



Pembridge Neighbourhood Development Plan

Consultation Statement – June 2018

Issue 1

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1. Introduction

- a. The Neighbourhood Planning (General) Regulations 2012 (Localism Act 2011) require a Consultation Statement to set out the consultations undertaken for the NDP.
- b. Part 5 Paragraph 15 (2) of The Neighbourhood Planning (General) Regulations 2012, defines a Consultation Statement as a document which includes:
 - i. details of the persons and bodies who were consulted about the proposed NDP.
 - ii. a description of how they were consulted
 - iii. a summary of the main issues and concerns raised by the persons consulted
 - iv. a description of how these issues and concerns have been considered and, if appropriate, addressed in the proposed plan.
(PLEASE NOTE: public and stakeholder input was taken into account throughout the development of the plan. Specific examples of where and when this has happened are highlighted in the timeline below with relevant extracts from, or references to, steering group minutes and Facebook entries. For the sake of brevity, not all instances are listed, but are available by searching the full set of minutes on the NDP website [here](#). The Pembridge NDP Facebook Page can be viewed [here](#).
- c. Guidance from Department for Communities and Local Government (10 Sept 2013) states that: *‘the Consultation Statement submitted with the draft Neighbourhood Plan should reveal the quality and effectiveness of the consultation that has informed the Plan proposals.’*
- d. This Statement sets out details of all consultation and engagement activity. It lists how the local community and other stakeholders have been involved and how their input has informed the development of the Plan.
- e. The aim of the consultations in Pembridge parish has been to ensure the widest possible understanding of the purpose and content of the Neighbourhood Plan, and to ensure that every resident and stakeholder had the opportunity to contribute to the development of the Plan.
- f. This Statement demonstrates that there has been extensive community and stakeholder engagement and consultation throughout the process. There is evidence available to support all the statements regarding consultation summarised below.

- g. The community and stakeholders were kept informed and engaged via a range of media which are laid out in the Timeline below. These included an NDP section on the Pembridge Parish Council website (Pembridgepc.org), a dedicated Facebook page, the Pembridge Parish News (local magazine), noticeboards, fliers, exhibitions and drop-in events. Steering Group Meetings were also open to the public to attend, ask questions and make comments.



Section 2 follows

2. Pembridge NDP Consultation Timeline

Note: Although the Pembridge NDP process began in 2012, progress was slow in the early stages. This was mainly due to the Pembridge NDP Steering Group awaiting the finalising of the Local Plan (Core Strategy) before proceeding to detailed policy making. The Local Plan was not “made” until 2015. Articles raising this issue were published in the August 2013 edition of the Pembridge Parish News (Page 2) which can be read [here](#), and the December 2013 edition, page 3, which can be read [here](#).

| | | |
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| 1 | 20 th June 2012 | Parish Cllr. A. Pace, Lead Officer on Housing/Planning issues for Pembridge Parish Council makes the case for Pembridge developing a Neighbourhood Development Plan. There was then general discussion on the topic followed by a resolution that:- “Pembridge Parish Council applies to Herefordshire Council to formulate a Neighbourhood Plan, and to retain the existing Parish Boundary.” This was unanimously approved. |
| | Parish Council | |
| 2 | 3 rd July 2012 | Application from Pembridge Parish Council to Herefordshire Council for the whole Parish Council area to be designated as a Neighbourhood Area. |
| | Parish Council | |
| 3 | 18 th July 2012 | Steering Group formed from Parish Council’s Planning/Housing Committee with a call for non-councillor volunteers to join the Steering Group. It was agreed that a feature should be placed in the next edition of the parish magazine – see Activity 4 below. |
| | Parish Council | |
| 4 | 30 th August 2012 | Designation approved by HC with no objections. |
| | Herefordshire Council | |
| 5 | August/September 2012 | Article appeared in Pembridge Parish News (Page 2) regarding the NDP designation, the establishment of a working group, along with its terms of reference, and seeking support from the community with the process. The magazine also enclosed a copy of Herefordshire Council’s Guidance on Neighbourhood Planning. The article can be viewed here . |
| | Publicity | |
| 6 | 19 th September 2012 | Neighbourhood Planning Steering Group’s ‘Terms of Reference’ were amended and councillors subsequently approved the ToRs via email. |
| | Parish Council | |

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| 7 | 9th October 2012 | Steering Group inaugural meeting on 9th October 2012. This included members from the community in addition to parish councillors. A further article appeared in the October edition of the Pembridge Parish News (Pages 2 and 3) giving further details about the plan's purpose and process and inviting people to a public meeting in 24 th October, and an initial open day was held to both inform residents about the plan and to identify issues that might be covered. The article can be viewed here . |
| | Steering Group | |
| 8 | 24th October 2012 | A public meeting took place on 24th October to explain the Neighbourhood Planning process to local residents, and the follow-up stages that would take place. 30 people attended the meeting and submitted ideas. The briefing included the intention to formulate a questionnaire to go out to all residents. To help formulate the questions for the questionnaire suggestion forms would be placed at various locations in the village, which would then be collected up at the end of December or early January, and would then be reviewed by the Neighbourhood Plan Steering Group. |
| | Public Meeting | |
| 9 | December 2012 | Forms inviting residents' input their ideas for a questionnaire distributed around the village for collection before Christmas. An article explaining this and reporting on the Public meeting of 24 th October was published in the December edition of the Pembridge Parish News. This can be viewed here , Page 2. |
| | Steering Group & publicity | |
| 10 | 30th January 2013 | Following public input into the drafting of the NDP questionnaire a first draft was submitted to the steering group. At the same meeting a number of new steering group members were welcomed and briefed. |
| | Steering Group | |
| 11 | 5th March 2014 | Pembridge NDP Facebook Page launched. Extract from 4 th April: <i>"Anyone, especially those who live or work in Pembridge Parish, can help shape the plan we are developing. Landowners, landlords, community groups, developers, employers, tourists, potential residents, potential enterprises are all very welcome to pass on their views about 'development'. We would love to hear your thoughts. The final plan will have legal weight and become part of planning law - so its a great opportunity to get involved"</i> . |
| | Facebook launch | |
| 12 | April/May 2014 | Article appears in the April edition of the Pembridge Parish News inviting people to the upcoming May open meeting. The article also gave an update on the planned NDP questionnaire and also initiated a call for sites. The article can be viewed here . |
| | Publicity | |

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| 13 | 7th May 2014 | <p>An Open Meeting was held at the Village Hall one hour prior to the Parish Council AGM. The meeting explained what a Neighbourhood Plan was, how people could get involved and what might happen in Pembridge over the next 20 years.</p>  |  |
| | Open Meeting and publicity | | |

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| 14 | 28th August 2014 | <p>Open meeting held at the New Inn pub to give further details of the Neighbourhood Plan and recruit helpers to deliver and collect NDP questionnaires.</p> <p>The following updates appeared in the NDP Facebook page on 29th August:-</p> <p><i>"The Questionnaire Packages are coming out to every household in the next few days - keep an eye out for yours! The Q's will be collected around the 14th/15th Sept (leave in a visible place if you are out) but you can also drop completed Q's to The Ye Olde Steppes - Pembridge Shop & Tearoom. Please return any unanswered questionnaires too. We hope the Q's will give us a very good idea of what matters to people in Pembridge Parish and how we can represent these views in planning policies so it is extremely important that as many completed questionnaires are returned as possible. We have professional data analysts on board to sort through all the information and will hold 'focus' group workshops later on to make sure we have information from as many groups as we can. Exciting times!"</i></p> <p>And on 1st September:-</p> <p><i>"All the questionnaires should now be with you - if you haven't got one (one per adult for the main questionnaires) please just let us know. We really want to hear your thoughts about what the village needs, especially with regard to houses and businesses. But also feel free to add your thoughts about roads, pavements, footpaths, facilities, landscaping, ecology, design, land use etc etc as the data will be a really useful tool for the Parish Council in the coming years."</i></p> |
| | Open Meeting and publicity | |

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| 15a | <p>August to September 2014 Residents Survey</p> | <p>NDP Resident's Survey distributed by hand by volunteers to every all household. Enough copies were offered to every resident aged 18 and over. (Under 18 year olds were given space to add comments at the end of the questionnaire but not invited to fill in the rest of the questionnaire – their comments can be viewed on Pages 42 to 43 of the Survey Free-text Report - see link below). Respondents were given up to 3 weeks to complete and return the survey to the volunteer or drop off at a central collection point. According to the 2011 Census, the total number of people aged 18 and over, usually resident in the group parish on 27th March 2011 was 501. Based on this census figure, responses were received from 35% of residents aged 18 years and over.</p> |
| | | <p>The Survey can be viewed here.</p> <p>The Survey Analysis Report can be viewed here.</p> <p>A supplementary Survey Free-text Report can be viewed here.</p> <div data-bbox="981 536 2056 715" data-label="Image"> </div> <p style="text-align: center;">Pembridge Neighbourhood Development Plan</p> <hr/> <p style="text-align: center;">General Questionnaire</p> <p>HOUSING AND DEVELOPMENT</p> <p><i>In the emerging Core Strategy, Pembridge is identified (with 121 other settlements) as a sustainable settlement suitable for 'proportional growth' of new housing. The indicative proportional growth as suggested by the council for the Kington Housing Market Area (of which Pembridge is part) is 12%, over the period 2011 – 2031. At this stage this figure is only indicative and the PNDDP will help establish a more detailed target. Other vilages such as Kingsland, Eardisland and Weobley have higher percentages of indicative growth.</i></p> <p><i>For illustrative purposes there are approx. 227 houses in Pembridge Village which might suggest around 1.5 new houses per year for Pembridge to meet the CS suggested growth target.</i></p> <p>1 Which of these statements best reflects your views:</p> <p style="text-align: right;"><i>Please tick one</i></p> <p style="text-align: center;">12% growth over 20 years is about right for Pembridge Parish <input type="checkbox"/></p> |

15b

August to
September 2014
Call for Sites Survey



Pembridge Neighbourhood Development Plan

Development Land Questionnaire

In order to produce a viable PNDP it is necessary to identify suitable and available sites for new housing & enterprise development. As the historic development boundary of Pembridge Village has mainly been developed to capacity the PNDP should endeavour to find appropriate new locations adjacent or very close to the settlement - in order to meet the indicative proportional growth set out in the emerging Core Strategy. If the PNDP cannot identify suitable and available locations for new development the Local Authority will assess and allocate land on our behalf, using their standard Strategic Housing Land Assessment Allocation (SHLAA).

1 Do you own land in Pembridge Parish that might be considered suitable and is available for development (for housing and/or enterprise)?

Yes No

Please indicate if the land is most suitable for housing or enterprise _____

If you answered 'yes' to question 1, please describe the proposed land here and mark it on the map overlaid and leave your contact details - a member of the Steering Committee will contact landowners in due course (in the strictest confidence) to discuss the suitability and availability of the land in more detail. Alternatively please contact a member of the SC to discuss.


Please note that we are unable to offer any guarantees regarding suitability of individual land parcels at this stage, but it is still very important that the PNDP investigates the realistic opportunities for development over the next 20 years or so.



A "Call for Sites" survey was also delivered as part of the Survey pack mentioned at 15a above.

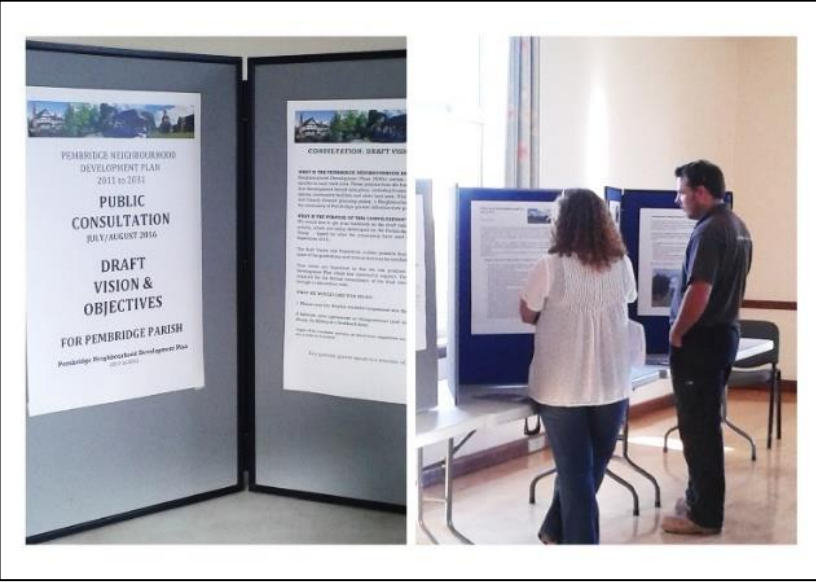
This initial 'Call for Sites' resulted in a limited number of land parcels being submitted, with those potentially suitable unlikely to make any real contribution towards the target amount. As a result, the Steering Group proactively approached all known owners of land surrounding the village to ascertain whether they would be willing to have their land considered as potential housing sites within the NDP.


The Steering Group subsequently viewed all sites where such an interest was expressed on two occasions through walks around the village with its consultant. This led to a site assessment exercise and a "Meeting Housing Need and Site Assessment Report April 2017" which can be viewed [here](#).

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| 16 | 18 th June 2015 | <p>This poster appeared on Facebook and notice boards in the lead up to the steering group meeting and the following update appeared on Facebook following the meeting:-</p> <p><i>“Good meeting last night at The New Inn - some interesting discussions about local housing issues and planning policy and how it might affect Pembridge over the next 15 years. We will now be looking at producing a skeleton draft plan, holding a public consultation event (probably in September) and taking a stand at the Pembridge show to help gather information and feedback. If you would like to get involved in any way you would be more than welcome. If you have ideas or queries that might go into the melting pot we would love to hear from you - leave a message here or email our clerk rebeccabissell.pembpc@gmail.com.”</i></p> |  |
| | Publicity and Steering Group Meeting | | |
| 17 | July 2015 to July 2016 | <p>Work undertaken to analyse the survey results. These were broken down into themes and assigned to members to identify criteria and policy areas and to finalise a Plan Vision and an accompanying set of outline themed Objectives. This led to a finalised Vision and Objectives headings being published on the website in November 2015. This can be viewed here. Further work was undertaken on the Objectives and policy options in preparation for public events in July and August. (See Activity 23 below). An explanation of this approach appeared on Facebook on 2nd February 2016:-</p> <p><i>“At the last Steering Group Meeting we divided into smaller 'task' groups to look at the individual topics in more detail. Each group is working on 'objectives' and 'policies' for the topics (such as housing, environment, transport, heritage etc) and collecting evidence and supporting information for the plan. Some of our neighbouring parishes (including Eardisley, Kingsland and Eardisland) have published draft plans already - Eardisley has been approved for community referendum with glowing reviews from the Examiner - so we are also looking through these plans to make sure we are on the right lines. If you are interested in joining the small working groups or contributing in anyway just let us know. Everyone is welcome!”</i></p> | |
| | SG meetings and publicity | | |

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| 18 | 20th October 2015 | <p>This Facebook entry reports on the long-awaited adoption of the Core Strategy (Local Plan) and emphasises that the NDP can now move forward at pace:-</p> <p><i>“So on Friday the Herefordshire Council Full Cabinet finally adopted the long awaited Core Strategy - the county development plan up to 2031. The Core Strategy is very long but makes significant references to the importance of Neighbourhood Development Plans and how these will shape the development of each local area specifically. It is now down to all the communities that have nominated to undertake a NDP to put together their own planning policies to ensure development proposals reflect their own aspirations whilst contributing towards the growth targets for the county. Pembridge NDP will hopefully move forward quickly now - focusing upon sustainable development opportunities (homes, enterprise, community and infrastructure) that will protect and enhance all that is special about our community. Please do engage with the PNDP as we want the plan to be an asset to the parish over the next 16 years and beyond.”</i></p> <p>A brief NDP update article also appeared in the Parish Council News section of Pembridge Parish News (Page 3) This can be viewed here.</p> |
| | Publicity | |
| 19 | December 2015 | <p>A brief NDP article appeared in the Parish Council News section of the Pembridge Parish News (page 2) further updating on progress with the plan.</p> <p>The article can be viewed here.</p> |
| | Publicity | |
| 20 | 14th June 2016 | <p>Representatives from the Steering Group accompanied their consultants on a village walkabout to get a better understanding of the village and look at potential development sites. This was reported on Facebook on 20th June:-</p> <p><i>“Last week our independent consultant undertook a detailed walk around the village so that he could get a better sense of the parish and our special qualities. He looked at areas to protect, criteria that might enhance our village and land that may be suitable for development amongst other issues. The consultants are now putting together some presentation materials so that we can work with the community to take the Neighbourhood Plan to the next stage. We are planning to hold a community consultation event at The Pembridge Show and at the Village Hall the following week. Dates and Times to be confirmed. You can look at other village plans on the Herefordshire Council website to get an idea of the task ahead.”</i></p> |
| | Village Walkabout and publicity | |
| 21 | 26th July 2016 | <p>Parish clerk sent letters to landowners with land adjacent to old settlement boundary as part of extended call for sites.</p> <p>Letter can be viewed here.</p> |
| | Letter | |

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| 22 | July/August 2016 | The Parish clerk section of the Pembridge Parish News carried a brief article on the progress of the plan and inviting the public to view the draft Objectives and Policies at a stand at the Pembridge Show and at a public meeting to be held on 5 th August. The article on Page 2 can be viewed here . |
| | Publicity | |

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| 23 | 30th July and 5th August 2016 | Public Consultations held at the Pembridge Show and the Parish Hall. The full display material, including engagement methods, can be viewed here . |
| | Consultations and publicity | <p>At the Pembridge Show the public were asked to complete a simple questionnaire shown here. Results from the 2 events are shown here.</p>  |



PEMBRIDGE NEIGHBOURHOOD
DEVELOPMENT PLAN
2011 to 2031

**PUBLIC CONSULTATION
MEETINGS**

VIEW THE
DRAFT NDP VISION
OBJECTIVES & POLICES
FOR PEMBRIDGE PARISH
COMMENTS WELCOME

**PEMBRIDGE SHOW 30th JULY
PARISH HALL 5th AUG 5-7PM**

| | | |
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| 24 | Oct. 25th 2016 | Review of public feedback from events in late July/early August and discussions related to the first draft of Plan produced by the group's consultants. The draft was based on the objectives and policy direction already given, the survey and exhibition results and a recent village walk. |
| | SG Meeting | |

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| 25 | March/April 2017 | The Pembridge Neighbourhood Development Plan (PNDP) steering group met with the Parish Council on 1st March and received a presentation from consultants, Data Orchard, on the draft plan. Councillors took the information away for consideration, with a view to approving or amending the draft plan for Regulation 14. The draft was approved at the subsequent Parish Council meeting in April. This outcome was publicised in the June edition of the Pembridge Parish News. |
| | Pembridge Parish Council | |
| 26 | 18th July 2017 | <p>Extract from minutes:</p> <p><i>The group agreed the 6-week regulation 14 dates would commence at 8.00am on Friday 11th August and finish at 12.00 midnight on Monday 25th September 2017. Notices and parish magazine to publicise the dates.</i></p> <p><i>The updated SEA & HRA reports and draft plan will be made available to view in printed format and online. Hard copies will be available in the Old Steppes, The Café on Bridge Street and the Church along with response forms. The chairman Cllr Evans, Cllr Pace and Cllr Phillips will also have hard copies. PDF copies will be available from the clerk and the Parish Council website. All consultees will be written to before the start date. Consultants to provide a list of statutory consultees and template correspondence. Local groups and parishes list to be compiled by clerk. All response will be collated and representations must be considered by the group and the Parish Council.</i></p> |
| | SG Meeting | |
| 27 | August 2017 | <p>Extract from Facebook:</p> <p><i>“The draft PNDP will soon be available - and your input into this stage is vital. Copies of the draft document (Regulation 14, an official consultation stage) can be seen in the shop, church, pubs and in the new phone box library or online (pembridgeparishcouncil.co.uk) or Herefordshire Councils website). Copies can be borrowed upon request from the parish council clerk.</i></p> <p><i>It is very important that everyone reads the draft and considers if the policies and proposed land allocations help deliver the right type of development and growth, in the right locations and with enough protections, safeguards and expectations. All comments and feedback will be considered and used to help shape the final stage of the PNDP. This is your chance to influence planning policies for the parish up to 2031! Consultation begins 4th August. Thank you for all your support so far!”</i></p> <p>Prominent notices regarding Regulation 14 on first and third pages of the Pembridge Parish News, which can be viewed here.</p> |
| | Publicity | |



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| 28 | 11th Aug. to 25th Sep 2017 | | Regulation 14 Consultation | Regulation 14 Public Consultation Notice |
| | | | | <p>In accordance with Neighbourhood Planning (General) Regulations 2012, Part 5, 14(a)-(c) notice is hereby given that a formal pre-submission public consultation on the Draft Pembridge Neighbourhood Development Plan will start at 8.00 a.m. on Friday 11th August 2017 for a period of 6 weeks ending at 12.00 a.m. on Monday 25th September 2017.</p> <p>Pembridge Neighbourhood Development Plan has been developed to help deliver the local community's requirements and aspirations for the plan period up to 2031. The Plan has been created through listening to the views of Parish residents.</p> <p>The Plan will provide a means of guiding, promoting and enabling balanced and sustainable change and growth within the designated area of Pembridge Parish.</p> <p>Comments are invited comments on the Draft Plan. All responses received will be considered by the Neighbourhood Plan Steering Group and subsequently the Parish Council to inform a revised version of the Plan. The revised version of the Plan will then be submitted to Herefordshire Council, as the local planning authority, for examination by an independent examiner.</p> <p>The Draft Plan may be viewed at http://www.pembridgeparishcouncil.gov.uk/#p=NDP or be emailed to residents on request to rebeccabissell.pembpc@gmail.com</p> <p>Paper copies of the Plan can be viewed at St Mary's Church, Pembridge; The Old Steppes or The Café on Bridge Street during their opening times and may be borrowed from the Parish Clerk, Firbanks, Lyonshall, Kington, HR5 3LN.</p> <p>You should comment in writing and a comment sheet is available should you wish to use this. You can post your comments, email them or deposit any comment sheets/letters in a collection box at locations where the plan can be viewed.</p> <p>Comments can be scanned and emailed to: rebeccabissell.pembpc@gmail.com</p> <p>Posted responses should be sent to Parish Clerk, Parish Clerk, Firbanks, Lyonshall, Kington, HR5 3LN.</p> |

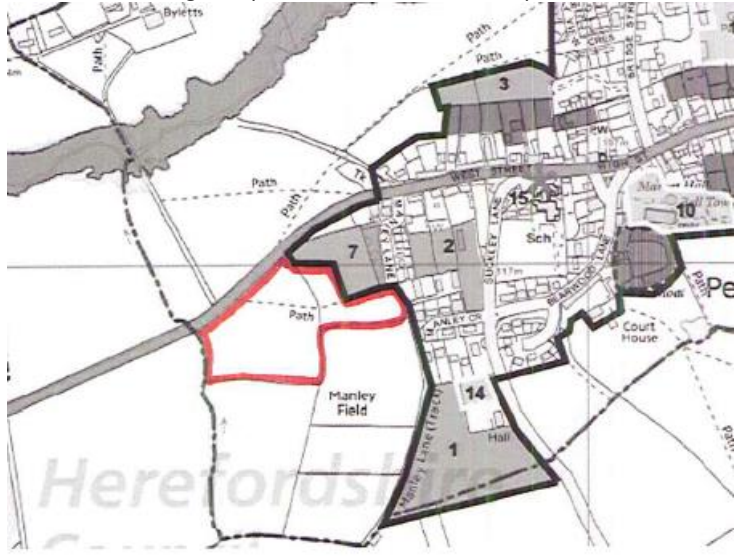
Section 3

Pembridge Neighbourhood Development Plan

Schedules of Representations in response to Draft Plan, Regulation 14 stage, January 2018

Schedule 1: Community Representations and Response

| Respondent Identification Number | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Suggested Changes Parish Council Consideration (In blue) | Proposed Change Number |
|---|------------------------|--|---|------------------------|
| C.1 J and H Henman | Housing section | Comment | <p>Pembridge already has shops, pubs, a village school with capacity for more children, a bus service and various other amenities which make it more suitable for additional housing. We would prefer to see this additional housing as small-scale developments preferably set back from the main road for three main reasons:</p> <ol style="list-style-type: none"> 1. Large scale developments on the edge of villages such as that in Shobdon make a village unbalanced. 2. Generally speaking, small scale developments are more in keeping with how a village would have grown historically and show more diversity of design & appearance. 3. The traffic on the main road through Pembridge can be extremely noisy and intrusive even on a Sunday. <p>Developments that abuts the playing field would increase use of the playing field which is currently a grossly underused resource and would provide access without the need to cross the A44.</p> | No change proposed |
| | | | <p>The sites advocated are reasonably small and medium in size. Their locations are spread across the village in order to reduce the effect on the local highway network to which they must have access. The ability to develop sites adjacent to the Millennium Meadow (presume this is what is referred to as the playing field) is restricted through lack of suitable access.</p> | |
| C.2 D Hepworth | Housing section | Comment | <p>As someone that lives locally and is connected to a former senior member of the Primary School team, I would welcome development in the village to further utilise what is an Outstanding School, that has suffered from low pupil numbers pro rata to its capacity, despite significant investments to provide a first class school site. Small scale developments would be ideal, although in time, appropriate larger developments with social obligations would also be welcome, but lessons should be learned vis a vie that on the outcomes of the major developments in Canon Pyon and Kingsland and how they impact the villages over time.</p> | No change proposed |
| | | | <p>Noted – a mixture of small and medium sized sites is proposed which would appear to reflect this representation.</p> | |
| C.3 R Hollis Head Teacher Pembridge Primary School | Whole Plan | Comment | <p>A comprehensive and forward-thinking document.</p> | No change proposed |
| | | | <p>Noted</p> | |
| | Para 2.5 | Suggest change | <p>As each year is different suggest 'It currently has a roll of 85 children' is changed to 'Numbers on roll fluctuate between 80 and 95'. Catchment schools don't, now, really exist. The Government prefer 'nearest school so suggest 'The catchment school for secondary education is Lady Hawkins in Kington' is changed to 'Children have many secondary schools to choose from including those at Kington and Weobley with Hereford Cathedral and Lucton schools as popular fee-paying choices.'</p> | See change No 5 |
| | | <p>Helpful advice</p> | | |
| | Para 3.17 | Suggest change | <p>Suggest 'The village primary school has a declining roll and support is needed towards efforts aimed at attracting more pupils; this might include enabling the further development of pre-school facilities' to 'The village primary school has a fluctuating roll but with spare capacity. Attracting more pupils from within the village will enable the school to withstand financial constraints when numbers on roll are small (i.e. below 105). Enabling the further development of daily pre-school facilities, wrap-around care and holiday club provision will enrich the lives of current families and those who wish to have the opportunity of living here.'</p> | See change No 10 |

| Respondent Identification Number | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Suggested Changes Parish Council Consideration (In blue) | Proposed Change Number |
|--|------------------------|--|---|------------------------|
| | | | Helpful advice | |
| | Para 4.3.10: | Suggest change | Suggest change to 'To give high priority to the retention and support of businesses/organisations that provide important community services such as public houses, shops, catering establishments and the village primary school.' I believe the words primary school need to be firmly embedded in the plan as it is a significant attraction for families wanting to live in the village. Helpful advice | See change No 15 |
| | Para 4.3.13 | Suggest change | Suggest change to 'To seek improved access to services and facilities for all ages of the community, particularly child-care, health and social care.' Helpful advice | See change No 16 |
| | Policy PEM1c) | Suggest change | Suggest addition: '...to strengthen community cohesion and improve health, education and wellbeing for new and existing residents.' Helpful advice | See change No 17 |
| | Para 7.1 | Suggest change | Suggest additional sentence: 'There is a significant need for a purpose-built pre-school building to be situated at the village school to enable increased daily use by families who would seek to live in the intended housing.' Helpful advice | See change No 29 |
| C.4 McCartneys on behalf of R. Williams | Housing Section | Suggest change | <p>Include land lying to the west of the village for possible residential development.</p>  <p>© Crown copyright and database rights (2015) Ordnance Survey (100054153)</p> <p>The plan already makes provision to exceed the required level of proportional growth. This site would extend the village unnecessarily in a linear and ribbon fashion in a manner that is unsympathetic to its current form and character, and in a particularly prominent location. Unless and until the adjacent site to the east is developed this site would not</p> | No change proposed |

| Respondent Identification Number | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Suggested Changes Parish Council Consideration (In blue) | Proposed Change Number |
|----------------------------------|-------------------------|--|--|------------------------|
| | | | appear sufficiently adjacent to the built-up area of the settlement. Its future might be reviewed at such a time as the NDP is reviewed and in association with other potential sites. Part of the site (to the south where it adjoins the settlement boundary) was considered within the site assessment process and others chosen in preference for the reasons set out in the assessment report. | |
| C.5 Border Oak | Whole Plan | Comment | Very impressed by the unique direction proposed by the Pembridge NDP draft. Assessing and including a diverse range of smaller potential development sites across the village will not only reflect the organic heritage pattern of development but should also improve/secure delivery, mitigate adverse impacts, spread the financial gain to landowners and allow easier integration within the community. An approach that supports small scale development schemes on separate sites whilst focusing on good, individual architecture, high levels of sustainability, social, ecological and visual integration and actively meeting housing needs but yet attempts to minimise potential negative impact is also commendable. We can see that PNDP has been written to enable the sympathetic delivery of a wide range of housing opportunities and to support rural enterprise whilst protecting and enhancing the surrounding landscape, heritage setting and community infrastructure. Noted | No change proposed |
| | Whole plan | Suggest change | The supporting text of the plan is quite long and detailed and may obscure or detract from the actual policies and criteria. Is there a way to create appendix or to collate the supporting text elsewhere so that the policies and maps are more prominent? If the policies could be more clearly ordered it would make the document easier to use. The NDP has to meet the needs of a range of audiences – local residents, parish councillors, developers, planning officers and committee members, and various agencies. The current document contains not just the policies that need to be complied with but also a significant amount of evidence and justification for matters covered in the plan. This information has to be provided somewhere and will assist, in particular, the Examiner appointed to determine whether the plan meets the basic conditions to undertake that task. Some of the content can help its interpretation. This is the only comment received upon the amount of content, so it may be assumed that most of those consulted are happy with its length. It is a matter of preference and those preparing the plan consider this is best for parishioners. | No change proposed |
| | Policy PEM4 i) and vi). | Suggest change | The two larger allocations (by the farm shop and by the village hall) which seem to have very few guidelines, expectations or criteria framework - as they are very prominent sites it would be fundamental to outline the expectations for these sites more clearly at this early stage in order to avoid unwanted or undesirable development, in order to secure community benefits and to mitigate adverse impacts and to also avoid resistance to the plan based upon misconceptions. We feel that these two schemes could have potential for negative impact upon the village if the criteria and guidelines are too vague. It seems sensible to offer the same level of protection as the other site allocations which appear to have more prescriptive expectations. Perhaps an explicit list of the potential concerns and how these might be overcome, along with maximum unit numbers and landscaping suggestions would help landowners/developers. But it may also be worth looking at stating more detailed housing types/mix and identifying specific opportunities for enhancement such as new footpaths, traffic mitigation contributions, integrated work units, additional village hall parking, contributions to village open spaces, bus stops, bike racks etc? The Steering Group initially sought to include more detailed for each of the sites it proposed for housing development but after further thought felt that this would be too prescriptive. All sites must comply with every relevant policy within the NDP notwithstanding the added detail for each site set out in supporting statements which cover what are considered the most important requirements. This does not suggest that other matters covered by policies within the | No change proposed |

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| | | | plan should not be addressed. Detailed design elements for all sites are covered, especially through policies PEM6 and PEM20; housing mix is covered through policy PEM5; highways and footpath matters through policies PEM24, PEM25 and PEM26; and contributions to village facilities through policy PEM17. | |
| | Policy PEM17 | Suggest change | <p>By encouraging small scale schemes (which we feel is the correct approach for Pembridge) and avoiding large estate like allocations you may have inadvertently promoted an environment for 'phased' development - which might then be able to avoid section 106 contributions and social housing obligations. Perhaps a policy outlining that phased developments will be eligible for contributions/obligations once the combined threshold of dwellings is reached (regardless of individual applications) together with a maximum total of dwellings for the overall area would help offer certainty. This would reflect current Herefordshire Council objectives.</p> <p>Planning Practice guidance on the pooling of funds through planning obligations is as follows:</p> <p>'What are tariff-style contributions? Some authorities seek planning obligations contributions to pooled funding 'pots' intended to provide common types of infrastructure for the wider area.</p> <p>Planning obligations mitigate the impact of development which benefits local communities and supports the provision of local infrastructure. In applying the planning obligations local planning authorities must ensure that these meet the three tests that are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. These are: that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. For sites where the threshold applies, planning obligations should not be sought to contribute to pooled funding 'pots' intended to fund the provision of general infrastructure in the wider area. Paragraph: 014 Reference ID: 23b-014-20160519 (Revision date: 19 05 2016)</p> <p>Can planning obligations be pooled where the threshold does apply? For sites where the threshold applies, planning obligations should not be sought to contribute to pooled funding 'pots' intended to fund the provision of general infrastructure in the wider area. Paragraph: 015 Reference ID: 23b-015-20160519 (Revision date: 19 05 2016)'</p> <p>From the reading of this, and in particular the second guidance statement, it is understood that you cannot seeks funds towards any pooled funding pot from sites providing 10 dwellings or less. With regard to sites where there may be more than 10 dwellings but these might come forward in phases, it is understood that as allocations the whole of the site will be considered and planning obligation payments will be required.</p> | change proposed |
| | Policies PEM6 and PEM20 | Suggest change | We welcome your focus upon good design and the supporting guidance on how this may be achieved - including the use of vernacular forms, detailing and materials (in both traditional and contemporary design). Given Pembridge's unique architectural/heritage circumstance we feel this is of fundamental significance. As a specific request we would like to ask that the Pembridge NDP clearly acknowledges the importance of authentic green oak framing (mortice and tenon jointed structural frames) to ensure that pastiche copies of the vernacular cannot take hold. We have noticed that more and more | See change Nos 35 and 36 |

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| | | | villages in Herefordshire are being characterised by 'stick on' faux framing, non-vernacular framing forms and artificial materials and we are concerned that the proliferation of fake oak framing will erode the special essence of the oak framed villages going forward. The use of fake or false design features and artificial materials such as mock-timber framing and upvc replacement for timber elements are rarely successful in achieving the quality necessary to preserve or enhance the character and appearance of the Conservation Area, especially for development in the most sensitive areas of the village. However, it may be considered unreasonable to specify a particular form of construction, especially in a policy. The general issue may however be highlighted. | |
| | Policy PEM24 | Suggest change | It is important that large scale commercial enterprise changes and growth around Pembridge do not increase the HGV and agricultural movements on the A44 - from a health, safety and heritage perspective the situation is already difficult. Support for a bypass could be clearly stated in the PNDP should an opportunity miraculously appear! The need for a bypass is referred to in both Policy PEM24 and paragraph 9.2. It is not possible to define any route in this plan as there is no infrastructure project for this at present. However, the need for a bypass may usefully be emphasised further as a consequence of growth both within the parish and area more generally. | See change No 38 |
| C.6 B Rose | Housing section | Comment | Self-building plots at reasonable prices for locals/parishioners to have an opportunity to remain in the locale. Noted – it is not possible to be that specific in relation to the way each site is developed although one of the reasons for the emphasis on small sites is to promote self-build. | No change proposed |
| C.7 A Prior Cooper | Policies PEM6 and PEM7 | Comment | Agree the quality of building should be carefully considered so it blends with the village but need to consider the housing needs of young people and young families. With the identification of building land these plots must not end up all being faux. timber houses for the better off and retired. Timber framed houses may not be so 'green' when you discover that the timbers are not a local product but come from abroad. National statistics show an ever-increasing number of people living on their own across the whole age spectrum and this should be considered when thinking of housing in the village. Policy PEM6 seeks designs that contain a range of forms, features and materials provided they fit sensitively into the character and appearance of the village. | No change proposed |
| | Policy PEM10 | Comment | Note equine enterprises have been included as part of the rural economic community. Large vehicles do not make it a safe environment for horses and the heavy traffic increases the risk of accidents. You can't encourage the rural idyll on the one hand whilst industrial farming on the other. The NDP seeks to acknowledge a working countryside not a rural idyll, but one that can be accommodated sensitively in all respects. | No change proposed |
| | Policy PEM11 | Comment | Should be no more chicken houses in the rural area of Pembridge. Has noticed a huge increase in large vehicles on the lanes around Bearwood. These are not just from the poultry industry but also larger agricultural vehicles. Note rivers in the Parish are not in a healthy state and wonder if this is to do with bad practice in the disposal of waste from poultry houses and the use of chemicals on land. Th NDP should try to have the parish in a healthy state for future generations. Appears we are in danger of destroying the essence of rural Herefordshire living. The NDP is required to plan positively for growth and as a consequence has set out conditions that must be met for many forms of development, including intensive livestock units. One of the criterion is that the highway network should be suitable, and the effects of traffic on amenity should be taken into account by planning officers not just the capacity of the highway. The NDP has tried to take into account the effects of diffuse pollution on the local rivers yet it remains to be seen whether Herefordshire Council consider this to be a planning issue. | No change proposed |

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| | General | Comment | <p>Hope the sewerage system is capable of coping with the extra houses before permission is granted. Although lucky to have shops in the village they seem to be part of the tourist trade. Note the empty garage on the A44 is not mentioned as a possible development site. This could be considered as something that would benefit the village by being developed instead of left empty. Am impressed with Eardisland Shop and Pembridge could do more to enhance the community feel of the village. If development took place around the village hall it would be a good idea to utilise this asset and develop it into more of a community centre.</p> <p>Welsh Water has confirmed it should be able to accommodate the level of growth proposed although it may be necessary to phase development and Policy PEM22 (as amended to meet the requirements of DC/WW) provides for this contingency.</p> | See change No 37 |
| C.8 C Basham | Para 3.10 | Comment | <p>There are/will be families/individuals who do not meet the criteria for affordable housing and the omission of any review or acknowledgement of a need for social housing is an exclusion of part of the population. There is a need for 1-bedroom accommodation.</p> <p>This paragraph simply records the views expressed by residents answering a questionnaire. Other evidence was also used to determine the approach to housing needs which is set out in section 5 of the NDP and in particular policies PEM5 and PEM7.</p> | No change proposed |
| | Para 3.29 | Comment | <p>Sustainable modes of travel to school – refer back to the comments made i.e. the infrastructure in 3.28 and 3.27</p> <p>The plan should be read as a whole. This section identifies local issues that it is hoped the NDP might address. However, there are matters that either the NDP cannot cover or the resources are not there to include during the plan period. However, there is an enabling policy should the situation change (Policy PEM24).</p> | No change proposed |
| | Policy PEM3 and para 5.9 | Comment | <p>It feels vital that this policy statement is upheld. The importance of drainage both grey water and sewage, will be majorly impacted by both domestic and industrial development. Heavy flooding already occurs in non-designated flood risk areas.</p> <p>Noted</p> | No change proposed |
| | Whole Plan | Comment | <p>Pembridge’s historical importance as a medieval village is recognised but it has and continues to evolve. The use of this terminology as a major description in the document can carry a sense of defensiveness to future evolution and willingness to welcome such developments. In focussing on the breadth of historical aspects of the parish it is possible to lose sight of some key elements essential to maintaining the important and vital aspects of Pembridge’s history in integrating proposed developments and growth of the village and community alongside the maintenance of the historical buildings and aspects of the village. The historical aspects are vital as many of the village businesses rely on passing and residential trade and it is important to the community to maintain these but this aspect should not dominate. The NDP will help to ensure that Pembridge continues to thrive as a community, that maintains among other facilities, a nursery and primary school, and not become a retirement or commuter village. It ensures that places such as the village hall can serve as a community hub, offering varied activities and events.</p> <p>The NDP seeks to address the matter building design through policies PEM6 and PEM20. It does not necessarily resist innovative design, but this should be such as to fit sensitively into the village (PEM6-f). the plan provides for development that will enhance existing facilities or enable new ones (Policy PEM15).</p> | No change proposed |
| | Section 8 – Environmental Policies | Comment | <p>The buildings along the main routes through the village (east-west and north-south) are a mixture comprising black and white, brick and rendered buildings vernacular to the area. It is important that this mix is maintained, and new developments have a range of these materials rather than concentrate on pseudo vernacular timber framed constructions which are beginning to dominate the current mix. Developments such as Court Meadow demonstrate a blend of modern</p> | No change proposed |

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| | | | design with traditional elements. The site blends into its setting in contrast to some infill buildings of other materials from the late 20 th century which can detract from the surrounding buildings. The NDP seeks to address the matter of design in policies PEM6 and PEM20, | |
| | | Comment | Public health policy on obesity and that on mental health focuses on the importance of exercise and outdoor spaces. This is considered when assessing sites through distance to the village hall and Millennium Meadow. It is vital that wherever possible new buildings should have their own outdoor space large enough for toddlers to play in. Communal spaces however near require adult supervision and time is limited for working parents, and often the virtual world can and does replace the physical experience from an increasingly young age. The NDP seeks to address the matter of garden space in policy PEM6 j) so far as it considers able to do so. | No change proposed |
| C.9 J Myers | Paras 2.3, 2.4, 4.2 and 4.4 | Comment | Given the demographics of Pembridge with an older profile that Herefordshire and the need to attract a younger age group to ensure a sustainable community, it would seem there is an obvious need for a significant number of smaller, intermediate, shared ownership and rental properties to be constructed along with easy accessible housing for the 50% of population over retirement age and heading for very old age. The types of properties considered appropriate to meet local needs are set out in policy PEM5 and the types of dwellings referred to are covered in that policy. | No change proposed |
| | Para 6.9 | Comment | Not only does broadband need to improve but in parts of Pembridge there are mobile 'not-spots' Lower Bearwood being one. Policy PEM12 covers this issue | No change proposed |
| | Evidence Base | Comment | The questionnaire was poorly designed – the housing section did not allow for prioritisation of different types of housing and was not fully indicative of requirements. The questionnaire was one of a number of contributions used to direct the content of the NDP. Policy PEM5 is the relevant policy and together with the subsequent supporting statements sets out the needs that have been identified. It is uncertain from this representation whether the proposed approach is considered correct or not. | No change proposed |
| C.10 N Cooper | Housing section | Comment | Self-build should be encouraged to allow locals to build houses to reflect their own needs, provide local distinctiveness, encourage young vibrant/enthusiastic families to settle and support the local school, give work to local trades as opposed to developer build who import people from outside, and follow current Government thinking. Noted – it is not possible to be that specific in relation to the way each site is developed although one of the reasons for the emphasis on small sites is to promote self-build. Other policies in the plan aim to ensure that local distinctiveness is maintained on all sites. The whole of Pembridge village falls within its Conservation Area and this strengthens the ability to ensure is character and appearance is maintained or enhanced. | No change proposed |
| C.11 Gladman Developments Ltd | General | | Offer to assist with the preparation of the NDP; refer to the need for the NDP to meet the Basic Conditions requirement; points to the requirements set out in the NPPF; advises that there is supplementary 'Planning Practice Guidance'; and refers to the provisions of Herefordshire Local Core Strategy. Both the NDP Steering Group and the Parish Council is aware of the requirements that need to be met in terms of complying with the relevant Regulations. | No change proposed |
| | Policy PEM3 | | Opposes the restricting development to that within the settlement boundary in that it will preclude other sustainable development, arbitrarily restricts suitable development and does not represent a positive approach to growth. The policy should indicate that demonstrably sustainable development adjacent to the settlement boundary would be supported. | No change proposed |

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| | | | Herefordshire Core Strategy paragraph 4.8.23 indicates that settlement boundaries should be defined, and this was a requirement set by the Inspector at the public examination into that plan who wishes it to be clear where development was to take place and what would be considered 'open countryside'. Core Strategy policy RA2 indicates that development should be within or adjacent to the built-up area of the settlement. The NDP has allocated sites and defined a settlement boundary that provides for more than he required level of proportional growth. The NDP provides certainty to both developers and the community for the plan period. The approach adopted is consistent with that for most if not all settlements within the County. | |
| | Policy PEM6 | | Design principles should not be overly onerous to render development unviable. The design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. Plans should not contain such policies that would add financial burdens to a scheme which would render a scheme unviable. Noted – Given the importance of design in terms of ensuring the character and appearance of Pembridge Conservation area is preserved or enhanced, the design criteria are considered reasonable and appropriate. Pembridge has been identified as being within the top 50 conservation areas within the country. There is no reason to believe that the approach, which continues that previously adopted, has affected viability. | No change proposed |
| | Policy PEM18 | | Whilst supporting the thrust of this policy, the need for criteria-based policies in relation to proposals affecting protected wildlife or geodiversity sites or landscape areas, and that protection should be commensurate with their status and gives appropriate weight to their importance and contributions to wider networks. As currently drafted this policy does not align with the NPPF given it fails to make a distinction and recognise that there are two separate balancing exercises which need to be undertaken for national and local designated sites and their settings. The policy should be revisited to ensure that it is consistent with the approach set out within the Framework, It is considered that the policy is consistent with the NPPF and reflects similar approaches in other neighbourhood plans that have been adopted. | No change proposed |
| | Policy PEM19 | | The significance of the designated heritage asset should be assessed and where there is less than substantial harm, this should be weighed in the planning balance against the public benefits of the proposal. Where there is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm. For non-designated heritage assets, the policy must reflect the guidance that the test that should be applied in these cases is that a balanced judgement should be reached having regard to the scale of any harm and the significance of the heritage asset. This is the intention of the policy although it is recognised that the need for the significance to be assessed should be indicated. The policy then describes the level of weight that should be given to the various heritage assets. | See Change No 34 |
| C.12 T Norman | Para 2.13 | | Flood map is not at Figure 1 This is an error and grateful to it being pointed out | See Change No 6 |
| | Para 2.14 | | There is no grade 1 agricultural land in the Parish The agricultural land classification map is at a relatively small scale and it appears to show grade 1 land in the Bearwood area and between Pembridge and Dilwyn. However, the greater knowledge of the person making this representation is accepted | See change No 7 |
| | Para 2.17 | | Take out 'deteriorating'. | |

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| | | | This is helpful advice | See change No 8 |
| | Para 2.19 | | Moseley Common is not 'unfavourable recovering' but '100% favourable'. Can only find 6 SWS within the Parish – details provided to show this dated August 2017. The updated advice about Mosely Common is helpful advice. The figure for SWS is taken from the SEA Scoping report although it is noted one of the 12 lies outside of the Parish. | See change No 9 |
| | Para 3.21 | | The River Lugg is in unfavourable condition and measures to ensure its improvement will be affected by water quality from the River Arrow This is helpful advice | See change No 11 |
| | Para 3.22 | | Insert 'A range of locally important sites including Special Wildlife Sites, Ancient Woodland Sites, Sites of Special Scientific Interest, This is helpful advice | See change No 12 |
| | Para 3.24 | | Wording - The condition of the River Lugg and River Wye is failing the Habitats Directive due to the excessive levels of phosphates that effect It is understood 2020 – 2025. How do we know growth can be accepted? It will be appropriate to take a precautionary approach Last sentence is wrong. There have several recent pollution incidents. I have been involved with these and Welsh water has spent a lot of time and money trying to correct them. It is understood from Herefordshire Council that Dwr Cymru/Welsh Water has confirmed it will ensure its investment programme will accommodate the level of growth required. This has been confirmed (see representation S2 below). Policy PEM22 (including the suggested alteration) does provide for development to be phased to ensure it can be accommodated within the necessary investment programme. The Steering Group was not aware that this has been an issue recently but will amend the last sentence to reflect this advice. | See change No 13 |
| | Para 5.11 | | 'Parish' not 'village' The figure relates to possible windfall development within Pembridge village settlement boundary. A further windfall allowance has been assessed for the rural parts of the parish – see paragraph 5.26 | No change proposed |
| | Para 5.12 | | Minimum of 44? Dwellings (after current and windfall) The figure relates to the probable minimum contributions made by the seven sites | No change proposed |
| | Para 5.20 | | Old Burgage plots are to rear of surgery – look at map. Noted and this should be changed. | See change No 20 |
| | Para 5.24 | | Need to discuss – all the building behind the Village (Hall?) will put pressure on the New Inn roads. May be potential to start 'ring road' through putting road out to Western Estates. The potential effect of development on the New Inn roads is acknowledged and why development in this direction is limited. The potential adverse effects of traffic arising from development apply to all the roads within the village and the purpose of spreading development across these roads is to try to minimise the effects overall. There is no proposal for what would be a major highway infrastructure project within either Herefordshire Core Strategy or the Local Transport Plan. Consequently, the NDP cannot include such a proposal. | No change proposed |
| | Para 6.8 | | Lugg and then the Wye – the Nutrient Management Plan has been prepared. Last sentence – agriculture and housing does not add further | No change proposed |

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| | | | It is a matter of debate as to whether the current NMP as yet contains measures to address the phosphate issue within the Rivers Lugg and Wye. Currently it is more of a 'road map' indicating what further work is necessary to prepare appropriate actions. Neither the Environment agency nor Herefordshire Council has suggested this reference should be changed. As a consequence, it is felt the current statement should be retained. | |
| | Para 6.11 | | Add 'light' to noise. Helpful suggestion | See change No 27 |
| | Policy PEM14 | | d) They will not affect biodiversity, 'e.g. hydro schemes' It would not be appropriate to suggest this example meets the criterion. Whether it meets the criterion is a matter to be judged in each instance. It may be possible for a hydro scheme to affect biodiversity. | No change proposed |
| | Para 6.13 | | Typo – last line – 'wold' This is an error and grateful to it being pointed out | See change No 28 |
| | Para 7.1 | | Include the church. It would be useful to include reference to the Church. | See change No 29 |
| | Para 7.4 | | Not sure if this is the place but add 'But the Parish is short of Burial space which will run out in 18 months. There is a need to negotiate a new expansion of the existing or find a new site (possibly by the village hall?)' This paragraph describes those areas designated as 'Local green Space' and is not one where you would suggest sites for a new or expanded burial ground. Should it be the intention to look for a site then the most appropriate place to refer to this is in Appendix 2. Should it be intended to propose a site then a specific policy may be more appropriate. | No change proposed |
| | Policy PEM18 | | d) miss out' continued improvement'; insert 'favourable status'. New g) retain the Special Wildlife Sites Helpful advice in relation to 'c)'. With regard to Special Wildlife Sites, these are referred to in criterion e). DEFRA guidance increasingly refers to the 'local sites network' although it could be made clearer in both the policy and supporting statement that this is what is being referred to. It should however be noted that the sites were designated in the 1970/80s and although those within much of north Herefordshire were reviewed in the 1990s. Some sites were reviewed later through a process of preparing management plans for a number, although the current status and condition of many is unknown. The approach is now based more upon an 'alert' whereby should proposals be advanced for local wildlife sites, they would need to be assessed to determine their current value. Hence a policy to seek their retention per-se would not be appropriate but should refer to protecting their biodiversity value. | See changes No 32 |
| | Policy PEM19 | | b) ref behind the surgery Noted although the character of this area appears to have ben eroded. | No change proposed |
| | Policy PEM20 | | 4. TPOs are not required – trees are covered by the Conservation Area. Trees are only protected for a 6-week notification period when they fall within a conservation area. Should permanent protection be required then a TPO should be used. | No change proposed |
| | Policy PEM22 | | Very important Noted | No change proposed |
| | Para 9.1 | | This has always been the case, ref the last NDP and parish minutes to 1955. May be develop a short road to the western edge of the village and leave space for a future road to the east – Ref PEM24 – last sentence. | No change proposed |

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| | | | To reserve land for such a scheme would require either Herefordshire Council or the Parish Council to make available resources for purchasing the relevant land. Herefordshire Council has not proposed a highways project for Pembridge within its Core Strategy or Local Transport Plan. As such that Council is not committed to such a project. The Parish Council is not in a position to fund such a project. It is understood any requirement for a landowner to make available land or develop part of such a road as part of any development scheme would not comply with provisions relating to the application of conditions or planning obligations. | |
| | Appendix 2 | | Enabling Associated Measures - Burial Ground; Bypass The need for anew/extended burial has been identified since the plan was drafted and is to be referred to within Appendix 2. Herefordshire Council would be responsible for any bypass and there is no proposal for what would be a major highway infrastructure project within either Herefordshire Core Strategy or the Local Transport Plan. Consequently, the NDP cannot include such a proposal. | See Changes Nos 39 and 40 |
| | Map 3.1 | | 14 is on Burgage Plots; 30 is a Special Wildlife Site; Show possible Bypass and Burial Ground Map 3.1 shows sites assessed for housing. Appendix 3 is a summary of the full report prepared for that purpose presented for ease of reference at this stage of plan preparation. The full report can be seen upon the Parish Council's website. Appendix 3 will not form part of the final document. The specific matters of site 14, bypass and burial ground are responded to elsewhere in this representation. Site 30 is not proposed for development. | No change proposed |
| | SEA | | In spite of Environmental Report being date July 2017, it is full of typos, inadequate and incorrect information. MAP SEA1 fails to include the Mosely SSSI and the Special Wildlife Sites. One of the most important things to note is that under the Water Framework Directive, comes into 4 water bodies – the Pinsley, the River Arrow, the Curl Brook and the Tippets Brook. All fail to reach good ecological status. Under the Habitats Directive, the River Arrow delivers into the River Lugg (Wye) SAC which is failing due to phosphates. The Environmental Report has been produced by Herefordshire Council. This comment will be forwarded to that Council | No change proposed |

Schedule 2: Stakeholder Representations and Response

| Stakeholder | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Comment Parish Council Consideration (in blue) | Amendment Number |
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| S.1 Herefordshire Council (Statutory Consultee) | Whole Plan | Comment | This Neighbourhood Plan is well researched and incorporates details and conclusions taken from consultations held with the Parishioners. Noted | No change proposed |
| | Housing Growth | Comment | The policies of the Pembridge Draft NDP take into consideration the NPPF and the Herefordshire Local Plan (Core Strategy) and provide further detail on the higher-level policies whilst in the main remaining in general conformity. The plan demonstrates that the delivery of the housing growth within the Parish is likely to come forward within the plan period. Noted | No change proposed |
| | Policy PEM1 | Comment | In accord with equivalent CS policy SS1 Noted | No change proposed |
| | Policy PEM2 | Comment | In accord with equivalent CS policy RA2-RA6 Noted | No change proposed |
| | Policy PEM3 | Comment | In accord with equivalent CS policy RA2 - NB Land to East of Oak View- If the existing buildings on site are agricultural- the site must be classified as greenfield, not brownfield. Noted. It is likely that the buildings have a mixture of uses, including agricultural. Given that the status of the barns is to a large extent irrelevant in that their removal would benefit the character and appearance of the Conservation Area, there is no need to refer to the current status of either greenfield or brownfield in paragraph 5.8. | See change No 18 |
| | Policy PEM4 | | In (POSSIBLY or UNCERTAIN) accord with equivalent CS policy RA2 Site 1- It is worth noting that the 2012 Strategic Housing Land Availability Assessment (SHLAA) concluded that creating an access would almost certainly necessitate the removal of hedgerow, contrary to criterion 4 of policy PEM20, which states that development should not lead to this. The following five allocated housing sites are within 250m of a known closed landfill site which is a use that may be considered potentially contaminative: Site 2: Land off Manley Crescent (PEM 4ii). Site 3: Land off Sandiford Ploc (PEM 4iii). Site 5: To the rear of The Gables (PEM 4v). Site 6: Land at Townsend (PEM 4vi). Site 7: Land to the west of Manley Lane (PEM 4vii). | Issue 1 – no change proposed. Issue 2 – see change No 19 |

| Stakeholder | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Comment Parish Council Consideration (in blue) | Amendment Number |
|-------------|------------------------|--|--|---|
| | | | <p>It will be necessary for the applicant to undertake a site investigation to consider the risk from the landfill to these sites. We would recommend a condition be appended to any planning approval to ensure the site is both safe and suitable for its intended use. ((Example of a suitably worded condition was provided).</p> <p>Site 1 (Land to rear and south of Pembridge village Hall, is a large arable field. There is already a gap in the hedgerow along this boundary affording access to the village hall. The removal of part of its hedgerow to afford access to any development is not considered such as to remove an essential component of the character of the Conservation Area at this point. PEM20 only seeks to retain hedgerows that are an essential component of the Conservation Area character. Compensatory planting along the site's southern edge will more than compensate for any loss of biodiversity. Such compensatory measures will meet the requirements of Herefordshire Core Strategy policy LD2 d).</p> <p>In relation to the five sites within 250 m of a closed landfill site, this advice is helpful and appreciated.</p> | |
| | Policy PEM5 | Comment | <p>In accord with equivalent CS policy H3</p> <p>Restricting/identifying housing type as detached or semi-detached properties could provide an over-supply of that type of housing. They're more expensive than other additional types e.g. terraced and could price young people out of the property market.</p> <p>Noise, dust, odours or general nuisance to residential occupants might arise as a result of any new development and also the impact that existing activities might have on the amenity of any new residential occupiers. To safeguard the amenity of future occupiers, suggest an amendment to housing policy reference PEM5 g). 'Properties that enable people to work from home, including live/work units where this will not affect the amenity of adjacent properties <i>and where the new housing development will not be adversely impacted by existing agricultural or commercial activities.</i></p> <p>The first point is noted. In relation to the second point it is not the intention to provide more expensive dwellings but to retain the character and appearance of Pembridge Conservation Area and density and traffic generation are important in this regard upon the sites allocated for housing. However, it is acknowledged that this may be too prescriptive, and that good design can be achieved through terraced accommodation. The change proposed to Policy PEM6 will address the last issue.</p> | <p>See change No 21</p> <p>See change No 22</p> |
| | Policy PEM6 | Comment | <p>In accord with equivalent CS policy LD1-LD3, SD1</p> <p>Noise, dust, odours or general nuisance to residential occupants might arise as a result of any new development and also the impact that existing activities might have on the amenity of any new residential occupiers. To safeguard the amenity of future occupiers, suggest an amendment to housing policy reference PEM6 g). 'Not adversely affect the amenity of adjacent properties <i>nor be adversely impacted by existing agricultural or commercial activities.</i></p> <p>Noted and the advice in relation to the potential effects of adjacent uses is welcome.</p> | See change No 22 |
| | Policy PEM7 | | In accord with equivalent CS policy H1 | Issue 2 – see change No 23 |

| Stakeholder | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Comment Parish Council Consideration (in blue) | Amendment Number |
|-------------|------------------------|--|---|-------------------------------|
| | | | With regards to the local connection criteria restriction live in the parish to 10 years is unreasonable especially since housing legislation is 6 out of 12 months and 3 out of 5 years. Would not support a 10-year local connection criterion and is not in line with HC's S106's. The first point is noted In relation to the second point, it is thought the response is a misinterpretation of the policy statement which suggests it needs to be reworded. The intention is to cover those not living within the parish at present but who have lived there in the past 10 years. An amendment may help to ensure its interpretation is better understood. The aim is to increase flexibility not restrict it. | |
| | Policy PEM8 | Comment | In accord with equivalent CS policy RA5 Noted | No change proposed |
| | Policy PEM9 | Comment | In accord with equivalent CS policy E3 Noted | No change proposed |
| | Policy PEM10 | Comment | In accord with equivalent CS policy RA6, E4 Noted | No change proposed |
| | Policy PEM11 | Expresses Concern | In accord with equivalent CS policy RA6. One area of concern relates to policy PEM11, where by it is questionable if the distances specified in c) would be accepted as there is no sound evidence to support the 600m and this may be open to legal challenge. The level of detail regarding manure spreading should be reviewed and as this is an Environmental Health and Environment Agency issue to enforce rather than something that can be mitigated through policy. First issue noted. In relation to the second issue, this policy is one that addresses a matter of significant concern within the Parish and a separate report has been prepared to support the approach being proposed- see Annex 1. | See changes Nos 24, 25 and 26 |
| | Policy PEM12 | Comment | CS policy Not applicable but in conformity with CS Noted | No change proposed |
| | Policy PEM13 | Comment | In accord with equivalent CS policy E1, E2 Noted | No change proposed |
| | Policy PEM14 | Comment | In accord with equivalent CS policy SD2 Noted | No change proposed |
| | Policy PEM15 | Suggest change | In accord with equivalent CS policy SC1 - Identifying and listing particular valued community facilities to be protected and/or enhanced would give the policy greater effect in the event of proposals which may affect them. Helpful advice | See change No 30 |
| | Policy PEM16 | Comment | CS policy Not applicable but in conformity with CS Noted | No change proposed |
| | Policy PEM17 | Comment | CS policy Not applicable but in conformity with CS Noted | No change proposed |

| Stakeholder | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Comment Parish Council Consideration (in blue) | Amendment Number |
|--|------------------------|--|--|--------------------|
| | Policy PEM18 | Comment | In accord with equivalent CS policy LD1-LD3 Noted | No change proposed |
| | Policy PEM19 | Comment | In accord with equivalent CS policy LD4 Noted | No change proposed |
| | Policy PEM20 | Comment | In accord with equivalent CS policy LD4 Noted | No change proposed |
| | Policy PEM21 | Comment | In accord with equivalent CS policy SD3 Noted | No change proposed |
| | Policy PEM22 | Comment | In accord with equivalent CS policy SD4 Noted | No change proposed |
| | Policy PEM23 | Comment | In accord with equivalent CS policy SD1 Noted | No change proposed |
| | Policy PEM24 | Comment | In accord with equivalent CS policy MT1 Noted | No change proposed |
| | Policy PEM25 | Comment | In accord with equivalent CS policy MT1 Noted | No change proposed |
| | Policy PEM26 | Comment | In accord with equivalent CS policy MT1 Noted | No change proposed |
| S2 Welsh Water Dwr Cymru (Statutory Consultee) | Whole plan | Comment | DCWW are supportive of the aims, objectives and policies set out. Noted | No change proposed |
| | Whole Plan | Comment | Particularly pleased to note the references throughout towards the provision of sustainable drainage systems in new development. Noted | No change proposed |
| | PEM22 | Suggest change | In particular are pleased with the inclusion of PEM22: Sewage Infrastructure. However, recommend that it is reworded to the following for clarity with regard to the sewerage network as well as the wastewater treatment works (WwTW): <i>New Policy: Public sewerage network and wastewater treatment works (WwTW)</i> <i>Development that may result in the capacity of the public sewerage network and/or the Pembridge wastewater treatment works (WwTW) becoming overloaded will not be permitted.</i> <i>In either of these instances, development will need to be phased or delayed until capacity becomes available, either through DCWW regulatory investment or, in advance of this through the developer funding the improvements themselves via the provisions of the Water Industry Act (1991) and/or section 106 of the Town and Country Planning Act (1990).</i> The advice is appreciated and will be taken on board. | See change No 37 |
| | Whole Plan | Comment | With regard to the growth proposed in the Neighbourhood Development Plan, there ought to be no issue in the WwTW accepting the foul only flows though should there may come a time where capacity becomes restricted then the above policy will suffice. | No change proposed |

| Stakeholder | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Comment Parish Council Consideration (in blue) | Amendment Number |
|------------------------|--|--|---|--------------------|
| | Whole Plan | Comment | Noted In terms of the public sewerage network and the clean water supply, there are no specific issues but some level of off-site mains/sewers may be required in order to connect to the existing respective networks. Noted | No change proposed |
| S3 (Sports England) | Section 7 - Community Facilities, Amenities and Services | Comment | The NDP should comply with national planning policy for sport as set out in the NPPF with particular reference to Pars 73 and 74. The is a presumption against the loss of playing field land. Although no specific needs for sporting facilities have been identified the NDP does enable provision of such community facilities should a future demand arise. There are no proposals that would lead to the loss of any playing fields. | No change proposed |
| | Section 7 - Community Facilities, Amenities and Services | Comment | Local authority Local Plan should be underpinned by robust and up to date evidence in line with Par 74 of the NPPF, in the form of assessments of need and strategies for indoor and outdoor sports facilities . It is important that a neighbourhood plan reflects the recommendations and actions set out in playing pitch strategy or other indoor/outdoor sports facility strategy, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery. If there is no evidence then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area in consultation with the local sporting and wider community to provide key recommendations and deliverable actions. These should ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies It is understood Herefordshire Council has not expressed the need for any additional indoor or outdoor sports facilities within the Parish. The need for further such facilities was not identified in the community consultation although improvements to certain facilities that might benefit a healthy lifestyle were suggested. Where appropriate these have been highlighted in the Appendix to the NDP. | No change proposed |
| | Section 7 - Community Facilities, Amenities and Services | Comment | If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose No specific facilities are proposed but the sentiment is noted. | No change proposed |
| | Section 7 - Community Facilities, Amenities and Services | Comment | New housing will generate additional demand for sport in addition to any other assessed needs and planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered where required. New development should provide opportunities for people to lead healthy lifestyles and create healthy communities. Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. Noted although no need for land to be made available for additional sports facilities within the Parish has been identified. Resources will be sought through planning obligations to support the expansion/enhanced use of community facilities which should benefit health and wellbeing and indirectly support active lifestyles. | No change proposed |
| S4 | Whole Plan | Comment | Supports both the content of the document and the vision and objectives set out in it. The emphasis on the conservation of local distinctiveness and variations in local character through good design and the protection of locally significant | No change proposed |

| Stakeholder | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | Comment Parish Council Consideration (in blue) | Amendment Number |
|--|-------------------------------------|--|--|--------------------|
| Historic England (Statutory Consultee) | | | buildings, historic farmsteads and landscape character including archaeological remains and the burgage layout of the village is to be applauded. Overall the plan reads as a very well written, well-considered document which is eminently fit for purpose. We consider that the Plan takes an exemplary approach to the historic environment of the Parish and that it constitutes a very good example of community led planning. Those involved in the production of the Plan should be congratulated as in the view of Historic England it exemplifies “constructive conservation”. Noted with thanks | |
| S5 Natural England (Statutory Consultee) | SEA | Comment | Welcomes the production of the SEA report, and notes and concurs with the outcome. Noted | No change proposed |
| | HRA | Comment | Agree with the conclusion of no likely significant effect upon River Wye Special Area of Protection (SAC) Noted | No change proposed |
| | Whole Plan | Comment | No specific comments to make but attach a standard statement of issues and opportunities to consider when preparing Neighbourhood Plans Noted | No change proposed |
| S.6 Environment Agency (Statutory Consultee) | Whole Plan | Comment | It is important that these 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. 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 attached Environment Agency guidance and pro-forma which should assist you moving forward with your Plan. I acknowledge, that all the proposed site allocations are located wholly within Flood Zone 1, the low risk Zone. 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). Comments Noted. Herefordshire Council, who is understood to be the LLFA, was consulted on the draft NDP and has not commented on this matter. | No change proposed |
| S.7 Highways Agency (Statutory Consultee) | None | None | NO RESPONSE RECEIVED No response suggests happy with plan or no adverse comments to make. Strategic Highway Network is not affected by the Plan | No change proposed |
| S.8 (Shobdon Parish Council) | Policies PEM2c and PEM13; para 6.10 | Comment | Notes that both Policy PEM2c and Policy PEM13 reference development at Shobdon airfield and concerns over any increase in traffic. Paragraph 6.10 also highlights that traffic from the Kingspan site mainly utilises the B4362 through Shobdon. Shobdon PC shares Pembridge’s concerns over how commercial traffic will be dealt with whilst still allowing for appropriate economic development at these sites. The Parish Council believes there should be an onus on Herefordshire Council to work with businesses and employers to ensure that any planning permissions or developments in this area be conditional on applicants making s106 contributions to traffic calming measures in the parishes affected by the increase in traffic. Shobdon Parish Council would welcome the opportunity to work in partnership with Pembridge Parish Council when considering any future developments at the airfield. Pembridge Parish Council would be happy to work with Shobdon Parish Council on this matter. | No change proposed |

| Stakeholder | Section/ Policy Number | Support/ Object/ Comment/Recommend change/etc. | <p style="text-align: center;">Comment Parish Council Consideration (in blue)</p> | Amendment Number |
|-------------|-------------------------|--|--|--------------------|
| | Policies PEM4 and PEM17 | Comment | <p>The majority of the housing site allocations within the Pembridge NDP are for less than 10 dwellings, and as such below the level at which section 106 contributions or requirements for affordable housing are required. The Shobdon NDP similarly focused on small scale developments and would welcome some assurance from Herefordshire Council that the CIL (community infrastructure levy) referred to in the Pembridge NDP will come to fruition to support rural communities where large housing developments are inappropriate.</p> <p>The comment is noted and Pembridge PC shares the concern. It is a matter that needs to be taken up with HC and Pembridge PC would support Shobdon PC should this be raised in any forum. Pembridge PC would also press HC to ensure that every opportunity is taken to obtain potential contributions, whether through the S106 obligations or CIL, to support community facilities within the parish.</p> | No change proposed |

Annex 1 to Schedule of Representations

Pembridge Neighbourhood Plan – Intensive Livestock Units

Purpose of the report

To provide background information upon Policy PEM22 included in Pembridge Neighbourhood Plan (PNP) in relation to its approach to intensive livestock units and consider the need for any changes following representations, in particular from Herefordshire Council.

1. Background

1.1 Draft Pembridge Neighbourhood Plan (PNP) included the following policy covering development involving Intensive Livestock Units:

Policy PEM11: Intensive Livestock Units

Proposals for intensive livestock units and associated structures should be sited where:

- a) They do not intrude into the landscape or adversely affect important views. Proposals seeking to utilise tree screening and choice of materials to reduce the environmental effects should only be permitted where these can achieve full mitigation.**
- b) Any traffic generated can be accommodated safely upon the local highway network, should not adversely affect residential amenity, and avoid adverse effects upon the historic environment.**
- c) Proposals, including associated earth walled storage compounds or lagoons, should be sited no closer than 600 metres from Pembridge village. Elsewhere, such development should be no closer than 400m from a residential property.**
- d) There are no other potentially polluting effects upon local amenity, including from outside lighting.**
- e) Sufficient suitable land is available for spreading manure either under an applicant's own control or by contractual agreement with another farmer/landowner. The installation and use of an effective purification system will be taken into account when assessing the suitability of available land.**

f) Proposals should not be sited where they, or their related slurry or manure spreading areas, would have a significant adverse effect on the River Wye Special Area of Conservation, including tributary streams. The 'in combination effect' of such operations will be a consideration.

- 1.2 Two formal responses to this draft policy were received.
- 1.3 The first was from a member of the community who felt there should be no more chicken houses in the rural area of Pembridge; there had been a huge increase in large vehicles on the lanes around Bearwood from both the poultry industry and other larger agricultural vehicles. It was noted that the rivers in the Parish were not in a healthy state and concern whether this is to do with bad practice in the disposal of waste from poultry houses and the use of chemicals on land. It was felt that the NDP should try to have the parish in a healthy state for future generations.
- 1.4 The second was from Herefordshire Council who indicated it was in accord with Herefordshire Local Plan Core Strategy although one area of concern related to the policy, indicating it was questionable if the distances specified in c) would be accepted as there is no sound evidence to support the 600m and this may be open to legal challenge. It also considered that the level of detail regarding manure spreading should be reviewed in that this is an Environmental Health and Environment Agency issue to enforce rather than something that can be mitigated through policy.
- 1.5 In drafting the policy, the Parish Council was aware that planning decisions in relation to intensive livestock units within Pembridge has raised a number of concerns within the local community covering:
1. Effect upon the landscape.
 2. Effect of traffic on the local highway network.
 3. General effect on residential amenity.
 4. Effects of disposal of waste to avoid pollution and adverse effects on biodiversity.

For each of these aspects, it is important to recognise that the amount of development involving intensive livestock units within the Parish and those surrounding it has been significant and the cumulative effect needs to be taken into account.

1.6 Nine concentrations of poultry units are located within the Parish and a number of these have anaerobic digestion units/biomass boilers associated with them. In all there are 7 of these. This is a significant number to be located within one parish. There are others in bordering parishes. As a consequence, there is a concentration of potentially polluting activities that might result in emissions to both air and water. The cumulative effects on both residential amenity and biodiversity are relevant to planning decisions.

2. Effect on the Landscape

2.1 Significant parts of the Parish are identified as either 'Principal Settled Farmlands' or 'Principal Timbered Farmlands' with small compartments of 'Riverside Meadows' (to east) and 'Wet Pasture Meadows' (to west) located along the banks of the River Arrow.

2.2 Principal Settled Farmlands are settled agricultural landscapes with dispersed scattered farms and small villages and hamlets served by small winding lanes. The scale of the field pattern is important as is the nature and density of settlements. In terms of the impact development may have on this landscape type, the hedgerow pattern, which is the most significant feature of this landscape, and tree cover should be retained or strengthened. The landscape is considered capable of accommodating only limited new development. Intensification of farming practices is also resulting in a simplistic visual uniformity as landscape character is eroded. Development pressure in many of these areas has resulted in a distinctly nucleated or clustered settlement pattern which is contrary to the landscape character.

2.3 Principal Timbered Farmlands often comprise landscapes where pressures to convert to arable land use is resulting in the loss and fragmentation of hedgerows and tree cover. Associated development pressures have resulted in development that does not respect the characteristic settlement pattern set among winding lanes. Development pressures have generally not respected the characteristic settlement pattern.

2.4 Wet Pasture Meadows are flat, low-lying and largely uninhabited landscapes. They are generally unsettled landscapes. Riverside Meadows are linear riverine landscapes associated with a flat, generally well defined, alluvial floodplain, and in places framed by steeply rising ground. Settlement is typically absent, and the landscape accommodates a degree of annual flooding. Where built development has been undertaken, the

resulting risk of flooding has often been overcome by the construction of uncharacteristic structures such as bunds, flood walls or flood relief channels. Built development within them is to be discouraged.

- 2.5 These descriptions from Herefordshire Council's Landscape Character Assessment suggest that the landscape within the Parish is very sensitive. Consequently, the effect of relatively large-scale development, such as that comprising intensive livestock units, upon all the landscape types will have major effects and where this is adverse it should be given significant weight.
- 2.6 The inclusion of a criterion to ensure landscape characteristics are taken into account in any policy covering the landscape effects of intensive livestock units and the need to encourage tree screening are therefore relevant. However, the policy might be improved by referring to proposals intruding 'unacceptably' into the landscape and to the need to retain landscape character.

3. Effect of traffic on the local highway network

- 3.1 The ability of the highway network to accommodate traffic safely and within its capacity are material considerations for many forms of development for which planning permission is required and specialist highway advice is received where appropriate. However, the advice from Highway Engineers relates to effects on the highway network and not the effects of traffic on residential amenity. The parish council wishes to be assured that this latter aspect, which is a matter for planning advice as opposed to highway advice, is not disregarded, and hence referred to specifically in the policy. Similarly, the effects of traffic on the historic environment is a material consideration of significant importance to Pembridge village given the presence of many important heritage assets, and again is not a matter that should be judged by highway engineers but those qualified to consider the need to preserve such assets, their features and settings.

4. General Effect on Residential Amenity.

- 4.1 The other more general effects on residential amenity are most likely to arise from pollution, in particular emission of odour. The NPPF guidance sets out at paragraph 17 that "*Within the overarching roles that the planning system ought to play, a set of core land-use planning principles*

should underpin both plan-making and decision-taking". The guidance then lists 12 bullet points setting out these principles, and in relation to protecting amenity says that the planning system should:

"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;"

In terms of the potential for odour and other potential pollution arising from development to impact on neighbours, paragraph 109 of the NPPF states that:

"The planning system should contribute to and enhance the natural and local environment by: preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability..."

4.2 Paragraph 122 of the NPPF sets out that planning authorities should focus on whether the development itself is an acceptable use of the land rather than the control of emissions or processes where these are subject to existing environmental controls:

"..... local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively".

4.3 With respect to odour and aerial emissions, although pollution control regimes are complimentary to the requirement to protect amenity it is noted that air or odour pollution might occur at higher levels than required to adversely affect amenity, because levels approaching equivalence with nuisance are covered by a more demanding test than protecting amenity. The tests are not the same. In relation to odour emissions development that is consented and constructed may be regulated by the Environment Agency as an "installation" under the Environmental Permitting Regulations (EPR). Should it not fall under the EPR any future odour impact of the development would be regulated by the local authority, through the 1990 Environmental Protection Act nuisance legislation.

4.4 Herefordshire Council as local planning authority should be primarily concerned with whether or not the proposed development can be a compatible land use alongside the existing developments and land uses in the area if the proposed activity is assumed to be effectively regulated by the Environment Agency or its role within Environmental Health. In this regard it should not simply assume that if there are no objections from either of these bodies, that the planning requirements in relation to NPPF paragraphs 17, 119 and 122 have been met, i.e. local planning authorities should not assume that an EPR permitted installation is a suitable use of land simply because it is a permit regulated activity. The

local planning authority has to be mindful that effective on-going regulation of a permitted activity does not equate to an absence of all environmental impacts and does not in itself provide protection of amenity.

- 4.5 Defra guidance advises that the use of the statutory regulatory regime may not fully address amenity issues and it is important to understand that in practice this does not necessarily equate either to removing an odour, or even an absence of impact on amenity. In this regard it should be noted that for off-site odours from permitted installations such as intensive livestock installations, the Environment Agency adopts more or less the following standard permit condition

"Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour"

The effect of this is that even if there is annoyance, provided the operator is using Best Available Techniques or 'appropriate measures' to minimise the odour then the Environment Agency will accept that residual off-site odours will not be a permit breach. In such instances where there are adverse impacts on local amenity as a result of odours, then local residents would simply have to tolerate these odours. There is no requirement with the Environment Agency standard odour permit condition to prevent all odour annoyance, nuisance or complaints, or indeed all adverse impacts on amenity. An Environmental Permit by the Environment Agency does not provide any guarantee that the amenity of local residents will be protected. Only limited weight should be given to the fact that any proposed development has been granted an environmental permit when considering if such development is an appropriate land use for a particular location with respect to the potential for adverse impacts on local amenity.

- 4.6 It is therefore far more effective, and in fact essential to protect residents from any significant adverse impact on amenity from odours at the planning application stage than to seek to abate a statutory nuisance from odours retrospectively. Defra published guidance (2010) to assist local authorities address odour matters which promotes proactively preventing odours impacting on amenity at the planning stage.

'The planning system should focus on whether the development itself is an acceptable use of the land, and the impacts of those uses, rather than the control of processes or emissions themselves.'

Post-development regulation should not be relied upon when determining the appropriateness of proposed land uses.

- 4.7 Relevant local planning policy is currently set out in Herefordshire Local Plan Core Strategy policy SD1 (Sustainable design and energy efficiency) which states:

"Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements (inter alia):

- safeguard residential amenity for existing and proposed residents;*
- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;*
- where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective;"*

This is a very general policy and does not address the specific potential effects of intensive livestock units upon amenity.

- 4.8 In this regard, examples of policies utilised elsewhere were sought to inform a policy for PNP and it was found that one often quoted is that in the former county of Humberside for which specific policy guidance was drafted in 1984 and minor revisions were made in 1992 (Beverly Local Plan – East riding of Yorkshire – See Appendix 1). A key element of this policy plan was that intensive livestock units should not be established within 400m of dwellings, or in some case 800m of protected settlements, although it suggests the latter may be unduly restrictive. The planning policy recognised the risks of adverse odour impacts arising from intensive livestock installations at quite considerable distances from the farm buildings. The policy approach has been used without legal challenge. There is no similar policy for Herefordshire Council's area yet given the significant level of such developments and their concentrations within Pembridge and its surrounding parishes the implication is that particular attention should be paid to the potential for adverse odour impacts where intensive livestock units are situated within 400m of residential developments/receptors. Notwithstanding advice upon the use of dispersion modelling of odorous emissions the Chartered Institute of Water and Environmental Management¹ advises that "in the absence of conclusive UK based research, the selection of the most appropriate odour impact criterion should be determined upon, depending on both the objective of the assessment, the nature of the odour under assessment and the sensitivity of the affected local population, where relevant."
- 4.9 Given that the planning system must consider amenity not statutory nuisance or Environmental Permitting Regulatory requirements in relation to the potential odour emissions from intensive livestock units within Pembridge Parish, the provisions within Policy PEM11c) represent what the local population consider to be an appropriate odour impact criterion that is based upon that which has been used for planning purposes elsewhere. Pembridge should be considered a protected settlement in this regard because of its level of habitation, concentration of services and

¹ <http://www.ciwem.org/wp-content/uploads/2016/04/Control-of-odour.pdf>

facilities which need to be retained for other sustainable development purposes, and most particularly it contains a primary school on its outskirts where amenity considerations should be given a high priority.

- 4.10 One small change however is required to that criterion to indicate that its provision does not apply to any dwellings associated with the intensive livestock operation.

5. Effects of the disposal of waste to avoid pollution and adverse effects on biodiversity

- 5.1 Poultry units have the potential to impact upon designated sites (SSSIs and SACs) within the wider environment via production of aerial emissions of ammonia and deposition of acid and nitrogen. Policy PEM11 criteria e) and f) of this policy address the issue of waste disposal arising from any intensive livestock operation, in so far as the effect this may have on amenity and biodiversity. Herefordshire Council has yet to prepare its Minerals and Waste Development Plan Document so the saved policies from its Unitary Development Plan (UDP) are presumably still relevant. An objective within the UDP is to ensure that waste management is considered in all development proposals. Another relevant objective is to protect the environment from the adverse impact of waste development and where possible improve environmental quality. In respect of these objectives UDP Policy S10 states:

"The sustainable and efficient management of waste will be sought by:

2. ensuring that the impact of proposals for the collection, storage, handling, treatment, disposal and transportation of waste can be mitigated to an acceptable extent, with particular attention paid to the impact on human health and the environment;

5. ensuring that all development proposals give due consideration to the waste they will generate, in accordance with the above principles."

- 5.2 More detailed waste policies that are relevant to infrastructure associated with intensive livestock units that contain matters that might affect amenity include (relevant extracts):

Policy W1: New waste management facilities

"Planning applications for new waste management facilities which do not fall into Class B1 and B2 will only be permitted where the site is not affected by one or more primary constraints or two or more secondary constraints except where:

a. in the case of sites affected only by two or more secondary constraints, such constraints can be satisfactorily mitigated; or

Primary Constraints

- 2. Sites and species of international and national importance to nature conservation;*
- 3. Scheduled Ancient Monuments and other sites of national or regional archaeological importance;*

Secondary Constraints

- 1. sites and species of local importance to nature conservation; ;*
- 3. land within or abutting a conservation area;*
- 4. archaeological sites of lesser Regional or Local Importance;*
- 5. where the site does not have direct access to an 'A' or 'B' class road;*
- 6. any adverse visual impact the development would have upon the landscape character of the area;*
- 7. best and most versatile agricultural land;*
- 8. ancient semi-natural woodland.*

Where a proposal satisfies the above constraints, applicants will also be required to submit evidence to demonstrate the extent to which the development impacts on:

- people and local communities;*
- natural and cultural assets;*
- the highway network and other public rights of way;*

- *public open space; and*
- *air, soil and water resources.*

Unless such impacts can be satisfactorily mitigated, planning permission will be refused.”

Policy W3 Waste transportation and handling

“Development that is likely to give rise to the transportation and handling of waste materials will only be permitted where appropriate measures to protect the public and the environment can be implemented and enforced.”

W5 Waste management licensing

Where development is not covered by the Waste Management Licensing process, or where it would be granted an exemption from the process, conditions will be imposed on any planning permission granted, in the interests of the protection of amenity and matters of acknowledged interest.

- 5.2 Intensive livestock units generally give rise to commercial waste. In view of these policies and the absence of any Waste Local Plan/DPD it is considered right and proper for a planning policy to be included to cover waste arising from any intensive livestock units so that the matter is dealt with comprehensively. As a consequence, Policy PEM11 covers:
- a) Storage compounds and lagoons; and
 - b) The method of handling and disposal of manure waste, with the exception of its use in anaerobic digestion of as biomass, which would be covered through policy PEM14.
- 5.3 In relation to b) it may be important to consult another local authority through the duty to co-operate, and for this purpose it is necessary to know where any manure waste is to be transported to.
- 5.4 The spreading of manure waste may result in odour pollution and this is relevant for reasons explained in the previous section. The two provisions in this policy are all the more important because of the problems encountered within the County in relation to water quality, pollution of rivers, their special designation, and the provisions within the Nutrient Management Plan to address diffuse pollution, the preparation and implementation of which played such a significant part in Herefordshire Council’s evidence supporting housing growth.

- 5.5 Although there are Environmental Permitting Regulations that cover these issues, they are again matters that are also addressed through any planning application in terms of effect of waste disposal and associated matters. Consequently, the approach applying to protection of amenity from odour covered under the previous section apply and it is also relevant to the protection of biodiversity. It is also important that Herefordshire Council has regard to Section 40 of the Natural Environment and Rural Communities Act 2006 and, more particularly, Section 28G of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). It is likely that in some instances Herefordshire Council will have to undertake appropriate assessments in association with then Environment Agency to determine whether proposals will have a significant effect in the River Wye SAC under the Habitats Regulations.
- 5.6 Manure waste is a form of commercial waste and its spreading is an operation of handling and disposal. As a consequence, it is considered relevant to planning policy having previously been an issue addressed through Herefordshire UDP as commercial waste within its relevant waste policies. Herefordshire Council has not objected to a policy on intensive livestock units in principle and it ought usefully to be as comprehensive as possible.
- 5.7 Criterion e) could be made clearer in terms of responsibilities and ensuring the effects on amenity are safeguarded. Minor changes to criterion f) may also be beneficial to improve clarity.
- 5.8 It has been noted that Shropshire Council is preparing interim guidance on the assessment of poultry units and their impact on designated sites within the planning application process and this will cover matters that Herefordshire Council appear to be advising fall outside of its remit but to that of environmental health or the Environment Agency (See Appendix 3). Shropshire Council's approach is consistent with the DEFRA advice that the matter effect on biodiversity (and amenity) are relevant material considerations in planning decisions on intensive livestock units. The River Arrow flows into the River Lugg SSSI and subsequently the River Wye SAC and consequently the matters may be material considerations to relevant planning applications within the Parish. The River Lugg SSSI currently forms part of the River Wye SSSI and is failing to meet its water quality targets.

6. Conclusion

- 6.1 The two issues upon which Herefordshire Council has made representations have been covered in similar ways in another local plan and are issues that other planning authorities consider relevant. It is evident from the representation that Herefordshire Council has not drawn a distinction between its planning purposes, which includes the protection of amenity, and other environmental regulatory duties of both itself, in relation to environmental health, and the Environment Agency. The policies in this NDP seek to address the issue of ensuring amenity is considered in order to avoid the necessity of more significant action later which it is clear may not be able to rectify any odour or other adverse effects completely, as advised by DEFRA. However, it would seem from the response that in practice the development management process is

not clear upon this issue of responsibilities in relation to the effects of development comprising intensive livestock units. Policy PEM11 seeks to ensure that all relevant matters required to protect amenity and biodiversity are considered.

6.2 The justification of the policy may however be improved to make the processes required to protect amenity and biodiversity clearer.

Appendix 1

Extract from Beverley Borough Local Plan – East Riding of Yorkshire (1992)²

10.0 INTENSIVE LIVESTOCK UNITS (ILU)

BACKGROUND

10.1 The plan area is popular for rearing livestock in confined conditions. These livestock units have given rise in the past to public complaint mainly about the unacceptable smells which arise from the storage and spreading of manure. The Council will apply the following policies to ensure that the well-being of the community is safeguarded while maintaining an efficient and viable farming industry. These policies are based on the former Humberside County Council's Intensive Livestock Units Local Plan, which was first adopted in 1984 and subsequently amended in 1992. That Plan is now superseded by the policies in this Plan (see paragraph 1.26). The policies below set out clear criteria regarding the development of Intensive Livestock Units and of occupied buildings near to them, so planning applications can be judged accordingly.

10.2 For the purposes of this Plan:

- i) an 'Intensive Livestock Unit' will be defined as buildings and associated works (for which specific planning permission is required on application) for the permanent indoor housing of pigs, poultry or cattle and also those for housing such livestock indoors for only part of the time if a slurry³ system is to be adopted.
- ii) 'Occupied Buildings' will be defined as any permanent building or caravan site normally occupied by people, or intended for occupation by people, except a building or caravan within the same agricultural unit as the livestock unit.

Siting of Existing Units

² ² https://www.eastriding.gov.uk/planning/pdf/beverley_final/beverley/written_state/section10.html

NB – This link was available until recently and used in formulating Policy ALM9 during the preparation of this NDP and since checking it appears to have been deleted recently, probably as work upon East Riding of Yorkshire Core Strategy has progressed. Reference to these as Saved Policies (prefixed ILU) can be seen at:
<file:///C:/Users/User/Downloads/Beverley%20-%20Saved%20Policies.pdf>

10.3 Little can be done to rectify the poor siting of existing units and any opportunity for obtaining an overall improvement in environmental conditions through development affecting the Unit's continued operation needs to be taken.

Policy ILU1

Development proposals at an intensive Livestock Unit which will result in an overall improvement of existing conditions from an amenity point of view will be approved.

10.4 Conflict arises where new development takes place close to an existing intensive livestock unit. People moving into such development often subsequently complain about the unit itself and/or the manure spreading. The avoidance of such conflicts is considered preferable to trying to deal with them after they arise.

10.5 The precise amount of separation that is appropriate depends to some extent on the nature and duration of the activities involved. Housing and developments such as caravan sites, hotels, restaurants, schools and hospitals seem to be most sensitive and need to be kept furthest away. In other cases, including developments which involve the adaptation of disused farm buildings, some relaxation of the policy may be appropriate.

10.6 Where there is already an Intensive Livestock Unit in a settlement it would not be possible to adhere to this policy and an exception has had to be made.

' Manure: Animal faeces and/or urine in any form, including slurry, traditional farmyard manure and other materials with straw, wood shavings, sawdust, etc.

"Slurry: Animal faeces and urine that contains little or no added water (undiluted slurry) or with water (diluted slurry).

Policy ILU2

Proposals for new Occupied Buildings which are located within a distance of 400 metres from an existing Intensive Livestock Unit or Manure storage areas will not be approved with the exception of those units or storage areas which are already situated within development limits.

10.7 Most planning applications are for development at existing units and it is necessary that amenity be safeguarded. Applications will be determined on their individual merits but where a unit is not currently being operated satisfactorily, further development will be allowed only if some overall improvement will result, in accordance with Policy ILU 1. Reference to a recognised professional advisor is recommended when preparing a submission.

Policy ILU3

Proposals for further development of existing intensive livestock units, for which specific planning permission is required, will be approved only where it can be demonstrated that the enterprise is being and will continue to be operated satisfactorily from an amenity point of view or where an overall improvement in existing conditions from an amenity point of view will result (see Policy ILU1).

Development of New Units

10.8 In order to minimise future conflict between the public and intensive animal units it is considered that there should be a protective distance between occupied property and new livestock units. However, in order to maintain viable livestock production it is necessary to accept reduced protection in the more rural parts of the Plan Area and apply more restrictive standards only in the vicinity of the Hull Urban Area, Urban Centres and Selected Settlements. For the purposes of this Plan, land falling within the relevant protective distance will be referred to as 'protected areas'.

10.9 All protective distances should normally be measured from the edge of the curtilage of the Unit buildings and should be subject to modification in detail to allow account to be taken of local factors such as climate, particularly prevailing wind, and topography and of individual circumstances, for example, the size and operating hours of the unit. The distances should be related to field boundaries or some clear physical feature wherever practicable.

10.10 In the case of the Hull Urban Area, the Urban Centres and Selected Settlements within the Plan Area, a protective distance of 800 metres should normally be maintained from the development limits as set out in the Proposals Map.

10.11 In the case of Non-Selected Settlements and in the open countryside where agriculture is predominant, the rigid application of an 800 metres protective distance would be unduly restrictive. It would, therefore, be preferable for applications to be dealt with on their merits depending on local circumstances such as the size of the settlement. Normally a protective distance of 400 metres should be maintained, though the protective distance around isolated dwellings would not be as great. A minimum distance of 100m will only be acceptable in exceptional cases and whilst it may be appropriate in some circumstances for the siting of livestock buildings themselves, for slurry spreading and for some associated works such as slurry storage installations, a minimum of 200m will be required unless an effective treatment system which reduces smell is to be used. Where possible, manure storage areas should be sited away from public roads, footpaths and bridleways.

10.12 In addition, the National Rivers Authority (NRA) may require restrictions on the siting and design of units near to sources of water supply and watercourses.

Policy ILU4

Development proposals for new Intensive Livestock Units and associated structures including earth walled storage compounds or lagoons will be approved only if sited a distance of 600 metres or more from the development limits of the Hull Urban Area, the Urban Centres or the Selected Settlements and a distance of normally 400 metres from the development limits of the Non-Selected Settlements.

10.13 Recent government advice and other policies in this Plan (principally Policies E14-E18) recognise the importance of protecting sites of nature conservation value. Only a small proportion of the Plan Area is covered by SSSI's and they should therefore deserve to be given some priority but many other areas deserve protection.

Intensive Livestock Units could damage such sites in a number of ways, e.g. transfer of diseases, nutrient enrichment of habitats or loss of amenity for visitors. It will seldom be possible to accurately quantify such risks but, when looking at particular cases special consideration should be given to the relative importance of certain sites, particularly the Humber Estuary, which has considerable international significance.

Policy ILU5

New Intensive Livestock Units and associated structures will not be allowed where they, or their related slurry or manure spreading areas, would have significant adverse effect on Sites of Special Scientific Interest or other statutorily designated nature conservation sites or would significantly affect other sites of nature conservation importance (see Policies E14 to E18).

10.14 Other policies in this Plan are designed to limit any adverse environmental effects of Intensive Livestock Units to an acceptable level. It is recognised that this does not mean that such effects will be completely prevented. Therefore, there remains a danger that a number of units around a particular locality will jointly cause effects that are unreasonable. In considering a planning application for the expansion of an existing unit or the establishment of a new unit the Council will consider the adverse effects already being experienced and whether they are likely to be made significantly worse by the development of further units.

10.15 In addition, Policy ILU2 of this Plan limits development near Intensive Livestock Units. In exceptional circumstances, for example where several units would surround a settlement, this may lead to a situation where otherwise appropriate or necessary development is unreasonably restricted.

Policy ILU6

If, in any locality, the existence of a number of Intensive Livestock Units means that any further units would cause an increase in adverse environmental effects to an unacceptable degree and/or seriously restrict reasonable expectations of further development of a settlement in accord with the provisions of the development plan, then such further units will not be allowed.

Availability of Land for Spreading Liquid or Solid Manure

10.16 In view of the possible loss of amenity from the manure associated with a high density of livestock in any one area, it is essential that sufficient and suitable land is available for spreading. Where it is necessary to transport manure from units to spreading areas special care should be taken to ensure that this is done in an acceptable manner from an amenity point of view. Wherever possible, transport through residential areas should be avoided.

10.17 'Sufficient land' is regarded as that which is recommended in current MAFF advice. This may be determined on the basis of the available nutrients produced by a given number of livestock and the nutrient requirements of the crops grown. Broad guidelines are given in Appendix 9. Subject to the prior agreement of the Council, the amount of land required for spreading may be reduced if a suitable agreement to dispose of manure in some other acceptable manner can be reached. If this involves transportation away from the unit care should be taken to ensure that suitable means of transport will be used to avoid environmental problems.

10.18 'Suitable land' is that which is outside the 'protected areas'. Regard must also be given to any additional restrictions required by the NRA. Where an effective purification system that will significantly reduce smell is to be used consideration can be given to allowing the use of land which would not otherwise be regarded as suitable.

10.19 Where land not under an applicant's own control is to be used, steps should be taken to ensure that agreements with other landowners are adequate and binding and that the land in question will be used for manure spreading so that the total manure load does not exceed that recommended in current MAFF advice. Where required, agreements should normally be in place before construction is allowed to proceed. Consideration should also be given to the alternative arrangements to be made in the event of such an agreement being terminated.

10.20 The following matters will also be relevant when the Council is considering planning applications for expansion of existing or establishment of new livestock units:

- i) pollution of water supplies and possible contamination of water courses; ii) geology and soil types;
- iii) soil analysis and cropping programme; iv) type of effluent system to be adopted; v) amenity aspects of the development;
- vi) need to transport slurry or manure through residential areas; vii) the effects on sites of nature conservation importance.

Recognised professional advice can be obtained on items ii) to iv). English Nature can advise on item vii).

Policy ILU7

Proposals for new, or for the further development of existing, intensive livestock units, for which specific planning permission is required, will be approved providing sufficient suitable land is available for spreading manure either under an applicant's own control or by agreement with another farmer. The installation and use of an effective purification system will be taken into account when assessing the suitability of available land.

Manure Handling - Slurry Systems

10.21 In order to avoid too much slurry being spread on a given area of land which could give rise to smell and hydrological problems, it is necessary to define a maximum amount of slurry which should be applied in some situations and it is therefore proposed that this should form the basis of planning conditions in appropriate cases. An extract from the Code of Good Agricultural Practice is reproduced at the end of this Plan (see Appendix 9).

10.22 Reduction of the frequency of slurry applications is important in minimising nuisance caused. Efforts should also be made to spread most slurry during the growing season and as little as possible at other times.

10.23 Amenity preservation, maintenance of unpolluted water supplies and other considerations such as soil types and rainfall may require modification of the recommended application rates.

10.24 Early consultation between developers, recognised professional advisors and the Council will assist in agreement upon suitable rates in particular circumstances. The Council favour methods of disposal which reduce the dispersal of odours to the atmosphere.

10.25 Means of spreading that involve spraying slurry into the air, such as rain guns, should be avoided, and spreading should not be done when wind is blowing towards housing or when it is likely to cause nuisance. Spreading should also be avoided at week-ends and bank holidays whenever possible. Arable land should be cultivated as soon as possible after slurry has been applied to help reduce smell nuisance.

10.26 Slurry spreading is the cause of most complaints and to safeguard amenity it is best kept away from housing. It would not be reasonable, however, to impose the same restrictions on all classes of settlement and as with policies for expansions of existing and new units above, a distinction has been made.

10.27 Reference should be made to the appropriate region of the NRA for further detailed information, when spreading and storage of slurry, diluted or otherwise, are proposed. A Guide on Policy and Practice for the Protection of Groundwater is available from the NRA.

Policy ILU8

Proposals for new, or for the further development of existing, intensive livestock units for which specific planning permission is required, will be approved providing that:

a) the spreading of slurry will be restricted to land outside the protected areas unless it is proposed to use some method of treatment or application capable of significantly reducing smell nuisance.

b) the maximum quantity of slurry to be spread will be controlled in accordance with the MAFF Code of Good Agricultural Practice, taking into account the time of year, the crop and the type of soil.

10.28 Problems can arise when slurry is spread frequently on the same area of land or when spreading takes place under adverse weather or ground conditions and it is therefore important that operators are able to avoid these circumstances arising. Normally four months storage capacity will be adequate to protect amenity, and in many instances a smaller capacity might be acceptable. If an operator is prepared to install a suitable treatment plant this will be taken into account when assessing storage capacity requirements.

10.29 The onus for ensuring that storage is adequate and that the unit is managed properly to avoid environmental problems rests firmly with the operator. It is necessary to separate normal surface water run-off from that of contaminated areas. References should be made to the NRA for further information and assistance.

10.30 Problems have occurred in the past with lagoons used for storing slurry from several independent units. Such 'communal' lagoons can cause problems arising in particular from the need to transport manure, the volume of slurry stored and the increased frequency in spreading. Proposals for communal lagoons will only be approved in exceptional circumstances, for instance where it can be demonstrated to the satisfaction of the Council that there will be an overall improvement of existing conditions from an amenity point of view

10.31 It is recommended that informal preliminary discussions with all relevant interested bodies should take place so that any problems may be sorted out in the early stages of the development.

Policy ILU9

Proposals for new, or for the further development of existing, intensive livestock units, for which specific planning permission is required will be approved providing that enough storage capacity will be provided to avoid too frequent spreading or the need to spread in unsuitable circumstances. The design of the storage arrangements should be such that the chance of spillage or seepage is reduced to a minimum. In the case of above ground storage, further precautions may be required to prevent any accidental spillage or seepage causing pollution.

Proposals for 'communal' storage lagoons will only be approved where there will be an overall improvement of existing conditions from an amenity point of view.

Poultry Manure

10.32 The spreading of poultry manure has generally given rise to less problems than slurry. Nevertheless, it can cause offence and needs to be restricted close to occupied buildings. It also seems undesirable to site manure heaps close to areas of public access if it can be avoided. Under normal circumstances, it can be expected that manure from litter-based poultry units will be less offensive than other forms, if suitable litter material, such as wood shavings, sawdust or chopped straw is used. In these cases it may not be necessary to insist upon the full protective distance.

Policy ILU10

Proposals for new, or for the further development of existing, intensive livestock units will be approved providing that poultry manure will not be stored or spread on land within 400 metres of occupied buildings in the Hull Urban Area, Urban Centres and Selected Settlements or 200 metres elsewhere, unless it can be demonstrated that no offence will be caused to occupied buildings within that protective distance. Where possible, manure storage areas should also be sited away from public roads, footpaths and bridleways. Provision should also be made for the collection and disposal of disinfectant and wash water without causing pollution.

Other Manure

10.33 As straw manure does not have the noxious smell that is associated with slurry and some poultry manure and is more acceptable to members of the public, there seems to be no reason why restrictions should apply to spreading areas if it is applied in suitable quantities.

10.34 When a straw system is to be installed, careful attention must be given to permanent areas for dung storage within the farmstead to prevent seepage and pollution. Specifications or recommendations for a suitable base on which to store the dung, along with the other requirements, can be obtained from a recognised professional advisor.

Policy ILU11

Proposals for new, or for the further development of existing, intensive livestock units, (or which specific planning permission is required will be approved providing that any spreading of manure other than slurry or poultry manure in protected areas is done in accordance with the amounts recommended in the MAFF code of practice.

Use of General Purpose Buildings

10.35 It is appreciated that farmers must occasionally use such buildings in emergencies or for short periods, but housing of livestock in buildings not designed for them can lead to unsatisfactory conditions and smell nuisance.

Policy ILU12

Development proposals to use existing general purpose buildings for the permanent housing of livestock will not be approved where such an enterprise will be based upon a slurry system; conditions to this effect will therefore be included in future permissions for general purpose buildings for which specific planning applications and permissions are required.

Appearance

10.36 In the interests of visual amenity unobtrusive siting and landscaping of new agricultural buildings in the countryside are desirable in view of the size and materials now common with such buildings. The planning authorities will consider the details and at the same time take into account any special circumstances.

Policy ILU13

Units and associated structures should be so sited that they do not intrude into the landscape. Where necessary, tree screening should be included as an integral part of the planning application and/or covered by conditions of planning approval. Materials of construction need to be chosen carefully so that the resulting development fits sympathetically into its rural setting.

Appendix 2

Livestock (Poultry) Units and Anaerobic Digestion/Biomass Sites within Pembridge Parish:

1. The Yeld - Poultry units and Biomass boiler
2. By Kingspan – Bio digester
3. The Leen – Poultry units and Bio digester
4. Yew tree farm - Poultry units
5. The Yeld – Poultry units and Digester/CHP Unit
6. Milton Farm –Poultry units and Bio-digester
7. Sherrington Farm – Poultry units and biomass boilers
8. Barrow Farm – Poultry units
9. Luntley Farm – Poultry units
10. Rhyse Farm – Poultry units

Appendix 3

Memorandum



To: Consultee Access

Copy to:

From: Nicola Stone

Date: 28th November 2017

My ref: PenanheathFarm17. 05176

Your ref: 17/05176/FUL

Consultation on planning application: Penanheath Farm, Colebatch, Bishops Castle, Shropshire SY9 5LW

Recommendation:

Holding response.

SC Ecology is currently producing an interim guidance note with input from Natural England and the Environment Agency for the assessment of poultry applications and their impact on designated sites in Shropshire. SC Ecology will forward the guidance note to the planning agent and case officer once completed (expected week commencing 11th December). Please see the reasoning behind this below.

Intensive agricultural applications will need to conclude that the proposal will not cause an offence under the Conservation of Habitats and Species Regulations (2010), or be contrary to MD12, CS17 and NPPF.

Impact on Designated Sites

Designated Sites

Poultry units have the potential to impact upon designated sites within the wider environment via production of aerial emissions of ammonia and deposition of acid and nitrogen. SC Ecology is currently producing an interim guidance note with input from Natural England and the Environment Agency for the assessment of poultry applications and their impact on designated sites in Shropshire.

The new guidance will detail how to assess the impact of predicted ammonia and nitrogen emissions from intensive livestock units, covering the assessment of direct effects of ammonia and indirect impact from nutrient nitrogen deposition (eutrophication) on designated sites.

The Environment Agency permitting guidance is not suitable to be used in support of a planning application and the EA permitting thresholds i.e. 4, 20 and 100% will not be used in the Shropshire Council planning system.

1. Habitat Regulation Assessment

This application will be considered under the Habitat Regulation Assessment (HRA) process in order to satisfy the Local Authority duty to adhere to the Conservation of Species & Habitats Regulations 2010 (known as the Habitats Regulations).

Planning permission can only legally be granted where it can be concluded that the application will not have any likely significant effects on the integrity of any European Designated site.

The Environment Agency has recently provided the following new information regarding the assessment of intensive farming applications in the planning system to Shropshire Council (14th August 2017);

'It is not within the EA's remit to provide the scientific evidence to support an HRA for a planning application. Independent HRAs are required for both the environmental permit and planning permission applications, and as EA guidance and procedures are specific to the permitting process and are not appropriate for use by planning authorities, there will be occasions when a permit may be granted but a planning permission refused and vice versa. The applicant should be aware of this possibility when they apply for both licences.'

Recent case law has provided the following information in regards to assessing in-combination effects of plans and projects on designated sites;

'A High Court judgment was handed down on 20 March 2017 in Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351. Wealden District Council brought a challenge against a Joint Core Strategy produced by two of its neighbouring authorities. Natural England provided advice to Lewes District Council and the South Downs National Park Authority on the assessment of air quality impact on Ashdown Forest SAC. This advice was based on nationally developed guidance agreed with other UK statutory nature conservation bodies. The court found that Natural England's advice on the in-combination assessment of air quality impacts in this case was flawed'.

The following guidance from 'Assessing Projects under the Habitats Directive, Guidance for Competent Authorities' by David Tyldesley & Associates, September 2011 states;

'In-combination Assessment;

In checking for the need for an appropriate assessment it may be concluded that the project could affect the site in some way, but that alone these effects are unlikely to be significant. In such cases the competent authority should check whether significant effects would be likely if the project was combined with other plans or projects. An in-combination assessment is required in order to comply with the Habitats Regulations, and should include any other plans or projects that have been checked for the need for an appropriate assessment and where the following applies:

1a) It has been concluded that the other plan or project may affect the site, but the effects are not significant on their own. A number of plans or projects with effects that individually have been determined to be insignificant may still result in a significant effect on the site if all effects on the site are combined.

1b) It has been concluded that the other plan or project may have a significant effect alone and where measures have consequently been included to reduce the effect to a level where it is no longer considered to be significant when the plan or project is considered alone, but where the measure applied will not remove the effect completely. Such residual effects could still contribute to a significant effect when considered in-combination with other effects.

An in-combination assessment does not need to include any other plans or projects that have been checked for the need for an appropriate assessment and where the following applies:

*2a) It has been concluded that the other plan or project will not have any effect at all on the site, and thus it cannot have an effect either alone or in-combination.
2b) It has been concluded that the plan or project may have an effect on the site and the necessary measures have been put in place to completely remove the likelihood of any effects (that is, avoidance measures are integral to the project)'.*

SC Ecology considers that an in-combination assessment will be required to support this planning proposal. The in-combination assessment must include:

- the background ammonia concentrations and nitrogen deposition at the sensitive receptor.
- if there are other sources that could potentially act in combination and cumulatively at the sensitive receptor such as:
 - o Applications that are submitted to Shropshire Council or Environment Agency but not yet determined;
 - o Livestock units that have permits but are not yet (fully) operating
 - o Livestock units & Planning Applications that started operating or have been granted planning permission after the most recent update of background levels (apis.ac.uk).

The in-combination assessment should try to avoid double-counting by assigning emissions both to background pollution levels and as new plans or projects. These can be located by searching:

☑ the Planning Portal

☑ Notice of Environmental Permit Applications Register - <https://www.gov.uk/government/collections/environmental-permitting-notice-of-applications-made>
Register of Issued Environmental Permits - <https://www.gov.uk/government/collections/industrial-emissions-directive-issued-environmental-permits-issued> “

Where assessment show that the proposal is likely to add to the critical load of the designated site, and where background Nitrogen Deposition levels are already exceeding the lower critical load threshold for the habitat type designated, then control measures will have to be considered to reduce the emissions. When all avenues to reduce the contributions are exhausted and the process contribution from the proposal cannot be lowered to an insignificant amount then the application will be refused (please note ammonia scrubbers can reduce emissions by 75-90%).

SC Ecology will forward the guidance note once completed to planning agents and planning case officers in Shropshire.

2. Local Wildlife Sites & Ancient Woodlands

NPPF Paragraph;

109. The planning system should contribute to and enhance the natural and local environment by:

- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

117. To minimise impacts on biodiversity and geodiversity, planning policies should:

- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan

SAMDev Plan policy MD12 states:

In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the avoidance of harm to Shropshire’s natural assets and their conservation, enhancement and restoration will be achieved by:

Ensuring that proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively, on any of the following:

- i. the special qualities of the Shropshire Hills AONB;
- ii. locally designated biodiversity and geological sites;
- iii. priority species;
- iv. priority habitats
- v. important woodlands, trees and hedges;
- vi. ecological networks
- vii. geological assets;
- viii. visual amenity;
- ix. landscape character and local distinctiveness.

will only be permitted if it can be clearly demonstrated that:

- there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;
- b) the social or economic benefits of the proposal outweigh the harm to the asset.

In all cases, a hierarchy of mitigation then compensation measures will be sought.

Where assessment show that the proposal is likely to add to the critical load of the designated site (Local, National, European designation), and where background Nitrogen Deposition levels are already exceeding the critical load for the habitat type designated, then control measures will have to be considered to reduce the

emissions. When all avenues to reduce the contributions are exhausted and the process contribution from the proposal cannot be lowered to an insignificant amount then the application will be refused.

If the planning case officer is minded to grant the proposal prior to Shropshire Council's interim guidance then please re-consult SC Ecology.

Development within the River Clun Catchment

This development is within the water catchment for the River Clun and is upstream of the River Teme SSSI and the River Clun SAC. The River Clun SAC is currently failing its water quality targets and Shropshire Council is working closely with Natural England and Environment Agency on developments within the Clun catchment. Shropshire Council formally consults Natural England on any planning application within the Clun catchment.

Any proposed development within the Clun catchment will need to be supported by detailed information relating to drainage and foul water treatment. Details of the proposed drainage and foul water treatment and discharge should be provided with the planning application including identifying the watercourse to which any proposed discharge will be made, proposed waste water treatment method and an assessment of the nutrient load within any proposed output.

Please send to the applicant a copy of Shropshire Council Guidance Note 12: Development within the River Clun Catchment.

The applicant should also fully address impacts from ammonia emission, Nitrogen Deposition, and increase in sediment flow within the River Clun Catchment.

Ecological Assessment

A planning application on this site must be accompanied by an Ecological Assessment of the land surrounding the proposed development and a discussion of issues relating to protected species which might be present in the area.

The Ecological Assessment should include an extended phase 1 habitat survey of the site, a habitat map and target notes for sensitive ecological features. The Ecological Assessment should also include consideration of any European or UK protected species which might be present in the area and could potentially be negatively impacted by the proposed development. The Ecological Assessment should also include a desk study of historical protected species records and the presence of any designated sites within 1km of the proposed development.

The Ecological Assessment should be carried out by a qualified and experienced ecologist with the relevant protected species licenses. The Ecological Assessment should be submitted to the Local Planning Authority prior to a planning decision being made.

Please contact me if you have any queries on the above.

Nicola Stone

Planning Ecologist

01743-258512

Section 4. List of Alterations

Pembridge Neighbourhood Development Plan

**Changes made in response to comments received upon the Regulation 14 Draft Plan and matters arising since the commencement of the consultation period,
January 2018**

Pembridge Neighbourhood Development Plan Changes to Draft Plan Following Regulation 14

| Change Ref No | Draft Plan Section/reference | Proposed Change | Reason |
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| 1 | Plan Title page | Amend to read ' PEMBRIDGE_Neighbourhood Development Plan 2011 - 2031 Submission Draft – February 2018 ' | To indicate the period covered by the plan |
| 2 | Footer | Amend to read: ' <u>Pembridge Neighbourhood Development Plan 2011 - 2031 Submission Draft – February 2018</u> ' | To reflect the updated version |
| 3 | Reg 14 notice | Delete Reg 14 Notice | That stage has passed |
| 4 | Contents page | Insert ' Policy PEM19: Protecting Heritage Assets ' Delete reference to Appendix 3 | To correct an omission. The appendix is no longer required. |
| 5 | Paragraph 2.5 | Amend the penultimate two sentences to read: 'Numbers on roll fluctuate between 80 and 95. Children have many secondary schools to choose from including those at Kington and Weobley with Hereford Cathedral and Lucton schools as popular fee-paying choices.' | To take into account advice from a relevant stakeholder. |
| 6 | Paragraph 2.13 | Amend 'Figure 1' to read 'Figure 3' | To correct an error |
| 7 | Paragraph 2.14 | Delete 'There are a few small pockets of Grade 1 land (Excellent)'. | It has been confirmed that there are no areas of grade 1 agricultural land |
| 8 | Paragraph 2.17 | In first sentence delete 'deteriorating'. | To correct an error |
| 9 | Paragraph 2.19 | Amend second sentence to read: 'Its condition is <u>now</u> considered to be <u>favourable</u> .' Indicate there are 11 SWSW's not 12. | NE has reviewed the condition of the SSSI. To correct an error. |
| 10 | Paragraph 3.17 | Revise second, third and fourth sentences to read: 'The village primary school has a fluctuating roll but with spare capacity. Attracting more pupils from within the village will enable the school to | To take into account advice |

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| | | withstand financial constraints when numbers on roll are small. Enabling the further development of daily pre-school facilities, wrap-around care and holiday club provision will enrich the lives of current families and those who wish to have the opportunity of living here.' | from a relevant stakeholder. |
| 11 | Paragraph 3.21 | Redraft final sentence to read: 'The River Lugg is in an unfavourable condition and measures to ensure its improvement <u>will</u> be affected by water quality within the River Arrow.' | To take into account advice from a relevant stakeholder. |
| 12 | Paragraph 3.22 | Revise first sentence in paragraph to read: 'More generally the ecological network throughout the Parish comprises <u>Mosely Common SSSI</u> ; a range of locally important sites, <u>including Special Wildlife Sites, Ancient Woodland Sites</u> ; features comprising corridors and stepping stones, including hedgerows, water courses, tree-lines; and traditional land use areas including old-growth meadows, commons and ponds.' | To take into account advice from a relevant stakeholder. |
| 13 | Paragraph 3.24 | At end of last sentence delete: 'although this does not appear to have presented any problems in terms of pollution' | To take into account advice from a relevant stakeholder. |
| 14 | Paragraph 3.29 | Amend third sentence to read: ' <u>Herefordshire Council also promotes</u> working in partnership with schools to develop <u>through its Sustainable Modes of Travel to School Strategy</u> <u>which encourages</u> more walking and cycling to school and <u>seeks a reduction in the number</u> of short distance car journeys.' | To take into account advice from a relevant stakeholder. |
| 15 | Paragraph 4.3 Objective 10 | Redraft Objective to read: ' <i>To give a high priority to the retention and support of businesses/<u>organisations</u> that provide important community services such public houses, shops, catering establishments <u>and the village primary school.</u></i> | To take into account advice from a relevant stakeholder. |
| 16 | Paragraph 4.3 Objective | Redraft Objective to read: ' <i>To seek improved access to services and facilities <u>for all age groups within the community, particularly child care, health and social care provision.</u></i> | To take into account advice from a relevant stakeholder. |
| 17 | Policy PEM1 | Redraft point c) to read: 'Measures to retain community facilities and services will be supported, and new development should incorporate measures to strengthen community cohesion and improve health, <u>education</u> and wellbeing both for new and existing residents' | To take into account advice from a relevant stakeholder. |

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| 18 | Paragraph 5.8 | Redraft first sentence to read: ' <u>This site comprises several small barns set back behind existing development.</u> ' | To remove reference to 'brownfield site' which may not be the case for the site. |
| 19 | Paragraph 5.13 | Add to end of paragraph: ' <u>Developers should note that housing sites ii), iii), v), vi) and vii) are within 250m of a known closed landfill site which is a use that may be considered potentially contaminative. Policy PEM23 (f) is especially relevant to these sites.</u> ' | To take into account advice from Herefordshire Council |
| 20 | Paragraph 5.20 | Amend 4 th sentence to read: <u>The burgage plots include the land at the rear of the Surgery although the character has been eroded through recent development on this site, including the provision of a car park.</u> | To take into account advice from a relevant stakeholder. |
| 21 | Policy PEM5 | In relation to criterion (a) delete: 'both detached and semi-detached' | To take into account advice from Herefordshire Council |
| 22 | Policy PEM6 | Amend criterion g) to read: <u>g) Not adversely affect the amenity of adjacent residential properties nor be adversely impacted by existing agricultural or commercial activities;</u> | To respond to advice from Herefordshire Council |
| 23 | Policy PEM7 | Amend criterion (b) to read: '<u>Those currently not living in the Parish but who had done so within the past 10 years.</u>' | To add clarity to the criterion |
| 24 | Policy PEM11 | Amend policy to read: 'Proposals for intensive livestock units and associated structures should be sited where: g) They do not intrude <u>unacceptably</u> into the landscape or adversely affect important views <u>or landscape character more generally</u> . Proposals seeking to utilise tree screening and choice of materials to reduce the environmental effects should only be permitted where these can achieve full mitigation. | To improve the policy, ensure it relates to amenity considerations, and meets the provisions of Herefordshire |

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| | | <p>h) Any traffic generated can be accommodated safely upon the local highway network; should not adversely affect residential amenity; and avoid adverse effects upon the historic environment.</p> <p>i) Proposals, including associated earth walled storage compounds or lagoons, should be sited no closer than 600 metres from Pembridge village. Elsewhere, such development should be no closer than 400m from a residential property <u>not associated with the operation.</u></p> <p>j) There are no other potentially polluting effects upon local amenity, including from outside lighting.</p> <p>k) <u>Where the disposal of manure waste is proposed within any operational holding through spreading on land then sufficient suitable land should be available for this which is under an applicant's own control in a location where this will not adversely affect residential amenity.</u> The installation and use of an effective purification system will be taken into account when assessing the suitability of available land. <u>Should manure waste disposal be through spreading on land within another ownership or through another means then this should be agreed with the local planning authority whose area is to receive the waste.</u></p> <p>l) Proposals or their related slurry or manure <u>waste</u> spreading areas, <u>should not be sited where they would have a significant adverse effect on the River Lugg SSSI or River Wye Special Area of Conservation, including tributary streams.</u> The ‘in combination effect’ of such operations <u>in terms of aerial emissions and deposition, including acid and nitrogen</u> will be a consideration.</p> <p><u>In all these respects, the cumulative effect of such units upon the environment within the Parish should be taken into account, especially the potential polluting effects on residential amenity and biodiversity.</u></p> | Council’s Minerals Policies |
| 25 | Paragraph 6.8 | <p>Amend to read:</p> <p>‘Support for the retention of agricultural businesses where these meet a range of criteria is provided through Herefordshire Local Plan Core Strategy policy RA6. This policy does not seek to restrict such development, but to ensure that it <u>protects</u> the environment and local amenity. Scale is considered to be important, but additional criteria are also mentioned such as traffic generation,</p> | To improve the clarity in terms of the justification for the preceding policy, ensure it relates to amenity |

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| | <p>maintaining water quality, and effect on residential amenity. This policy clarifies, more specifically, related concerns. The importance of the area's landscape character and appearance must be recognised in terms of its wider economic benefits, especially for tourism and this should be given significant weight. In addition to design and location being important, potentially polluting effects need to be considered, such as noise, smell, dust and lighting. A working method statement setting out provisions and appropriate agreements is necessary to ensure the provisions of NPPF 120-124 are taken into account and this should cover all forms of pollution including noise, emissions to air and light pollution. In addition, it may be necessary to restrict hours when certain activities are undertaken to ensure residential amenity is protected. Protection zones for units, storage and spreading areas also need to ensure that acceptable levels of residential amenity are maintained and 600m has commonly been used as an appropriate buffer area in relation to settlement areas³. Normally a protective distance of 400m should be maintained as the protective distance around isolated dwellings. These considerations affect not only general amenity, but also human health, the natural environment and the potential sensitivity of the area (NPPF paragraph 120). <u>A distinction needs to be drawn between the requirements of the planning system to protect amenity and that of the environmental regulatory regimes which are to remove a statutory nuisance or provide permits. The systems and tests are different and DEFRA guidance indicates that potential problems should be addressed at the planning stage because those that arise later may not be fully addressed in terms of effect on amenity. When determining effect on amenity regard should be had to the sensitivity of the local population⁴. Regard has been had to Herefordshire Local Plan Core Strategy policy SD1 and saved minerals policies S10, W1, W3 and W3 from Herefordshire Unitary Development Plan which support the provisions to protect amenity from odour and commercial manure waste.</u> Special regard is given to the need to protect local watercourses, all of which flow into the <u>River Lugg SSSI and subsequently the River Wye</u>, which is a Special Area of Conservation. This nationally important river already suffers from high levels of phosphates to the extent that it is in unfavourable condition and a Nutrient Management Plan is being prepared to address this concern. <u>The River Lugg is currently failing its water quality standards.</u> This policy will contribute towards measures aimed at ensuring agriculture does not add</p> | <p>considerations, and meets the provisions of Herefordshire Council's Minerals Policies.</p> |
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³ See https://www.eastriding.gov.uk/planning/pdf/beverley_final/beverley/written_state/section10.html

⁴ See document at (para 6), <http://www.ciwem.org/wp-content/uploads/2016/04/Control-of-odour.pdf>

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| | | further to the current phosphate and other nutrient loads. <u>Proposals for managing waste through biomass boilers or anaerobic digestion should be determined in accordance with policy PEM14.</u> ‘ | |
| 26 | Footnote at bottom of page relating to policy PEM11 | Add footnote: ‘See document at (para 6), http://www.ciwem.org/wp-content/uploads/2016/04/Control-of-odour.pdf ’ | To provide a useful reference |
| 27 | Paragraph 6.11 | Amend first sentence to read: ‘The continued use of premises within the Airfield, including expansion and enabling economic growth at the Kingspan site, is supported but it needs to reflect the scale of the area and also residential and local amenity that may be affected by increased noise, <u>obtrusive lighting</u> or excessively high levels of traffic, including beyond Pembridge Parish.’ | To take into account advice from a relevant stakeholder. |
| 28 | Paragraph 6.13 | Amend second sentence to read: ‘In terms of local opinion, it is considered unlikely that medium or large-scale wind turbine proposals <u>would</u> receive a positive response.’ | To take into account advice from a relevant stakeholder. |
| 29 | Paragraph 7.1 | Amend second sentence to read: ‘These include its Primary School, <u>St Mary’s Church</u> , pubs, the village hall, play areas, local walks and the village shops.’ Add new sentence at end of paragraph: <u>‘There is also a significant need for a purpose-built pre-school building to be situated at the village school to enable increased daily use by families who would seek to live in the intended housing.’</u> | To take into account advice from a relevant stakeholder. |
| 30 | Paragraph 7.3 | Add after second sentence: <u>‘The valued community facilities to be protected include Pembridge Primary School, St Mary’s Church, the two village public houses, the village hall, village play areas and especially the Millennium Meadow, local walks and the village shops. Appendix 2 lists a number of parish projects where the enhancement of community facilities will be sought.’</u> | To respond to advice from Herefordshire Council |
| 31 | Policy PEM18 | Amend criterion d) to read (includes deletions): ‘Ensure the integrity of the Moseley Common SSSI <u>and its favourable status is maintained;</u>’ | To take into account advice |

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| | | | from a relevant stakeholder. |
| 32 | Policy PEM18 | Amend criterion e) to read: 'In addition, the biodiversity value of local <u>wildlife</u> sites and green infrastructure within the parish, and in particular around and within Pembridge village, should be protected, particularly from the adverse effects of development. New development should also seek to add to the green infrastructure network where possible;' | To add clarity |
| 33 | Paragraph 8.2 | Amend final sentence to read: 'Statements providing supporting ecological information and analysis should show how important an area, <u>in particular, local wildlife sites (Special Wildlife Sites)</u> , might be and what measures are necessary to enhance the local ecological network.' | To add clarity |
| 34 | Policy PEM19 | Amend first part of policy to read: 'The significance of heritage assets and their settings within the Parish <u>should be assessed and where appropriate this will be conserved and enhanced in particular through:</u>' | To add clarity |
| 35 | Policy PEM20 | Amend point 3 to read: 'New development should contribute positively and sensitively to the village and Conservation Area.' | To add clarity |
| 36 | Policy PEM20 | Add after '..... character of the village.' In the supporting statement to point 3: <u>'The use of fake or false design features and artificial materials such as mock-timber framing and upvc replacement for timber elements are rarely successful in achieving the quality necessary to preserve or enhance the character and appearance of the Conservation Area. They should be avoided, especially for development in the most sensitive parts of the village.'</u> | To take into account advice from a relevant stakeholder. |
| 37 | Policy PEM22 | Change title of policy to read: 'Sewage and Sewerage Infrastructure' Replace policy with: 'Development that may result in the capacity of the public sewerage network and/or the Pembridge wastewater treatment works (WwTW) becoming overloaded will not be permitted. In either of these instances, development will need to be phased or delayed until capacity becomes available, either through DCWW regulatory investment or, in advance of this through the developer funding the improvements themselves via the provisions of the Water Industry Act (1991) and/or section 106 of the Town and Country Planning Act (1990).' | To reflect advice from Dwr Cymru/Welsh Water |

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| 38 | Paragraph 9.2 | Amend the first sentence and add another sentence of this as follows: 'Highway <u>problems</u> associated with the A44 route through Pembridge have been acknowledged for some considerable time and a By-pass was even included in an initial <u>County Council transport schemes</u> programme a number of years ago. <u>The need for a bypass remains and growth, not only within the parish but elsewhere along its route, will increase the adverse effects of traffic on the village's residents and its environment thereby adding to its necessity.</u> ' | To reflect added concerns about the need for a by-pass. |
| 39 | Appendix 2 – Enabling associated matters | Add: j) <u>Identify the need for and opportunities to provide a new or extended burial ground.</u> | To add a facility that may be sought through Policy PEM15 |
| 40 | Appendix 2 – Parish Projects | Add: • <u>A new or extended burial ground.</u> | To add a facility that may be sought through Policy PEM15 |
| 41 | Appendix 3 | Delete Appendix 3 | The site assessment showing options considered is no longer required. |

