

## Progression to Examination Decision Document

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

Name of neighbourhood area	Border Group Neighbourhood Area
Parish Council	Border Group Parish Council
Draft Consultation period (Reg14)	14 December 2015 to 8 February 2016
Draft consultation period (second Reg14)	12 January to 27 February 2017
Submission consultation period (Reg16)	16 March to 27 April 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"> <li>• Map showing the area</li> <li>• The Neighbourhood Plan</li> <li>• Consultation Statement</li> <li>• SEA/HRA</li> <li>• Basic Condition statement</li> </ul>	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes
Does the plan specify the period for which it is to have effect?	2004 Act 38B (1 and 2)	Yes

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

### Summary of comments received during submission consultation

Natural England	No further comments to make
Historic England	<p>Previous comments remain;</p> <p>Supportive of vision and objectives. The content of the document with its emphasis on local distinctiveness.</p> <p>Policy BG17 (now 21) is welcomed.</p> <p>Plan is well considered, concise and fit for purpose.</p>
Severn Trent	No specific comment to make
Welsh Water	No further comments to make. There is no Welsh Water operated public sewerage within the parish area.
Environment Agency	<p>Welcome consideration of flood risk in the plan.</p> <p>All development is located within Flood Zone 1. We do note that the Nursery site in Lingen borders the Limebrook and there is an area of Zone 2/3. However the site is proposed to</p>

	accommodate 6/8 dwellings and accept that all built development could be located in flood zone 1. Any forthcoming application will need to be accompanied by FRA.
Powys County Council	No comments to make
National Grid	No records of apparatus within the neighbourhood plan area.
CPRE	Forwarded to volunteer but no further correspondence received.
National Trust	Forwarded to volunteer but no further correspondence received.
Sport England	General comments not specific to the NDP area
Coal Authority	No specific comments to make
Herefordshire Council – Strategic Planning	Confirm general conformity with the Core Strategy.  Full details within Appendix 1
Herefordshire Council – Building Conservation	No specific comment to make
Herefordshire Council – Conservation (Ecology)	No objections to proposals to Lingen nursery site housing allocations and no further comments
Herefordshire Council - Environmental Health (contamination)	Adferrton Policy BG4 – some agricultural buildings maybe used for storage of potential contaminative substances.  Lingen Policy BG8 – agricultural practices such as uncontrolled burial of wastes or excessive pesticides or herbicide may be a potential contaminative  Lingen Policy BG9 – farm buildings maybe used for storage of potentially contaminative substances or maintenance and repairs of vehicles and machinery.
Walford Resident Group  Signed by 16 households within Walford	Oppose the proposed residential development and request that Walford be removed as a nominated settlement.  Unfortunately flawed process – Walford was not intended as a location for specific development but infill sites only. During 2015, Walford was re-

	<p>designated as a potential development location.</p> <p>Residents objections broadly ignored by steering group</p> <p>Independent drainage expert report has been commissioned. The site is free from internal flood risk but the nearby lower lying properties could see increased run off and water dispersion.</p> <p>Any site for development within Walford will inevitable drain into it and exacerbate already flood affected areas.</p> <p>Other sites have been identified and rejected by the steering group because they were in the flood plain</p> <p>The site proposed will pose a potential danger to the adjoining Birmingham trunk water main and has no planning merits</p> <p>Fails to fulfil the objectives of Policy RA2 and the objectives of the Border Group NDP</p> <p><i>Report by John Cooper (Consultant on water, wastewater and environmental management) included with submission</i></p>
<p>Graham Clark</p> <p>Berrys</p> <p>Representing local landowner in Adforton</p>	<p>Policy BG5</p> <p>Given the need for more housing and to provide greater flexibility, there is an opportunity to allocation the land between the redundant barn and the main part of the village for housing.</p> <p>Also opportunity to allow a small increase in housing numbers on the identified redundant barn sites</p>
<p>Graham Clark</p> <p>Berrys</p> <p>Representing local client in Lingen</p>	<p>Policy BG8 part f and section 3.30</p> <p>Welcomed that the site is identified but suggested the detailed requirements be amended.</p> <p>Considered that families will also want larger accommodation and therefore a greater range of property sizes should be listed in the policy. Suggest 2, 3, and 4 bed properties.</p> <p>Should be amended to include up to 8 properties on the site, in line with the figures within the development brief.</p>

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

#### **Officer appraisal**

This plan has met the requirements of the regulations as set out in the table above.

Overall, 17 responses have been received; 3 internal service providers and 14 from external consultees.

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

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

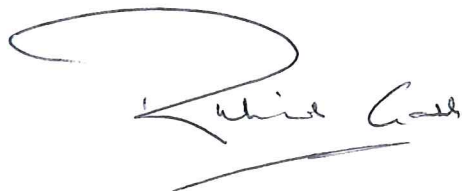
The Walford Residents Association have raised concerns regarding the site allocation within Walford and the designation of Walford for growth. A planning consultant has welcomed but has raised some suggested amendments to specific site allocations within the NDP on behalf of his clients.

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

#### **Assistant Director's comments**

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

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

A handwritten signature in black ink, appearing to read 'Richard Gabb', with a large, sweeping flourish above the name.

**Richard Gabb**

**Programme Director – Housing and Growth**

Date: 1/5/2018

## Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Border Group- Regulation 16 submission draft

Date: 11/04/18

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
BG1- Promoting a Sustainable Community	SS1	Y	
BG2- Development Strategy	SS1; SS2; RA1; RA2	Y	
BG3- New Homes in Adforton	RA1; RA2	Y	
BG4- Redevelopment of Land North of Letton Lane	SS1	Y	
BG5- Conversion and Extension to Redundant Barn at the North End of Adforton Village	SS1	Y	
BG6- New Homes in Brampton Bryan	SS1; RA1; RA2	Y	
BG7- New Homes in Lingen	RA1, RA2	Y	
BG8- Land at the Nursery, Lingen	SS1; H3; LD1; LD2; SD1; SD3	Y	
BG9- Land at the Turn	SS1; LD1;	Y/N	Criterion D: "...and non-

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Farm, Lingen	LD4; SD1		<p><i>traditional features avoided.</i>"</p> <p>Care should be taken here to ensure that new buildings are not unnecessarily restricted from new innovative designs or features where they integrate appropriately with the existing buildings. This flexibility is consistent with the design policies of the Core Strategy and Criterion A of BG13.</p>
BG10- New Homes in Walford	SS1; MT1; LD1; LD2; SD1; SD3	Y	
BG11- Land South of Walford	SS1; H3; LD1; SD3; SD4	Y	
BG12- Provision of Affordable Housing	SS1; H1; H2	Y	
BG13- Design Criteria for Residential Development	SS1; LD1-LD4; SD1-SD4	Y	
BG14- Supporting Local Business	SS1; SS5; E1-E4, RA5, RA6	Y	
BG15- Broadband and Mobile Telephone Infrastructure	SS1; E3, RA6	Y	
BG16- Renewable Energy	SS1; SS7; SD2	Y	
BG17- Highways and Transport Infrastructure	SS1; SS4; MT1	Y	
BG18- Flooding and Surface Water Drainage	SS1; LD2; SD3	Y	
BG19- Accessibility to Services and Facilities	SS1; SC1	Y	Stronger protection could be afforded to valued local services/facilities by formally

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
			listing them in the policy itself.
BG20- Protecting and Enhancing the Natural Environment and Landscape	SS1; SS6; LD1-LD3	Y	
BG21- Protecting Local Heritage	SS1; SS6; LD4	Y	
BG22- Lingen Conservation Area	SS1; LD4	Y	