

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Lea Neighbourhood Area
Parish Council	Lea Parish Council
Draft Consultation period (Reg14)	4 September to 16 October 2017
Submission consultation period (Reg16)	3 January to 14 February 2018

Determination

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

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

Summary of comments received during submission consultation

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

Herefordshire Council Strategic Planning	Confirmed conformity with the Core Strategy. See appendix 1 for details.
Herefordshire Council Environmental Health	No further objections to make with regards to this plan.
Herefordshire Council Environmental Health	Given that no specific sites have been identified in the plan unable to provide comment with regard to potential contamination.
Herefordshire Council Transport Planning	No changes to the comments since Reg 14 consultation. P11/12-Developers should look to upgrade the existing footways to meet current requirements and the provide new footways/cycleways through developments to provide a car free route. Connectivity should reviewed and sustainable means of transport promoted.
Herefordshire Council Landscape	Section 7.2 Background makes reference to settled farmlands – may be better to write Principal Settled Farmlands to establish clear connection with LC type. Section 7.2 refers to open spaces important within the village – this could be more explicit in terms of a map showing the spaces or link it back to retaining the dispersed settlement pattern of the character type. Section 7.2 makes reference to important views to be protected, these are listed in

	App D – it would be preferable to show these views on a map with the viewpoints identified.
Herefordshire Council Development Management	<p>It is considered that the settlement boundary should be amended to include the Castle End farm complex and intervening field which has PP for ten dwellings.</p> <p>Perhaps the school should be within settlement boundary which may help protect it as a facility and open space.</p> <p>Consideration should be given to adding the school playing fields to open space designation.</p> <p>On a final point, can further consideration be given to defining the protected views listed as appendix, perhaps a plan showing these would help. The concern is that officer's feel that they can't in absolute terms protect some of these without more justification.</p> <p>Also suggest the following site from planning permission 171881 is included within the settlement boundary as ten houses have been permitted, in addition the open space element could or should be protected by the NDP policies on open space</p>

Forest of Dean District Council	Thank you for your consultation, I have no comments to make.
National Grid	National Grid has identified that it has no record of apparatus within the Neighbourhood Plan area.
Coal Authority	No comments to make on this consultation.
Highways England	Highways England have no comments to make at this time.
Natural England	<p>Natural England has no further comment to make on this plan at this stage.</p> <p>Reg 14 comments suggested that Policy Lea 1 recommend specific reference for the need to maintain habitat linkages for bats (associated with nearby Wye Valley and Forest of Dean Bat Sites SAC).</p> <p>Policy Lea 3 needed to include reference to need to create and to maintain existing green infrastructure.</p>

Officer's Appraisal

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

The plan includes settlement boundaries for the identified settlement of Lea. These boundaries have taken into account existing commitments and proportional growth requirements. The parish already has 101 commitments which exceeds the proportional growth minimum of 43. With this in mind, there are no site allocations proposed, however the plan allows for windfalls and some capacity within the identified settlement boundary of Lea.

Overall, 11 responses have been received; 6 internal service providers and 5 from statutory and external consultees. Strategic Planning raised no objections and confirm that the policies within the plan are in general conformity with the Core Strategy.

External responses from technical bodies such as Natural England, National Grid and Coal Authority have raised no objection to the regulation 16 draft plan. It is considered that there are no fundamental issues relating to this plan which would prevent its progress to examination.

Programme Director's comments

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

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

Approved

A handwritten signature in black ink, appearing to read 'Richard Gabb', with a large, loopy initial 'R' on the left and a horizontal line underneath the name.

Richard Gabb

Programme Director – Housing and Growth

Date: 23rd February 2018

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Lea- Regulation 16 submission version

Date: 8/1/18

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Lea 1- The right housing in the right place	SS1, SS2, RA2, RA3, H3, LD1, SD1	Y	
Lea 2- Surface and foul water drainage	SD3, SD4	Y	
Lea 3- A valued environment in which to live	SS6, LD1, LD2	Y	
Lea 4- Large scale polytunnels	N/A	Y	
Lea 5- Sustaining open spaces	OS1, OS2, OS3, LD4	Y	
Lea 6- Supporting a thriving community	RA6, E1, E2, E3, E4	Y	
Lea 7- Delivery of local infrastructure	SC1, SD2	Y	
Lea 8- Access to community facilities	SC1	Y	

