

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Bishopstone Neighbourhood Area
Parish Council	Bishopstone Parish Council
Draft Consultation period (Reg14)	17 October 2016 to 17 December 2016
Submission consultation period (Reg16)	24 May 2018 to 5 July 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 the NDP to be in conformity to the Core Strategy. Policy G1- Housing Development Sites and Design, pointed out some areas of this policy to be too prescriptive. This can be further assessed at the examination stage.
Herefordshire Council – Environmental Health	From a noise and nuisance perspective, no further comments to make with regards to this Neighbourhood Plan.
Herefordshire Council - Conservation	We have no comments to make on this.

Welsh Water	As you may be aware, we were consulted by the Group Parish Council as part of the Regulation 14 stage of the Neighbourhood Development Plan and as such have no further comments to make at this time
Environment Agency	We would not, in the absence of specific sites allocated within areas of fluvial flooding, offer a bespoke comment at this time.
CPRE	Thank you for your email, which I have forwarded to volunteers.
Historic England	Thank you for the invitation to comment on the above Neighbourhood Plan. Our previous substantive Regulation 14 comments remain entirely relevant, that is: <i>“Historic England is supportive of the content of the document and believes it takes a thoughtful and suitably proportionate approach to the historic environment of the</i>

	<p><i>Parish”.</i></p> <p>Beyond those observations we have further no substantive comments to make on what Historic England considers is a good example of community led planning.</p>
National Grid	National Grid has identified that it has no record of apparatus within the Neighbourhood Plan area
Natural England	Natural England has no further comment to make on this plan at this stage; however, should significant changes have been made since the Regulation 14 submission..
Members of the public	
Resident David Heycock Support	I would like to thank all those who produced the above report. The report meets the needs and wishes of local people and sets out a clear plan for housing. In particular, I believe that the plan for Byford is right, fits the hamlet and is sustainable. In summary, a good report with plans that work for the local communities.
Resident Chris Booth Support	I am in agreement with the proposals of the Bishopstone parish council regarding the NDP
Resident David Macklin Support	We are fully supportive of the Bishopstone Group Neighbourhood Development Plan submission Draft May 2018
Resident John Warbey Object	<p>The Bishopstone Group of villages is served by a road system - if such it can be called - of Romano-British and medieval byways, many of them little more than public farm tracks. All are poorly maintained.</p> <p>Today, these roads are increasingly congested and dangerous due to the number and size of vehicles using them. There are many very narrow stretches of road, blind corners, difficult junctions and poor sight lines.</p> <p>The idea of building a single extra dwelling in Bishopstone, as is proposed, is little short of ludicrous while this persists. Any plans for development should be abandoned unless and until these roads are made safe.</p>
Residents Mr Gladwyn and Ms Stockton Object	<p>We are particularly concerned with page 22 of the booklet outlining the Byford hamlet.</p> <p>We understand there was a consultation 2014 - 2016 and residents had the chance to comment. Had we been here then, we would have had the chance to comment and suggest change, this is why we are doing it now.</p> <p>I understand that some people did ask for the settlement boundary to be adjusted and this was done, the one in question has had no comments on it hence why we are doing so now.</p> <p>The boundary is directly opposite our home in direct view, whereby the rest of Byford and Byford common the settlement boundary has been kept to stop this, We feel the boundary should have adhered to the same structure as the rest of the settlement plan.</p> <p>The settlement boundary as it is now is extending into a pasture field homing a pony.</p> <p>The total settlement boundary has been kept in a position so as not to block peoples</p>

	<p>homes, the ground in question is and ancient field with the river beneath.</p> <p>No settlement boundary is placed anywhere else in Byford or Byford common directly in front of anyone else, therefore we would like to request that the settlement boundary be in keeping with the rest of the hamlet and stop at the end of the property driveway as it does from one end of Byford common to the other and throughout Byford itself.</p> <p>We would like to finalise with the fact that it is a good plan and supports a small suitable amount of growth for the small hamlet that it is.</p>
<p>Resident</p> <p>Ms Taylor</p> <p>Object</p>	<p>Reference H1 housing in Bishopstone- Bishon farmhouse- point 3 page 18</p> <p>Does this mean that the new builds sewage will be using the already stretched sewage system who's pumping station is in Bishon Lane.</p> <p>Have massive concerns as we have consistent blockages and sewage bubbling up through manholes and in the winter the quantities of water is huge. This area has a very high water table and I'm very concerned that more usage will put a big strain on the struggling system as is.</p>
<p>Resident</p> <p>Nancy Malins</p> <p>Support</p>	<p>I wish to thank the Bishopstone Group Parish Council for the excellently presented submission draft and for all the hard work entailed in consultation.</p> <p>Reasonable conclusions have been reached. I wish only to comment on the section relating to Policy G4 Traffic and Transport. I agree with all that is stated, but would ask for a continuing request for a 40 mile speed limit on the A438 going through Bridge Sollars for the safety of residents emerging from driveways in their vehicles/ bicycles and indeed on foot.</p>
<p>Resident</p> <p>P.Hurt</p> <p>Support</p>	<p>I would just like to say that I have read the draft plan and agree with it. And thanks to the Bishopstone Group Steering Committee for their hard work in producing it.</p>
<p>Resident</p> <p>Jim Wyn</p> <p>Support</p>	<p>Total agree with the Bishopstone Group Neighbourhood Development Plan Draft; May 2018 and proposed developments within the Group.</p> <p>Excellent. Easy to read. Congratulations to our Parish Councillors.</p>
<p>Resident</p> <p>Allan and Barbara Johnson</p> <p>Support</p>	<p>This is to inform you that we have read the Draft Plan and fully endorse its contents.</p> <p>It is an impressive document, representing a lot of hard work on our behalf, for which we are grateful.</p>
<p>Resident</p> <p>Daphne Susan Hubbard</p> <p>Support</p>	<p>As a member of Bishopstone Group Parish Council and resident of Byford I fully support the policies of Bishopstone Group NDP.</p> <p>I am particularly in favour of proportionate amounts of new housing being spread between the various settlements in the Group in order to keep them all viable and to bring new life into the countryside.</p>
<p>Resident</p> <p>Andrew Culley</p> <p>Object</p>	<p>Whilst agreeing with the majority of the document I fear there is some confusion in the detail given on page 17.</p> <p>The second paragraph refers to applications put forward after discussion with the planning officers for developments on the farmhouse land and also on a site adjoining</p>

	<p>Pleck Cottage.</p> <p>From the outline plans I have seen the land "adjoining Pleck Cottage" is within the field containing the word Bishopstone on the revised settlement boundary shown on page 17. This second site is outside of the proposed settlement boundary.</p> <p>The third paragraph on page 17 shows support for development on the Bishon orchard site (Bishon Farmhouse) and active opposition to "development on the Pleck site". However, the Pleck Cottage is included in the revised settlement boundary and therefore seems at odds with the opposition and is the cause for confusion. This is different to the land adjoining Pleck Cottage but the reasoning given for the objection applies to the land adjoining Pleck Cottage. I have photographs of the standing water showing the problems encountered on this site which make it unsuitable for building.</p> <p>If the Pleck Cottage site is to be within the revised settlement boundary then the wording of the third paragraph needs amending to show that the objections and problems relate to the land adjacent to the Pleck. If the problems also apply to the Pleck Cottage site then it should not be within the revised boundary.</p>
<p>Resident John and Josephine Macklin Support</p>	<p>We as residents of Bishopstone parish fully agree and support the policies of the Bishopstone Group NDP.</p> <p>If implicated the development in the centre of Bishopstone would hopefully bring life back to what used to be a vibrant community.</p>
<p>Resident Maggi Denaro Support</p>	<p>I have read and like our local NDP plan...it is clear that we need some development and this seems to be proportionate for our small communities.</p>
<p>Resident Phillip Handscomb Support</p>	<p>As a resident of Bishopstone, I would like to congratulate the Parish Council on producing an informative and comprehensive NDP. It was produced after the Parish Council has completed an extensive and reflective consultation with the various stakeholders to ensure that any future plans are sustainable and the character of the area will be maintained. This is important as the main area that has been identified for housing development is Bishopstone.</p> <p>I agree with the recommendation that the Bishon Farm site is the most suitable area for development. It is a self - contained site and will ensure that the development does not extend or expand beyond the identified area and remains within the newly identified settlement boundary. With a clearly defined number of properties identified for development on this site, the central orchard site is most appropriate because it fulfils the criteria of sustainability, retains the existing character buildings as well as providing a central site for community facilities. In recent times the farm's orchards have become neglected and left in a poor state. The Parish Council have recommended a sensitive scheme that will provide appropriate housing whilst ensuring the conservation of the traditional orchard and the preservation, restoration and re-creation of priority habitats.</p> <p>If the development is to be sustainable it is important that two main concerns are addressed</p> <ul style="list-style-type: none"> · The sustainability of the drainage system · The highway infrastructure <p>Both these points have been identified in the NDP but I would hope that these areas of concern will be pursued as part of the allocation and ensure that these are identifiable</p>

	costs in the decision making process and part of the condition of allocation.
Resident John Verry Support	<p>We wish to register support for the parish councils group for producing this draft copy of the N D P.</p> <p>A comment I would like to make is about the proposed future development at Bishon farm. Any waters at the top of village flows down to Bishon Common where two brooks merge, and the ground is <u>now</u> very wet during most of the winter months for walking.</p> <p>With the development any storm, surface, sewage water run off must be <u>controlled</u> so as not to cause possible flooding to the six resident property's that live there.</p>
Resident Viv Waters Support	<p>We agree that the best site for housing development is the proposed plan for Bishon Orchard and Farm that keeps all the new buildings and the conversion of farm buildings within that boundary and allows for the provision of a village green for a meeting place. It preserves the orchard which has not been maintained for several years and now is in a poor condition. Although the ruins of "The Plek" are within this boundary any reconstruction, building, or hard standing in this particular area is likely to cause run off of water due to the nature and position of the land. Problems around this site are highlighted in the Draft Plan and even if other sewage arrangements are made we know this area is not suitable for building development. This also applies to the field East of The Plek, which is outside the "Boundary", because there is surface water and "run off" when it rains. We would like guarantees from Herefordshire Council that if this NDP is adopted they would adhere to it.</p> <p>We are not confident that Herefordshire Council supports the work of the Parish Council because they granted Building Permission for a new residence behind The Clovers when it had already been opposed by the Parish Council because the property would be built outside the new boundary that had been decided as a result of consultation by the Parish Council for the NDP. Residents from the Parish were also in attendance at this meeting and agreed with the Parish Council. Should this not have been a joint decision between Herefordshire Council and the Parish Council taking due notice of Residents' concerns? If not, why bother with Parish Councils in the first place?</p> <p>Before any building is started we would like to know what provisions would be put in place for long term independent sewage/water disposal. Also, what financing and who is liable, to pay for road works to be carried out to alter the single track road to accommodate the extra vehicles on the road before building work starts.</p>
Residents Mervyn and Mary Davies Support	<p>We have read the Bishopstone Group Neighbourhood Development Plan submission draft May 2018 and wish to confirm our approval of the overall plan.</p> <p>In addition, we wish to make the following supportive comments:</p> <p>The Steering Group and Parish Council have made every effort during the past five years to involve and listen to local residents in the development of Neighbourhood Development Plan, including through the questionnaire and Regulation 14 consultation.</p> <p>In relation to the "Housing in Bishopstone" section on pages 15 – 20 we fully support the proposal for any future housing development to be focused on the centre of Bishopstone, involving Bishon Orchard adjacent to C1097 road and the change of use of the redundant brick-built farm buildings at Bishon Farm. This proposal will complement the current village layout and in-fill neatly in the centre of the village. The range of housing types proposed will suit local needs.</p> <p>We also fully concur with the attention drawn in the submission draft that due regard</p>

	<p>must be given to ensure water drainage and sewage systems are adequately planned for and enacted in any future development.</p> <p>It seems sensible to review the housing policies contained in the Neighbourhood Development Plan every five years.</p>
<p>Resident Ruth Goldwater 6/7/18 LATE Support</p>	<p>It would be helpful to recognise more strongly the need to support sustainable housing in particular the issue of over reliance on oil and electricity in homes. The health and wellbeing board has prioritised fuel poverty as a factor in health and sustainable/resilient communities so this needs to be reflected in development consents. The plan references the traffic issues regarding the B4230 through Mansell Gamage and there have been discussions at the parish council meetings regarding this issue. This needs to be followed through as the situation is not improving.</p>

Officer's Appraisal

The Bishopstone NDP 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 Bishopstone and Byford and one site allocation in Bishopstone. These boundaries have taken into account existing commitments and proportional growth requirements. The proportionate growth target for Bishopstone is 25 dwellings, the parish already has 4 commitments and 0 completions; this leaves a residual figure of 21 dwellings. With this in mind, there is a site allocation in Bishopstone proposed to accommodate up to 16 dwellings. The plan also allows for windfalls and some capacity within the settlement boundary of Bishopstone and Byford.

Overall, 28 responses have been received; 3 internal service providers and 6 from statutory and external consultees. There have been 19 comments received from, 15 of support and 4 object. These objections include: Pleck cottage being included in the settlement boundary, concerns regarding sewage near Bishon Farm, Byford settlement boundary and impact on highways.

Strategic Planning raised no major 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, Welsh Water and National Grid 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

Mid Call

Richard Gabb

Programme Director – Housing and Growth

Date: 9/7/2018

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Bishopstone- Regulation 16 submission draft

Date: 04/07/18

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
H1- Housing in Bishopstone	SS2; RA2	Y	The southern section of Bishon Farm site is deemed to have low potential in the 2015 SHLAA, on account of access visibility and being sensitive to change in landscape terms. These would need to be taken into consideration when proposals are brought forward.
H2- Housing in Byford	SS2; RA2	Y	
H3- Housing in Bridge Sollars, Kenchester and Mansell Gamage	SS2; RA3	Y	
G1- Housing Development Sites and Design	SS1; SS6; SD1	Y/N	Setting a specific cap on the size of developments is quite prescriptive, and may unnecessarily prevent appropriate schemes of equally good merit from coming forward. For instance, in the case of this policy, a well designed proposal for 7 dwellings and providing contributions towards community infrastructure. A suggestion would be to outline an approximate size range, for instance, around 5-7 dwellings.
G2- Flooding	SS7; SD3	Y	
G3- Business Development and Home Working	SS5; RA6, E3	Y	
G4- Traffic and Transport	SS4; MT1	Y	
G5- Tourism	SS5; E4	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
G6- Historic Landscape and Green Infrastructure	SS6; LD1-LD4	Y	