

Progression to Examination Decision Document



Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Lower Bullingham Neighbourhood Area
Parish Council	Lower Bullingham Parish Council
Draft Consultation period (Reg14)	19 January to 8 March 2016
Submission consultation period (Reg16)	3 October to 14 November 2016

Determination

Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act		Yes
Are all the relevant documentation included within the submission <ul style="list-style-type: none"> • Map showing the area • The Neighbourhood Plan • Consultation Statement • SEA/HRA • Basic Condition statement 	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes
Does the plan specify the period for which it is to have effect?	2004 Act 38B (1and 2)	Yes
Are any 'excluded development' included? <ul style="list-style-type: none"> • County matter • Any operation relating to waste development 	1990 61K / Schedule 1	No

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

Summary of comments received during submission consultation

Herefordshire Council – Environmental Health (contamination)	Given that no specific sites have been identified in the plan, unable to provide comments with regards to potential contamination.
Herefordshire Council – Strategic Planning	Supportive conformity comments. See appendix 1 for details
Herefordshire Council – Housing	No comments, group understand affordable housing and make provision for it.
Herefordshire Council – Environmental Health	No comments to make.
Herefordshire Council – Transportation	<p>Policy LB1 – suggestion of ‘footpaths /cycleways on Hoarwithy Road towards Green Crize and beyond’ would also be part of the SUE developer’s measures as it would require their land to deliver it.</p> <p>For info in the recent SWTP consultation we mentioned ‘raised tables for easier crossing’ at the point of the HLR</p> <p>The ‘improvement to Holme Lacy Road cycle paths to provide connectivity to Sustrans cycleway and any new river crossing’ presupposes connectivity to an eastern crossing as from Lower Bullingham it would be more direct to use the city network to connect to anywhere a western crossing would serve. Some of this has already been done and more is suggested as an option in the</p>

	SWTP consultation as mentioned earlier.
Natural England	No further comment to make on this draft neighbourhood plan.
Historic England	<p>Note and commend the fact that Policy HD6 makes provision for the protection of heritage assets including archaeological remains in Lower Bullingham, in the same context also note and commend neighbourhood plan policy LB4.</p> <p>Supportive of the vision and objectives and have no adverse comments to make upon the overall policy content.</p> <p>Overall plan reads as a well-considered, concise and fit for purpose document which takes a suitable proportionate approach to the historic environment of the parish.</p>
Coal Authority	No specific comment to make.
National Grid	No high voltage electricity assets or high pressure gas pipelines records have been identified within the neighbourhood area.
Homes and Communities Agency	Agency is not a landowner within the boundary and as such will not be formally submitting a response.
Dwr Cymru/ Welsh Water	No comments to make over and above regulation 14 response but noted from the Consultation Statement that our Reg14 comments were not considered despite submitting by the deadline.
CPRE Herefordshire	<p>Given Lower Bullingham is designated within the Core Strategy for significant growth, recognise that much of the NDP relates to Core Strategy proposals. However would expect to see more detail reflecting local knowledge and concerns. Surprising that whilst sensitive rural areas and views to the south and east of the parish are identified, there are no policies to assess, protect or enhance either landscape or heritage assets.</p> <p>There are no policies concerning issues of sustainability or impact of large scale infrastructure or renewable energy projects.</p> <p>No meaningful local engagement to inform the plan or its development. Information and opinions sought via websites and parish council meetings.</p> <p>Very few supporting plan or maps within this neighbourhood plan which means it is difficult of understand the extent or impact of the development proposals. Plans showing sensitive landscapes and habitats, important views and proposed settlement boundaries would improve the legibility of the plan.</p>
Jennifer Seeney	Like consideration to have been given to long term residents of the parish, who may like to downside by self-building, as well as

Local resident	younger residents who would like to build their own energy efficient homes. Not everyone wants to live in mass built modern boxes.
Boyer On behalf of Bloor Homes	<p>Bloor Homes have significant land interests within the parish. Activity engaged in the Core Strategy and submitted representation to Reg14 draft of the NDP.</p> <p>Bloor Homes support the principle of a Lower Bullingham NDP. Document is a positive opportunity to inform high quality development proposals within the area.</p> <p>Refer back to previous representation, only some of which have been reflected in the emerging policies of the Submission draft. The points included: the need to include the presumption in favour of sustainable development; avoid repetition in terms of policy already set out in the Core Strategy; and the potential to strengthen policies by identifying evidence on the assessed benefits of open space and the means of improving them through new development.</p> <p>Considered document is broadly consistent with the Core Strategy. Bloor Homes look forward to working with the group.</p>

Please note the above are summaries of the response received during the submission consultation. Full copies of the representations will be sent to the Examiner in due course.

Officer's Appraisal

A total of 14 representations have been received. The comments received have been generally supportive and any outstanding issues can be addressed as part of the examination process.

The parish council have confirmed that the representation from Welsh Water was received and considered and unfortunately this was missed from the Consultation Statement in error. An addendum to the Consultation Statement is being produced to reflect this.

Assistant Director's comments

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

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



Richard Gabb

Programme Director – Growth

Date: 25 November 2016

Appendix 1 Herefordshire Council Strategic Planning Team

Name of NDP: Lower Bullingham Group (Regulation 16 submission draft)

Date: 04/10/16

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	
LB4- Design	LD1, SD1	Y	
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	Proposals should be preferentially located within Flood Zone 1, in accordance with national guidance. Where this is not possible, they should be subject to the sequential and exception tests where necessary. Regard should also be had to the Strategic Flood Risk Assessment for Herefordshire

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
			(SFRA) 2009.

Other comments/conformity issues:

The plan conforms with the Core Strategy, having full regard to the proposed Sustainable Urban Extension (SUE) set out in Policy HD6.