

Local Plan – Core Strategy

Proposed Main Modifications

Representation Form

July 2015

The publication period:

The publication will run from **13 July 2015 to 10 August 2015**.

Submitting your comments:

Comments may be submitted in the following ways:

- By emailing this form to: programme.officer@herefordshire.gov.uk
- By posting this form to:
Programme Officer,
c/o Herefordshire Council,
Plough Lane, Hereford, HR1 0LE

This form can be downloaded from the above website or you can request a form by e-mailing ldf@herefordshire.gov.uk alternatively, copies are available at all Customer Service Centres in the county.

Please note that comments must be submitted in writing. Telephone or social media comments cannot be accepted.

Filling in the form:

This form has two parts:

- You must complete Part A, which asks for your personal details.
- Part B should be used to comment on the soundness of the modification. Please ensure that Part A and B are joined together when submitting your comments to the Inspector.

Your comments:

- No comments will be accepted after **10 August 2015**.
- All comments will be considered by the Planning Inspector as part of the examination of the Plan. The Inspector may wish to contact you to discuss your comments and concerns, prior to concluding the formal examination into the Plan.
- Please do not repeat your previous comments as these have already been considered by the Planning Inspector. **Comments will only be accepted that refer to main modification MM067.**
- The personal information in Part A will only be used for purposes related to the consultation and the Herefordshire Local Plan examination. Only your name and/or organisation will be published. However other information will be shared with the Planning Inspector. The information in Part B will be published in full on the Council's website.

Purpose of the publication:

The purpose of the Local Plan examination is to enable the Inspector to decide whether the Plan is 'sound', legally compliant and has been produced in accordance with national planning policy and the relevant legislation. A more detailed explanation of the examination process is set out in Part B of the form. It will assist the Inspector if you are able to bear in mind the purpose of the examination when you are completing the form, and relate your representation to these points whenever possible.

Comments must be submitted by no later than 10 August 2015.

If you need help to understand this document, or would like it in another format or language, please contact the Planning Policy Team at ldf@herefordshire.gov.uk

Official use ref:

Herefordshire Local Plan – Core Strategy Proposed Main Modifications

Part A

Personal details

Title: Mr Initials: J R Surname: Aitken

Job title (where relevant): N/A

Company/Organisation (where relevant): N / A

LDF number : 1733

(If you have made a comment on a previous LDF consultation then please enter your reference here)

Address 1: Address 2:

Address 3 Address 4:

Postcode:

Telephone number:

Email address:

Preferred contact method: e-mail

If you are an agent,
Please indicate the name of the client that you represent:.....

If you **do not** wish to receive further information about the Core Strategy Examination, please tick:

Herefordshire Local Plan – Core Strategy

Proposed Main Modifications

Part B

Comments on soundness

All representations will be considered by the Planning Inspector as part of the examination of the Plan. The purpose of the examination is to enable the inspector to decide whether the Plan is 'sound'. For a Plan to be sound, it must be:

- **Legally compliant.** This means that the Plan meets the legal requirements under Section 20(5) (a) of the 2004 Act (as amended by the Localism Act 2011) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
- **Positively prepared.** This means that the Plan should seek to meet objectively assessed needs and infrastructure requirements where it is reasonable to do so and where this is consistent with achieving sustainable development.
- **Justified.** This means that the Plan should be the most appropriate strategy, considered against reasonable alternatives.
- **Effective.** This means that the Plan should be deliverable and based on effective joint working on cross-boundary priorities.
- **Consistent with national policy.** This means that the Plan should enable the delivery of sustainable development in accordance with the National Planning Policy Framework 2012.

You should bear these considerations in mind when making your comments.

B1. Which part of the proposed main modifications does this comment relate to?

Modification .

MM067

B2. Do you consider the proposed main modification addresses the following issues in relation to the policy concerned?

	Yes	No
Legally compliant	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Positively prepared	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justified	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

B3. If you have ticked no to any box in question B2, please give your reasons below with regards to the Tests of Soundness?

In the case of local objections to a Planning Application for a wind turbine that may be based upon specific criteria defined and formally adopted in the Local Neighbourhood Plan, it remains unclear what weight Planning Officers should or should not give to such objections in reaching their planning decision.

My proposed additional (third) amendment provides a clear linkage between the Core Strategy proposal, the current main modification (MM067) and Neighbourhood Development Plans, reflecting best practice in other countries (most notably The Netherlands, Germany, some States in Australia and probably now also in Scotland).

This more stringent criterion reflects the latest views regarding residential amenity and emerging data in relation to the damaging health impact of low frequency noise and vibration particularly on young children. This would seem an opportune time to set a specific “best practice” planning requirement (that can be easily adjusted later, based on more detailed evidence that may emerge in the future) in view of the clearly recognised uncertainties surrounding this type of planning application.

Herefordshire has a significant opportunity to take the lead in this area of “well being” for Local Residents.

B4. Please set out what change(s) you consider necessary to make the Local Plan – Core Strategy Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of the policy or text. Please be as precise as possible.

MM067 Para SD2 **Add to end of policy:**

In the case of energy generation through wind power developments, permission will only be granted for such proposals where:

- the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation;
- following consultation with local residents, it can be demonstrated that the planning impacts identified can be fully addressed, and therefore the proposal has the backing of the local community; and
- the proposed site (in respect of wind turbines capable of generating more than 10kw electrical power) is greater than 2km distance from any residential property boundary (including the residential property of the planning applicant), or any greater distance than 2km that may be specifically stated in any approved Neighbourhood Development Plan.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to justify the representation and the suggested change. There will not normally be an opportunity to make further representations. After this stage, further submissions will only be at the request of the independent Inspector based on the matters and issues identified for examination.

Name: Robin Aitken

Signature:

Date: 5th August 2015