

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Bredenbury, Wacton and Grendon Bishop Neighbourhood Development Plan
Parish Council	Bredenbury and District Group Parish Council
Draft consultation period (Reg14)	10 May to 21 June 2019
Submission consultation period (Reg16)	19 September to 31 October 2019

Determination

Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act		Yes
Are all the relevant documentation included within the submission <ul style="list-style-type: none"> • Map showing the area • The Neighbourhood Plan • Consultation Statement • SEA/HRA • Basic Condition statement 	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes
Does the plan specify the period for which it is to have effect?	2004 Act 38B (1 and 2)	Yes
Are any 'excluded development' included? <ul style="list-style-type: none"> • County matter 	1990 61K / Schedule 1	No

<ul style="list-style-type: none"> • Any operation relating to waste development • National infrastructure project 		
Does it relation to only one neighbourhood area?	2004 Act 38B (1and 2)	Yes
Have the parish council undertaken the correct procedures in relation to consultation under Reg14?		Yes
Is this a repeat proposal? <ul style="list-style-type: none"> • Has an proposal been refused in the last 2 years or • Has a referendum relating to a similar proposal had been held and • No significant change in national or local strategic policies since the refusal or referendum. 	Schedule 4B para 5	No

Summary of comments received during submission consultation

Please note below are summaries of the response received during the submission consultation. Full copies of the representations will be sent to the examiner in due course.

Herefordshire Council	
Environmental Heath	No observations within regards to this neighbourhood plan
Environmental Health (Air, land and water)	<p><u>Site 2 – South of Brockington</u></p> <p>Historical maps from 1888 indicate is located on a former quarry. Since 1982 the area had been classed as unknown filled ground (pit, quarry etc.)</p> <p>Sites identified as unknown filled ground can be associated with contaminative fill material. In practice, many sites identified through the historical mapping process as unknown filled ground are instances where hollows have been made level with natural material, have remained as unfilled ‘hollows’ or have filled through natural processes.</p> <p>The site’s historic potentially contaminative use will require consideration prior to any development.</p>
Conservation	<p>In relation to non-designated heritage assets, we would ask for clarification of policy BW&GB 11 – Heritage Assets please.</p> <p><i>“Non-designated assets including those listed in Appendix 1 will be conserved and enhanced and their character protected. A balanced judgement will be required about the effects of any development proposal on or close to such assets having regard to the scale of any harm or loss and the significance of the heritage asset. “</i></p>

	In terms of the first part – would it be possible to confirm that this applies to development proposals please as there isn't statutory protection of non-designated heritage assets.
Strategic Planning	Strategic Planning have confirmed that all of the policies within the NDP are in general conformity to the Core Strategy. See appendix 1 for full comments.
External Comments	
Coal Authority	No specific comments to make
Welsh Water	No further comment to make at this time.
Historic England	No further substantive comments to make on what Historic England considers is a good example of community led planning.
National Grid	No record of apparatus within the Neighbourhood Plan area.
Local Residents	
Simon Hale. Resident	The Bredenbury settlement map includes at the easternmost end of St Andrews Close, a triangle of mature woodland. By including this woodland in the settlement, the door is open at some future date for it to be felled for housing. The woodland is important for shielding the housing from view, as well as important in its own right. Mature woodland should not be at risk; it's what makes our county so beautiful. There should be a strong presumption against felling trees which are our most important means of carbon capture. I would therefore like this triangle to be excluded from the settlement.

Officer's Appraisal

This plan has met the requirements of the regulations as set out in the table above. No concerns have been raised from internal consultees in regards to the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy.

The plan includes settlement boundaries for the identified settlement of Bredenbury. This boundary have taken into account existing commitments and proportional growth requirements of 24 dwellings. The parish already has 4 commitments and completions (April 2019). The plan has allocated four housing sites in Bredenbury, it is expected the sites will accommodate up to 23 dwellings. Windfall development in the parish, it is expected to provide additional housing growth. Overall, it is likely that Bredenbury and District Neighbourhood Area will exceed proportionate growth target.

Overall, 9 responses have been received; 4 internal service providers and 4 from statutory and external consultees and 1 response from a resident. The resident has objected to the plan, he has raised concern that mature woodland would be lost as it is included within the settlement boundary.

Strategic Planning confirmed that the all of the policies within the plan are in general conformity with the Core Strategy. External responses from technical bodies such as Historic England, Coal Authority, Welsh Water and National Grid have raised no objection to the regulation 16 draft plan.

Overall it is considered that there are no fundamental issues relating to this plan which would prevents its progress to examination.

Programme Director's comments

Decision under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012.

The decision to progress to appoint an examiner for the above neighbourhood plan has been

Approved

A handwritten signature in blue ink, appearing to read 'Richard Gabb', with a large blue scribble above it.

Richard Gabb

Programme Director – Housing and Growth

Date: 7. 11. 2020

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Bredenbury & District Group- Regulation 16 submission draft

Date: 24/10/19

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
BW&GB1- Promoting a Sustainable Community	SS1	Y	
BW&GB2- Development Strategy	SS1; RA1; RA2; RA3; RA4; RA5; RA6	Y	
BW&GB3- The scale of new housing	SS2; RA2; RA3	Y	Very minor suggestion just for completeness- para 4.2.6 could also refer to H2 as well as RA3 concerning Rural Exceptions Sites.
BW&GB4- Housing Allocations	RA2	Y	
BW&GB5- Housing in the Countryside	RA3; RA4	Y	Original comment made at regulation 14- <i>final paragraph regarding the removal of PD rights may be better placed within the extensions policy that follows?</i>
BW&GB6- Extensions to Dwellings	SS1; SD1	Y	
BW&GB7- Design of new housing	SS1; SS6; LD1; LD2; LD3; LD4; SD1; SD2; SD3; SD4	Y	Original comment made at regulation 14- <i>See general comment at the end.</i>
BW&GB8- Ensuring an appropriate range of tenures, types and sizes of houses	H1; H2; H3	Y	Original comment made at regulation 14- <i>On smaller developments, for instance single plots/self-build, it may not prove to be appropriate or enforceable to restrict dwelling sizes to 2/3 bedrooms.</i> <i>A suggestion would be that the larger site allocations would instead seek such criteria, where</i>

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
			<p><i>economies of scale would make this a more viable and deliverable proposal.</i></p> <p>If this is indeed what is meant by the policy, this should be made clear. As currently worded, it seems to suggest that all new residential development, regardless of whether or not it is small scale, would be covered by this criteria.</p>
BW&GB9- Affordable Housing	H1; H2	Y	
BW&GB10- Protecting and Enhancing Local Character	SS6; LD1; LD2; LD3; LD4	Y	
BW&GB11- Heritage Assets	SS6; LD4	Y	Original comment made at regulation 14- <i>See general comment at the end.</i>
BW&GB12- Broadband & mobile telephone infrastructure	ID1; SD1	Y	
BW&GB13- Renewable Energy	SS1; SS7; SD2	Y	
BW&GB14- Transport & Connectivity	SS4; MT1	Y	
BW&GB15- Business development	SS5; RA5; RA6; E1; E2; E3; E4	Y	Original comment made at regulation 14- <i>See general comment at the end.</i>
BW&GB16- Protection of existing commercial business premises	SS5; E2	Y	
BW&GB17- Agriculture and Forestry enterprises	SS5; RA4; RA6	Y	
BW&GB18- Enhanced Services and Facilities for the Community	SC1	Y	Original comment made at regulation 14- <i>Referred to in general comment at the end.</i>
BW&GB19- Protection and enhancement of Community Facilities	SC1	Y	Original comment made at regulation 14- <i>Referred to in general comment at the end.</i>

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
BW&GB20- Open Spaces	OS1; OS2; OS3	Y	Original comment made at regulation 14- See <i>general comment at the end.</i>

Other comments/conformity issues:

Original comments made at Regulation 14 standing: *Whilst this plan conforms generally well with the Core Strategy, there are some policies which are quite generic in their criteria, and do little to supplement their equivalents in the Core Strategy. Producing an NDP affords local communities the opportunity to tailor planning policies exclusively to their local area, to supplement those in the county wide Local Plan rather than duplicate the same criteria. There are some examples also of where this has been successfully done, in particular 18 and 19. However in other cases, there is noted absence of this, and I would consider that without acting as a supplement to the Core Strategy, their inclusion may not be strictly necessary, as the policy issue in question has been already covered sufficiently by the CS.*

