

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Ballingham Bolstone and Hentland Group Neighbourhood Area
Parish Council	Ballingham Bolstone and Hentland Group Parish Council
Draft Consultation period (Reg14)	6 March to 18 April 2017
Submission consultation period (Reg16)	19 April to 31 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 	1990 61K / Schedule 1	No

development <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
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 full conformity with the Core Strategy. See appendix 1 for details.
Herefordshire Council - Landscape	The only comment I wish to make in respect of landscape matters is in relation to policy BBH8 statement B concludes within this part of the Wye Valley in my view AONB should be added within the policy not only within the justification. This landscape designation affords significant weight in policy terms and should therefore be referenced within the local policy.
Herefordshire Council - Development Management	My only comments regarding the document are that some of the wording within the policies of the plan are already covered by the Herefordshire Local Plan Core Strategy. This includes: Policy BBH8 – Protecting and enhancing landscape character (c) is a repetition of policy LD2 within the Core Strategy. Policy BBH9 – High Quality Design (b) is a repetition of policy SD1 within the Core Strategy and (c) is a repetition of policy MT1 within the Core Strategy
Environmental Health - Noise and nuisance	From a noise and nuisance perspective our department has no further comments to make with regard to this development plan
Environmental Health Air, Land, Water	Given that no specific sites have been identified in the plan I am unable to provide comment with regard to potential contamination.

Cllr Summers Ward Member	Thank you for the update.
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Coal Authority	No specific comments to make.
Welsh Water	As you will know, we were consulted and subsequently provided a response at the Regulation 14 stage of the process, and are pleased to note that the Council have incorporated these comments into the Regulation 16 version of the Plan.
Environment Agency	<p>As part of the adopted Herefordshire Council Core Strategy updates were made to both the Strategic Flood Risk Assessment (SFRA) and Water Cycle Strategy (WCS). This evidence base ensured that the proposed development in Hereford City, and other strategic sites (Market Towns), was viable and achievable. The updated evidence base did not extend to Rural Parishes at the NP level so it is important that these subsequent plans offer robust confirmation that development is not impacted by flooding and that there is sufficient waste water infrastructure in place to accommodate growth for the duration of the plan period.</p> <p>We would not, in the absence of specific sites allocated within areas of fluvial flooding, offer a bespoke comment at this time. You are advised to utilise the Environment Agency guidance and pro-forma which should assist you moving forward with your Plan.</p> <p>However, it should be noted that the Flood Map provides an indication of 'fluvial' flood risk only. You are advised to discuss matters relating to surface water (pluvial) flooding with your drainage team as the Lead Local Flood Authority (LLFA).</p>
Highways England	<p>The SRN in the vicinity of Ballingham, Bolstone and Hentland includes the A49 between Hereford and Ross-on-Wye and the M50 Motorway.</p> <p>Can confirm that the plans and policies set out within the Neighbourhood Development Plan including the delivery of 27 new dwellings by 2031 are unlikely to have implications for the continued safe operation and functionality of the SRN, specifically the A49 and M50 Junction 1.</p> <p>Support the commitments of the Parish to sustainable development contained within the Plan but have no further comments to make.</p>
Historic England	<p>Our previous general Regulation 14 comments remain entirely relevant, that is:</p> <p><i>"Historic England is supportive of both the content of the document and the vision and objectives set out in it.</i></p> <p><i>The emphasis on the conservation of local distinctiveness and the protection of locally significant buildings and landscape character including important views is to be applauded. We also commend the approaches taken in the Plan to ensuring that the design of new development contributes to the conservation and enhancement of the historic environment"</i>.</p>
National Grid	<p>National Grid has identified the following high pressure gas pipeline as falling within the Neighbourhood area boundary:</p> <ul style="list-style-type: none"> • FM02 - Wormington to Treaddow • FM28 - Three Cocks to Tirley PRI <p>From the consultation information provided, the above overheads powerline does not interact with any of the proposed development sites.</p>

Natural England	Natural England does not have any specific comments on this neighbourhood plan.
CPRE	Thank you for your email, I will forward onto the relevant volunteers.
Moray Cloustan Resident Object	Object regarding the Consultation Statement did not respond to objection to BBH1 from Mr Cloustan or mention his objection to it in the Consultation Statement.

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 RA2 settlement of Ballingha, Bolstone and Hentland Group. These boundaries have taken into account existing commitments and proportional growth requirements. The proportionate growth target for Ballingham, Bolstone and Hentland Group is 27 dwellings, the parish already has 6 commitments and 13 completions; this leaves a residual figure of 8. The plan does not allocate sites in the plan, and relies on a criteria based policy and settlement boundaries to determine where the majority of housing should go. The plan allows for windfalls and some capacity within the settlement boundary of Hoarwithy and St Owens Cross.

Overall, 15 responses have been received; 6 internal service providers and 8 from statutory and external consultees. There have been 1 comments from a resident objections. The raised objections from 1 resident regarding. Herefordshire Council Consultees have not raised conformity issues with the plan and only provide policy strengthening advice. 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, National Grid and 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 prevents 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



Richard Gabb

Programme Director – Housing and Growth

Date: 8th June 2018

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Ballingham, Bolstone and Hentland- Regulation 16 submission version

Date: 17/05/18

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
BBH1- Promoting New Housing Development in the settlements of Hoarwithy and St Owens Cross	SS2; RA2	Y	Minor observation: Policies Map 2- Legend appears to be missing.
BBH2- Public Transport	SS4; MT1	Y	
BBH3- Traffic and Road Safety	SS4; MT1	Y	Similarly to that of policy BBH2, this issue is more comprehensively covered by the equivalent Core Strategy policy (MT1).
BBH4- Footpaths, Cycleways and Bridleways	SS4; MT1	Y	
BBH5- Promoting Outdoor Tourism, Leisure and Recreation	SS6; OS1; OS2; E4	Y	Suggested minor wording amendments in new final paragraph for clarity: <i>These sites will be protected. Development of these sites will not be supported, unless as part of a development proposal which would make alternative provision of equal community benefit, and in a location accessible to the community it is intended to serve by active modes of travel and private car is provided elsewhere within the neighbourhood area.</i>
BBH6- Employment Growth and Jobs	SS6; RA6	Y	
BBH7- New Development to improve Communications Infrastructure	N/A	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
BBH8- Protecting and Enhancing Landscape Character	SS6; LD1	Y	
BBH9- High Quality Design	SS1; SS6; SD1; SD2; SD3	Y	
BBH10- Protecting Local Landscape and Local Heritage Assets	SS6; LD1; LD4	Y	
BBH11- Protecting Community Facilities, Shops and Pubs	SS1; SC1	Y	
BBH12- A Vibrant and Thriving Community	SS1; SC1	Y	