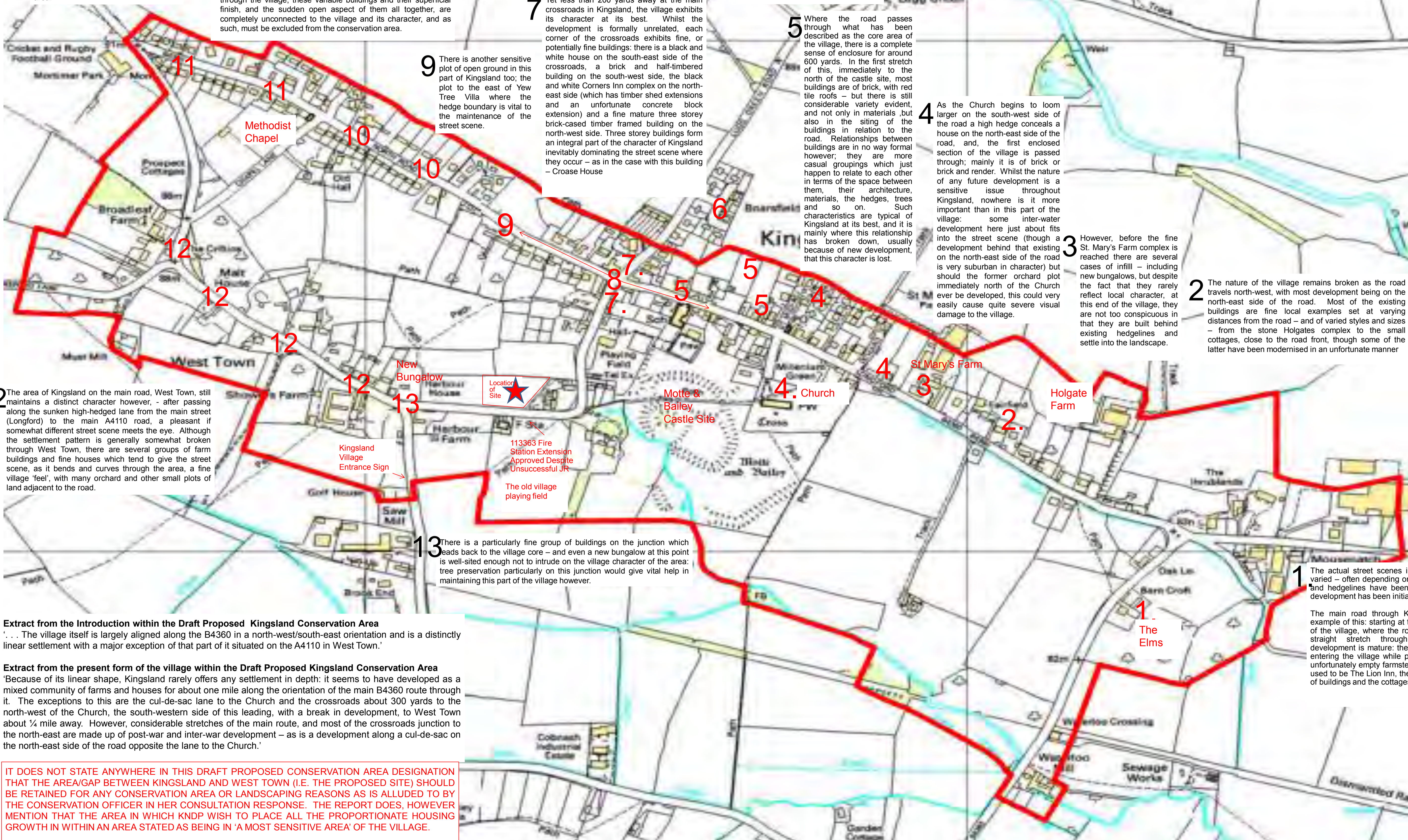
**9** There is another sensitive plot of open ground in this part of Kingsland too: the plot to the east of Yew Tree Villa where the hedge boundary is vital to the maintenance of the street scene.

**7** Yet less than 200 yards away at the main crossroads in Kingsland, the village exhibits its character at its best. Whilst the development is formally unrelated, each corner of the crossroads exhibits fine, or potentially fine buildings: there is a black and white house on the south-east side of the crossroads, a brick and half-timbered building on the south-west side, the black and white Corners Inn complex on the north-east side (which has timber shed extensions and an unfortunate concrete block extension) and a fine mature three storey brick-cased timber framed building on the north-west side. Three storey buildings form an integral part of the character of Kingsland inevitably dominating the street scene where they occur – as in the case with this building – Croase House

**13** There is a particularly fine group of buildings on the junction which leads back to the village core – and even a new bungalow at this point is well-sited enough not to intrude on the village character of the area: tree preservation particularly on this junction would give vital help in maintaining this part of the village however.

**1** The actual street scenes in Kingsland are very varied – often depending on how much the trees and hedgelines have been removed when new development has been initiated.

The main road through Kingsland is the best example of this: starting at the south-eastern end of the village, where the road bends into a long straight stretch through the village, the development is mature: there is a definite feel of entering the village while passing The Elms, an unfortunately empty farmstead, the cottage which used to be The Lion Inn, the Shrublands complex of buildings and the cottages scattered nearby.



**Extract from the Introduction within the Draft Proposed Kingsland Conservation Area**  
'... The village itself is largely aligned along the B4360 in a north-west/south-east orientation and is a distinctly linear settlement with a major exception of that part of it situated on the A4110 in West Town.'

**Extract from the present form of the village within the Draft Proposed Kingsland Conservation Area**  
'Because of its linear shape, Kingsland rarely offers any settlement in depth: it seems to have developed as a mixed community of farms and houses for about one mile along the orientation of the main B4360 route through it. The exceptions to this are the cul-de-sac lane to the Church and the crossroads about 300 yards to the north-west of the Church, the south-western side of this leading, with a break in development, to West Town about ¼ mile away. However, considerable stretches of the main route, and most of the crossroads junction to the north-east are made up of post-war and inter-war development – as is a development along a cul-de-sac on the north-east side of the road opposite the lane to the Church.'

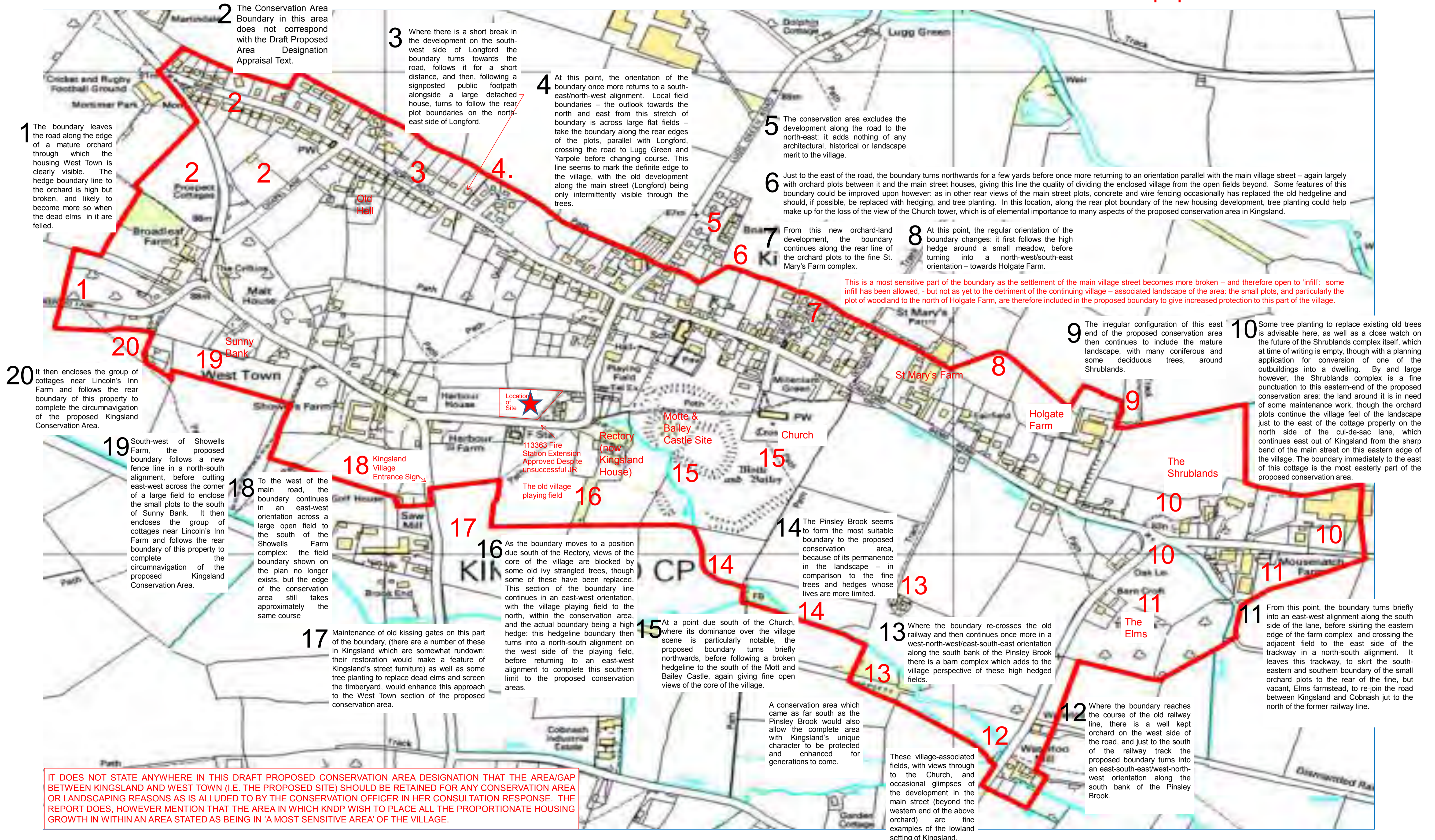
IT DOES NOT STATE ANYWHERE IN THIS DRAFT PROPOSED CONSERVATION AREA DESIGNATION THAT THE AREA/GAP BETWEEN KINGSLAND AND WEST TOWN (I.E. THE PROPOSED SITE) SHOULD BE RETAINED FOR ANY CONSERVATION AREA OR LANDSCAPING REASONS AS IS ALLUDED TO BY THE CONSERVATION OFFICER IN HER CONSULTATION RESPONSE. THE REPORT DOES, HOWEVER MENTION THAT THE AREA IN WHICH KNDP WISH TO PLACE ALL THE PROPORTIONATE HOUSING GROWTH IN WITHIN AN AREA STATED AS BEING IN 'A MOST SENSITIVE AREA' OF THE VILLAGE.



# Draft Conservation Area Designation Analysis

A plan to identify the relevant areas of the village in relation to navigation of the conservation area boundary in the Draft Proposed Kingsland Conservation Area Document

Conservation Area covers circa 137 hectares  
 –  
 proposed site circa 0.6 hectare



IT DOES NOT STATE ANYWHERE IN THIS DRAFT PROPOSED CONSERVATION AREA DESIGNATION THAT THE AREA/GAP BETWEEN KINGSLAND AND WEST TOWN (I.E. THE PROPOSED SITE) SHOULD BE RETAINED FOR ANY CONSERVATION AREA OR LANDSCAPING REASONS AS IS ALLUDED TO BY THE CONSERVATION OFFICER IN HER CONSULTATION RESPONSE. THE REPORT DOES, HOWEVER MENTION THAT THE AREA IN WHICH KNPD WISH TO PLACE ALL THE PROPORTIONATE HOUSING GROWTH IN WITHIN AN AREA STATED AS BEING IN 'A MOST SENSITIVE AREA' OF THE VILLAGE.



# CJR Heritage Services

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Mrs Wendy Schenke

DEAR MRS SCHENKE RE LAND ADJACENT TO KINGSLEANE KINGSLAND HEREFORDSHIRE

Further to your request for me to give an independent assessment of heritage issues relating to the above proposed development I can report as follows:

Much has been reported of the significance of this site in terms of its contribution to the character of Kingsland Conservation Area yet in my estimation I believe it represents a logical development site which contributes to the natural evolution of the village as a key settlement within the hinterland of Leominster. It is sites such as these which allow the demand for additional housing to be met without overdeveloping the truly significant historic core of the village which is an irreplaceable and fragile entity easily damaged by over development of spaces comprising the setting of ancient buildings. One only has to walk through the village centre and experience the unfolding sequence of progression and recession of houses and former agricultural buildings, some medieval, some Georgian and some later to understand that this composition deserves protection through the planning process as a heritage asset of great significance.

In turn as a very desirable community in which to live it is reasonable for the settlement to grow in a manner which provides a range of house types to meet a cross section of demand. A key determining factor must be quality of design and this has been recognised as a feature of your submission.

Kingsland is set in a very rural area surrounded by open countryside interspersed with outlying hamlets and clusters of cottages formerly associated with farming or supporting industries. The application site is not unique or critical to the maintenance of this landscape character as it is all around and the area is a composite of fields and housing juxtaposed in haphazard form becoming more densely built up close to the village centre. The proposed development maintains such morphology.

As has been emphasised in supporting documentation the conservation area was originally conceived because of its special character as a village settlement and its assemblage of ancient properties and farmsteads aligned along the main street, supported by ribbons of lower density dwellings interspersed with enclaves of residential infill as the village merges with its agricultural hinterland beyond. This arrangement creates an almost stellar form with projections of open meadow land interjecting close to the village core. The current proposal does not diminish this interest of acknowledged importance and does not compromise the setting of listed buildings in the vicinity.

Kingsland does not have a rigid form but one which embraces a tight nucleus and then a much looser transition area into the open countryside beyond. It is held that the Kingsleane site reinforces an established form, which, because of the topography and landscape/vegetation cover immediately adjacent is a very discreet addition to the variety of housing forms available to village residents and would be residents. In fact because of the extensive hedgerow and tree cover the site would only present glimpses of its existence from key locations close by or even travelling along the adjacent road.

The proposal will in my opinion not detract from the key characteristics of the conservation area and not incur harm to established heritage assets embodied in the village. Moreover it represents an appropriate means of the village expanding to meet demand for additional dwellings and support existing village services and facilities.

With regard to the design layout and individual house types, these have been created to flow with the road alignment adjacent, and use a palette of materials and architectural details derivative of the vernacular form and character of traditional buildings in the village. It is intended that the development will merge with the existing village scene and not be visually competitive with the key buildings and groupings which will remain pre-eminent.

Overall it is considered that this proposal constitutes a subtle extension of Kingsland village reinforcing its existing form and maintaining a cherished character which is rightly identified as being worthy of conservation.

CJ Richards

Colin J Richards MBE BA(Hons) Dip Arch Cons IHBC

# British Listed Buildings

History in Structure

If you [log in \(/me\)](#), you can comment on buildings, submit new photos or update photos that you've already submitted.

We need to upgrade the server that this website runs on. Can you [spare a quid \(/site/donate\)](#) to help?

## Listed Buildings Map

### NICEIC Contractors

Industrial, Commercial, Education &. Listed Buildings - SCI Management

This is an experimental map using Google Fusion Tables to display the location of (almost) every listed building in Great Britain. It has a few known issues, including the fact that the markers are sometimes not clickable, and there are some buildings missing.

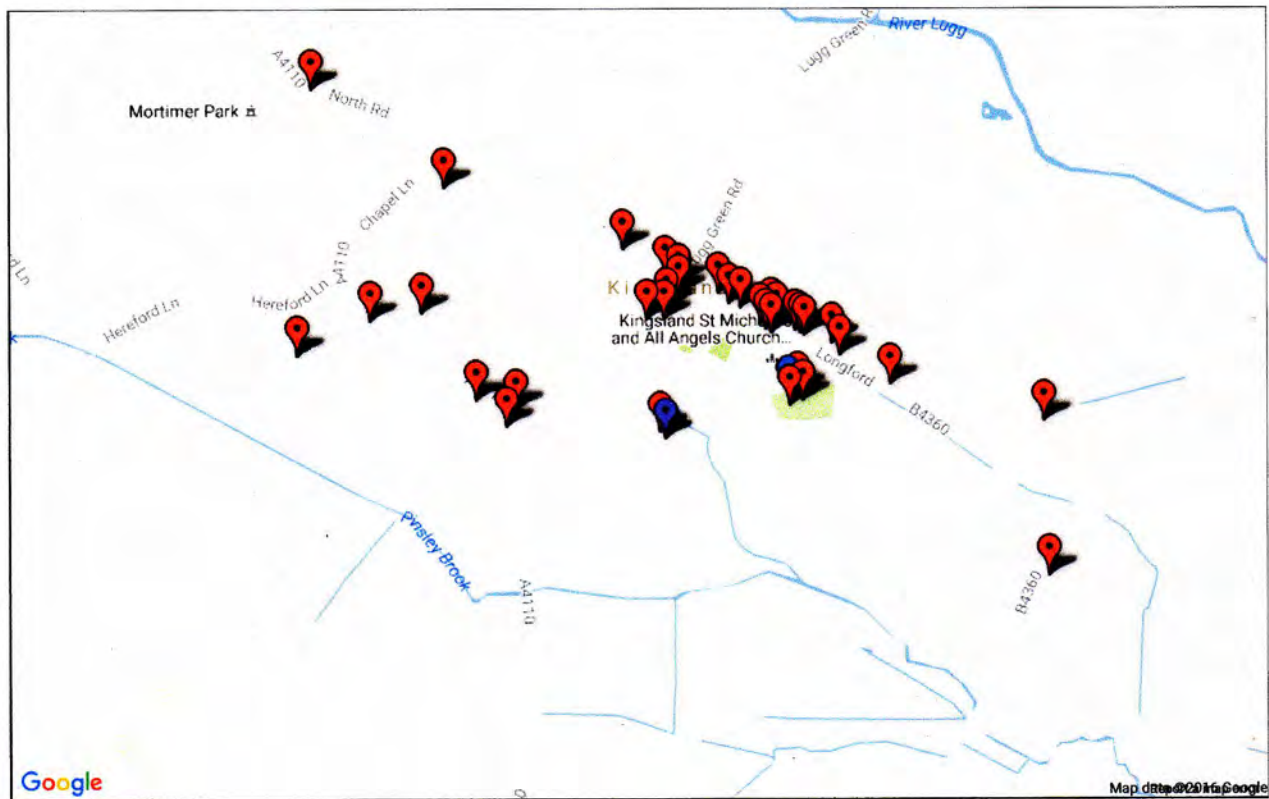
These are limitations of Fusion Tables, and not something I can fix here. But there are no other freely available mapping products capable of displaying upwards of half a million markers on one page, so it's still better than nothing.

#### Key

-  Grade I
-  Grade II\*
-  Grade II
-  Unknown

The map only shows the first 100,000 items in the visible window, so the overview can be a bit misleading. Once you start zooming in to lower levels then more buildings will show up.

For an overview of all the properties in the database, then try the [heatmap visualisation \(/heatmap\)](#).





## Appendix 2

- a) June 14 Consultation Options Choices 05.11.14 (1)
- b) Vision Criteria Options FINAL PRINT VERSION SD 15.5.14

Options		Votes community	Businesses and groups	TOTALS
Shirlheath 1	Small scale development to meet agreed criteria	26	17	43
Shirlheath 2	Specific sites small scale	77	2	79
Kingsland 1	Retain current settlement boundary	33	0	33
Kingsland 2a	Widen middle of boundary	4	0	4
Kingsland 2b	Extend boundary edges	12	0	12
Kingsland 2c	Widen middle and extend edges	15	3	18
Kingsland 3	Redraw boundary to protect open/special spaces	51	16	67
Kingsland 4	No boundary small projects	16	1	17

Analysis:

Option 2 preferred for Shirlheath by a wide margin  
Option 3 preferred for Kingsland by a wide margin

Option 1 was the second most popular in Kingsland

Kingsland event results consistent across both events  
Shirlheath event results showed that businesses and groups preferred option 1 which is opposite to the community preferences

The business and community groups event had 25 attendees representing 11 businesses, four community groups, one church, Kingsland School, Kingsland pre-School, our local councillor and one private citizen

# Neighbourhood Plan Land Use for Kingsland Parish

## Overall Vision

Protect and enhance the rural nature of the parish, where all groups and ages can thrive and develop in a sustainable way

## Objectives

### Objective one:

*Provide sufficient housing to meet the future needs of the community, in terms of numbers and type, based upon robust evidence.*

### Objective two:

*Ensure that new and existing business and commerce, including tourism, beneficial to the economic health of the parish, can grow and is in scale with and sensitive to the rural character of the parish.*

### Objective three:

*Ensure all infrastructure including services, facilities and amenities are retained and developed in line with the current needs and future growth of the community.<sup>1</sup>*

### Objective four:

*Ensure that all development is based upon sound environmental sustainability principles including energy sourcing and conservation, water and sewerage management, waste minimization, wildlife conservation and habitat protection.*

### Objective five:

*Ensure that the visual effect of all development preserves and enhances the traditional character of the parish and protects our landscape and historic environment.*

---

<sup>1</sup> such as pavements, paths, parking, traffic management, playgrounds, flood defense, sewerage and community buildings

## Criteria for development

### All options to include the following criteria: (mainly from Parish Plan)

- Ensure that new build housing is designed to be sympathetically in keeping with the area.
- To ensure that there is a mix of size and tenure types in all new housing to cater for residents differing and changing needs.
- Use local craftsmen and local and natural materials where possible and practical.
- Maximize the use of renewable energy, energy saving and environmentally friendly design to keep the carbon footprint to a minimum.
- Ensure that parking, flooding, sewerage, pavement and traffic issues, resulting from any new build, are fully and satisfactorily considered before planning is agreed.
- Seek to maximize community benefit from development
- Ensure requirements for permeable ground surfacing are strictly adhered to, so that surface water can soak away adequately.
- Ensure sewerage management is fully compliant with environmental requirements and does not cause overload of the main systems
- Use brownfield sites and conversion of redundant buildings where possible before building on green field sites.
- Prevent such extensive infill that the streetscape appears suburban rather than rural.
- Seek to protect identified sites and objects such as trees, which have been chosen to enhance the rural village experience.
- Prevent undue and additional pollution from lighting to compromise our enjoyment of dark skies.
- Ensure the protection of Grade 1 and 2 agricultural land.
- Ensure any development includes green spaces and corridors to protect and enhance the rural character and biodiversity of the parish.

## **Development Planning options: (leading from the Parish Plan)**

### **Kingsland Village**

#### **Option 1**

- Retain the current settlement boundary so that any development takes place within it and ensure all development meets the criteria specified in the Neighbourhood Plan.

#### **Option 2**

- Redraw the current settlement boundary by choosing one of the following:
  - a. Either widening the middle
  - b. Or extending at its edges
  - c. A mix of both

#### **Option 3**

- Redraw the settlement boundary to protect important open spaces, views and areas of important character.

#### **Option 4**

- Have no settlement boundary and limit development to small projects in line with the agreed criteria.

### **Shirlheath**

**Option 1** – To allow small scale development, that meets the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.

**Option 2** – To identify specific sites for small-scale development which must meet the agreed criteria and objectives set out in the Neighbourhood Plan for Kingsland Parish.



## **Cobnash and Mortimer's Cross**

These areas are defined in the core strategy as allowing development as follows "proportional housing growth will be restricted to smaller market housing (or affordable housing) which meets the needs of people with local connections, whom would not otherwise be able to live in their area" (*Herefordshire Council Core Strategy Pre Submission Publication July 13: Place Shaping section*)

### **Proposal for Cobnash and Mortimer's Cross**

Beside meeting the rules laid down in the Core Strategy, all new development must also meet the Vision, Objectives and Criteria set out in the Neighbourhood Plan for Kingsland parish.

The Core Strategy sets out specific rules for these areas as follows...

'...proportional residential growth will be limited to the provision of smaller market housing, where the residential development proposal satisfies criteria 1 – 5 (of policy RS2) and:

6. Through the submission of appropriate evidence to demonstrate the development meets an identified local housing need. Residential developments will be considered to contribute towards meeting an identified need, where it will provide accommodation for any of the following:

- Existing residents of the parish requiring separate accommodation;
- Persons who have current and long standing family links (immediate family only e.g. parent, sibling or adult child) with the parish;
- Grandparents, grandchildren, aunts or uncles will be included only where the council considers it necessary for the applicant to be accommodated within the Parish in order to provide or receive medical or social support to or from a relative;
- Persons with permanent full time or mainly employment based within the parish;

7. The dwelling size is limited to a net internal floor area of 80 sq m (1 or 2 bedroom house) or 90 sq m (3 bedroom house) or 100 sq m (4 bedroom house). Only where medical needs necessitate the provision of specific facilities will any resulting additional floor space requirements be considered;

8. The plot size is limited to a maximum area of 350 sq m unless site characteristics or Draft Core Strategy Version for Cabinet July 2013 105 configuration render this impractical.

Permission granted in these cases will be subject to planning obligations that safeguard occupation of the development for identified local housing needs and will continue to do so in perpetuity. To achieve this policy, planning permissions will be subject to a condition removing permitted development rights for the erection of any extension or detached buildings within the curtilage and a condition restricting the conversion of an ancillary garage in to habitable accommodation. Applications for such developments in variation of these conditions will only be approved in exceptional circumstances. Proposals for affordable housing in the villages identified in Figure 4.22 will also be supported where the development is in line with criteria 1 to 4 of Policy H2.' (*Herefordshire Council Core Strategy Pre Submission Publication July 13: Place Shaping: Policy RA2*)