

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Hope under Dinmore Group Neighbourhood Area
Parish Council	Hope under Dinmore Group Parish Council
Draft Consultation period (Reg14)	23 November 2015 to 18 January 2016
Submission consultation period (Reg16)	1 June to 13 July 2016
Examination	11 October 2016
Re-submission consultation period (Reg16)	23 November 2017 – 11 January 2018

Determination

Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act		Yes
Are all the relevant documentation included within the submission <ul style="list-style-type: none"> • Map showing the area • The Neighbourhood Plan • Consultation Statement • SEA/HRA • Basic Condition statement 	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes

Does the plan specify the period for which it is to have effect?	2004 Act 38B (1and 2)	Yes
Are any 'excluded development' included? <ul style="list-style-type: none"> • County matter • Any operation relating to waste development • National infrastructure project 	1990 61K / Schedule 1	No
Does it relation to only one neighbourhood area?	2004 Act 38B (1and 2)	Yes
Have the parish council undertaken the correct procedures in relation to consultation under Reg14?		Yes
Is this a repeat proposal? <ul style="list-style-type: none"> • Has an proposal been refused in the last 2 years or • Has a referendum relating to a similar proposal had been held and • No significant change in national or local strategic policies since the refusal or referendum. 	Schedule 4B para 5	The plan has been subject to an examination in October 2016

Summary of comments received during submission consultation

Historic England	No substantive comments to make. Overall the plan reads as a well-considered, concise and fit for purpose document which takes a suitable proportional approach to the historic environment of the parish.
Natural England	No further comment to make at this stage
National Grid	National Grid has identified that it has no record of electricity and gas transmission apparatus within the neighbourhood area
Network Rail	Note that Network Rail land is included within the plan area. Should be aware of the standard guidelines and requirements.
Severn Trent	No specific comment
Dwr Cymru / Welsh Water	Given that nothing has significantly changed from our perspective between consultations we have

	no further comment to make.
Environment Agency	<p>Note no sites are currently considered suitable for allocation in part due to current flood risk. However important that any forthcoming windfall development are located on land at the lowest risk of flooding in accordance with SD3 and HUD4.</p> <p>On the basis that there are no specific sites proposed within areas at risk of flooding, offer no further bespoke comment at this time.</p>
Herefordshire Council - Transportation	No comments to make
Herefordshire Council – Development Management	No comments received
Herefordshire Council – Strategic Planning	Confirmed conformity with the Core Strategy, see Appendix 1 for details
Herefordshire Council - Environmental Health (contamination)	No specific sites have been identified in the plan therefore unable to provide comment with regards to potential contamination.
Herefordshire Council – Environmental Health (pollution)	Policy HUD3 covers both the impacts on existing residential premises but also future occupants. It would be helpful if this are both specified in the Neighbourhood plan.
Wellington Parish Council	Resolved to support the proposals being put forward
CPRE	Forward to volunteers for comment. No comments received.
Cllr Pauline Crockett (Ward member)	Note they have made the amendments to the plan as suggested and look forward to progressing to referendum
Peter Mosinski (land owner)	<p>Trying to stop building on Tavern Meadow by changing the settlement boundary.</p> <p>Site lies directly in the centre of the village and separates the two halves of the village. In the interest of the village a few affordable low cost houses would be of interest to local people and unite the village.</p> <p>Never known land to flood</p> <p>Privately owned land which if not used for housing will be utilised for something else that</p>

	<p>may not be as aesthetically pleasing as a landscaped housing project.</p> <p>Settlement boundary should remain around Tavern Meadows.</p>
<p>Mr and Mrs Wynne (landowners)</p>	<p>The objections and observations we made regarding the first plan still stand.</p> <p>The plan will not give them access to the site as it is private property - Tavern Meadows</p> <p>Not meaningful dialogue between themselves and us.</p> <p>Object in the strongest terms to the plan. Main function of the plan is to find new sites to build housing which the plan has failed to do, ignoring a perfectly good site in the centre of the village.</p>

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

Officer appraisal

The NDP has previously been subject to an independent examination In September 2016. Unfortunately the parish council were concerned that the suggested recommendations within the examiner's report would not reflect the community aspirations. Rather than completely withdrawing, the parish council reviewed their evidence, addressed the concerns of the examiner and undertook additional consultation before resubmitting.

This plan has met the requirements of the regulations as set out in the table above. No concern has been raised from both internal consultees with regards to the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy.

The plan includes settlement boundaries for the RA2 settlement of Hope under Dinmore. The parish already has 21 commitments and 1 completions which contributes to meeting the proportional growth minimum of 26. With this in mind, there are no site allocations proposed however the plan allows for windfalls and some capacity within the settlement boundaries of Hope under Dinmore.

Overall, 17 responses have been received; 5 internal service providers and 7 from statutory consultees and 5 from external consultees.

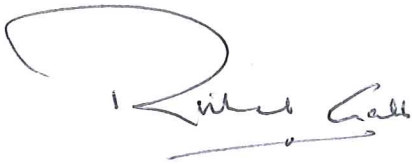
Strategic Planning raised no objections and confirm that the policies within the plan are in general conformity with the Core Strategy.

External responses from technical bodies such as Historic England, Natural England, Severn Trent, Welsh Water National Grid, National Rail and Environment Agency have raised no objection to the regulation 16 draft plan.

It is considered that there are no fundamental issues relating to this plan which would prevents its progress to examination.

Assistant Director comment

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

A handwritten signature in black ink, appearing to read "Richard Gabb". The signature is written in a cursive style with a large, looping initial "R".

Richard Gabb

Programme Director – Growth and Housing

Date: 16.1.2018

Appendix 1

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Hope-under-Dinmore- Regulation 16 2nd submission version

Date: 26/12/17

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
HUD1- Housing Strategy	RA1, RA2	Y	Approval for 21 at Hampton Court Barns (P140817) is noted, leaving the residual target to be met through windfall.
HUD2- Settlement Boundary	N/A	Y	
HUD3- Criteria for New Housing Development	N/A	Y	
HUD4- Flood Risk	SD3	Y	Development should be located in accordance with the sequential and (where appropriate) exception tests in accordance with national guidance set out in National Policy (NPPF paras. 100-104). It should also have regard to the Strategic Flood Risk Assessment for Herefordshire (SFRA 2009).
HUD5- Community Facilities	SC1	Y	
HUD6- Landscape Character	LD1	Y	
HUD7- Local Green Space	LD3	Y	
HUD8- Biodiversity and Heritage Assets	LD1-LD4	Y	
HUD9- Renewable Energy	SD2	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
HUD10- Employment Development	RA5, RA6	Y	
HUD11- Communications Infrastructure	N/A	Y	

