

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	How Caple Sollers Hope and Yatton Group Neighbourhood Area
Parish Council	How Caple Sollers Hope and Yatton Group Parish Council
Draft Consultation period (Reg14)	31 July to 24 September 2017
Submission consultation period (Reg16)	9 April to 21 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"> • 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 	1990 61K / Schedule 1	No

<ul style="list-style-type: none"> National infrastructure project 		
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"> 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.

Internal Consultees – Herefordshire Council

Strategic Planning	Overall all of the policies are in general conformity with the Core Strategy. Please find full comments on the NDP in appendix 1.
Development Management	<p><i>ENV-1C. Any housing or other development will be implemented in such a way as to have no adverse impact on the natural amenities, including protection of views, river meadows and orchards</i> This needs rewording or clarifying, or reference relevant CS policies as it is arguable all new development has an adverse impact. Important views must be listed and ideally mapped. An annex here is helpful</p> <p><i>ENV-1H Installation of large scale photo-voltaic arrays will not be supported, neither will large installations of wind turbines or fracking</i> This is contrary to NPPF and CS further if Government implements widescale fracking legislation will allow it so a tension there. Suggest the AONB designation protects from large scale panels anyway!</p> <p><i>ENV-1K There is no foreseen need to change the scope and extent of the designated Area of Outstanding Natural Beauty (AONB) insofar as it affects the three parishes</i> This is not needed</p> <p>Not much we could add, there's no RA2 settlement and NDP recognises the parish and its settlements are open countryside. Is there a listed of local heritage asset, listed and unlisted proposed, if not these are helpful to meet their wider aims of protecting and maintaining character of the Parish. Suggest an Annex with list, description, reason and annotated map.</p>
Environmental Health	<p>Regarding Housing Policy – HSG-1C: Proposals for re-using genuinely redundant farm buildings, e.g. barns, I would add the following;</p> <p>Some farm buildings may be used for the storage of potentially contaminative</p>

	<p>substances (oils, herbicides, pesticides) or for the maintenance and repair of vehicles and machinery. As such it is possible that unforeseen contamination may be present on the site. 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 any be encountered during the development.</p> <p>Given that no other specific sites have been identified in the plan I am unable to provide comment with regard to potential contamination.</p>
Environmental Health	<p>Reiterate our comments made at the Regulation 14 consultation</p> <p>Suggest an amendment to Housing Policy with an additional sentence HSG 1K: New housing development should not be adversely impacted by existing agricultural or commercial activities</p> <p>This would be to safeguard the amenity of future occupiers</p>
Ecology	No allocation of sites for housing and no further comments.
Historic Buildings	We have no comments to make on this NDP

External Consultees

National Grid	National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.
Historic England	<p>Pleased to note that our suggestions at Regulation 14 stage have been addressed.</p> <p>Our previous general Regulation 14 comments remain entirely relevant, that is:</p> <p><i>“Historic England are generally supportive of both the Vision set out in the Plan and the content of the document, particularly its’ emphasis on local distinctiveness including rural landscapes and the maintenance of rural character”.</i></p> <p>Overall, Historic England consider that the Plan takes a suitably proportionate approach to the historic environment of the Parish.</p> <p>Beyond those observations we have no further substantive comments to make.</p>
Coal Authority	No specific comments to make on it.
CPRE	<p>Thank you for your email. I shall forward this to volunteers.</p> <p>(No further comments were received)</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 is a criteria based plan for the group parish of How Caple Sollers Hope and Yatton Group.

There are no settlements within the parish listed within Policy RA2 of the Herefordshire Core Strategy consequently there is no identified proportionate growth. Therefore no settlement boundaries or housing allocations are proposed in this plan. The majority of housing to be delivered in the group parish will be delivered through windfall development.

Overall, 10 responses have been received; 6 internal service providers and 4 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.

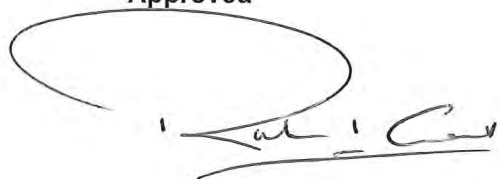
External responses from technical bodies such as Natural England, National Grid and Coal Authority have raised no objection to the regulation 16 draft plan. It is considered that there are no fundamental issues relating to this plan which would prevent its progress to examination.

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', is written below the word 'Approved'. A large, loopy oval is drawn around the signature.

Richard Gabb

Programme Director – Housing and Growth

Date: 31/5/2018

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: How Caple, Sollers Hope and Yatton Group- Regulation 16 submission draft

Date: 12/04/17

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Environment Policy ENV-1	SS1; LD1-LD4; SD1-SD4	Y	ENV-1C: Views can prove to be a subjective topic in decision making. Defining which views are important and worthy of being protected can afford the policy greater strength.
Housing Policy HSG-1	SS1; RA2-RA4; LD1; SD1; SD3	Y	
Economy ECON-1	SS1; SS5; RA5; RA6; E3; E4	Y	
Community Facilities CF-1	SS1; RA6; SC1	Y	
Infrastructure Policy INF-1	SC1	Y	

