

## Progression to Examination Decision Document

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

Name of neighbourhood area	Ocle Pychard Group Neighbourhood Area
Parish Council	Ocle Pychard Group Parish Council
Draft Consultation period (Reg14)	1 November 2017 to 31 December 2017
Submission consultation period (Reg16)	27 March 2018 to 8 May 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 (1and 2)	Yes
Are any 'excluded development' included?	1990 61K / Schedule 1	No

<ul style="list-style-type: none"> <li>• County matter</li> <li>• Any operation relating to waste development</li> <li>• National infrastructure project</li> </ul>		
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"> <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

External Consultation Responses	
Historic England	<p><i>Our previous general Regulation 14 comments remain entirely relevant, that is:</i></p> <p><i>“Historic England is supportive of the Vision and objectives set out in the Plan and the content of the document. In particular we commend the emphasis on local distinctiveness and the maintenance of historic rural character including heritage assets and archaeological remains”.</i></p> <p><i>In conclusion, overall the plan reads as a well-considered and concise document which we consider takes a suitably proportionate approach to the historic environment of the Parish.</i></p>
Natural England	<p>The advice provided in our previous response applies equally to this resubmission although we made no objection to the original proposal.</p> <p>The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p> <p>Should the proposal be amended in a way which</p>

	<p>significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered</p>
Coal Authority	No specific comments to make
Welsh Water	<p>I refer to the below consultation and would like to thank you for consulting Welsh Water.</p> <p>As you will be aware, we were consulted as part of the Regulation 14 consultation and as such have no further comment to make at this time. Please find attached our Regulation 14 consultation response for your information. I refer to the above consultation and would like to thank you for allowing Welsh Water the opportunity to respond. Given that the Neighbourhood Development Plan (NDP) has been prepared in accordance with the Herefordshire Core Strategy, we are supportive of the vision, objectives and policies set out.</p> <p><i>As you may be aware, there are only three very small wastewater treatment works (WwTW) in the Parish Council area, located at Ocle Pychard, Bullocks Bridge and Ullingswick (Dinmarsh).</i></p> <p><i>However we note that the main allocation (Land east of the Telephone Exchange, Burley Gate) is located in an area that is not served by the public sewerage network. As such, in line with Policy SD4 of the Core Strategy and as identified in paragraph 5.12 of the NDP, this site will need to connect to 1). A package sewage treatment plan, or 2). A septic tank.</i></p> <p><i>With regard to the small sites at Upper Town, these are a significant distance from the public sewerage network and Ullingswick (Dinmarsh) WwTW, therefore Policy SD4 of the Core Strategy will again need to be adhered to.</i></p> <p><i>There ought to be no issues in providing any of these sites with a clean water supply – distribution water mains are situated in each the two roads leading into Upper Town, Ullingswick from the A417 and also in the A465 to Burley Gate.</i></p>
National Grid	<p>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</p>



	apparatus within the Neighbourhood Plan area.
Herefordshire Council Responses	
Herefordshire Council - Conservation	No objection to the Burley Gate site proposed for housing or the three sites at Ullingswick and no further comments
Herefordshire Council – Conservation – Building Conservation	No comments to make
Herefordshire Council – Air, Land & Water Protection	<p>Having reviewed records readily available, I would advise the following:</p> <p>Policy OPG4: Land East of the telephone exchange, Burley Gate.</p> <ul style="list-style-type: none"> <li>• The proposed allocated housing indicated in brown in Plan 4 appears from a review of Ordnance survey historical plans to have no previous historic potentially contaminative uses.</li> <li>• Given that no other specific sites have been identified in the plan I am unable to provide comment with regard to potential contamination.</li> </ul>
Herefordshire Council – Strategic Planning	The plan's policies are in general conformity with those equivalent in the Herefordshire Core Strategy. See appendix1 for full details
Herefordshire Council – Environmental Health and Trading Standards	From a noise and nuisance perspective our department has no comments to make with regard to this proposed neighbourhood plan.
Resident Responses	
Richard Allaway	<p>I would like to suggest that this plan is flawed on the grounds of both sustainability and environmental impact.</p> <p>Sustainability</p> <p>As part of the initial consultation when over 160 respondees commented on the need for the bulk of development needed to take place at Burley Gate, it is noted that the original plans to have a significant build there have been watered down. Burley Gate as you are aware benefits from having a school, shop, bus service and is on the main commuter road between Bromyard and Hereford. It seemed logical at the time that this was the obvious site in terms of sustainability to build the bulk of the houses required of the NDP. The added benefits of this site was the need to bring younger families into area to support Burley Gate school (which is suffering from reducing numbers of pupils). Also a larger development in</p>

	<p>one location would have given scope for more affordable housing, urgently needed in this area and again something that the original consultation was considered a priority. As a result of changes made unilaterally to the NDP we now have a much smaller footprint of development at Burley Gate with a consequent reduction in the number of affordable houses being proposed. I am not sure how this fits in with the council own policies for affordable housing but it would appear to fall far short HA1 target and threshold. This would have appeared to have been abandoned for windfall opportunities which will not benefit the community as a whole and seem at odds with village and community sustainability.</p> <p>Environmental Impact</p> <p>The NDP having agreed village development boundaries then seems to contradict itself by allowing a significant number of windfall planning opportunities in rural sites. I struggle to understand the logic of this particularly for 2 of the sites which are immediately adjacent to a Conservation Area. It would seem to me that rather than having a planned development we are being presented with a haphazard pattern of development, particularly in the open countryside.</p>
<p>Archie Adams</p>	<p>The NDP does not appear to meet some key points in Herefordshire Council's e Core Strategy.</p> <p>Affordable housing opportunity has been diluted by a majority of sites proposed being windfall sites. Additionally, the incorrect % of affordable housing in plots over 10 houses being mentioned in the plan by referring to 35% as opposed to 40%</p> <p>By presenting the majority of sites being windfalls the plan has lead to the primary focus not being Burley Gate (as a 4.14 area in the Core Strategy) and the lack of sites over 10 houses requiring affordable housing. Additionally, the Plan has individually named and endorsed 18 windfall sites without stating that these sites are windfalls. These issues were raised and dismissed by the officials involved being the planning consultant and two parish councillors. This has lead to a plan being presented to the parishioners that appears to be flawed. The 3 options presented to the parishioners on 10 June 2017 included 18 windfalls. However, as the planning consultant and two parish councillors moved this forward the Windfall's were then identified as specific sites and further windfalls were included making a current total 27 sites out of a total of 48 sites existing and proposed. During this period one of the Parish Councillors who had 1 sites for 2 dwellings continued to chair the meetings and be actively involved in</p>

	<p>the discussions.</p> <p>By not focusing on Burley Gate limited support is being provide for the continued support of existing survives and infrastructure. A majority of the sites can only be accessed by private transport. The existing DRM bus services have been cut and may continue to be cut. There are no services to Hereford between 8am-11am weekday mornings and no services to Hereford after 5.30 pm. Creating housing and additional demand for public transport is essential and it is understandable that Burley Gate is a primary settlement. The primary school at Burley Gate is shrinking in attendance and the shop not only needs a new site but an increase local customer base.</p> <p>The plan provided little or no thought on providing/enhancing infrastructure for employment or tourism.</p>
<p>Audrey Nunn</p>	<p>I note that since the original draft proposal Reg. 14 that the southern boundary of the Burley Gate development has been extended twice to Reg. 16. This indicates a change in the actual settlement boundary. I sincerely trust the settlement boundary will be strictly adhered to in the future with no further extensions. Incidentally it has been unfortunate that we have 'The Tale of Two Villages' - Burley Gate, Ocle Pychard and Burley Gate, Much Cowarne, with the parish boundary apparently more important than Burley Gate as community.</p>



Matt Tompkins (Hunter Page) on behalf of David Abell

This representation sets out that the strategy enshrined in the Draft Neighbourhood Development Plan for Ocle Pychard Group Parish Council does not provide for the minimum housing target prescribed by the Herefordshire Local Plan – Core Strategy whereby it fails to meet the basic conditions. The representation goes on to explain that the subject site at Stone Farm, Felton is an appropriate site for residential development which, if allocated, would help to overcome the current shortfall.

## 1. Introduction

1.1 Hunter Page Planning is instructed by Mr David Abell to make representations to the Ocle Pychard Neighbourhood Plan Submission Draft during the Local Planning Authority consultation period according to regulation 16 of the Neighbourhood Planning (General) Regulations 2012 in respect of Land adjacent to Stone Farm Felton, HR1 3PW.

1.2 It should be noted that Mr Abell preferred informal discussions with the Parish Council first seeking to promote the site in January 2018. However, he was informed that it was too late to consider the site for allocation in the NDP despite a planning officer at Herefordshire Council advising otherwise.

1.3 The representation is made to aid the drafting of a Neighbourhood Development Plan which provides for sustainable development and which meets the basic conditions set out at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.

1.4 It is also relevant that Paragraph 184 of the Framework requires that Neighbourhood plans reflect Local Plan policies and that neighbourhoods should plan positively to support development. It also sets out that Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.

## 2. Housing Numbers

2.1 Paragraphs 3.10 to 3.23 of the Draft NDP set out the Parish Group's approach to providing housing across the plan period. In the aims and objectives it is clear that the provision of homes for thriving and distinct communities to meet the needs of all ages is supported. Furthermore a mix of size and type of properties to meet communities needs are required whereby a recent residential survey highlighted these needs were greatest for, affordable, starter and smaller size homes to enable young people and families to stay in the village.

2.2 It is explained that the Parish Group must provide 36 dwellings over the plan period and Table 1 sets out how that figure would be achieved. Table 1 describes how 4 no. dwellings are either completed or are under construction, that 15 no. dwellings would be provided at the Telephone Exchange site, that 5 no. dwellings would be provided at smaller settlements within boundaries, that 18 no. dwellings would be provided within the scope of Core Strategy Policy RA3 and that an allowance for 4 no. windfall dwellings has been made. This gives a potential housing delivery figure of 46.

### 3. Policy RA3/Windfall sites

3.1 18 dwellings listed in the Neighbourhood plan for compliance comprise the reuse of barns. Policy RA3 of the Core Strategy allows the provision of such development where it would lead to an enhancement of the sites surroundings and where it complies with Policy RA5. Policy RA5 relates specifically to the reuse of the re-use of rural buildings and requires, that certain criteria are met. These are that:

- Design proposals must respect the character and significance of any redundant buildings
- They must provide for protected and priority species and their habitats
- They must be compatible with surrounding land uses
- They must be structurally sound and capable of conversion
- They must be able to accommodate the proposed future use without any significant alterations or extensions

3.2 Here, there does not appear to have been any assessment of the barns' ability to comply with Core Strategy Policies RA3 and RA5. For instance, no work has been undertaken to confirm:

- The barns' structural soundness and capability of conversion;
- Whether or not there is opportunity for development to enhance the barns' immediate settings; or
- If there are any issues regarding incompatible land uses and potential contamination issues.

3.3 Neither are there, to my knowledge, current planning applications or pre applications which have been submitted for any of the barns. Furthermore, they have not been identified as available in the 2015 SHLAA or 2017 Call for



Sites document. There is a significant void of evidence to demonstrate that the sites are available and appropriate for development.

3.4 In conclusion on this matter, without appropriate assessments it is not justified to state that the 18 no. RA3 allocation dwellings listed in this section of the NDP are appropriate for development. Accordingly, there are very significant concerns for the ability of the NDP to deliver required minimum housing numbers in accordance with the Core Strategy.

3.5 Further, a reliance on such sites could create inherent policy tension. For example, at application stage, if a barn listed for conversion in the NDP was found to be of insufficient construction to enable conversion then Policy RA3 would direct refusal of the application yet the NDP would still advise approval.

3.6 The definition of a windfall site provided by the Framework is: "Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available."

3.7 On the above basis, it can only be concluded that the 18 no. RA3 allocated dwellings fall squarely within the definition of windfall development and should be treated as such. If these are added to the 4 no. windfall dwellings already allowed for in the NDP, this gives a windfall figure of 22 no. dwellings.

3.8 Paragraph 48 of the Framework states that for windfall sites to contribute to housing supply figure "compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply" will be required.

3.9 The NDP states that 4 windfall dwellings have been approved in the first 6 years of the plan. Applying this ratio to the remaining 14 years of the plan period indicates that a further 9 no. windfall dwellings would reasonably come forward. Such an assessment reduces the windfall, and thus the overall housing supply figure for the plan period by 13. Demonstrated housing supply is accordingly just 33 dwellings, below the minimum indicative threshold of 36 no. dwellings.

3.10 Given that there is an over reliance on development which it is assumed would come forward under Core Strategy Policy RA3 it is apparent that the NDP is unlikely to provide for the minimum housing target identified over the plan period derived from the Core Strategy.

#### 4. Site and Surrounding Area

4.1 To address this housing shortage, the site at Stone Farm is promoted as being sustainable development. A site location plan for the proposed land is attached at appendix 1.

4.2 The site is amongst and adjacent to Stone Farm, Felton and its associated building. It is located to the north of an unnamed road which connects to the A417 to the north and A465 to the south which are the arterial routes for the county.

4.3 The site is generally flat with strong tree and hedge boundaries.

4.4 Public views into the site can only be gained when travelling along the road which abuts its southern boundary. There are no public rights of way which cross the site but there is one which crosses the unnamed road to the south, this will not be impacted as part of any future proposals. The site is not situated in either of the two Conservation Areas for the Neighbourhood Plan area and there are no listed buildings or curtilages within the immediate vicinity of the site.

4.5 The site is not at risk of flooding and lies within flood zone 1

4.6 The site is also approximately 3.3km from Burley Gate which, a village where the main focus of services and facilities are located for the Neighbourhood Area. Burley Gate provides a number of facilities and services including a post office, community hall, pre-school and primary school. Bus stops are also located within the village offering services to both Hereford and Worcester which are located on the A465. A bus service also runs along the A417 just 800 meters from the site.

4.7 The site is close to Hereford but is also within commutable distance to Worcester. Both Hereford and Worcester are the main settlements within their respective counties; Herefordshire and Worcestershire provide an extensive range of services and facilities including educational, health, retail, and leisure facilities and employment opportunities. Furthermore, Hereford and Worcester Railway Stations provide extensive and direct travel to destinations including Birmingham, Manchester, London and Cardiff.

4.8 The proximity to Burley Gate from the site demonstrates it is reasonably sustainable, particularly as it is noted in the Neighbourhood Development Plan that the area is characterised by an "organically grown, scattered

development pattern” (paragraph 2.7). Focusing all development at Burley Gate would thus be contrary to that assessment.

4.9 It is also relevant that paragraph 55 of the NPPF seeks to restrict “isolated” dwellings within the countryside. Having regard to the recent High Court decision *Braintree District Council v Secretary of State for Communities and Local Government* [2017] EWHC 2743 (Admin), the definition of ‘isolated’ should be understood as its ordinary objective meaning, “far away from other places, buildings, or people; remote” (Oxford Concise English Dictionary). Here, the site is proximal to a number of other dwellings and farm buildings whereby its development would tangibly contribute to the exiting cluster of buildings known as Crozen. It is ideally located to support the surrounding rural community whilst being within reasonably proximal to a number of services in Burley Gate and a bus route. The site should not therefore be considered to have an isolated location.

#### 5. Promotion of the site for Residential Development

5.1 Housing development is supported by the NDP in rural locations as part of the wider dispersal strategy which promotes development in the countryside as part of wayside properties and farmsteads scattered throughout the parish (paragraph 4.13).

5.2 Policy OPG2 of the Neighbourhood Plan does not preclude development outside of recognised settlement boundaries within the open countryside where proposals meet the requirements of Core Strategy Policy RA3 and its allied policies.

5.3 In this respect, the proposal offers two options to meet this rural exception criteria. The first is for three self-build residential units, an illustrative site layout of which is attached at appendix 2. There is a requirement for self-build units as shown on the Herefordshire Self Build Housing Register demonstrating that the proposal responds to local demand. There is clear support for self-build housing as part of the draft NPPF Consultation Document 2018 which states at paragraph 62 that: “Within this context, policies should identify the size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).” (our underlining)

5.4 The section option, with its illustrative site plan attached at appendix 3 shows a proposal for 8 dwellings, 3



self-build, 4 affordable and 1 open market. This is a rural exception site whereby the financial viability of the proposal justifies the inclusion of an open market unit and 3 self-build units. Of particular relevance in this instance is the policy H2 which permits rural exception schemes in areas which may not otherwise be released for housing, where the proposals:

- Meet an identified local need;
- are made available and retained in perpetuity for local people in need of affordable housing;
- The site respects its surrounding characteristics, constitutes good design and offer reasonable access to a range of services and facilities, normally in a settlement identified in policy RA2.

5.5 Affordable housing provision in the Draft NDP presently amounts to just 5 dwellings and where 4 were identified as part of the most recent affordable housing needs survey. These units are to come forward as part of the allocated site on Land East of the Telephone Exchange, Burley Gate. However it must be noted that this survey - HC Research Team, Local Affordable Housing Needs Survey for Ocle Pychard parish group, 2012 is from 6 years ago and it is expected that this figure has now increased particularly in light of the widely publicized worsening nationwide housing crisis. Furthermore, in accordance with paragraph 47 of the NPPF, there is a requirement to "significantly boost" the supply of housing and that numbers are not a ceiling figure but a minimum target and therefore any increases to this target are positive as well as to plan for emerging need over the plan period. This proposal would help to meet that need.

5.6 Both options, seek to support the wider rural nature of the parish and fit the strategy which requires high social worth housing in the form of affordable, mix type and tenure to encourage young people and families to remain within the area, where it is recognised that rural communities find it hard to retain such residents.

5.7 Allocating the site in the NDP is the best method of ensuring control over facilitating the sites future delivery to produce clarity for all whilst achieving additional benefits as well. It is therefore recommended that the site is allocated as a potential site for housing development, through the NDP either for:

- Option 1: 3 Self build dwellings (Appendix 2); or
- Option 2: 4 affordable dwellings, 3 self-build dwellings

and 1 open market dwelling (Appendix 3).

5.8 Mr Abell would like to work with the Neighbourhood Plan Group to bring forward new sustainable housing development and cannot stress enough that his primary aim is to develop the site in accordance with local preferences in order to meet identified community needs for housing. Mr Abell has identified both self-build and affordable housing as types of housing for which there is significant need and would therefore be happy to allow the Parish to decide which option they would prefer to pursue.

## 6. Status of the Land

6.1 The National Planning Policy Framework states that for sites to be considered 'deliverable' means they will be available now, in a suitable location now and achievable within five years and viable, as per footnote 11 of paragraph 47.

6.2 Suitable: The site is suitably and sustainably located for development with accessibility to local services, as identified in the above section of this document. There are no physical constraints that would prevent or delay development coming forward on the developable area of the site.

6.3 Available: There are no legal or ownership problems to preclude delivery well within the future plan period, or earlier. The site is entirely within the ownership of the land owner and there is confidence within the housing market which will ensure it timely delivery. The site is available immediately with delivery of all units within 5 years. The site is therefore available.

6.4 Achievable: We wish to support the site to be allocated for housing in the emerging Neighbourhood Plan period. The land in question is a greenfield site and has no physical constraints thus contributing to its timely delivery. This site is in a location that developers find attractive to bring forward housing sites for development. Residential development represents a viable future use for the site which can be delivered quickly. As such, development of the site can be considered achievable.

6.5 Overall, land adjacent to Stone Farm, Felton is considered to be suitable, available and achievable for future residential development. Therefore, the suggested allocation of the site for housing is entirely justified, effective and compliant with national planning policy. The site is therefore considered to be a 'deliverable' housing site in the context of the NPPF. There is no reason why the site could not be delivered during the Plan period.

<p>Lucinda Ridgeway</p>	<p>Objection –</p> <p>Why change the NDP draft? This document currently reflects the understanding, views and favour of the people within the Parish. The land originally allocated 'east of the Telephone Exchange' was identified as the sole site for housing within the NDP and seemed to be the favourable and most acceptable site within the options put forward. So why therefore have the boundaries literally moved? Does this imply that the original NDP &amp; it's process did not provide any substance or clarity? Moving forward - should the site at the east of the Telephone Exchange not be suitable, then planning has been sought to build on land to the east of the Primary School - this would surely provide a more acceptable development site. From the addendum it appears that the proposed boundary for the site 'Plan 4' of the NDP is hoping to extend south - down the field - this no way conforms or complies with respecting the character of the village or the landscape and will have a seriously negative effect on the existing character of the Parish.</p>
<p>Michael Winston</p>	<p>The OPG NDP has been developed in a very comprehensive open way which has allowed all residents of the parish to have their say and input into it's content.</p> <p>The NDP submission document is a reasonable representation of the conclusions reached in the discussion process. However, we do have the following comments and concerns regarding some aspects which relate to Burley Gate.</p> <p>Land at Forge House (Site B in Housing Site Assessment Addendum)</p> <p>We are pleased to see that the proposals submitted for this site in the Regulation 14 consultation have not been adopted into the NDP.</p> <p>During the public open day to determine the development site option this site received only one vote with the overwhelming majority of votes being for the site east of the telephone exchange. Nobody voted for the third option to develop both sites.</p> <p>Development of this site is not required to meet the housing target for the parish as the NDP already identifies 48 houses – a 33% over-achievement of the target of 36 houses.</p> <p>Development of this site in addition to the chosen site would be excessive to the current size of Burley Gate. It would create a bulk mass of housing not in keeping with the characteristic of the village and would be detrimental to</p>



the rural landscape.

A recent planning application to develop this site received many local objections for a number of reasons, including road safety issues with site access and impact on existing houses. The planning application was subsequently withdrawn.

Development of this site would directly back onto existing properties having a serious detrimental impact on the residences on the eastern boundary. Development would be overwhelmingly close to the existing properties thereby ruining their peace, privacy and rural setting. The importance of the rural setting is recognised by the presence of covenants not to construct any building or fence more than three foot six inches high on key areas of the Forge House land.

Land east of the Telephone Exchange (Site A in Housing Site Assessment Addendum)

This is the site overwhelmingly chosen at the public open day for a development of 15 houses and is rightly included in the NDP.

The site has the benefit of not backing directly onto any existing properties and the proposed use of bungalows in the south east corner of the site will minimise the impact on the outlook of the properties to the east.

However, the Housing Site Assessment stresses the importance of linear development in keeping with the existing village character. The southern boundary for this site was originally linear and parallel to the A465 however the proposed NDP settlement boundary around this site now shows it has an apex which is not in keeping with the linear form. There is no documented reason why the apex exists.

Land east of the Primary School (Site C in Housing Site Assessment Addendum)

This site was not submitted at the call for sites stage and therefore was not an option presented at the public open day.

Whilst recognising that the development would not be linear and would have some impact on the property Bonnyhillbrae, the site does have several benefits over the other sites.

The site is on the same side of the A465 as the village hall, pre-school and primary school negating the need to cross the A465 therefore improving pedestrian safety.

	<p>The housing would be set back from the road and enclosed by existing substantial screening to the north. It would therefore have substantially less impact on the landscape character than development south of the A465 – both from the road viewpoint and from the south/west aspects of the village.</p> <p>Comments made by residents of Burley Gate and elsewhere in the parish suggest this could be the preferred housing development site if it was put to another public open day vote.</p> <p>In summary the existing NDP document is an acceptable representation of the parishioners' wishes, which includes development at Burley Gate being limited to one site of 15 houses. Any expansion of the proposed Burley Gate settlement boundary and subsequent additional development would result in excessive development for the village. This could overwhelm the existing village community and would not reflect the residents' wishes expressed in the original Residents' Questionnaire.</p>
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**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. All the requirements of regulation 14 were undertaken by the parish council and all the required documentation was submitted under regulation 15.

No major concerns have been raised from neither internal nor external responses with regards to the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy. Therefore the plan is considered to meet the general conformity requirements of the Core Strategy and comments are generally supportive.


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

There were six responses from residents, which expressed a mixed response of concern over both sustainability and environmental impact of the plan, amendment of settlement boundary post Regulation 14, aspects of proposed developments and site selection.

### **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 dark ink, appearing to read 'Richard Gabb', with a horizontal line drawn underneath it.

**Richard Gabb**

**Programme Director – Housing and Growth**

Date: 22<sup>nd</sup> May 2018



## Appendix 1

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

From Herefordshire Council Strategic Planning Team

Name of NDP: Ocle Pychard- Regulation 16 submission draft

Date: 30/04/18

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
OPG1- Sustainable Development	SS1; SS2; SS5; SS6	Y	
OPG2- Development Needs and Requirements	SS2; SS5; RA2; RA3; RA6; H3	Y	
OPG3- Burley Gate	SS1; SS6; RA2	Y	
OPG4- Land East of the Telephone Exchange, Burley Gate	SS1; RA2; H1; H3; SC1	Y	
OPG5- Ocle Pychard	SS2; RA2; RA3	Y	
OPG6- Ullingswick	SS2; RA2; RA3	Y	The settlement boundary appears to be quite tightly drawn around existing development. This would appear to limit opportunities for the infill development within it that the policies seek to contribute to the housing target.
OPG7- Economic Development in Ocle Pychard Group	SS5; RA6; E4	Y	
OPG8- Communications and Broadband	N/A	Y	
OPG9- Renewable Energy	SS7; SD2	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
OPG10- Community Facilities	SS1; RA5; SC1	Y	
OPG11- Natural Environment	SS6; LD1-LD3; SD4	Y	
OPG12- Historic Environment	SS6; LD4	Y	
OPG13- Design and Access	SS6; SD1; SD2	Y	

