

## Progression to Examination Decision Document



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

Name of neighbourhood area	Peterchurch Neighbourhood Area
Parish Council	Peterchurch Parish Council
Draft Consultation period (Reg14)	09 November to 21 December 2015
Submission consultation period (Reg16)	5 October to 16 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"> <li>• Map showing the area</li> <li>• The Neighbourhood Plan</li> <li>• Consultation Statement</li> <li>• SEA/HRA</li> <li>• Basic Condition statement</li> </ul>	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes
Does the plan specify the period for which it is to have effect?	2004 Act 38B (1and 2)	Yes
Are any 'excluded development' included? <ul style="list-style-type: none"> <li>• County matter</li> </ul>	1990 61K / Schedule 1	No

<ul style="list-style-type: none"> <li>Any operation relating to waste development</li> <li>National infrastructure project</li> </ul>		
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"> <li>Has an proposal been refused in the last 2 years or</li> <li>Has a referendum relating to a similar proposal had been held and</li> <li>No significant change in national or local strategic policies since the refusal or referendum.</li> </ul>	Schedule 4B para 5	No

#### Summary of comments received during submission consultation

Herefordshire Council – Environmental Health (contamination)	No further comments to make
Herefordshire Council – Strategic Planning	Confirm conformity with the Core Strategy – see appendix 1 for details
Herefordshire Council – Development Management	The Development Management team is aware of the problems with parking associated with the school and would simply seek to ensure that the surface water/flooding constraints and landscape impacts of this allocation are fully considered. Measures for mitigation should be well considered in order to offset the impact and ensure that the highway benefits are fully evidenced.
Herefordshire Council - Housing	No comments, all seems reasonable
Herefordshire Council – Environmental Health	<p>The site identified on the proposals map (Figure 4) for housing, “<i>Proposal P1/1; Land adjoining Hawthorn Rise</i>” referred to throughout the plan is currently the subject of a planning application. Therefore on the basis that this statement is correct, I have not commented on the “New housing Development site” on the understanding this sites has been subjected to comments during the planning process.</p> <p>My understanding is that no other 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>

Natural England	No further comments to make on this draft neighbourhood plan
Coal Authority	No specific comments to make
National Grid	<p>National Grid has identified the following high pressure Gas Transmission pipeline as falling within the neighbourhood area boundary – FM28 – Three Cocks to Tirley PRI.</p> <p>From the consultation information provided, the above gas transmission pipeline does not interact with any of the proposed development sites</p>
Homes and Communities Agency	The Agency is not a landowner within the boundary of the neighbourhood plan and as such will not be formally submitting a response.
Dwr Cymru/ Welsh Water	Confirm have nothing further to add over and above our consultations response at the Reg14 stage.
CPRE Herefordshire	<p>May be useful to include a reference to large scale economic activities including industrial farming development such as intensive poultry /cattle rearing units and large scale polytunnels; large scale renewable and low carbon energy schemes.</p> <p>Infrastructure for renewable energy (such as broadband, mobile, phone infrastructure, solar power, wind power, heat pumps and water power) can be substantial, noisy and visually intrusive.</p>
Adam Perry Local resident	Is it possible to include the other small settlement of Hinton within the Peterchurch settlement boundary or to create a separate settlement boundary to support proposed development in this area?
Paul Smith On behalf of Mr and Mrs P Smith Local resident	<p>Lack of consultation with landowners – landowners for housing allocation (Policy P1/1) and recreational area (P10/1) have not been approached by the Steering Group despite agent meeting earlier in the year regarding the need to agree the configuration and location of the proposed recreation ground.</p> <p>Inconsistencies within the NDP – the proposal plan on page 24 differs from the Peterchurch Village proposals map regarding the proposed car park and the housing allocation site. This imprecision is compounded by text on p23.</p> <p>Objection to Policy P1/1 – p23 text refers to a current outline planning application for up to 89 dwellings on an area of 3.9 hectares. This application was granted and subject to a s106 legal agreement. The housing layout is indicative and the outline permission has yet to be granted by the LPA. The site relating to this current outline application differs from the extent of Policy</p>

	<p>P1/1. The application site should be treated as the template for the housing development area to Policy P1/1. Text on p23 is misplaced for the following four reason: site configuration, network of powerline, density of Hawthorne Rise, retention of landscape features. Therefore resulting in a maximum density of 23 dwellings per hectare. Strongly object to Policy P1/1 if it is meant to refer solely to an area of land of 2.67 hectares contrary to the submitted proposals plans.</p> <p>Objection to Policy P10/1 – object to the allocation of new recreational ground under Policy P10/1. Land should be reconfigured. The recreation ground shown on the current planning applications is 1.2 hectares, Policy P10/1 is 1.7 hectares. No justification has been provided in the NDP for recreation area of some 1.7 hectares or for its proposed configuration particularly as it contradicts the size and configuration within the planning application.</p> <p>Suggests an alternative allocation /site configuration. This would provide space over and above that required by the LPA, accommodate all the facilities and avoid sterilisation of bands of land to the north and east of the new recreation areas as appears on the proposals plans.</p> <p>Wording should also include provision for vehicular and pedestrian access to the proposed new recreation area.</p> <p>Objection to Policy P1 – no reference to a set of criteria upon which the settlement boundary is based. Object to the exclusion of objectors' home / garden and its neighbour. Settlement boundary should be enlarged.</p> <p>Draft NDP does not comply fully with the basic conditions.</p>
<p>Paul Smith On behalf on Mr P Herdman Local resident</p>	<p>Objection to Policy P1 – No reference to a set of criteria upon which the settlement boundary is based. Objection is raised to the exclusion of the objectors' property and the Nags Head Public House. Settlement boundary should be enlarged to include both properties.</p> <p>Draft NDP does not comply fully with the basic conditions</p>
<p>Jason Richards</p>	<p>Whilst the inclusion of land between Closure Place and the Old Rectory within the settlement boundary is support, object on the grounds that in order to provide more certainty the site should be allocated as P1/2 for 10 dwellings.</p> <p>This would ensure sufficient housing is provided in order to maintain facilities and would help to deliver school car parking on part of the site.</p>
<p>Asbri Planning On behalf of Jason Richards</p>	<p>Land between Closure Place and the Old Rectory should be a specific housing site allocation. This would complement the proposal for car parking within the same site ownership. Have minimal impact on form and character of the village and represent</p>

	<p>a rounding off.</p> <p>Site should be allocated for 10 dwellings under policy P1 with the provision for retained open space within the floodplain area and car parking to serve the nearby primary and secondary schools. The site should be shown on the Peterchurch Policies Map as a housing land allocation and within the settlement boundary.</p>
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**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**

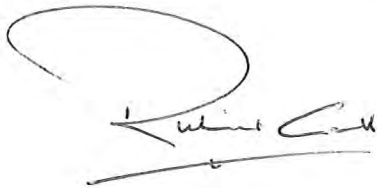
A total of 16 representations have been received, 4 of which are from local residents regarding specific policies and additional sites.

The comments received have been generally supportive. The outstanding issues highlighted can be addressed as part of the examination process including clarity regarding inconsistencies between the two policies maps.

**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: Peterchurch- Regulation 16 submission version

Date: 05/10/16

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
P1- New Housing Development in Peterchurch Village	SS1, SS2, RA1, RA2, H1	Y	
P2- New Housing Development in the Countryside	RA3, RA4, RA5	Y	
P3- Rural Exception Housing	H2	Y	
P4- Ensuring an Appropriate Range of Tenures, Types and Sizes of Houses	H3	Y	
P5- Peterchurch Village Centre	SC1	Y	
P6- Peterchurch Schools	SC1, OS1, OS2	Y	
P7- Promoting Local Employment and Tourism	RA6, E4	Y	
P8- Old Forge Industrial Area	E1, E2	Y	
P9- Landscape	LD1, LD2, LD4	Y	
P10- Green Spaces and Infrastructure	OS1, OS2, LD3	Y	
P11- Non-designated Heritage Assets	LD4	Y	
P12- Dark Skies	SD1	Y	
P13- Traffic and	MT1	Y	

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

**Other comments/conformity issues:**

The Regulation 16 plan has addressed the issues highlighted during the Regulation 14 consultation, and there are no outstanding conformity issues with the Core Strategy.