

Goodrich and Welsh Bicknor NDP Independent Examination

Delegated Decision Statement

8 March 2019

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Goodrich and Welsh Bicknor Group Neighbourhood Area
Parish Council	Goodrich and Welsh Bicknor Group Parish Council
Submission	4 October to 15 November 2018
Examination Date	January- February 2019
Inspector Report Received	14 February 2019

1 Introduction

- 1.1 The Town and Country Planning Act 1990 (as amended), states that the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and to take the plans through a process of examination and referendum.
- 1.2 The Localism Act 2011 (Part 6 chapter 3) details the Local Planning Authority's responsibilities under Neighbourhood planning.
- 1.3 This Decision Statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Goodrich and Welsh Bicknor Group Neighbourhood Plan has been amended taking into account the modifications, and that NDP may proceed to referendum

2 Background

- 2.1 The Neighbourhood Area of Goodrich and Welsh Bicknor Group was designated on 16 August 2016. The Neighbourhood Area follows the boundary of Goodrich and Welsh Bicknor parish boundary. The Goodrich and Welsh Bicknor Group NDP has been prepared by Goodrich and Welsh Bicknor Group Parish Council. Work on the production of the plan has been undertaken by members of the local community through a Neighbourhood Plan Steering Group since August 2016.

- 2.2 The Plan was submitted to Herefordshire Council on 27 September 2018, and the consultation under Regulation 16 took place between the 4 October to 15 November 2018, where the Plan was publicised and representations invited.
- 2.3 On 11 January 2019 Ms Liz Beth MRTPI was appointed by Herefordshire Council, with the consent of the Parish Council, to undertake the examination of the Goodrich and Welsh Bicknor Group NDP and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the minor modifications recommended by the examiner, the plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.
- 2.5 Having considered each of the recommendations made within the examiner's report and the reasons for them, Herefordshire Council (in accordance with the 1990 Act Schedule 4B paragraph 12) has decided to make the modifications to the draft plan referred to in Section 3 below to ensure that the draft plan meets the basic conditions set out in legislation.

3 Recommendations by the examiner

- 3.1 The table 1 below details the recommendations made by the examiner within her report along with the justification:

Policy	Modification recommended	Justification
Modification 1 GWB1	<p>Include extra text to bullet point e):</p> <p><i>The Neighbourhood Development Plan provides the scope to deliver at least the minimum target of 35 dwellings over the period 2011-2031 with 28 dwellings already having been built or having planning permission. The sites identified provide the potential to build dwellings that will meet the needs of the local and wider community in terms of size, type and tenure and are required to provide an environment that offers acceptable living standards with regards to potential noise nuisance and other pollution both inside and out of the dwellings.</i></p>	Interests of accuracy and clarity
Modification 2 Parish policies map	<p>Amend the Parish Policies Map to indicate the location and boundaries of:</p> <ul style="list-style-type: none"> • Goodrich Court, • Huntsham Court and • Courtfield parks and gardens: <p>in order that Policy GWB4 can be clearly understood, and meets the standards of clarity required by the NPPF 2012: para154.</p>	Interests of accuracy and clarity

Modification 3 GWB6	Amend the second sentence of Policy GWB6 to read: “Where appropriate, development proposals should include the following design measures:”	Interests of accuracy and clarity
Modification 4 GWB9	Amend Bullet e) of Policy GWB9 to read: e) Any new street lighting is encouraged to be kept to a minimum and avoid light pollution in the immediate environment.” Amend Bullets b) and d) to use the full name for the “Herefordshire Council Highway Design Guide for new developments 2006”.	Interests of accuracy and clarity Clarification of the text and to add more detail/certainty.
Modification 5 GWB11	Amend the first paragraph of Policy GWB11 as follows: <i>Existing community facilities and public open space listed below shall be retained and protected from development that might restrict unnecessarily their current use unless alternative provision is made in accordance with this policy. The retention of key services will be supported where possible through enabling development that would enhance their viability.</i> <ul style="list-style-type: none"> • Goodrich Primary School • Goodrich Village Hall • St Giles Church Shop and Café at Goodrich Castle • Cross Keys Public House • Hostelrie Public House • Open Space recreational facilities: • Goodrich Cricket Pitch • Goodrich Tennis Courts <p>Amend the Goodrich Village Proposals Map to show the recreational facilities at a detail that shows the boundaries of each.</p>	Interests of accuracy and clarity Removal of contradictory parts.
Modification 6 GWB13	Amend the Goodrich Village Proposals Map to show the boundary of the Church Field LGS as it was in the Reg14 pre-submission version of the GWB-NDP: Amend the description of the Church Field LGS at bullet b) of Policy GWB13 to read: b) Church Field as shown excluding an area in the SE corner of the site The text of para 7.6 to make it clear that it is only development on the excluded part of the site (Church Field) that may be considered at a future	Interests of accuracy and clarity Conformity with the Core Strategy and NPPF.

	<p>date and be re-written as follows: <i>The area of open undeveloped space to the south-west of St Giles Church known as Church Field allows a wide and open view of the Church for those approaching the church from the road (Church Pitch) to the south. A Public Right of Way crosses the area linking Church Pitch with the south-west corner of the churchyard and also makes a significant contribution to the Church's setting. It is considered that the issue of any future development upon the excluded part of Church Field should be determined in relation to the effect on the setting of the Church and the wider scenic qualities.</i></p>	
<p>Modification 7 GWB14</p>	<p>Add an initial sentence to Policy GWB14 as follows:</p> <p>“A settlement boundary is defined for Goodrich Cross and Goodrich Village as shown on the Village Policies Map.”</p> <p>Amend the punctuation of Policy GWB14 so that each bullet point is ended with a semicolon not a full stop,</p> <p>Amend bullet g) to read as follows:</p> <p><i>g) Has safe vehicular access, links with the public footpath network and off-street vehicle parking arrangements which should be an integral part of the overall site design;</i></p> <p>Paragraph 8.4 to end the penultimate sentence at “...or curtilages”.</p> <p>The additional phrase to be deleted as follows: <i>...or curtilages.</i></p>	<p>Interests of accuracy and clarity</p>
<p>Modification 8 GWB15</p>	<p>Amend Policy GWB15 as follows:</p> <p><i>The following sites identified on Goodrich Village Policies Map are proposed for development:</i></p> <p><i>a) Land opposite Dean Swift Close amounting to around 0.4 hectares (1.0 acres)</i></p> <p><i>b) Land comprising the former Nutshell Caravan Park amounting to around 1.2 hectares (3.0 acres)</i></p> <p><i>c) Land off Springfield Road north-east of Goodrich Manor amounting to 0.4 hectares (1.0 acres)</i></p> <p>Any proposal for development on these sites will be required to undertake a full noise and air pollution impact assessment to the satisfaction of the LPA on the proposed development and their occupants for both the internal areas of the dwellings and external space. The design and layout of development within the sites should ensure development fits sensitively into the</p>	<p>Interests of accuracy and clarity</p> <p>Conformity with the Core Strategy and NPPF.</p>

	<p><i>landscape.</i></p> <p>The Meeting Housing Need and Site Assessment Report 2018 produced by the Steering Group to be referenced and introduced in the Plan at para 8.11, and available online together with the Plan.</p> <p>Amend the beginning of para 8.11 in the Plan as follows:</p> <p><i>This NDP needs to make available land to provide a minimum of 7 new dwellings in order to achieve the outstanding number from the 35 required over the period 2011 to 2031. An assessment of sites produced by the Steering Group (Housing Need and Site Assessment Report 2018) recommended the allocation of these three sites. They are expected to achieve and somewhat exceed this number should proposals be advanced based on a modest density of 15-20 dwellings per hectare...</i></p>	
Modification 9 GWB17	<p>Amend Policy GWB17 as follows:</p> <p>The first paragraph, last sentence of Policy GWB17 to identify the adjacent parishes as follows: "... <i>Should at the time of allocation there be nobody with such a connection the accommodation may be allocated to those from the adjacent parishes of Whitchurch and Ganarew; Marstow and Walford in Herefordshire and English Bicknor and Ruardean in Gloucestershire and subsequently to those within the Ross on Wye Housing Market Area.</i></p> <p>Amend Bullet d) of Policy GWB17 to read:</p> <p><i>(d) Those with an essential need to support a close relative or be supported by a current resident who is a close relative within the Group Parish.</i></p>	<p>Interests of accuracy and clarity</p> <p>Align with the basic conditions</p> <p>Conformity with the Core Strategy and NPPF.</p>
Modification 10 Basic Conditions Statement	<p>Amend the boundary of the Neighbourhood Area in the Parish Proposals Map to clearly correspond with the boundary of the Group Parish.</p>	<p>Interests of accuracy and clarity so that the designation should when coterminous with environmental designation.</p>

Post Adoption SEA and HRA

- 4.1 The modifications made as a result of the Examiner's report, as outlined above in Section 3 of this document, have been considered in terms of any resultant changes to the Strategic Environmental Assessment and Habitat Regulations Assessment. None of the changes are considered to have a significant effect on the overall appraisals. The updated SEA and HRA are available to accompany the final plan.

5 Decision

- 5.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations that the examiner made in the report under paragraph 10 of Schedule 4A to the 1990 act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan. Herefordshire Council have considered each of the recommendations made in the examiner's report and the reasons for them and have decided to accept the modifications to the draft plan. The Parish Council have amended their plan in light of the examiners recommendations.
- 5.2 The draft plan will be altered in line with Table 1 above and also the points set out in paragraph 3.2, in line with paragraph 12 (6) of Schedule 4B to the 1990 Act.
- 5.3 Following the modifications made, the Goodrich and Welsh Bicknor Neighbourhood Plan will meet the basic conditions:
- Having regard to national policies and advice contained in guidance issues by the Secretary of State, it is appropriate to make the plan
 - The making of the neighbourhood plan contributes to the achievement of sustainable development
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the Herefordshire Local Plan – Core Strategy
 - The making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations and
 - The making of the neighbourhood plan is not likely to have a significant effect on a European site either alone or in combination with other plans and projects.
- 5.4 It is recommended that the Goodrich and Welsh Bicknor Group Neighbourhood Plan progresses to referendum. Consideration has been given as to whether the area should be extended beyond that of the neighbourhood area. Herefordshire Council concur with examiners conclusion that nothing has been suggested which would require an extension of the area beyond that designed on 16 August 2016.

Signed 

Dated 12.3.19

Richard Gabb
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