

# **Almeley Parish Neighbourhood Development Plan Examination**

## **Response to Examiner's Questions by Almeley Parish Council**

### **Q1. Local sites and green infrastructure**

**In Policy ALM3 (f) Reference is made to "local sites and green infrastructure within the parish". Are these mapped or documented either in the NDP or elsewhere?**

#### **Response**

Herefordshire Wildlife Trust was commissioned by Almeley Parish Council (APC) to produce the Almeley Parish Biodiversity Conservation and Enhancement Plan which can be found at: <http://almeleypc.org/wp-content/uploads/2018/07/Almeley-Parish-Council-Nature-Conservation-Plan-June-2018.pdf> . The document is referred to within paragraph 6.2 although the link (No 10) needs to be refreshed to that shown above.

There are individual maps of distinct types of sites within this document and a comprehensive map showing important habitats on page 19 of that document. Some are shown on the Parish Policies Map where consistent with Herefordshire Council's approach to mapping for its County Policies Map. It should be recognised that it is impossible to map all assets such as individual trees and hedgerows, all locations of important species recorded by Herefordshire Biological Record Centre, and very small sites such as roadside verges where there may be important species (Herefordshire Council does manage a number of such verges that it has identified as important habitats). In addition, not all important areas and sites may be known but would need to be identified through surveys to determine whether a parcel is optimal for a particular species.

### **Q2. Heritage Assets**

**In Policy ALM4(f) reference is made to Nieuport and Broxwood Court Registered Park and Gardens but these are not marked on the two Policies Maps on pages 52 and 53, nor are they listed in Appendix 2 – the List of Heritage Assets. Similarly, ALM4(i) refers to a network of commons but these do not seem to be mapped. Are these the same as or different to the areas at Spearmarsh Common and Pool Common which are proposed as Local Green Space in Policy ALM5? Please can I have your comments?**

#### **Response**

1. Nieuport House Park and Garden is listed on page 60 under Grade II Buildings of Special Interest and appears on the maps on pages 4 and 65. The two Registered Parks and Gardens are shown on the Parish Policies Map. Only a very small part of Broxwood Court Registered Park and Garden falls within the Parish (north-east corner) and is not within the area covered by either of the settlement policies maps. Nieuport Registered Park and Garden sits to the west of Almeley. A small part at the southern end of this falls within the area covered by Almeley Village Policies Map. This is not shown within the plan on page 52 although is shown on the document called Almeley Village Policies Map which can be found in the APC NDP website. [http://almeleypc.org/wp-content/uploads/2018/06/Almeley\\_village\\_Policies\\_Map.pdf](http://almeleypc.org/wp-content/uploads/2018/06/Almeley_village_Policies_Map.pdf)

Herefordshire Council has produced the free-standing policies maps in its house style and it is understood these will be used to form part of the County policies map onto which all NDP maps will be added.

In order to avoid duplication and potentially small conflicting information, the PC would have no objection to a recommendation that the maps on pages 52 and 53 should be removed with those prepared by Herefordshire Council being the approved maps.

Herefordshire Local Plan Core Strategy lists sites with environmental designations in its Appendix 8. These include: Conservation Areas (1 in Almeley Parish), Scheduled Ancient Monuments (2), Registered Parks and Gardens (2), Unregistered Parks and Gardens (1), Special Areas of Conservation (0), Sites of Special Scientific Interest (0), National Nature Reserves (0), Local Nature Reserves (0), Local Wildlife Sites (8), Local Geological Sites (included in LWS if any), Areas of Ancient Semi Natural Woodland (6). Not all of these are shown on the County Policies Map. Some are heritage assets some are natural assets (including landscape). Other assets have been highlighted in Herefordshire Council's Draft Conservation Area Appraisal (HER references) and Almeley Parish Plan (Commons and Dingles).

For information the assessment of areas for inclusion as Local green Space can be found at: <http://almeleypc.org/local-green-space-assessments/>

For the sake of consistency, we welcome the Examiner highlighting the issue and suggest that both natural and heritage assets should be included in Appendix 2 and its title altered to reflect this.

2. The two commons referred to (Spearmarsh Common and Pool Common) are the same as those shown as Local Green Space on the two settlement policies maps. The other commons are not mapped. It is understood Herefordshire Council will

only include certain assets on its County Policies Map and hence the Parish Policies Maps for all areas for which NDPs have been prepared. Reference has already been made to the fact that not all assets identified by Herefordshire Council in Appendix 8 to the Core Strategy are mapped. The locations of the commons are shown on Almeley Parish Biodiversity Conservation and Enhancement Plan which can be found at: <http://almeleypc.org/wp-content/uploads/2018/07/Almeley-Parish-Council-Nature-Conservation-Plan-June-2018.pdf>

### ***Q3. Historic farmsteads***

**The NDP contains a number of policies that set out guidance on historic farmsteads – notably ALM2(c), ALM4(h), ALM8 (e) and ALM14. I think there is a risk that all this guidance overlaps and could cause difficulties when the plan is used in future. I am minded to suggest that there is only one overarching policy to cover these – please can I have your views?**

### **Response**

The Examiner should be aware that Almeley and other parishes within the Castle Ward had a disproportionately very large proportion of Herefordshire Council small holdings which have or are in the process of being sold off. These and others comprise historic farmsteads that represent a significant contribution to the area's heritage. They also represent a resource that offers the opportunity for both economic and residential development to support a resilient countryside, provided proposals come forward that are sympathetic to their character, appearance and features.

Policy ALM2 sets out the overall strategy and given the high potential for conversion of rural buildings, predominantly historic farmsteads, it is felt appropriate to refer to this as an important element in the planning strategy for such a rural parish.

There may be utility in combining the other three references into one policy provided the ability to promote sympathetic schemes involving housing that are covered within ALM14 is not lost.

#### **Q4. Intensive livestock units**

**Policy ALM9 deals with agricultural buildings and intensive livestock units, though the focus of most of the policy is on the latter. I am interested in knowing a bit more about why intensive livestock units are regarded as a concern for the NDP, as I can see no mention of the issue in the Issues for the Plan section or the Consultation Statement. I also note that the Beverley Borough Local Plan, on which I think ALM9 is based, has been superseded by other Local Plan policies in the former Humberside area which are now more up to date. I would appreciate any comments you wish to make.**

#### **Response**

Herefordshire has both the highest number of indoor-reared meat chickens in the UK and the highest number of indoor reared livestock overall.

Three particular issues arise from this – effect on the landscape, effect on biodiversity, and effect on human health. In relation to these, the cumulative effect needs to be considered.

#### Landscape

Almeley's landscape and character is one where there are extensive views from many locations, including across to the Black Mountains which form part of the Brecon Beacon's National Park. Consequently, large industrial scale buildings and complexes which stand out within this landscape can have major adverse effects on its beauty and amenity. Addressing scale and location within the landscape is therefore important. The views across to the Black Mountains are particularly sensitive. Heritage assets also comprise important elements within the historic landscape and these need to be given appropriate safeguards in accordance with their sensitivity.

#### Effect on the Natural Environment

This policy does not seek to restrict the normal processes whereby farms balance animal production with fertilising the land, but instances where the amount of waste is such that the waste requires treatment and/or is passed on to others to use on a commercial basis.

Intensive livestock units produce harmful wastes that are difficult to deal with and already having a significant negative impact on our environment and amenity. This includes ammonia that is emitted to air and nutrients that enter the water environment. It is understood that many if not all nature reserves in Herefordshire

have levels of aerial pollution well above that which causes species to be lost. The biggest concentration of intensive livestock units appears to fall between the Rivers Wye and Lugg. The Wye and part of the Lugg have been designated a Special Area of Conservation and there are known to be major problems that are restricting development because the Lugg in particular is in poor conservation condition as a consequence of phosphates. Agricultural diffuse pollution is known to contribute towards the nutrient problem.

In relation to both phosphates and ammonia, there is a need to consider the cumulative effect in order to comply with the Habitats Regulations, and the Wealden District Council v Secretary of State for Communities and Local Government planning case law which has specifically highlighted our concerns regarding the lack of consideration for 'in-combination' impacts. This remains relevant but is currently not taken into account within the processes operated by Herefordshire Council, unlike the case in Shropshire, which has the next highest concentration of intensive livestock units and has produced guidance upon this issue:

<https://shropshire.gov.uk/environment/biodiversity-ecology-and-planning/new-interim-guidance-for-livestock-unit-lsu-applications/>

Appendix 1 to the Schedule of Representations that forms part 3 of the Consultation Statement sets out the background to the policy.

#### Effect on Human Health and Amenity

Emissions to air can affect human health and residential amenity. The policy covers these matters in order that they are dealt with at the planning stage, as advised by DEFRA, rather than through the regime covering nuisance, which appears to be the current approach taken as a consequence of problems arising. DEFRA has acknowledged that the planning system tests are not the same as the regulatory regime operated by the Environment Agency which does not take into account residential and public amenity. The effects of traffic on amenity is also relevant given the nature of the rural lanes, many of which have wayside cottages.

#### General

The issue has arisen as a consequence of a number of planning applications that have come forward within and surrounding the parish and is a matter of concern within many of the parishes, including that of the neighbouring Pembridge Parish, whose NDP contains a similar policy.

Almeley Parish has so far been spared this problem although a planning application, submitted within the last few years, for an intensive livestock unit within the parish did galvanise a strongly supported objection campaign which resulted in its refusal. Local opposition to and concerns about the effects of factory farming were raised by

many parishioners commenting on the draft NDP proposals. Their concerns were therefore reflected in the final plan which does however support traditional farming.

The East Riding of Yorkshire Plan which contained the policy quoted in supporting evidence was on its website when this NDP was being prepared and used to inform this policy. The reason why it has been removed is unknown although it is noted that reference was found to them being 'saved policies'. It is not known whether the issue is still relevant to that area given that Herefordshire now seems to be the location where such units are concentrated.

Policy ALM9 was drafted by the consultant working with a qualified Environmental Health Officer to deal with the particular circumstances pertaining to this parish and does, we feel, address the issues of concern to our parishioners. It has been accepted by Herefordshire Council.

### **Q5. Housing Sites**

**I have received a representation from Bernard Eacock Ltd regarding land to the East of The Manor in which he mentions correspondence with a representative of the NDP Group regarding the possible inclusion of the site within the settlement boundary. Please can you confirm whether this site was considered as part of the call for sites exercise and any other information that may be relevant to my consideration of this representation?**

### **Response**

After the close of the call for land process the NDP group was made aware of an approach by Bernard Eacock concerning land to the north of Almeley Manor. It was decided that in the interests of fairness and to fulfill our duty to secure sufficient land to meet our target, an assessment of that land (shown as plot 9 on page 66 of the plan) would be undertaken by our consultant. He concluded that it failed to meet the criteria due to its detrimental effect on the settings of nearby listed buildings and ancient monuments and on the Almeley Conservation Area in which it is situated.

No request was received in respect of the land to the east of the Manor.

With regard to the line of the settlement boundary at this point, this was reviewed and considered by the NDP group who recommended the reinstatement of the original boundary. This was endorsed by the public consultation exercise and approved by the Parish Council.

Para 6 of the APC responses to the representations made at Reg 16 refers to this.

## **Q6. Land at Woonton**

**I have received a representation from McCartney's regarding land to the south west of The Orchards at Woonton. A planning application was granted for residential development on the site on 27 June 2018. However, the site has not been included within the settlement boundary for Woonton in the NDP. I note that two other sites in Woonton, to the east of Pool Cottage and south of the Hopley's Green junction, have also been recently been granted planning consent, yet these are included within the settlement boundary. Please can you explain the differences in approach?**

### **Response**

Again, this matter was responded to in 'Almeley PC response to representations made at the Regulation 16 Stage, September 2018' which we understand has already been forwarded to you. In the event that this was not forwarded to you, it is attached at Appendix 1 (see reference 7 in that schedule).

The landowner did not submit this land in the 'call for sites' so it was not available to be considered by the community through the Regulation 14 stage. If it had been presented at the 'call for sites' stage it would have been assessed through the NDP process along with all the other sites put forward. Land that does not come forward through the 'call for sites process' was not included in the assessment as it could not be shown to meet the requirement for it to be 'available'.

Both the site to the east of Pool Cottage (permitted October 2016) and that to the south of Hopley's Green junction (August 2016) had already been granted planning permission prior to the call for sites and other work on the NDP. By the time the site south-west of The Orchards was approved the NDP had progressed through Regulation 14 and had been approved for submission under Regulation 16 (May 2018).

Had the site been submitted through the 'call for sites' considerable weight would have been given to the effects this site would have on the setting of Pool Cottage and Pool Common and it is likely that the site would not have been preferred over others that were submitted and/or chosen. During the NDP drafting and public consultation exercise, the land at Woonton referred to was considered to be open countryside and therefore excluded from the Woonton settlement boundary area. The site has planning permission, which is currently the subject of an application for Judicial Review. Should it be developed, it will fall into the category of a windfall. Should it not be developed within the statutory period, then it will lapse, and any further application viewed against the NDP current at the time. No purpose is served by it being included within the settlement boundary at such a late stage.

## Error Noted

The Examiner's attention is drawn to paragraph 8.2 which does not appear to have been amended from an earlier version to take into account site ALM11. It should read:

'Almeley village has had a settlement boundary defined for it in a number of previous development plans. That proposed in this NDP reflects those previous boundaries and a site identified as suitable and available through the assessment of sites put forward within the local 'Call for Sites'.



**Appendix 1: Copy of Almeley PC response to representations made at the Regulation 16 Stage, September 2018' which we understand has already been forwarded to you.**

# **Almeley Neighbourhood Development Plan**

## **Almeley PC response to representations made at the Regulation 16 Stage, September 2018**

(NB The representations listed are only those to which a response is considered necessary)

Ref	Representation By	Summary of Representation	Response
1	Welsh Water	Welcome references to public sewerage network and policy ALM17.	Noted and welcome. Only Almeley has a public sewer and public waste water treatment works.
2	NFU West Midlands	<p>Concerned that policy ALM9 does not align with local and national policy. It may unduly restrict the growth of farm businesses and curtail the ability to comply with legislation through the delivery of infrastructure for environmental management and animal welfare. It is a duplication of Environment Agency activity regarding agricultural regulation. Also concerned that it refers to general purpose agricultural buildings.</p> <p>Phrase 'disposal of waste; is inappropriate language as manure is not classed as waste when spread to land, but a fertiliser and this is an error that undermines the plan. 'Sites and species of local importance to nature conservation in Almeley parish is very wide in scope and unduly restrictive. It is not reasonable or proportionate to restrict manure spreading on land abutting or within a conservation area. Manure spreading is a fundamental part of land management vital to support crop growth by returning sustainable nutrients to the land. Very concerned about section vi) as it provides an additional layer of constraint upon agricultural manure spreading. It is not clear what sort of evidence would be required as activities change from year to year depending upon cropping plans. Manure application is regulated by the</p>	<p>The policy affects general purpose agricultural buildings that require planning permission only in so far as Policy ALM9 points a), b) and d) are concerned. These are general planning considerations that would apply to development in the countryside for the protection of the landscape, highway safety and residential amenity.</p> <p>Investigations were undertaken to ascertain whether any adopted local plans had included policies that covered commercial waste disposal arising from intensive livestock units. This was considered an important issue given the extent of poultry units within the general locality, the effect they would have upon residential amenity and the effect they might have on water quality given that Almeley falls within the River Wye Catchment, and more importantly within the Wye sub-catchment (see Figure 5.4 in Herefordshire Local Plan Core Strategy). The River Wye is a Special Area of Conservation where there are specific problems in terms of nutrient management, including emissions of ammonia<sup>1</sup> to air. the example of Beverley Borough Local Plan – East Riding of</p>

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See <file:///C:/Users/User/Downloads/NERR030%20edition%201%20-%20Chapter%206%20Nutrient%20and%20pollution%20management%20-%20intensive%20livestock.pdf>

		<p>Environment Agency. In vii) agricultural developments are not covered by waste management licensing conditions and therefore clarification is required about what this means in practice.</p> <p>In 7.5 it is not clear what DEFRA guidance is referred to hear.</p> <p>In 7.6 livestock manure is not a commercial waste product and this is a significant error that should be amended.</p>	<p>Yorkshire was identified that was particularly relevant (see Consultation Statement (Section 3 – link using ‘can be viewed here’, Appendix 1 at this link). The explanation of why the Environmental Permitting regime falling to the Environment Agency does not cover fully the protection of residential amenity and biodiversity is also given in this Section 3 link under ‘Evidence in support of Policy ALM9 Intensive Livestock Units’ towards the end of this link.</p> <p>It is noticed that DEFRA Guidance to Local Authorities<sup>2</sup> on Odour that was quoted was recently withdrawn in September 2017, but it was relevant when the NDP was prepared. The notification has only recently appeared on the Government’s website. It is replaced by more general guidance<sup>3</sup> although this does not explain the differences between what the pollution regime can address as opposed to the planning system in relation to ‘residential amenity’.</p> <p>Evidence in relation to this issue was taken from this submission<sup>4</sup>.</p> <p>Shropshire Council has issued guidance on impact of ammonia and nitrogen from livestock units<sup>5</sup>.</p>
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<https://www.gov.uk/government/publications/odour-guidance-for-local-authorities>

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<https://www.gov.uk/guidance/nuisance-smells-how-councils-deal-with-complaints>

4

<http://planning.northwarks.gov.uk/portal/servlets/AttachmentShowServlet?ImageName=310723>

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			<p>Two issues are particularly relevant and require attention through the planning system:</p> <ol style="list-style-type: none"><li>1. The environmental permitting regime does not fully address the effect on residential amenity as it only requires the operator to achieve Best Available Technology/Techniques. The planning system and policy requires there to be no significant adverse effects which is a different test.</li><li>2. Local Planning Authorities are required under the Habitats Directive to consider 'cumulative effects'. This includes looking at matters that may be covered by permitted development, with these provisions being withdrawn where they may adversely affect a Special Area of Conservation<sup>6</sup>. Given that it has previously been held that the spreading of manure may be covered by planning policies, it would be remiss not to cover this issue in relation to intensive livestock units where there may be effects on the River Wye SAC. In addition, regard should be had to Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority</li></ol>
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<https://shropshire.gov.uk/media/9752/interim-guidance-note-on-ammonia-emitting-developments-v1april2018-web-version.pdf>

			[2017] EWHC 351 (Admin).  Should the waste be used elsewhere than by the poultry unit owner then it must involve a transaction, which by definition is commercial.
3	Herefordshire Council Conservation	When looking at Registered Parks and Gardens, should the policy indicate 'adversely affects <u>the significance of</u> registered parks and gardens '	Registered parks and gardens are not just heritage assets but also affect the landscape. It is noted that although Core Strategy policy LD4 refers to 'significance', policy LD1 requires their character to be protected and appropriate uses, design and management enabled with no reference to 'significance'. If they were not significant then surely they would not be registered?
4	Herefordshire Council – Air, Land and Water Protection	Policy ALM13 – as possibly previously an orchard may be a legacy of contamination, including burial waste and herbicides and should be considered when development proposed. Policies ALM13 and ALM14 – some farm buildings may have unforeseen contamination	As indicated in the Schedule 2 to the Consultation statement, Policy ALM7(g) covers this issue from a planning policy perspective (Representation S.1).
5	Herefordshire Council - Strategic Planning	Question allocation of the Batch as LGS and farmstead policy with those equivalent in Herefordshire Core Strategy.  The Batch –may be considered an extensive tract of land; already benefits from being a Special Wildlife Site and within Conservation Area.  If farmstead policy refers to redundant farmstead buildings conversion must be supported by a structural survey to show they are capable of this without substantial alteration, extension, ancillary buildings, hard standings or other development that	(Policy ALM5) The Batch is not considered an extensive tract of land. It is a small 'dingle' identified as important within Almeley Parish Plan. It was assessed against the criteria set for Local Green Space (see – <a href="http://almeleypc.org/local-green-space-assessments/">http://almeleypc.org/local-green-space-assessments/</a> ). The fact that it is a Special Wildlife Site should be seen as supporting the LGS designation. It should be noted that Special Wildlife Sites were designated in the 1970s and it is understood to be a trigger for further investigation because of their age. Similarly, inclusion within Almeley Conservation Area does not of itself offer full protection to the extent that LGS does in that it is only

		might have adverse impacts.	<p>one material consideration.</p> <p>(Policy ALM14) – See Schedule 2 to the Consultation Statement representation S.1. It is understood Historic England was critical of Herefordshire Local Plan Core Strategy for not having a policy in relation to Historic farmsteads. In this respect it is noted that NPPF para 55 includes housing development as an exception to normal restrictions. In particular, this policy seeks to protect and enhance the heritage of historic farmsteads within the parish in relation to the following two specific provisions within that paragraph :</p> <ul style="list-style-type: none"> <li>• where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or</li> <li>• where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.</li> </ul> <p>Enabling development should apply equally to historic farmsteads as much as large country houses.</p>
6	B Eacock on behalf of Mr Mokler	Wrote seeking inclusion of another site in the NDP but mentioned owner had been pursuing planning permission on land adjacent to The Manor in accordance with Inspector's report upon Herefordshire Unitary Development Plan suggesting that the land should be included within the settlement boundary. Inspectors report page 52, paragraph 5.40.7 refers. The settlement boundary	It is understood that Herefordshire Unitary Development Plan (with the exception of its minerals waste policies) is no longer relevant and that will also apply to the Inspectors report. It has been superseded by Herefordshire Local Plan Core Strategy which removes settlement boundaries. In relation to Almeley Parish, settlement boundaries (or reasonable alternatives) (see Core Strategy

		<p>omits this land despite the clear conclusion of the UDP Inspector. This contradicts his comments in para 5.40.8 that the settlement boundary should be amended 'as soon as priorities allow'. The NDP is the first opportunity. There have been no material changes to the NPPF against the UDP Inspectors assessment that warrants a different conclusion to be drawn.</p>	<p>paragraph 4.8.23) can only be replaced through Almeley Neighbourhood Development Plan (NDP). This NDP must accord with Herefordshire Local Plan Core Strategy, and most particularly policy RA2. This requires settlement boundaries that take into account 'the main built up area' of the settlement. This is different to the criteria used in the UDP (see UDP paragraph 5.4.36). In addition, with specific regard to the Inspector's comments upon the site referred to in Almeley, he did not take into account the statutory duty to consider whether the boundary 'preserved or enhance the character or appearance' of Almeley Conservation Area. It is understood that elsewhere, Herefordshire Council has advised that this is an important criterion that must be considered (See Herefordshire Council's comments on Kingsland Neighbourhood Development Plan).</p> <p>In preparing the NDP, Almeley Parish Council was aware of the decision by Herefordshire Council in relation to a planning application upon this site (reference 163430) which was refused partly on the basis of adverse effects on Almeley Conservation Area. In addition, Herefordshire Council had produced a draft Conservation Area Appraisal for Almeley and the NDP utilised and incorporated this into its NDP (Appendix 1 – and Policy ALM4 refers). No objections to this assessment and inclusion within the NDP were submitted at either the Regulation 14 or Regulation 16 consultations. This included Herefordshire Council. Historic England were particularly supportive of the approach taken. Having</p>
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			<p>been included within the NDP that had proceeded through two rounds of consultation, it is considered that the assessment has the status of Supplementary planning Guidance. Herefordshire Council's advice in relation to the character area within which this site sits was utilised in reviewing the settlement boundary in this location. It was also noted that not only did Herefordshire Unitary Development Plan exclude this area, but so did the previous Leominster District Local Plan. This reflects a long-established concern about the importance of this area to the settlement's character and appearance.</p> <p>Herefordshire Council has had to be reminded of its statutory duty to consider whether proposals 'preserve or enhance the character or appearance' of the conservation area and not just the heritage asset.</p>
7	MR Edwards on behalf of J Mills	Object to omission of land granted planning permission and situated south west of The Orchards, Woonton from the settlement boundary	<p>Almeley NDP must comply with Herefordshire Local plan Core Strategy. Woonton is a small settlement identified in Table 4.15 of Herefordshire Local Plan Core Strategy. Housing development within settlements listed within this table should be 'proportionate'. In addition, a specific requirement set out in Core Strategy Policy RA2 indicates that <i>'proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned.'</i></p> <p>Herefordshire Council has suggested that there are</p>

			<p>28 dwellings in the settlement (See Rural Housing background paper, March 2013). Although this is considered an overestimate, 12% housing growth based on this figure would amount to 4 dwellings. However, despite the NDP allocation on Woonton Farm, which part is considered a brownfield site of a former brickworks (site for 5 dwellings) , Herefordshire Council granted planning permission on two other sites that amounted to 9 dwellings (Codes P162312/F and P161919/F). This represents a 50% expansion of the small hamlet.</p> <p>Permission at the Orchards has been granted under code P173699/F for a further 5 dwellings. It was approved on 27<sup>th</sup> June 2018. The site was not submitted through the 'call for sites' and was not therefore assessed for consideration as a site to be included either as an allocation or for consideration to be included within the settlement boundary. It was not presented to the community either at Regulation 14 by Almeley Parish Council or by Herefordshire Council at Regulation 16. No representations for its inclusion were received at the Regulation 14 stage.</p> <p>Should it have been submitted for consideration, it is considered that the site would not have met the provision to '<i>demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement</i>' in that it has a significant adverse effect on the historic character of the area comprising the setting of Listed Buildings, namely Woonton Farm and Poole Cottage and associated</p>
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			<p>Poole Common and the rural setting within which they sit.</p> <p>It is understood that a judicial review of the decision is being sought.</p>
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