

Neighbourhood Planning Team

From: Turner, Andrew
Sent: 13 February 2017 15:25
To: Neighbourhood Planning Team
Subject: RE: Shobdon Regulation 16 Neighbourhood Development Plan Consultation

RE: Shobdon Regulation 16 Neighbourhood Development Plan Consultation

Dear Neighbourhood Planning Team,

I refer to the above and would make the following comments with regard to the above proposed development plan. It is my understanding that you do not require comment on Core Strategy proposals as part of this consultation.

Having reviewed Ordnance survey historical plans, I would advise that the five 'proposed housing sites' (see below) mentioned in policy S4 identified in brown in the 'Shobdon Village Polices Map' have all been historically used as orchards. By way of general advice I would mention that orchards can be subject to agricultural spraying practices which may, in some circumstances, lead to a legacy of contamination and any development should consider this.

- i) Land to north of Moor Meadow;
- ii) Land to South of Bar Meadow;
- iii) Land at north-west end of The Grove;
- iv) Land to rear of CALVI, Canterbury Road;
- v) Land west of the Paddocks.

Please note, the five proposed housing sites identified in the 'Shobdon Village Polices Map' were not given IDs. It would be useful in the future that the sites on the map are given the IDs; (i) to (v).

General comments:

Developments such as hospitals, homes and schools may be considered 'sensitive' and as such consideration should be given to risk from contamination notwithstanding any comments. Please note that the above does not constitute a detailed investigation or desk study to consider risk from contamination. Should any information about the former uses of the proposed development areas be available I would recommend they be submitted for consideration as they may change the comments provided.

It should be recognised that contamination is a material planning consideration and is referred to within the NPPF. I would recommend applicants and those involved in the parish plan refer to the pertinent parts of the NPPF and be familiar with the requirements and meanings given when considering risk from contamination during development.

Finally it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe development where a site is affected by contamination.

These comments are provided on the basis that any other developments would be subject to application through the normal planning process.

Kind regards

Andrew

Andrew Turner
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From: Neighbourhood Planning Team
Sent: 09 January 2017 12:02
Subject: Shobdon Regulation 16 Neighbourhood Development Plan Consultation

Dear Consultee,

Shobdon Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

The plan can be viewed at the following link: <https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/shobdon>

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

The consultation runs from 9 January 2017 to 20 February 2017.

If you wish to make any comments on this Plan, please do so by e-mailing: neighbourhoodplanning@herefordshire.gov.uk , or sending representations to the address below.

If you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan, please indicate this on your representation.

Kind regards

James Latham
Technical Support Officer

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www.herefordshire.gov.uk/local-plan (Strategic Planning)

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Shobdon Neighbourhood Development Plan

Regulation 16

Representation

Prepared on behalf of Messers GH, AJ, EF, KJ Roberts

By CR Planning Solutions

February 2017



1. Introduction

- 1.1 This representation has been made by CR Planning Solutions on behalf of Messers GH, AJ, EF KJ Roberts (The Roberts brothers) and is being made to the Regulation 16 version of the Shobdon Neighbourhood Development Plan (SNDP).
- 1.2 The SNDP has reached its Regulation 16 stage and is now out to public consultation when representations are invited. This consultation ends on 20/02/17.
- 1.3 This representation also needs to be read alongside CR Planning Solutions previous representation to the Regulation 14 NDP draft (March 2016). This is provided at Appendix A.

2. Review of the Representation submitted to Regulation 14 SNDP (March 2016)

- 2.1 As stated above this representation needs to read together with a previous representation submitted by CR Planning Solutions to the Regulation 14 SNDP (March 2016).
- 2.2 This previous representation which is provided at Appendix A addresses the following points:
 - Paragraph 1.3 refers to the four basic conditions which need to be met by the SNDP.
 - Section 2 provides the plan policy context within which the SNDP needs to be in conformity with.
 - Paragraph 3.1 lists those aspects of the SNDP which are welcomed.
 - Paragraph 3.2 states that despite the sound starting points there are concerns that these have not been fully followed through into the detail of the SNDP.
 - At Section 4 the representation expands upon these concerns as follows:
 1. SNDP Objective 2 - Please see paragraphs 4.2 – 4.4 for further details,
 2. Distribution of Housing Provision– Please see paragraphs 4.5 – 4.6 for further details,
 3. Meeting the Minimum Housing Requirement- Please see paragraphs 4.7 - 4.14 for further details,
 4. Phasing of Development - Please see paragraph 4.15 – 4.16 for further details,
 - To address these concerns and to help strengthen the resilience of the SNDP and build in further certainty on where and how the Parishes minimum housing requirement will be met in Shobdon over the Plan period, the representation at Section 5 states the need for the SNDP to identify a further housing allocation within the SNDP.

- As such the representation seeks a small amendment to the settlement boundary, on the eastern edge of Shobdon to include Land South of New Cottages, Shobdon as a deliverable development opportunity to meet the housing requirements of the Parish.

2.3 This Regulation 14 representation was considered and responded to as detailed in the SNDP's consultation statement.

3. Review of the Regulation 16 SNDP (February 2017)

3.1 This current representation, made to the Regulation 16 SNDP, will continue to demonstrate in the following paragraphs that the SNDP has failed to meet the basic conditions in terms of:

- not having paid due regard to key elements of national planning policy;
- not being in conformity with the strategic policy of the adopted development plan; and
- not contributing to the achievement of sustainable development.

Meeting Housing Need

3.2 The Regulation 16 SNDP confirms a requirement to deliver a minimum of 44 units by 2031. The Plan states that since 2011, 10 dwellings have been built, 8 dwellings have planning permission leaving a residual of 26 units to deliver to meet its minimum requirement.

3.3 In meeting this requirement the SNDP identifies 5 small residential allocations within the defined settlement boundary of Shobdon which are collectively anticipated to deliver 40 dwellings which include:

- i) Land to north of Moor Meadow. 12 dwellings;
- ii) Land to South of Bar Meadow, 10 dwellings;
- iv) Land at north-west end of The Grove, 4 dwellings;
- v) Land to rear of CALVI, Canterbury Road, 4 dwellings;
- vi) Land west of the Paddocks, 10 dwellings.

3.4 In addition, the SNDP assumes that 12 dwellings will come forward through windfalls.

3.5 This collectively provides a supply of 70 dwellings which against a minimum requirement of 44 dwellings would appear to present a positive approach to housing delivery and therefore conformity with both local and national policy.

3.6 However, as documented in the previous submitted Regulation 14 representation there are ongoing concerns over the deliverability/capacity of some of the allocated sites identified in the SNDP to deliver housing as follows:

- i) Land to north of Moor Meadow, Shobdon 12 dwellings;**

- Land north of Moor Meadow is identified within the SNDP to deliver 12 new residential dwellings.
- This site is currently the subject of an outline planning application (P162764/O) for 7 dwellings.
- This application is therefore five dwellings less than that provided for within the NDP and in addition has an outstanding highway objection which recommends refusal of the application based on the proposed site access, recent accident data and pedestrian and vehicle conflict.
- The Highways Officer has stated in his objection to the application that due to the topography of the site location and the combination of the steep gradient and tight bend the location for the access is considered far from ideal and if used to provide an access for 7 dwellings would increase the likelihood of further accidents at this point.
- Given this highway constraint Land North of Moor Meadow is not considered to be a deliverable housing site and should not be included within the SNDP.

ii) Land to South of Bar Meadow, Shobdon, 10 dwellings

- Land to South of Bar Meadow, Shobdon is identified within the SNDP to deliver 10 new residential dwellings.
- The site has been assessed through the Herefordshire Council's Strategic Housing Land Availability Assessment (SHLAA). The officer-led SHLAA assessment summary (0 Shob 002) concludes that part of the site may be appropriate for housing development with a potential capacity of 10 dwellings.
- The qualification with respect to the site's developable area relates to the site being defined by a depression of topography and a rapidly rising ridge at its southwestern corner making it a sensitive site to develop with additional cost implications likely given the topography of the land. In addition, an overhead cable crosses the site which may need grounding adding further cost.
- Further to this, the SNDP does not provide detail on how this site will be accessed.
- The existence of the ridge, mature trees, a gas governor and a blind summit on the airstrip road provide challenge and cost to the design of an access at this location.
- Assuming rights are available to cross adjacent land, a new junction at Bar Meadow may be needed to accommodate the development, however a transport assessment will be required to show that this is feasible.
- The alternative option would involve creating an access to the north east of the site (assuming rights are available) and would necessitate a redesign of the community car park (a pick-up point for the school) and loss of spaces and access to the play area adjacent to the shop. Additional regard would need to be had to the impact on public footpath access. Three separate land registry titles would be affected, including that of the shop
- There is therefore concern over the deliverability of this site given its topography and access issues

iv) Land at northwest end of The Grove, 4 dwellings

- Land at the north west end of The Grove is identified within the SNDP to deliver 4 dwellings.

- As with the above site, the SNDP provides no clarity on how this site will be accessed.
- Access from Bateman Close is not considered possible as this would need to utilise a 3m wide cycleway which would connect the housing at Bateman Close to the allocated site. The cycleway is narrow with no room for two-way traffic and the proximity of the balancing pond restricts design options.
- A potential access from The Grove has also been considered. This forms a roughly made track of approximately 3m width between No 15a and 17 The Grove. This provides access to the play area and a utility cabinet. The width of the track falls below the width recommended for shared private drives (up to 5 houses – Highways Development Design guide) and is considered to be below the desired width for a single drive with widening requiring third party land.
- The third option looked at utilising land between Hill Grove and Grove House onto the Presteigne Road. However, it is considered that poor visibility onto the Presteigne road would not support an access at this location.
- There is therefore concern over the deliverability of this site given its access issues.

v) Land to rear of CALVI, Canterbury Road, 4 dwellings.

- Land to rear of CALVI, Canterbury Road is identified within the SNDP to deliver 4 dwellings.
- Planning permission has been granted for 4 dwellings on this site. The development is required to commence within 12 months of its approval. If no start is made towards the end of March 2017 the permission will lapse. It is understood that there are pre-commencement conditions still outstanding with respect to foul and surface water drainage and water conservation (Conditions 10 and 11 of the permission). Given the current timescales there is a risk that this permission will lapse.

vi) Land west of the Paddocks, 10 dwellings.

- Land West of The Paddocks is identified within the SNDP to deliver 10 dwellings. The site was promoted through the Regulation 14 consultation and is identified by the landowner as a development to provide elderly peoples bungalows. The site will not therefore be available to accommodate family housing.

3.7 In summary, the above demonstrates that there are significant issues over the deliverability of the identified residential allocations contained within the Regulation 16 version of the NDP. As a result, there is concern over the NDP's ability to meet its required housing numbers and provide sites to deliver much needed family accommodation in Shobdon. An NDP which is unable to meet its housing requirements will not be in accordance with national policy and the Core Strategy and therefore will not be able to meet the required Basic Conditions.

Viability/ Deliverability Issues

3.8 In addition to the above, there are also financial viability concerns with respect to the deliverability of the identified housing sites in the SNDP.

- 3.9 The SNDP at paragraph 7.4 states that *'community concerns have been expressed about leakage from the sewerage system and evidence is available to indicate this is a problem. Further development would be expected to exacerbate the sewerage problem. Investment is therefore needed to address the lack of capacity within the public sewer and development will need to be phased or delayed until capacity becomes available, either through DCWW regulatory investment or, in advance of this through the developer funding the improvements themselves via the provisions of the Water Industry Act (1991) and/or section 106 of the Town and Country Planning Act (1990). Similarly, should there be the likelihood of exceedance in the capacity of the Sewage Treatment Works then similar provisions will apply.'*
- 3.10 As a result the SNDP at Policy S4 states that *'No development shall take place until the capacity of the sewer pipe leading to the village sewage treatment works is increased to accommodate additional development.'*
- 3.11 In addition, Policy S10 states that *'Developments that connect to Shobdon's main sewer will need to contribute to the upgrading of the sewer pipe between the field to the south of The Grove and the Sewage Treatment Works unless investment by Dwr Cymru Welsh Water has taken place to rectify current problems.'*
- 3.12 In response to this matter Welsh Water have confirmed in their Regulation 14 representation to the SNDP that:
- there are no issues with regard to the size of the public sewers in Shobdon;
 - there are no hydraulic capacity issues with respect to the length of the public sewer running from the South of The Grove to the Waste Water Treatment Works; and
 - there is available headroom at the Treatment Works to accommodate foul only flows.
- 3.13 It would appear, therefore, that Welsh Water do not consider there to be an issue with the public sewer and as a result will not be funding the upgrade sought within the SNDP.
- 3.14 As a result there is considerable concern over the wording of Policies S4 and S10 which appear to direct the responsibility for delivering the upgrade to the public sewer to the small housing sites in the SNDP. This will be a costly project to deliver and will likely make delivery of the five small allocated sites unviable and therefore undeliverable. The NDP is effectively relying on a small number of sites to fund a major infrastructure project.
- 3.15 This will result in sites not coming forward for development and the SNDP failing to deliver on its growth requirements. As a result, the SNDP is not considered to be in accordance with Policy RA2 of the Core Strategy and will not therefore meet its Basic Conditions.

4. Conclusions

- 4.1 In consideration of the above representation, which is to be read alongside the previous representation by CR Planning Solutions, it is concluded that this SNDP fails to identify deliverable allocated residential sites and in turn fails to robustly demonstrate that the SNDP is able to meet its housing requirements as required by

Policy RA2 of the Herefordshire Core Strategy. This concern over deliverability relates to site specifics with some of the identified housing sites as well as the pre-commencement condition that has been included within Policy S4 to upgrade the public sewer ahead of any development progressing in Shobdon.

- 4.2 In order to address the above, help strengthen the resilience of the SNDP and build in further certainty on where and how the Parishes minimum housing requirement will be met over the Plan period, this representation seeks the inclusion of Land South of New Cottages as a residential allocation within the defined settlement boundary of Shobdon. A site location plan is provided at Appendix B. The site provides a highly sustainable and deliverable development opportunity within Shobdon village which is available now to deliver much needed family housing. The proposed development would not require connection to the public sewer dealing with foul on site and includes sustainable drainage features to manage surface water drainage. Technical reports have been undertaken to demonstrate that this approach to drainage and treatment of foul is all achievable. Further details on this site are provided within the previous representation at Appendix A.

Appendix A
Shobdon Neighbourhood Development Plan
Regulation 14
Representation

Prepared on behalf of Messers GH, AJ, EF, KJ Roberts

By CR Planning Solutions

March 2016



1. Introduction

- 1.1 This representation has been made by CR Planning Solutions on behalf of Messers GH, AJ, EF KJ Roberts (The Roberts brothers) and is being made to the draft Regulation 14 version of the Shobdon Neighbourhood Development Plan (SNDP).
- 1.2 The SNDP has reached its Regulation 14 stage and is now out to public consultation when representations are invited. This consultation ends on 21/03/16.
- 1.3 The SNDP has to meet four basic conditions which include:
 - Having regard to national planning policy.
 - Being in conformity with the strategic policy of the development plan.
 - Contributing to the achievement of sustainable development.
 - Being compatible with EU obligations and Human Rights.
- 1.4 This representation welcomes the overall approach set out in the SNDP, however, has a number of concerns which are outlined in section 4 which leads to a conclusion that the Plan as written does not fully meet the basic conditions.
- 1.5 To address these concerns this representation seeks an amendment to the proposed settlement boundary of Shobdon to include an area of land, owned by The Roberts brothers at Land South of New Cottages, Shobdon as defined on the enclosed location/site plan. Inclusion of this site, within the settlement boundary, for a sensitively designed housing scheme would help ensure more certainty is built into delivering a resilient SNDP which is able to robustly demonstrate that the Parish can deliver their minimum housing requirement.

2. Adopted Herefordshire Core Strategy

- 2.1 As stated above, the SNDP is required to be in conformity with the adopted Core Strategy for Herefordshire and plan positively to support local development as per paragraph 16 of the NPPF.
- 2.2 Paragraph 4.8.26 of the Core Strategy states that Neighbourhood Plans will be the principle mechanism by which new rural housing will be identified, allocated and managed. It goes on to say that the proportional growth **target** for each Parish provides the basis for the **minimum** level of new housing that will be accommodated in each neighbourhood plan.
- 2.3 Within the Core Strategy at Policy RA2, Shobdon is identified as a higher order settlement and the only identified settlement to meet the main focus for proportionate housing growth within the Parish. In addition, the Rural Housing Background Paper, March 2013, which provides background evidence to the Core Strategy identifies Shobdon as being the largest village in the Kington Housing Market Area in respect of dwelling numbers (253). The village is therefore a highly sustainable location and as per Policy RA2, development should be located within or adjacent to the main built up area and result in a high quality sustainable scheme.
- 2.4 During the plan period 2011-2031, the Parish is required to deliver a minimum growth figure which equates to 12% of the current number of dwellings in the Parish, a total of 44 new dwellings. This figure should not be seen as a cap on development

ensuring the Core Strategy is a positive plan which supports local development and is meeting the requirements of the NPPF which seeks at paragraph 47 for development plans to boost significantly the supply of housing to meet the needs of the market and not to restrict growth.

SNDP - Areas of Support

3.1 There are several aspects of the SNDP which are welcomed. These relate to:

- the need for the Plan to be prepared in conformity with the Herefordshire Core Strategy;
- the positive Vision which states that the *'Parish will continue as a sustainable, thriving and prosperous community'*;
- the need to meet the strategic development needs of the area;
- recognition at paragraph 5.1 that the housing figure provided 'is a minimum' requirement;
- Policy SP1 which promotes a sustainable community and that new homes should meet the breadth of the community needs in terms of size and tenure;
- Policy SP2 and paragraph 3.10 which identifies Shobdon as the principal location for development meeting the needs of the Parish as set out in Herefordshire Core Strategy.
- Paragraph 3.7 and the need to maintain support for Shobdon's village shop, post office, school, pre-school, churches, the airfield and its pub.

3.2 This representation supports these positive and sound starting points, however, has concerns that these are not fully followed through into the detail of the SNDP. These concerns are provided below in section 4.

4. Meeting the Basic Conditions

4.1 The following areas of concern are raised:

SNDP Objective 2

4.2 Objective 2 of the SNDP states that:

'To provide a range and choice of affordable new homes to meet the needs of all sections of the community and which is appropriately spread throughout the parish and provides a pleasant community environment. These homes should be built in manageable numbers and density designed to respect and enhance the character of the parish.'

4.3 The planning process needs to ensure positive delivery of homes to meet all housing needs, both market and affordable, and this should be reflected within the SNDP Objective 2 which currently just refers to provision of affordable homes.

4.4 Linked to this there is also concern that the SNDP is not supporting further delivery of 4 bed homes stating in paragraph 5.5 that sufficient 4 bed properties have already been provided. This is not reflective of the evidence that has been prepared and used to inform the Core Strategy as contained within the Rural Background Paper which states that the Kington rural Housing Market Area, within which Shobdon

Parish is located, has a requirement 'for mainly three bed market homes with a notable requirement for four bed properties relative to other rural Housing Market Areas'. This position needs to be reflected within the SNDP.

Distribution of Housing provision

- 4.5 The Core Strategy identifies Shobdon as being the only focus for proportionate growth in the Parish. The SNDP does, however, in Policy S2 and paragraph 3.11 also identify three hamlets of Ledicot, Easthampton and Uphampton as suitable to meet local housing needs and provision of infill opportunities. There is concern that this approach is contrary to the Core Strategy which does not identify these settlements within its settlement hierarchy and instead regards these areas as open countryside where development is limited to specific proposals as set out within Policy RA3. It is acknowledged that the SNDP does refer to Policy RA3, however, it then appears to further relax the policy approach through identification of the three hamlets and the allowance of infill and provision of housing to meet local needs.
- 4.6 To address this position and ensure that the SNDP fully accords with the Core Strategy it is recommended that the SNDP is reworded to provide greater clarity in Policy S2 reconfirming that Shobdon is the principal and only focus for housing growth in the Parish and that anything outside of the village must comply with the limited development opportunities as identified in Policy RA3 of the Core Strategy.

Meeting the Minimum Housing Requirement

- 4.7 The NPPF states at Paragraph 17 that planning should be genuinely plan-led and should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.
- 4.8 The Inspector when examining the Herefordshire Core Strategy raised the importance of delivering housing in the Rural Areas, of meeting the housing requirement of 5300 dwellings by 2031 and sought Neighbourhood Plans to provide the clarity and certainty required to ensure these housing needs are met.
- 4.9 Policy RA2 of the Core Strategy states that '*Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.*'
- 4.10 The planning process is therefore relying on NDP's to provide clarity on where and how the housing needs of the area will be met. The SNDP has a requirement to deliver a minimum of 44 dwellings between 2011 and 2031. Ten dwellings have been built and 8 dwellings are committed leaving a residual of at least 26 dwellings to be delivered by 2031.
- 4.11 In terms of meeting this need the Plan has identified five small allocations in Shobdon, however, it is not clear how these sites evolved, how the Council's 2012 Strategic Housing Land Availability Assessment (SHLAA) has been taken into account and whether there was a formal 'call for sites' exercise undertaken as part of the preparation of the NDP. The NDP estimates that these five sites will collectively

deliver around 30 dwellings and is also relying on 12 dwellings (27% of the Parishes overall requirement) being delivered through windfall opportunities outside of Shobdon in the countryside.

- 4.12 The SNDP acknowledges that the proposed allocated residential sites in Shobdon *'are relatively small sites'* and given their size this representation has concerns over their collective ability to deliver the 30 dwellings as stated in the SNDP. In addition, the SNDP states that these five sites *'will be in addition to any individual or small plots that **might** be available where infilling would be possible'*.
- 4.13 This approach to development is not considered to provide the robust framework that is required of NDP's and does not provide certainty and confidence that the supply of sites is available to deliver the 30 dwellings as stated. As a consequence, this raises concerns over the SNDP's ability to deliver its required need and conform with the requirements of the NPPF and Policy RA2.
- 4.13 Furthermore, there is concern that over a quarter of the NDP's minimum housing requirement is being directed to open countryside locations which is not considered to represent a sustainable approach to the delivery of future housing and undermines Shobdon's role and focus for development and its ability to safeguard its facilities and services.
- 4.14 Given this overall position, there is genuine concern about the lack of certainty being built into the SNDP, not only for developers in terms of available supply but also for the community in terms of where all its required growth will occur.

Phasing of Development

- 4.15 There is concern that the phasing policy (S5) contained within this Plan is overly onerous on developers, inflexible and is not positively prepared. Part of the Plan's justification for this policy relates to the lack of capacity within local infrastructure (primary school, sewers, treatment works etc). All future applications, regardless of a phasing policy, will need to robustly demonstrate to the satisfaction of the Council and statutory agencies that future developments can be accommodated locally. A phasing policy is not required as part of this.
- 4.16 In addition, the phasing policy refers to 8 dwellings being provided every five years within Shobdon village over a 20 year period. There appears to be no explanation for the 8 dwellings plus there is only 15 years left of the plan period meaning only 24 dwellings would be permitted. This falls short of the 30 dwellings plus referred to elsewhere in the SNDP for Shobdon Village and does not account for the fact that these figures should be regarded as a minimum. The phasing policy is therefore putting an unreasonable cap on development and it is therefore suggested that this policy is removed and the market be left to deliver houses when they have confidence in the local market.

5. Land South of New Cottages, Shobdon

- 5.1 In order to address the above, help strengthen the resilience of the SNDP and build in further certainty on where and how the Parishes minimum housing requirement will

be met in Shobdon over the Plan period, my clients are seeking a small amendment to the settlement boundary, on the eastern edge of Shobdon to include Land South of New Cottages, Shobdon as a deliverable development opportunity to meet the housing requirements of the Parish.

- 5.2 This 0.6 hectare site presents a highly sustainable and deliverable development opportunity, adjacent to and well related to the built form of Shobdon, and is available now to meet the housing needs of the area and support the village's services.
- 5.3 The Council's 2012 Strategic Housing Land Availability Assessment (SHLAA) reviewed the deliverability of potential housing sites within Shobdon and assessed Land South of New Cottages, Shobdon, under the name of Lower Ledicot Farm reference HLAA/307/001, as being available, suitable and achievable for residential development. Access issues were raised and in response to this the clients have undertaken technical work which confirms that the site can be accessed to adoptable standards off Ledicot Lane with suitable visibility splays achievable onto the B4362.
- 5.4 The owners are keen to develop a scheme that will address key criteria set out in the various policies in the SNDP for example, the site is of a proportional size, forms a logical rounding off of the settlement and is able to deliver a mix of properties including family homes and homes for the elderly to meet the requirements of Policy S4.
- 5.7 In terms of design and layout any future scheme will ensure that it preserves and enhances the character of the area, protects amenity of adjacent properties, provides appropriate car parking as per Policy S4. In addition, a future scheme will also comply with Policy S7 through the retention of hedgerows and providing sufficient garden space.
- 5.8 A future scheme will also be informed by technical reports to ensure it addresses the infrastructure issues raised in the SNDP.

6. Conclusion

- 6.1 In summary this representation seeks:
 - clarity in the SNDP that Shobdon is the only identified focus for growth in the Parish.
 - to ensure that the SNDP is positively prepared, is boosting the supply of housing in accordance with paragraph 47 of the NPPF and provides certainty over the deliverability of sufficient sites to meet Policy RA2 and Shobdon Parish's minimum housing requirements.
 - the inclusion of Land South of New Cottages, Shobdon, as a housing site within the settlement boundary, to address the above, and deliver a residential scheme to meet the housing needs of the area and help support local facilities and services within Shobdon. The site is well related to the built form providing a logical rounding off of the village and has been assessed through the Council's SHLAA as being a deliverable housing site.

- 6.2 In summary this representation respectfully seeks the support of the SNDP steering group to include the highly sustainable development opportunity, Land South of New Cottages, Shobdon, within the settlement boundary of Shobdon as a suitable site to provide a residential scheme to meet the parishes housing needs.
- 6.3 Including this site will help contribute to delivering the Parishes minimum housing requirement, will help improve certainty over the plan period and help ensure that the SNDP is in full conformity with the Core Strategy

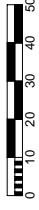
Appendix B

Site Location Plan:

Land South of New Cottages, Shobdon



notes
 this drawing is copyright | do not scale off this
 drawing | dimensions to be checked on site |
 any discrepancies to be reported to the
 architect immediately

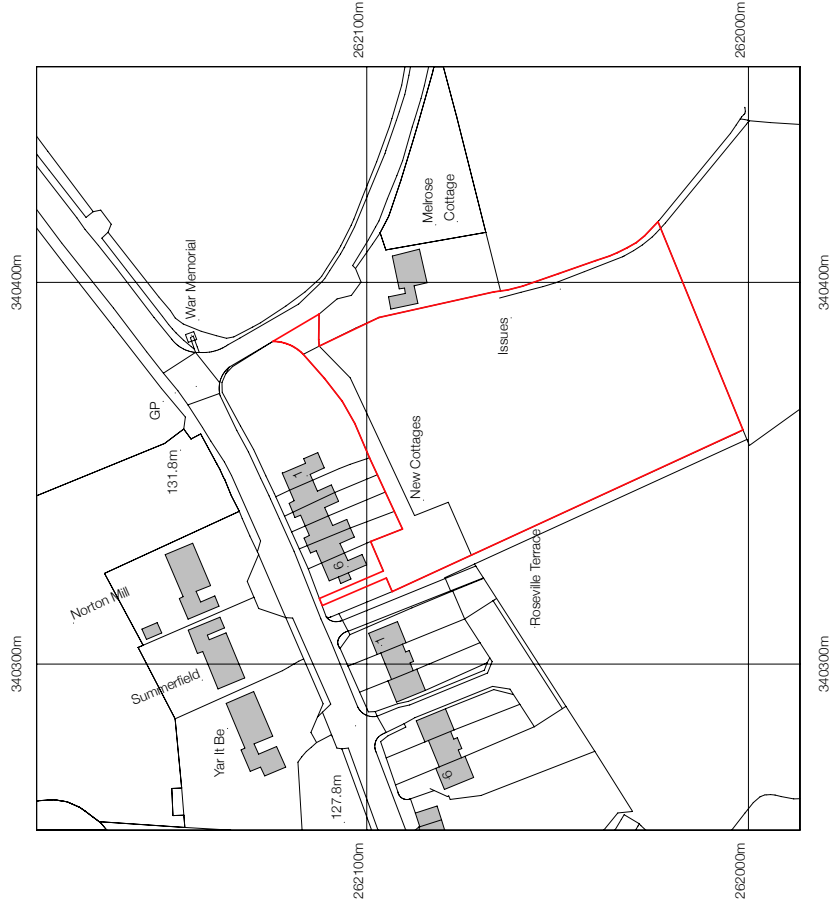


Rev Date Desc.

A 25.11.16 red line updated to include
 service strip / easement

LOCATION PLAN

SITE AREA: 5,912M²



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Client
 The Hoberts Family

Project
 Proposed Residential
 Development, land to the rear of
 New Cottages, Shobdon,
 Herefordshire

Drawing
 Location Plan

Scale: 1:1250 on A3 Paper

Date: June 2016

Drawn: LG

Project Nos: 2016.082

Status: planning

Drawing Number: Rev:

E 001 A

OHA

OWEN HICKS ARCHITECTURE

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Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Neighbourhood Planning and Strategic Planning teams
Herefordshire Council

[By Email: neighbourhoodplanning@herefordshire.gov.uk]

25 January 2017

Dear Neighbourhood Planning and Strategic Planning teams

Shobdon Neighbourhood Development Plan Regulation 16

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on it.

Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.

Yours sincerely

Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*
Chief Planner / Principal Manager
Planning and Local Authority Liaison

Shobdon Neighbourhood Plan
FAO Herefordshire Neighbourhood Planning Team

Enquiries: Rhys Evans/Ryan Norman
0800 917 2652

Sent via email

10th February 2017

Dear Sir/Madam

REGULATION 16 PUBLIC CONSULTATION ON SHOBDON NEIGHBOURHOOD PLAN, FEBRUARY 2017

I refer to your email dated the 9th January 2017 regarding the above consultation. Dŵr Cymru Welsh Water (DCWW) appreciates the opportunity to respond and we offer the following representation:

Whilst we were consulted at the Regulation 14 stage of the Shobdon Neighbourhood Development Plan in March 2016 and the Parish Council have taken on board some of our comments, we still maintain concern with specific aspects of the document as they are inaccurate. The specific sections that are refuted as being inaccurate are as follows:

Policy S4: Meeting Housing Needs within Shobdon Village

“No development shall take place until the capacity of the sewer pipe leading to the village sewage treatment works is increased to accommodate additional development”.

- There are no hydraulic capacity issues on the length of public sewer running from the field to the south of The Grove to the wastewater treatment works (WwTW).

Paragraph 5.6

“...However, before any further development can take place measures need to be brought forward to address a constraint in terms of sewerage capacity...”

- At present, there are no constraints in terms of sewerage capacity in Shobdon. As outlined in our Regulation 14 consultation response, we recommend the addition of the following text to Policy S10, which would protect the sewerage network and WwTW;

- ***Development that may result in the capacity of the wastewater treatment works (WwTW) and/or the public sewerage network becoming overloaded will not be permitted.***

In either of these instances, development will need to be phased or delayed until capacity becomes available, either through DCWW regulatory investment or, in advance of this through the developer funding the improvements themselves via the provisions of the Water Industry Act (1991) and/or section 106 of the Town and Country Planning Act (1990).

Paragraph 5.8

“In particular, works need to be undertaken to enlarge the sewer in the stretch immediately before the Sewage Treatment Works.”

- As previously stated, there are no hydraulic capacity issues with this sewer.

Paragraph 7.2

“The Parish Plan identified drainage problems within the village, in particular, flooding resulting from the sewerage system. It is understood that the issue may still need to be resolved and there is concern that additional development may exacerbate any difficulties. The problem is understood to stem from the installation of temporary pipework put in during the World War 2 and as a consequence, the situation needs at least to be monitored as further developments process. Developer contributions towards appropriate measures should be used to address this issue...”

- As outlined in our Regulation 14 consultation response, whilst there have been historical incidents of sewer flooding on the public sewerage network, these were not due to hydraulic overload. We will as a matter of course continue to monitor growth within the village, and if there comes a time whereby development would hydraulically overload the sewerage system we would advise the Council accordingly, and would look to either improve the network ourselves or seek developer contributions. However, at the current time there are no issues.

Policy S10: Surface and Foul Water Drainage

“...Development that may result in the capacity of the Sewage Treatment Works becoming overloaded will not be permitted. Should there be any shortfall in capacity to accommodate development, it will need to be phased or delayed until capacity becomes available. Developments that connect to Shobdon’s main sewer will need to contribute to the upgrading of the sewer pipe between the field to the south of The Grove and the Sewage Treatment Works unless investment by Dwr Cymru Welsh Water has taken place to rectify current problems...”

- Whilst aspects of this Policy have been amended to take on board recommendations in our Regulation 14 consultation response, it is not wholly accurate. As such, we recommend the suggested wording (under our response to Paragraph 5.6) is included. As aforementioned, there is no hydraulic capacity issue with the sewer leading to the WwTW.

Paragraph 7.4

“...Similarly, community concerns have been expressed about leakage from the sewerage system and evidence is available to indicate this is a problem. Further development would be expected to exacerbate the sewerage problem...”

- We are not aware of any issues with regard to leakage from the sewerage system, but as outlined in our Regulation 14 consultation response, our recommended amendments to Policy S10 would future proof against any hydraulic capacity concerns.

Should you require any further information please do not hesitate to contact us at Forward.Plans@dwrcymru.com or via telephone on 0800 917 2652.

Yours faithfully,

Ryan Norman
Forward Plans Officer
Developer Services

Neighbourhood Planning Team,
Plough Lane,
Hereford
HR4 0LE

Introduction

This letter provides Gladman Developments Ltd (Gladman) representations in response to the submission draft version of the Shobdon Neighbourhood Plan (SNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Gladman requests to be added to the Council's consultation database and to be kept informed on the progress of the emerging neighbourhood plan. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy.

Legal Requirements

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the SNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.*
- (d) The making of the order contributes to the achievement of sustainable development.*
- (e) The making of the order 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).*
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.*

National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

Planning Practice Guidance

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan. In particular, the changes to the PPG stress the importance of considering housing reserve sites, and providing indicative delivery timetables to ensure that emerging evidence of housing needs is addressed to help minimise any potential conflicts that can arise and are not overridden by a new Local Plan.

On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is regarding this, Gladman have reservations regarding the SNP's ability to meet basic condition (a); this will be discussed in greater detail throughout this response.

Relationship to Local Plan

To meet the requirements of the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The adopted development plan the SNP needs to be in conformity with is the Herefordshire Local Plan Core Strategy 2011-2031. Policy SS2 of the plan sets a target for minimum of 16,500 new homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need. This policy sets out the broad distribution of the new dwellings in the County, including a

minimum of 5,300 dwellings in rural settlements. Policy SS3 sets out the stepped minimum housing targets of the plan period. The Council will monitor the delivery rates to ensure housing need is met and where the figure is below that cumulative target has set out mechanisms that may be adopted in such an event:

- A partial review of the Local Plan – Core Strategy; or
- The preparation of new Development Plan Documents; or
- The preparation of an interim position statement and utilizing evidence from the Strategic Housing Land Availability Assessment to identify additional housing land.

In light of the above, should a review or future Development Plan Documents be required, the SNP will need to ensure that it allows for a sufficient degree of flexibility and adaptability so that it can fully react to changes in the market. This degree of flexibility is required to ensure that the Plan is capable of enduring over its plan period and not ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:

'if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be).

Shobdon Neighbourhood Plan

Gladman raises concerns with some of the policies currently detailed in the plan and submits that in its current form the SNP does not meet the basic conditions of neighbourhood plans. These concerns will be detailed below.

As a further general note, Gladman would like to draw attention to PPG which states that *'Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention or rationale of the policies in the draft plan...'* It is currently unclear whether such evidence has been produced to support several policies within the SNP.

Policy S2: Development Strategy

This policy introduces a settlement boundary around Shobdon, Gladman opposes the use of a settlement boundary if this would preclude sustainable development coming forward. The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework and would be contrary to basic condition (a).

Policy S4: Meeting Housing Needs within Shobdon Village

This policy seeks to restrict any development taking place until improvements have been made to sewerage works. This is a matter for the local infrastructure body to undertake and sustainable development should not be delayed due to something beyond the control of a developer. Indeed, as PPG states *'qualifying bodies should engage infrastructure providers... in this process, advised by the local planning authority.'* An unnecessarily restrictive delay would not accord with the Framework and would therefore conflict with basic condition (a).

Policy S5: Phasing of Development

The issues of phasing of development has been considered before in the Wellington Neighbourhood Plan Examiner's report. The examiner recommended the deletion of the phasing aspect of a policy within the plan as it could have the effect of restricting development and represented an inappropriate constrained approach to sustainable development

that may potentially be proposed during the plan period. The wording of the policy was considered in conflict with the presumption in favour of sustainable development in the Framework. Further, there was no clear mechanism to implement the phasing aspect of the policy.

As this policy has the same objectives to phase development throughout the plan period, having the effect of restricting development and conflicting with the presumption in favour of sustainable development of the Framework, with no clear mechanism of how the policy should be implemented, Gladman recommends this policy be deleted.

Conclusions

Gladman recognise the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman have sought to clarify the relation of the SNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman are concerned that the plan in its current form does not fully comply with basic condition (a) as the plan is considered not to follow national policy and guidance as the plan contains many policies without the necessary proportionate, robust evidence to do so.

Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours Faithfully,
Richard Agnew
Gladman Developments Ltd
r.agnew@gladman.co.uk



Historic England

WEST MIDLANDS OFFICE

Mr James Latham
Herefordshire Council
Neighbourhood Planning & Strategic Planning
Planning Services, PO Box 230, Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Direct Dial: 0121 625 6887

Our ref: PL00058469

15 February 2017

Dear Mr Latham

SHOBDON NEIGHBOURHOOD PLAN- REGULATION 16 CONSULTATION.

Thank you for the invitation to comment on the Shobdon Neighbourhood Plan. Our previous substantive Regulation 14 comments remain entirely relevant, that is: *“Historic England are supportive of the Vision and objectives set out in the Plan and the content of the document, particularly its’ emphasis on local distinctiveness including undesignated heritage assets and the maintenance of historic rural character. We commend the recognition of the importance of archaeological remains and share the view that the heritage significance of Shobdon Airfield should be carefully considered should development proposals come forward. Overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.*

Beyond those observations we have no further substantive comments to make on what Historic England considers is a good example of community led planning”.

I hope you find this advice helpful. If you have any queries please do not hesitate to contact me.

Yours sincerely,

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 20 January 2017 09:55
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	Border Oak, Kingsland, Leominster, Herefordshire
Postcode	HR6 9SF
First name	John
Last name	Greene
Which plan are you commenting on?	Shobdon
Comment type	Comment
Your comments	<p>We support the main essence of the policies and objectives within the Shobdon NDP and acknowledge the admirable efforts of those involved in the preparation of the plan. We do not have any specific comments to make regarding the detail of the policies or the allocated development areas, but would kindly ask if the needs of those wishing to build or commission their own home could be explicitly supported within the main policies and text. The needs of those who wish to self build and custom build are now protected, promoted and supported by law, national planning policy and Govt. policy guidance. We feel that self build would be a good match for the other aspirations within the Shobdon NDP - including the creation of local family homes that are affordable and sensitively located and designed. Much emphasis has been placed on Affordable Social home delivery in the SNDP, but there is already an excellent proportion of smaller and social properties within Shobdon - we would hope that self build/custom build homes could provide some balance to the existing housing ratios (but still be based upon 'need') without making the village vulnerable to unwanted speculative development. Many thanks.</p>

Date: 03 February 2017
Our ref: 205460
Your ref: Shobdon Regulation 16 Neighbourhood Development Plan



Mr J Latham
Neighbourhood Planning and Strategic Planning teams
Herefordshire Council
Council Offices
Plough Lane
Hereford
HR4 0LE

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

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Latham

Shobdon Regulation 16 Neighbourhood Development Plan

Thank you for your consultation on the above dated 09/01/2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England has no further comment to make on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Kathryn Davies
Consultations Team

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

Natural environment information sources

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

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

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

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

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

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)⁵ website and also from the [LandIS website](http://www.landis.org.uk/)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)⁸ sets out supporting guidance.

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

¹ <http://magic.defra.gov.uk/>

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

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

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

⁵ <http://magic.defra.gov.uk/>

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

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

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

Landscape

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

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

Wildlife habitats

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

Priority and protected species

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

Best and Most Versatile Agricultural Land

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

Improving your natural environment

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

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

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

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

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

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

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

- Adding a green roof to new buildings.

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

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

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

CC/JR/P16-1494

20 February 2017

Neighbourhood Planning Team
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

BY EMAIL

Dear Sir/Madam

Shobdon Neighbourhood Plan (Regulation 16)
Representations on Behalf of MF Freeman Ltd
Land south of Bateman Close , Shobdon

Pegasus Group has been instructed to submit representations to the Neighbourhood Plan Regulation 16 Consultation on behalf of MF Freeman Ltd who have an interest in the above land.

We support the Parish Council in bringing forward a Neighbourhood Plan (NP) and are encouraged by the proactive nature of the process being undertaken.

MF Freeman wish to make comments on the emerging NP, and also to suggest that land south of Bateman Close be allocated in the NP in order to help meet housing need and to assist in meeting some of the aspirations set out in the NP.

Our comments below relate to the basic conditions that the NP must meet as set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990, and as summarised in the National Planning Practice Guidance (PPG):

- *"having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;*
- *the making of the neighbourhood plan contributes to the achievement of sustainable development;*
- *the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;*
- *the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and*
- *prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan."*

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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The Vision

We broadly support the proposed Vision and agree that it is important to meet economic, environmental and social needs of the community in a way that does not cause undue harm.

However, we do not agree that the Vision should refer to the rate of development being limited so as to prevent it 'overwhelming' the communities values and expectations. The sentence does not seem necessary, given that other policies in the NP seek to control development. Moreover, whether new development would 'overwhelm' is entirely subjective, both in terms of the amount of development and how the community, or different parts of the community, perceive being (or not being) overwhelmed.

It is the role of planning policies to provide the framework for planning applications to be assessed against.

The National Planning Practice Guidance (paragraph 41) requires that policies in a NP should be clear and unambiguous. We therefore recommend that the last sentence of the Vision be deleted.

The Objectives

We broadly support the NP Objectives. However, we have concerns relating to the ability of the NP plan to meet all of these objectives. These concerns are addressed later in this letter on a topic basis.

We object to the wording of Objective 2, which requires that new homes will be provided 'in small numbers'. This is a policy that seeks to limit growth and is too prescriptive. It is also not sufficiently precise, because 'small' is not defined. Furthermore, what constitutes a small development at one location, may not be considered small at another, depending on issues of proximity to built development, visual containment of a site and proximity to service and facilities for example.

We therefore recommend that the final sentence of Objective 2 should read:

"These homes should be built so as to respect and enhance the character of the parish".

Policy S1

We broadly support the policy, which generally sets out a logical approach to managing development and meeting the needs of the community in accordance with fostering sustainable development.

We object to the proposed phasing of development at criteria b) however, the reasons for this are set out below, in our response to Policy S5.

We support the flexibility provided by the final sentence of the policy that enables proposals which create sustainable development, but which are not expressly referred to in the NP to come forward.

Policy S2

We object to the policy on the grounds that the policy proposes a phased approach to development. Please see our comments in relation to policy S5.

Criteria ii) supports limited infilling at Ledicot, Easthampton and Uphampton. These villages are identified as 'Policy RA3 settlements' in the Core Strategy. However, policy RA3 does not permit infilling at these settlements. The NP is therefore in conflict with the Core Strategy. The NP should therefore seek to focus housing growth at the more sustainable settlement of Shobdon, in accordance with the Core Strategy.

Given the conflict with the Core Strategy identified, the NP must be amended. We also question the implications for achieving the proposed windfall allowance (at Table 2), following this required amendment.

Policy S3

We acknowledge the need to consider transport and access considerations and generally support the policy. We do however wish to raise drafting points in relation to this policy, which otherwise makes the plan inflexible.

Whilst we agree that proposals should provide off-street parking, there may be circumstances where this is not always possible, or even desirable. An example of this could be a community or leisure type development that results in infrequent but relatively high numbers of vehicle trips. It is conceivable that in these circumstances, where there are benefits to the community overall, some level of on-street parking may be acceptable.

To prevent such development being precluded, and to allow for flexibility, it is suggested that criteria c) should read:

"Proposals should provide adequate off street parking for residents and visitors"

Criteria e) should be deleted or re-worded to be an 'aim'. The need for street lighting will likely be dependent upon issues concerning highway safety, individual site circumstances and road design. The criteria is too inflexible and could prevent development that the NP actively supports.

Policy S4

We object to this policy. Reflecting the Vision and Objective 2, the policy seeks to meet housing need, including the affordable housing need. However, our concern is that the amount of housing proposed and the sites selected for allocation will not meet the housing needs of the Parish and will not be able to meet the overall NP objectives.

The proposed allocation sites are small in size and are very unlikely to yield any affordable housing, as noted in previous comments to the NP by Herefordshire Council.

The policy supports infilling at Shobdon. However, the ability to deliver 12 dwellings (as suggested by Table 2) is questioned. The Herefordshire SHLAA (2013) identified only one site (Land to the south of Hillhampton Farm, 5 dwellings) within the village boundary as having potential for residential development. It is not clear that the NP has assessed the capacity of Shobdon to provide further windfall development, and as per our comments in relation to policy S2, infill development at Ledicot, Easthampton and Uphampton is contrary to the Core Strategy. Sites should therefore be allocated at Shobdon to ensure these 12 windfall dwellings are delivered.

We question the delivery of some of the proposed allocation sites:

Site	Comments
Land to North of Moor Meadow (12 dwellings)	Outline application (P162764/O) submitted for 7 detached dwellings. The application is subject to an objection from Herefordshire highways stating that the access point is dangerous and unsuitable. The site is therefore unlikely to be deliverable.
Land south of Bar Meadow (10 dwellings)	The topography of the land slopes significantly, with a depression toward the centre of the site. Approximately a quarter of the site is constrained by a large tree. It therefore seems unlikely that this site would accommodate 10 dwellings. The capacity of the site should be assessed, and alternative/additional sites be allocated if necessary.
Land at the north west end of Grove Road (4 dwellings)	The access points to the site do not appear large enough or suitable to serve the development. The site should not be allocated and alternative sites should be allocated.
Land to rear of Calvi (4 dwellings)	The site has permission for 4 dwellings.

The Planning Practice Guidance (paragraph 42) confirms that an appraisal of options and an assessment of individual sites should be carried out against defined criteria.

We are not aware that alternative sites have been assessed or any comparative analysis undertaken as required. The NP therefore fails to meet the basic conditions in this regard.

In light of our concerns, the deliverability of proposed allocations should be scrutinised and additional housing sites should be assessed and identified.

The last sentence of the policy seeks to restrict any development until sewer capacity is increased. This is a restrictive statement that should be deleted. Moreover, we are aware that Welsh Water has previously confirmed to the NP that there is no problem concerning sewer capacity. As such, there is no constraint to development and the sentence should be deleted.

Paragraph 5.5 seeks to achieve a mix of dwellings, including affordable housing. The sites chosen will not deliver affordable housing, due to their small size and the objectives of the NP will not be fulfilled. Sites that can accommodate the required affordable housing should be identified.

The Herefordshire HMA confirms that 55% of households in the Kington HMA cannot afford market housing without subsidy and there is an annual need for 22 units of affordable housing in the Kington HMA. The HMA also estimates that 317 dwellings are required in the 'Kington Rural' part of the HMA.

Overall, we consider that the NP should provide more houses, in order to meet housing need, and affordable need in particular, and to achieve the NP objectives.

Policy S5

We object to Policy S5. We agree with the previous comments of the Council that this policy seeks to restrict development and is not therefore acceptable.

Aside from the objection to the principle of phasing, the policy is not clear in that it is not evident how phasing would work. Developers cannot be prevented from submitting planning applications. Would phasing be based on permissions or completions?

To meet the basic conditions, policy S5 should be deleted.

Policy S10

The policy should be re-written because Welsh Water has confirmed that the capacity of the sewer pipe is not a constraint to development.

The Role of the Local Planning Authority

As you are aware, paragraph 5 of Section 48B of the Act confirms that the Local Planning Authority must consider whether the NP complies with relevant legislation and guidance.

For the reasons set out above, we do not consider that the NP currently meets the basic requirements.

We are aware that the Council has previously raised a number of concerns, including that the NP does not currently make provision for affordable housing; that policy S5 is too prescriptive; and that limiting phasing to an exact figure is contrary to the adopted Core Strategy and NPPF. This consultation NP does not adequately address these deficiencies, and it is our opinion that the NP requires modification before it can progress to Examination.

Land south of Bateman Close

It is requested that consideration is given to the allocation of this site for residential development. The proposed allocation is shown on the enclosed plan.

We consider it is an appropriate site to deliver housing and affordable housing. The site could also provide significant landscaping and public open space.

The site is adjacent to the village and enclosed by existing development to its north, east and south west. The site would therefore form a logical extension to the village. Access could be achieved from Bateman Close to the north, or the road to the south.

A comprehensive development could contribute to and thereby better help achieve some of the other community aspirations of the NP through, for example, the provision of community facilities. We are keen to discuss with the Parish Council how the site can help meet their objectives.

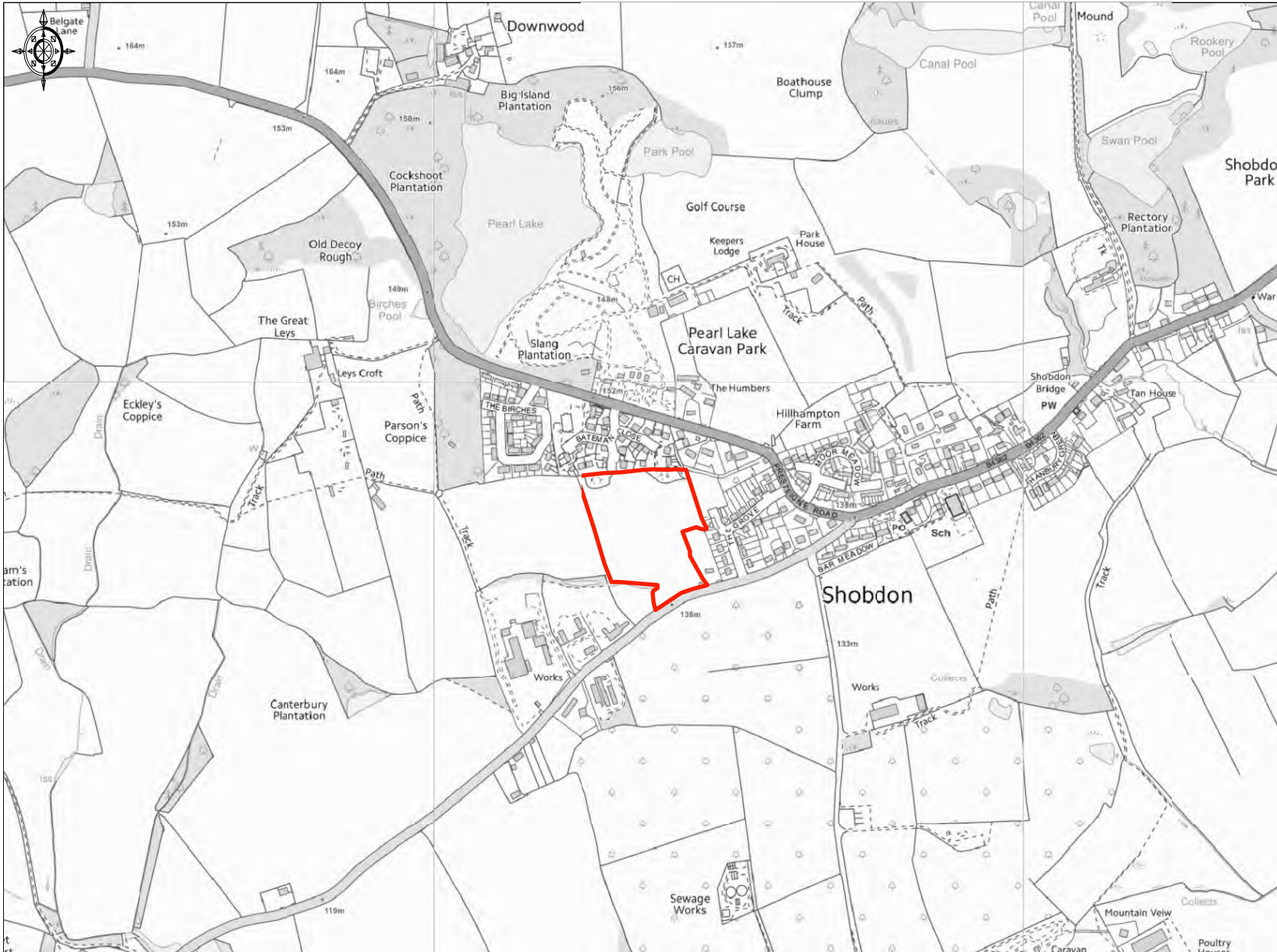
I look forward to receiving confirmation of receipt of this letter and trust that the contents will be considered. If you require any further information, please do not hesitate to contact me.

Yours faithfully

Jonathan Rainey
Regional Director
e-mail: jonathan.rainey@pegasuspg.co.uk

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KEY
SITE LOCATION

LAND SOUTH OF BATEMAN CLOSE, SHOBDON - SITE LOCATION PLAN

CC/JR/P16-1494

20 February 2017

Neighbourhood Planning Team
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

BY EMAIL

Dear Sir/Madam

Shobdon Neighbourhood Plan (Regulation 16)
Representations on Behalf of MF Freeman Ltd
Land north of Presteigne Road, Shobdon

Pegasus Group has been instructed to submit representations to the Neighbourhood Plan Regulation 16 Consultation on behalf of MF Freeman Ltd who have an interest in the above land.

We support the Parish Council in bringing forward a Neighbourhood Plan (NP) and are encouraged by the proactive nature of the process being undertaken.

MF Freeman wish to make comments on the emerging NP, and also to suggest that land north of Presteigne Road be allocated in the NP in order to help meet housing need and to assist in meeting some of the aspirations set out in the NP.

Our comments below relate to the basic conditions that the NP must meet as set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990, and as summarised in the National Planning Practice Guidance (PPG):

- *“having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;*
- *the making of the neighbourhood plan contributes to the achievement of sustainable development;*
- *the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;*
- *the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and*
- *prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.”*

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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The Vision

We broadly support the proposed Vision and agree that it is important to meet economic, environmental and social needs of the community in a way that does not cause undue harm.

However, we do not agree that the Vision should refer to the rate of development being limited so as to prevent it 'overwhelming' the communities values and expectations. The sentence does not seem necessary, given that other policies in the NP seek to control development. Moreover, whether new development would 'overwhelm' is entirely subjective, both in terms of the amount of development and how the community, or different parts of the community, perceive being (or not being) overwhelmed.

It is the role of planning policies to provide the framework for planning applications to be assessed against.

The National Planning Practice Guidance (paragraph 41) requires that policies in a NP should be clear and unambiguous. We therefore recommend that the last sentence of the Vision be deleted.

The Objectives

We broadly support the NP Objectives. However, we have concerns relating to the ability of the NP plan to meet all of these objectives. These concerns are addressed later in this letter on a topic basis.

We object to the wording of Objective 2, which requires that new homes will be provided 'in small numbers'. This is a policy that seeks to limit growth and is too prescriptive. It is also not sufficiently precise, because 'small' is not defined. Furthermore, what constitutes a small development at one location, may not be considered small at another, depending on issues of proximity to built development, visual containment of a site and proximity to service and facilities for example.

We therefore recommend that the final sentence of Objective 2 should read:

"These homes should be built so as to respect and enhance the character of the parish".

Policy S1

We broadly support the policy, which generally sets out a logical approach to managing development and meeting the needs of the community in accordance with fostering sustainable development.

We object to the proposed phasing of development at criteria b) however, the reasons for this are set out below, in our response to Policy S5.

We support the flexibility provided by the final sentence of the policy that enables proposals which create sustainable development, but which are not expressly referred to in the NP to come forward.

Policy S2

We object to the policy on the grounds that the policy proposes a phased approach to development. Please see our comments in relation to policy S5.

Criteria ii) supports limited infilling at Ledicot, Easthampton and Uphampton. These villages are identified as 'Policy RA3 settlements' in the Core Strategy. However, policy RA3 does not permit infilling at these settlements. The NP is therefore in conflict with the Core Strategy. The NP should therefore seek to focus housing growth at the more sustainable settlement of Shobdon, in accordance with the Core Strategy.

Given the conflict with the Core Strategy identified, the NP must be amended. We also question the implications for achieving the proposed windfall allowance (at Table 2), following this required amendment.

Policy S3

We acknowledge the need to consider transport and access considerations and generally support the policy. We do however wish to raise drafting points in relation to this policy, which otherwise makes the plan inflexible.

Whilst we agree that proposals should provide off-street parking, there may be circumstances where this is not always possible, or even desirable. An example of this could be a community or leisure type development that results in infrequent but relatively high numbers of vehicle trips. It is conceivable that in these circumstances, where there are benefits to the community overall, some level of on-street parking may be acceptable.

To prevent such development being precluded, and to allow for flexibility, it is suggested that criteria c) should read:

"Proposals should provide adequate off street parking for residents and visitors"

Criteria e) should be deleted or re-worded to be an 'aim'. The need for street lighting will likely be dependent upon issues concerning highway safety, individual site circumstances and road design. The criteria is too inflexible and could prevent development that the NP actively supports.

Policy S4

We object to this policy. Reflecting the Vision and Objective 2, the policy seeks to meet housing need, including the affordable housing need. However, our concern is that the amount of housing proposed and the sites selected for allocation will not meet the housing needs of the Parish and will not be able to meet the overall NP objectives.

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In light of our concerns, the deliverability of proposed allocations should be scrutinised and additional housing sites should be assessed and identified.

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The Role of the Local Planning Authority

As you are aware, paragraph 5 of Section 48B of the Act confirms that the Local Planning Authority must consider whether the NP complies with relevant legislation and guidance.

For the reasons set out above, we do not consider that the NP currently meets the basic requirements.

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Land North of Prestiegne Road, Shobdon

It is requested that consideration is given to the allocation of this site for residential development. The proposed allocation is shown on the enclosed plan.

We consider it is an appropriate site to deliver housing and affordable housing. The site could also provide significant landscaping and public open space.

The site is adjacent to the village and enclosed by existing development to its west and south. The site would therefore form a logical extension to the village. Access could be achieved from Prestiegne Road to the south.

A comprehensive development could contribute to and thereby better help achieve some of the other community aspirations of the NP through, for example, the provision of community facilities. We are keen to discuss with the Parish Council how the site can help meet their objectives.

I look forward to receiving confirmation of receipt of this letter and trust that the contents will be considered. If you require any further information, please do not hesitate to contact me.

Yours faithfully

Jonathan Rainey
Regional Director
e-mail: jonathan.rainey@pegasuspg.co.uk

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KEY
SITE LOCATION

LAND NORTH OF PRESTEIGNE ROAD, SHOBDON - SITE LOCATION PLAN

**TO: DEVELOPMENT MANAGEMENT- PLANNING AND
TRANSPORTATION
FROM: ENVIRONMENTAL HEALTH AND TRADING
STANDARDS**



APPLICATION DETAILS

223744 /
Shobdon Parish
Susannah Burrage, Environmental Health Officer

I have received the above application on which I would be grateful for your advice.

The application form and plans for the above development can be viewed on the Internet within 5-7 working days using the following link: <http://www.herefordshire.gov.uk>

I would be grateful for your advice in respect of the following specific matters: -

	Air Quality		Minerals and Waste
	Contaminated Land		Petroleum/Explosives
	Landfill		Gypsies and Travellers
	Noise		Lighting
	Other nuisances		Anti Social Behaviour
	Licensing Issues		Water Supply
	Industrial Pollution		Foul Drainage
	Refuse		

Please can you respond by ..

Comments

From a noise and nuisance perspective our department has no comments to make with regard to this proposed parish plan.

Signed: Susannah Burrage
Date: 30 January 2017

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Shobdon- Regulation 16 submission version

Date: 16/01/17

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
S1- Promoting a Sustainable Community	SS1	Y	
S2- Development Strategy	SS2, RA2	Y	
S3- Highways and Transport Infrastructure	SS4, MT1	Y	
S4- Meeting Housing Needs within Shobdon Village	RA2, H3	Y	
S5- Phasing of Development	SS3	Y	
S6- Provision of Affordable Housing	H1, H2	Y	
S7- Design Criteria for Residential Development	LD1-LD3, SD1-SD3	Y	
S8- Supporting Local Business	E1, E4, RA5, RA6	Y	
S9- Renewable and Low Carbon Energy	SD2	Y	
S10- Surface and Foul Water Drainage	SD3	Y	
S11- Accessibility to Community Facilities	SC1	Y	Its also important to protect or where necessary enhance existing community facilities. Are there any identified valued

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
			community facilities that should be afforded such protection?
S12- Broadband Infrastructure	N/A	Y	
S13- Protection and Provision of Open Space	OS1- OS3	Y	
S14- Retaining the Natural Environment and Landscape	LD1- LD4	Y	
S15- Protecting Local Heritage	LD4	Y	

My Ref: TAR-022-M/JJ/001

Your Ref:

Date: 20th February 2017

Neighbourhood Planning Team
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

[Sent via email to neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)

Dear Sir/Madam,

**SHOBDON NEIGHBOURHOOD DEVELOPMENT PLAN – SUBMISSION DRAFT
CONSULTATION**

REPRESENTATIONS ON BEHALF OF TARMAC TRADING LTD

We are writing on behalf of our clients Tarmac Trading Ltd (Tarmac) who have a mineral interest within the Neighbourhood Plan area - Shobdon Quarry. Although the quarry has been mothballed for a number of years, there are significant mineral reserves remaining with the potential to be worked within the Neighbourhood Plan period.

There are a number of points within the Submission Draft Neighbourhood Development Plan which we would like to comment on. The points of relevance to Tarmac are discussed below:

Neighbourhood Development Plan Objectives

Overall Tarmac support the principle of growth and maintaining employment and enterprise opportunities within the Neighbourhood Plan area. This is specifically addressed at Objective Three of the Neighbourhood Development Plan. The growth objective of the Neighbourhood Development Plan is in accordance with the Development Plan for Herefordshire and the National Planning Policy Framework (NPPF). Employment development and sustainable growth within the Parish will have

9 The Square, Keyworth, Nottingham, NG12 5JT
Tel 0115 937 5552 email joel@heatonplanning.co.uk

a significant call on local mineral reserves and the importance of local mineral supply should be safeguarded.

Policy S1: Promoting a Sustainable Community

Policy S1 supports the rural economy and the diversification of business and employment opportunities, and directly addresses development opportunities at Shobdon Airfield - which is adjacent to Tarmac mineral interests in the south of the Parish. Whilst Tarmac support opportunities for business and enterprise at the Airfield, it should be ensured within the Neighbourhood Development Plan that proposed development does not prejudice potential future mineral working by reason of sterilisation of workable mineral resource as well as siting non compatible development in proximity to one another.

Mineral reserves are finite and can only be worked where the mineral is found. The Neighbourhood Development Plan should include at Policy S1 wording to ensure that non-minerals development at the Airfield would not unduly sterilise mineral reserves in close proximity. This would reflect the 'great weight' afforded to minerals supply, and the need to safeguard known resources in accordance with paragraph 143 and 144 of the NPPF

Policy S1 states that business and employment opportunities at Shobdon Airfield are supported "including at Shobdon Airfield provided the operations do not adversely affect village amenity, in particular through noise and traffic". The policy should reflect the need for Planning Applications to be accompanied by Environmental Impact Assessment which would assess the level of any potential adverse impact and provide mitigation measures if required.

Policy S2: Development Strategy

Policy S2 promotes the use of Shobdon Airfield as an aerodrome, for recreation and employment activities. This policy should recognise and consider the potential impact on possible future mineral operations, as with Policy S1 above.

Policy S8: Supporting Local Business

The preamble to Policy S8 states that "agricultural activities surround the airfield". Reference should be made to include the former Shobdon Quarry workings.

Policy S8 supports 'redevelopment with an element of live work units'. The principle of this is supported, However, as per our comments above, recognition should be given to the potential for mineral workings to ensure there are no conflicts of land use.

Policy S8 lists criteria considered 'crucial' in determining whether development is considered sustainable. The Policy is negatively worded with a focus on development giving rise to adverse environmental impact. In accordance with the NPPF and the principles of sustainable development, there is a balance to be struck between potential adverse environmental impact and the social and economic benefits generated by the need for a development. Planning Applications will need to be considered on their merits and this includes balancing a need for development against any potential adverse impact and mitigation as required.

Point 6 of Policy S8 refers to 'no detrimental effect' upon the local highway network. It is suggested that this would benefit from rewording to 'not give rise to unacceptable impact upon the highway network' to provide a quantifiable measure that will be assessed by the Highway Authority as part of the consideration of any potential future Planning Applications.

Point seven of Policy S8 states that "potential polluting effects of any enterprise should be fully mitigated, and where they cannot, permission will be refused". Whilst it is accepted that polluting impacts should be avoided, it would be for assessment work as part of any Planning Application to determine the extent of impact and whether the level of impact is unacceptable in planning and environmental terms. The policy should be reworded to state, 'potential polluting effects of any enterprise should be minimised and mitigation imposed where necessary'.

Paragraph 6.5 makes reference to 'increased noise and excessively high levels of traffic'. These should be quantified to make them useful planning tools. We would suggest the reference to noise levels is in context of impact upon amenity. As per our comments above, 'excessively high levels of traffic' should be reworded to 'unacceptable impact upon the highway network' to enable the impact to be measured/quantified.

Policy S14: Retaining the Natural Environment and Landscape

In accordance with paragraph 109 of the NPPF, planning applications or new development should 'minimise impact upon biodiversity and provide net gains where possible'. The potential for effect upon wildlife habitat will be judged upon the significance of the asset that is affected. Whilst it is desirable for the Parish to ensure development proposals 'enhance the nature conservation value of areas', this may not be appropriate in all cases when balancing the need for the development and the longer term wishes/aspirations of the landowner. It is suggested in accordance with

paragraph 118 of the NPPF that item (f) and (g) be replaced and for development proposals to, 'conserve and where possible enhance biodiversity'.

I trust that these comments are helpful. Should you wish to discuss in more detail, please do not hesitate to contact us.

Kind regards,

Joel Jessup
Heaton Planning Ltd

9 The Square, Keyworth, Nottingham, NG12 5JT
Tel 0115 937 5552 email joel@heatonplanning.co.uk