

Latham, James

From: Abel Bunu <AbelBunu@caldecottgroup.com>
Sent: 13 December 2017 13:57
To: Neighbourhood Planning Team
Cc: planning@caldecottgroup.com; Paul Sturgess
Subject: Land at Barons Cross Inn, Barons Cross Road, Leominster, Herefordshire, HR6 8RS:
Residential development of 96 dwellings and construction of a new roundabout :
Regulation 16 consultation stage

Dear Sir/Madam,

We are contacting you in respect of the neighbourhood consultation process that is due to close tomorrow.

We are encouraged by the fact that Policy LANP1 envisages **phased** development of the Sustainable Urban Extension to reduce the impact of increased traffic on the through route through the town and the town centre.

It would appear that the Local Planning Authority(LPA) envisages that housing delivery should be brought forward at the same time as road infrastructure, ie the Leominster Relief Road. Whilst the LPA requires the site to be developed comprehensively together with the rest of the area identified for urban extension in accordance with the provisions of a masterplan for the area, there still remains the issue of infrastructure funding to be resolved.

Appendix 5, paragraph 16 of the adopted Core Strategy explores the relationship between housing delivery and the timing of infrastructure requirements and makes key points as follows:

- the developer will need to bring forward the Leominster Relief Road linking with Worcester Road and the A44 at the same time as housing development with the full link being provided by 2025. The developer is therefore recognised as playing a crucial role in the delivery of the requisite infrastructure. To this end, we represent a developer who wishes to explore the development of a site at Barons Cross taking into account the need to accommodate the Relief Road as part of the development proposal.
- We understand that the Leominster urban extension is subject to ongoing discussions about funding mechanism. It is our view that this confirms that there still remains uncertainty regarding the funding of the infrastructure required for the urban extension and as such, supporting phased development at the Barons Cross would partly address this problem without prejudicing the overall urban extension strategic goal.

We are open to discussing details of our proposal to bring this site forward for development in line with the aspirations of the Neighbourhood Plan and the Core Strategy. We can consider a number of options like pre-application discussions, Planning Performance Agreement or agreeing a Design Brief with the Council.

Kind regards,

Abel Bunu(Senior Planner)
BSC HRUP, MSC, MRTPI

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13 University Road
Leicester
LE1 7RA

Dated: 13th of December, 2017

Our Reference: A1349-03-01-01-AP

Your Reference:

Neighbourhood Planning Team,
Herefordshire Council,
Planning Services,
Plough Lane,
PO Box 230,
HR1 2ZB

Dear Sir/Madam,

**RE: LEOMINSTER AREA NEIGHBOURHOOD PLAN – REGULATION 16 PLAN RE-SUBMISSION
CONSULTATION**

1.0 Introduction

- 1.1 We are writing on behalf of Strat Land and Planning in response to the Regulation 16 Plan Re-Submission Consultation for the Leominster Area Neighbourhood Plan (October 2017) (LANP).
- 1.2 The comments set out below comprise Strat Land and Planning’s submission to the Regulation 16 Plan Re-Submission Consultation.
- 1.3 In submitting these comments to Herefordshire Council, Astill Planning Consultants Ltd also request to be kept informed about the progress of the LANP.

2.0 Response to the Regulation 16 Plan Re-Submission Consultation

Direction of Proposed Housing Growth

- 2.1 The Herefordshire Local Plan Core Strategy 2011-2031 (‘the Core Strategy’) establishes that Leominster will be “*a centre for residential*” uses and “*seeks to promote the continued development of the town*”. The Core Strategy also states that the land to the south of Leominster is the most appropriate location for meeting the Town’s future strategic housing requirements. Accordingly, Policy LO1 of the Core Strategy directs a minimum of 1,500 dwellings to the planned Sustainable Urban Extension (SUE) to the southwest of the Town. This is a considerable proportion of the Town’s proposed housing growth (a minimum of 2,300 dwellings throughout the plan period) and represents the biggest single strategic housing allocation made in the Core Strategy.

- 2.2 The Leominster Town Policies Map along with Map 3 on page 31 of the LANP indicate that several revisions have been made to the settlement boundary that was originally proposed for Leominster in January 2016. Most notably, this has included a significant extension of the settlement boundary in a southerly direction to account for the planned SUE to the southwest of Leominster and existing planning permissions. ***These amendments to the settlement boundary will therefore help to facilitate the strategic direction of housing growth that is set out in the Core Strategy and thus is supported in principle.***
- 2.3 However, it is contended that the ***proposed area of designated green space to the south of Leominster*** around Newlands, Ryelands and Cock Croft Hill (edged in red in Appendix 1) will ***preclude the residential development of the most sustainably located sites*** within the area identified for new housing to the southwest of the Town in the Core Strategy's Key Diagram for Leominster. Thus, it is ***recommended that it be completely deleted*** from Policy LANP11 and ***removed*** from the Leominster Town Policies Map to enable a sustainable pattern of housing growth to materialise to the south of Leominster. The justification for this is set out below under the following themes:
- Failure to comply with the NPPF
 - Failure to meet the 'Basic Conditions'
 - Wording of Policy LANP11

Failure to comply with the NPPF

- 2.4 During the initial Regulation 16 Consultation on the LANP in 2016, concerns were raised by several organisations, including Herefordshire Council, with respect to the nature and extent of the proposed green space designations. The Consultation Statement accompanying the resubmission LANP outlines that various amendments have been made to Policy LANP11 and the Leominster Town Policies Map to ensure that they are in accordance with NPPF. However, it is contended that Policy LANP11 continues to fail to comply with the NPPF.
- 2.5 It is paragraph 76 of the NPPF that sets out the ability of neighbourhood development plans to designate areas of Local Green Space:
- “Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.”*
- 2.6 Paragraph 77 of the NPPF goes onto outline the circumstances in which the Local Green Space designation should be used:
- “The Local Green Space designation will **not be appropriate for most green areas or open space.** The designation should **only be used:***
- *Where the green space is in reasonably close proximity to the community it serves;*
 - *Where the green area is **demonstrably special to a local community and holds a particular local significance**, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

- *Where the green area concerned is **local in character** and is **not an extensive tract of land**.*

2.7 In stating that the Local Green Space designation “*will not be appropriate for most green areas or open space*”, the NPPF clearly establishes that there needs to be a compelling, robust and substantial justification to support any such designation in a neighbourhood development plan. There is therefore a need to assess all the proposed green space designations set out in Policy LANP11 and the Leominster Town Policies Map against the three criteria set out in paragraph 77 of the NPPF. However, there is no publicly available evidence of such an assessment being carried out during the preparation of the LANP. Therefore, a brief assessment of the proposed area of designated green space to the south of Leominster against the three criteria outlined in paragraph 77 of the NPPF is set out below:

The green space is in reasonably close proximity to the community it serves

- 2.8 The green space is located adjacent to the edge of the existing settlement. As a result, it is located on the periphery of Leominster and thus is not in reasonably close proximity to the community it is intended to serve (residents of Leominster).
- 2.9 Additionally, given the extensive nature of the green space designation, some parts of it are over 950 metres away from the edge of the settlement. This reinforces the point that the green space is not located in reasonably close proximity to the vast majority of the residents living in south Leominster.
- 2.10 It is therefore concluded that the proposed green space to the south of Leominster does not comply with the first bullet point of paragraph 77.

The green area is demonstrably special to a local community and holds a particular local significance

- 2.11 At present, there is no publicly available evidence to demonstrate that the green space is special to the local community and holds a particular local significance. Thus, there lacks a compelling justification to support its inclusion in the Leominster Town Policies Map and Policy LANP11.
- 2.12 During the examination of the Alrewas Neighbourhood Development Plan similar circumstances existed with respect to a lack of robust evidence to justify the designation of green space. This led the examiner to conclude that the green space policy and associated plan should be deleted because:

*“no compelling evidence has been presented to demonstrate that each of the specific green areas are **demonstrably special to the local community** and that each specific green area holds a **particular local significance**. For land to be designated as Local Green Space, **this must be demonstrated**”.*

(page 26, Alrewas Examiner’s Report)

2.13 Consequently, it is concluded that the proposed area of designated green space to the south of Leominster fails to meet this criterion. Accordingly, there is a high probability that it will have to be deleted from the LANP following the LANP’s examination.

The green area concerned is local in character and is not an extensive tract of land

2.14 The NPPF clearly sets out that it is inappropriate to designate extensive tracts of land as Local Green Space. This has been confirmed during several recent neighbourhood plan examinations:

- ***Backwell Neighbourhood Development Plan***: it was proposed that two areas of green space were designated as Local Green Space. These measured 19 hectares and 32 hectares in extent. In assessing these designations against the criteria in paragraph 77 of the NPPF, the examiner stated “*there is no doubt in my mind that an area covering some 32 hectares is an extensive tract of land*”. The examiner was also of the view that the 19 hectare area of green space “*comprises an extensive tract of land*”. Accordingly, the examiner recommended that the Local Green Space designations were deleted from the Plan (*pages 34-36, Backwell Neighbourhood Plan – Examiner’s Report*).
- ***Sedlescombe Neighbourhood Development Plan***: the examiner deemed that one of the proposed local green spaces stretched “*across an area of open land*” which could “*only be described as extensive*” because “*several full size football pitches, with land around each of them, could easily fit within it*”. In the absence of “*substantive evidence*” to demonstrate that the area of green space was not an extensive tract of land, it was deemed to conflict with national policies and thus the examiner recommended that it be deleted from the Plan (*pages 22-23, Sedlescombe Examiner’s Report*).
- ***Alrewas Neighbourhood Development Plan***: the examiner found that the areas of Local Green Space that had been identified in the Plan covered “*relatively large areas of land*”. In the “*absence of any evidence to the contrary*”, the examiner considered this to conflict with the NPPF’s requirement for local green spaces not to compromise an extensive tract of land. This was one of the factors which contributed towards the examiner’s recommendation to delete the local green spaces policy from the Plan (*page 25-26, Alrewas Examiner’s Report*).
- ***Easington Neighbourhood Development Plan***: the Plan proposed that several areas of land would be designated as Local Green Space; however, the examiner ruled that two of the sites represented extensive tracts of land by virtue of their size – 16 hectares and 2 hectares. As a result, the examiner deemed the open spaces policy to conflict with paragraph 77 of the NPPF and thus it was recommended that it be deleted from the Plan (*pages 18-19, Easington Neighbourhood Plan Independent Examiner’s Report*).

2.15 The proposed area of green space to the south of Leominster measures approximately 32 hectares in extent. Therefore, considering the outcomes referred to above, it is deemed wholly justifiable to contend that this area of proposed green space represents an extensive tract of land. Thus, it does not comply with paragraph 77 of the NPPF and should be deleted from the LANP accordingly.

Summary of the assessment against paragraph 77 of the NPPF

2.16 There appears to be a distinct lack of evidence to justify the designation of the green space to the south of Leominster. This is likely to result in the examiner for the LANP recommending that they are deleted from the LANP as was the case with the Stretton Neighbourhood Development Plan where the independent examiner stated:

*“I find therefore that I have **insufficient evidence** to establish that the areas **meet all the criteria** for designation as set out in the NPPF, nor has there been robust consultation concerning the Local Green Space designation. I **recommend that the policy is deleted**”*

(paragraph 7.32, Stretton Neighbourhood Plan Report of Independent Examiner)

- 2.17 Furthermore, even if evidence is provided to prove that the proposed area of designated green space to the south of Leominster does meet the first two criteria set out in paragraph 77 of the NPPF, the sheer size of the area would prevent it from complying with third bullet point of paragraph 77. The need for a proposed green space to meet all three of the criteria set out under paragraph 77 of the NPPF was demonstrated during the examination of the Sedlescombe Neighbourhood Development Plan when the examiner recommended an area of local green space be deleted from the Plan because it did not meet the final criterion set out in paragraph 77 of the NPPF, despite meeting the first two criteria.
- 2.18 In light of the above, it is concluded that the proposed area of designated green space to the south of Leominster does not comply with the criteria set out within paragraph 77 of the NPPF. Thus, it is highly probable that the examiner will recommend it to be removed from the LANP. Accordingly, it is contended that this green space designation should be deleted from the LANP.

Failure to meet the ‘Basic Conditions’

- 2.19 **Paragraph: 044 (Reference ID: 41-044-20160519)** of the **Neighbourhood Planning** section of the National Planning Practice Guidance states that:

“The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies”

- 2.20 **Paragraph: 055 (Reference ID: 41-055-20140306)** goes onto establish that:

“When considering the content of a neighbourhood plan or Order proposal, an independent examiner’s role is limited to testing whether or not a draft neighbourhood plan or Order meets the basic conditions, and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended)”.

- 2.21 With respect to progressing a neighbourhood development plan to the referendum stage, **Paragraph: 065 (Reference ID: 41-065-20140306)** sets out that:

“Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990”.

- 2.22 These ‘Basic Conditions’ include, but are not limited to, the following:

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

- 2.23 This section will assess the proposed area of designated green space to the south of Leominster against these ‘Basic Conditions’.

‘Basic Condition A’: Have regard to national policies and advice contained in guidance issued by the Secretary of State

2.24 The previous section set out the way in which the proposed green space designation to the south of Leominster fails to meet the criteria set out in paragraph 77 of the NPPF. Thus, Policy LANP11 does not have regard to national planning policies.

‘Basic Condition D’: Contribute to the achievement of sustainable development

2.25 Paragraph 6 of the NPPF establishes that “*The purpose of the planning system is to contribute to the achievement of sustainable development*”. This is reflected by the *presumption in favour of sustainable development* set out in paragraph 14 which “*should be seen as a golden thread running through both plan-making and decision-taking*”. Policy SS1 of the Core Strategy echoes this. Objective 1 (To Create a Sustainable Leominster) of the LANP aims to positively support the strategic development needs set out in the Herefordshire Core Strategy in a sustainable manner. This is reiterated on page 25 of the LANP which states “*The Leominster Area Neighbourhood Plan will create a sustainable Leominster*”. A key element of achieving a sustainable pattern of development is directing it to the most sustainable locations.

2.26 Following the comments received during the first Regulation 16 Consultation in 2016, the Leominster settlement boundary has been revised to incorporate the area of land where the Leominster SUE will be developed. However, the proposed area of designated green space to the south of Leominster will prevent residential development from being able to come forward on some of the most sustainably located sites within the area identified for new housing growth within the Core Strategy’s Key Diagram for Leominster. This is because the proposed green space will preclude development from occurring on the sites located immediately adjacent to the existing built form of Leominster, which are situated within the closest proximity to Leominster’s local services, facilities and public transport infrastructure.

2.27 In light of this, there is a significant risk that the proposed green space designation will result in the housing development that the Core Strategy directs to the south of Leominster leapfrogging the most sustainable locations. This will create a gap between the existing built form of Leominster and the area where most of the Town’s future housing growth will be accommodated. As a result, an unsustainable pattern of housing growth will materialise in the future.

2.28 This runs counter to the NPPF’s and the Core Strategy’s aim of promoting sustainable development and conflicts with paragraph 76 of the NPPF which states that:

“Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.”

2.29 Additionally, it does not comply with paragraph 185 of the NPPF which establishes that “neighbourhood plans will be able to shape and **direct sustainable development** in their area”.

2.30 In light of this, it is contended that a more appropriate and sustainable way to provide green space to the south of Leominster is to incorporate public open green spaces into the design of new housing developments to the south of the Town. This will ensure that the future pattern of housing growth is one whereby green spaces:

- Are situated in close proximity to a large number of homes;
- Are more frequently and evenly distributed across the south of the Town;
- Play an integral role in the community;

- Have a more direct and positive relationship with the neighbourhoods they serve; and
- Can be easily accessed by all residents.

2.31 It is therefore evident that this alternative approach would enable higher quality and more purposeful areas of public open green space to be provided to the south of the Town, whilst simultaneously enabling the most sustainable sites to come forward for new housing development. This is clearly preferable to designating arbitrary areas of green space around the edge of Leominster, which create a degree of separation between the Town's existing and new residential areas and which have little connection to the local population they are intended to serve.

2.32 It is also important to note that this suggested approach towards the provision of green spaces is already set out in several policies in the Core Strategy:

- **Policy LD1 – Landscape and Townscape;** requires development proposals to incorporate new landscape schemes into their design.
- **Policy LD3 – Green Infrastructure;** requires development proposals to plan for the delivery of new green infrastructure on site.
- **Policy OS1 – Requirement for Open Space, Sports and Recreation Facilities;** identifies that a provision of appropriate open space will be sought for all planning applications concerning the development of new residential dwellings. The postscript to the policy also establishes that open space should be provided on site and be integral to the functioning of the development.
- **Policy OS2 – Meeting Open Space, Sports and Recreation Needs;** sets out that to meet the needs of the community, provision for open space will be sought and should be located on site.
- **Policy LO2 – Leominster Urban Extension:** establishes that the comprehensively planned sustainable urban extension to the south west of Leominster will be expected to deliver an appropriate provision of on-site open space.

2.33 Considering the above, it is contended that the necessary policy provisions are already in place to ensure that appropriate areas of public open green space are incorporated into the design of the new housing developments to the south of the Town.

'Basic Condition E': General conformity with the strategic policies contained in the development plan for the authority

2.34 In addition to the provisions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, paragraph 184 of the NPPF highlights the importance of neighbourhood development plans being in general conformity with the strategic policies set out in the local plan:

"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area ... Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. ... Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them ... Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies".

2.35 **Paragraph: 074 (Reference ID: 41-074-20140306)** of the **Neighbourhood Planning** section of the NPPG provides additional guidance with respect to what is meant by ‘general conformity’:

When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- *Whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- ***the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy***
- *Whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *The rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach*

2.36 The Basic Conditions Statement states that LANP11 is in general conformity with policies LD1 and LD3 of the Core Strategy. However, the Basic Conditions Statement does not appear to recognise the potential for conflict to occur between Policy LANP11 and policies SS2, LO1 and LO2 of the Core Strategy.

2.37 Policy SS2 sets out that a minimum of 16,500 new homes will need to be delivered between 2011 and 2031 across Herefordshire and identifies Leominster as one of the main settlements outside of Hereford where this housing need will be met. Policy LO1 establishes that Leominster will accommodate a minimum of 2,300 new homes throughout the plan period, of which a minimum of 1,500 will be provided in a single SUE to the southwest of the Town. Details of this are set out in Policy LO2. Policy SS3 establishes that strategic housing proposals, such as the Leominster SUE, are key to the delivery of the spatial strategy. Figure 4.10 (Leominster Key Diagram) highlights that land to the south west of Leominster Town Centre will be the focus for new housing development and paragraph 4.6.5 states “*Land to the south of Leominster provides the most appropriate location for meeting the future strategic housing requirements of the town*”.

2.38 Policies SS2, LO1 and LO2 therefore collectively establish the homes that are needed in Leominster and the overarching direction of housing growth. The scale of the housing proposed by policies LO1 and LO2 also makes the delivery of these policies central to achieving the aspirations of the plan (as indicated in Policy SS3). Therefore, in line with paragraph 156 of the NPPF and **Paragraph: 076 (Reference ID: 41-076-20140306)** of the NPPG, they are deemed to be strategic policies and thus the general conformity of Policy LANP11 with these needs to be assessed.

2.39 The revised settlement boundary enables housing growth to be accommodated in the area that is identified for new housing growth in the Leominster Key Diagram. However, the location of the proposed green space designation to the south of Leominster, will limit the extent to which the most sustainably located land within this area can be built out to accommodate the desired housing growth. This is because paragraph 76 of the NPPF establishes that communities will be able to “*to rule out new development other than in very special circumstances*” on areas of land designated as local green space. Additionally, paragraph 78 goes on to outline that “*managing development within a Local Green Space should be consistent with policy for Green Belts*”. Thus, the proposed green space designation ultimately precludes the residential development of the land that falls within its boundary. Policy LANP11 and the associated green space designation is therefore deemed to undermine and conflict with the overarching principles and direction of growth set out in policies SS2, LO1 and LO2 of the Core Strategy.

2.40 The conflict between the settlement boundary for Leominster that was originally proposed in 2016 with these policies has resulted in it being amended to accommodate the SUE. It is therefore contended that similar action should be taken in relation to the proposed area of designated green space to the south of Leominster by removing it from the Leominster Town Policies Map and deleting it from Policy LANP11.

Summary of the assessment of Policy LANP11 AND the green space designation against the 'Basic Conditions'

2.41 In light of the above, the proposed green space designation to the south of Leominster along with Policy LANP11 fail to meet the 'Basic Conditions' 'a', 'd' and 'e' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 in that they:

- Do not comply with the NPPF;
- Do not promote sustainable development; and
- Are not in general conformity with the strategic housing growth policies for Leominster set out in the Core Strategy.

2.42 It is therefore concluded that the proposed green space designation to the south of Leominster should be removed from the Policies Map and deleted from Policy LANP11 to ensure that the LANP is in general conformity with the strategic housing growth policies set out in the Core Strategy.

Wording of Policy LANP11

The criteria set out in the second part of Policy LANP11

2.43 The second part of Policy LANP11 is worded as follows:

The Plan will seek to protect smaller local green spaces and infilling will be discouraged. Redevelopment of amenity open spaces will only be permitted when the open space fails to perform at least one of the following functions:

- *It has local significance, for its beauty;*
- *It is of historic significance;*
- *It is of value for recreation (including as a playing field);*
- *It is significant for its tranquillity;*
- *It is significant for the richness of its wildlife.*

2.44 These five criteria mirror those set out in the second bullet point of paragraph 77 of the NPPF. However, the NPPF is very clear that the criteria set out within paragraph 77 should be used when **determining whether to designate sites** as Local Green Space during the **plan-making process**. This is different to the approach taken by the LANP which brings the criteria listed under the second bullet point of paragraph 77 into play during the **decision-making process** when **determining a planning application** for the development of a designated Local Green Space.

2.45 Based on the guidance within the NPPF, the onus should therefore be on the Leominster Area Neighbourhood Plan Steering Group to provide evidence to support the **designation** of the proposed green spaces during the **plan-making process** rather than on the applicant to provide evidence to justify overriding the designation during the **decision-making process**.

2.46 Additionally, 76 of the NPPF sets out that new development will not be permitted on Local Green Space “*other than in very special circumstances*”. Paragraph 78 confirms this by establishing that “*Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts*”. The *very special circumstances* test is more stringent than the criteria outlined in Policy LANP11. Therefore, the approach adopted by Policy LANP11 with respect to permitting development on designated green spaces conflicts with the guidance contained within the NPPF.

2.47 Furthermore, the approach set out in the second part of Policy LANP11 is also an admission that some of the sites identified as green space may be incapable of meeting the NPPF’s criteria for the Local Green Space designation. However, if a green space does not meet all the criteria in paragraph 77 of the NPPF, it ***should not be designated for such a use in the first instance***. Therefore, it is unreasonable for an applicant to have to demonstrate non-compliance with the criteria.

Reference to ‘redevelopment’ in the second part of Policy LANP11

2.48 The use of the term ‘redevelopment’ in the second part of Policy LANP11 also suggests that this section of the policy only relates to the development of land has been previously developed.

2.49 The Glossary provided in Annex 2 of the NPPF defines previously developed land as follows:

“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time”.

2.50 By virtue of being green spaces, the sites protected by policy LANP11 do not constitute previously developed land based on the NPPF’s definition. Thus, these sites can only be ***developed*** and cannot be ***redeveloped***. Therefore, the Policy LANP11 lacks clarity with respect to the type of development that will be permitted on the designated green spaces.

3.0 Conclusion

3.1 In summary, the following salient points have been raised in this submission:

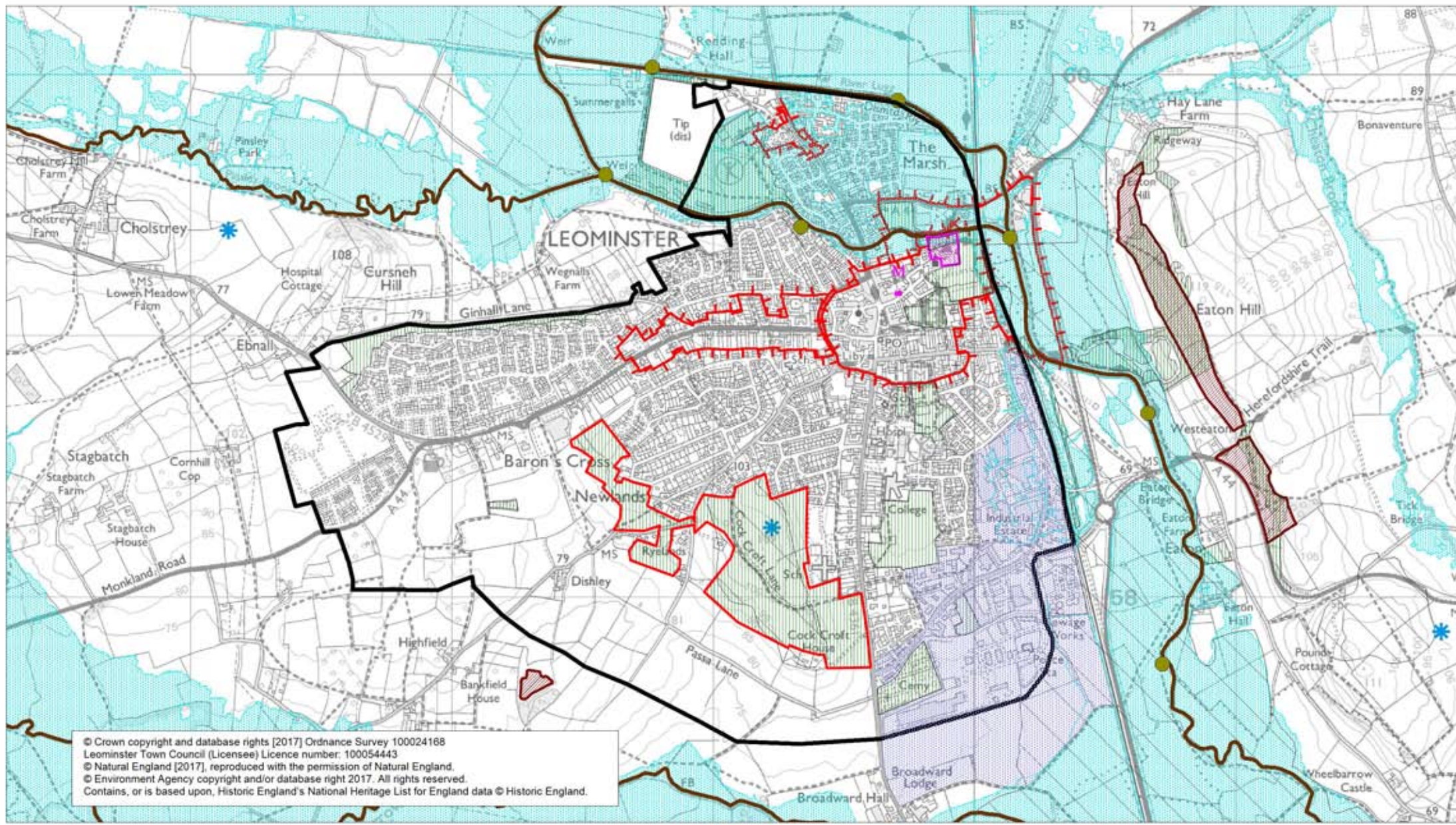
- Leominster’s revised settlement boundary and the direction of housing growth that this will encourage is supported in principle.
- The proposed area of designated green space to the south of Leominster does not comply with the NPPF in that it:
 - Is not in reasonably close proximity to the community it is intended to serve;
 - Has not been supported by compelling evidence to demonstrate how it is special to the local community and holds a particular local significance; and
 - Represents an extensive tract of land.

- The proposed area of designated green space to the south of Leominster fails to meet 'Basic Conditions' 'a', 'd' and 'e' set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 because it:
 - Does not have regard to national policies (especially paragraph 77 of the NPPF);
 - Is likely to result in an unsustainable pattern of housing growth materialising in the future through precluding residential development on some of the most sustainably located sites in the area identified for new housing in the Core Strategy's Key Diagram for Leominster; and
 - It is not in general conformity with some of the strategic housing policies set out in the Core Strategy.
- The wording of Policy LANP11 is inconsistent with the NPPF due to the way it permits the development of a designated green space where it fails to perform at least one of the functions identified in the second bullet point of paragraph 77 of the NPPF, rather than when very special circumstances exist.

3.2 *In conclusion, it is therefore contended that the proposed area of designated green space to south of Leominster should be completely deleted from Policy LANP11 and removed from the Leominster Town Policies Map.*

Appendix 1:

The Proposed Area of Designated Green Space to the South of Leominster



© Crown copyright and database rights [2017] Ordnance Survey 100024168
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 Contains, or is based upon, Historic England's National Heritage List for England data © Historic England.

- Local Wildlife Site (LWS)
- Site of Special Scientific Interest
- Land Liable to Flood
- Scheduled Ancient Monuments
- Local Geological Sites
- Proposed Green Space
- Safeguarded Employment Land
- Conservation Area
- Settlement Boundary
- Safeguarding Mineral Reserves

Leominster Town Policies Map

Scale 1:19,500
 at A4 size



MP Ref: AW/0399
Email: adam.white@mplanning.co.uk

12 December 2017

Herefordshire Council
Plough Lane
Hereford
HR4 0LE
VIA EMAIL ONLY

Dear Sir/Madam

Regulation 16 consultation - Leominster Neighbourhood Development Plan (resubmission version - October 2017)

Background

Herefordshire Council has published the Leominster Neighbourhood Development Plan (resubmission version – October 2017) for the purposes of Regulation 16 Consultation under the Neighbourhood Planning (General) Regulations (as amended). McLoughlin Planning is instructed by Mr Stewart Porter to make representations on that Plan in respect of his and his neighbour's land interests at Leominster.

The land in question covers an area of approximately 7.75ha. A plan showing the extent of the land is attached at **Appendix A**. A considerable area of that land has been designated as 'Green Space' in the emerging Plan. This representation raises objections to that emerging designation on the basis that it:

- Does not comply with the Planning Practice Guidance.
- Does not conform to national policy and the Core Strategy.
- Is not supported by sufficient evidence.
- Will seriously prejudice the comprehensive master planning of the Leominster urban extension.

Introduction

Provision for Neighbourhood Planning is made through the Town and Country Planning Act (1990) (as amended), the Planning and Compulsory Purchase Act 2004 (as amended), the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012.

In addition, the Framework states that 'neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community.' The Framework's Planning Practice Guidance makes explicitly clear that 'a policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.'

The emerging Neighbourhood Plan must therefore; i) accord with national policy and guidance; ii) clearly demonstrate the Plan and its emerging policies will help to achieve



sustainable development; iii) be in general conformity with the strategic policies contained in the development plan; and, iv) adhere to EU Obligations and observe other basic conditions. In addition, in preparing this representation reference has also been given to guidance published on neighbourhood planning by Planning Aid England, the Local Government Association and the Planning Advisory Service.

'Proposed Green Space' and policy drafting

One of the aims of the emerging Plan is to create a greener Leominster. The Plan sets out that there are many green spaces in the Leominster areas which includes the large rural area that surrounds the town and the parks, open spaces rivers, and trees along the roads. It follows that the key issue for the Plan is how these valued green spaces are retained, improved and enhanced in terms of biodiversity.

To meet this aim, one of the Plan's objectives is to achieve the following:

- i. Identify a network of protected Green Infrastructure areas.
- ii. Enhance and improve open spaces.
- iii. Ensure that new development contributes to and integrates with the existing Green Infrastructure network.
- iv. Ensure that development does not increase the risk of climate change and flooding.
- v. Encourage a net gain in biodiversity.
- vi. Protect valued landscapes and improve those in need of enhancement.
- vii. Green the town centre.
- viii. Discourage infilling of green spaces such as gardens.
- ix. Encourage the highest quality, sustainable design standards in all buildings.
- x. Encourage the use of renewable energy.

To this end, the plan sets out a range of policies and proposals to achieve this within a Green Infrastructure framework. Of particular relevance to Mr Porter and his neighbour's land are policies LANP10 (Green Infrastructure) and LANP11 (Amenity Open Spaces).

Policy LANP10 states:

'The Green Infrastructure network identified on Map 5 will be protected and enhanced.

Proposals will be assessed for the contribution they make to the following, where appropriate:

- a) Improved access to the Lugg, Kenwater and Arrow;*
- b) Creation of broad Green Infrastructure Corridors within the Sustainable Urban Extension;*
- c) Links that encourage walking to the Enterprise Park;*
- d) Links from the town centre to the surrounding Green Infrastructure network in the rural parts of the parish;*
- e) Features to reduce habitat fragmentation and create inter-connecting green corridors and waterways;*
- f) Maintenance and enhancement of green corridors to open countryside and create new ones;*
- g) New tree planting along roads and streets;*
- h) New allotments and community gardens; and,*
- i) Enhancement, expansion or creation of priority habitats, including existing hedgerows, orchards and woodlands.'*



Policy LANP11 states:

'The amenity open spaces marked in green on Map 6 will be protected. These spaces include those named below.

- a) *The Grange*
- b) *The Priory precinct*
- c) *Cricket pitch (off Mill Street)*
- d) *Playing fields and sports centre (off Bridge Street)*
- e) *Cemetery, Hereford Road*
- f) *Ginhall Green*
- g) *Recreation ground, Leisure Centre and school playing fields, east of South Street*
- h) *Skate Board Park ground and Sydonia Park*
- i) *Millennium Green and riverside walk*
- j) *Cockcroft Hill*
- k) *Easters Wood*
- l) *Riversides such as spaces in the former Priory lands on the south side of the river Kenwater*
- m) *Picnic Area behind the Priory and Breathing Space garden*
- n) *Booth Memorial Garden*
- o) *Small park on Ryelands Road*
- p) *Areas of open spaces throughout Buckfields*
- q) *Linear walk along river behind Ridgemoor*
- r) *Orchard south west of Morrison's.*

The Plan will seek to protect smaller local green spaces and infilling will be discouraged. Redevelopment of amenity open spaces will only be permitted when the open space fails to perform at least one of the following functions:

- *It has local significance, for its beauty;*
- *It is of historic significance;*
- *It is of value for recreation (including as a playing field);*
- *It is significant for its tranquillity;*
- *It is significant for the richness of its wildlife.'*

As set out above, the Framework's Planning Practice Guidance states that *'a policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.'*

In this context, Mr Porter and his neighbour's land is designated as 'Green Space' in the Plan as indicated on the Leominster Town Policies Map, which is reproduced as Map 3 in the Plan. However, there is no such mention of 'Green Space' in either policy LANP10 or LANP11.

Policy LANP10 states that the Green Infrastructure network identified on Map 5 will be protected. However, Map 5 simply shows large general areas identified as 'Local Enhancement Zones' and 'Local Strategic Corridors'. This plan has been taken from the Council's Green Infrastructure Strategy (2010) and shows a large proportion of Mr Porter and his neighbour's land identified as a Local Enhancement Zone (LeoLEZ 3). However, this does not reflect the 'Green Space' allocation shown on the Leominster Town Policies Map (Map 3), which follows specific boundaries. It would therefore appear that the Green Space designation shown on Map 3 is not directly applicable to policy LANP10.

With regard to policy LANP11, this states that *'the amenity open spaces marked in green on Map 6 will be protected.'* Map 6 identifies Mr Porter and his neighbour's land as an amenity open space, which mirrors the 'Green Space' allocation shown on the Leominster Town Policies Map (Map 3). However, again, there is no such mention of 'Green Space' in



policy LANP11. Moreover, policy LANP11 lists a number of spaces to which the policy relates. However, these are labelled alphabetically and do not correspond with the numbers shown on Map 6. In addition, that list does not appear to reference the land owned by Mr Porter and his neighbour. This would be even more confusing for someone with limited or no local knowledge of the area.

This lack of consistency and clarity raises serious concerns in that it is unclear as to what exactly is the land's proposed designation and which policies in the Plan would be applicable to any development proposal. Consequently, both policies LANP10 and LANP11 are unclear and ambiguous and would be of little benefit in the determination of planning applications. They therefore do not accord with the Framework's Planning Practice Guidance.

Further to this, whilst the Plan's aim of creating a greener Leominster is laudable, there are serious concerns that policies LANP10 and LANP11 are poorly drafted and would not assist in meeting that aim. For example, policy LANP10 states that the green infrastructure network will be protected and enhanced. The policy goes on to state that proposals will be assessed for the contribution they make to a number of listed features. However, fundamentally, the policy does not stipulate how these features will be protected and enhanced, the mechanism for doing so, or indeed what should happen if they are not protected or enhanced.

Turning to policy LANP11, this states that the amenity open spaces will be protected. However, again, the policy fails to set out how they will be protected. For example, is the policy preventing development altogether on these amenity spaces? If so, this would not be consistent with the Framework since there are scenarios where existing open space, sports and recreational buildings and land can be built on subject to certain criteria.

A further problem with policy LANP11 is the part of the policy which states that the Plan will seek to protect smaller local green spaces and infilling will be discouraged. It follows that redevelopment of amenity open spaces will only be permitted when the open space fails to perform at least one of the following functions:

- It has local significance, for its beauty;
- It is of historic significance;
- It is of value for recreation (including as a playing field);
- It is significant for its tranquillity;
- It is significant for the richness of its wildlife.

The way this part of the policy is drafted is confusing. For example, it suggests that, in principle, an open space could be developed if the land was of no historic significance, but was otherwise deemed to be significant for its beauty, tranquillity, wildlife or recreational value. This cannot be correct.

In light of the above, it is clear that policies LANP10 and LANP11 are not drafted with sufficient clarity and therefore a decision maker could not apply them consistently and with confidence when determining planning applications. The Plan therefore does not accord with national policy and guidance.

Supporting Evidence

As set out above, the Framework's Planning Practice Guidance states that a policy in a neighbourhood plan should be '*concise, precise and supported by appropriate evidence*' (our emphasis).

Any evidence to support policies LANP10 and LANP11 is conspicuous by its absence. There is no reasoned justification to provide any context to these policies and no relevant evidence appended to the Plan. There is no relevant supporting evidence contained on



the Council's website and none on the Town Council's website. This raises serious questions as to whether there is any evidence at all. Whilst it may be possible that the Plan relies on evidence that underpins the Core Strategy, this is not made clear. In any event, without this evidence, it is impossible to ascertain whether the policies contained within the Plan are reasonable or justified. For example, what evidence is there to support the protection of the spaces listed in policy LANP11? What are their qualities and what makes these spaces so special?

This lack of evidence would render the Plan unsound. However, if it is simply a case that the evidence has been omitted from the Council's website by mistake, this should be made clear and the consultation period extended to account for this.

Conformity with national policy and the Core Strategy

As already touched upon, there is concern that policies LANP10 and LANP11 do not accord with national policy. To illustrate this point, notwithstanding the fact that neither policy sets out how Green Infrastructure or identified amenity spaces will be protected and enhanced, there is no 'balancing' mechanism to allow potentially harmful development to proceed subject to other criteria or material considerations. For example, the Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built upon unless (my emphasis):

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

On a more fundamental point, this lack of a 'balancing' mechanism undermines the provisions of the Framework, which seek to balance the protection, and enhancement of our natural environment with meeting the social and economic needs of our country.

Further to the guidance contained within the Framework, it is stated that '*local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.*'

It follows that '*the Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*

- *where the green space is in reasonably close proximity to the community it serves*
- *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land.*'

It is unclear as to whether or not the proposed designation of land as 'Green Space' is intended to be a 'Local Green Space' designation in the context of the Framework. If this is the case, there is no evidence to support this and therefore it is not possible to determine whether this designation would be consistent with the '*local planning of*



sustainable development and complement investment in sufficient homes, jobs and other essential services. Furthermore, there is no evidence to demonstrate why the land is demonstrably special to the local community and why it holds a particular local significance. The land in question is also an extensive tract of land. Consequently, if it were the intention of the Plan to designate the land as a Local Green Space, that designation would not be consistent with the Framework.

With regard to the consistency with the Core Strategy, the loss of open space, sports or recreation facilities is dealt with under policy OS3, which states:

'In determining the appropriateness of proposals which results in the loss of an open space, sports or recreation facility, the following principles will be taken into account:

- 1. clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard;*
- 2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community;*
- 3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, usability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses;*
- 4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.'*

Policy OS3 of the Core Strategy closely reflects the wording contained within the Framework. Consequently, whilst policy LANP11 seeks to provide a local context to the protection of amenity spaces, it is not consistent with the Core Strategy for the same reasons why it is not consistent with the Framework. Moreover, since policy LANP11 essentially seeks to replicate policy OS3 of the Core Strategy, its inclusion in the Plan is of questionable relevance.

Leominster Urban Extension

The designation of Mr Porter and his neighbour's land as 'Green Space' also raises serious concerns regarding the deliverability of the Leominster urban extension to the south west of the town. That urban extension is expected to deliver a minimum of 1,500 new homes at an average density of up to 35 dwellings per hectare. It is also expected to deliver a relief road, employment opportunities, green infrastructure, sports facilities, allotments and sustainable urban drainage. Furthermore, this all needs to be delivered within constraints such as archaeology, heritage assets and sensitive landscape areas and geological features.

The location of the urban extension is detailed in the Core Strategy at Figure 4.10: Leominster Key Diagram. This diagram is general in nature and does not show exactly what the urban extension will look like. However, this will be determined in the future when the land is comprehensively master planned.

Given the location of Mr Porter and his neighbour's land on the south west edge of the town, the designation of this land as 'Green Space' will seriously prejudice the comprehensive master planning of the urban extension. Given what the urban extension needs to deliver and the constraints mentioned above, this could severely compromise the delivery of the urban extension and place additional pressures on other settlements elsewhere in Herefordshire.



Ownership and public access

On a more fundamental level, the emerging Plan does not recognise the current land use or the status of its ownership. The land in question is in private ownership and is currently farmed. Whilst there are Public Rights of Way over some of the land, the land is not available to the general public. Furthermore, neither Mr Porter nor his neighbour has been personally consulted about the proposed allocation of their land as 'Green Space' and there is no intention to allow public access to the land as 'amenity space'.

Whilst it is conceivable that the land could ultimately be utilised as formal public open space or amenity land, this needs to be considered through a comprehensive masterplan for the urban extension. This is particularly important if the land in question is required to deliver access links to the existing settlement. If the land is designated 'Green Space' through the Plan, it would effectively sterilise the land. There would be no incentive for the landowners to allow access or for the land to be used for other purposes. This would then conflict with policy LANP1 of the Plan, which requires all homes to have access to Leominster town centre using cycleways and footpaths. Moreover, from a practical perspective, it would be impractical to farm the land, as it would be effectively divorced from other land holdings.

Removing the proposed 'Green Space' allocation will allow a comprehensive master plan to be developed for the urban extension. This will ensure that Mr Porter and his neighbours land is considered holistically in the interests of good urban design principles and in the interest of sustainable development objectives.

Conclusion

The emerging Plan designates land to the south west of Leominster as 'Green Space'. Mr Porter objects to his and his neighbours land being designated for that purpose.

For the reasons set out in this representation, the policies in the emerging Plan as currently drafted are unclear and ambiguous and a decision maker could not apply them consistently or with confidence when determining planning applications. Furthermore, the policies are not supported by appropriate evidence.

The policies contained within the emerging plan are not consistent with the Framework and are not consistent with the Core Strategy. The relevance of a number of policies is also questionable given that they essentially replicate policies contained within the Core Strategy.

Finally, the designation of the land as 'Green Space' will seriously prejudice the comprehensive master planning of the Leominster urban extension, contrary to good urban design principles and the interests of sustainable development.

In light of the above, it is clear that the emerging Plan is not sound.

Yours sincerely,

Adam White MA MRTPI
Associate Director

Appendix 1

Mr Porter and his neighbour's land (edged red and blue respectively)



Date: 06/12/2017

Neighborhood Planning Team Herefordshire Council
By Email Only

Dear Sir/ Madam,

Re: Land off Gin Hall Lane, Leominster, Herefordshire

I write to you regarding the draft Neighborhood Development Plan for Leominster and my clients site on the northern side of Ginhall Lane which is considered appropriate for housing development in principle.

Having studied the latest draft of the Leominster Neighborhood Plan I notice that no specific sites are allocated for housing, although it is acknowledged that land is shown for the proposed urban extension.

The plan states that taking into account the 1,500 homes proposed for the urban extension, houses recently built and sites granted planning permission there is a need for a further 225 homes to meet the minimum housing targets. It is proposed that these are provided within the settlement boundary.

By not allocating any sites in the settlement boundary and drawing the boundary tight to the existing built form of Leominster on its northern side there is no certainty that the sufficient sites exist to provide for the required housing growth.

It is considered that our clients land, identified on the attached plan, would be suitable in helping to address the shortfall in housing sites. We would therefore like to request that our client's site be included in the Neighborhood Development Plan as a site for housing.

The site is adjacent to the settlement boundary and there are already a number of properties along the northern side of Ginhall Lane. The site is within walking distance of the Town Centre and Morrisons, and is therefore a sustainable location.

Recent Government guidance from the Ministerial Statement published in December 2016; *Neighborhood Planning: Written Statement HCWS*, has highlighted the importance of NDPs allocating sites for housing development. In locations like Herefordshire which don't currently meet their 5 year housing supply of sites, if the NDP doesn't allocate sites then the plan will be considered to be out of date.



I am more than happy to meet or have a dialogue to discuss this further.

I look forward to hearing from you.

Kind regards,

Graham Clark BA (Hons) DipTP MRTPI
for and on behalf of Berrys
Email: graham.clark@berrys.uk.com
Tel: 01544 598083
Mob: 07741 310 312



Amendments:

BERRYS
PROPERTY | BUSINESS | PLANNING
01544 598080
www.berrys.uk.com

Client: S Rogers
Project: Residential Development, Land off Ginhall Lane, Leominster. HR6 8RD
Drawing: Location Plan

Drawing Number:	Rev.	Scale	Paper	Drawn By:
HA24357/01		1:1250	A4	AB
				Date: Jan 2017

Latham, James

From: CPRE Herefordshire Admin <admin@cpreherefordshire.org.uk>
Sent: 07 November 2017 11:34
To: Neighbourhood Planning Team
Subject: RE: Leominster Regulation 16 neighbourhood development plan consultation

Dear James

Thank you for your email. I shall forward to the relevant volunteer

Kind regards
Barbara

Barbara Bromhead-Wragg
CPRE Herefordshire Administrator
www.cpreherefordshire.org.uk

This email is confidential and may also be legally privileged. If you have received it in error, please notify us immediately by reply email and delete this message from your system. Views expressed in this message are those of the sender and may not necessarily reflect the views of CPRE Herefordshire. This email and its attachments have been checked by AVG Anti-Virus. No virus is believed to be resident but it is your responsibility to satisfy yourself that your systems will not be harmed by any of its contents.

From: Neighbourhood Planning Team [mailto:neighbourhoodplanning@herefordshire.gov.uk]
Sent: 02 November 2017 10:59
Subject: Leominster Regulation 16 neighbourhood development plan consultation

Dear Consultee,

Leominster Town 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://myaccount.herefordshire.gov.uk/leominster>

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

The consultation runs from 2 November 2017 to 14 December 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

Herefordshire.gov.uk

James Latham
Technical Support Officer
Neighbourhood Planning and Strategic Planning teams

Leominster Neighbourhood Development Plan
c/o Herefordshire Neighbourhood Planning

Enquiries: Rhys Evans/Ryan Norman
0800 917 2652

Sent via email

14th December 2017

Dear Sir/Madam

REGULATION 16 PUBLIC CONSULTATION ON LEOMINSTER NEIGHBOURHOOD DEVELOPMENT PLAN, DECEMBER 2017

As you will be aware, Welsh Water were consulted on the Regulation 14 iteration of the Neighbourhood Development Plan back in 2014, as well as being involved throughout the Herefordshire Core Strategy process. Welsh Water appreciates the opportunity to comment on the latest Regulation 16 consultation and offer the following representation:

Given that the Neighbourhood Plan (NP) has been prepared in accordance with the Adopted Herefordshire Core Strategy we are supportive of the vision, aims and objectives set out. In particular we welcome the provision of criteria “n” of Policy LANP2 – Leominster Sustainable Urban Extension.

Whilst supportive of Policy LANP10 – Green Infrastructure we would like to suggest the addition of a criteria to encourage the use of sustainable drainage systems as a form of green infrastructure:

“J. Sustainable drainage systems in order to manage surface water and accordingly assist in preventing flooding and pollution incidents on the sewerage network and encourage biodiversity and amenity.”

In terms of the capacity available in our infrastructure to accommodate the growth proposed we can provide the following comments,

- Waste Water Treatment Works (WWTW)

There are currently no issues with regard to the Leominster WWTW accommodating the foul-only flows from the committed sites that have already obtained planning permission. Dependant on the scale and pace of the development proposed in the catchment however, there will come a time during the NP period when reinforcement works will be required in order to accommodate the total remaining growth proposed.

Welsh Water’s capital investment programme runs in 5 year cycles called Asset Management Plans (AMP). The current AMP6 runs to 2020, with two further AMP periods (AMP7 – 2020-2025) and AMP8 (2025-2030) aligning with the NP period. A reinforcement scheme at Leominster WWTW to accommodate the total growth proposed in the catchment will therefore be considered for future AMP investment.

Alternatively, should a developer wish to bring forward their site prior to our regulatory investment they can fund reinforcement works to the WwTW by way of a section 106 (of the Town and Country Planning Act 1990) agreement or the Community Infrastructure Levy (CIL).

- Sewerage network

There are no specific issues with regard to the public sewerage network within Leominster. Owing to the significant number of dwellings proposed on the SUE however, network reinforcement works may be required to enable the site to connect to our foul system. The developer can either wait for us to fund any necessary reinforcement works through future AMP investment or fund the works themselves identified via the commissioning of a hydraulic modelling assessment (HMA).

- Water Supply

In order to ensure that water can be supplied adequately to accommodate the SUE without causing detriment to existing customers' supply, network reinforcement works may be required. The developer can either wait for us to fund any necessary reinforcement works through future AMP investment or fund the works themselves identified via the commissioning of a hydraulic modelling assessment (HMA).

Based on the above comments, we will consider the capacities of our water and foul networks as well as the WwTW on a case by case basis, as and when we are consulted on planning applications by Herefordshire Council.

We hope that the above information will assist you as the NP progresses. In the meantime, 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,
PO Box 230,
Plough Lane,
Hereford
HR4 0LE

By email only to: neighbourhoodplanning@herefordshire.gov.uk

RE: Leominster Neighbourhood Plan Regulation 16 Consultation

Dear Sir/Madam,

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

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 with that in mind that Gladman has reservations regarding the LNP's ability to meet basic condition (a), (d) and (e) and this will be discussed in greater detail throughout this response.

Relationship to Local Plan

The current development plan that covers the Leominster Neighbourhood Plan area and the development plan which the LNP will be tested against is the Herefordshire Core Strategy which was formally adopted by the Council in October 2015. It should be this documents that the LNP seeks to be in general conformity with.

Policy SS2 –Delivering New Homes establishes that the Council will identify a supply of deliverable and development land to secure the delivery of a minimum 16,500 dwellings to 2031 to meet identified housing needs for market and affordable housing.

Leominster is identified as a main centre in the north of the county and will continue to fulfil a diverse range of roles to meet development needs and will act as a service centre to the surrounding rural areas. Policy LO1 – Development in Leominster requires the delivery of a minimum 2,300 dwellings of which 1,500 is to be provided in the form of a strategic urban extension (SUE).

Policy SS3 sets out the mechanisms that the Council will adopt where monitoring demonstrates that the number of new dwelling completions is below the cumulative target figure over a 12-month period. The mechanisms identified under this policy include:

- 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 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 LNP 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).

Leominster Neighbourhood Plan

This section highlights the key issues that Gladman would like to raise with regards to the content of the LNP as currently presented. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of alternative options that should be explored prior to the Plan being submitted for Independent Examination.

LANP1- Supporting The Highway Network And Southern Link Road To Serve The Strategic Development Needs In Leominster

Noting the changes to this policy since the previous regulation 16 consultation Gladman submit that the issue of infrastructure provision is a strategic matter that is beyond the remit of neighbourhood plans and for the plan to meet the basic conditions this policy should be deleted.

Reference is made to Appendix 5 of the Core Strategy regarding the timing of infrastructure provision which states that for there to be no hold up/delay in the delivery of housing the new road will need to be in place by 2025. Whilst acknowledging that the delivery of this road will be important during the plan period it is not appropriate to set timescales for the delivery of this road. The Council accepted in the Core Strategy that there will be no source of funding to finance the new link road and whilst acknowledging that the Town Council is in pursuit of funding for the construction of the road Gladman submit that the road will be delivered when this funding becomes available. As this may be completed beyond 2025 this requirement of the policy should be deleted.

LANP3 – Supporting The Strategic and Small Scale Housing Development Needs In Leominster Town

Gladman raise concerns with the supporting text of this policy and the intention for new development to be within the settlement boundary with only with small scale developments adjoining the settlement boundary being considered in exceptional circumstances. It is not defined what is meant by small scale and with the LNP needing to accommodate further housing developments to meet the minimum housing requirement set out in the Core Strategy it is unlikely that this will be delivered with the proposed policy wording.

This is all the more prevalent as the delivery of the SUE is not yet certain and should this encounter delay the plan will not be able to respond flexibly to resolve such an issue. Gladman therefore suggest that the reference to small scale should be deleted and the plan should take a much more proactive approach to further development adjoining the settlement boundary as delivery of the minimum housing requirement is not yet certain.

Further, there is no such exceptional circumstances test for development in the countryside in the Framework, which only seeks to prevent development in such a manner in areas of high national importance i.e. National Parks and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. Paragraph 116 of the Framework makes clear that major development in these areas should be refused unless exceptional circumstances are demonstrated. Gladman contend that the exceptional circumstances test in this policy is therefore unjustified and should be deleted.

LANP11 – Open Spaces

The supporting text makes clear that the intention of this policy is to protect areas as Local Green Space (LGS). This policy is not in accordance with the requirements for LGS as required by the Framework and PPG. In order to allocate land as LGS the Town Council will need to be able to demonstrate robust evidence to meet national planning policy requirements as set out in paragraph 76 and 77 of the Framework. There have been a number of instances where an Examiner at Neighbourhood Plan Examination has deleted LGS designations due to the fact that they did not meet the requirements of national policy.

In light of the above, paragraph 76 of the Framework sets out the role of local communities seeking to designate land as LGS and makes clear that the designation should be consistent with the local planning of sustainable development in the wider area and complement investment in sufficient homes, jobs and other essential services. The designations of LGS should only be designated when the plan is being prepared or reviewed, and be capable of enduring beyond the end of the plan period.

Further advice is contained in paragraph 77 of the Framework which sets out three tests that must be met for the designation. Paragraph 77 states that:

'The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- Where the green space is in reasonable close proximity to the community it serves;*
- Where the green area is demonstrably special to a local community and holds a particular significance, for example because of its beauty, historic significance, recreation value (including as a playing field, tranquillity or richness of its wildlife); and*
- Where the green area concerned is local in character and is not an extensive tract of land.'*

Blanket designation of open countryside or allocating large tracks of land adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' to try to achieve what would amount to

green belt by another name. Taking these requirements into account substantial, robust and up-to-date evidence will be required to support the inclusion of any proposed LGS designations.

Gladman submit that this policy does not accord with the requirements of the Framework as it seeks to protect all open space rather than those areas that is important to the local community it serves. No evidence has been undertaken to demonstrate how the proposed LGS meets each of the tests contained in §77 of the Framework. As such these designations are not in accordance with national planning and guidance and are therefore in conflict with basic conditions (a) and (d).

LANP13 – Dark Skies

Impacts from light pollution can be addressed through good design. Some forms of lighting are likely to be necessary in proposals, for example lighting in relation to highway safety. It is therefore considered that an 'appropriate assessment' should not be required.

LANP25 – Protecting Important Views

The above policy states that development that would obscure or impair the views identified under this policy will not be permitted. Gladman submit that no evidence has been submitted as part of this consultation to demonstrate why these views are important or where these views are located i.e. illustrated on a proposals map. This creates uncertainty for a decision maker to apply policies consistently and with ease when determining planning applications. The absence of this evidence needs to be addressed and presented for the consultation to be valid and legally compliant. At present, the consultation is being undertaken without crucial evidence to provide an informed response as considered in R (Moseley) v Haringey LBC [2014] UKSC 56. Further robust evidence is therefore required to support the inclusion of this policy Gladman recommend that LANP25 be deleted as it is contrary to basic condition (a).

Conclusions

Gladman recognises 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 has sought to clarify the relation of the LNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a) as the Plan does not conform with national policy and guidance. Gladman hopes you have found these representations helpful and constructive and requests to participate in a public hearing should the Examiner deem this to be necessary to discuss further issues raised.

Yours faithfully,

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



Historic England

WEST MIDLANDS OFFICE

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

Direct Dial: 0121 625 6887

Our ref: PL00213722

28 November 2017

Dear Mr Latham

LEOMINSTER NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION

Thank you for the invitation to comment on the Submission Neighbourhood Plan and Historic England has no substantive comments to add to those conveyed in our earlier consultation responses (3rd February 2015 and 18th February 2016). We are gratified to note that comments made then have been addressed in this version of the plan.

We confirm that we are supportive of the vision, aims and objectives and overall content of the document. We are particularly supportive of the comprehensive treatment of the wider historic environment including non-designated heritage assets and the emphasis in the Plan on local distinctiveness and the avoidance of “anywhere architecture”. The provision in appendix 4 for locally specific design guidance will no doubt be of great assistance in achieving this.

Overall Historic England consider the Plan to be a well-considered, concise and fit for purpose document that effectively embraces the ethos of “constructive conservation” and is a very good example of community led planning.

I hope you find these comments helpful.

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
Herefordshire Council
Planning Services
Plough Lane
Hereford
HR1 2ZB

28 November 2017

Dear Sirs

Neighbourhood Development Plan - Brierley, Leominster

I am writing in relation to the Neighbourhood Development plan that has been proposed for the Hamlet of Brierley.

I am the owner of Sunny Bank Brierley and notice that on the plans that the Brierley Settlement boundary as drawn on the plan does not encompass all of the property known as Sunny Bank.

I have attached a copy of the Brierley Policies Map and have highlighted in Pink the curtilage of Sunny Bank.

Please can you review and update the settlement boundary accordingly.

Yours sincerely

A black rectangular redaction box covering the signature of Ian Clarke.

Ian Clarke

A large black rectangular redaction box covering the bottom portion of the page.



Brierley Policies Map

Scale 1:3,500
at A4 size



 Safeguarding Mineral Reserves

 Brierley Settlement Boundary (LANP4)

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**REPRESENTATIONS TO
THE PUBLIC CONSULTATION
DRAFT REGULATION 16
NOVEMBER 2017**

**DRAFT LEOMINSTER
NEIGHBOURHOOD PLAN**

**LAND TO THE NORTH OF
THE RUGG AND RADNOR VIEW
LEOMINSTER
HEREFORDSHIRE
HR6 8TF**

ON BEHALF OF

Mr James Hinton
c/o The Agent
John Amos & Co

Date: 12th December 2017

Prepared by

johnamos
& co

Lion Court, Broad Street
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INTRODUCTION

John Amos & Co has been instructed to submit representations to the Regulation 16 Neighbourhood Development Plan Consultation Draft on behalf of our client who owns the above land. This representation is, in the main, concerned with housing and related policies.

We support the Leominster Town Council and its Steering Group in bringing forward a Neighbourhood Plan and are encouraged by the proactive nature of the process being undertaken. We commend the hard work undertaken to date.

My client wishes to make comments and representations on the emerging Regulation 16 Draft Neighbourhood Plan, and also propose that its land north of The Rugg and Radnor View (see plan attached with site edged in red in **Appendix 1**) be included within a revised settlement boundary in the Neighbourhood Plan in order to help meet housing need and to assist in meeting the housing aspirations set out in the Neighbourhood Plan.

Consequently, my client proposes that the Draft Settlement Boundary for Leominster is amended so as to include their site.

Our comments are made in the context of the basic conditions that the Neighbourhood Plan must meet as set out in paragraph 8 (2) Schedule 4B of the Town and Country Planning Act 1990, as summarised in the National Planning Practice Guidance:-

- “having regard to national policies and advice contained in the 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 Authority;
- the making of the Neighbourhood Plan supports sustainable development, environmental, economic and social;
- 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”.

Relevant planning guidance requires the Neighbourhood Plan to support the Strategic Development needs set out in the Local Plan and plan positively to support local development (PPG 004).

Proportionate and robust evidence should support the choices made and the approach taken in the Neighbourhood Plan.

On housing supply, the Neighbourhood Plan policies should take account of the latest and up to date evidence of housing need.

Policies must be clear and unambiguous.

In relation to allocations of housing land, there must be evidence of an appraisal of options and an assessment of individual sites against clearly identified criteria.

In considering whether a Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan, Local Planning Authorities should consider the following:-

- Whether the Neighbourhood Plan policy supports and upholds the general principle that the strategic policy is concerned with.
- The degree, if any, of conflict between the draft Neighbourhood Plan policy or development proposal and the strategic policy.
- Whether the draft Neighbourhood Plan policy or the development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy.
- The rationale for the approach taken in the draft Neighbourhood Plan and/or the evidence to justify that approach.

The Local Planning Authority have provided a number of guidance documents indicating how conformity with the strategic policies is best secured. Reference is made to the Neighbourhood Planning Guidance, note 20 "Guide to Settlement Boundaries" which states "If land within the boundary is not formally allocated, there will be a requirement to demonstrate that there is enough available capacity within the boundary to enable development to take place.". This evidence is required so that an appropriate level of proportional growth within the plan period is demonstrated.

The Core Strategy helpfully defines the strategic policies relevant to Leominster, being meeting housing need (including affordable housing), reducing the need to travel, facilitating employment generation and diversification, improving delivery and access to services and realising the value of the environment as an economic asset.

Policy LO1 of the Core Strategy confirms that Leominster will accommodate a minimum of 2,300 new homes throughout the plan period, of which a minimum of 1,500 dwellings will be provided in a single strategic urban extension to the southwest of the town. The remaining dwellings will be provided through:-

- (i) existing commitments;
- (ii) smaller scale non-strategic sites within the existing built up area;
- (iii) those which come forward through the Leominster Neighbourhood Development Plan; or
- (iv) sites judged as having development potential which are identified in the Strategic Housing Land Availability Assessment.

Policy LO2 details the policies to deliver a comprehensively planned sustainable urban extension to Leominster at its southwest. The Core Strategy indicates that a minimum of 1,500 new homes will be provided within the urban extension up to 2031 together with a range of other facilities.

The Local Planning Authority has provided guidance as to how general conformity with the Core Strategy is to be achieved (Guidance Note 31). The Guidance Note indicates that it is important that the Neighbourhood Development Plans fit with the emerging strategic policies of the Core Strategy, ensuring that they pull in the same direction. The Guidance Note goes on to require Neighbourhood Development Plans to be clear on how they fit with strategic policies in the Core Strategy and be able to clearly explain the rationale for any differences. Neighbourhood Development Plans will need to be based on local evidence, the strategic policies in the Core Strategy and the outcome of public participation. Any percentage housing targets within the Local Plan Core Strategy should be seen as indicative and not the sole measure to determine general conformity.

The Guidance Note goes on to say that housing policies and proposals in Neighbourhood Development Plans will need to be minded to the strategic policies in the Core Strategy and local evidence including local needs surveys, strategic housing land reviews and environmental capacity. Further, the Guidance says that Neighbourhood Planning is not a tool to stop development and/or undermine or object to strategic policies and proposals in the Core Strategy; they are about shaping the development of the local area in a positive manner. The Guidance Note goes on to say that Neighbourhood Planning offers the opportunity to promote more housing and economic development than is set out in the Core Strategy.

CONSULTATION STATEMENT - NOVEMBER 2017

The process of evolution of the Neighbourhood Plan has been a turbulent one. Focusing particularly on housing, the Regulation 14 Draft met resistance from Herefordshire County Council Planning Team on the basis that Core Strategy LO1 expects the Neighbourhood Plan to suggest non-strategic sites which were absent from the draft. This representation was rejected on concerns relating to strategic growth and the criteria-based policy was defended, rather than a positive and proactive approach taken in allocating sites to meet the requisite proportional housing growth and need. In relation to the Southern Urban Expansion, strong objections were made to the policy requiring the construction of the link road before commencement of construction of the development. The Steering Group rejected this representation.

Amongst other matters, the Steering Group also took a hard line approach in rejecting representations reflecting concern that exacting standards would lead to viability questions in relation to future residential development.

In the further stage of initial Regulation 16 Consultation carried out between the 20th January 2016 to 16th March 2016, further very forceful objections were received to the Steering Group's approach. Again, criticism was received that the Steering Group had not proceeded to allocate land to meet residual housing requirements. Objections were received in relation to similar viability concerns in relation to exacting standards proposed in the Consultation draft, the County Council Transportation team rejected the policy in relation to the link road for the SUE as being an unrealistic aspiration. The Herefordshire County Council Planning Development Management group criticised the policies, inter alia, as containing inappropriate planning language, poor wording, negative wording and prescriptiveness. The Herefordshire County Council's Strategic Planning group declared 12 key proposed Neighbourhood Development Plan policies as not in conformity with the Core Strategy. Effectively, the Town Council were asked to fundamentally re-evaluate their plan and revise it which has led to this current consultation.

In the Spring of 2017, revisions were made in response to comprehensive comments provided by Herefordshire Council's Strategic Planning department, Neighbourhood Planning department and Development Planning department.

Our clients submit that if the current Consultation draft is now to proceed to examination it must, in the light of this history, be subject to the fullest scrutiny in terms of its compliance with the Basic Conditions to include, in particular, conformity with the Core Strategy and National Planning Policy Guidance.

POLICIES

Key Issues for the Leominster Area Neighbourhood Development Plan – Housing

On page 13, the plan confusingly refers to the minimum housing target being for Leominster at 2,500 (not 2,300) new homes, the Sustainable Urban Extension accommodating around 1,500 of these. Taking into account the fact that 130 homes had been completed by April

2017, and the grant of a further 645 homes with Planning Permission (a significant proportion of which derived from the Barons Cross Consent) the plan states a target of land for 225 new homes must be found.

On page 13, the plan clearly is complaining at the level of development required of Leominster by the Core Strategy.

At page 19, the Neighbourhood Development Plan commits itself to support the Strategic Development needs set out in the Core Strategy and plan positively to support local development and shape and direct that development.

At page 20, the plan focuses its housing development policy by promoting housing development, largely on the two strategic sites of Barons Cross and the urban expansion site.

LANP1 – Supporting the Highway Network and Southern Link Road

This policy is being revised from its previous form which required the completion of the road prior to the commencement of development of the SUE. It promotes the preparation of a Comprehensive Traffic Management Plan. It requires phasing of the SUE to reduce the impact of increased traffic on the through route through the town and town centre. It requires the completion of the link road no later than 2025. The Comprehensive Traffic Management Plan will restrict the use by heavy traffic of roads in Leominster Parish and prevent heavy traffic from using the through route via Bargates unless the link road is closed in order to address the issues of air quality in this area.

At page 26, doubt is cast on the financing of the link road by the developers of the SUE.

At page 27, the Town Council commits itself to work with Herefordshire Council to obtain other sources of finance for the early delivery of the road, otherwise the target of 2025 is put in clear doubt.

LANP2 – Leominster Sustainable Urban Extension

The policy sets out the requirements of development in accordance with a detailed Master Plan and 16 further requirements, to include the blocking of construction traffic using minor roads through the town to access or egress the SUE.

The justifications for policy LANP2 contain a forewarning that a 26% expansion of Leominster by the SUE could create serious problems for the town.

LANP3 – Supporting the Strategic and Small Scale Housing Development Needs in Leominster Town

This is a criteria based policy which guides the residual housing requirement over the planned period for small scale development other than the SUE and Barons Cross. It is critically dependent on an adjustment of the Leominster settlement boundary rather than a positive and proactive approach of allocating land for the residual housing requirement, the policy is criteria based using a settlement boundary derived, in part, from small expansions to accommodate recent Planning Permissions.

Although the residual housing requirements (other than the SUE and Barons Cross) are directed within the Leominster settlement boundary, the justification narrative at page 30 opens up the possibility that small scale development may be considered in areas adjoining the settlement boundary in exceptional circumstances, and subject to them:-

- meeting criteria (b) of LANP3;
- not having an adverse impact on the quality of life of neighbouring properties; and
- not sited close to industrial or commercial land.

The criteria based policy is justified at page 30 on the basis that it is not thought necessary to specify particular sites, partly because since the publication of the Core Strategy, a number of planning applications for sites have been approved. Reliance is placed on the assumption that the criteria will determine whether other sites are suitable for development given that the strategic sites can provide for all the expected demand for housing in Leominster.

Total development commitments are listed at 587 homes, by far the largest being 414 homes at Barons Cross, said to be subject to grant of Planning Permission in September 2017.

At page 31, the narrative admits that the revised settlement boundary is essentially the one used for the Herefordshire Unitary Development Plan with small additions to the north of the Parish to take into account recent Full and Outline Planning applications granted and the inclusion of the SUE land to the south. It is noted that one of those Planning Permissions is one at Mappenors Lane dated May 2016, granting permission for 21 homes.

Rather than there being a call for sites exercise and an evidence based evaluation of implementable schemes, the Neighbourhood Plan is relying on an acknowledgement of recent planning applications that have been granted Planning Permission, whether Full or Outline. No effort appears to have been made to ascertain whether those consents, certainly the ones in Outline, are capable of full implementation.

Policy LANP26 – Community and Highway Infrastructure

Inter alia, this policy promotes the needs of pedestrians and then cyclists over the needs of other transport users.

CONCERNS WITH POLICIES AND APPROACH

1. No smaller scale non-strategic sites, in addition to those within the existing built up area, have been brought forward through the Neighbourhood Development Plan as expected in Core Strategy Policy LO1.
2. There has been no objective evaluation of sites with development potential which are identified in the Strategic Housing Land Availability Assessment as required by Policy LO1 of the Core Strategy.
3. In adopting the criteria-based approach with minimal adjustment made to the Herefordshire UDP Settlement Boundary, the Neighbourhood Development Plan has not planned positively to support local development.
4. In adjusting the settlement boundary, the approach of merely acknowledging adjustments in reaction to the grant of Planning Permission, means that there is no proportionate and robust evidence to support the choices made and the approach taken.
5. In relation to the above point, there has been no evidence supplied of an appraisal and assessment of individual sites, whether granted Planning Permission or not, against clearly identified criteria. In the absence of making formal allocations of housing sites, there is no evidence to demonstrate that there is enough available capacity within the boundary to enable development to take place, other than reference to grants of Planning Permission.

6. As mentioned, guidance encourages Neighbourhood Development Plans to pull in the same direction as the Core Strategy, and yet the Neighbourhood Plan persists with misgivings in relation to the policy objectives set out in Core Strategy Policy LO1, and the minimum housing requirement of 2,300 new homes for the plan period set out in that policy.
7. In relation to meeting the Strategic Policies and the Core Strategy, the Neighbourhood Development Plan fails to set out local evidence of any need, strategic housing land reviews and environmental capacity.
8. The above gives rise to concern that the Neighbourhood Development Plan is being used as a tool to stop development rather than to promote more housing and economic development as set out in the Core Strategy.
9. In relation to the target set of providing for 225 new homes, allowing for existing completions, existing grant of Planning Permissions – heavy reliance is placed on the full implementation of the Barons Cross scheme in the absence of evidence of such.
10. As a result of the above, it cannot be said that the Neighbourhood Development Plan has positively supported local development and shaped and directed that development, rather it relies largely on the Southern Urban Expansion site, and the grant of existing Planning Permissions without further extensive review and analysis of whether those such schemes are capable of full implementation.
11. In relation to the Sustainable Urban Extension area, no evidence is produced as to the content and effect of the Comprehensive Traffic Management plan, nor evidence as to the likelihood that other sources of finance can be secured for the link road to secure early delivery of the link road by the target date of 2025.
12. In seeking to support the strategic and small scale housing development needs in Leominster town, the criteria-based policy at LANP3 deals (only in its justification narrative) with the possibility that existing commitments and Planning Permissions may not deliver by creating a policy of exceptional circumstance for sites adjoining the settlement boundary, rather than incorporating that policy within the body of LANP3. The policy should be re-drafted.

LAND TO THE NORTH OF THE RUGG AND RADNOR VIEW, LEOMINSTER, HR6 8TF

Grid Reference: SO488593

Our clients wish to propose their site for housing, being the site edged red on the plan attached at **Appendix 1**. The land extends to some 1.2 hectares (3.00 acre), its current use being that of a horse paddock and it is bounded by footpaths to the north and east, and to its southern boundary the fencing at the rear of Radnor View and The Rugg. All boundaries are fenced and defined with mature hedges.

The site lies in Flood Zone 1 (low probability flooding) and currently gains its access from The Rugg. Gravity surface and foul water drainage is available within 3 to 12 metres of the site boundary in The Rugg. A review of online data indicates the presence of freely draining slightly acidic loamy soils and as such, could well be conducive to SUDS solutions for surface water management.

The site was evaluated firstly within the Strategic Housing Land Availability Assessment of 2009 which concluded that the site was suitable and achievable for the delivery of 40

dwellings, 16 houses to be delivered within a timescale of 16-20 years and the balance of 24 to be delivered post 2026. The later March 2012 Strategic Housing Land Availability Assessment reconfirmed the previous positive assessment that the site was suitable and achievable for 40 dwellings but altered the estimated delivery timescale to 8 houses being delivered within the timescale of 16 years and a balance of 32 being delivered post 2026.

Within the SHLAA, the site had been Local Authority Officer identified and we attach as **Appendix 2** a copy of the site assessment.

The site's suitability was noted in the context of a larger housing proposal involving, amongst others, the Mappenors Lane scheme (reference: HLAA/014/001). We attach at **Appendix 3** the Site Assessment for the Pinfarthings, Mappenors Lane scheme.

The broader area referred to was assessed, to include the Mappenors Lane scheme under reference: P223 and we attach that at **Appendix 4**.

As such, the acceptability and suitability of our client's site has been, if anything, enhanced by the grant of Planning Permission for the Mappenors Lane site which received Outline Planning Permission for up to 21 dwellings under Code reference: 161486 dated 12th January 2017.

We attach at **Appendix 5** a copy of the Officer's report recommending approval of the Mappenors Lane proposal. The Officer specifically takes advantage of Policy L01 in recommending approval, in particular the requirement that small non-strategic development sites would be provided by sites identified in the SHLAA.

This representation, inter alia, complains that the Neighbourhood Development Plan should have analysed those smaller sites within the SHLAA, and if it had done so it could well have led to an allocation of our client's land.

Signed:


Mike Harriss LLB (Hons)

John Amos & Co
Lion Court
Broad Street
Leominster HR6 8LE

Dated: 12th December 2017

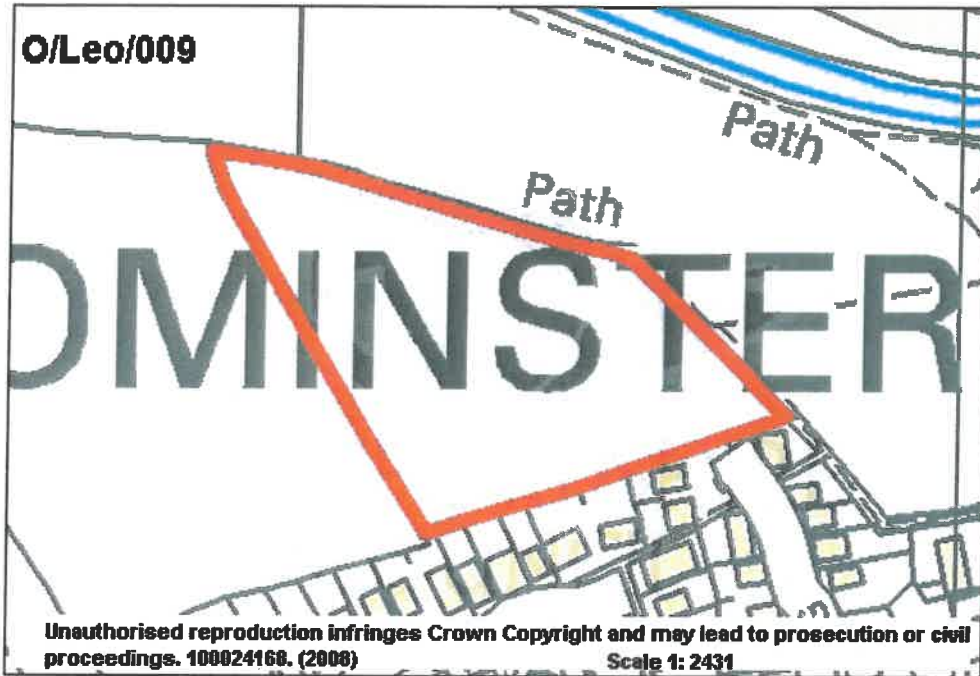
APPENDIX 1
Plan of the Land



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APPENDIX 2
Site Assessment of Radnor View

Settlement: Leominster Site Ref: O/Leo/009
 Site Address: Land to north of Radnor View



Information Source:	LA officer identified	Site Area (ha):	1.29
Agricultural Land Classification:	2		

Suitable: Yes	<input checked="" type="checkbox"/>	Potential Housing Capacity: 40
Suitable: No	<input type="checkbox"/>	Greenfield
Suitable: Part	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Achievable: Yes	<input checked="" type="checkbox"/>	Brownfield
Achievable: No	<input type="checkbox"/>	<input type="checkbox"/>
Achievable: Part	<input type="checkbox"/>	Timescale: 1-5 Years
Available: Yes	<input type="checkbox"/>	Timescale: 6-10 Years
Available: No	<input type="checkbox"/>	Timescale: 11-15 Years
Available: Don't Know	<input checked="" type="checkbox"/>	Timescale: 16-20 Years
		Timescale: Not In Current Plan Period

Settlement:	Leominster	Site Ref:	O/Leo/009
Site Address:	Land to north of Radnor View		

Summary Description:

Grassland. Site slopes from north to south. Views into site: Prominent in distant views. Views out of site: Panoramic views out to Bircher Common. Adjacent/surrounding land: Residential to the south and agricultural to the north, east and west. Site integration: Yes, the site immediately adjoins the built form of Leominster. Height and character: 2 storey modern residential development. Other information: The site is now being promoted by an agent.

Flood Information:

The site is classified as being fully in zone 1 and the risk of fluvial flooding may be low. The proposed use is appropriate on the basis of the relevant flood zone. PPS25 exception test will not apply for this development in this flood zone

Water information:

Sewerage: Parts of the public sewerage network suffer from hydraulic overloading. No regulatory improvements are planned under Dwr Cymru Welsh Water's current 5 year Capital Investment Programme. Should this site be developed in advance of any regulatory improvements, developers may be required to fund the essential improvements.

Sewage treatment: The total allocations proposed for this area would overload the design capacity of the Waste Water Treatment Works. Dwr Cymru Welsh Water would require the Council to release the allocations at a later stage in the plan process to allow sufficient time to undertake essential improvements. Should any development occur in advance of Dwr Cymru Welsh Water's Capital Investment, developers may be required to fund the essential improvements.

Water supply: The development of this proposed site would require off-site mainlaying from a point of adequacy on larger diameter/pressure water mains. Where off-site water mains are required, these can be provided under a water requisition scheme, the costs of which would be borne by potential developers.

Landscape:

High - Medium Sensitivity: The site has high value as landscape resource and, or key characteristics of the landscape are vulnerable to change.

Historic landscape:

Not surveyed

Highways information:

There is no ransom strip and there is existing access to the highway.

Biodiversity:

Not surveyed

Is the site suitable (and achievable) for development?:

Yes, but only in the context of a larger housing proposal involving HLAA/014/001 and P223. However, any development in this area would have a significant impact on the landscape setting of Leominster. Developing the site in isolation would lead to its encroachment into open countryside. Consider other more appropriate sites first.

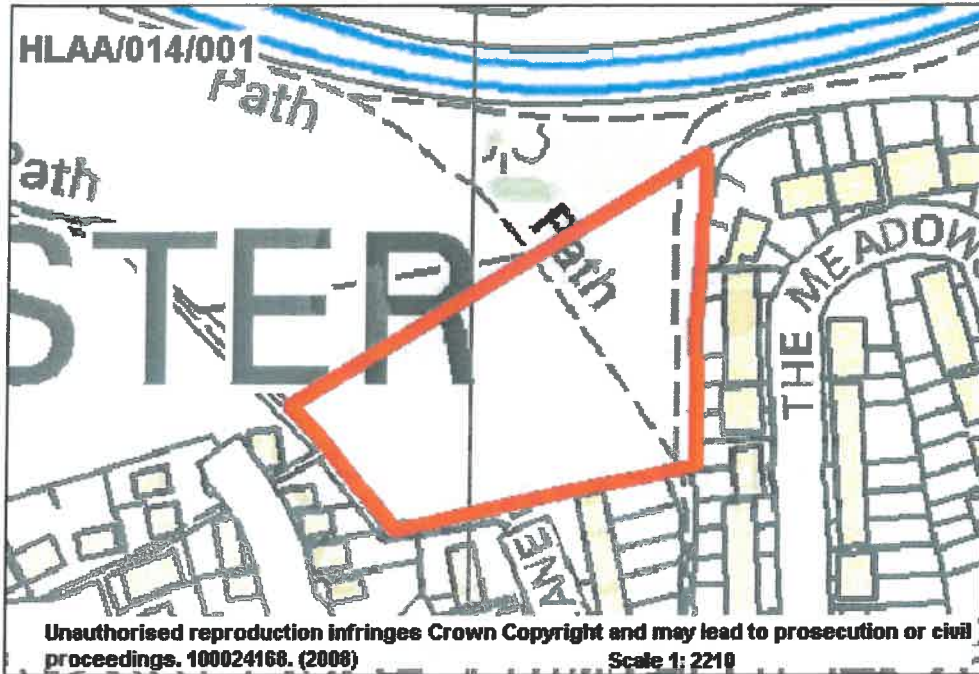
Can the entire site be developed?:

Yes

APPENDIX 3
Site Assessment of Pinfarthings, Mappenors Lane

HEREFORDSHIRE'S STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA) 2011

Settlement: Leominster **Site Ref:** HLAA/014/001
Site Address: Pinfarthings, Mappenors Lane



Information Source: Call for sites **Site Area (ha):** 0.82

Agricultural Land Classification: 2

Suitable: Yes <input checked="" type="checkbox"/>	Potential Housing Capacity: 25
Suitable: No <input type="checkbox"/>	Greenfield <input checked="" type="checkbox"/>
Suitable: Part <input type="checkbox"/>	Brownfield <input type="checkbox"/>
Achievable: Yes <input checked="" type="checkbox"/>	Timescale: 1-5 Years <input type="checkbox"/>
Achievable: No <input type="checkbox"/>	Timescale: 6-10 Years <input type="checkbox"/>
Achievable: Part <input type="checkbox"/>	Timescale: 11-15 Years <input type="checkbox"/>
Available: Yes <input checked="" type="checkbox"/>	Timescale: 16-20 Years <input checked="" type="checkbox"/>
Available: No <input type="checkbox"/>	Timescale: Not In Current Plan Period <input type="checkbox"/>
Available: Don't Know <input type="checkbox"/>	

Settlement:	Leominster	Site Ref:	HLAA/014/001
Site Address:	Pinfarthings, Mappenors Lane		

Summary Description:

Grassland. Slopes down to the north boundary. Views into site: Possibly some long distance views but already housing to the west, east and south on higher land. Views out of site: Good views towards Bircher Common. Adjacent/surrounding land: Housing to the west, south and east. Agricultural to the north. Site integration: Yes, the site could be well integrated as it would round off residential areas. Height and character: 2 storey dwellings to south and west. Bungalows to east.

Flood Information:

The site is classified as being partially in zone 3 and the risk of fluvial flooding may be high. The proposed use needs checking on the basis of the relevant flood zone. PPS25 exception test may be required for this development in this flood zone

Water information:

Sewerage: Parts of the public sewerage network suffer from hydraulic overloading. No regulatory improvements are planned under Dwr Cymru Welsh Water's current 5 year Capital Investment Programme. Should this site be developed in advance of any regulatory improvements, developers may be required to fund the essential improvements.

Sewage treatment: The total allocations proposed for this area would overload the design capacity of the Waste Water Treatment Works. Dwr Cymru Welsh Water would require the Council to release the allocations at a later stage in the plan process to allow sufficient time to undertake essential improvements. Should any development occur in advance of Dwr Cymru Welsh Water's Capital Investment, developers may be required to fund the essential improvements.

Water supply: The development of this proposed site would require off-site mainlaying from a point of adequacy on larger diameter/pressure water mains. Where off-site water mains are required, these can be provided under a water requisition scheme, the costs of which would be borne by potential developers.

Landscape:

High – Medium Sensitivity: The site has high value as a landscape resource and/or key characteristics of the landscape are vulnerable to change

Historic landscape:

Sensitivity 1. Areas where high historic environment values have been identified, and where large scale new development is therefore likely to have significant impact on the integrity of the inherited landscape. Some closely restricted development may occur as informed by detailed historic environment impact and design studies.

Highways information:

There is a strip of land owned by others between the highway and the proposed site, although apparently a right-of-way exists across the strip.

Biodiversity:

Artificial habitats considered to have limited ecological constraints

Is the site suitable (and achievable) for development?:

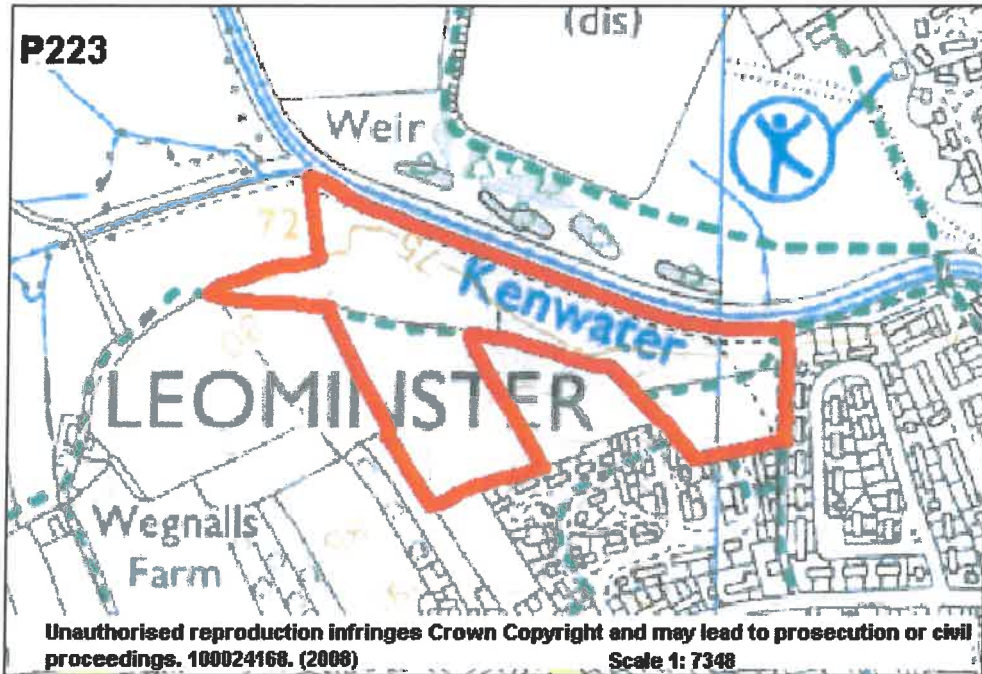
Yes, but highway implications for Green Lane and development would have a significant impact on the landscape. Other more appropriate land should be considered first.

Can the entire site be developed?:

No.

APPENDIX 4
Site Assessment of The Rugg

Settlement: Leominster Site Ref: P223
 Site Address: Land to the north of the Rugg



Information Source:	UDP Representation sites	Site Area (ha):	8.00
Agricultural Land Classification:	284		

Suitable: Yes	<input type="checkbox"/>	Potential Housing Capacity: 200	
Suitable: No	<input type="checkbox"/>	Greenfield	<input checked="" type="checkbox"/>
Suitable: Part	<input checked="" type="checkbox"/>	Brownfield	<input type="checkbox"/>
Achievable: Yes	<input type="checkbox"/>	Timescale: 1-5 Years	<input type="checkbox"/>
Achievable: No	<input type="checkbox"/>	Timescale: 6-10 Years	<input type="checkbox"/>
Achievable: Part	<input checked="" type="checkbox"/>	Timescale: 11-15 Years	<input type="checkbox"/>
Available: Yes	<input type="checkbox"/>	Timescale: 16-20 Years	<input checked="" type="checkbox"/>
Available: No	<input type="checkbox"/>	Timescale: Not In Current Plan Period	<input type="checkbox"/>
Available: Don't Know	<input checked="" type="checkbox"/>		

Settlement:	Leominster	Site Ref:	P223
Site Address:	Land to the north of the Rugg		

Summary Description:

Grassland. Slopes to the north. Views in to site: Prominent at southern end. Views out of site: Views to Bircher Common. Adjacent/surrounding land: Residential to the south. Site integration: The site could be integrated. Development would form a logical extension of town from its built-up edge towards the river. Northern portion would have to be used as public open space due to the flood plain. Height and character: 1 and 2 storey dwellings. Additional comments: Site does have an adopted highway, however it is inadequate for the size of the site. It is possible that there is access via a private road or ransom strip - the Rugg estate roads could potentially provide access but appear to end in privately owned ransom strips.

Flood information:

The site is classified as being partially in zone 3 and the risk of fluvial flooding may be high. The proposed use needs checking on the basis of the relevant flood zone. PPS25 exception test may be required for this development in this flood zone

Water information:

Sewerage: Parts of the public sewerage network suffer from hydraulic overloading. No regulatory improvements are planned under Dwr Cymru Welsh Water's current 5 Capital Investment Programme. Should this site be developed in advance of any regulatory improvements, developers may be required to fund the essential improvements.

Sewage treatment: The total allocations proposed for this area would overload the design capacity of the Waste Water Treatment Works. Dwr Cymru Welsh Water would require the Council to release the allocations at a later stage in the plan process to allow sufficient time to undertake essential improvements. Should any development occur in advance of Dwr Cymru Welsh Water's Capital Investment, developers may be required to fund the essential improvements.

Water supply: The development of this proposed site would require off-site mainlaying from a point of adequacy on larger diameter/pressure water mains. Where off-site water mains are required, these can be provided under a water requisition scheme, the costs of which would be borne by potential developers.

Landscape:

High – Medium Sensitivity: The site has high value as a landscape resource and/or key characteristics of the landscape are vulnerable to change.

Historic landscape:

Sensitivity 1. Areas where high historic environment values have been identified, and where large scale new development is therefore likely to have significant impact on the integrity of the inherited landscape. Some closely restricted development may occur as informed by detailed historic environment impact and design studies.

Highways information:

Ransom strip between adopted highway and site. Otherwise possible.

Biodiversity:

Artificial habitats considered to have limited ecological constraints

Is the site suitable (and achievable) for development?:

In the longer term this could be a site for residential development, however any development would have a significant impact on the landscape. At the present time access would be very difficult and the capacity of the local system is very limited (Green lane/Bargates). In addition, the site is close to river at northern end and is within the flood plain

Can the entire site be developed?:

No

APPENDIX 5
Officer's Report



MEETING:	PLANNING COMMITTEE
DATE:	24 AUGUST 2016
TITLE OF REPORT:	161486 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 21 DWELLINGS WITH MEANS OF ACCESS AT LAND AT PINFARTHINGS, OFF NORTH MAPPENORS LANE, LEOMINSTER, HEREFORDSHIRE. For: Cabot Trustees per Mr David Jones, Albany House, High Street, Hindon, SP3 6DP
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=161486&search=161486
Reason Application submitted to Committee - Redirection	

Date Received: 13 May 2016

Ward: Leominster
West

Grid Ref: 348989,259358

Expiry Date: 16 August 2016

Local Member: Councillor FM Norman

1. Site Description and Proposal

- 1.1 The application relates to an irregularly shaped site measuring approximately 0.86 hectares in area. It is currently used for rough grazing. It is crossed by two separate public footpaths; one running north/south along the eastern boundary and the second east/west along the northern boundary. A third footpath runs along the western boundary, but is outside of the site. Their definitive routes are shown on Figure 1 below.
- 1.2 The site slopes from south to north with a drop of approximately 9 metres from the respective boundaries. The topography continues to drop beyond the site to the Kenwater approximately 40 metres beyond the northern boundary. Another public footpath runs along its southern bank, with the Bridge Street playing fields to the north. These can be accessed via a pedestrian footbridge a short distance to the north east.
- 1.3 The site is surrounded on three sides by existing residential development; Mappenors Lane to the south, The Meadows to the east and The Rugg to the west. The boundaries are a mix of native hedgerow and trees to the north, south and west, whilst remaining open to the east. This means that the site is readily visible from the properties bounding on The Meadows.
- 1.4 The application is for outline planning permission for the erection of up to 21 dwellings, with all matters apart from access reserved for future consideration. The plans propose to utilise the location of an existing field gate on Mappenors Lane as the means of access.

Further information on the subject of this report is available from Mr A Banks on 01432 383085

Figure 1: Definitive routes of public footpaths



1.5 The application is accompanied by a number of supporting documents which are listed as follows:

- Design & Access Statement
- Planning Statement
- Transport Statement
- Ecological Assessment
- Landscape & Visual Character Evaluation

1.6 During the course of the assessment of the application officers have sought to agree Heads of Terms with the applicant's agent for the completion of a Section 106 Agreement. These are appended to the report. In summary they include contributions towards highway and cycleway improvements on Green Lane, improvements in off site play facilities, improvements in sports facilities and a mechanism to ensure the delivery of 25% affordable housing in accordance with Policy H1 of the Herefordshire Local Plan – Core Strategy.

2. Policies

2.1 National Planning Policy Framework:

The following sections are of particular relevance:

Introduction	-	Achieving Sustainable Development
Section 4	-	Promoting Sustainable Transport
Section 6	-	Delivering a Wide Choice of High Quality Homes
Section 7	-	Requiring Good Design
Section 8	-	Promoting Healthy Communities
Section 11	-	Conserving and Enhancing the Natural Environment

2.2 Herefordshire Local Plan - Core Strategy:

SS1	-	Presumption in Favour of Sustainable Development
SS2	-	Delivering New Homes
SS3	-	Releasing Land For Residential Development

Further information on the subject of this report is available from Mr A Banks on 01432 383085

SS4	-	Movement and Transportation
SS6	-	Environmental Quality and Local Distinctiveness
LO1	-	Development in Leominster
H1	-	Affordable Housing – Thresholds and Targets
H3	-	Ensuring an Appropriate Range and Mix of Housing
OS1	-	Requirement for Open Space, Sports and Recreation Facilities
OS2	-	Meeting Open Space, Sports and Recreation Needs
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
LD1	-	Landscape and Townscape
LD2	-	Biodiversity and Geodiversity
LD3	-	Green Infrastructure
SD1	-	Sustainable Design and Energy Efficiency
SD3	-	Sustainable Water Management and Water Resources
ID1	-	Infrastructure Delivery

2.3 Neighbourhood Planning – With regards to the Leominster Area Neighbourhood Plan and in line with para 216 of the NPPF, material weight will be dependent on the following:

- Progress of the plan - The Neighbourhood Area was designated on 27th July 2012. The plan has reached submission in January 2016 and the consultation was undertaken under Regulation 16 between 20 January and 2 March 2016. However that plan was not progressed to examination (15 March 2016) due to concerns regarding conformity with the adopted Core Strategy and the NPPF which would result in the plan not meeting the required 'Basic Conditions' to be successful at examination . A revised Leominster Area NDP has yet to be submitted to the Council.
- Outstanding objections to policies – 6 external and 5 Herefordshire Council internal comments were received during the consultation period. A number of these (both internal and external) expressed concerns regarding the Leominster Area NDP's compliance with both the NPPF and the adopted Core Strategy.
- Conformity with Core Strategy and NPPF - there are a number of policy concerns regarding the submission plan. The following issues are relevant to this application;
 - No further allocations to meet the requirements of policy LO1
 - Settlement boundary has not been revised since that designated in 2007, therefore difficult to see how only infill growth can occur in line with policy LO1
 - Settlement boundary does not acknowledge the urban extension area
 - Requirements on energy efficiency on all new development over and above that within national policy – contrary to NPPF, building regulations and viability testing
 - Open countryside policy does not conform with policy RA3
 - Designation of a large area of green space in conflict with the strategic urban expansion area – contrary to policy LO1·LO2 and the NPPF
 - Designation of open space on land with existing planning permission

With the requirements of para 216 in mind, at this stage only limited weight can be attributed to the Leominster Area Neighbourhood Plan.

2.4 The Herefordshire Local Plan Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>

3. Planning History

3.1 None identified

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water – No objection subject to the imposition of a condition requiring details of foul, surface and land water drainage to be submitted prior to the commencement of development. The response also confirms that no problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges associated with the site and that there are no objections in terms of the adequacy of water supply.

Internal Council Consultations

4.2 Transportation Manager – Comments as follows:

Traffic Generation

The applicant has stated in section 5.2 of their transport assessment that 4.5 vehicle trips per house will be generated by this development. Vehicle trip generations during the morning and evening peak times are 5 and 9 vehicles respectively. In addition, this development generates some service vehicles trip as well. Approximately 200 person trips per day will be generated by the development.

Highway Capacity

Highway capacity is not an issue for this application. However, the applicant should demonstrate that the 'give way' junction of Green Lane with Radnor View will not be affected by during the morning and evening peak times.

Accessibility by Other Modes of Transport

There are bus services 400 m from the application site. The frequency of the bus services is low and there are no services on Sunday and very low services on Saturday as well. Therefore, the public transport accessibility level is low. The railway station provides frequent service to long distance travel such as Manchester, Picadilly and Carmarthen.

The applicant has proposed similar widths of foot path to the adjacent housing development. The proposed footpath should be continued right throughout the development. There are public rights of way around the development. Therefore, these public rights of way should be linked to the proposed foot ways of the development.

There is a lack of cycle infrastructure near the development. Therefore, the applicant should contribute to improve this.

The applicant has used the existing access from Mappenors Lane. The carriageway and footway width are similar to the existing access road and it narrows down to 4.5 m within the proposed development. The applicant has stated in the transport assessment that they are proposed to provide 5.5 m wide carriage way - this is acceptable.

Road Safety

Only one accident was reported within the vicinity of the application site over the last five years. This accident was a slight accident. There were no major road safety implications for this application site.

Vehicle visibility splays are good. There are substandard pedestrian visibility splays for the proposed access as there are trees adjacent to proposed access. Pedestrian visibility of 2m x 2m should be provided. Pedestrian and driver can see each other.

Design

The applicant has proposed a 5.5 metre wide carriageway and 2 metre wide footway which is acceptable. The applicant should provide a drawing showing swept path envelopes for refuse vehicle and a fire engine right throughout the development. The applicant has proposed continuous crossover access to parking spaces which is not acceptable from pedestrian safety point of view.

Vehicle Parking Provision

Parking standard specifies less than one parking space per one bedroom flat, 2 car parking spaces for two bed room and three bed room units. The applicant has proposed 47 car parking spaces. Without classification of the housing units, it is difficult to ascertain the required parking spaces for the development. The applicant should provide only a maximum number of parking spaces. Transport has some concerns about the proposed five car parking spaces on the proposed street. These concerns are no footway, difficult to maintain and residents from outside the development could be able to park.

There is a haphazard parking on Mappenors Lane which leads to the proposed development. Residents have complained that there are instances refuse vehicle couldn't reach their properties. Therefore, some waiting restrictions are required on Mappenors Lane to access emergency service vehicles and refuse vehicle. .

The applicant should carry out a parking survey on the adjacent housing estate and make sure that there is no displaced parking onto this development.

Cycle Parking Provision

Herefordshire Highways Design Guide for New Developments 2006 specifies a minimum one long stay cycle space is required per bed room and a short stay cycle parking space is required for each unit, therefore the required short stay cycle bays are 21. The required long stay parking depend on the number bedrooms, which will be proposed for each proposed house.

In a further response following the submission of further information, the following additional comments have been received:

- Curtins have stated that a number of the issues raised by my predecessor should be considered at the reserved matters stage. I agree with this.
- I second the initial evaluation that the "highway capacity is not an issue for this application" and as such support the submitted access to the site in principal.

- Section 106 agreement contributions to be linked to the junction improvement /updating of the junction at Ginhall Lane and Green Lane and associated Cycle Path facility/public right of way surfacing in line with the Rights of Way officer's request.
- Reserved matter stage must include that, should planning permission be granted and the development be taken forward, that a condition will need to be made to evaluate the present condition of Mappenors Lane and the impact of the construction traffic will have on the condition/deterioration of the road and footpaths
- As discussed, Clarity on the drainage proposals for the development will be needed. Welsh water do not currently permit discharge of new developments surface water to their network, but the Outline planning app states it will discharge to Welsh Water.

4.3 Conservation Manager

Landscape - I have visited the site and have read the submitted Evaluation of Landscape and Visual Character (dated April 2016). I am satisfied that the site is well contained visually by an extensive landscape buffer extending along the western and northern boundary. The proposal will not extend northwards beyond the existing dwellings and any views of the development will be seen in the context of what is already in existence.

I note that a number of PROW circumnavigate the site which are addressed within the indicative conceptual landscape strategy plan within the report and it is recommended when the landscaping is addressed at the reserved matters stage this is adhered to.

Detailing of the trees and vegetation to be preserved indicating RPAs and appropriate methods of protection should be provided in conjunction with a landscape plan and management strategy at the reserved matters stage.

Ecology - Having read the ecological report I am happy that subject to appropriate surface water management to avoid pollution of the Kenwater (and hence downstream the River Lugg SSSI/SAC) then with appropriate mitigation and the opportunities for the enhancement of bat roosting, bird nesting and hedgehogs within the new build the development is unlikely to have a negative impact on the local Biodiversity. The important features of the sites are the boundary features/hedgerows as these are key elements in the local network of green corridors used by wildlife and these should be subject to a detailed assessment when preparing the detailed landscaping plan and where being retained should have appropriate protection in place during the build

4.4 Public Rights of Way Manager - The design and access statement states that rights of way will be unaffected by the development, however, public footpath ZC5 has not been marked on plans. This footpath would be affected by the new hedge. PROW object until this can be resolved.

4.5 Environmental Health & Trading Standards Manager - According to our records, a portion of the proposed development site seems to fall within 250 metres of Leominster closed landfill site which will require consideration by the applicant. As such I would recommend the imposition of conditions should planning permission be granted, in order to consider this risk.

4.6 Education - The educational facilities provided for this development site are Leominster Primary School and Earl Mortimer High School.

Leominster Primary School has a planned admission number of 90. As at the schools Spring census 2016 all year groups have spare capacity and therefore no contribution is requested.

Earl Mortimer Secondary School has a planned admission number of 140. As at the schools Spring census 2016 all year groups have spare capacity and therefore no contribution is requested.

- 4.7 Housing Manager - Supports the application. I can confirm that there is a need for affordable housing in the market town of Leominster. The developer is proposing to provide 5 units which meets the requirements of the Core Strategy.

The proposed two and three bed units would be acceptable, however, I would be looking for 2 x 2 bed houses, 2 x 3 bed houses and 1 x 3 unit to be built to wheelchair standard to meet the needs of people requiring a wheelchair adapted property.

With regards to the market housing, the greatest need in Leominster is for 3 bed houses, then 2 bed houses and finally 4 bed houses. When submitting the reserved matters in order to provide a mixed community that would meet the needs of Leominster the above mix would be desirable.

- 4.8 Parks & Countryside Manager – Comments as follows:

In accordance with Core Strategy OS1 and OS2, open space provision will be sought from all new residential development and considered on a site by site basis in accordance with all applicable set standards of quantity, quality and accessibility. Where on-site provision is not appropriate off-site contributions may be sought on an equally beneficial basis for the local community. In this instance there is no “on-site” provision and given the size of development and location, this is supported. A contribution towards off-site provision in lieu of on-site facilities will therefore be required.

An off-site contribution is therefore requested which could be used towards any of the three play areas at Oldfields, Sydonia and the Grange or on improving the Public Rights of Way to allow greater access to the wider countryside and Bridge Street sports park. Priorities would be identified at the time of receiving the contribution and in consultation with the local community and the Town Council.

Based on market housing only and in accordance with the SPD on Planning Obligations a contribution is asked for as follows:

- 2 bed: £965
- 3 bed: £1,640
- 4+bed: £2,219

Based on evidence from the Playing Pitch Assessment for the Leominster Area 2012, the Outdoor Sports Investment Plan provides up to date information (2016) on existing facilities and clubs and has been prepared by a partnership of Herefordshire Council, the relevant National Governing Bodies for Sport, (NGBs) Sport England (SE) and the County Sports Partnership (CSP). The investment plan is considered to be robust providing details of both quantity and quality projects (football, and hockey) for Leominster which are considered to be sustainable and deliverable and required in support of improving existing outdoors sports facilities to meet the needs of the future populations up to 2031. Contributions are calculated as follows for market housing only. (Contributions sought from new housing will only contribute approximately 75% of the total investment required for the projects):

- £350,000: Total Outdoor Sports Investment project costs (costs calculated using Sport England's Facility Kitbag)
- 2,300 new houses (Core Strategy Leominster housing requirements)
- £152: Cost per market house: (Total investment costs divided by the number of houses required over the Plan Period)

- Note: all project costs include development costs, contingency and maintenance costs x 15 years and are based on Sport England's Facility Costs Kitbag as of 2012 and associated maintenance costs

5. Representations

5.1 Leominster Town Council - Recommend refusal for the following reasons:

- The proposal would create unacceptable traffic hazards in Green Lane and Bargates;
- The proposal would exacerbate the poor air quality at the Bargates junction;
- The number of traffic movements would be too great for the current low level of highway infrastructure, especially on Green Lane and Bargates;
- The junction of Green Lane and Ginhall Lane is unsuitable for any additional traffic movements.

5.2 West Mercia Police - I note that this application does not make reference to crime reduction measures within the Design Access Statement. There is a clear opportunity within the development to achieve the Secured by Design award scheme and by doing so address the new Approved Document Q requirements.

The development appears to have good access control and natural surveillance already built into the design. The principles and standards of the award give excellent guidance on crime prevention through the environmental design and also on the physical measures. The scheme has a proven track record in crime prevention and reduction which should enhance community safety for this development within its location in Leominster.

5.3 Leominster Civic Society - Object to this application. The land on which this development is proposed is an important part of the green corridor along Ginhall Lane. It provides a green space for walkers with two footpaths crossing it, one of which it would appear to be destroyed by the proposals despite it being an ancient route. It is also close to a site of special scientific interest which would be inevitably adversely affected.

Herefordshire Council have failed to address the issues of adverse air quality on the A44 at Bargates. The proposal will add to that problem.

There are still a number of brownfield sites for suitable housing. These should be developed before greenfield sites are considered.

5.4 Ninety eight letters of objection have been received from local residents. In summary the points raised are as follows:

Highway Impacts

- There would be an unacceptable increase in traffic on already congested roads; particularly Mappenors Lane, Green Lane and Pierrepont Road.
- The increased levels of traffic will make it dangerous for children playing in the area.
- There will be an increased number of traffic movements along Green lane. It is already used as a 'rat run' and is not suitable for two lanes of traffic.
- Increased traffic movements on the local road network will be detrimental to pedestrian safety.
- In bad weather, Mappenors Lane is difficult to travel because of the incline.

Loss of Amenity Space/Field and Footpaths

- The proposal will result in the loss of public footpaths that cross the site.

- The scheme will result in the loss of an important green space. The field is used as an amenity area where people walk dogs and children play.
- Development would result in the loss of agricultural land.
- Social, health and wellbeing implications associated with the loss of an amenity area.
- The area has been identified as a green corridor and should be left as such.
- Loss of privacy for adjoining dwellings.

Landscape Impacts

- The scheme requires the loss of mature trees in order to provide access to the site.
- Development would have a huge visual impact and would result in the conspicuous loss of green space when the area is viewed from the northern approaches to Leominster.

Ecological Impacts

- The site is close to a SSSI and development will have an adverse effect upon it.
- Development will result in the loss of valuable habitats for wildlife.
- The loss of biodiversity conflicts with the principles of sustainable development
- Potential negative impact on water quality in the River Lugg which is already suffering high concentrations of nitrate pollution.

Sustainability

- The development would increase pressure on already overloaded services, particularly in relation to drainage and sewage.
- There are better sites available that are closer to local shops and other services such as the doctors surgery.
- There are not enough employment opportunities in the town.
- More suitable brownfield sites are available, particularly the site at Barons Cross, and should be used before development on a greenfield site is permitted.

Other Matters

- It is more logical to build new houses on the southern side of Leominster where employment sites are.
- The disruption caused during the construction phase will be detrimental to the amenity of local residents.
- Increased traffic will add to air pollution problems along Bargates.
- The scheme proposes too many dwellings on a small parcel of land.
- The scheme is an unnecessary development as there are already many unsold properties on the market in Leominster.
- Contradictory in respect of timescale for development shown in Herefordshire Council's SHLAA.
- The description of the site as 'infill' is misleading.
- If the application is approved it will undoubtedly bring about increased pressure for further development in the locality.

5.5 The consultation responses can be viewed on the Council's website by using the following link:-

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

Further information on the subject of this report is available from Mr A Banks on 01432 383085

6. Officer's Appraisal

Policy Context

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 In this instance the Development Plan for the area is the Herefordshire Local Plan - Core Strategy (CS). A range of CS policies, referred to at section 2.1, are relevant to development of this nature. The strategic Policy SS1 sets out a presumption in favour of sustainable development, reflective of the positive presumption enshrined in the NPPF. SS1 confirms proposals that accord with the policies of the Core Strategy (and, where relevant other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

6.3 As per the NPPF, the delivery of sustainable housing development to meet objectively assessed needs is a central Core Strategy theme. Policy SS2 'Delivering new homes' confirms that Hereford, with the market towns in the tier below, is the main focus for new housing development. In the rural areas new housing development will be acceptable *"where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community."*

6.4 Equally it is clear that failure to maintain a robust NPPF compliant supply of housing land will render the housing supply policies of the Core Strategy out-of-date. Policy SS3 'Ensuring sufficient housing land delivery' thus imposes requirements on the Council in the event that completions fall below the trajectory set out in Core Strategy Appendix 4.

6.5 The matter of housing land supply has been the subject of particular scrutiny in a number of recent appeal inquiries and it has been consistently concluded that that the Council is not able to demonstrate a 5 year supply of housing land. Therefore, policies relevant to the supply of housing are, in accordance with paragraph 49 of the NPPF, out-of-date. However, this does not render such policies an irrelevance and they may still be afforded some weight. For the avoidance of doubt, Inspectors have determined that CS policies SS2 and SS3 are both relevant to the supply of housing. Although it has not been tested at appeal, Policy LO1 (Development in Leominster) is also relevant to the supply of housing. It sets out the requirement to deliver a minimum of 2,300 new homes in Leominster over the plan period. With a minimum of 1,500 of these to be provided by a strategic housing site, the remainder are envisaged to be provided by smaller sites within the existing built up area; either coming forward through the Leominster Neighbourhood Development Plan (the NDP), or sites that have been judged to have development potential through the Strategic Housing Land Availability Assessment (SHLAA).

6.6 Irrespective of the weight to be ascribed to the Core Strategy housing supply policies, it is useful to review the application in context. The site has been assessed for its suitability as a site for housing by the SHLAA. This identifies the site as greenfield and Grade 2 agricultural land. It is also considered to be suitable for development and available; the site having been promoted by the landowner. SHLAA also considers that development of the site is achievable. However, it places a 16-20 year timescale on development due to the considered high to medium sensitivity of the landscape and the highway implications for Green Lane resulting from intensification in its use by vehicular traffic.

- 6.7 This proposal would contribute to Leominster's growth. The site is immediately adjacent to the built environs of Leominster and has been assessed as being appropriate for development through the SHLAA. It would comply with the aims Policy LO1 and it is your officer's view that, notwithstanding the lack of a five year housing land supply, weight can continue to be attributed to the policy.
- 6.8 It is clear from the comments of the Council's Neighbourhood Planning Team Leader at paragraph 2.3 that; although the Leominster NDP had reached submission stage and consultation under Regulation 16 took place earlier in the year, there are concerns about its compliance with the Core Strategy and NPPF. At the time of writing, these concerns remain unresolved and it is therefore the view of your officers that it can be afforded very limited weight. Paragraph 184 of the NPPF is clear that neighbourhood plans must be in general conformity with strategic policies of a Local Plan if they are to progress.
- 6.9 In the absence of a five year housing land supply or a sufficiently advanced NDP, Policy LO1 of the Core Strategy advises that small non-strategic developments will be provided by sites which are identified in the SHLAA. The site meets this basic criterion and therefore it stands to be assessed in the context of paragraph 14 of the NPPF – that planning permission should be granted for sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of doing so when assessed against the policies of the NPPF when taken as a whole. The following paragraphs outline the potential impacts of granting planning permission and consider whether they outweigh the presumption in favour of sustainable development.

Highway Safety and Accessibility

- 6.10 Policy MT1 of the Core Strategy and NPPF policies require development proposals to give genuine choice as regards movement. NPPF paragraph 30 requires local planning authorities to facilitate the use of sustainable modes of transport and paragraph 32 refers to the need to ensure developments generating significant amounts of movement should take account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where 'the residual cumulative impacts of development are severe.'(NPPF para.32). The first criteria of Policy MT1 of the Core Strategy takes a similar approach, requiring that development can absorb traffic impacts without adversely affecting the safe and efficient flow of traffic on the network.
- 6.11 Access to the site is currently gained via a field gate onto Mappenors Lane. The application proposes to utilise this as the sole point of vehicular access and this is a matter to be determined at outline stage. The carriageway will measure 5.5 metres in width, which is compliant with Manual for Streets and the Council's Highway Design Guide. Mappenors Lane is a residential estate road and is subject to a 30mph speed limit. It connects with the surrounding road network via a priority T-junction with The Rugg, located some 150 metres south-west of the application site, and in turn with a priority T-junction with Green Lane.
- 6.12 The calculated trip generation of the proposed development indicates a defined peak in line with the traditional network peak times of 08:00–09:00 and 17:00–18:00. The Transport Statement supporting the application estimates that 12 weekday morning trips (3 inbound/9 outbound) would result from a development of up to 21 dwellings, with 14 weekday evening trips (9 inbound/5 outbound).
- 6.13 This equates to approximately one additional trip (arrival/ departure) every 5 minutes for the morning peak period and approximately one additional trip every 4 minutes in the evening peak period, on a weekday. The Council's Transportation Manager has assessed the impact of the

proposed development on the local highway network in this context and has concluded that there is sufficient capacity in the highway network to accommodate the proposed development.

- 6.14 Visibility at the junctions of Mappenors Lane/The Rugg, and The Rugg/Green Lane is considered to be acceptable. Whilst it is accepted that development will have some impact in terms of increased traffic movements, the cumulative impacts are not considered to be severe. The Transport Statement does demonstrate that traffic can be absorbed.
- 6.15 The plans indicate the provision of footways along either side of the extension of Mappenors Lane and will continue throughout the proposed development. As referred to earlier in this report, the site is served by a network of public rights of way. These offer the opportunity for good connectivity to nearby local services and amenities by non-car travel modes.
- 6.16 There are also opportunities to improve and encourage the local cycle network. An existing route along Green Lane/Ginhall Lane could be improved to foster links through to Buckfield Road and on to Morrisons Supermarket. The Council's Transportation Manager has identified this is a potential improvement to benefit from Section 106 contributions.
- 6.17 It is therefore concluded that the proposal is acceptable in terms of highway safety and accessibility. The supporting Transport Statement demonstrates that the impact of the development will not be severe, and that there are opportunities for improvements; particularly in terms of pedestrian and cycling connectivity, that would mitigate any impacts. The proposal is therefore considered to be compliant with policy MT1 of the Core Strategy and paragraph 32 of the NPPF.

Landscape and Ecological Impacts

- 6.18 The site is currently used as rough pasture and is set within a mature landscape with trees and hedgerows surrounding. It is at the fringe of Leominster's built form and its character is already influenced by the fact that it is bounded by residential development on three sides. It provides an attractive green space adjacent to dwellings but has no national or local designation either in terms of landscape or ecological significance.
- 6.19 The proposed development would have its most obvious impacts from the public footpaths that cross the site, and from those lying beyond to the north and west. The site is also visible from Bridge Street Leisure Centre. The landscape report that accompanies the application considers that the existing vegetation will filter views of the development. The report also considers that the introduction of infill planting will further ameliorate any visual impacts, particularly when the site is viewed from locations to the north. Notwithstanding this, the report also highlights the fact that the site is less sensitive due to the human influences over it – the fact that there is an assortment of domestic boundaries shared with the site.
- 6.20 No objections have been raised to the application by either the Council's Landscape Officer or Ecologist, subject to the imposition of conditions. Although in outline, the scheme offers the potential to include measures to mitigate the impacts of the development, including the retention of existing hedgerows and areas of new planting. The Landscape Officer has recommended the submission of further information in respect of Root Protection Areas (RPAs) around existing trees and this is a matter that can be dealt with through the imposition of an appropriately worded condition. Similarly the Council's Ecologist has recommended the imposition of conditions to ensure that development is carried out in accordance with the recommendations in the ecology report submitted with the application.
- 6.21 Development of any sort will inevitably have impacts both in terms of landscape and ecology. In both cases however it is considered that the impacts of the development can be mitigated. The site has no national or local designation in either regard and on this basis, the proposal is sustainable and considered to accord with policies LD1, LD2 and LD3 of the Core Strategy.

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Impacts on Public Rights of Way and Loss of Amenity Space

- 6.22 Many of the objections received have referenced the public footpaths that cross the site. They also refer to it as an 'amenity space' that is used by dog walkers and by local children as a play space. It should be pointed out that, whilst this might be the case, the land is privately owned and is not a public amenity area.
- 6.23 The footpaths that cross the site offer the public a right of passage across the site and, should planning permission be granted, the definitive lines of the footpaths would be protected through discussion with a developer in respect of a detailed layout. This would include ensuring that none of the footpaths are obstructed either by built development or by additional planting that might be proposed along the northern boundary; a matter which has been raised by the Council's Public Rights of Way Officer who has objected on the basis that footpath ZC5 would be obstructed by proposed hedgerow planting. Landscaping is a matter reserved for future consideration and the details shown are purely indicative. The concerns raised by the PROW Officer are not justification for the application to be refused and can be dealt with at reserved matters stage.
- 6.24 It is therefore concluded that the proposal accords with Policy MT1(5) which seeks to ensure that existing local and long distance footways, cycleways and bridleways are protected.

Drainage

- 6.25 Some letters of objection have raised concerns about the impact of the development on existing infrastructure and local residents refer to recent events where heavy rainfall has caused the sewage system to overflow.
- 6.26 The application suggests that surface water created by the development would be drained to the mains sewer. This is contrary to the advice of Welsh Water who state that it should be dealt with separately. The reason for this is the evidence referred to by local residents that existing combined arrangements for foul and surface water drainage cause the system to become overloaded during periods of heavy rainfall.
- 6.27 By ensuring that surface water is dealt with through a sustainable urban drainage scheme this situation would not be exacerbated by the development and therefore is not considered to be justification for the refusal of the application. Notwithstanding the information contained on the application form, the imposition of conditions to advise that surface water should be dealt with separately and required detailed drainage arrangements to be submitted at a reserved matters stage is considered to address the concerns raised by local residents and reflects the advice given by Welsh Water. As the application is made in outline and is for up to 21 dwellings it can be reasonably concluded that SuDS can be accommodated within the site. The proposal is therefore considered to be compliant with Policy SD3 of the Core Strategy.

Loss of Agricultural Land/Use of Brownfield Sites

- 6.28 The application site is acknowledged to be Grade 2 agricultural land. The NPPF advises that, where the development of agricultural land is necessary, area of poorer quality should be used in preference to that of a higher quality.
- 6.29 Some objections consider that brownfield sites should be used in the first instance, with many referencing the site at Barons Cross Camp.
- 6.30 Whilst the site at Barons Cross does have the potential to deliver around 400 dwellings, there remains a considerable shortfall in terms of the growth intended for Leominster over the plan period. Your officers are not aware of other large brownfield sites and it should be noted that

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the strategic housing site, which will deliver around 1,500 homes, is located on similar grade agricultural land. Many of the sites identified through SHLAA are also currently agricultural land and it is inevitable that a market town, with few brownfield sites, will rely on agricultural land to meet its housing growth targets.

Summary and Conclusions

- 6.31 Both Policy SS1 of the Core Strategy and paragraph 14 of the National Planning Policy Framework engage the presumption in favour of sustainable development and require that development should be approved where they accord with the development plan. The site is on the urban fringe of Leominster and has been identified by the SHLAA as one that is appropriate for development. Notwithstanding the concerns raised, there are not considered to be matters of such weight to warrant the refusal of the application.
- 6.32 In assessing the three indivisible dimensions of sustainable development as set out in the Core Strategy and NPPF, officers are of the opinion that the scheme is representative of sustainable development and that the presumption in favour of approval is engaged. The contribution the development would make in terms of jobs and associated activity in the construction sector and supporting businesses should also be acknowledged as fulfilment of the economic and social roles. Likewise S106 contributions as outlined in the draft heads of terms agreement appended to this report should also be regarded as a material consideration when making any decision.
- 6.33 The development will have some impacts in environmental terms as a field will be lost to development. The nature of the public footpaths that cross the site will also be changed and they would run through a residential area rather than an area of open countryside as they presently do. There will also be some impacts in terms of biodiversity through the loss of existing vegetation and habitats. Whilst these impacts can be mitigated through new planting and landscaping schemes they are not necessarily environmental benefits. However, the area is not afforded any national or local designation and your officers do not consider these impacts to outweigh the presumption in favour of sustainable development.
- 6.34 To conclude, the proposed development is considered to represent a sustainable development for which there is a presumption in favour of and, as such, the application is recommended for approval subject to conditions and the completion of the Section 106 agreement in accordance with the heads of terms attached to this report.

RECOMMENDATION

Subject to the completion of a Section 106 Town & Country Planning Act 1990 obligation agreement in accordance with the Heads of Terms stated in the report and as appended, officers named in the Scheme of Delegation to Officers are authorised to grant outline planning permission, subject to the conditions below and any other further conditions considered necessary by officers

1. **C02 - A02 Time limit for submission of reserved matters (outline permission)**
2. **C03 - A03 Time limit for commencement (outline permission)**
3. **C04 - A04 Approval of reserved matters**
4. **No development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details:**
 - a. **Wheel cleaning apparatus which shall be operated and maintained during**

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- construction of the development hereby approved.
- b. Parking for site operatives and visitors which shall be retained and kept available during construction of the development.
- c. A noise management plan including a scheme for the monitoring of construction noise.
- d. Details of working hours and hours for deliveries
- e. A scheme for the control of dust arising from building and site works
- f. A scheme for the management of all waste arising from the site
- g. A travel plan for employees.

The agreed details of the CMP shall be implemented throughout the construction period.

Reason: In the interests of the residential amenity of properties within the locality and of highway safety in accordance with Policies SD1 and MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

5. CAE - H06 – Vehicular access construction

6. Prior to the first occupation of any of the dwellings hereby approved a scheme for the provision of covered and secure cycle parking within the curtilage of each dwelling shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The cycle parking shall be installed and made available for use prior to occupation of the dwelling to which it relates and shall be retained for the purpose of cycle parking in perpetuity.

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform to the requirements of Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

7. Prior to the first occupation of any of the dwellings hereby approved a Travel Plan which contains measures and targets to promote alternative sustainable means of transport for residents and visitors with respect to the development hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority. The Travel Plan shall be implemented, in accordance with the approved details, on the first occupation of the development. A detailed written record shall be kept of the measures undertaken to promote sustainable transport initiatives and a review of the Travel Plan shall be undertaken annually. All relevant documentation shall be made available for inspection by the Local Planning Authority upon reasonable request.

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform to the requirements of Policy MT1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

8. In this condition 'retained tree/hedgerow' means an existing tree/hedgerow that is to be retained in accordance with the approved plans and particulars.

No development, including demolition works shall be commenced on site or site huts, machinery or materials brought onto the site, before adequate measures have been taken to prevent damage to retained trees/hedgerows. Measures to protect

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retained trees/hedgerows must include:

a) Root Protection Areas for each retained tree/hedgerow must be defined in accordance with BS3998:2010 – Tree Work - Recommendations, shown on the site layout drawing and approved by the Local Planning Authority.

b) Temporary protective fencing, of a type and form agreed in writing with the Local Planning Authority must be erected around each retained tree/hedgerow. The fencing must be at least 1.25 metres high and erected to encompass the whole of the Root Protection Areas for each retained tree/hedgerow.

c) No excavations, site works or trenching shall take place, no soil, waste or deleterious materials shall be deposited and no site huts, vehicles, machinery, fuel, construction materials or equipment shall be sited within the Root Protection Areas for any retained tree/hedgerow without the prior written consent of the Local Planning Authority.

d) No burning of any materials shall take place within 10 metres of the furthest extent of any retained hedgerow or the crown spread of any retained tree.

e) There shall be no alteration of soil levels within the Root Protection Areas of any retained tree/hedgerow.

Reason: To safeguard the amenity of the area and to ensure that the development conforms to Policies SD1, LD1 and LD3 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

9. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:

a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice

b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors

c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

10. The Remediation Scheme, as approved pursuant to condition no. 9 above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning

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Authority in advance of works being undertaken.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

- 11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.**

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

- 12. No development shall commence until a detailed plan, showing the levels of the existing site, the proposed slab levels of the dwellings approved and a datum point outside of the site, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: In the absence of sufficient detailed information, the clarification of slab levels is a necessary initial requirement before any groundworks are undertaken so as to define the permission and ensure that the development is of a scale and height appropriate to the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 13. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy SD3 of the Herefordshire Local Plan – Core Strategy and the national Planning Policy Framework.

- 14. The work and construction methodologies and recommendations as set out in section 6 of the ecological report (Star Ecology 17th May 2016) should be followed in relation to the identified species unless otherwise agreed in writing by the local planning authority.**

Reason: The proper consideration of potential impacts on protected species and biodiversity assets is a necessary initial requirement before any demolition and/or groundworks are undertaken in order to ensure that diversity is conserved and enhanced in accordance with the requirements of the NERC Act 2006 and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

- 15. No development shall commence on site until, based on the mitigation recommendations in the ecology report (Star Ecology 17th May 2016) with details of**

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enhancements for bat roosting, bird nesting and hedgehog homes, a detailed habitat & biodiversity enhancement scheme, including type and location of bat roosting and bird nesting mitigation/enhancements, a lighting plan, landscape & planting proposal and an associated 5 year maintenance and replacement plan has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy and the National Planning Policy Framework.

INFORMATIVES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.
3. The landscaping/enhancement scheme should take in to account Chalara Ash Dieback Disease that is now endemic to the UK and widespread across Herefordshire. With a 95-98% ash mortality consideration should be given as to the management of existing ash trees on site and ensure appropriate additional mitigation planting of future standard hedgerow trees of alternative species (eg Oak, Small-leaved Lime and Hornbeam) is included in the scheme submitted for approval. With a much better take up by wildlife the enhancement scheme should also see the inclusion of bat roosting opportunities within the houses (see Bat Conservation Trust website for details of appropriate 'bat bricks' raised ridge tiles and bat boxes) and the use of woodcrete bird nesting boxes including sparrow terraces. The lighting plan is needed so as to ensure bats and other nocturnal animals and the wider landscape are not impacted by any additional lighting and support the objectives of the 'dark skies initiative'.
4. A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.
5. I 09 Private apparatus within the highway
6. I 11 Mud on the highway
7. I 35 Highways Design Guide
8. I 41 Travel Plans
9. I 45 Works within the highway

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10. It is possible that unforeseen contamination may be present on the site as a result of its former agricultural/orchard use. Consideration should be given to the possibility of encountering contamination on the site as a result of its former uses and specialist advice be sought should there be any concern about the land.

11. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

12. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 161486

SITE ADDRESS : LAND AT PINFARTHINGS, OFF NORTH MAPPENORS LANE, LEOMINSTER, HEREFORDSHIRE

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DRAFT HEADS OF TERMS

Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning Application – P161486/O

Site address:

Land at Pinfarthings, off North Mappenors Lane, Leominster, Herefordshire

Planning application for:

Outline application for residential development of up to 21 dwellings with means of access.

This Heads of Terms has been assessed against the adopted Supplementary Planning Document on Planning Obligations dated 1st April 2008, and Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). All contributions in respect of the residential development are assessed against open market units only except for item 2 which applies to all new dwellings.

1. The developer covenants with Herefordshire Council to pay Herefordshire Council the sums of (per open market unit):

£ 1,720.00 (index linked) for a 2 bedroom open market unit

£ 2,580.00 (index linked) for a 3 bedroom open market unit

£ 3,440.00 (index linked) for a 4+ bedroom open market unit

to provide sustainable transport infrastructure to serve the development. The sum shall be paid on or before the commencement of the development, and may be pooled with other contributions if appropriate.

The monies shall be used by Herefordshire Council, in consultation with the Parish Council, at its option for any or all of the following purposes:

- a) Junction improvement/updating of the junction at Ginhall Lane and Green Lane and associated cycle path facility at the junction

NOTE: A Sec278 agreement may also be required depending on the advice of the local Highways Authority

2. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £80.00 (index linked) per dwelling. The contribution will be used to provide 1x waste and 1x recycling bin for each dwelling. The sum shall be paid on or before the commencement of the development
3. The maintenance of any on-site Public Open Space (POS) will be by a management company which is demonstrably adequately self-funded or will be funded through an acceptable on-going arrangement; or through local arrangements such as the parish council and/or a Trust set up for the new community for example. There is a need to ensure good quality maintenance programmes are agreed and implemented and that the areas remain available for public use.

NOTE: Any attenuation basin and/or SUDS which may be transferred to the Council will require a commuted sum calculated in accordance with the Council's tariffs over a 60 year period

4. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of:

£ 965.00 (index linked) for a 2 bedroom open market dwelling

£ 1,640.00 (index linked) for a 3 bedroom open market dwelling

£ 2,219.00 (index linked) for a 4 bedroom open market dwelling

The contributions will be used for off site play at Oldfields, Sydonia and The Grange or on improving the Council's Public Rights of Way to allow greater access to the wider countryside and Bridge Street Sports Park. The priority for expenditure will be decided at the time of receiving the contribution and in consultation with the local parish council.

The sum shall be paid on or before the commencement of the development, and may be pooled with other contributions if appropriate.

5. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £152.00 (index linked) per open market dwelling towards off-site sports facilities. The contributions will be used for off site football and hockey provision at Bridge Street Sports Park or football provision at Earl Mortimer Cottage. The priority for expenditure will be decided at the time of receiving the contribution and in consultation with the local parish council.

The sum shall be paid on or before the commencement of the development, and may be pooled with other contributions if appropriate.

6. The developer covenants with Herefordshire Council that 25% (5) of the residential units shall be "Affordable Housing" which meets the criteria set out in policy H1 of the Herefordshire Core Strategy or any statutory replacement of those criteria and that policy including the Supplementary Planning Document on Planning Obligations.

NOTE: the mix of tenure and unit size of the affordable units shall be agreed with Herefordshire Council:

NOTE: For the avoidance of doubt, the term intermediate tenure shall not include equity loans or affordable rent.

7. All the affordable housing units shall be completed and made available for occupation in accordance with a phasing programme to be agreed in writing with Herefordshire Council.

8. The Affordable Housing Units must at all times be let and managed or co-owned in accordance with the guidance issued by the Homes and Communities Agency (or any successor agency) from time to time with the intention that the Affordable Housing Units shall at all times be used for the purposes of providing Affordable Housing to persons who are eligible in accordance with the allocation policies of the Registered Social Landlord; and satisfy the following requirements:-:

8.1. registered with Home Point at the time the Affordable Housing Unit becomes available for residential occupation; and

8.2. satisfy the requirements of paragraphs 9 & 10 of this schedule

9. The Affordable Housing Units must be advertised through Home Point and allocated in accordance with the Herefordshire Allocation Policy for occupation as a sole residence to a person or persons one of whom has:-

9.1. a local connection with the parish of Leominster;

9.2. in the event of there being no person with a local connection to Leominster any other person ordinarily resident within the administrative area of the Council who is eligible under the allocation policies of the Registered Social Landlord if the Registered Social Landlord can demonstrate to the Council that after 28 working days of any of the Affordable Housing

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Units becoming available for letting the Registered Social Landlord having made all reasonable efforts through the use of Home Point have found no suitable candidate under sub-paragraph 9.1 above.

10. For the purposes of sub-paragraph 9.1 of this schedule 'local connection' means having a connection to one of the parishes specified above because that person:
 - 10.1. is or in the past was normally resident there; or
 - 10.2. is employed there; or
 - 10.3. has a family association there; or
 - 10.4. a proven need to give support to or receive support from family members; or
 - 10.5. because of special circumstances;
11. In the event that Herefordshire Council does not for any reason use the sums in paragraphs 1, 2, 4 and 5 above, for the purposes specified in the agreement within 10 years of the date of payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
12. The sums referred to in paragraphs 1, 2, 4 and 5 above shall be linked to an appropriate index or indices selected by the Council with the intention that such sums will be adjusted according to any percentage increase in prices occurring between the date of the Section 106 Agreement and the date the sums are paid to the Council.
13. If the developer wishes to negotiate staged and/or phased trigger points upon which one or more of the covenants referred to above shall be payable/delivered, then the developer shall pay a contribution towards Herefordshire Council's cost of monitoring and enforcing the Section 106 Agreement. Depending on the complexity of the deferred payment/delivery schedule the contribution will be no more than 2% of the total sum detailed in this Heads of Terms. The contribution shall be paid on or before the commencement of the development.
14. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

Yvonne Coleman
Planning Obligations Manager

Latham, James

From: Martin and Nico Baines
Sent: 05 December 2017 11:45
To: Neighbourhood Planning Team
Cc: Banks, Samantha
Subject: LANP
Attachments: LANP Appendix 4 only.doc

This is the email we have sent to Samantha Banks.

Hi Samantha,

We are very concerned to find that the references to Housing Space Standards that were included in the first draft of the LANP, and I was a member of the original working party, appear to have been omitted. At that time the RIBA Standards were the only ones available, now there are National Standards but these are not statutory - Authorities have to adopt them in Local Plans.

In view of the appallingly substandard homes currently proposed for the Barons Cross site in Leominster this issue has become of prime importance. What is the procedure for 'adopting' civilised space standards for the Leominster area, and how can these be put in place before work starts on the major SUE expansion of the town to the South-West?

Proper standards should at least be in the Neighbourhood Plan; I attach our proposal for adding them to Appendix 4 of the LANP.

With best wishes,
Martin Baines
For Leominster Civic Society

Leominster Neighbourhood Plan – Draft Leominster Civic Society Response Dec 2017

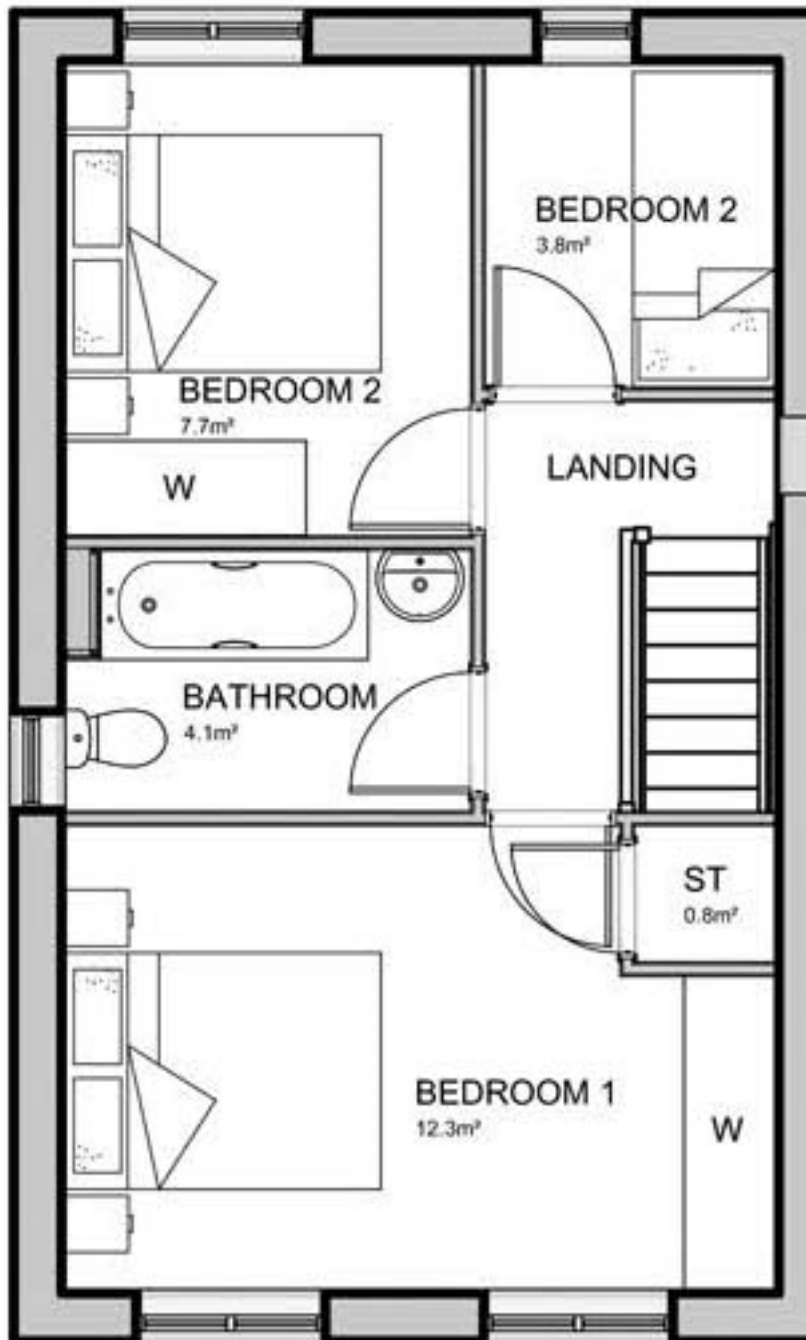
Housing Space Standards

Appendix 4

Add housing space standards

- a. **Evidence of need** for the provision of the National Housing Space Standards is provided by recent applications for housing development with space standards significantly below the National Standard. A current application for housing at Barons Cross (172135/RM, illustrated below) for 414 dwellings proposes (for example) the largest single bedroom to be 66.7 sq.ft (6.2 sq.m.), and the smallest to be 40.9sq.ft. (3.8 sq. m.). National Space standards require 'a floor area of at least 7.5m² and at least 2.15m. wide'.

Leominster residents have a right to expect standards comparable with their neighbouring county of Shropshire, which has adopted the National Housing Space Standards, and Leominster's Councillors require the legal framework which will enable them to reject inadequate standards.



b. Conformity with the Core Strategy.

Herefordshire Local Plan; Core Strategy 2011 – 2031.

The Nationally described space standards and the Written Ministerial Statement (March 2015) are initiatives at Government level, aimed at improving housing space standards nationally for long term benefit, which have been announced in the period since Herefordshire's Core Strategy was approved. However the new initiatives are in keeping with the strategic objectives of the Core Strategy as shown below.

Policy SS1 – Presumption in favour of sustainable development.

This reads:-

'When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within

national policy. **It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.'**

The addition of nationally approved space standards is clearly in keeping with this strategy.

(Note: a recent Inquiry in Shropshire – Jackfield (15/00614/FUL) resulted in a judgement from the Inspector (16/02396/REF) referring to compliance with the new technical standards which can only be required 'where there is a relevant Local Plan Policy' as there is in Shropshire, where the equivalent strategic objective is to 'promote good quality sustainable and affordable housing development.'

Leominster Civic Society



Leominster Community Centre, School Road, Leominster. HR6 8NJ. Email: secretary@leominstercivicsociety.co.uk
11 December 2017

Civic Society Response to the Leominster Neighbourhood Plan December 2017

Add the words highlighted in red

LANP 2

- f. The plan **specifically includes a designed 'safe route to school' and** follows the preferred hierarchy of..

LANP 3

Development of the Leominster Sustainable Urban Extension will be permitted when:

- a. a detailed masterplan **designed to uphold the LANP principles, produced for consultation with the local community and approved by the County Council Planning Committee** is in place.
- n. Development will only be permitted if it **can be shown not to** compromise the ability of the nutrient management plan...
- r. **Housing space standards will be required to conform with the National Housing Space Standards (see Appendix 4).**
- s. **Street lighting is designed to uphold 'Dark Skies principles and any security lighting, lighting of buildings or sports fields etc. is similarly designed.**

LANP 9

- i. Business premises should have appropriate signage - illuminated signs and lighting should be kept to a minimum and, when used, make a positive contribution to the street scene. **In general owners making alterations are recommended to use the Herefordshire Council 'Shop Front Design Guide 2011'.**
- k. **The aim is to achieve the future concealment of overhead electrical cabling by using underground trenches, accordingly future paving schemes will be designed with this in mind...**
- m. **Protect and enhance the locally distinctive alleys in the town centre eg. Ironmongers' Lane etc.**

LANP 11

Map 6: **Include land along Kenwater from Cranes Lane bridge, to the South of the river?**

See also LANP 17 below. (This is an important Leominster anomaly; these meadows beside the A49 are not protected by Conservation Area status.)

LANP 17

- a. Protect and enhance the low-lying river corridors to the north, east and south of the town of the Lugg, Kenwater and Arrow, **together with the meadows to north and east of the town. These views, particularly those from the A49, give a view of Leominster and its Priory as it once was, surrounded by streams and marshes, and are a key element in Leominster's local distinctiveness Leominster's Lammes Meadows (understood to be uniquely named) are a part of this meadowland.**



Leominster Priory in its distinctive historic setting.

Appendix 4

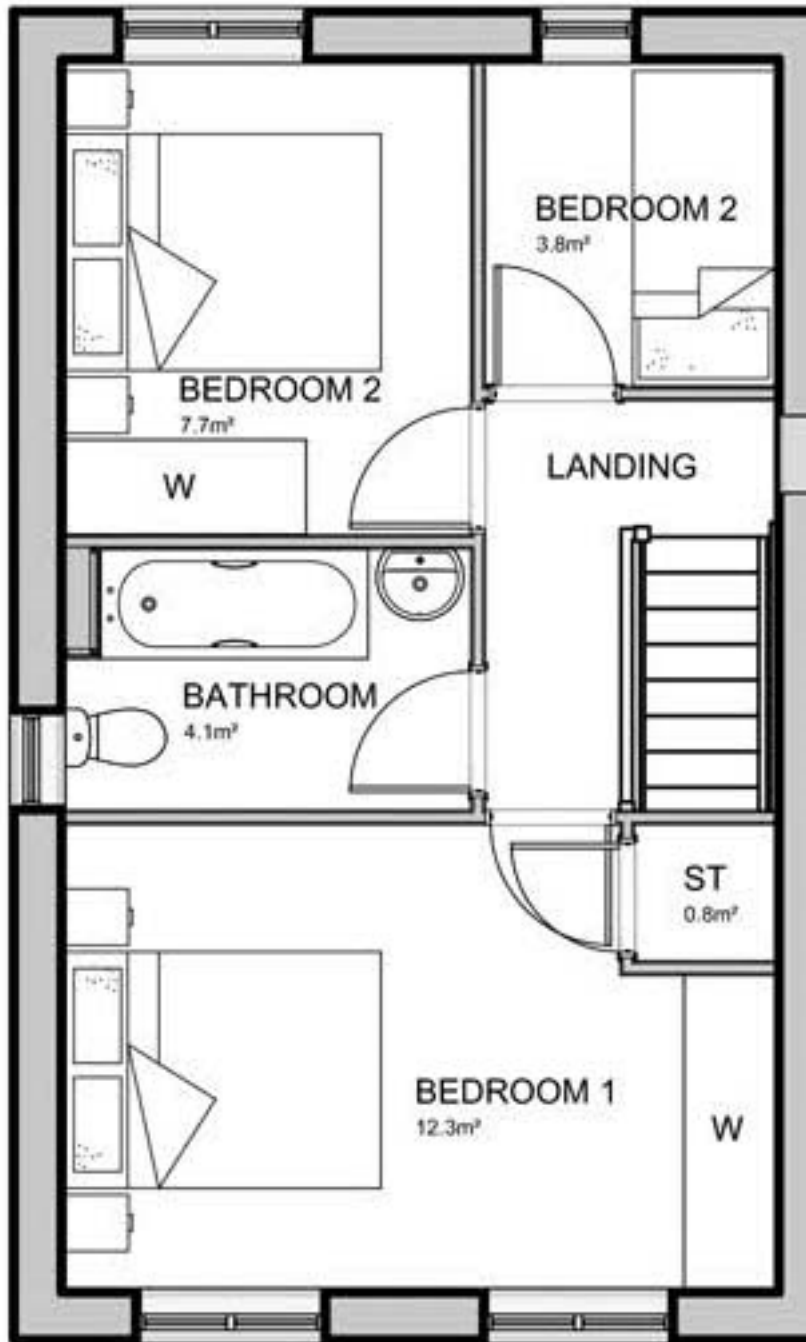
Alter 'Windows should...'

Windows should be timber, painted not stained, except for leaded lights in iron casements and used in hardwood frames. UVPC or plastic coated timber frames will not be permitted.

Add National Housing Space Standards

Evidence of need for the provision of the National Housing Space Standards is provided by recent applications for housing development with space standards significantly below the National Standard. A current application for housing at Barons Cross (172135/RM, illustrated below) for 414 dwellings proposes (for example) the largest single bedroom to be 66.7 sq.ft (6.2 sq.m.), and the smallest to be 40.9sq.ft. (3.8 sq. m.). National Space standards require 'a floor area of at least 7.5m² and at least 2.15m. wide'.

Leominster residents have a right to expect standards comparable with their neighbouring county of Shropshire, which has adopted the National Housing Space Standards, and Leominster's Councillors require the legal framework which will enable them to reject inadequate standards.



Latham, James

From: Clerk <clerk.lustongroup@gmail.com>
Sent: 05 December 2017 11:29
To: Neighbourhood Planning Team
Cc: Clerk
Subject: Luston Group PC - comment on Leominster Regulation 16 neighbourhood development plan consultation

Dear Neighbourhood Planning,

Luston Group Parsh Council reviewed the Regulation 16 Leominster NDP yesterday evening and agreed to offer full support for the well thought through neighbourhood development plan.

Regards,

--

Richard Hewitt
Clerk
Luston Group Parish Council
www.lustonparishes.gov.uk

This email has been checked for viruses by AVG.
<http://www.avg.com>

Latham, James

From: Howells, Mathew
Sent: 14 December 2017 12:15
To: Neighbourhood Planning Team
Subject: RE: Leominster Regulation 16 neighbourhood development plan consultation
Attachments: leominster_ndp ME comments 141217.pdf

Good afternoon,

Please find attached comments on Leominster's NDP.

General comments- There is little to no mention of active travel access to schools or educational facilities.

It would also be worth noting that there is an ongoing transport study in Leominster and it would be worth aligning some aspirations with that.

Kind Regards
Mat

Herefordshire.gov.uk

Mathew Howells
Senior Transport Planning Officer
Tel | 01432 383143
Email | mathew.howells@herefordshire.gov.uk

Economy, Communities & Corporate Directorate
Plough Lane Offices
Hereford
HR4 0LE

From: Neighbourhood Planning Team
Sent: 02 November 2017 10:59
Subject: Leominster Regulation 16 neighbourhood development plan consultation

Dear Consultee,

Leominster Town 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://myaccount.herefordshire.gov.uk/leominster>

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

The consultation runs from 2 November 2017 to 14 December 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



Leominster Neighbourhood Plan



Regulation 16 Submission Plan

November 2017

<http://www.leominstertowncouncil.gov.uk/neighbourhood-plan.aspx>

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INTRODUCTION



Leominster Town Council decided in 2012 to take advantage of the new neighbourhood planning power. This power allows town councils to set out planning policies and proposals to promote, guide and control development. A Draft Plan was published in December 2014 and went for formal consultation for the required six week period.

The Plan was further revised in October 2015, and again in January 2016, when it was submitted to Herefordshire Council for examination. Following on from the comments made, the Plan was further revised in July 2017 prior to final submission to Herefordshire Council for approval following a further public consultation with residents to update them on the revisions made.

This final plan, which has been modified in the light of submissions to the formal consultation draft pre Regulation 16, which was undertaken in August 2016 and April 2017, sets out how the Town Council thinks the town and wider area should develop up to 2031 and beyond.

BACKGROUND

Neighbourhood Plans

Neighbourhood plans are a new feature of the statutory planning system in England. Introduced through the Localism Act in 2011, neighbourhood plans give local communities, through parish and town councils, the power to plan for the future of their area.

Leominster Town Council decided in 2012 that this was a power that we should use so we could make decisions on the future planning policy for the whole town council area, see Map 1, hence the Leominster Area Neighbourhood Plan, or LANP for short.

Community Engagement

Following the formation of the Leominster Area Neighbourhood Plan Steering Group (NPSG) in the summer of 2012, plans were formulated for the involvement of the people of Leominster Parish in the process. A newsletter was prepared and delivered to every home in the parish (some 5,500). The newsletter explained the process, asked questions to which residents could respond and included an invitation to the launch meeting of LANP. This meeting was held in February 2013 at Earl Mortimer College and took the form of an introductory talk by the Chair of the Steering Group and group discussions on the themes that had been identified by the NPSG: Housing, Environment, Health and Well-being, Transport, Leisure and Sport. Other smaller public meetings were held in Ivington, and at the Hop Pole Inn on the north side of Leominster.

The comments from these meetings were refined into the themes – The Built Environment, Jobs and Business, Green Spaces, Travel and Transport, Health and Leisure - with the environment and energy as overarching concepts. These themes were built into the website developed by Orphans Press which as well as providing information and a record of meetings also had a forum for discussion of the themes. VocalEyes was incorporated into the website to provide a means of rating attitudes to suggestions. The LANP website went live in the spring of 2013. The Chair visited Earl Mortimer College on two occasions to discuss the plan with students.

In August 2013 LANP took a window in the Tourist Information Centre in Corn Square showing a video (on a permanent loop) detailing the issues to be discussed in preparing a neighbourhood plan. Leaflets were handed out on market days throughout the month and members of the Steering Group engaged shoppers in conversation.



In September 2013 over 400 Leominster businesses were invited to a Business Forum at Grange Court to discuss the plan and generate ideas. The NPSG also met with the owners of the land earmarked for the Urban Expansion site south of Leominster on a number of occasions. We also engaged with the representatives of the GP surgeries seeking a move to a larger and more convenient site and of a nursing home looking to build a retirement complex within the parish.

During the first half of 2014 a draft plan was prepared which was presented in an informal consultation during August 2014. Copies of the plan were made available at the Town Council office, the Library, Grange Court, the Community Centre and the Tourist Information Office. A launch was held at Grange Court and on three following Fridays leaflets were distributed in Corn Square and people invited to view and discuss the plan with Steering Group Members at the Rankin Club.

Comments received as a result of this informal consultation were referred to in modifications to the draft plan which was presented for Formal Consultation in December 2014. Explanatory leaflets were delivered to every household in the parish and public meetings were held at Earl Mortimer College, Ivington School and the Dairy Café, Wharton. Members of the Steering Group also discussed the plan with shoppers at the Coop and Morrison's in Leominster. The plan was on view at the same locations as during the informal consultation. The plan was also available to download from the website.

The website continued to function as the main means of connecting with residents while articles in the local press informed readers of the progress being made. Throughout the preparation of LANP, the Steering Group has met in open meetings usually on the first and third Wednesdays of the month.

Submissions made as a result of both informal and formal consultations have been referred to in production of this final plan.

Map 1 – Designated Neighbourhood Planning Area



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National and Local Planning Policy



The Leominster Neighbourhood Plan must take account of national and strategic local planning policy. In developing our Plan the following documents have been crucial in setting the context for the Leominster Neighbourhood Area Plan.

National planning policy

The Leominster Area Neighbourhood Plan must take account of national planning policy. This is, primarily, contained in one document - the National Planning Policy Framework (NPPF)¹. Our plan has also been prepared by taking account of government guidance in the National Planning Practice Guidance.

This means our Neighbourhood Plan must “plan positively to promote local development” and must “support the strategic development needs” set out in the Core Strategy. Therefore, our Neighbourhood Plan has been prepared to be in “general conformity” with the strategic planning policies contained in the Herefordshire Core Strategy.

¹ The full list of national and local planning policies that have influenced the preparation of the LANP can be found in the Leominster National and Local Planning Policy Assessment that accompanies this Plan

Herefordshire County Council Core Strategy

Our plan has to take account of the strategic planning policies in the Herefordshire Core Strategy. In particular, the following policies are those that seek to maintain Leominster as the key centre in the north of Herefordshire. The “Policies and Proposals” of LANP, starting on page 24, are in general conformity with these strategic planning policies.

Note that the following are Herefordshire Council’s policies. They are not policies developed by the Neighbourhood Plan Steering Group.

Core Strategy Policy LO1 – Development in Leominster

Leominster will accommodate a minimum of 2,300 new homes throughout the plan period, (2011-2031) of which a minimum of 1,500 dwellings will be provided in a single strategic urban extension to the south-west of the town. The remaining dwellings will be provided through existing commitments, smaller scale non-strategic sites within the existing built up area; those which come forward through the Leominster Neighbourhood Development Plan, or sites judged as having development potential which are identified in the *Strategic Housing Land Availability Assessment*.

The Leominster Enterprise Park will continue to serve the employment needs of Leominster, which will include a further extension of up to 10ha to the south of the enterprise park. The release of the additional land will be phased across the plan period depending upon the availability or otherwise of land within the existing enterprise park.

In Leominster new development proposals will be encouraged where they:

- continue the development of the Leominster Enterprise Park and encourage proposals for suitable small scale employment sites within the town;
- maintain and enhance the viability and vitality of the town centre. Proposals for new retail, leisure or office development of over 400m² in gross floor space and located outside of the defined town centre will need to be supported by an impact assessment in accordance with the National Planning Policy Framework to determine whether there could be any adverse impacts on the vitality and viability of Leominster town centre;
- ensure that developments do not exacerbate air pollution levels within the designated air quality management area at Bargates;
- ensure that development does not undermine the achievement of water quality targets in accordance with Policy SD3 and SD4; and
- has demonstrated engagement and consultation with the community including the town/parish council.

Core Strategy Policy LO2 – Leominster Urban Extension

Land south west of Leominster will deliver a comprehensively planned sustainable urban extension and will be expected to deliver:

- a minimum of 1,500 new homes at an average density of up to 35 dwellings per hectare comprising a mix of market and affordable house sizes and types that meet the requirements of Policy H3, and the needs identified in the latest version of the Herefordshire Local Housing Market Assessment;
- an affordable housing target of 25% will be required as an opportunity to address the range of homes currently available in the town;
- Leominster relief road linking the Worcester Road roundabout directly to the A44, to help relieve traffic congestion within the town and improve air quality in the Bargates area;
- small scale neighbourhood retail facilities;
- potential for employment opportunities as demand arises in the form of use class B1 and live/work units;
- provision of appropriate community and youth facilities within a community hub;
- provision of a new 420 place primary school and pre-school facilities;
- appropriate provision of on-site open space, sports and recreation provision (in addition to Cockcroft Hill). This shall include fully accessible semi-natural and natural greenspace; play provision for all age groups, indoor and outdoor sports provision (some of which may be off site); allotments and new orchard planting;
- new green infrastructure walking and cycling links to the town centre, schools, the Enterprise Park and local public right of way network;
- retention of the highly sensitive landscape areas and geological features of Cockcroft Hill (which encompasses Ryelands Croft) by retaining this site as natural open space;
- sustainable standards of design and construction;
- a comprehensive sustainable urban drainage system which includes measures such as rain gardens and swales to manage ground and surface water drainage and safeguard against any increased flood risk; and
- an evaluation of the archaeological importance of the area in order to ensure appropriate protection of heritage assets and inform the detailed development proposals.

The land available for development to the south-west of Leominster will also enable the housing needs of the town to be met beyond the plan period.

The Core Strategy expresses this strategy in policies LO1 and LO2 and a Key Diagram, see Map 2.

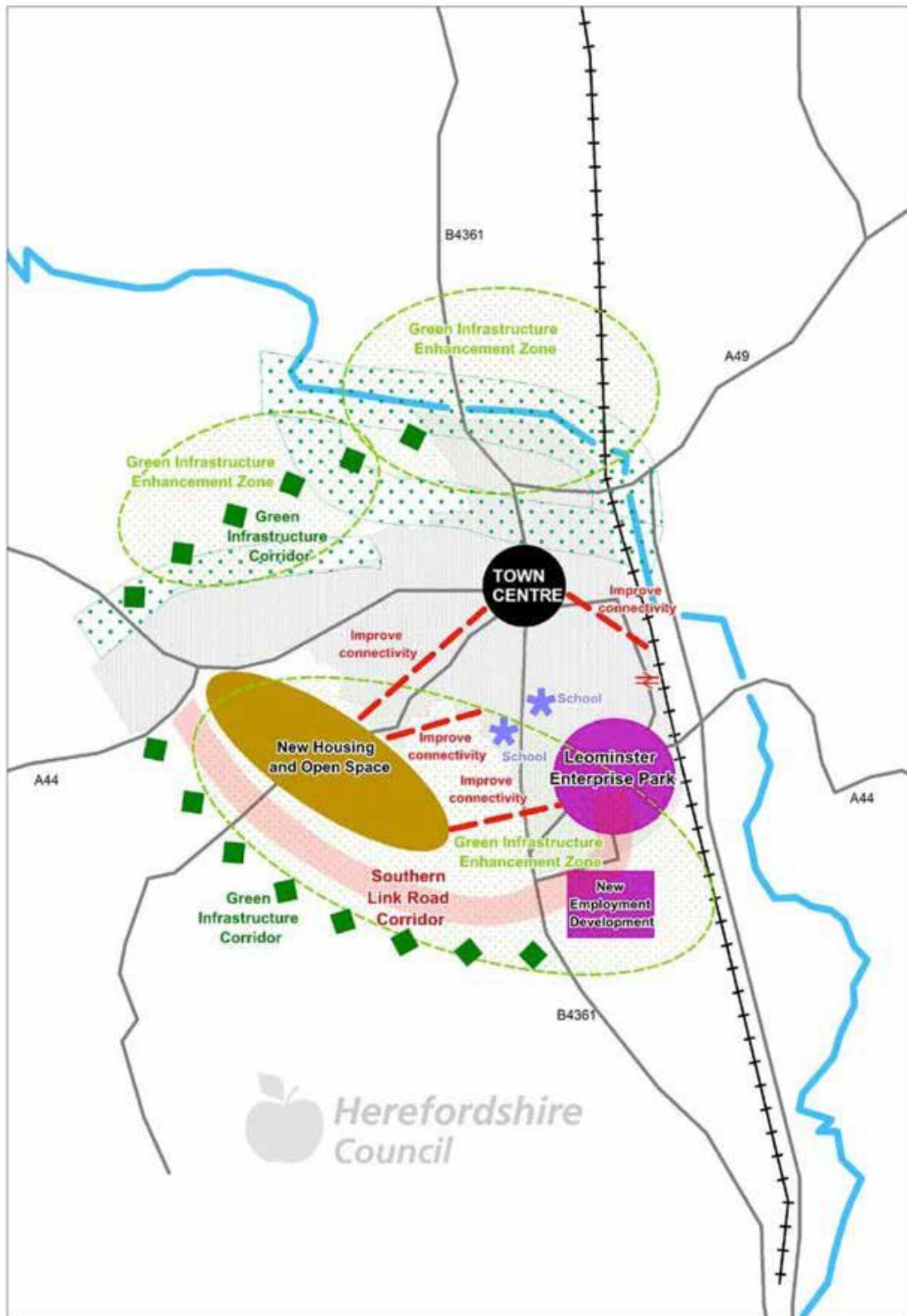
Leominster also includes a significant rural hinterland. Three settlements within this area are identified within the Core Strategy as villages where housing development will be required to meet Policy RA2 of the Herefordshire Council's adopted Core Strategy. The villages are:

- Brierley
- Ivington
- Wharton

Outside these areas housing in the countryside surrounding Leominster will be subject to meeting the criteria set out in Policy R3 of the adopted Core Strategy and limited to the following:

- Homes that meet an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work, or are necessary to allow a rural enterprise to be retained or grow (such homes also need to comply with policy RA4 of the Herefordshire Core Strategy);
- Replacement of existing dwelling that is comparable in size and scale sited within an existing domestic curtilage;
- Meets an agricultural, forestry or other farming need where a worker needs to be close to their place of work;
- Meets the criteria to enable rural enterprise growth;
- Would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to an enhancement;
- Is of exceptional quality and design and achieves sustainable standards of design and construction;
- Is a site that provides for the need of gypsies or other travellers in accordance with Policy HR4 of the Herefordshire Core Strategy.

Map 2 – Leominster Core Strategy Key Diagram.



Key Issues for the Leominster Area Neighbourhood Plan

This section of our plan identifies the key issues Leominster will face up to 2031.

Our Neighbourhood Plan has been prepared to tackle six key issues:

- Housing
- Health and Leisure
- Travel and Transport
- Jobs and Business
- Green spaces
- Built Environment

The Steering Group has been working and consulting on these issues since 2012.



Housing

The Core Strategy identifies a significant number of new homes for Leominster. Following the adoption of the Core Strategy a minimum of 2,500 new homes are to be provided in Leominster over the period 2011 to 2031.

By April 2017 130 homes had been completed. There were a further 645 homes with planning permission, leaving a target of land for 225 new homes to be found. The Core Strategy seeks to address this issue by identifying land to the south west of Leominster for a Sustainable Urban Extension (SUE). This will accommodate around 1,500 of these 2,500 new homes.

The rest of the town will accommodate the remaining 225 homes. Leominster town will be the priority, followed by the villages, and with very limited development in open countryside.

Everyone accepts the need for new housing, but this level of development will put significant pressure on the existing local community and services. While a smaller urban expansion would reduce this pressure, this is strategic planning policy set by Herefordshire Council. Our plan has to take account of this and, therefore, seeks that all new housing must be well designed, phased to ensure that land is not released unnecessarily, and it must meet and strive to go beyond the national standards for sustainable housing design. This will minimise impact on the environment and reduce running costs; and it must be the right type and tenure of housing in the right place.

The Herefordshire Core Strategy does contain specific facilities that will need to be provided in conjunction with all new development that will hopefully ensure that the new development identified in Leominster will not put pressure on the existing local community and services.



Health and Leisure

Under this heading our Neighbourhood Plan looks not only at the medical facilities in the area, for example the principles that should guide the location of a new health centre, but also looks at how a better planned, cleaner, greener and safer environment can contribute to the health and well-being of all those who live and work in Leominster.

Our plan also looks at possible new leisure facilities and recreation facilities.

Tourism is an important contributor to the town's economy with over 30,000 visitors a year. Our plan seeks to improve and grow this important sector of our local economy. One of the key existing weaknesses is the lack of higher quality hotel provision.

Travel and Transport

One of the key issues for Leominster town is the problem of traffic flow through the town. This causes congestion and air quality issues at Bargates². Our neighbourhood plan supports the option for addressing this issue via the construction of a new link road. The provision of a link road would help address these issues and the Plan would support the link road being built even if the urban expansion does not go ahead.

It is also important that the neighbourhood plan considers other ways of getting from A to B – walking, cycling and public transport, not just in the town of Leominster itself, but also in our more rural areas.

Leominster is a Walkers are Welcome town and our plan looks at how we can prioritise journeys on foot and cycle by improving facilities for walkers and cyclists. In doing this we will support the work under our Health and Leisure theme and improve our tourism offer.

² Currently the air quality in Bargates is well below British and European standards and is likely to incur large fines unless remedied. The only way of improving air quality is by reducing congestion on the through route which means reducing the amount of traffic, particularly heavy vehicles, using the route.

Jobs and Business

We want Leominster to remain a vibrant and dynamic town. This means that there must be jobs for all those that need one and encouragement for businesses to establish and grow. Leominster has a very varied business base with traditional industries such as agriculture sitting alongside modern internet based businesses. Tourism makes a large contribution to the town's economy.



While Southern Avenue and the Enterprise Park are the main industrial sites, and the town centre is the main retail and entertainment hub, there are businesses scattered across the town and the surrounding rural area.

Our Plan must look at how we facilitate and promote sustainable economic growth, diversification and viability for both existing and new enterprise sectors for Leominster and the surrounding district.

We need to increase employment opportunities at all levels – specifically to improve the quality and diversity of employment.

We need to ensure a ready supply of employment land is available for future uses.

We need to improve access to employment opportunities as a priority whether that be by improving footpaths, bus routes or improving broadband.

Our plan will identify and support core industry sectors established in Leominster and will look at ways to encourage businesses to locate in Leominster.

Particular sectors of the economy that our plan focuses upon are tourism, construction, antiques/destination retail, warehousing, food and drink, and the economic benefits our heritage brings.

Green spaces

There are many green spaces in the Leominster area. This includes the large rural area that surrounds the town but within the town there are parks and open spaces, rivers and streams and trees along roads.

The key issue for our Plan is how we retain the green spaces that we value, improve them, enhance their biodiversity and add new spaces.

Our Plan sets out a range of policies and proposals to do this within a Green Infrastructure framework – a network of green spaces, rivers, and streams that, interspersed between our town and villages, will connect places and people to support our Health and Leisure, Transport, and Jobs and Business themes.

Built Environment

Leominster was laid out outside of a flourishing monastic enclosure, separated by an Anglo-Saxon defensive line which still exists and makes a dramatic contrast between the urban market town and the open grassland of the Grange. The town's prosperity was based on wool but as this waned properties were adapted rather than replaced, so that the central streets and alleys of the town still retain much of their medieval character.

The surrounding watercourses and marshland which gave rise to the town's Welsh name Llanllieni (Minster among the streams) are now harder to discover.

The historic buildings may be timber framed, rendered, or in bricks made of the local clay, and are generally two or three storeys high with roofs of tile or slate, but it is probably their terraced form and the scale derived from the original burgage plots which are most distinctive.

New buildings, whether they be houses, business premises, shops, cafés, pubs, or public buildings, should in the future contribute to Leominster's distinctiveness and not dilute it by having an "it could be anywhere" appearance.

Our Plan (as used in Green Spaces), therefore, focuses on the design of new and redeveloped buildings. We also want to ensure that future development in Leominster is of the highest standard, is sustainable and enhances our town, villages and landscape.

We also need to have plans to regenerate Leominster's rich heritage and those buildings that may have fallen into disrepair and have a negative impact on the area's image.



Vision, Aims and Objectives

Vision

Leominster in 2031 will be one of the country's more sustainable towns, vibrant and bustling with a prosperous, unpolluted and healthy environment. Its population will be housed in high quality, well-designed, sustainable³ homes. The working population will have opportunities to work from home, or in businesses, or services which provide low-energy, low-pollution, and low-impact working environments.

There will be a wide range, for all age-groups, of retail, trading and service opportunities including community facilities, leisure options and amenities available to residents, workers and visitors. The heritage of the town will be preserved, celebrated and enhanced. There will be protected green areas which are linked together to create a green network which supports biodiversity. Various travel options will co-exist including footpaths, cycleways, rail and bus routes and improved road connections with priority given to walking and cycling and improved air quality.



³ "Sustainable" and "sustainability" have various meanings. In planning circles it is taken to mean "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Elsewhere, the understanding is that a behaviour or development is sustainable if it can continue indefinitely without depleting resources or producing pollution that damages the environment or reducing biodiversity. A sustainable development is one that is resilient to challenges such as climate change and economic crises. It is hoped that the policies detailed in this plan will apply all these definitions of the terms.



Aims

To achieve our Vision the Leominster Area Neighbourhood Plan has the following aims:

1 – To create a sustainable Leominster

The purpose of planning is to help achieve sustainable development. The Leominster Area Neighbourhood Plan will create a sustainable Leominster with the ultimate aim of being carbon neutral. This will be done by placing the principles of sustainable development at the heart of this Neighbourhood Plan, and at the heart of the Plan's implementation. This is the “golden thread” that runs throughout our Plan.

2 – To create a prosperous Leominster

We will create a more prosperous community by supporting sustainable economic and housing growth. High quality housing development will provide for the expected growth in population and demand for particular types of accommodation (e.g. sheltered retirement homes) based on the

housing need at that time.

3 – To create a greener Leominster

We will create a greener Leominster by retaining, enhancing and adding new Green Infrastructure.

4 – To retain Leominster's distinctive identity

We will create a Leominster that is distinctive and renowned for its high quality buildings, spaces and public realm.

5 – To create a healthy Leominster

We will create a healthy community by addressing needs and supporting the health, social and cultural well-being of those who live, work, do business in and visit Leominster.

6 – To create an accessible Leominster

We will create an accessible community by promoting sustainable transport. We will do this by giving people more choices about how they travel or whether they need to at all.

Objectives

This section of the Leominster Area Neighbourhood Plan sets out our objectives. These objectives, if achieved, will allow us to meet our Key Aims and achieve our Vision for Leominster.

1 – To create a sustainable Leominster

To create a sustainable Leominster our neighbourhood plan will seek to achieve the following:



- i. Support the strategic development needs set out in the Herefordshire Core Strategy.
- ii. Plan positively to support local development and shape and direct that development.
- iii. Build a strong, competitive economy.
- iv. Ensure the vitality of Leominster Town Centre.
- v. Support a prosperous rural economy.
- vi. Promote sustainable transport.
- vii. Require good design.
- viii. Promote a healthy community.
- ix. Meet the challenge of climate change and flooding.
- x. Conserve and enhance the natural and historic environments.
- xi. Promote utilization of renewable energy sources.

2 – To create a prosperous Leominster

To create a prosperous Leominster we will seek to achieve the following:

- i.** Encourage employment opportunities that will be available in the town centre, the industrial area on Worcester Road/Southern Avenue and the Enterprise Park and also in selected areas in the strategic housing development sites (small businesses and live/work units) and elsewhere in the town where it is appropriate.
- ii.** Allow housing development, largely, on the two strategic sites of Barons' Cross and the Urban Expansion site.
- iii.** Promote sustainable growth and diversification for existing and new businesses.
- iv.** Increase and enhance employment opportunities for all.
- v.** Ensure that a deliverable supply of small-scale employment land is available for future uses.
- vi.** Improve access to employment areas.
- vii.** Identify and support core industry sectors that are established/thriving in Leominster and also those that could be encouraged to come to Leominster.
- viii.** Promote Leominster to new business - including small scale, technology, and those utilising knowledge based skills.
- ix.** Mix the use of the defined land use zones - e.g. encourage residential use within working/retail areas (such as the town centre) likewise consider residential live/work units alongside new industrial schemes if appropriate.
- x.** In exceptional cases planning policy for historic buildings may be relaxed - so they can be used for residential, business or other purposes more easily, to increase revenue and therefore investment into the condition of existing old structures, where new uses can be accommodated without unacceptably adverse impacts on the building's architectural or historical interest or overall significance.
- xi.** Produce a high street palette of colours to create an attractive retail area that is locally distinctive and would improve the look of the town - alongside more tree planting, seating etc.
- xii.** New housing in the urban expansion area will have live/work units, small workshop/studios, community buildings, small retail options (i.e. village shop), market hall or equivalent (both nationally and locally in demand).

3 – To create a greener Leominster

To create a greener Leominster we will seek to achieve the following:

- i. Identify a network of protected Green Infrastructure areas.
- ii. Enhance and improve open spaces.
- iii. Ensure that new development contributes to and integrates with the existing Green Infrastructure network.
- iv. Ensure that development does not increase the risk of climate change and flooding.
- v. Encourage a net gain in biodiversity.
- vi. Protect valued landscapes and improve those in need of enhancement.
- vii. Green the town centre.
- viii. Discourage infilling of green spaces such as gardens.
- ix. Encourage the highest quality, sustainable design standards in all buildings.
- x. Encourage the use of renewable energy.



4 – To retain Leominster’s distinctive identity

To create a Leominster with a distinct identity we will seek to achieve the following:

- i. Protect valued landscapes and improve those in need of enhancement.
- ii. Retain and enhance our distinctive town centre and its buildings.
- iii. Avoid the label “could be anywhere”.
- iv. Protect heritage assets and particularly listed buildings and Conservation Areas.
- v. Improve the public areas, particularly in the town centre.
- vi. Protect important views.



5 – To create a healthy Leominster

To create a healthy Leominster we will seek to achieve the following:

- i. Improve local health services and make them more accessible.
- ii. Protect valued community assets.
- iii. Provide safe and accessible environments.
- iv. Provide quality places and spaces that people want to use, and give opportunities for people of all backgrounds to meet.
- v. Improve the range of cultural activities on offer and promote a high quality, richly built and natural environment.
- vi. Improve facilities for indoor and outdoor leisure and recreation.
- vii. Improve opportunities for walking and cycling.
- viii. Improve air quality in the town centre, particularly at Bargates.

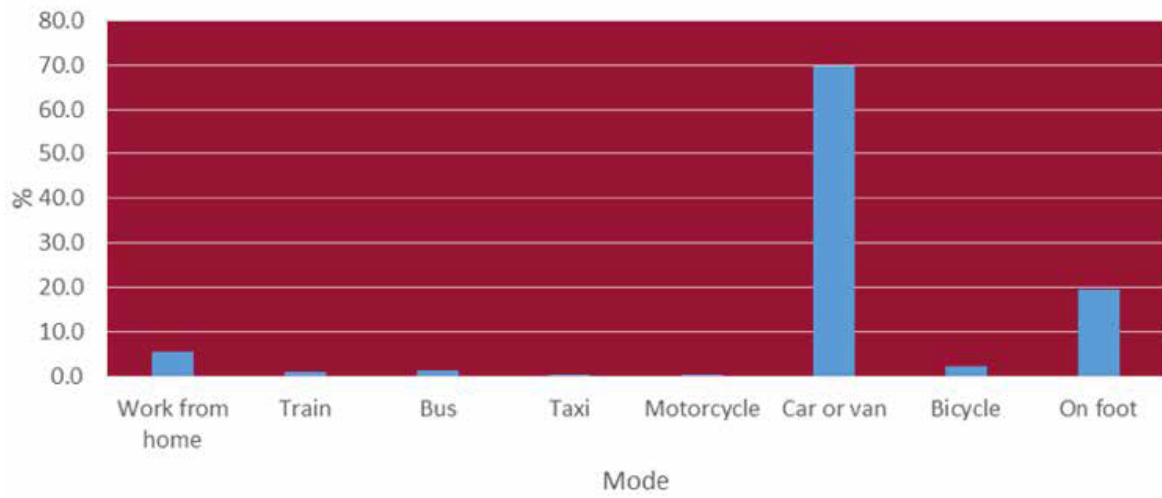
6 – To create an accessible Leominster

To create an accessible Leominster we will seek to achieve the following:

- i. Prioritise walking and cycling.
- ii. Reduce the overall need to travel. Increase alternatives to the private car, whilst acknowledging opportunities for such action vary from urban to rural Leominster.
- iii. Increase the proportion of journeys by walking, cycling and public transport, see Figure 1. Almost 20% of people currently walk to work but only 2.2% cycle and only 1.9% go by public transport.
- iv. A safer more accessible Leominster Town Centre.

Leominster Method of Travel Figure 1⁴

Leominster Method of Travel to Work



⁴ Source: 2011 Census



POLICIES AND PROPOSALS



Sustainable Leominster

The purpose of planning is to help achieve sustainable development. The Leominster Area Neighbourhood Plan will create a sustainable Leominster. This will be done by placing the principles of sustainable development at the heart of this Neighbourhood Plan, and at the heart of the Plan's implementation. This is the "golden thread" running through our Plan. The aim is that by 2031 Leominster will be one of the more sustainable market towns, with a record of creative and innovative approaches to achieving sustainable development. The policies that will support this are given below.

LANP1 – SUPPORTING THE HIGHWAY NETWORK AND SOUTHERN LINK ROAD TO SERVE THE STRATEGIC DEVELOPMENT NEEDS IN LEOMINSTER

To promote the needs for strategic development of the Herefordshire Core Strategy, a Comprehensive Traffic Management Plan for the parish should be prepared by the Highway Authority, Herefordshire Council, in partnership with Leominster Town Council and other appropriate bodies and organisations, and implemented. A new road linking the A44 at Barons' Cross and the A49 south east of the town will be constructed in association with the development of the SUE. The delivery of the Sustainable Urban Extension must be phased to reduce the impact of increased traffic on the through route through the town and the town centre. The eastern section of the SUE will be the first phase with active travel links to the town centre. The completion of the entire road is a priority and must be achieved as early as possible in the plan period but no later than 2025, in line with Appendix Five of the Herefordshire Core Strategy and the delivery of housing. Further phases of the SUE will be delivered in a manner to enable this and to reduce the impact on the town centre. The Comprehensive Traffic Management Plan will restrict the use by heavy traffic of roads in Leominster Parish and prevent heavy traffic from using the through route via Bargates unless the link road is closed in order to address the issues of air quality in this area.

The following principles must be followed in the design of the road:

- i. The road should be constructed to provide cycle and pedestrian routes across it, connecting the town with the surrounding parish and, in particular, providing safe routes for access in and out of the Barons' Cross estate.
- ii. A cycle lane should follow the route of the link road but be separated from the traffic lanes. 
- iii. A wide strip of open land should bound the road sufficiently to provide a green corridor. This will add to the green spaces within the surrounding urban area. It should use native trees and wild flowers.
- iv. The link road will form the southern boundary of the urban expansion strategic site.
- v. The route and design of the link road should not result in the Barons' Cross estate and the new Barons' Cross development being isolated from the town.
- vi. Once the link road is open, and as part of the Comprehensive Traffic Management Plan, heavy goods vehicle traffic should be prevented from using the old route through the town, or alternative routes, except for access.
- vii. There should be a speed limit on the link road to limit road noise. 

- viii. Low-noise surfacing should be used together with other means of noise reduction (such as banks or cuttings) where possible.
- ix. Run-off from the road should not be allowed to enter the River Arrow or other watercourses.

Note: Construction traffic on the strategic development sites will not be permitted to use the route through the town passing through Bargates, nor will they be permitted to use other minor roads as through routes.



Justification for Policy LANP1

The link road is a priority and the complete route must be in place as early as possible in the plan period but no later than 2025, as the benefits of the link road are such that it should be built as a priority.

This is sustainable since it will reduce the waste of energy caused by congestion on the present route of the A44 through the town and reduce noise and the excessively

high levels of recorded air pollution in the town, particularly at Bargates. It will also improve access to the principal employment areas.

It improves resilience by facilitating the transport of goods in, out and through the parish, and will reduce the loss of earnings.

There have been suggestions, and indeed outline plans, for an A49/A44 link road for many years (see LANP Appendix 1 Consultation leaflet on industrial estate road 1995) and a case made for its construction. There are many valid reasons why the road is necessary as part of a comprehensive traffic management plan for the town prior to development on the strategic sites.

For many years air quality on and close to the Bargates junction has been below legal standards (see LANP Appendix 1 Air Quality Order 2006, Bargates Air Quality Action Plan 2014). There have also been repeated references to the congestion on the route through the town (see LANP Appendix 1 Leominster Traffic Survey Report 2007; Waterman-Boreham report for Mosaic 2010). The current route includes two roundabouts, two sets of traffic lights, three right angle bends and a level crossing which all contribute to congestion.

It is likely that traffic levels will remain the same or increase in the future (roadstone carriers from the quarries just over the border beyond Kington will continue to use the route). It is clear that additional traffic using the present route through the town, whether heavy construction traffic or additional personal transport of new residents on the strategic sites, will exacerbate the problems caused by poor air quality and congestion. It is therefore imperative that an alternative route for through traffic is provided at the earliest stage in the development of the SUE but no later than 2025.

Placing the onus of fully financing the link road on the developers of the SUE will ensure that neither gets completed as the experience of the last fifty years shows.

The cost of the road adds an additional pressure on the commercial viability of the development of the SUE which could discourage developers. The likelihood is that the town would be left with piecemeal development and an incomplete road at the end of the plan period.

Therefore the Town Council will work with Herefordshire Council to obtain other sources of finance for the early delivery of the road. In particular any funding opportunities from the LEP and the Homes and Communities Agency will be pursued. Insisting on the construction of the road being a priority and completion by 2025 at the latest ensures the sustainable future of Leominster.

LANP2 – LEOMINSTER SUSTAINABLE URBAN EXTENSION

In addition to the provisions included in policy LANP3, development of the Leominster Sustainable Urban Extension will be permitted when:

- a. A detailed masterplan is in place for the whole site. Individual sites should be designed in accordance with this plan. The development of the site should be phased and designed so the look and feel of the urban extension is of distinct incremental developments with a variety of layouts including squares, courtyards, lanes and terraces, rather than a uniform housing estate. Good connections to Leominster town are essential;
- b. Homes should be designed to reflect the architectural language of Leominster and self build dwellings will be encouraged;
- c. A “village” centre should be created including amenities such as community hall, shops, small businesses, and a new primary school (in addition, this may be an appropriate site for the new health centre – see Policy LANP14);
- d. Housing density around the village centre should be high and should decrease away from the village centre;
- e. The development should include sheltered/warden monitored housing for the elderly and disabled;
- f. The energy efficiency standards employed meet the national standards prevailing at the time, and endeavour to include flexibility for simple and cost effective adaptations and improvements so that energy efficiency can be continually improved;
- g. Construction materials should have a low embodied energy and be readily recyclable. Hard ground surfaces should be porous;
- h. The development should support sustainable transport modes for the movement of goods and people. Routes through the development should give priority to pedestrian and cycle movements, create safe and secure layouts which minimise conflicts between vehicles, cyclists and pedestrians.
- i. Traffic calming should be achieved by using less intrusive methods, e.g. building placement and road design, parking, change in surfacing, bends, corners and road narrowing;
- j. Main routes through the site should be designed to allow bus routes with bus stops to serve the site and link it to Leominster and beyond;
- k. Tenures in new housing developments should be designed, sited and mixed so that different tenures are indistinguishable and not found in large single tenure groups;
- l. All homes should have access to the “village” centre and Leominster town centre using cycleways and footpaths;

- m. The latest information communication technologies should be incorporated into the site;
- n. Development must not compromise the ability of the nutrient management plan to deliver the necessary nutrient reductions where quality standards are already exceeded, and uses sustainable drainage systems will be encouraged;
- o. Broad green corridors (in particular, Cockcroft Hill and land to the west) for the migration of wildlife between the town centre and the periphery should be incorporated in the design of the urban extension and priority habitats preserved and enhanced;
- p. There should be identified spaces for allotments, orchards and recreation areas, and mature tree planting across the development.
- q. Construction traffic on the strategic development site will not be permitted to use minor roads through the town to access or egress the SUE.

Justification for Policy LANP2

The Leominster Southern Urban Extension has been identified in the adopted Herefordshire Core Strategy and allocates significant development land to help Herefordshire meet its housing targets.

The Leominster Area Neighbourhood Plan accepts the need to provide significant additional land in and around the current Leominster boundary to accommodate a minimum of 2,300 new dwellings up to 2031, as outlined by the Herefordshire Core Strategy. Such a level of development will require sensitive planning and implementation to ensure that the surrounding countryside is not harmed, destroyed or significantly undermined.

The development of a minimum of 1,500 dwellings on the southern side of Leominster will significantly impact on the existing settlement. It will increase the size of Leominster by approximately 26%. Therefore care must be taken when designing the SUE and it is vital that it integrates with the existing settlement and does not create divisions within the community.

The development must be constructed in a sustainable way to ensure that it does not adversely impact on the existing settlement and there must be excellent links with Leominster town centre to ensure it remains vital and viable. This is vital to maintain and build on the existing community cohesion.

LANP3 – SUPPORTING THE STRATEGIC AND SMALL SCALE HOUSING DEVELOPMENT NEEDS IN LEOMINSTER TOWN

To support the strategic housing needs identified for Leominster outside the Sustainable Urban Extension (SUE), including the large-scale strategic previously developed site at Barons' Cross and the residual housing requirements over the Plan period, including small-scale developments within the current Leominster Settlement Boundary (see map 3), new housing development will be permitted when it meets the criteria, as follows:

- a. It is of high quality sustainable design;
- b. The design is appropriate to its context and its appearance makes a positive contribution to the surrounding environment;

- c. The energy efficiency standards employed meet the national standards prevailing at the time, and endeavour to include flexibility for simple and cost effective adaptations and improvements so that energy efficiency can be continually improved;
- d. The proposal is accompanied by a design and access statement explicitly demonstrating how the proposal has considered the local street scene, landscape, local distinctiveness and includes a justification for the positive contribution their scheme might make and demonstrates their understanding of high design standards; (A design guide is provided in appendix 4.)
- e. Two parking spaces should be provided per dwelling. Less than this will be permitted only if alternative and reasonably accessible car parking arrangements can be demonstrated and which in themselves do not add to on-street parking, except where otherwise acceptable and well-designed new-build or conversion schemes in the town centre conservation area would be incapable of meeting this parking provision;
- f. The plan follows the preferred hierarchy of pedestrian, cycle, bus, car and is facilitated throughout the design with footpaths, lanes, cycle racks/storage, bus stops, generous communal/visitor parking areas, landscaping and off street parking;
- g. There is an appropriate mix of housing types including family sized homes with gardens, homes for single people, live/work dwellings, with mixed tenure and meets the affordable housing target;
- h. On developments that would enable such flexibility, the scheme should provide self-build/custom home opportunities;
- i. The design should be locally distinctive, enhance an area, improve biodiversity, preserve hedges and trees, use local materials, provide security, inclusivity, and exhibit high quality that enhances Leominster;
- j. Measures are included to avoid impact against any adverse impact on the natural environment, and in particular the River Wye Special Area of Conservation (SAC).
- k. Smaller development schemes provide an opportunity for self-build and custom home proposals. Developments that are unable to offer this opportunity must provide evidence that the site is unsuitable or constrained;
- l. Smaller development schemes do not infill green space in the town (see policy LANP10, 11 and 12 and map 6). Small local green spaces will also be protected and infilling [e.g. of gardens and small open spaces on housing estates] will not be permitted.

Development proposals must comply with the policies of this Neighbourhood Plan and any decisions should reflect the sustainable development priorities set out in Policies LANP1, LANP2 and LANP3. Where there are overriding material considerations that indicate these policies should not be followed then compensatory or mitigation measures will be sought as part of the development proposal to ensure priorities set out in these policies are met.

Justification for Policy LANP3

The Policy aims to provide opportunities for small scale development within the limits of built development which are sustainable, do not create an adverse impact and meet the criteria contained in the Herefordshire Core Strategy.

In exceptional circumstances small scale developments may be considered in areas adjoining the settlement boundary provided they meet the criteria in (b) above, do not have an adverse impact on the quality of life of neighbouring properties and are not sited close to industrial or commercial land.

The design of new dwellings should meet the design requirements contained in Appendix Four of the Plan.

The quality of life of existing residents will be assessed by identifying how development might have an impact to their current wellbeing, access to the surrounding environment, access to recreational, health and well being activities, overlooking, light pollution, noise pollution and air quality.

Exceptional circumstances include the unavailability of any other suitable land, the need for the additional development has been fully evidenced and the proposed development meet a need of the community that has not been recognised within either the Herefordshire Core Strategy or the Leominster Area Neighbourhood Plan.

Interest has been shown to develop self build housing and the possibility of setting up a Community Land Trust is currently being investigated. There are a number of sites both within the existing town and in the SUE that would be suitable for small self build developments and these will be encouraged. Should it not prove possible to identify suitable sites within the settlement boundary then consideration may be given to supporting a site under the Herefordshire Core Strategy Policy H2 (Rural Exception Sites) where an up to date assessment identifies a need that might be met through such housing development. Current planning law has also recently been updated to encourage self build.

Sections of the River Wye Special Area of Conservation already have sections that exceed targets for nutrient levels. All new development proposals including the Leominster urban extension must not compromise the ability of the Nutrient Management Plan to deliver the necessary overall reductions in nutrient levels along these sections of the SAC.

Note: It is not thought necessary to specify particular sites partly because since the publication of the Herefordshire Core Strategy a number of planning applications for sites have been approved. Also, the criteria will determine whether other sites are suitable for development given that the strategic sites can provide for all the expected demand for housing in Leominster.

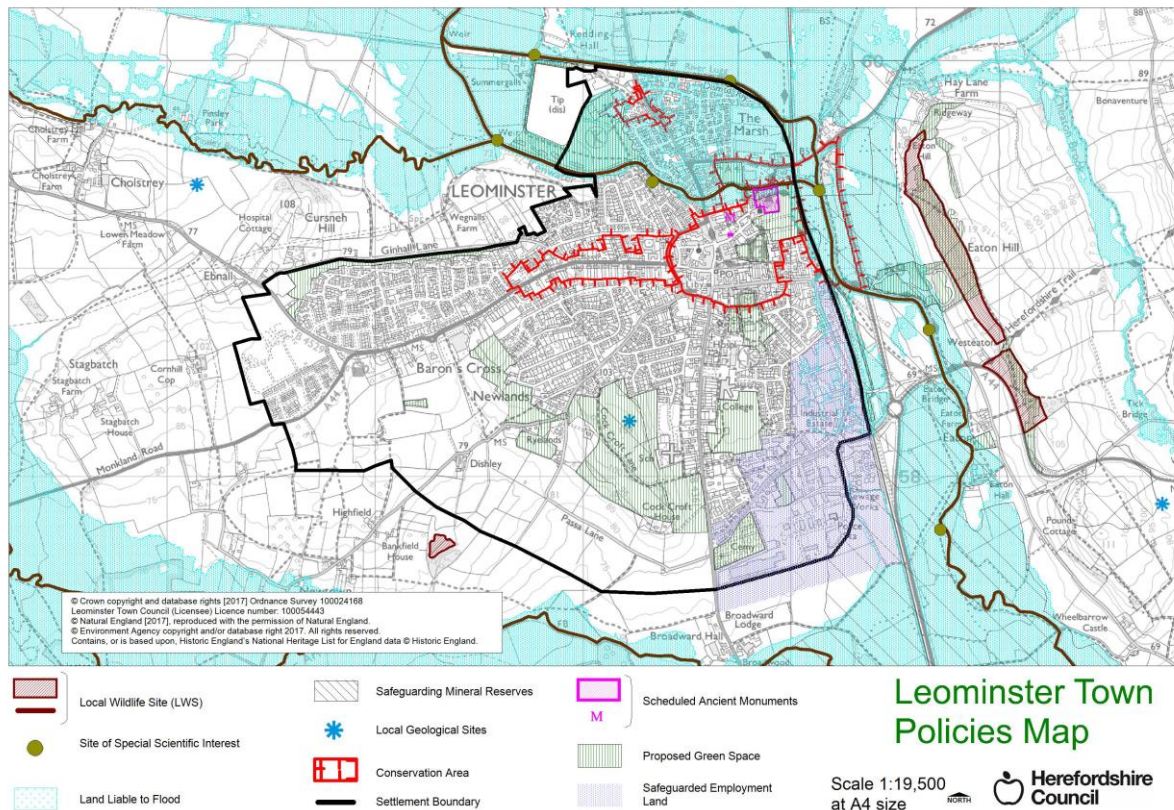
The table below indicates development commitments to date:

APPLICATIONS GRANTED		
DATE	SITE	NUMBER OF DWELLINGS
August 2015	Monkland Road	2
June 2014	Portna Way	6
March 2015	Land at Westcroft	30
March 2016	Land at Cholstrey	23
September 2017	Barons Cross	414
July 2016	The Bird Cage	2

Leominster Area Neighbourhood Plan October 2017

August 2016	Rear of Howard Cottage	2
March 2014	Laundry Lane	41
May 2016	Mappenors Lane	21
April 2014	Pinsley Road	29
May 2016	Ivington	7
April 206	Ivington	2
March 2016	Brierley	8
	TOTAL	587

Map 3: Leominster Settlement boundary



Leominster Settlement Boundary Map

The Herefordshire Core Strategy indicates a preference for settlement boundaries to be defined based on where development might take place. The potential of windfall development within Leominster town, Brierley, Ivington and Wharton is difficult to assess based on the increased provision of land that has been made available for development.

The revised settlement boundary is based upon the original boundary identified in the Herefordshire Unitary Development Plan with small additions to the north of the parish to take into account recent full and outline planning applications granted and the inclusion of the SUE land to the south.

Areas of local green space have been identified under Important Open Spaces and those areas to be protected are included in Map 3.

The Leominster Settlement Boundary has been reviewed taking into account the following circumstances:

- A requirement to include the proposed Southern Urban Extension (SUE) which will accommodate a minimum of 1,500 new dwellings on a green field site;
- Acknowledgement of recent planning applications that have been granted planning permission, whether full or outline;
- Adequate land to accommodate the new southern link road;
- Previous Local Plans and Strategies which had identified Leominster as an area of growth.

LANP4 – NEW HOUSING DEVELOPMENT IN BRIERLEY, IVINGTON AND WHARTON

New housing development within Brierley, Ivington and Wharton will be permitted when the proposal:

- a. is located only within the settlement boundary as indicated on the relevant map;
- b. by way of its size, design and layout reflects the size, role and function of the settlement;
- c. pays particular regard to the character of the area and enhances that character;
- d. by way of its house sizes, types and tenures meet local housing requirements;
- e. is of high quality sustainable design appropriate to its context;
- f. makes a positive contribution to the surrounding environment and rural landscape;
- g. incorporates, where possible, features such as roosting places for bats, nest boxes, native species in plantings.

New development should not lead to isolated homes, detached from the main village in the open countryside unless it is in accordance with Herefordshire Core Strategy Policy EA2 and LANP5.



Justification for LANP4

National planning policy seeks to promote housing growth. The Herefordshire Core Strategy, in seeking to support this aim, has identified an indicative housing growth target for the villages in the rural area of the Leominster Housing Market Area of 14%.

In seeking to meet this target Brierley, Ivington and Wharton are identified as “other settlement[s]”. In these areas “proportionate” housing will be appropriate, according to Core Strategy Policy RA2.

Unlike most of the settlements identified in this way by the Core Strategy, Brierley, Ivington and Wharton have not been given a settlement specific growth target. Advice from Herefordshire Council is that:

“Given the growth proposed within Leominster Town and the character and nature of these nearby highlighted settlements, a rural proportional growth figure has not been calculated. During the production of your neighbourhood plan local circumstances and environmental factors should be used to determine the precise level of growth for these individual settlements.”

There is, therefore, no defined growth target for Brierley, Ivington and Wharton. The emerging Core Strategy (Policy RA2) also requires neighbourhood development plans to allocate land for new housing development or “otherwise demonstrate delivery”, e.g. defining settlement boundaries, to show they would meet any target.

Given the growth proposed for Leominster and the fact there is no target for Brierley, Ivington and Wharton, the approach to be taken in the LANP will be to use Policy LANP4 to manage any planning applications in the three settlements so that it can in a very small way contribute to the housing growth target across the Leominster Housing Market Area.

LANP5 – NEW HOMES IN THE COUNTRYSIDE

New housing development in the countryside (including settlements not covered in LANP4) will only be permitted when it satisfies one or more of the following:

- i)** It is essential for an agricultural, forestry or other rural worker to live permanently at or near their place of work;
- ii)** It is essential to enable the establishment or growth of a rural enterprise, and complies with the Herefordshire Core Strategy and the Neighbourhood Plan design criteria;
- iii)** It replaces an existing dwelling on the same site and is of a similar size and scale to the dwelling to be replaced;
- iv)** It re-uses an existing building that is structurally sound and capable of conversion without substantial rebuilding, providing there are no adverse impacts upon the architectural or historic interest or significance of the heritage asset.
- v)** Is rural exception housing in accordance with Policy HR2 of the Core Strategy and meets the requirements of the Neighbourhood Plan design criteria;
- vi)** It will not have a detrimental impact on the privacy of neighbours or the appearance of the countryside.
- Vii** Is a site that provides for the needs of gypsies or other travellers in accordance with Policy H4 of the Core Strategy and makes a positive contribution to the surrounding environment and rural landscape.
- vii)** It shows exceptional quality design and rural enterprise.



LANP6 – RENEWABLE ENERGY

With neutral/zero carbon Leominster as a goal, proposals for projects utilising all forms of renewable energy will be supported when they do not have a negative impact on residential amenity, biodiversity, local landscape or the character of the area.

Proposals to develop wind energy: Installations will only be supported if there is local support for the proposals, all planning impacts can be addressed and any adverse impact on the local landscape can be suitably mitigated against.




Prosperous Leominster

We want Leominster to be a prosperous place and for all to share in that prosperity. Policies that will support this are suggested below.

LANP7 – NEW BUSINESS DEVELOPMENT

The following new business development will be encouraged:

- a. In the Worcester Road, Southern Avenue area business development will be actively encouraged as well as on the Enterprise Park;
- b. Live/work units and small businesses will be encouraged on existing employment sites, within residential areas in Leominster and in the outlying villages providing it is of small size and is not detrimental to the residential amenity of the area.
- c. To provide new ancillary space for sorting and storage of recyclable materials to help enable greater recycling in Leominster; 
- d. Improvements to business premises, which require planning permission, that fully utilise low-carbon materials, low energy use, use of renewable energy sources, and inclusion of green areas with planting of trees and shrubs, where practicable;
- e. Proposals which help to expand and improve Leominster's tourism offer (see LANP20) such as hotels and other accommodation, improved cycle tracks, footpaths and bridleways, sensitive regeneration of historic buildings, and expansion/relocation of the Museum;
- f. Diversified agricultural businesses.

All of the above will be assessed against the following criteria:

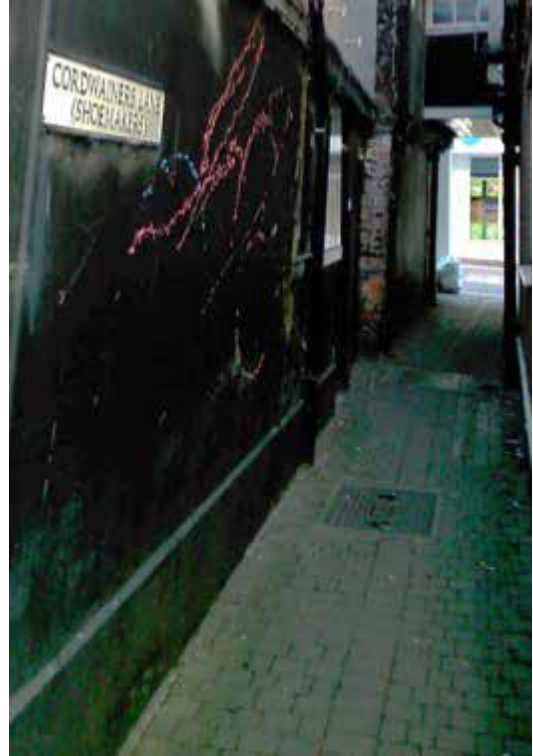
- i) has a renewable energy statement prepared to show that all opportunities to generate energy were considered and actioned;
- ii) is of a scale and design appropriate to the area
- iii) has safe access with adequate off-street parking;



- iv) incorporates measures, where appropriate, to ensure that no light, air, noise or water pollution or other adverse effects on the environment will result from the development;
- v) Does not have a detrimental impact on the residential amenity of neighbours.

LANP8 – PROTECTING EXISTING EMPLOYMENT SITES

Existing employment sites will be protected for future employment use (B1, B2 and B8 of the Use Classes Order). Redevelopment or conversion to non-employment generating uses requiring planning permission will only be permitted when it can clearly be demonstrated, after 12 months of active marketing, that the site is no longer viable, or suitable, in environmental terms, for continued employment use or live/work units.



LANP9 – DEVELOPMENT IN LEOMINSTER TOWN CENTRE

Within Leominster Town Centre, see Map 4, development for retail, leisure, office, commercial, cultural and tourism uses will be encouraged. Retail development is expected to take place within or adjacent to the boundary of the town centre rather than on the periphery.

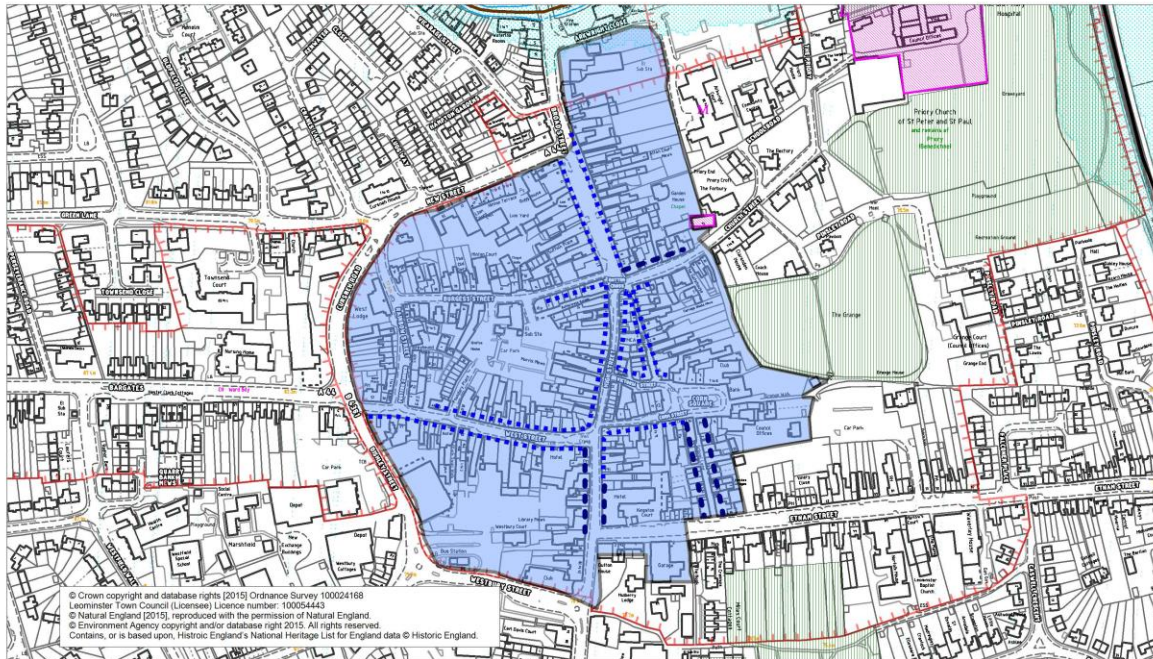
In certain circumstances it may be appropriate for retail development to be outside or adjacent to the primary and secondary town centre retail area. Such proposals will be required to provide evidence that:

- a. the proposal meets the sequential testing requirements as set out in the National Planning Policy Framework (paragraph 24);
- b. the proposal would not have a significant adverse impact on the vitality and viability of Leominster Town Centre and is of a high design quality;
- c. An impact assessment for retail, leisure and commercial proposals outside the town centre to assess the impact on investment in the area and on vitality and viability of the town centre should be carried out in line with Policy E5 of the Herefordshire Core Strategy.










Development proposals will be assessed against the following criteria:

- d. Retail developments will normally be located in or adjacent to the main primary and secondary town centre retail area (see Map 4 and Appendix 2) in order to ensure the vitality and viability of Leominster town centre;
- e. There is sympathetic re-use and improvement of existing premises;
- f. Where new shop frontages are proposed they are in keeping with existing traditional shop frontages, or reintroduce such frontages;
- g. Existing doorways giving access to upper floors from the street should be retained if possible;
- h. The re-use of upper floors for residential use will be encouraged;
- i. Distinctive and detailed features of buildings should be retained and enhanced where possible;
- j. Proposals must include secure areas for rubbish (wheelie bins) and bicycles;
- k. New developments in the town centre should endeavour to retain the original boundaries of the burgage plots and, where possible, retain existing historic stone walls and earth banks;
- l. Business premises should have appropriate signage - illuminated signs and lighting should be kept to a minimum and, when used, make a positive contribution to the street scene;
- m. Security grilles should be well designed and seek to maintain a varied and interesting frontage, whilst at the same time providing appropriate security;
- n. Appropriate surfacing which reflects the historical context of the town centre should be used within the public realm. Surfaces should be permeable and tarmac should be avoided if possible especially in areas where tarmac is not the prevalent material.

Map 4 – Leominster Town Centre and primary and secondary shop frontages



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-  Local Wildlife Site (LWS), Site of Importance for Nature Conservation
-  Scheduled Ancient Monuments
-  Central Shopping & Commercial Area
-  Land Liable to Flood
-  Settlement Boundary
-  Primary Shopping Frontage
-  Proposed Green Space
-  Conservation Area
-  Secondary Shopping Frontage

Leominster Town Centre Policies Map

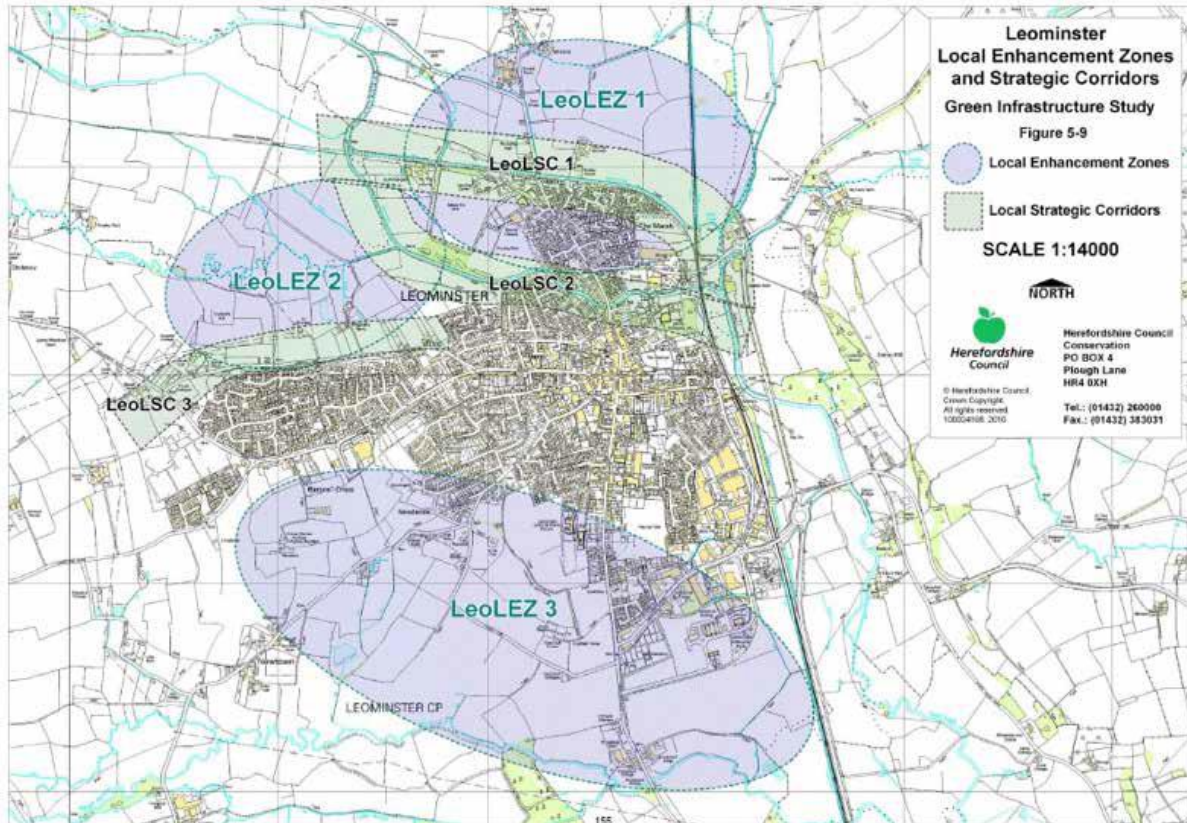
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Greener Leominster

By 2031 Leominster will be greener. Policies to achieve this are listed below.

Map 5 – Green Infrastructure⁵



⁵ Green Infrastructure Strategy Herefordshire, 2010

LANP10 – GREEN INFRASTRUCTURE

The Green Infrastructure network identified on Map 5 will be protected and enhanced.

Proposals will be assessed for the contribution they make to the following, where appropriate:

- a. Improved access to the Lugg, Kenwater and Arrow;
- b. Creation of broad Green Infrastructure Corridors within the Sustainable Urban Extension;
- c. Links that encourage walking to the Enterprise Park;
- d. Links from the town centre to the surrounding Green Infrastructure network in the rural parts of the parish;
- e. Features to reduce habitat fragmentation and create inter-connecting green corridors and waterways;
- f. Maintenance and enhancement of green corridors to open countryside and create new ones;
- g. New tree planting along roads and streets;
- h. New allotments and community gardens; and,
- i. Enhancement, expansion or creation of priority habitats, including existing hedgerows, orchards and woodlands.



LANP11 – AMENITY OPEN SPACES

The amenity open spaces marked in green on Map 6 will be protected. These spaces include those named below.

- a. The Grange
- b. The Priory precinct
- c. Cricket pitch (off Mill Street)
- d. Playing fields and sports centre (off Bridge Street)
- e. Cemetery, Hereford Road
- f. Ginhall Green
- g. Recreation ground, Leisure Centre and school playing fields, east of South Street
- h. Skate Board Park ground and Sydonia Park
- i. Millennium Green and riverside walk
- j. Cockcroft Hill
- k. Easters Wood
- l. Riversides such as spaces in the former Priory lands on the south side of the river Kenwater

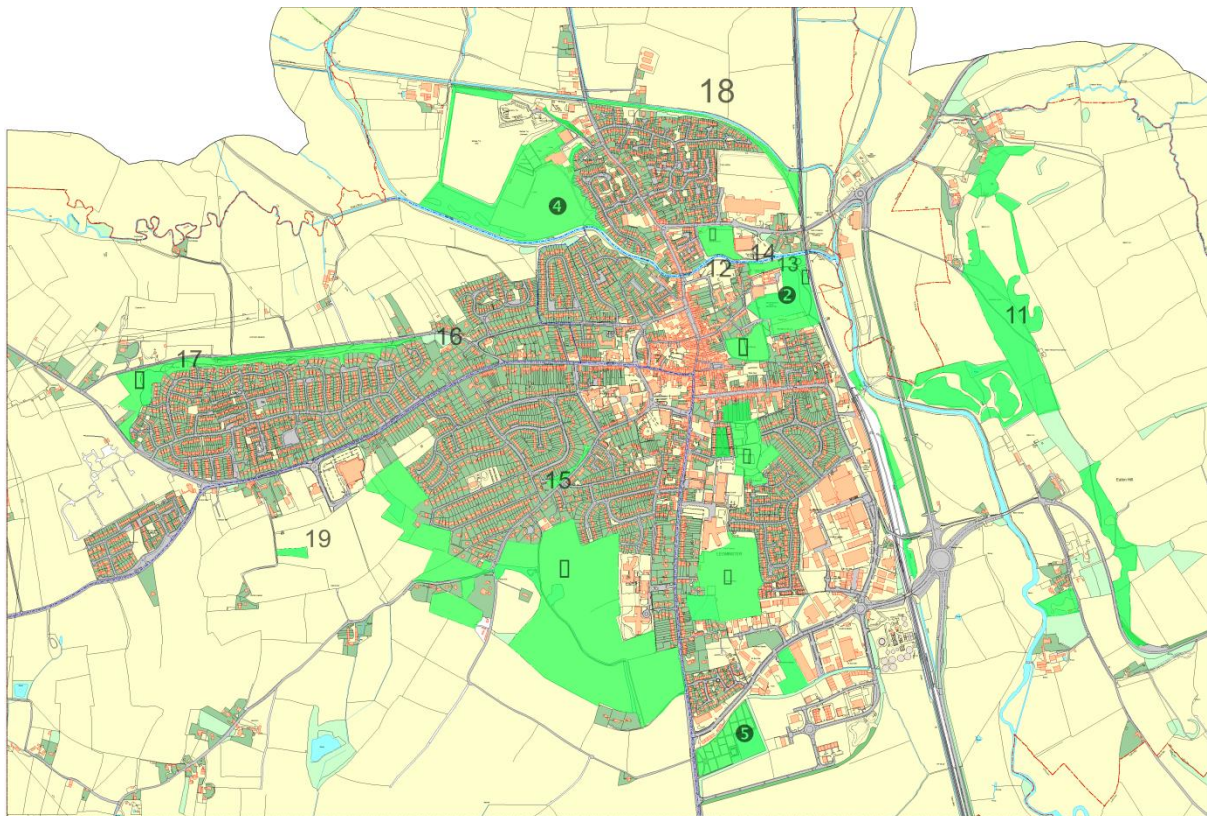


- m. Picnic Area behind the Priory and Breathing Space garden
- n. Booth Memorial Garden
- o. Small park on Ryelands Road
- p. Areas of open spaces throughout Buckfields
- r. Linear walk along river behind Ridgemoor
- s. Orchard south west of Morrison's.

The Plan will seek to protect smaller local green spaces and infilling will be discouraged. Redevelopment of amenity open spaces will only be permitted when the open space fails to perform at least one of the following functions:

- It has local significance, for its beauty;
- It is of historic significance;
- It is of value for recreation (including as a playing field);
- It is significant for its tranquillity;
- It is significant for the richness of its wildlife.

Map 6: Leominster Town showing green spaces



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LANP12 – GREENING THE TOWN (CENTRE)

Proposals that would lead to the greening of Leominster town centre will be encouraged, including:

- a. Tree planting;
- b. Creation of new, or enhancement of, existing wildlife habitats;
- c. Proposals that protect or increase biodiversity;
- d. New and improved access to rivers and streams;
- f. Greener cycleways and footpaths will be prioritized;
- g. Protection of the Wellingtonia trees that form the distinctive skyline of the town.

The Plan will seek to protect small open spaces.

LANP13 – DARK SKIES

To reduce light pollution and to improve the views of our night time skies, planning proposals that include external lighting and openings that would allow significant internal lighting to be seen externally will have to demonstrate the following:

- a. They have undertaken an appropriate assessment and can demonstrate the need for the lighting;
- b. The nature of the proposed lighting is appropriate for its use and location and has minimal impact.



Healthy Leominster

By 2031 we want the Leominster Area community to be a healthy one: not just in terms of health and well-being, but also in terms of how people of different ages and communities can meet and how they get along; and in terms of the rich and diverse culture that is available to stimulate them, help them relax and develop as part of the community. Our policies to achieve this are set out below.

LANP14 – PROMOTING A HEALTHY COMMUNITY

All major development proposals will be assessed for the contribution they make to making Leominster a healthier community. This assessment will include the following:

- a. Suitable measures to ensure the safety of residents, workers and visitors and other users;
- b. Opportunities for social interaction;
- c. Improvement of tourism, recreation and leisure facilities in the town;
- d. Opportunities to provide Community gardens and green spaces;
- e. Priority for the needs of pedestrians and cyclists; and
- f. Impact on access to informal amenity areas of adjoining occupiers.



LANP15 – PROVISION FOR A NEW HEALTH CENTRE

With the proposed development target of a further 2,300 new homes during the Plan period it is likely that a new Health Centre will be required to meet the needs and demands of a Leominster population that is likely to increase by around 40%. This increase is based on an existing population of 11,700 increasing by a further 4,600 based on an average of two people occupying each of the 2,300 properties. A new Health Centre to meet the demands of the growing Leominster and neighbouring community must include:

- a. Sufficient space for existing and future health services;
- b. Accessible to all users by a range of modes of transport; and
- c. Include sufficient car parking for both staff and patients.

LANP16 – ASSETS OF COMMUNITY VALUE

Assets of community and public value, such as community centres, buildings, health centres, and halls, will be protected for community uses. Redevelopment for non-community uses will only be permitted where there is no longer a proven need for the existing use and alternative provision is available elsewhere in the town.

A list of community assets is given in Appendix 3.

Distinctive Leominster

The policies and proposals in this chapter seek to retain Leominster's distinctive identity and ensure all new development makes a positive contribution to this.



LANP17 – LANDSCAPES

Development proposals will be expected to protect and enhance the character of the local landscape. In particular, proposals should:

- a. Protect and enhance the low lying river corridors to the north, east and south of the town of the Lugg, Kenwater and Arrow;
- b. Retain the remaining orchards;
- c. Protect and enhance Listed Buildings and those of local importance, including ~~and~~ areas that have traditional “black and white” timber buildings;
- d. Retain mature trees, hedgerows and other vegetation;
- e. Protect existing features such as field boundaries, drains and ditches; and
- f. Seek to retain a strong distinction between the town's urban core and the surrounding rural area of the parish.



LANP18 – PROTECTING AND ENHANCING THE CHARACTER OF LEOMINSTER TOWN CENTRE

Development proposals in Leominster town centre will be permitted when:

- a. They respect the character and appearance of the town centre;
- b. They do not have a negative impact on the heritage of the town;
- c. They propose a suitable town centre use and improve, or bring back into use, vacant or under-used buildings;
- d. They improve the streetscape and make a positive contribution to the character of the area; and
- e. They include trees and suitable areas of planting, when appropriate.

LANP19 – NEW BUILDING IN LEOMINSTER

All new buildings in Leominster will be required to meet minimum government sustainable development standards and encouraged to exceed those minimum standards. Developers will be expected to justify their design according to the points listed in this and other policies. A design guide is given in Appendix 4.

To make Leominster a sustainable and distinctive town, development will be encouraged to include the following:



- a.** Design that is appropriate to the local context and setting, taking into account:
 - streetscape,
 - building heights and lines,
 - scale and mass,
 - density,
 - plot sizes, especially burgage plots,
 - layout,
 - means of enclosure - walls, fences and hedges,
 - measures to reduce crime and increase personal safety;
- b.** Design that creates high quality buildings that respond to local character and styles, taking into account:
 - characteristic architectural design,
 - building materials,
 - form, colour and detailing,
 - scope for innovation,
 - scale and proportion,
 - retain and where possible incorporate existing site features contributing to the quality of the local environment;
- c.** Design that provides variety in the size, type and design of houses, including external and internal flexibility to allow adaptation to changing lifestyles and meets specific needs;
- d.** Design that results in low carbon emissions and running costs and increases sustainability, taking into account:
 - orientation of the building to maximise solar gain,
 - opportunities to enhance biodiversity,
 - sustainable drainage,
 - retaining important open spaces;
- e.** Design that is sensitive to neighbours and the local area, taking into account:
 - impact on the privacy and amenity of neighbours,
 - provision of off road parking appropriate to the character and needs of the area,
 - provision of safe vehicular and pedestrian access,
 - connections to schools, public transport and the town centre,
 - avoidance of areas with known noise and air pollution;
- f.** High levels of connectivity and appropriate community spaces;

LANP20 – NEW EXTENSIONS IN LEOMINSTER

The Plan acknowledges that extensions to existing dwellings are the most common planning applications and are an essential part of the process to enable dwellings to meet their current needs. Extensions will normally be permitted subject to the following criteria:

- Extensions (including previous extensions) and other buildings must not exceed 50% of the total area of land around the original house. This includes any sheds and other outbuildings related to the property;
- Extensions forward of the principal elevation or side elevation of a house and fronting a highway will not be permitted;
- Maximum eaves and ridge height of extension should be no higher than existing house.
- If an extension is within two metres of a shared boundary the maximum eaves height should be no higher than three metres;
- Materials used in exterior work must be similar in appearance to those of the exterior of the existing house.

LANP21 – AGRICULTURAL DEVELOPMENT

There have been a number of changes in the rural landscape over the past few years. New agricultural practices have led to a change from small traditional agricultural buildings, which tended to blend readily into the rural landscape, to larger buildings which are now often industrial in appearance. There are important issues to be considered regarding the siting, design and materials of modern agricultural buildings and their impact on the rural landscape.

An essential part of the local economy in and around Leominster is still agricultural and it makes a very positive contribution to Leominster. The Plan seeks to encourage the continued growth of agriculture in the area but is mindful that larger scale developments could have an adverse impact on the landscape.

New buildings or works for agriculture, horticultural or forestry purposes which require planning permission will normally be supported provided the following criteria are fulfilled:

- the proposal is appropriate in terms of scale, location and nature;
- where the proposal includes the erection of new buildings that there are no suitable existing redundant buildings on the holding which can be used. Applicants will be required to show that renovation, alteration or redevelopment opportunities do not exist;
- the development is not visually intrusive in the local landscape and does not have an adverse impact on the natural or manmade heritage;
- where possible the proposal is sited adjacent to existing farm buildings and use is made of topography and existing landscaping to screen the buildings. New buildings located away from existing farm groupings are unlikely to be acceptable;
- the design of the building and the materials used are sympathetic to the locality and blend with adjacent buildings;
- additional landscaping is provided as necessary;

- the proposal will not result in an unacceptable loss in the amenity of residential units outside the holding including potential problems arising from noise, smell and pollution; and
- the development will not be detrimental in terms of traffic generation or road safety
- Conditions may be applied to the grant of permission requiring:
- use only for agricultural purposes; and
- adequate siting and landscaping and where necessary the use of specified materials and finishes.

LANP22 – INTENSIVE LIVESTOCK UNIT POLICY

In order to mitigate on the adverse impact on the landscape associated with the development of intensive livestock units, the following policy should be adhered to.

Proposals for Intensive Livestock Units and associated structures and facilities for the storage and disposal of waste will be permitted provided that the siting, design and methods of operation proposed:

- Serve to protect the amenity of residential properties or other buildings normally occupied by people, or in the case of extensions can demonstrate a positive improvement in conditions;
- Make adequate provision for the management and disposal of waste materials, liquids and litter which will not lead to pollution, particularly of surface and ground waters;
- Serve to minimise landscape impact and incorporate suitable landscaping proposals;
- Are not contrary to the interests of highway safety and do not generate a significant increase in traffic volumes and HGV movements.

Intensive livestock unit proposals will be considered both in terms of their individual impact and having regard to the cumulative effect of other existing and proposed units within the locality.

Proposals for residential or other protected buildings within 400m of established intensive livestock units will be subject to special consideration.

Proposals that result in significant adverse environmental impacts that cannot be properly mitigated will not be permitted.

LANP23 - TOURISM

Leominster currently lacks sufficient quality hotel accommodation while being a focus for visits to the surrounding area. Tourism related developments should be sensitively located and will be expected to enhance and improve the environment and its biodiversity.

The parish will be developed as a primary tourist destination by encouraging the following developments:

- a. A permanent location for the Tourist Information Centre in the town centre;
- b. More Bed & Breakfast and short-stay accommodation in the town centre, villages and on farms;
- c. Proposals for a hotel and conference centre on the main routes through the parish (A49, A44), in the town and improvements to existing hotels.
- d. Proposals that enhance the visitor facilities and enhance the visitor experience;
- e. Proposals that enhance the Priory's potential for attracting visitors;
- f. Proposals to relocate the Museum within the town centre and to upgrade this facility as a first-rate tourist attraction;
- g. Conversion of existing buildings in the town and new buildings to support tourist related development; and
- h. Re-use and improvement of key historic properties that currently have a particularly negative impact on the quality of the town centre environment.



LANP24 – RIVER WYE SPECIAL AREA OF CONSERVATION

Sections of the River Wye Special Area of Conservation already have sections that exceed targets for nutrient levels. New development proposals should not compromise the ability to reduce nutrient levels to those which are defined as favourable for the site. Development proposals should include a Nutrient Management Plan to deliver the necessary overall reductions in nutrient levels along these sections of the SAC.

LANP25 – PROTECTING IMPORTANT VIEWS

Special Areas of Conservation (SACs) are strictly protected sites designated under the EC Habitats Directive and aim to preserve or enhance their character or appearance. The views around Leominster are of particular significance and every effort should be made to preserve and enhance them.

The following views will be fully protected in order to retain and maintain the character and beauty of the landscape surrounding Leominster. Proposals will be assessed on whether they will adversely impact on the landscape, whether the character of the landscape will be adversely affected, whether the historical integrity of particular landscape and architectural features will be undermined and whether they contribute in a positive way to enhancing that landscape:

- Views of the Priory;
- View from Eaton Hill;
- View north from Aulden;
- View from Cockcroft Hill;
- View from Newlands across the Arrow Valley;
- Northward views across the Kenwater and Lugg;
- Views from Millennium Wood to Priory (tree trimming needed); and
- Views and vistas within the defined town centre, see Map 3 for the boundary of the town centre.

Developments that obscure or detract from views of important and historic buildings, key areas of landscape and large areas of open countryside will not be allowed.

Accessible Leominster


Leominster Parish is a mix of market town and more isolated rural villages and hamlets. How accessible we can make different places, by means other than private car, e.g. by walking, cycling or public transport, is limited by this physical geography. Nevertheless, our Plan, whilst recognising these limitations, seeks to ensure that opportunities to make Leominster's town and villages more accessible are taken wherever possible. Policies to achieve this are suggested below.



LANP26 – COMMUNITY & HIGHWAY INFRASTRUCTURE

- a. All development proposals should include measures aimed at reducing the need to travel.
- b. Development proposals should prioritise the needs of pedestrians and then cyclists over the needs of other transport users.
- c. All proposals that are part of the Sustainable Urban Extension (SUE) should prioritise and include measures to maximise walking and cycling within, to, and from, the SUE and Leominster. The SUE should also include suitable public transport measures and be accompanied by a travel plan.

Proposals to create new and improved walking, cycling and public transport routes will be encouraged. This includes the following:

- Movement to and from Barons' Cross; 
- Movement to and from the SUE;
- Approaches to and from Leominster Railway Station;
- Additional cycle racks to be installed around the town centre.

A comprehensive Travel Plan should be prepared for Leominster in partnership with Leominster Town Council, Highway Authority, Herefordshire Council and other appropriate bodies and organisations (See LANP 1). Proposals to improve movement around Leominster town centre will be permitted. Proposals that will be particularly supported are those that:

- a. Prioritise pedestrians in the town centre (e.g. by designating Broad Street, High Street, West Street, Victoria Street and Corn Street as pedestrian priority zones) (to be explored in the Travel Plan);
- b. Designate Corn Square as a motorized traffic free zone (except for disabled drivers and collections/deliveries). Deliveries should be limited to before 10 a.m. and after 4 p.m. unless by small, pollution free vehicles e.g. pedi-vans, enforced by a Traffic Regulation Order (TRO);

- c. Provide additional car parking at the railway station in line with the adopted Local Transport Plan
- d. Improve footpath and cycle routes linking the railway station to the town centre and the bus station (to be explored in the Travel Plan);
- e. Provide better quality pavements (perhaps paid by Community Infrastructure Levy funds);
- f. Improve street furniture (including seating) to improve appearance, ease of movement and to provide a better visitor experience.



APPENDICES:

APPENDIX ONE

Evidence in support of a A49/A44 Link Road.

Item 1:

LEOMINSTER INDUSTRIAL ESTATE ACCESS ROAD AND ITS EXTENSION TO FORM AN EAST-WEST LINK

Item 2:

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

ENVIRONMENT ACT 1996, PART IV, SECTION 83

THE BARGATES (LEOMINSTER) AIR QUALITY MANAGEMENT AREA (NITROGEN
DIOXIDE) ORDER 2006

ORDER DESIGNATING AN AIR QUALITY MANAGEMENT AREA

Item 3:



Bargates Air Quality Action Plan

2014

Item 4:

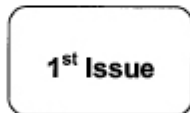
LEOMINSTER

TRAFFIC SURVEY REPORT

MT/NWK/SC/558/HO

November 2007

Item 5:



FORECASTING REPORT

for

**LAND SOUTH OF
LEOMINSTER**

on behalf of

MOSAIC ESTATES

APPENDIX TWO

Primary and Secondary Shopping Frontages

The primary shopping frontages shown on Map 3 are as follows:

1-7 Buttercross Arcade

2-38 High Street

1-43 High Street

2-40 West Street

1-51 West Street

2-24 Drapers Lane

1-27 Drapers Lane

1-13 Corn Street

1-3 Victoria Street

2-16 Corn Street

1-23 Broad Street

2-34 Broad Street

4-22 School Lane

1-19 School Lane

The secondary shopping frontages on Map 3 are:

1-15 Church Street

4-14 South Street

1-17 South Street

15 and 17 Etnam Street

APPENDIX THREE

Community Assets

- The Grange open space
- Sydonia open space
- Bridge Street Recreation Ground
- Community Centre
- Grange Court
- The Priory
- Cinema/Bingo Hall
- Leisure/Sports centres
- The Grape Vaults Public House
- The Barons Cross Inn
- The Bell Inn
- The White Lion
- The Chequers Inn
- The Royal Oak
- The Talbot

APPENDIX FOUR

Design Guide for new housing in Leominster

- The Developer should appoint a lead designer, preferably an architect, to work and liaise with the Town Council on design and design detail, at each key stage in the design process before any submissions to the local planning authority.
- Development should build upon local identity by capturing the spirit of local architecture.
- Buildings must be considered as visual and tactile compositions of form detail and material with attention to detail and avoidance of generic commercial solutions.
- Attention must be paid to the silhouette produced by roof forms and chimneys.
- Balance of vertical and horizontal emphases in the building composition, roof span and pitch.
- Distribution and proportion of windows within the overall “grid” of the elevation.
- Relationship of the upper floor windows to the eaves.
- Progressive changes in material as horizontal ‘strata’. The texture of materials and the repetition/tessellation of small elements of construction (bricks, tiles, slates, window panes).
- Characteristic weatherings such as hoods and pentice boards.
- The use of garden walls to root the building within the site and connect with other buildings.
- Building Materials. Timber, stone, render and brick are acceptable though brick should be used sparingly and would be better used in groupings of houses in terraces and groupings that sit within a traditional village context. When used it should be of a mellow and aged appearance and not of a uniform shade.
- Innovative building techniques and materials will be encouraged, such as factory built units when this does not detract from the external appearance of houses.
- Roofs can be of thatch, slate or tile with mitred hips or roof tiles.
- Chimneys should be of brick, stone or render. Most houses should have chimney stacks.
- Windows - their size and shape, relation of void to solid, their sub division including their pane size and proportion related to glazing bars are critical to the appearance of the building.

- Windows should be timber, painted not stained, except for leaded lights in iron casements and used in hardwood frames. UVPC, aluminium or plastic coated timber frames will not be permitted.



Prepared for Leominster Town Council by the

Leominster Area Neighbourhood Plan (LANP) Steering Group.

For further information please contact Leominster Town Council:
c/o The Town Clerk, 17 West Street, Leominster, Herefordshire HR6 8EP
tel. 01568 611734

Email: townclerk@leominstertowncouncil.gov.uk

www.leominstertowncouncil.gov.uk/neighbourhood-plan.aspx



Neighbourhood Planning and Strategic Planning teams
Herefordshire Council
Plough Lane
Hereford
HR4 0LE

Hannah Lorna Bevins
Consultant Town Planner

Tel: 01926 439127
n.grid@amecfw.com

Sent by email to:
neighbourhoodplanning@herefordshire.gov.uk

2 November 2017

Dear Sir / Madam

Leominster Neighbourhood Plan Consultation SUBMISSION ON BEHALF OF NATIONAL GRID

National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

The electricity distribution operator in Herefordshire District Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Hannah Lorna Bevins
Consultant Town Planner

n.grid@amecfw.com

Spencer Jefferies
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

Amec Foster Wheeler E&I UK
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours faithfully

[via email]

Hannah Lorna Bevins
Consultant Town Planner

cc. Spencer Jefferies, National Grid

Date: 07 December 2017
Our ref: 230422



Herefordshire Council

BY EMAIL ONLY

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

T 0300 060 3900

Dear James Latham

Leominster Neighbourhood Plan Regulation 16

Thank you for your consultation on the above dated 02/11/2017.

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 does not have any specific comments 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.

We note that changes we suggested in the previous Regulation 16 consultation have been included in the latest draft plan.

Best and Most Versatile Agricultural Land

We have not checked the agricultural land classification of the proposed allocations, but we advise you ensure that any allocations on best and most versatile land are justified in line with para 112 of the National Planning Policy Framework.

For clarification of any points in this letter, please contact Caolan Gaffney on 02080 266680. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Caolan Gaffney
Sustainable Development Adviser

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

Natural environment information sources

The [Magic](#)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](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)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.
- Adding a green roof to new buildings.

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>

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/>

7th December 2017



Dear Sirs

Expression of Concern / objection re Leominster Neighbourhood Development Plan

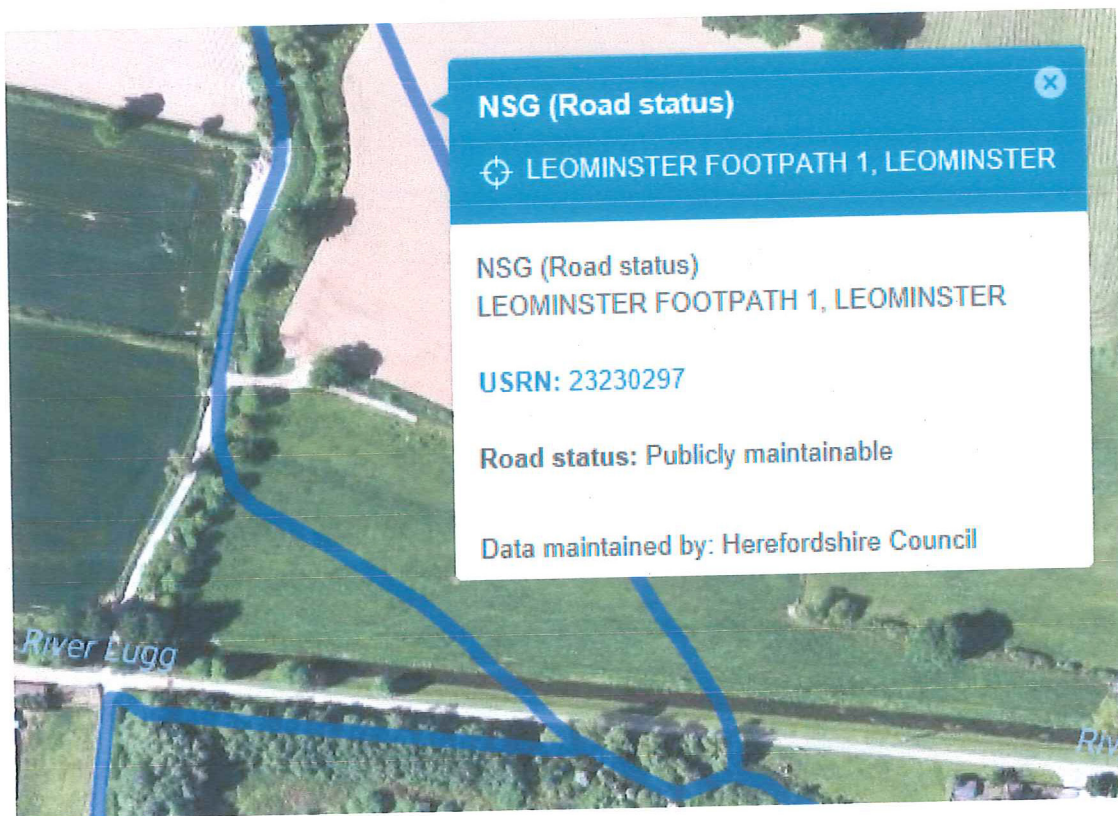
I would like to see greater joined up thinking between the various Herefordshire Council departments and Leominster Town Council, since good development could be dependant on correct infrastructure information held by others, rather than appearing to accept they showing paths across sports pitches and through buildings, through rivers,, etc., without showing those in regular use, etc., and that the new OS Greenspaces map does not show the Grange, Ginhall Green, the picnic area, Millenium Green, etc., with this Development Plan not having plans to address this and being without any scheduled review for 15 years ?

Examples :

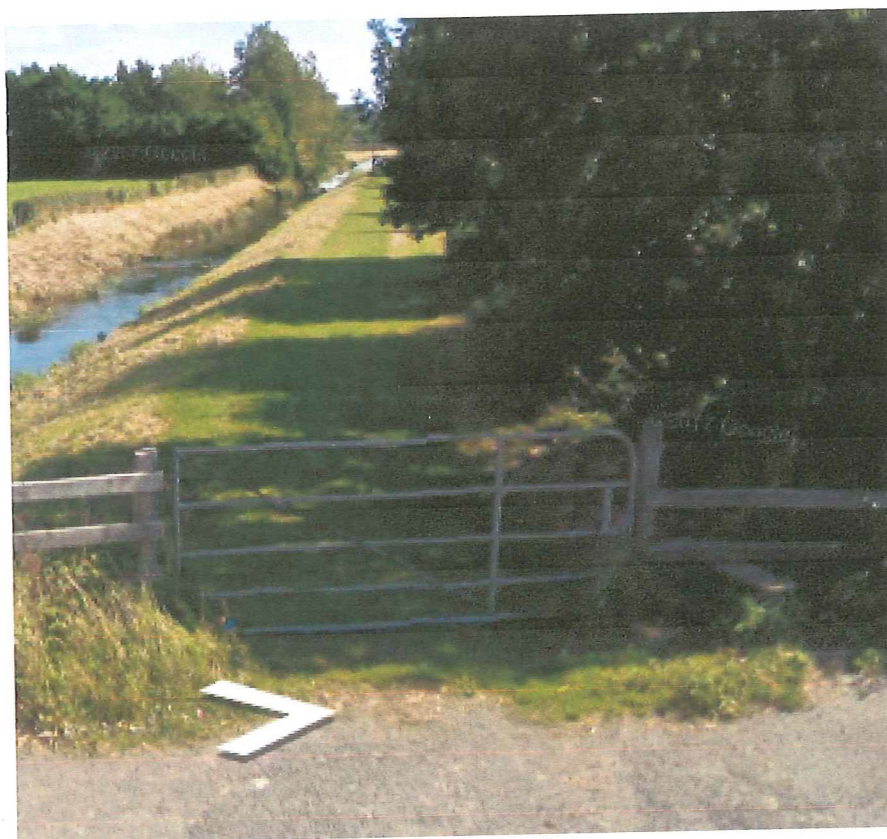
Path shown across sports pitch and through buildings :



Paths shown through river :



Path in regular use but not shown :





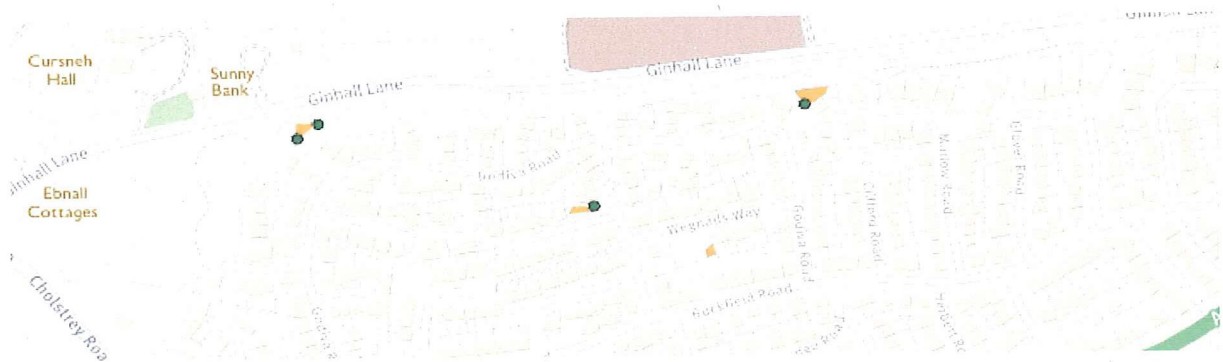
Finding greenspaces has never been easier!

The new free Greenspace layer in OS Maps is the easiest way to discover greenspaces across Britain.

Discover the great outdoors! Whether it's a quick click online or a simple tap on the app, OS Maps lets you find different places for leisure and recreation across England, Scotland and Wales.

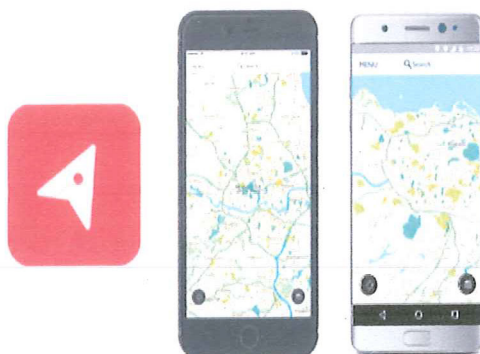
Stroll across a public park, run around a playing field, exercise at a sports facility, have fun in a play area, or reap the rewards of renting an allotment. Greenspace is Britain's most comprehensive catalogue of accessible places.

But for example neither the Grange nor Grinhall Green, nor the Picnic area are shown :



Appropriate policies could address this, rather than each authority seeming to put the onus on the other, as if not, who will and when, such as addressing previous admin mishaps and authoritatively informing the appropriate authorities, and/or scheduling a review rather than fixing for 15 years, as yes, housing is important, but an active population with good information / access to get outdoors would be healthier, tourism & visitors would benefit, especially those who use smart phone info apps such as :

OS Greenspace in the app



OS Greenspace is in the OS Maps app, available to download for free on both [iOS \(Apple\)](#) and [Android](#) devices.

You'll need an internet connection to view the maps to discover greenspaces to explore near you.

This being an important part of a development plan, the scope of content which ultimately is presumably under Herefordshire Council planning management/guidance, and could have contributed to and enhanced a coherent and functional network for recreational, tourism, health, landscape and wildlife value by ensuring that information held and published by others regarding Leominster was correct and where appropriate exerted pressure on them, reference below ?

An extract from Leominster Town Council minutes July 2017 :-

PH38/17 QUESTIONS FROM THE PUBLIC

There were two members of the public in attendance. The following matters were raised:

Concern was raised that a number of public documents generated by Central Government agencies and Herefordshire Council contained inaccurate information regarding local Leominster infrastructure such as footpaths and open spaces. Further concern was expressed that a significant number of footpaths had been built on and diverted without the official diversion process being undertaken. Clarification was sought on which authority was responsible.

It was confirmed that the responsible authority was Herefordshire Council. Following discussion Committee agreed to exert pressure on Herefordshire Council to ensure that information relating to Leominster was correct and that the various footpaths highlighted which required diversions would be submitted for consideration.

An extract from Appendix 6 -'Parishes and Public rights of Way' of the updated Rights of Way Improvement Plan raised by Herefordshire Council, which has been open for consultation at same time as Leominster Neighbourhood Development Plan :

The development of parish / neighbourhood plans provides the basis for parishes to adopt a considered and strategic approach to the management of the PROW in their area. Where appropriate the neighbourhood plan can seek to protect and enhance their networks of PROW as key assets for its recreational / tourism / health / landscape and wildlife value.

In particular, there appear to be two areas where parishes are best placed to contribute to a coherent and functional network: -

1. An accurate and up-to-date Definitive Map and Statement of PROW
2. An open and well-maintained PROW network.

Legislative change introduced by the Countryside & Rights of Way (CROW) Act 2000 meant that the DMS is to be closed in 2026 to claims for recording pre-1949 rights of way. There are a significant number of routes that carry public rights that are not currently recorded on the DMS, or are shown but the rights are under-recorded (e.g. a bridleway is only recorded as a footpath). Many of these rights will be extinguished unless they are recorded on the DMS by 2026 or are the subject of compliant formal applications (schedule 14 Definitive Map Modification Order (DMMO) applications) to be added to it.

Following the passing of the CROW Act, the Department for the Environment, Food and Rural Affairs, the government department responsible for PROW legislation and policy,

Please notify me of the local planning authority's decision under Regulation 19.



Peter McKay

To:

Neighbourhood Planning
PO Box 230
Plough Lane
Hereford
HR4 0LE

Latham, James

From: Planning Central <Planning.Central@sportengland.org>
Sent: 15 November 2017 08:17
To: Neighbourhood Planning Team
Cc: Stuart Morgans
Subject: Leominster Neighbourhood Plan Reg 16 Re-Submission
Attachments: 20171115 1.png; 20171115 2.png; 20171115 3.png

Thank you for consulting Sport England on the above neighbourhood plan.

With regards to Policy LANP11 – Amenity Open Spaces- this policy refers to the open spaces that will be protected cross referring to Map 6 (see attached). Having checked Map 6 there are two additional sites that should be afforded this protection :

- Leominster Primary School – There is an existing playing field on the south side of the school see below. There is a planning consent under reference 130940 to redevelop the school which involves flipping the buildings and the playing field, so that the playing field would then be in the northern part of the site. The existing playing field should be protected, if the consent has been implemented the replacement playing field should be protected.
- Secondly, there are 6 hardcourts and associated car parking at Leominster Leisure Centre that are functionally part of a larger area of space to the north. The courts provide important sports facilities that should also be protected under this policy (see below). The car parking should also be protected as it is an essential facility for users of the Leisure Centre.

Subject to altering Map 6 to include these in green there would be no objections to LANP11, but as it stands the policy does not adequately protect these existing sports and recreation facilities in accordance with para 74 of the NPPF.

Government planning policy, within the **National Planning Policy Framework (NPPF)**, identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 73 and 74. It is also important to be aware of Sport England's statutory consultee role in **protecting playing fields** and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Planning Policy Statement: 'A Sporting Future for the Playing Fields of England'.

<http://www.sportengland.org/playingfieldspolicy>

Sport England provides guidance on **developing planning policy** for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 74 of the NPPF, this takes the form of **assessments of need and strategies for indoor and outdoor sports facilities**. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility

strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

If **new or improved sports facilities** are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)

If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Yours sincerely,

Planning Admin Team

T: 020 7273 1777

E: Planning.central@sportengland.org





Leominster Primary School

