

## Response to Examiner's Questions – November 2018

1. Settlement boundary: There are two areas of land with a general agricultural use included within the settlement boundary (sites 8 and 9 on the Village Map), which do not appear to have any planning history of consent for residential development and were not included in the original definition of the settlement boundary in the UDP. Herefordshire's guidance on determining a settlement boundary does state "Your settlement boundaries should be drawn to facilitate an appropriate level of proportional growth within the plan period." However, the Plan has generous site allocations for residential development, and both of these areas are included within the conservation area – a sign that their current open land status has historic relevance. Although the text of the document sets out how they could be developed sensitively (paras 5.8 and 5.9), there is no policy setting out this requirement or formally allocating them. I do not consider therefore that an adequate process has been undertaken that would justify including them in the revised settlement boundary, and would be interested to learn the thinking behind this process?

**PC Response:** The sites were assessed as part of the site assessment process (Sites 13, 15 and 16 of the Meeting Housing Needs and Site Assessment Report April 2017). They were included within the settlement boundary on advice from Herefordshire Council in view of the concerns of the Steering Group/Parish Council that, as small paddocks on the fringe of the settlement, they had little agricultural value, might deteriorate to scrubby areas or attract uses that would adversely affect the character or appearance of the Conservation Area.

It was considered that their development might be constrained such that there was a high degree of uncertainty about the ability for them to be delivered and hence were not suitable as housing land allocations. The constraints were primarily in relation to access and the need to be developed in association with third party land. Initially they were to be left outside of the settlement boundary but with an indication that should it be possible to overcome these constraints their development might be considered under the provision of Herefordshire Local Plan Core Strategy policy RA2 by being adjacent to the built-up area of the settlement.

The policy setting would be other policies in the NDP, as referred to in policy PEM3. It is understood that as a general rule there is no need to refer specifically to other policies in the NDP that will apply to any proposal. However, given they fall within Pembridge Conservation Area, policies PEM6 and PEM20 are considered of such importance that reference is made to them in PEM3.

2. Policy PEM14 refers to the possible acceptability of "Individual small-scale turbines", but the phrase 'small-scale' is not precise or generally understood in the context of a turbine. Can you please advise a more precise definition, which I would suggest could be in terms of either: - height above the ground to either the tip of the rotor blades or the central hub; Power of the generator defined in KW.

From previous experience I know that efficient operation needs the hub of a small stand-alone system to be at least 12m above ground, assuming no wind-distorting factors nearby causing turbulence. The industry seems to consider the rated power of a small system to be between 5kW and 15kW – the higher level generally requiring a tower of at least 20m.

**PC Response:** Herefordshire Council's Renewable Energy Study (page 53 - [https://www.herefordshire.gov.uk/download/downloads/id/1689/renewable\\_energy\\_study.pdf](https://www.herefordshire.gov.uk/download/downloads/id/1689/renewable_energy_study.pdf) ) identifies the size of turbines that would fall within the scope of being small scale to be those that would generate 1.5 kW, 6 kW or 15kW. For consistency with the Core Strategy it is suggested that a definition in terms of power generated would be most appropriate with a maximum of 15 kW, given that there are other criteria that will need to be complied with as set out in policy PEM14.

3. Policy PEM15 protects 'existing community facilities' but does not state what they are. Appendix 2 discusses some potential projects for community facilities but does not appear to be a definitive list. For reasons of clarity the policy should list the existing community facilities. I would draw your attention to the comments from Sport England about the school and playing fields, which you may want to consider defining as a community facility?

**PC Response:** The community facilities and services are listed in paragraph 7.3. They 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.

The Millennium Meadow, two village walks, and St Mary's Churchyard are shown to be as protected as Local Green Space. A further area of Local Green Space next to the village hall was similarly designated although reference to this being shown as part of the village hall complex was made to the Examiner in an earlier response to a representation at Regulation 16.

In terms of community facilities these comprise Pembridge Primary School, St Mary's Church and the village hall. The Millennium Meadow is owned and managed by the Parish Council as a community-wide recreation facility, mainly for children's play. Should it not be considered sufficient to meet the LGS designation requirements it might be designated as a community facility or open space. There are small areas of amenity space/children's play areas within residential areas.

The public houses and shops are considered key services to the community that should be retained unless they are no longer viable.

The Primary School is a community facility, as explained above. We understand that the school may wish to develop a pre-school facility within its grounds and would not therefore wish to see a designation that might preclude this. We would seek advice upon whether designation of the playing field as part of the community facility together with the school buildings will enable this. There was discussion about designating the playing field as open space/recreation land but, notwithstanding the requirements in relation to protecting sports fields, it was felt that an extra hurdle might not be in the best interest of the school's development.

Appendix 2 is not a list of existing facilities but sets out measures and projects that Herefordshire Council should consider seeking developer funds for, either through its current planning obligations SPD or the Community Infrastructure Levy (CIL), if and when it is brought forward. It is accepted that there are limitations upon funds that can be used for in relation to the first of these but there are broader provisions in relation to CIL.

4. The following corrections for greater clarity would seem to be needed: (bold text is new, strike-through indicates words I think should go:
- i) Para 9.3 line 3: '~~in the~~ Pembridge **village** where...'

**PC Response:** Most grateful to Examiner for highlighting this and the change which needs to be made.

- ii) Policy PEM9 (e): **They** include dwellings **and** associated enterprises...

**PC Response:** Most grateful to the Examiner for highlighting this and the change needs to be made.