

# **Lower Bullingham Neighbourhood Plan 2011-2031**

## **The Report by the Independent Examiner**

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## Summary

The preparation of a neighbourhood plan is a substantial undertaking. In the case of Lower Bullingham, where major development is being proposed in the HLPCS, the Parish Council has adopted a selective approach, by limiting the number of new policies to areas of specific concern to the parish to ensure that new development is compatible with the existing community and does not exacerbate any of the existing problems faced by the village.

Importantly the Plan does not seek to limit the scale of any further development in addition to the Southern Urban Expansion Area (SUEA) or impose a settlement boundary, recognising that further development in addition to the SUEA may be necessary to make a contribution to the scale of new development required in the Hereford Area. By setting out a series of criteria based policies the Plan provides a set of factors to be taken into account in the consideration of planning applications.

In carrying out my examination, I found that the approach taken to the Basic Conditions Statement and the Consultation Statement prepared by Kirkwells was minimalist and rather formulaic. The Consultation Statement in particular was restricted in its scope to the statutory requirements, providing no evidence of what, if any community engagement there was prior to the statutory regulation 14 consultation. It was also incomplete by omitting to state what measures were taken at the regulation 14 stage to engage businesses and those who work in the area.

I have found it necessary to recommend some modifications in order to meet the basic conditions. These include the deletion of Policies LB1 and LB2 which effectively duplicate policies in the Core Strategy, and in the case of Policy LB1 provide no justification for the road schemes selected. Several of the other modifications are to make the intention of the policy clear so that it can be used by decision makers and I have recognised the deletion of parts of policies in a few instances where the policy proposed added nothing to existing policy or was not clearly justified. However, for the most part the policies are clearly worded and consistent with the basic conditions.

I have concluded that, if the modifications that I have recommended are made:

The Lower Bullingham Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;

Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;

The making of the Plan would contribute to the achievement of sustainable development;

The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

**I am therefore pleased to recommend that the Lower Bullingham Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.**

I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will have “*a substantial, direct and demonstrable impact beyond the neighbourhood area*”.<sup>1</sup> **I therefore conclude that there is no need to extend the referendum area.**

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<sup>1</sup> PPG Does an independent examiner consider the referendum area as part of their report?  
Reference ID: 41-059-20140306

## **Introduction**

1. The Localism Act 2011 has provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans which contain policies relating to the development and use of land.
2. Lower Bullingham Parish Council is the qualifying body for the Lower Bullingham Neighbourhood Plan 2011-2031 (which I shall also refer to as the (LBNP or the Plan). The Plan area covers the whole of the parish of Lower Bullingham. It has been prepared by a working group of Parish Councillors and local residents.
3. Lower Bullingham is a parish on the southern edge of Hereford. It has a very varied character, with the northern part being part of the built-up area of Hereford comprising suburban housing and the large Rotherwas Industrial Estate, while the southern part has a very rural character with a dispersed settlement pattern. The River Wye runs along the northern boundary and on the eastern side the land rises quite sharply towards Dinedor Hill which lies beyond the parish boundary. Immediately to the south of the existing built up area the development of 1000 new dwellings together with a Country Park is proposed in the Herefordshire Local Plan Core Strategy 2011-2031. The Parish will therefore experience substantial change over the plan period.
4. If, following a recommendation from this examination, the Plan proceeds to a local referendum and receives the support of over 50% of those voting, it can be made and will then form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications, as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

## **Appointment of the Independent Examiner**

5. I have been appointed by Herefordshire Council (HC) with the agreement of Lower Bullingham Parish Council (LBPC) to carry out the independent examination of the LBNP.

6. I confirm that I am independent of both Herefordshire Council and Lower Bullingham Parish Council and have no interest in land in the parish.
7. I am a Chartered Town Planner with over 30 years' experience in local government, working in a wide range of planning related roles, including 15 years as a chief officer. Since 2006 I have been an independent planning and regeneration consultant. I have completed 17 neighbourhood plan examinations and three health checks. I therefore have the appropriate qualifications and experience to carry out this examination.

### **The Scope of the Examination**

8. The nature of the independent examination is set out in Sections 8-10 of Schedule 4B of the Town and Country Planning Act 1990.
9. I must:
  - a) decide whether the Plan complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. These requirements relate primarily, but not exclusively, to the process of preparing the Plan and I shall deal with these first.
  - b) decide whether the Neighbourhood Development Plan meets the basic conditions contained in Schedule 4B paragraph 8(2) of the Town and Country Planning Act 1990. This element of the examination relates mainly to the contents of the Plan.
  - c) make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and whether the area for the referendum should extend beyond the Plan area.
10. The Plan meets the basic conditions if:
  - a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Plan;



- b) the making of the Plan contributes to sustainable development;
- c) the making of the Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- d) the making of the Plan does not breach, and is otherwise compatible with, EU obligations.

11. Paragraph 9 of Schedule 4B indicates that as a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person a fair chance to put a case. In carrying out the examination I was satisfied that it could be completed on the basis of written representations. However, I did seek clarification from HC by e mail on some issues and the e mail exchange is attached at Appendices 1-4.

12. The documents which I have referred to in the examination are listed below.

- Lower Bullingham Neighbourhood Plan 2011-2031 Regulation 16 Submission Draft August 2016
- Lower Bullingham Regulation 16 Submission Neighbourhood Development Plan Consultation Statement August 2016
- Lower Bullingham Regulation 16 Submission Neighbourhood Development Plan August 2016
- Lower Bullingham Policies Map and Local Green Spaces Policies Map produced by Herefordshire Council
- Lower Bullingham Neighbourhood Area Environmental Report July 2016 produced by Herefordshire Council
- Lower Bullingham Neighbourhood Area Habitats Regulations Assessment October 2015 with Addendum dated July 2016 produced by Herefordshire Council
- Herefordshire Local Plan Core Strategy 2011-2031
- Herefordshire Highways Design Guide for New Developments - July 2006
- Responses received to publicity in accordance with Regulation 16 of the Neighbourhood Plan Regulations

- The Neighbourhood Planning (General) Regulations 2012 as amended in 2015 which are referred to as the NPR
  - The Environmental Assessment of Plans and Programmes Regulations 2004 (EAPPR)
  - The Conservation of Habitats and Species Regulations 2010 (CHSR)
  - The National Planning Policy Framework which is referred to as the NPPF
  - National Planning Practice Guidance referred to as PPG
13. These documents include all of those that are required to be submitted with a neighbourhood plan under regulation 15 of the NPR.
14. I made an unaccompanied visit to Lower Bullingham on 5 March 2017 to familiarise myself with the Parish and help me to understand the implications of the Plan policies. I spent half a day walking and driving round the parish and its surroundings to view all the key locations referred to in the Plan.

### **The Preparation of the Plan**

15. An application for the designation of the whole of the Parish of Lower Bullingham as a Neighbourhood Area was submitted by LBPC to HC on 11 June 2013. The Council undertook consultation as required by regulation 6 of the NPR from 18 June 2013 to 30 July 2013. The Council approved the designation under delegated powers on 20 August 2013. The designation was subsequently published on the Council's website in accordance with regulation 7(1) of the NPR.
16. As required under Section 38B (1) (a) of the Planning and Compulsory Purchase Act 2004 the Plan clearly states the period to which it relates, which is 2011-2031 in line with the Herefordshire Core Strategy.
17. The Plan must not include any provision about development that is excluded development as defined in Section 61K, which is inserted into the 1990 Town and Country Planning Act. Excluded development includes "*county matters*" such as mineral extraction and waste disposal and major infrastructure projects. I am satisfied that the submitted plan contains no such provision.

18. I am also satisfied that the LBNP does not relate to more than one neighbourhood area.

### **Public Consultation**

19. The Consultation Statement does not provide any detail on the nature of public involvement in the early stages of the preparation of the LBNP other than to refer to the availability of the minutes of the steering group on the Parish Council website and the opportunity for local residents to join the steering group. However, it does set out the arrangements that were made for the regulation 14 pre-submission consultation which took place between 19 January and 8 March 2016. The draft plan and a response form were available on the Parish Council website or via a link from Herefordshire Council website. Hard copies of the draft plan were on display at the Saxon Hall, the Wye Inn and the Archives Office at Rotherwas. A drop-in event was also held at the Saxon Hall which was publicised on the website and by placing posters in the area.
20. The Consultation Statement makes no specific reference to any attempts to seek the views of businesses in the area or people who work in the area but don't live there. This is a requirement of the regulations and with the Rotherwas Industrial Estate such a large element of the parish this is a surprising omission. I made enquiries on this and the response was that a drop-in event was held on the Rotherwas Industrial Estate and copies of the draft plan were displayed in the cafes on the Rotherwas Industrial Estate as well as the Archives Office which is on the estate.<sup>2</sup> I am satisfied that adequate efforts were made in this regard but the omission of this information, other than the reference to the Archives Office at Rotherwas, from the Consultation Statement is unfortunate.
21. The Consultation Statement states that the bodies required to be consulted in Schedule 1 of the NPR were notified by letter and e mail and that the draft plan was sent to Herefordshire Council and neighbouring Parish Councils. However,

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<sup>2</sup> Appendix 1 point 6

no details are given of who was consulted and I sought clarification on this point and the list has been sent to me and is attached at Appendix 2

22. The Consultation Statement then goes on to summarise the responses received to the regulation 14 consultation and to summarise the response of the Parish Council to them.
23. While, from the limited information provided, the extent of public involvement appears to be less than is common with neighbourhood plans I am satisfied that it meets the legal requirements.

### **The Development Plan**

24. The statutory development plan relating to Lower Bullingham is made up of:
  - The Herefordshire Local Plan Core Strategy 2011- 2031 adopted in 2015.
  - Saved Policies of the Herefordshire Unitary Development Plan adopted in 2007
25. All the Core Strategy policies are strategic and thus the policies of the neighbourhood plan need to be tested against them for general conformity. Only the policies relating to minerals and waste disposal of the Saved Policies of the 2009 Unitary Development Plan are strategic.

### **The Basic Conditions Test**

26. The consideration of whether the Plan meets the basic conditions is at the heart of the independent examination process. It is therefore essential to be clear on the meaning of each of the basic conditions. Detailed consideration of the first three conditions is carried out in relation to the policies of the Plan but the fourth relating to EU requirements is considered in detail at the end of this section.

***“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan”.***

27. There are two important points to emphasise in relation to this. The first is that this requirement relates means that an examiner must consider this requirement in relation to the making of the plan; it thus applies to the plan as a

whole, rather than to individual policies. The second point is the use of the phrase “*having regard to*”. This means that the examiner must consider the national policy and advice but it does not mean that each policy must be in absolute conformity with it. It provides for an element of flexibility. PPG explains that “*having regard to national policy*” means that “*a neighbourhood plan must not constrain the delivery of important national policy objectives*”. The Plan as a whole is clearly the sum of its policies and it is therefore necessary to consider the extent to which each policy complies with national policy and guidance. However, in reaching my conclusion on this basic condition it is the relationship of the plan as a whole with national policies and guidance rather than individual policies which is the key consideration.

28. The Basic Conditions Statement submitted with the LBNP sets out in tabular form the relationship between its policies and the Core Principles set out in the NPPF. While this is helpful and does not show any conflict with the NPPF at this level, it does not attempt to relate the policies to the more specific policies in the NPPF. The basic conditions test requires consideration at this level and the Basic Conditions Statement should do this.<sup>3</sup> I will look at this in relation to individual policies. Clearly every location is different and some elements of the NPPF are not directly applicable in Lower Bullingham.
29. Also, relevant to the basic conditions test is “*guidance issued by the Secretary of State*” as set out in PPG. The PPG provides a great deal of advice on procedural and policy related matters related to neighbourhood plans<sup>4</sup>. It provides clear explanations on what can or cannot be done in a neighbourhood plan and useful advice on the requirement for policies to be adequately justified and clearly expressed.<sup>5</sup> Significant departure from the PPG is likely result in a conflict with the basic conditions. The Basic Conditions Statement does not consider the relationship of the Plan to PPG but I have had frequent need to

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<sup>3</sup> PPG Which National Policies are relevant to a neighbourhood plan? Reference ID: 41-070-20140306

<sup>4</sup> PPG Neighbourhood Planning: Reference ID: 41 paragraphs 001-087

<sup>5</sup> PPG What Evidence is needed to support a neighbourhood plan? Reference ID 42-040-20160211 and How should the policies in a neighbourhood plan be drafted? Reference ID 41-041-20140306

relate aspects of the Plan to and particularly to the need it.

***“The making of the plan contributes to sustainable development”***

30. Sustainable development is the fundamental principle guiding the planning process<sup>6</sup> and the assessment of this basic condition is therefore of prime importance. The NPPF spells out the three dimensions of sustainable development: economic, social and environmental and the interdependent nature of these. Again, it is important to note that the assessment to be undertaken relates to the plan as a whole, but clearly the contribution of each policy needs to be considered to enable a conclusion to be reached and policies which fail to contribute to sustainable development are likely to require modification or deletion. There may on occasions be a tension between the different dimensions of sustainable development which requires the definition of an appropriate balance.
31. The Basic Conditions Statement briefly links the three themes of sustainable development to the content of the LBNP referring to some of its policies. This is a very cursory consideration and all the policies need to be tested in this way. As the NPPF points out<sup>7</sup> local circumstances vary greatly and that influences the way in which contributions to sustainable development can be made.
32. PPG suggests that a sustainability appraisal may be a helpful way of meeting the requirement for the plan to contribute to sustainable development<sup>8</sup>. The LBNP is not accompanied by a full sustainability appraisal, but the Strategic Environmental Assessment which is considered in paragraphs 39-44 does relate the plan to a wide range of sustainability criteria.

***The making of the plan is in general conformity with the strategic policies contained in the development plan for the area.***

33. As with the previous two conditions the test applies to the plan as a whole, but this requires consideration of individual policies against relevant strategic

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<sup>6</sup> NPPF para 6

<sup>7</sup> NPPF paragraph 10

<sup>8</sup> PPG Does a neighbourhood plan require a sustainability appraisal? Reference ID: 11-026-2014030

policies in order to reach an overall conclusion. The test of “*general conformity*” is fundamentally that the neighbourhood plan policies should not undermine the strategic policies of the Local Plan. The test is spelt out more fully in PPG<sup>9</sup>. It does not preclude some variation from a strategic policy to reflect local circumstances providing the proposal upholds the general principle that underlies the strategic policy.

34. The Basic Conditions Statement simply sets out in a table the policies of the LBNP in one column and the relevant policy from the HLPCS in a second column. While this helps in setting the policies clearly before me it provides no commentary on the relationship between the Plan and the HLPCS. In this regard, it does not meet the requirement in regulation 12(d) of the NPR to submit “*a statement **explaining** how the neighbourhood plan meets the requirements of paragraph 8 of Schedule 4b to the 1990 Act*” (my emphasis). Rather than reproducing the full text of some HLPCS policies several times, including elements that are not relevant to the policies concerned, while omitting others that are relevant, it would be more helpful to point out clearly how the policy relates to the strategic context. In this way, as in others to which I have referred, the Basic Conditions Statement is a rather superficial and formulaic document which does not fully do what is required.
35. Central to the strategic context for Lower Bullingham is Policy HD1 of the HLPCS which identifies key locations where large scale development is proposed. One of these is a proposal for a Southern Urban Expansion (SUE) which would be in Lower Bullingham and accommodate a minimum of 1000 new dwellings. Policy HD6 of the HLPCS sets out in more detail the nature of this policy which is reproduced in full in the LBNP. The policies in the Plan have been developed taking account of this allocation and the issues for the community that will flow from it. The policies of the Plan will be considered in relation to this and other strategic policies later in this report, but they clearly acknowledge and relate closely to the strategic context of this major allocation.

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<sup>9</sup> PPG What is meant by ‘general conformity’? Reference ID: 41-074-20140306

36. One of the key requirements for neighbourhood plans is that they should not “*promote less development than set out in the Local Plan or undermine its strategic policies*”. The HLPCS identifies a requirement for 6500 new homes and 15 hectares of employment land over the plan period of which 1000 homes and 5 hectares of employment land are to be provided by the SUEA. On this basis, Lower Bullingham is clearly making a major contribution to the need for new development. Of the 6500 houses 3300 are to be accommodated in the City Centre and the major Urban Expansion Areas. The remaining 3200 are to be provided from existing commitments, windfall sites and non-strategic sites identified in the Hereford Area Plan or Neighbourhood Plans<sup>10</sup>. No figures have been provided to me on the level of commitments in Lower Bullingham but the Detailed Annualised Trajectory<sup>11</sup> identifies commitments for 1022 dwellings in the Hereford area and makes provision for 1000 windfall dwellings. It also makes provision for 3200 dwellings on non-strategic sites yet to be identified of which 1558 dwellings would be delivered before the end of the plan period. If all these totals were delivered it would slightly exceed the need which has been identified.
37. The LBNP makes no specific provision for housing development in Lower Bullingham other than the 1000 dwellings in the SUEA. Neither does it contain policies or a settlement boundary that would preclude or seek to limit additional housing development. It does contain several criteria based policies which will be applicable to all new development proposals. Given the scale of new development for which specific locations have yet to be identified and taking account of the presumption in favour of sustainable development, it is reasonable to conclude that some of the additional development envisaged from windfall sites or non-strategic allocations will be accommodated in Lower Bullingham. In the absence of any detailed evidence on the level of commitments in Lower Bullingham I am unable to conclude how much development is needed. However, in light of the generally positively phrased policies and taking account of the scale of development envisaged in the SUE I am satisfied that the Plan does not set out less development than is set out in

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<sup>10</sup> Policy HDI Hereford Local Plan Core Strategy

<sup>11</sup> Appendix 4 to the HLPCS



the Local Plan or undermine its strategic policies. By not making specific proposals for the location of housing development decisions will be made on the basis of the strategic policies of the HLPCS, the criteria based policies of the LBNP and, in due course, any additional policies that may be applicable in the Hereford Area Plan.

***“The making of the Plan does not breach, or is otherwise compatible with EU obligations”***

38. As this condition relates to the process of plan preparation I shall deal with it in detail at this stage.

a) Strategic Environmental Assessment

39. PPG indicates that *“where a neighbourhood plan is likely to have significant environmental effects it may require a strategic environmental assessment”*<sup>12</sup>, subsequently referred to as SEA. An SEA requires the preparation of an environmental report. In order to determine whether the plan is likely to have significant environmental effects, a screening assessment is necessary.
40. Regulation 15 of the NPR requires that the submission of a neighbourhood plan must include:  
*“either (i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans Regulations (EAPPR) or  
(ii) where it has been determined under regulation 9(i) of these Regulations that the proposal is unlikely to have significant environmental effects (and accordingly does not require an environmental assessment), a statement of reasons for the determination”.*
41. In the case of Lower Bullingham a Screening Assessment carried out by Herefordshire Council concluded that Strategic Environmental Assessment of the Plan was necessary because of its relationship to the River Wye Special Area of Conservation (SAC) and because of the presence of other sensitive environmental assets including Ancient Woodland, Ancient Monuments and

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<sup>12</sup> PPG Does a neighbourhood plan require a strategic environmental assessment? reference ID: 11-027-20150209

Sites of Special Scientific Interest. In reaching this conclusion the screening did not consider the nature of the policies in the LBNP and their potential to have significant environmental effects.<sup>13</sup> It is possible that such an assessment would have concluded that SEA was not necessary. However, a full Environmental Report has been prepared.

42. A Scoping Report was prepared and was subject to consultation with the statutory consultees, which resulted in minor amendments. A set of SEA objectives were derived from the Sustainability Appraisal undertaken for the HLPCS. Where possible targets were identified for these objectives and the LBNP objectives and policies were both tested against them. In most cases the anticipated environmental effects were positive, neutral or there was no relationship between the SEA objective and the Plan policy or objective.
43. The EAPPR requires the Environmental Report to consider reasonable alternatives to the policies proposed. In the case of the LBNP the range of alternatives considered was very limited. A 'do nothing' i.e. 'no plan' option was considered at an early stage and dismissed. The evaluation shown suggests no relationship between this option and the SEA objectives. However, by implication, the scores given to the objectives and policies in the Plan are in comparison to a 'no Plan' option. The only other option considered is the possibility of allocating additional sites for development. For the most part the effects of this option are considered uncertain in the absence of any information on the possible location of any additional sites. The limited consideration of alternatives could be considered contrary to the European Directive. However, this needs to be considered in relation to the scope of the Plan and the nature of its policies.<sup>14</sup> The policies of the LBNP are almost entirely criteria based rather than making site specific proposals and thus the potential for realistic alternatives is limited. In this context, I am satisfied that the consideration of alternatives is adequate.

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<sup>13</sup> as suggested in Figure 2 of the Practical Guide to the Strategic Environmental Assessment Directive.

<sup>14</sup> PPG What level of detail is required in a strategic environmental assessment? Reference ID: 11-030-20150209

44. The SEA was the subject of consultations with the Statutory Consultees at the same time as the pre-submission consultation on the draft Plan and no objections were raised.

b) Appropriate Assessment under the Habitats Directive

45. Regulation 102 of the Conservation of Habitats and Species Regulations 2010 (CHSR) requires that where a plan is likely to have a significant effect on a European designated site, *“the plan-making authority must before the plan is given effect, make an appropriate assessment of the implications of the site in view of that site’s conservation objectives”*. Schedule 2 to the NPR inserted Regulation 102A to the CHSR: *“A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 102 or to enable them to determine whether that assessment is required.”*
46. Herefordshire Council has carried out a two-stage screening assessment to consider the potential effects of the LBNP on The River Wye SAC which is the only European Site which is near enough to be affected. It has concluded that because the policies of the Plan are criteria based and do not propose new development they are unlikely to have a significant effect on the SAC. I am satisfied that this assessment meets the requirements of the CHSR.
47. I therefore conclude that the making of the LBNP would not breach and would be otherwise compatible with EU obligations.

**Human Rights**

48. I am also satisfied that nothing in the LBNP is in conflict with the requirements of the European Convention on Human Rights.

**Vision and Objectives**

49. Section 5 of the Plan sets out a vision for Lower Bullingham and seven objectives which derive from a series of issues which have been identified for the parish. They relate directly to the existing characteristics of Lower

Bullingham and to the potential effects of the new development proposed. The vision is that:

*“By 2031 we will have protected the quality of life in Lower Bullingham and ensured that any future development within the parish maintains and improves the quality of life of existing and future residents.”*

This vision is consistent with the basic conditions.

### **Neighbourhood Plan Policies**

50. I have considered all the policies of the Plan in relation to the basic conditions. In doing so I have taken account of all the comments that have been made on the Plan as it has been developed and in particular those comments made in response to the Regulation 16 consultation on the submitted plan. While I have not referred explicitly to every comment that has been made, I have taken them all into account.
51. I also need to clarify that I am only empowered to recommend modifications that I consider are necessary to meet the basic conditions or to correct errors. This includes modifications to improve the clarity of the wording of policies as one of the important elements of PPG is that *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.”*<sup>15</sup>
52. The policies are presented clearly and each is followed by a brief section of *“Background/Justification”*. PPG indicates that *“Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn on succinctly the intention and rationale of the policies in the draft neighbourhood plan.”* In many cases the background and justification is very brief and there are no supporting documents providing evidence in support of the policies other than those required by the regulations. In some cases, this has necessitated the deletion or modification of policies for which clear justification is lacking.

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<sup>15</sup> PPG Neighbourhood Planning How should the policies in a neighbourhood plan be drafted? Reference ID: 41-041-20140306

53. The policies are linked to the objectives of the Plan

**Objective 1 – To improve traffic flows and reduce congestion**

**Policy LB1 – Traffic and Congestion**

54. This policy identifies five criteria to be used in assessing new development proposals and it clearly aims to ensure that the proposed SUE, and any other new developments do not exacerbate existing traffic and congestion issues. It also identifies three specific improvements that are sought in Lower Bullingham.
55. The wording of the first two lines of the policy, simply stating that “*new development will be assessed against the following*” is too vague to provide clear guidance to a decision maker. It does not clearly how a decision will be taken once an assessment has been made. Also, while it would be appropriate to ensure that new development does not seriously increase congestion, it cannot normally be expected to resolve existing problems and therefore the suggestion that it should reduce congestion is not compatible with the presumption in favour of sustainable development. A modification to reflect these points would be possible. However, criteria a) – e) which follow are very generally phrased and add nothing to the Policy MT1 in the HLPCS which is also more detailed. PPG states that “*A policy in a neighbourhood plan should be distinct and respond to the unique characteristics and planning context of the neighbourhood area for which it has been prepared*”.<sup>16</sup> These criteria could relate to development anywhere and do not contain a local dimension.
56. The three schemes listed in the second part of the policy do give it a specific local dimension. However, there is no specific justification for their selection. No detail is given of the existing conditions in these locations, in terms of road safety, traffic volumes or other local factors, other than a very broad reference to “*significant traffic and congestion issues in the parish particularly associated with the Industrial Estate*”.
57. For these reasons, I am not satisfied that the policy meets the basic conditions.

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<sup>16</sup> PPG How should policies in a neighbourhood plan be drafted? Reference ID 41-041-20140306

**Recommendation:  
Delete Policy LB1**

**Policy LB2 – Car Parking Standards**

58. The policy sets out standards for car parking which are expressed as a maximum standard depending on the number of bedrooms per dwelling. The justification for the policy is brief and refers to high levels of car ownership in the parish and existing problems of on street parking, but no details on car ownership levels or evidence of the nature of on street parking problems is given.
59. The Basic Conditions Statement relates this policy to Policy MT1 of the HLPCS in which part 6 requires new development to “have regard to both the Highways Development Design Guide and vehicle parking standards as prescribed in the Local Transport Plan. The standards used in Policy LB3 are the same as those in the Highways Design Guide for New Developments - July 2006, which are the most up to date standards being used by Herefordshire Council. The policy therefore adds nothing to the existing policy and I am therefore not satisfied that it meets the basic conditions.

**Recommendation  
Delete Policy LB2**

**Policy LB3 – Loss of off-street Car Parking Provision**

60. Policy LB3 aims to prevent the loss of off-street parking unless it is replaced or shown to be no longer necessary. The justification for this policy is very similar to that for Policy LB2. However, in this case I find it is adequate as it does not impose an arbitrary standard and clearly sets out how the policy will be applied. I am satisfied that there is no conflict with national or local strategic policy and that the policy meets the basic conditions.

**Objective 3 – To improve the standard of design**

**Policy LB4 – Design**

61. The policy sets out criteria for the design of new developments. The first one lists factors relating to the site and its surroundings that should be taken into

account; the other criteria are requirements for the development itself. The phrasing of the policy is not entirely clear as the requirement to take factors into account may not ensure that these considerations will be acted upon. There is also not always a grammatical continuity between the introductory section and the individual criteria. I have therefore recommended modifications to address these points and provide more clarity on what is required. I have some concerns about the lack of any clear local dimension making the policy distinct in terms of my reasoning on Policy LB1. However, the justification explains the absence of a distinctive architectural style.

62. I am satisfied that the criteria are consistent with the achievement of sustainable development and in general conformity with the policies of the Core Strategy, but have some reservations about the last one. It is the nature of changing lifestyles and technologies that they cannot always be predicted and therefore it may not be reasonable to require the adaptability suggested. However, it may well be that for some types of building this is a factor that can be considered. Therefore, while I have recommended more clarity on most of the criteria more flexibility is necessary in the case of the last one.

#### **Recommendations**

**In Policy LB4 After “Proposals will be expected to demonstrate” delete “that they have taken account of the following”**

**in a) insert “that they have been” before “designed”**

**in b) insert “that they will have” before “no significant...”**

**in c) insert “that “ before “the development does not...”**

**in d) insert “that” before “the development utilises...”**

**reword h) to read “that the design takes into account the potential for adaptation to accommodate changing lifestyles and technologies.”**

#### **Objective 4 – To Improve and Protect Open Spaces**

##### **Policy LB5 – Protecting Open Spaces**

63. Policy LB5 identifies three open spaces that are to be protected from development unless it is related to outdoor recreation or would result in suitable replacement of the open spaces. The justification points out that the supply of open spaces in Lower Bullingham is limited and that was certainly my

impression from my site visit. The policy is consistent with paragraphs 73 and 74 of the NPPF and Policy OS3 of the HLPCS and I am satisfied that it meets the basic conditions.

64. Included with the submission document are two maps prepared by Herefordshire Council: one titled “Lower Bullingham Policies Map” and one titled “Lower Bullingham Green Spaces Map”. I was unsure of the status of these maps in relation to the Neighbourhood Plan as they are not referred to in it and it is not clear from the titles. Also, the Green Spaces Map shows the three spaces referred to in this policy as “Local Green Space” which suggests that they are designated as Local Green Spaces. I sought clarification on this point and my request for clarification and the response are included in Appendix 1 at point 4. From this and the subsequent clarification attached at Appendix 3 that the Maps are to be regarded as part of the Neighbourhood Plan some modifications to the Plan and the Maps are necessary.

#### **Recommendations**

**Amend the title of the “Lower Bullingham Policies Map” to the “Lower Bullingham Neighbourhood Plan Policies Map” and insert the Map into the Plan as Appendix 1**

**In the first line of Policy LB5 insert after “Figures 7, 8 and 9” “and the Open Spaces Map at Appendix 2.**

**Amend the title of the “Lower Bullingham Green Spaces” Map to “Lower Bullingham Neighbourhood Plan Open Spaces Map” and insert the Map into the Plan at Appendix 2**

**On the key to the map amend delete “Local Green Space” and insert “Protected Open Spaces”.**

**Amend the Table of Contents to refer to the two Appendices**

#### **Policy LB6 – Improving Open Spaces**

65. This policy supports the improvement or enhancement of five open spaces including two of those identified in Policy LB5. I am satisfied that the policy meets the basic conditions. However, the three additional open spaces are not identified on maps and this is necessary to enable the Policy to be consistently applied and I have recommended a modification to this effect.



66. I identified The Pastures and the green space behind 1 Clare Court on my site visit but was not clear on what was meant by the Rotherwas Cycle Path. I requested clarification on this point and the response is attached at Appendix 4. It is unusual for a cycle path to be identified as an Open Space. However, it appears that in this case this is a green corridor running broadly across the northern part of the parish, bordering the Rotherwas Industrial Estate for much of its length. It is envisaged that the cycle path that runs along part of it will be improved and extended. In this context I am satisfied that the proposal is appropriate, but it can only relate to that part of the route that lies within the Parish.
67. The modification I have suggested regarding the inclusion of Maps is the minimum necessary but it would be desirable to include larger scale plans within the document as for Policy LB5.

#### **Recommendation**

In Policy LB6 after “...open spaces listed below” insert “and shown in the Open Spaces Map in Appendix 2”.

**Show the The Pastures, the Cycle Path at Rotherwas and the Green Space behind 1 St Clare’s Court on the map to be retitled as “Lower Bullingham Neighbourhood Plan Open Spaces Map” with an additional notation on the key for “Open Spaces for improvement” ensuring that it is clearly legible particularly for the two spaces where the notation for both Policy LB5 and LB6 apply. The cycle path map should either show only the section within the neighbourhood plan area or make it clear that the policy only applies to that section.**

**Amend the 4<sup>th</sup> bullet point to read “the green corridor containing the Rotherwas Cycle Path including the extension and improvement of the cycle path.**

#### **Policy LB7 – Incidental Open Spaces and Street Trees**

68. This policy aims to protect small incidental open spaces and street trees and to encourage the introduction of additional small spaces and trees. The policy is consistent with the basic conditions.

**Objective 5 – To integrate the Southern Urban Extension with the existing communities in the parish and to minimise the impact arising from this significant development**

**Policy LB8 – Integrating the Southern Urban Extension (SUE) with Existing Communities**

69. Policy HD6 of the HLPCS identifies a list of requirements for the SUE and this policy complements them with a particular focus on the potential effects of the new development on the existing settlement of Lower Bullingham. While there is an element of repetition for the most part the wording of the policy adds detail reflecting local requirements. However, by simply requiring these requirements to be taken into account, the policy does not provide clear guidance to decision makers. A clearer statement requiring the inclusion of these elements in detailed proposals for the development would achieve this, and would involve minor changes to the details of the policy to read effectively.
70. While I fully understand the wish for affordable housing provided as part of the SUE to meet needs arising in Lower Bullingham, the requirement in part b) of the policy for “a set percentage” of it to be used in this way does not provide the clarity required for a decision maker until that percentage has been determined. The other elements of this section are already covered in the criteria of Policy HD6 which links the provision to the latest version of the Local Housing Market Assessment.
71. Point c) refers to improved links from Lower Bullingham to the proposed Country Park, Primary School and Community Hub. In the interests of sustainable development this should specifically refer to pedestrian and cycle links.
72. There is an element of repetition in points e) and f) with the only difference being the desire in point f) to reduce existing flooding in Lower Bullingham Lane and Watery Lane. This may be a desirable consequence of flood prevention measures for the development. However, new development cannot be required to remove existing problems as financial contributions through section 106 agreements must be “directly related to the proposed development” and “fairly

and reasonably related to the proposed development in scale and kind". I have therefore recommended combining points e) and f) to enable the policy to meet the basic conditions. The replacement of "Improved" by "Effective" in point d) is also for this reason.

### **Recommendations**

**In Policy LB8 after "...communities in Lower Bullingham" delete "the following should be taken into account in the overall planning of the site, and in individual development phases of the site:" and insert "proposals for the development of the site should include:"**

**Delete point b)**

**In point c) delete "are provided"**

**In point d) delete "Improved" and insert "effective road, public transport, pedestrian and cycle "**

**In point e) after "existing communities and" add "where possible within the legal requirements for section 106 agreements, reduce flooding within the parish at Lower Bullingham Lane and Watery Lane."**

### **Policy LB9 – Community Infrastructure Levy**

73. This policy identifies the items on which income from the Community Infrastructure Levy (CIL) will be spent if and when it is introduced. While HC has made good progress towards the introduction of CIL, it is at present on hold pending the pending possible legislative changes. As this is a list of bullet points I have assumed that it does not represent a priority order. This is an appropriate policy, particularly in a parish where major development is envisaged, and is consistent with the basic conditions. I have recommended a change to the title of the policy and small changes to the wording of the policy and supporting text to retain its relevance if there are changes to the current legislation. I have also recommended a further change to the wording of the last paragraph of the Background/ Justification to make it clear what is meant.

#### **Recommendation**

**Change the title of Policy LB9 to "Contributions to Community Infrastructure"**

**Change the first line of the Policy to read "Any funding payable to Lower**

**Bullingham Council under the Community Infrastructure Levy, or any successor legislation, will be used for the following:” In the last paragraph of the Background/Justification for Policy LB9 delete “In preparing the Lower Bullingham Neighbourhood Plan” and insert “When the Lower Bullingham Plan is made”.**

**Policy LB10 - Reducing the Risk of Flooding**

74. This policy requires all new development to include adequate surface water drainage measures to protect existing and new development from flooding and to mitigate the impact of flooding. The third sentence of the policy is not worded clearly and I have recommended a modification to correct this. The fourth bullet point serves no useful purpose as it does not identify any particular locations and the use of the word “include” to introduce the list makes it clear that it does not exclude areas with flooding problems not on the list. Otherwise the policy is consistent with the basic conditions.

**Recommendation**

**Reword the third sentence of the Policy LB10 to read “Particular importance will be attached to any development that could lead to an increased risk of flooding for areas subject to existing flooding problems. These include:”**

**Delete the fourth bullet point.**

**Next Steps**

75. Section 7 of the Plan is entitled Next Steps. However, it appears to relate to the steps to be taken from the pre-submission consultation to the making of the Plan. It is thus almost entirely superseded and therefore misleading.

**Recommendation**

**Delete Section 7.**

**Summary and Referendum**

118. The preparation of a neighbourhood plan is a substantial undertaking. In the case of Lower Bullingham, where major development is being proposed in the HLPCS, the Parish Council has adopted a selective approach, by limiting the

number of new policies to areas of specific concern to the parish to ensure that new development is compatible with the existing community and does not exacerbate any of the existing problems faced by the village.

119. Importantly the Plan does not seek to limit the scale of any further development in addition to the Southern Urban Expansion Area (SUE) or impose a settlement boundary, recognising that further development in addition to the SUEA may be necessary to make a contribution to the scale of new development required in the Hereford Area. By setting out a series of criteria based policies the Plan provides a set of factors to be taken into account in the consideration of planning applications.
120. In carrying out my examination, I found that the approach taken to the Basic Conditions Statement and the Consultation Statement prepared by Kirkwells was minimalist and rather formulaic. The Consultation Statement in particular was restricted in its scope to the statutory requirements, providing no evidence of what, if any community engagement there was prior to the statutory regulation 14 consultation. It was also incomplete by omitting to state what measures were taken at the regulation 14 stage to engage businesses and those who work in the area.
121. I have found it necessary to recommend some modifications in order to meet the basic conditions. These include the deletion of Policies LB1 and LB2 which effectively duplicate policies in the Core Strategy, and in the case of Policy LB1 provide no justification for the road schemes selected. Several of the other modifications are to make the intention of the policy clear so that it can be used by decision makers and I have recognised the deletion of parts of policies in a few instances where the policy proposed added nothing to existing policy or was not clearly justified. However, for the most part the policies are clearly worded and consistent with the basic conditions.
122. I have concluded that, if the modifications that I have recommended are made:

The Lower Bullingham Neighbourhood Plan has been prepared in accordance with Sections 38A and 38B of the Town and Country Planning Act 1990 and the Neighbourhood Planning Regulations 2012;

Having regard to national policies and advice contained in guidance issued by the Secretary of State it would be appropriate to make the Plan;

The making of the Plan would contribute to the achievement of sustainable development;

The making of the Plan would be in general conformity with the strategic policies of the development plan for the area;

The Plan would not breach and would be otherwise compatible with European Union obligations and the European Convention on Human Rights.

123. **I am therefore pleased to recommend that the Lower Bullingham Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.**

124. I am also required to consider whether or not the referendum area should extend beyond the Neighbourhood Plan Area. I have seen nothing to suggest that the policies of the Plan will have "*a substantial, direct and demonstrable impact beyond the neighbourhood area*".<sup>17</sup> **I therefore conclude that there is no need to extend the referendum area.**

*Richard High*

March 22nd 2017

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<sup>17</sup> PPG Does an independent examiner consider the referendum area as part of their report?  
Reference ID: 41-059-20140306

## **Appendix 1 E Mail from Samantha Banks of Herefordshire Council dated 16 March 2017 showing points raised by me for clarification and answers to them**

Good Morning Richard,

Please find attached the answers to the queries you have regarding the Lower Bullingham NDP.

The questions highlighted in black have been answer by Herefordshire Council, those in red have been provided by the Parish Council.

1) In Policy LB1 the three bullet points at the end of the policy identifying particular highway related improvement schemes are in a slightly different colour. Can you tell me what, if any, significance this has?

There is no specific importance of the schemes being in a different colour, I think that this is a draughting error

2) The supporting text to Policy LB1 refers to the South Wye package. What is this and what is its status?

The South Wye Transport Package includes a range of transport measures to unlock barriers to economic growth. This includes a Southern Link Road from the A49 to the A465 and a set of complementary active travel measures. Funding of £27 million has been secured for the package from the Marches Local Enterprise Partnership and planning permission has been obtained for the Southern Link Road in June 2016 and Cabinet approval has been obtained to acquire the land required.

3) The Basic Conditions Statement quotes Policy MT1 of the Core Strategy in relation to Policy LB2. Section 6 of Policy MT1 refers to the Council's Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan. I have found the standards in the Highways Design Guide for New Developments 2006 online. Are these the most up to date? Yes the latest is the Highways Design Guide for New Developments - July 2006.

[https://www.herefordshire.gov.uk/downloads/file/5208/highways\\_design\\_guide\\_for\\_new\\_developments](https://www.herefordshire.gov.uk/downloads/file/5208/highways_design_guide_for_new_developments)

4) The submission documents include two Maps prepared by Herefordshire Council: Lower Bullingham Policies Map and Lower Bullingham Green Spaces Policies Map. Could you please clarify the status of these maps as there is no direct reference to them in the Plan? The Green Spaces Policies Map appears to cross refer to Policy LB5 of the Neighbourhood Plan. However, the Key identifies the sites in Policy LB5 as Local Green Space whereas the policy refers to them as open spaces. Is the intention that they should be designated as Local Green Spaces in accordance with paragraphs 76-78 of the NPPF? The Policies Map appears to cross refer to Core Strategy Policies. Herefordshire Council prepare these two maps for all NDPs across the county to ensure standardised mapping post submission. These form part of the countryside policies map. LB5 and the map key should relate to Protecting Open Spaces rather than Local Green Space. The policies map should be amended accordingly.

5) The Consultation Statement simply states in paragraph 3.6 that "Relevant bodies on Schedule 1 of the Neighbourhood Regulations were contacted by letter and e mail" (presumably this means the Neighbourhood Plan Regulations). Without a list of who was consulted it is difficult to validate this statement. Can one be provided?

I used the list provided by Herefordshire Council to email those statutory consultees as required.

The list Herefordshire Council provide to parishes is enclosed for your information.

6) Related to this the Consultation Statement makes no reference to action taken to bring the draft plan to the attention of businesses in the Neighbourhood Area or to people working, but not living in the area as required by paragraph 14 (a) of the regulations. Were any such actions taken?

We consulted business by having a drop-in day at Rotherwas, which local businesses were invited to and the draft plan document was put in local cafes, Herefordshire Council records office (HARC) situated in Rotherwas for those that worked in the local area

7) Paragraph 2.2 on P5 of the Consultation Statement refers the screenshot of the Parish Council Website shown on P6. I have not been able to get access to the Parish Council website.

The parish council had a website up until last week, the website provider removed the website due to issues with it. We will have a new website up and running by the beginning of next week which will have NDP info on it

8) The Local Development Scheme refers to the Hereford Area Plan which was due for completion in the winter of 2016/2017. However, I can find no signs of this Plan on the Herefordshire Council website. Is this correct

The Hereford Area Plan is at Issues and Options Stage, the consultation period is due to take place 3 April to 22 May 2017. The parish of Lower Bullingham is within the Hereford Area Plan boundary due to the presence of the Hereford Enterprise Zone and the Rotherwas Industrial Estate. However, the intention is that policies for the residential elements of the parish are included only within the NDP.

If you have any queries, please let me know

Kind regards

Sam



## Appendix 2 List of Statutory Consultees Supplied in Response to Query

Relevant key stakeholders that may need to be consulted include:

**The Coal Authority:** Should be consulted to make sure any plans you have would not effect or be effected by existing or previous coal mining activity in Herefordshire. **Contact details:** [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

**Homes and Communities Agency:** The Government's housing, land and regeneration agency and regulator of social housing providers in England. They are interested in increasing the numbers of new and affordable homes being built and or made available, and the amount of land being made available for development. **Contact details:** [mail@homesandcommunities.co.uk](mailto:mail@homesandcommunities.co.uk)

**Natural England:** The Government's adviser on the natural environment, providing practical scientific advice on how to look after England's landscapes and wildlife. They will have a view on all Neighbourhood Development Plans. **Contact details:** [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

**The Environment Agency:** Established to protect and improve the environment and have a statutory duty to support sustainable development. They are responsible for regulating industry and waste, treating contaminated land, water quality and resources, fisheries, inland river navigation and conservation and ecology. Consequently they will have a view on all Neighbourhood Development Plans. **Contact details:** [graeme.irwin@environment-agency.gov.uk](mailto:graeme.irwin@environment-agency.gov.uk) and [SHWGPlanning@environment-agency.gov.uk](mailto:SHWGPlanning@environment-agency.gov.uk)

**Natural Resources Wales:** Performing a similar role in Wales that Natural England does over the border. Will need to be consulted if your Neighbourhood Area adjoins the Welsh border. **Contact details:** [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk)

**Historic England:** The public body that looks after England's historic environment. They are responsible for listing buildings and monuments and provide advice to Government and Local Authorities. They will have a view on all Neighbourhood Development Plans that contain listed buildings or Scheduled Ancient Monuments. **Contact details:** [west.midlands@HistoricEngland.org.uk](mailto:west.midlands@HistoricEngland.org.uk)

**English Heritage:** A charity that is responsible for looking after over 400 historic buildings, monuments and sites. They should be consulted if your Neighbourhood Area has one of their properties within it. **Contact Details:** [customers@english-heritage.org.uk](mailto:customers@english-heritage.org.uk)

**National Trust:** A charity that preserves and protects historic places and spaces across the UK. These include archeological remains, buildings, gardens, and natural habitats such as woodlands and meadows. **Contact details:** [mi.customerenquiries@nationaltrust.org.uk](mailto:mi.customerenquiries@nationaltrust.org.uk)

**Arriva Trains Wales:** Responsible for running trains through the county on the line between Ludlow and Abergavenny. Should be consulted if your area includes, or is adjacent to any part of this route or if your plan has an interest in transport connections that include this line. **Contact details:** [michael.vaughan@arrivatw.co.uk](mailto:michael.vaughan@arrivatw.co.uk)

**Great Western Trains Co. Limited:** Responsible for running trains through the County on the line between Worcester and Hereford. Should be consulted if your area includes, or is adjacent to any part of this route or if your plan has an interest in transport connections that include this line. **Contact details:** <https://www.firstgreatwestern.co.uk/About-Us/Customer-services/Contact-us>

**Network Rail (West):** The company that owns and manages the rail infrastructure throughout the County that the two train operators run their trains on. Their interests include the railway itself and the land on which it is built, the stations and network buildings and structures (signal boxes, foot-bridges etc), and include bridges, level crossings, and current redundant lines or railway land. Should be consulted if your area includes, or is adjacent to any part of this route or if your plan has an interest in transport connections that include this line. **Contact details:** [barbara.morgan@networkrail.co.uk](mailto:barbara.morgan@networkrail.co.uk)

### **Appendix 3 e mail exchange to clarify the status of Maps included with the submission documents**

e mail from Samantha Banks dated 17 March 2017

Hi Richard,

Yes I did need countywide. We use these maps as part of the statutory development plan policies map and they form part of our electronic mapping system used by development management, land charges etc. So they should be considered as part of the neighbourhood plan.

Thanks

Sam

**From:** Richard High [<mailto:richardhigh5@btinternet.com>]

**Sent:** 16 March 2017 14:47

**To:** Banks, Samantha <[sbanks@herefordshire.gov.uk](mailto:sbanks@herefordshire.gov.uk)>

**Cc:** [kathgreenow@btinternet.com](mailto:kathgreenow@btinternet.com)

**Subject:** RE: Lower Bullingham Neighbourhood Plan

Dear Sam

Many thanks for your prompt reply, with the help of the Parish Council, to my queries. I have just one further question in relation to point 4. Should these Maps be regarded as part of the Neighbourhood Plan? And I presume it means countywide mapping rather than countrywide?

Richard

## Appendix 4 e-mail exchange to clarify the location of the The Rotherwas Cycle Path Identified in Policy LB6

e-mail from Samantha Banks to Richard High 20 March 2017

Good Morning Richard,

Please see the comments from the parish council below regarding the cycle path referred to in LB6. We have included a map of the Connect 2 cycleway for your information.

If you would like any further information, please let me know

Kind regards

Sam

-----Original Message-----

From: kath greenow [<mailto:kathgreenow@btinternet.com>]

Sent: 20 March 2017 09:08

To: Banks, Samantha <[sbanks@herefordshire.gov.uk](mailto:sbanks@herefordshire.gov.uk)>

Cc: Richard High <[richardhigh5@btinternet.com](mailto:richardhigh5@btinternet.com)>

Subject: RE: Lower Bullingham Neighbourhood Plan

Hi Sam

The dashed green lines to the south of Holme Lacy road (Netherwood road) show cycle path/pavement LB6

Shows support of the connect 2 cycle path project, with reference to the open space from the industrial estate to the recently constructed cycle/foot bridge and the future extension of the footpath/ cycleway to Holme Lacy road

Kath Greenow AILCM

Parish Clerk

Lower Bullingham Parish Council

