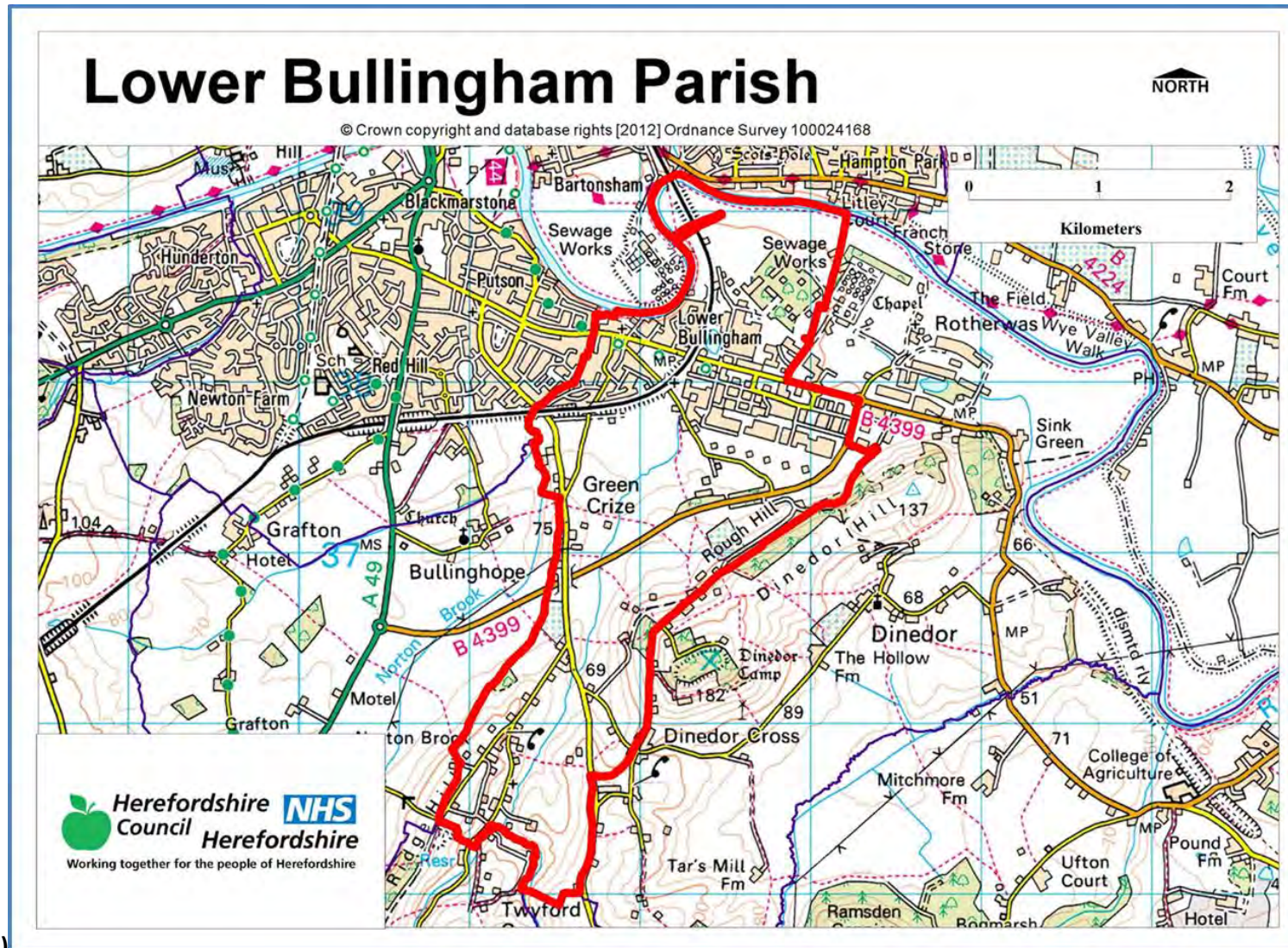


Lower Bullingham Regulation 16 Submission
Neighbourhood Development Plan
Consultation Statement
August 2016

Map 1 Lower Bullingham Designated Neighbourhood Area (© Crown Copyright and database rights 2011 Ordnance Survey 10005470



1.0 Introduction and Background

1.1 This Consultation Statement has been prepared to accompany the Regulation 16 Submission Draft of the Lower Bullingham Neighbourhood Development Plan.

1.2 The Statement has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (SI No. 637) Part 5 Paragraph 15 (2)¹ which defines a “consultation statement” as *a document which:*

(a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) explains how they were consulted;

(c) summarises the main issues and concerns raised by the persons consulted; and

(d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

1.3 The Lower Bullingham Neighbourhood Development Plan has been prepared in response to the Localism Act 2011, which gives parish councils and other relevant bodies, new powers to prepare statutory Neighbourhood Plans to help guide development in their local areas. These powers give local people the opportunity to shape new development, as planning applications are determined in accordance with national planning policy and the local development plan, and neighbourhood plans form part of this Framework.

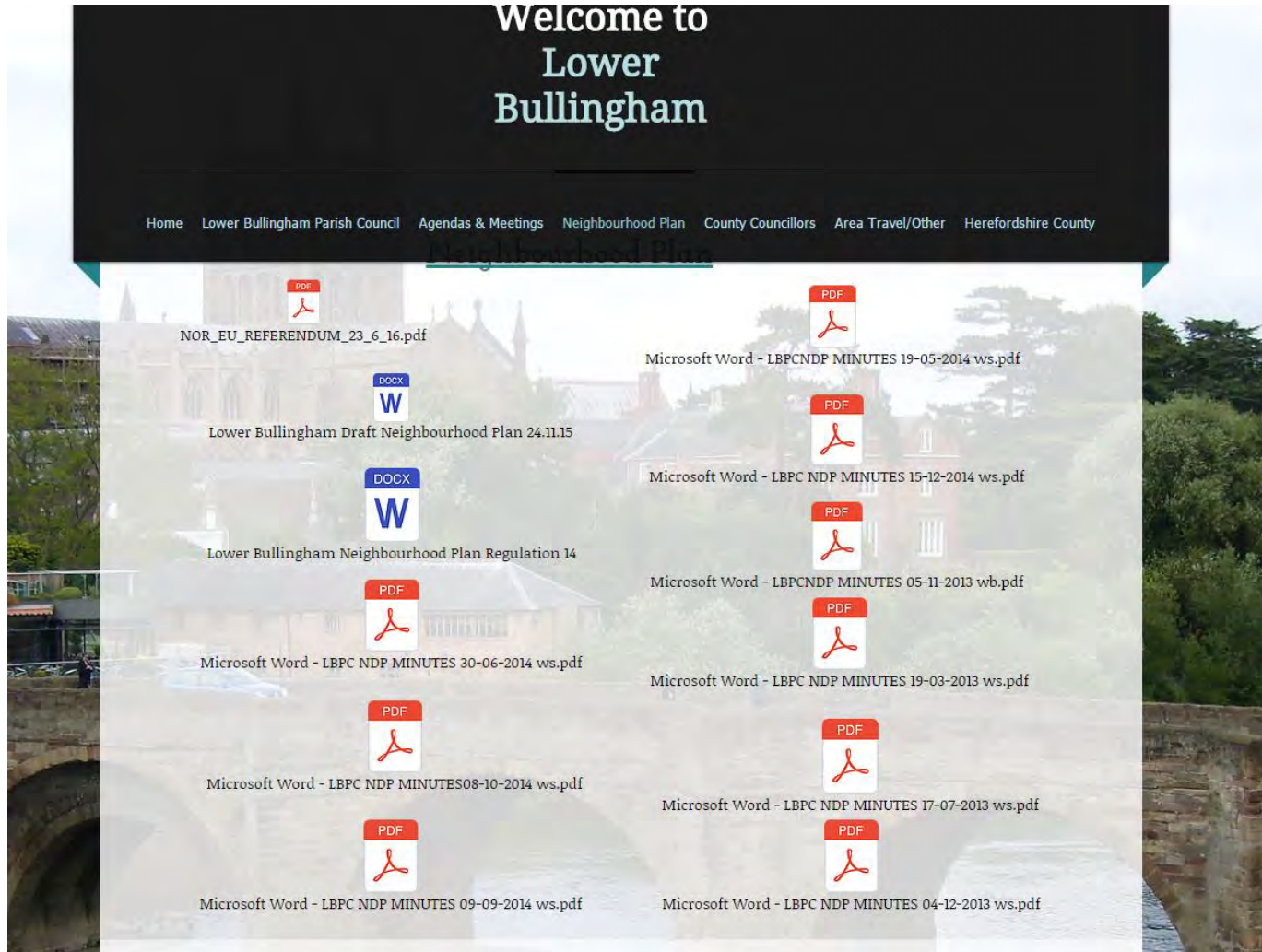
¹ <http://www.legislation.gov.uk/uksi/2012/637/contents/made>

- 1.4 In June 2013 the Parish Council, as qualifying body, applied to be designated a neighbourhood planning area (Appendix 1). Herefordshire Council consulted on this application from 18th June 2013 to 30th July 2013, no representations were received. The whole parish area (Map 1) was formally designated by Herefordshire Council on 20 August 2013 (Appendix 2).

2.0 Draft Neighbourhood Plan Development and Informal Public Consultation

- 2.1 The Parish Council has sought to involve residents, those who work in the area and businesses throughout the preparation of the neighbourhood plan.
- 2.2 The views of all groups have been sought via the web site and, in turn, the web site has been used to keep people up to date on progress on the plan (see web site screenshot below).
- 2.3 The Parish Council offered the opportunity to local residents to become members of the Neighbourhood Plan Steering Group.
- 2.4 At all key stages the NDP was signed off by the Parish Council and these decisions publicised through the usual channels.

Web site screenshot



3.0 Regulation 14 Formal Consultation on the Lower Bullingham Draft Neighbourhood Development Plan – 19th January 2016 to 8th March 2016

3.1 The public consultation on the Lower Bullingham Draft Neighbourhood Plan was carried out in accordance with The Neighbourhood Planning (General) Regulations 2012 (SI No. 637) Part 5 Pre-submission consultation and publicity, paragraph 14. This states that:

Before submitting a plan proposal to the local planning authority, a qualifying body must—

- (a) publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area*
- (i) details of the proposals for a neighbourhood development plan;*
- (ii) details of where and when the proposals for a neighbourhood development plan may be inspected;*
- (iii) details of how to make representations; and*
- (iv) the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;*
- (b) consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and*
- (c) send a copy of the proposals for a neighbourhood development plan to the local planning authority.*

3.2 The Lower Bullingham Draft Neighbourhood Plan was published for formal consultation for 6 Weeks formal Public Consultation from 19th January 2016 to 8th March 2016.

- 3.3 The Plan, and accompanying publicity, set out where copies of the plan were being made available, how people could comment and by what date. Principally, the Draft Neighbourhood Plan and a copy of the Response Form were available for viewing and downloading from the Lower Bullingham Parish Council website with a link from Herefordshire Council's website.
- 3.4 A response form was also provided on the Parish Council web site (Appendix *). Copies of the Draft Plan and the response form were also made available and in the Saxon Hall, the Wye Inn, and the Archives Office, Rotherwas.
- 3.5 To publicise the plan and to give interested parties an opportunity to come along and find out more about and discuss the content of the plan a drop-in event was held at the Saxon Hall, this was publicised on the Parish Council web site and by placing posters in the area, see the poster below.



Lower Bullingham Neighbourhood Plan Drop-in



- 3.6 Relevant bodies on Schedule 1 of the Neighbourhood Regulations were contacted by letter and email and informed of the neighbourhood plan's publication for Regulation 14 consultation and how to respond. A copy of the plan was sent to Herefordshire Council and adjoining Parish Councils.

4.0 Summary of Consultation Responses to the Draft Neighbourhood Plan

- 4.1 Tables 1 and 2 below sets out the responses submitted to the Draft Neighbourhood Plan, together with information about how these responses have been considered by the Parish Council and have informed the amendments to the Submission Neighbourhood Plan.

Table 1 Response received from Herefordshire Council and Parish Council Response



Lower Bullingham NDP – Regulation 14 Draft

Herefordshire Council Service Providers Responses

Please find attached additional comments from a number of Herefordshire Council service providers to the Draft Lower Bullingham NDP (December 2015). If you have any queries regarding the comments or issues raised below, please contact the Neighbourhood Planning team in the first instance.

Department	Comments	Parish Council Response
Neighbourhood Planning	<p>This Plan is well written with well researched policies that have taken into account the requirements of the local community. I only have a few minor comments to make:</p> <p>Paragraph 1.1 – ‘diverse parish’ space missing Paragraph 1.5 – ‘Bullingham are’ space missing Paragraph 1.6 – ‘Bullingham has’ space missing Paragraph 1.8 – ‘Figures 2’ space missing / ‘3 from’ space missing / ‘River Wye Special’ space missing</p>	<p>Typographical errors to be corrected – this was the result of a formatting problem.</p> <p>Policy LB6 – Background/Justification</p>

Department	Comments				Parish Council Response
	<p>Delete 'At this stage, a full SEA is not required' A full SEA has been undertaken and has been consulted on alongside the draft NDP</p> <p>Paragraph 1.9 – 'Bullingham lies' space missing</p> <p>Paragraph 2.3 – '2013, Lower Bullingham' space missing</p> <p>Paragraph 3.1 – 'Bullingham Draft' space missing</p> <p>Paragraph 3.3 – 'NPPFD' remove the D, it should be NPPF</p> <p>Paragraph 3.4 – 'Paragraph 7 pf NNPF' typo it should be NPPF</p> <p>Paragraph 3.10 – third line should read 'The Core Strategy identifies strategic sites...'</p> <p>Paragraph 4.2 – last line 'at Skylon' space missing</p> <p>Policy LB1 – first bullet spelling error 'Holme Lacey'</p> <p>3rd bullet - 'road cycle' space missing</p> <p>Policy LB5, point B 'space but' space missing</p> <p>Policy LB6 – How will these areas be improved? More detail needed for it to qualify as a policy that decision makers can use.</p>				<p>amended to suggest how such spaces could be improved: "such measures could include new planting, play equipment, links to surrounding areas and other open spaces, and other suitable improvements where appropriate."</p>
Development Management	No comments received.				Noted.
Planning Policy	Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments	
	LB1- Traffic and Congestion	HD3, HD6, MT1	Y		
	LB2- Car Parking Standards	MT1	Y		
	LB3- Loss of off-street Car Parking Provision	MT1	Y		

Department	Comments				Parish Council Response
	LB4- Design	LD1, SD1	Y	"Proposals will be expected to demonstrate the following <u>that</u> they have taken account of the following:"	Policy LB4 – amend as suggested.
	LB5- Protecting Open Spaces	OS3, LD3	Y		
	LB6- Improving Open Spaces	OS3, LD3	Y		
	LB7- Incidental Open Spaces and Street Trees	LD3	Y		
	LB8- Integrating the Southern Urban Extension (SUE) with Existing Communities	HD6	Y		
	LB9- Community Infrastructure Levy	ID1	Y		
	LB10- Reducing the Risk of Flooding	SD3	Y		
Transportation and	3.10 The key Core Strategy policy affecting Lower Bullingham parish is Policy HD1. This policy sets out				Para. 3.10 amend to take

Department	Comments	Parish Council Response
Highways	<p>key locations where large-scale development is proposed. The Core Strategy does not identify specific development sites around Hereford. One of these, centred on Lower Bullingham, is the Southern Urban Expansion Area, Figure 6. The Core Strategy sets out future planning policy for this area in Core Strategy Policy HD6, reproduced in full below.</p> <p><i>- Is there word “not” in the paragraph above a typo? As the core strategy does identify development sites</i></p> <p>4.3 Other hot spots include Holme Lacy Road where improvements to incorporate pedestrian crossing at Wye Inn and improved signage of 7 ½ tonne weight limit at the railway bridge along Holme Lacy Road would improve matters.-</p> <p><i>Pedestrian crossing has not been previously identified (BE)</i></p> <p>4.4 Significant change will be introduced in to the area over the next fifteen years with the proposed urban extension. Some control over the direction (Rotherwas Relief Road) and content (heavy goods, light traffic cycles etc.) of the traffic should be implemented before any further development (housing) takes place. –</p> <p><i>Enforcement issue on Holme Lacey Rd.</i></p> <p>Policy LB1 –Traffic and Congestion</p> <p><i>Please amend wording of b) to “Incorporation of measures to use transport modes other than the private car;”</i></p> <p><i>We would like point d) to reflect our cycle storage / parking standards in our Design Guide for New Developments. Pages 38-46.</i> <i>https://www.herefordshire.gov.uk/media/623242/Highways_Design_Guide_for_New_Developments.pdf</i></p>	<p>account of this comment.</p> <p>No change – the NDP is an appropriate method to highlight this problem and potential solution.</p> <p>Noted that this is an enforcement issue.</p> <p>Amend as suggested.</p> <p>Noted. No change to policy these standards will be referred to in the development management process. Reference is made to Guide in</p>

Department	Comments	Parish Council Response
	<p>Policy LB4 –Design</p> <p>Point F. - <i>expand point to include “permeability and integration with the active travel network” – again supporting HD6.</i></p> <p>Policy LB6 – Improving Open Spaces</p> <p><input type="checkbox"/> Cycle path at Rotherwas- <i>Land is available, however, at this current time there is no funding to undertake</i></p> <p><u><i>General Comments</i></u></p> <p><i>Reference needs to be made to Hereford Enterprise Zone (HEZ) in line with policy HD7 (BE)</i></p> <p><i>We are encouraged by the references to the Active Travel.</i></p>	<p>development in residential areas provides a sufficient level of off-street car parking. This will ensure that existing problems are not made worse and will help to improve the street scene and help to produce more pedestrian friendly streets. No change.</p> <p>Amend as suggested.</p> <p>Noted. No change.</p>

Lower Bullingham Regulation 16 Neighbourhood Development Plan Consultation Statement, August 2016

Department	Comments	Parish Council Response
Landscape / Archaeology/ Conservation	No comments received	Noted
Strategic Housing	No comments received.	Noted
Economic Development	No comments received.	Noted
Environmental Health – Dust, noise pollution	We have no comments with regard to the proposals set out in the neighbourhood plan.	Noted
Environmental Health – Contaminated land	<p>My understanding is that no specific sites have been identified in this plan and as such I would advise:</p> <p>- Given that no specific sites have been identified in the plan I am unable to provide comment with regard to potential contamination.</p> <p><u>General comments:</u></p> <p>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.</p>	Noted

Department	Comments	Parish Council Response
	<p>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.</p> <p>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.</p> <p>These comments are provided on the basis that any other developments would be subject to application through the normal planning process.</p>	
Parks and Countryside	No comments received.	Noted
Waste	No comments received.	Noted

Author: Gemma Webster

Date completed: 03/03/16

Table 1 Other Responses Received and Parish Council Response

Respondent	Summary of Response	Parish Council Response
Alison Heine	<p>Very disappointing to note that there is no mention of the existing Gypsy Traveller site in Lower Bullingham and no consideration of the need for more Gypsy-Traveller site provision in Herefordshire and in particular in this part of Herefordshire as part of the planned South Urban Expansion.</p> <p>It is unclear how the County will meet this need if parishes around Hereford fail to address or acknowledge this as part of neighbourhood plans.</p>	<p>Comment noted. Herefordshire Council is producing a Travellers' Sites Document as part of its Local Plan. This will focus on the accommodation needs of the Traveller community (Gypsies, Travellers and Travelling Show People) up to 2031. It will allocate some sites for the first five years and identify broad locations of search for the longer term. Comment passed to Herefordshire Council for consideration as part of this process.</p>
Network Rail	<p>Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate.</p> <p>The Lower Bullingham Neighbourhood Development plan includes large a section of railway Network Rail land within the proposal map. Network Rail would draw the council's attention to the following</p> <p>The Town and Country Planning (Development Management Procedure) (England) Order 2015</p> <p>Publicity for applications for</p>	<p>Comments noted, but these are matters for the local planning authority not the Parish Council. Comment passed to Herefordshire Council. No change to plan</p>

Respondent	Summary of Response	Parish Council Response
	<p>planning > permission within 10 metres of relevant railway land16.—</p> <p>(1) This article applies where the> development to which the application relates is situated within 10 metres of relevant railway land.(2) The local planning authority must, except where paragraph (3) applies, publicise an application for planning permission by serving requisite notice on any infrastructure manager of relevant railway land.(3) Where an infrastructure manager has instructed the local planning authority in writing that they do not require notification in relation to a particular description of development, type of building operation or in relation to specified sites or geographical areas (“the instruction”), the local planning authority is not required to notify that infrastructure manager.(4) The infrastructure manager may withdraw the instruction at any time by notifying the local planning authority in writing.(5) In paragraph (2) “requisite notice” means a notice in the appropriate form as set out in Schedule 3 or in a form substantially to the same effect. Developer Contributions. The Lower Bullingham Neighbourhood Development Plan should set a strategic context requiring developer contributions towards rail infrastructure</p>	

Respondent	Summary of Response	Parish Council Response
	<p>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</p>	

Respondent	Summary of Response	Parish Council Response
	<p>Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network.</p> <p>To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following: A requirement for development contributions to deliver improvements to the rail network where appropriate. A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated. A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit. Level Crossings Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:</p>	

Respondent	Summary of Response	Parish Council Response
	<p>by a proposal being directly next to a level crossing by the cumulative effect of development added over time By the type of crossing involved By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing by developments that might impede pedestrians ability to hear approaching trains by proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs by any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing. Herefordshire Council have a statutory responsibility under planning legislation (Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over the railway. Therefore, as Lower Bullingham Parish Council will be the authority in this case they will still need to consult with Network Rail under schedule 5 on their proposals to determine if they impact upon the above mentioned level crossings. Whilst Network Rail has no objection in principle to</p>	

Respondent	Summary of Response	Parish Council Response
	<p>the Neighbourhood Development Plan by Lower Bullingham Parish Council, we would request the 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.</p>	
<p>Humfrys Symonds</p>	<p>Re: Garden Land Adjoining The Glympse Bungalow Green Crize Hereford HR2 > 8AA</p> <p>The above bungalow was proposed to be designated as a protected open space in accordance with the Lower Bullingham Neighbourhood Plan 2011-2031. Our client would object > strongly to this proposal and would point out that the land > does not have historic allotment usage indeed it has only been utilised by third parties for approximately 3 ½ years. The current licensee uses part of the land for an > allotment but also keeps chickens and ducks on the land. There are also two sheds which houses the licensees stock at night. Prior to this the land was used as a small paddock. Our client would therefore content that the use of this private garden land as</p>	<p>Neighbourhood Plan to be amended to only show public open spaces – these will be mapped.</p>

Respondent	Summary of Response	Parish Council Response
	<p>'allotments' is not established nor is it longstanding. Our client has also mentioned that the private land has not been registered as allotments and if allotments were required this could be delivered within the Bloor development which will undoubtedly take place in the near vicinity to the property. It is our clients considered position that the garden land of the bungalow would provide suitable infill for residential building plots at some stage in the future. We look forward to receiving the councillors response to our comments above and would ask that the reference to this private garden land is removed from section 1.6 on page 6 and policy LB6 on page 26 of the draft Neighbourhood Plan.</p>	
<p>Natural England</p>	<p>Having looked at the policies in the plan, Natural England does not consider that this plan poses any likely significant risk to internationally or nationally designated nature conservation or landscape sites and so does not wish to make specific comments on the plan.</p>	<p>Comment noted.</p>
<p>Boyer Planning on behalf of Bloor Homes</p>	<p>Presumption in Favour of Sustainable Development 3.1 The HCS has been found to be consistent with national policy guidance set out in the National Planning Policy Framework (NPPF).</p>	<p>Comments 3.1/3.2. The Basic Conditions Statement accompanying this plan sets out how the plan promotes sustainable</p>

Respondent	Summary of Response	Parish Council Response
	<p>This includes the fundamental presumption in favour of sustainable development. To be sound, the LBNP must also be based on this fundamental presumption in favour of sustainable development.</p> <p>3.2 In this regard, the first substantive comment on the draft LBNP is that it does not, at present, include a presumption in favour of sustainable development. This is a structural flaw that undermines the soundness of the draft plan. The next draft of the LBNP should be developed and structured around the presumption in favour of sustainable development to ensure consistency with the HCS and other emerging Development Plan documents, and national guidance.</p> <p>Southern Urban Extension</p> <p>3.3 The LBNP repeats the adopted HCS policy with regard to the Southern Urban Extension area in Lower Bullingham. Moreover, it includes a draft policy (Policy LB8 – Integrating the Southern Urban Extension (SUE) with Existing Communities) that aims to ensure the integration of the Southern Urban Extension allocated in the HCS.</p> <p>3.4 It is welcomed that the ambition of the LBNP is aligned with the HCS, including the strategic needs of Hereford as a whole.</p>	<p>development. No change.</p> <p>Comment 3.3/3.4: the Lower Bullingham provides context setting information on the Southern Urban Extension and does not repeat Core Strategy policy. Policy LB8 is in the interests of good planning. No objection to LB8 has been raised by Herefordshire Council. No change.</p> <p>Comment 3.5/3.6: This is a specific problem identified through consultations on the plan, whilst it is recognised further work will clarify the exact nature of such a scheme it is important that it is set as a criterion in the plan. No change.</p> <p>Comment 3.7: Noted. The policy identifies area specific detail. No change.</p> <p>Comments 3.8 to 3.11: Comments noted,</p>

Respondent	Summary of Response	Parish Council Response
	<p>However, and as clearly set out in the NPPF, the purpose of neighbourhood plans is not to replicate or move beyond the requirement of the strategic policies elsewhere in the Local Plan. In this instance, the adopted HCS policy in relation to the southern urban extension is comprehensive, fully evidenced, positively planned and justified in its extent. There is no requirement to propose a further layer of Development Plan policy in relation to the strategic allocation.</p> <p>Flood Risk</p> <p>3.5 The related point is that the draft Policy LB8 adds the need for a flood alleviation scheme with improvements to reduce flooding within the parish at Lower Bullingham Lane and Watery Lane. BH have participated in the HCS preparation process and are aware of site constraints in terms of flooding. In line with the HCS and national requirements, any application coming forward on the site will need to address flood risk and drainage comprehensively. This will include a detailed flood risk assessment. It will include an analysis of flood related impacts as a result of the strategic development. Moreover, BH will work with local stakeholders in identifying flood risk</p>	<p>The LB policies referred to provide more detailed local policy. These policies reflect local circumstances and are in general conformity with the Core Strategy. No change.</p>

Respondent	Summary of Response	Parish Council Response
	<p>mitigation and solutions at the site through the planning application process. Such considerations will be taken forward in the context of the approach taken by the NPPG which advises that local authorities and developers “should seek opportunities” to reduce the overall level of flood risk in the area and beyond (Paragraph: 050 Reference ID: 7-050-20140306).</p> <p>3.6 This process, controlled by the need to comply with national guidance and the HCS demonstrates that additional policy provision in the LBNP is not required.</p> <p>3.7 A similar conclusion is drawn in relation to draft Policy LB10 – Reducing the Risk of Flooding, which repeats standard policy included in the HCS (Policy SD3). BH recognises the importance of flood risk and sustainable water management in new development. They are committed to working with local stakeholders in understanding the constraints on the site and the opportunities for mitigation. However, this commitment is capable of being controlled through existing planning policy and guidance. As a result, there is no need for an additional policy in the LBNP.</p> <p>Highways and Transport</p>	

Respondent	Summary of Response	Parish Council Response
	<p>3.8 The HCS refers to the published Local Transport Plan 2013/14-2015/16 and the Highways Design Guide for New Developments (2006) in relation to detailed highways design and car parking standards. In summary, the aim is to ensure parking is considered in the context of individual schemes, with the emphasis on ensuring new development is both accessible and promotes alternative use of transport, without resulting in any unacceptable effects on the highway network. This approach is supplemented by detailed accessibility and transport related criteria included in adopted HCS policies for strategic allocation sites.</p> <p>3.9 Adopted Policy HD6 of the HCS includes specific transport and accessibility criteria to guide the development of the Southern Urban Extension at Lower Bullingham. This specific policy criteria and the detailed supplementary guidance provide a justified, positively planned and effective policy framework to guide the development that is consistent with national policy. It will ensure that, in assessing any application proposal at the site, appropriate consideration is given to the accommodation of vehicles attracted to the site within the context of wider policy aimed at promoting a modal shift to more</p>	

Respondent	Summary of Response	Parish Council Response
	<p>sustainable forms of transport.</p> <p>3.10 In this context, draft policies LB1 – Traffic and Congestion, and LB2 – Car Parking Standards will form an unnecessary additional layer of Development Plan policy. As a result, the draft policies are not required and can be safely removed.</p> <p>3.11 Moreover, the second part of draft Policy LB1 – Traffic and Congestion identifies the need for improvement of specific highways infrastructure in Lower Bullingham. It is unclear how these improvements will be realised as a result of the policy. There is no clear link to any development allocation or proposal, or means of implementing the improvements. In our view, a more positive and effective approach would be to link the required infrastructure improvements to a proposed development allocation. Alternatively, the improvements could be included in the list of infrastructure improvements to be funded by community infrastructure levy contributions apportioned to Lower Bullingham Parish Council.</p>	

Respondent	Summary of Response	Parish Council Response
	<p>Design</p> <p>3.12 Draft Policy LB4 – Design largely repeats HCS guidance in seeking to promote good quality design in line with national planning policy. Whilst we support the aim of the policy it is questionable whether such a policy is necessary given its similarity to Policy SD1 of the HCS.</p> <p>Open Space</p> <p>3.13 The current draft policies (LB6 and LB7) in relation to the protection of areas of open space are supported. The policies are positive and aim to guide the delivery of sustainable development in the area. The policies could however be strengthened through the incorporation of assessed evidence on the benefits of the open spaces identified. Equally, the nature of the improvements considered necessary and means of implementing them through new development should be considered. As above, this could be linked to specific development proposals/allocations and or the infrastructure improvements to be funded through community infrastructure levy contributions.</p> <p>3.14 Taking this next step in the formulation of the policy will significantly strengthen the draft LBNP, in line with prevailing</p>	

Respondent	Summary of Response	Parish Council Response
	<p>guidance and national policy.</p> <p>Summary</p> <p>3.15 In summary, the foregoing analysis demonstrates that the LBNP is not currently sound. There is no presumption in favour of sustainable development, which is unsound. Many of the policies are not justified by necessary evidence. Moreover, many repeat Development Plan policy in the HCS.</p> <p>3.16 BH is committed to working with the LBNP team and other local stakeholders in bringing forward the development of the Southern Urban Extension strategic allocation. To this end, suggestions on means of improving the LBNP are set out above. This includes the need to address the above shortcomings, but also to plan more positively in being able to implement the improvements to open space and highways infrastructure identified.</p> <p>Summary and Conclusion</p> <p>4.1 It is considered that the foregoing analysis demonstrates that the draft LBNP is not currently sound and inconsistent with both the HCS and the NPPF.</p>	

Respondent	Summary of Response	Parish Council Response
	<p>4.2 It is imperative that the LBNP is progressed in accordance with the HCS and does not repeat its adopted policies. It should not seek to add an unjustified layer of Development Policy constraining the development of the Southern Urban Extension at Lower Bullingham. Doing so is contrary to NPPF guidance and will undermine the flexibility of the Development Plan in bringing forward positively planned and high quality sustainable development.</p> <p>4.3 The LBNP does not include a presumption in favour of sustainable development. This presumption goes to the heart of the planning system in England, as set out in the NPPF. Its absence in the draft plan is a fundamental flaw.</p> <p>4.4 Greater consideration needs to be given to how the identified infrastructure improvements can be implemented alongside or as a result of sustainable development set out in the HCS. This includes the potential to deliver the co-ordinated investment in infrastructure to deliver sustainable growth through carefully planned development on strategic and non-strategic sites. The level and location of required growth, and the opportunities to accommodate it in a manner that maximises the positive social, economic and</p>	

Respondent	Summary of Response	Parish Council Response
	environmental benefits it delivers should be considered and worked into the next stage of the plan from the outset.	
Environment Agency	Comments on the Core Strategy, Strategic Flood Risk Assessment; Policy HD6 of the Core Strategy and Policy LB10 of the NDP. The latter offers no bespoke comments on this policy at this time.	None of the comments directly affect the NDP. No change.

5.0 Strategic Environmental Assessment/Habitat Regulations Assessment

- 5.1 Neighbourhood Plans are covered by the Strategic Environmental Assessment Regulations and the Habitat Regulations Assessment process.
- 5.2 Herefordshire Council have put in place an iterative procedure for undertaking these assessments (see [Herefordshire Submitted Neighbourhood Areas](#)).
- 5.3 An initial screening was undertaken by Herefordshire in October 2014. This concluded the plan would require further assessment for Strategic Environmental Assessment and Habitat Regulations Assessment. The three statutory bodies English Heritage (now Historic England), Environment Agency and Natural England were consulted on this report.
- 5.4 This further assessment was carried out on the latest iteration of the Lower Bullingham Neighbourhood Plan in October and November 2015.
- 5.5 These various screening and assessments were used to inform the preparation of the Lower Bullingham Neighbourhood Plan.
- 5.6 The October 2015 Environmental Report (SEA) concluded that:
- “On the whole, it is considered that the Lower Bullingham NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). Nor does it propose any growth that would be over and above that prescribed by strategic policies. Therefore no changes to the NDP are recommended as a result of the SEA.”
- 5.7 The revised HRA concluded that:
- “8.1 None of the Draft Lower Bullingham NDP (September 2015) policies were concluded to be likely to have a significant effect on the River W ye SAC. Based on assumptions and information contained within the Lower Bullingham NDP, Herefordshire Core Strategy and the Pre-submission version / proposed modifications addendum of the HRA for the Core Strategy all of the NDP policies were found to be unlikely to result in significant effects on the River W ye SAC.
- 8.2 This is because the policies would not result in development, i.e., they relate instead to criteria for development. In a number of cases the policies also included measures to help support the natural environment, including biodiversity and reduce the effect of flooding. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies.
- 8.3 The plan is very much criteria based, and does not allocate sites for development.

8.4 Dowry Cymru Welsh Water (DCWW) has stated for the Core Strategy that there is potential capacity in the Rotherwas Sewerage Treatment works to continue to treat the water from the amount of housing provided for in the Core Strategy policies, when combined with Eign STW. In addition, the preparation of the Nutrient Management Plan for the River W ye SAC should ensure that development within Herefordshire which can be accommodated within existing water discharge permits would not be likely to have a significant effect upon the River W ye SAC.

8.5 It is unlikely that the Lower Bullingham NDP will have any in-combination effects with any Plans from neighbouring parish councils as the level of growth identified in the plan is the same as that proposed within the Core Strategy. This is due to the large southern urban extension allocated within the Core Strategy for 1,000 houses is partially located within the Parish.

8.6 It is therefore concluded that the Lower Bullingham NDP will not have a likely significant effect on the River W ye SAC.

8.7 Any further amendments to policies (post November 2014) will be rescreened if required and an addendum to this report will be produced.”

- 5.8 Prior to submission a revised environment report and HRA addendum have been prepared by Herefordshire Council. These identified no new issues arising from the latest draft of the NDP. In accordance with the Neighbourhood Planning Regulations, the environment is submitted alongside this Consultation Statement.

Appendix 1 – Lower Bullingham Neighbourhood Area Application

Neighbourhood Area application forms (NP1)

rec'd
13/6/13

County of Herefordshire District Council
Planning Services
PO Box 230
Blueschool House
Blueschool Street
Hereford
HR1 2ZB



Application to designate a Neighbourhood Area Town and Country Planning Act 1990 Neighbourhood Planning (General) Regulations 2012

Publication of applications on the Herefordshire Council website
Please note that the information provided on this application form may be published on the Authority's website. If you require any further clarification, please contact the planning department.

Please complete using block capitals and black ink

1. Parish Clerk details	2. Additional contact details (if different from parish clerk)
Title: <input type="text" value="MRS"/> First Name: <input type="text" value="KATH"/>	Title: <input type="text"/> First Name: <input type="text"/>
Last Name: <input type="text" value="GREENOW"/>	Last Name: <input type="text"/>
Unit: <input type="text"/> House Number: <input type="text"/> House Suffix: <input type="text"/>	Unit: <input type="text"/> House Number: <input type="text"/> House Suffix: <input type="text"/>
House Name: <input type="text" value="HACKFORD HOUSE"/>	House Name: <input type="text"/>
Address 1: <input type="text" value="DINEDOR"/>	Address 1: <input type="text"/>
Address 2: <input type="text"/>	Address 2: <input type="text"/>
Address 3: <input type="text"/>	Address 3: <input type="text"/>
Town: <input type="text" value="HEREFORD"/>	Town: <input type="text"/>
County: <input type="text" value="HEREFORDSHIRE"/>	County: <input type="text"/>
Postcode: <input type="text" value="HR2 6PD"/>	Postcode: <input type="text"/>
email: <input type="text"/>	email: <input type="text"/>

3. Relevant body:
Please confirm that you are the relevant body to undertake neighbourhood planning in your area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations

Yes: No:

Name of Parish Council:

4. Name of Neighbourhood Area:

Please give a name which your neighbourhood area will be formally known.

LOWER BULLINGHAM.

5. Extent of the area:

Please indicate below and attach an OS plan showing the intended extent of the area.

Whole parish boundary area:

Part of the parish:

Joint with neighbouring parish:

(Please complete details in section 7 below if applying as joint parishes)

Please describe below why you considered the extent of the neighbourhood area is appropriate.

Covers the whole parish boundary

6. Intention of neighbourhood area:

Please indicate which of the following you intend to undertake within your neighbourhood area.

Neighbourhood Development Plan:

Neighbourhood Development Order:

Community Right to Build Order:

7. Additional joint parish details:

If you are applying with an adjoining parish or parishes please give the clerk's details for each parish.

8. Declaration:

I/we hereby apply to designate a neighbourhood area as described on this form and the accompanying plan.

In the case of joint

Names(s)

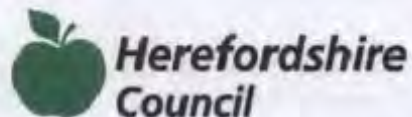
Date (dd/mm/yy)

Date (dd/mm/yy)

11/6/2013

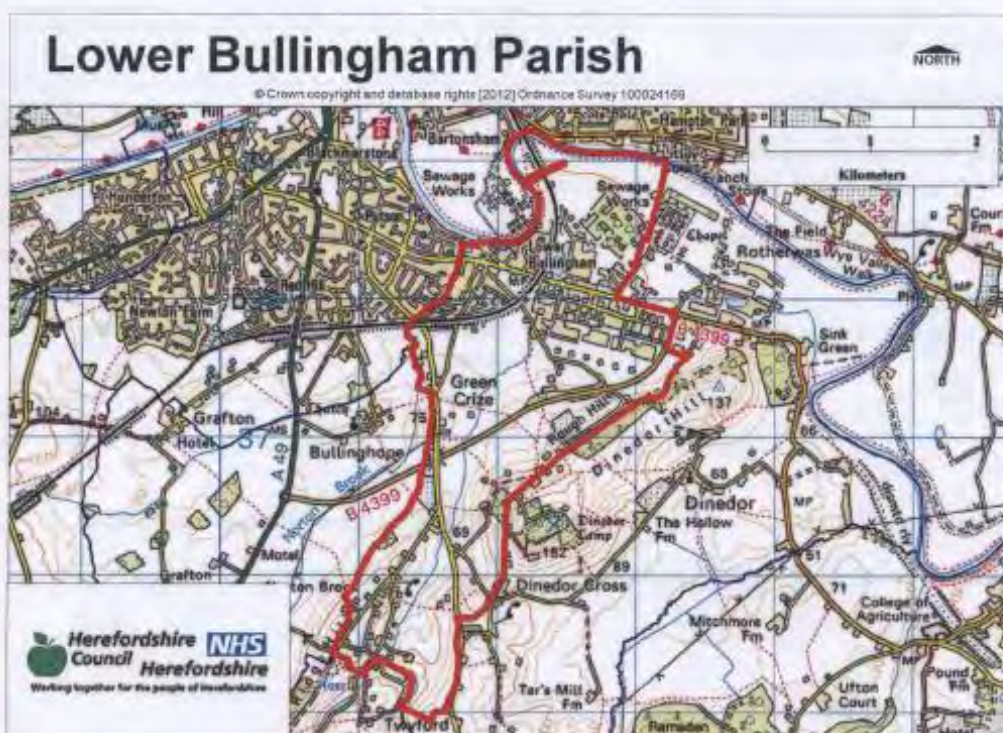
Appendix 2 – Neighbourhood Area Decision

Neighbourhood Area Decision Document



Neighbourhood Planning (General) Regulations 2012

Name of neighbourhood area	Lower Bullingham
Parish Council	Lower Bullingham
Consultation period	18 th June 2013 – 30 th July 2013



Determination

Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act	Yes	
Is the neighbourhood area considered appropriate? (Section 61G (4))	Yes	
Does the area overlap another designated area? (Section 61G (7))		No
For joint area application, are all relevant bodies included? (Section 61G (2))	N/A	N/A
Were any comments received during the consultation period?		No
Summary of comments received	N/A	
Response to comments received	N/A	
Ward member comments	None	
Are any modifications required to this or any adjoining neighbourhood area? (Section 61G (6))		No
Any special circumstance to be taken into account	Rotherwas Enterprise Zone is within the area and special planning regulations apply. The Core Strategy Southern Urban Expansion (Lower Bullingham) strategic site is also within the parish.	

Decision under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012.

The application for the designation of Lower Bullingham Neighbourhood Area is

Approved



Andrew Ashcroft

Assistant Director of Economy, Environment and Cultural Services

Appendix 3 – Regulation 14 Response Form

**Lower Bullingham Neighbourhood Plan
Pre-Submission Regulation 14 Consultation
Tuesday 19th January 2016**

ALL RESPONSES MUST BE RECEIVED BY Tuesday 8th March 2016

Representation Form

PLEASE COMPLETE AND RETURN ONE FORM FOR EVERY COMMENT MADE

Name	
Address	
Email	
Tel. No.	

Please state to which part of the Draft Neighbourhood Plan your representation refers.

Page Number	
Policy Number	

Are you supporting, objecting, or making a comment? (Please indicate with X)

Support	
Object	
Making a Comment	

Please Turn Over

Please use the box below for any comments.

Thank you for your time and interest. Please return this form to:

Mrs Kath Greenow Parish Clerk, Lower Bullingham Parish Council, Hackford House, Dinedor, Hereford.HR2 6PD. **Email:** kathgreenow@btinternet.com

No later than Tuesday 8th March 2016.

The Lower Bullingham Neighbourhood Plan has been prepared by the Neighbourhood Plan Steering Group on behalf of Lower Bullingham Parish Council.

