

Parish Council Responses to
Regulation 16 Representations from Herefordshire Council, Consultation Bodies and Landowners
28 July 2020

Table 1 Herefordshire Council

| Section / Policy | Herefordshire Council Comments | Recommended Colwall Parish Council Response |
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| Development Management | | |
| Table of contents | Add contents page for Policies | Agreed. |
| Policy CSB1 Colwall Settlement Boundary | Confusion was raised given that the last sentence of this particular policy seems to conflict with that of the first part of the policy. | Partially accepted. It may be more appropriate to delete the final sentence from this policy (CSB1) and include the reference to maintaining the building line in Policy CD2 under " <u>Site Layout and Access Design</u> ". An additional point could read, for example, " <u>Where possible, built form should respect and continue the existing building line.</u> " See amendment below for CD2 Former 3. Add to CD2 para 3: Built form should relate to the layout of existing buildings. |
| | Settlement boundary excludes Mill Lane planning application site. | Please refer to separate document, Parish Council Response to Regulation 16 comments supporting Planning Application P200156/O Outline planning application for a residential development with all matters reserved except for access for up to 37 dwellings, Land off Mill Lane, Colwall. The Parish Council has objected to the planning application and does not consider the site should be included within the settlement boundary. The Mill Lane application is entirely contrary to the LSCA which is being used to determine the most appropriate sites for development. The Mill Lane site falls in the lowest level of capacity to absorb development. |
| | Are there any realistic development opportunities at Orlin Road? If not, officers question as to why is it being included as part of the settlement boundary, and whether realistically, this should be omitted. | Not accepted. From an early date the Working Group on behalf of the Parish Council employed a consistent approach to the Settlement Boundary, by maintaining the line of the former UDP boundary and only amending the boundary where it was fully justified through the LSCA, and taking into account recent developments and proposed site allocations. |

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| | | <p>Also, if the Settlement Boundary is removed at Orlin Road it places additional constraints on those existing properties which currently lie within the Settlement Boundary and consequently this appears unreasonable.</p> <p>Therefore, the Settlement Boundary should remain as submitted.</p> |
| <p>Policy CD1 Protecting Exceptional Key Views</p> | <p>It seems somewhat far-fetched/excessive for a LVIA to be undertaken for minor residential development (i.e. 1/2/3 new dwellings).</p> <p>The level of information really should be proportionate to the type of application proposed.</p> <p>A suggestion to re-word the policy in that – ‘development proposals will need to consider the landscape impacts and level of information is proportionate to development proposed’.</p> | <p>Not accepted.</p> <p>The policy only applies when a proposal lies within sight of an identified Exceptional Key View, and/or could affect it.</p> <p>Given the limited opportunities for development and the limited Exceptional Key Views, this is not excessive.</p> |
| | <p>Suggestion to simplify the map attached to this policy. Officers encourage to have a look at Wellington Heath viewpoints and ridgelines policy (WH14) – which actually directs where the viewpoints are identified.</p> | <p>Refer to source document, Colwall NDP Visual Study: January 2019 Figure VS3 - Viewpoint Location Plan for further information.</p> <p>No change.</p> |
| <p>Policy CD2 General Design Principles for Development within Colwall Settlement Boundary</p> | <p>Split up this policy, as it is too much detail. It is suggested that it can be broken up into individual policies, e.g. one for new residential development; one for householders; one for heritage assets – generally it would be much easier and 5 or 6 policies can be made out of this one policy.</p> | <p>Accepted.</p> <p>Split Policy into several new policies as follows (and renumber other policies):</p> <p>Policy CD2 New Residential Development</p> <p><u>Protecting Local Amenity</u> (Former 2) Proposals should minimise any adverse impacts on local residential amenity and give careful consideration to traffic, noise, odour and light.</p> <p><u>Site Layout and Access Design</u></p> |

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| | | <p>(Former 3) Access to development from the highway and site entrance points should be designed to reflect the rural village context and character (see Traffic in Villages and Policy CD2) and should meet the requirements in Herefordshire Council's design guidance¹⁷ or subsequent document.</p> <p>Schemes should aim to integrate into the existing streetscape and proposals for gated communities which constrain permeability will be resisted. Where possible, built form should respect and continue the existing building line.</p> <p>(Former 24) Car parking should be fully accommodated within the site and should not use the adopted highway. Car parking areas should not dominate the street scene, should be adequately screened by trees or landscaping and should include electric vehicle charging points.</p> <p>(Former 25) Development will be required to include provision for secure cycle storage to Herefordshire Council's design guidance standards and well-designed and integrated bin storage facilities.</p> <p><u>Landscape Design</u></p> <p>Development proposals in Colwall are required to respond positively to the following landscape design principles:</p> <p>(Former 4) Development should incorporate landscaping proposals which protect and enhance the distinctive local landscape character.</p> <p>(Former 5) Use of hard surfacing, kerbs, tarmac and paving should be kept to a minimum; materials such as loose gravel or crushed local stone are preferred.</p> <p>(Former 6) Landscaping proposals should use species characteristic of the village including fruit trees.</p> <p>(Former 7) Boundary treatments should be sensitive to the local character and should use low brick walls or hedges to enclose front gardens. Development should retain and enhance existing boundary hedges and hedgerow trees, between and around plots. Overall, there should be a transition from more suburban areas to those on the fringes where more rurally appropriate species such as thorn should be used. Close boarded panel fencing erodes the local character and should be avoided.</p> <p>(Former 8) Enhancing appropriate tree cover alongside roadsides is encouraged, but sight lines should be retained.</p> |

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| | | <p>(Former 9) Buildings should be sited within plots with capacity to allow the growth of vegetation, including native specimen trees, around the development.</p> <p>(Former 10) External LED lighting should be warm white (3000k or below) and kept to a minimum in all development to minimise impacts on dark skies. New lighting should minimise light spillage into adjoining areas and the sky. Schemes should demonstrate good practice, such as using low energy bulbs, directing lighting downwards, keeping lighting low to the ground and fitting hoods or shields to minimise light spillage. Motion sensors should be used to avoid permanently lit outside lights.</p> <p>(Former 11) New open spaces should be designed to link to the existing settlement pattern and the open countryside.</p> <p>(Former 12) Development will be required to demonstrate how the design has considered the visual impact of the pattern of buildings on the identified Exceptional Key Views as set in Policy CD2 and Map 7.</p> <p><u>Building Design</u> Development should be of high design quality which responds positively to the following building design principles:</p> <p>(Former 13) Housing schemes should respond to the plot size and pattern of development which is locally characteristic, with particular reference to neighbouring properties. However, on larger schemes (over 5 houses) a range of house types and sizes will be required in line with Policy CH1.</p> <p>(Former 14) Where groups of houses are proposed variety should be introduced in size, style and plan form. High quality design should continue into the future the characteristic mix of buildings from successive decades. Contemporary designs will be acceptable where they are of exceptional quality and where they clearly demonstrate that they are appropriate to their context.</p> <p>(Former 15) Uniform standard house types which do not respond to local character in their design will not be acceptable. Development should have an appropriate individual identity that makes a positive contribution to local distinctiveness.</p> <p>(Former 16) Particularly high standards should be reflected in the design, detailing and finishes on all elevations, not only those to the front.</p> <p>(Former 17) Flat or nearly flat roofs will only be supported where they are appropriate in design terms, taking into account the local context and character. Where flat roofs are considered acceptable, they should be green / living roofs provided as part of Green Infrastructure.</p> |

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| | <p>In relation to point 21. It is queried as to the use of steel as a material.</p> | <p>(Former 18) Building materials should be locally appropriate. Use of traditional vernacular materials, including locally reclaimed and sourced materials is preferred. However contemporary materials will also be acceptable where it can be demonstrated that their properties (including colour,¹⁸ texture, reflectivity etc) are complementary to the area. Traditional materials which are likely to acceptable include red brick, limestone and Malvern stone or other appropriates stone such as Forest of Dean quarried stone within the village of Colwall. Render in muted shades of white, yellow or cream may also be acceptable. Red brick must reflect the characteristic softer appearance of handmade brick; hard modern red brick which does not weather easily, together with bright white mortars, are not acceptable. Roof tiles should be plain clay tiles or of Welsh slate or other locally appropriate roofing materials.</p> <p>(Former 19) Design details should be locally appropriate. Dependent on the development this may include features such as bay windows, chimney stacks, ornamentation on roof tiles and a mix of materials on elevations. Window frames should normally be timber.</p> <p>Policy CD3 Householder Development and Extensions</p> <p>(Former 20) Alterations, extensions and conversions are required to respect the architectural integrity, character and scale of the original building and demonstrate a strong sense of unity. Decorative details should reflect those on the original building. The materials, roof style and pitch of an extension should normally reflect the original roof. Porches and porch hoods should normally be of an appropriate scale and not dominate the original building. Openings should be in proportion to existing openings and sensitively located.</p> <p>Rather than steel we could put 'metal' as essentially, we are saying no plastic.</p> <p>(Former 21) Conservatories should respect the style of the original building and not dominate it. Timber or steel <u>or metal</u> are considered to be most appropriate for conservatory frames.</p> <p>(Former 22) Sheds, garages and other outbuildings should not compete, in terms of scale, decoration and design with the main building. Materials should complement the original building.</p> <p>Policy CD4 Development in the Conservation Area and Protecting Built Heritage Assets (Former 1) Proposals for new development will be required to demonstrate careful consideration of any potential impacts on the setting of the conservation area and other</p> |

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| | <p>In regards to point 23. settlement pattern should really apply to the conservation area and perhaps reference should be made to the recent dismissed appeal at Mathon Road, particularly given Colwall settlement, as a whole, has a variety of different settlement patterns, particularly when you compare the conservation area and development immediately adjacent. May be worth including this point as part of conservation area and built environment.</p> <p>Point 26 can be a separate policy.</p> | <p>nearby heritage assets above or underground. Proposals will be required to describe the significance of any heritage assets affected, including any contribution made by their setting. Development proposals should protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance.</p> <p>(Former 23) New dwellings in gardens in <u>the conservation area</u> will only be acceptable where it can be demonstrated that there is no negative impact on the character of the existing building or settlement pattern.</p> <p>(Former 27) The sensitive restoration of historic farmsteads and buildings is encouraged (see Policy CD6 - new number). Historically or architecturally important features should be retained in situ and integrated within the proposed alteration or conversion. The provision of new detailing or decoration on simple traditional buildings is discouraged.</p> <p>Policy CD5 Commercial, Agricultural and Industrial Buildings</p> <p>(Former 26) Large buildings and structures, such as industrial, commercial and farm buildings should be successfully integrated into the landscape. Techniques to achieve this include sensitive siting, breaking up rooflines into smaller elements, providing detail and visual interest on larger elevations through imaginative use of local materials and the appropriate use of locally characteristic landscaping. Finishes to elevation and roofs should normally be non-reflective, recessive and complementary to the local landscape setting.</p> |
| <p>Policy CD3 Site 1 Former Primary School and adjacent land (approximately 9 houses)</p> | | <p>Please Note: Heading: DELETE 9 INSERT 14.</p> <p>The 'approximately 9 dwellings' in the title of CD3 is an error. Table 1 shows 14 and only makes the target (+10%) by 1. The previous 2018 version of the Plan had 14 in CD3.</p> |
| <p>Policy CD3 Site 1 Former Primary School and adjacent land (approximately 9 houses)</p> | <p>It seems somewhat restrictive to limit where built development will take place, as the site plot is not dissimilar to Elms Drive above, which only has 5 houses and a completely different pattern of development on another part of the site.</p> | <p>Refer to Map 3.</p> <p>Development should be concentrated on those parts of the site which would have the least visual impact on the sensitive landscape of the AONB. Area 3A is identified as Medium to High landscape capacity and Area 3B (where existing built form is concentrated) is between Medium to High and High landscape capacity. 3B is therefore the preferred location for new buildings.</p> |

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| | <p>A proposed layout is likely to look completely out of context. Doesn't seem hugely sensitive. Indeed, when you viewed the indicative layout at the appendix, it seems confusing when you read the policy. Namely, it says 9 in the policy but 14 dwellings are shown on the indicative layout. If so, is affordable housing to be sought after?</p> <p>Officers felt that points 2 thru 6 inclusive seemed to say the same thing.</p> <p>At point 7 officers queries as to how good design can really be achieved, if development is being restricted, likely to end up as out-of-context or character.</p> | <p>The indicative layout in Appendix IV has been prepared to give an indication of how development may be achieved on the site, taking account of constraints and the need to protect the sensitive landscape. The site could accommodate at least 14 houses using the NDP proposed density of 20dph, but more may be provided depending on final layout and design. It is noted that lower density development, which reflects the development of the adjoining area of Elms Drive would be unlikely to deliver affordable housing. However if more than 10 units were proposed then affordable housing in line with Core Strategy Policy H1 would be sought. It is accepted that the final layout of any planning proposal would be determined through the development management process.</p> <p>If the Elms Drive development density is followed further land would be required for development. This can only be on land of far lower capacity (4 levels below) of absorbing development.</p> <p>Increasing the density applies some pressure on the size of dwelling and it is hoped this will encourage provision of more smaller, lower cost homes.</p> <p>Furthermore, it is known the owners wish to develop the site even more densely to make it viable.</p> <p>To be too restrictive on the number of dwellings would just ensure it is not developed – leading to more pressure on less suitable areas.</p> <p>It is believed that a developer interested in the site wishes to develop the whole site as affordable homes.</p> <p>It is not accepted that points 2-6 say the same thing.</p> <p>Not accepted. This is a detailed matter and should be addressed through any planning proposals.</p> <p>This issue must be looked at in the wider context. The first and primary means of minimising landscape impact is the choice of the site. Second is the layout, which is dealt with through</p> |

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| | | the Indicative Layouts. After these the design should be the best possible in the circumstances, it may be restricted but that does not mean it is not the best in overall terms. |
| Policy CD4 Grovesend Farm (approximately 37 houses) | Officers have no comments to offer on this particular policy and felt it would defer to officers in the Majors team to offer any input on this. | (No further comments received.) Note the 'approximately 37 houses' is incorrect, it should read 32. |
| Policy CD5 General Design Principles for Development in the Wider Countryside | A positive was felt that principle of development was comprehensively clear with outside the settlement boundary being immediately RA3/RA4/RA5/RA6. As a point of caution, at point B(12), it should be made clear that cabling is beyond the remit of planning and is permitted development. | Delete " or cabling " in B 12. (Refer also to NFU comments below - the whole sentence could be deleted) |
| Policy CD6 Farmsteads | Officers wish to make clear that a right to a view is not a material planning consideration. If the policy is to do with conversion as a whole, then this is appropriate, but a conflict would ensue if a farmstead is continued to be used as farmstead. For example, a new agricultural building next to the farmstead, would not conflict with policy, but queried about the continued viability of farmstead. Clearly, a question would be raised if conflict would take place with the NDP on siting because it's adjacent to the farmstead, but also alternative siting is isolated and remote, raising concerns also. | Noted. But this policy is about protecting the views towards and from important historic buildings. The wording could be amended to " into and out of towards the farmstead. New buildings should not block these views. " The Policy has been prepared to guide conversions of farmsteads to residential use. This could be made clearer in the title eg " <u>Conversions of Farmsteads</u> " Proposals for new agricultural buildings are addressed in Policy CD8. Perhaps delete 7. New development within a farmstead must consider where new buildings can fit sympathetically in relation to the characteristic plan type. |

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| Policy CD7 Protecting Archaeology | No comments to make | Noted. |
| Policy CD8 New Agricultural Buildings | <p>Firstly, officers felt to draw attention to policy CD6, which needs clarification on point 2, particularly the appropriate location of farm buildings.</p> <p>Point 4 and 5 raises a question as to what is the operational need of the farmstead? This seems unnecessarily limited in terms of scope.</p> <p>An agricultural building is a simple rectangular form, compromising use by features.</p> <p>Officers felt that this policy is unduly restrictive and needs a comprehensive review. Its aims in reality are unrealistic.</p> | <p>Noted. See above - CD6 should be amended to refer to conversions only. Then CD8 2 makes more sense.</p> <p>Points 4 and 5 (as are the other points) are drawn from Malvern Hills AONB Guidance On Building Design - Farmsteads And Agricultural Buildings, 7.4 New agricultural buildings.</p> <p>The Parish Council would prefer to retain the policy if possible as it is drawn from the AONB's Guidance on Building design document, and there is a need to promote sensitive design in new agricultural buildings, taking account of the Parish's location within the AONB.</p> |
| Policy CD9 Poly- tunnels | No comments to offer | Noted. |
| Policy CH1 Range and Mix of Housing | No comments to offer on this policy | Noted. |
| Policy CF1 Supporting A Range of Goods and Services in the Village Centre | Officers felt that the policy needs the inclusion of appropriate marketing for at least a continuous period of 12 months as a minimum, particularly in relation to community and social facilities such as public houses and the village shop, in line with | <p>Accepted.</p> <p>Add a further sentence to final paragraph: <u>" Proposals which would lead to a loss of community and social facilities such as public houses and the village shop should also demonstrate that appropriate marketing has taken place, for at least a continuous period of 12 months as a minimum, in line with supporting background information to Policy SC1 of Herefordshire Council's Core Strategy."</u></p> |

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| | supporting background information to Policy SC1 of Herefordshire Council's Core Strategy. | |
| Policy CF2 Recreation Facilities and Open Spaces | No comments to make | Noted. |
| Policy CF3 Local Green Space | No comments to make | Noted. |
| Policy CRE1 Renewable Energy Schemes | Officers noted that no mention of biomass proposals or ground source heat pumps has been made, bearing in mind that the Neighbourhood Area has received certain application types within recent times e.g. Barton Court. | Noted. The Parish Council considers that there is no need to mention them specifically. The first sentence provides general position. NFU are supportive of the policy. |
| General | Officers felt that some aspects of planning were not evident within the NDP and thoughts should be given to potentially including these aspects. This encompassed: Tourism – particularly given Colwall's relation to the Malvern Hills AONB Rural Economy – for the same reason as above Full Householders policy – many NDP tend to focus predominately towards residential development when 70/75% of applications are full householder applications. | Noted. It would be inappropriate to include significant new additional policies at this late stage and these issues are addressed in the Core Strategy. |
| General | Officers noted the potential of a new highways policy, which was located in appendix 1, and cannot be considered as a policy in its current location. It was suggested that this could be a policy on its own. | The Parish Council would be delighted to have it as Policy and previously it was. However, advice from Andrew Ashcroft (a local examiner), at a training event run by Herefordshire Council (5 May 2017) is that NDPs cannot impose on any highway authority as they operate under their own primary legislation. |

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| CD2 | As a matter of closing, Policy CD2 needs to be split up clearly into residential/full householder applications. | See above - this has been addressed |
| Strategic Planning | | |
| All | Confirm that the plan is in conformity with the Core Strategy | Noted. |
| Environmental Health | | |
| Policy CD3 Site 1 | No previous historic potentially contaminative uses | Noted. |
| Policy CD4 Site 2 | <p>- A review of Ordnance survey historical plans indicate the western section of the site has historically been used as an orchard and the majority of the site has historically been used as a farm and therefore potentially subject to a variety of agricultural practices. By way of general advice I would mention that orchards can be subject to agricultural spraying practices which may, in some circumstances, lead to a legacy of contamination. Agricultural practices such as uncontrolled burial of wastes or excessive pesticide or herbicide application may be thought of as potentially contaminative. Any development should consider both the above former uses.</p> <p>- Ordnance survey historical plans also indicate that a tramline (a historic potentially contaminative use) ran along the southern site boundary. The site's potentially</p> | <p>Noted. These are detailed matters and would be addressed through the development management process.</p> |

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| | <p>contaminative use would therefore require consideration prior to any development. Any future redevelopment of the site would be considered by the Planning Services Division of the Council however, if consulted it is likely this division would recommend any application that is submitted should include, as a minimum, a 'desk top study' considering risk from contamination in accordance with BS10175:2011 so that the proposal can be fully considered. With adequate information it is likely a condition would be recommended such as that included below:</p> <p>1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:</p> <p>a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice</p> <p>b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors</p> <p>c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or</p> | |

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| | <p>gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.</p> <p>Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.</p> <p>2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.</p> <p>Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.</p> <p>3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the</p> | |

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| | <p>local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.</p> <p>Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.</p> <p>Technical notes about the condition</p> <p>1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2012.</p> <p>2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.</p> <p>General comments:</p> <p>Developments such as hospitals, homes and schools may be considered 'sensitive' and as such consideration should be given to risk from contamination notwithstanding any comments. Please note that the above does not constitute a detailed investigation or desk study to consider risk from contamination. Should any information about the former uses of the proposed development areas be available I would recommend they be submitted for</p> | |

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| | <p>consideration as they may change the comments provided.</p> <p>It should be recognised that contamination is a material planning consideration and is referred to within the NPPF. I would recommend applicants and those involved in the parish plan refer to the pertinent parts of the NPPF and be familiar with the requirements and meanings given when considering risk from contamination during development.</p> <p>Finally it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe development where a site is affected by contamination.</p> <p>These comments are provided on the basis that any other developments would be subject to application through the normal planning process.</p> | |
| Environmental Health - air, noise | | |
| | No comments | Noted. |
| | Transportation | |
| | <p>Page 42 – Point 5 – The first 5m off the public highway should be of a consolidated/hard material such as tarmac or block paving, gravel is not acceptable to the local highway authority (LHA) for the first 5m. Gravel will also not be suitable for areas to be adopted by the LHA.</p> | <p>Not accepted.</p> <p>There is no need to change the policy it only says it should be kept to a minimum, which might be the 5m.</p> <p>Also the Parish Council objects to the highway authority's insistence on the use of 'urbanising' materials.</p> |
| | <p>Page 45 – Point 24 – Car parking should be adequately screened <u>whilst maintaining visibility splays.</u></p> | Amendment accepted. |
| | <p>Page 50 – Policy CD4 Site 2 Grovesend Farm – Point 2 – Can this be achieved?</p> | This requirement was set by Herefordshire Highways. |

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| | | The land owners stated in a response to the consultation, they consider there are no insurmountable constraints to the delivery of the site during the plan period. |
| | Page 82 – Point 2 – Malvern Hills AONB Guidance on Highway Design and Herefordshire Council’s Highway Design Guide for New Developments. | Amendment accepted. |
| | From Page 83: 4. Use ‘flag signs’ to indicate side roads. Traditional finger posts and milestones should be retained wherever possible. o What does this mean in practice? For all side roads in the village? Does this mean local direction signage opposite junctions in lieu of warning signage etc. Some elaboration may be useful. | Recommend; DELETE: Use ‘flag signs’ to indicate side roads. INSERT: ‘Where side roads require indicating, use ‘flag signs’ rather than junction approach warning signs.’ |
| | From Page 83: 7. Public lighting should be dimmed as per HC policy for whole county | Amendment accepted. |
| | From Page 83: 9. Road surfacing should use local stone. o Again, what does this mean, what is considered local in this context (e.g. is Kington local?). The LHA will have some specifications for materials that are unachievable for some quarries so understanding the meaning of this would be helpful. It may be an appearance led requirement which would benefit from clearer wording | Accepted Recommend item 9: DELETE: Road surfacing should use local stone. INSERT: ‘Road surfacing should be hot tar spray surface dressing.’ |
| | Page 91 – Indicative layout – Avoid planting in visibility splays and a turning head should be provided. | Accepted. The layout is indicative only and this will be addressed through the development management process. |
| | Page 92 – Indicative layout – A turning head should be provided | Accepted. The layout is indicative only and this will be addressed through the development management process. |
| | General comments: | |

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| | <ul style="list-style-type: none"> - It might be wise to consider referencing MfS/MfS2 as part of the design standard as it's a national document and likely to form the cornerstone for an appeal in the event that an application goes that way. - Main comment relates to the fact that they have a good Appendix 1 on Highway Design & Minimising Traffic Impacts, but don't appear to refer to it in the main part of the document. It's difficult to see how this is part of or even acknowledged the policies developed within the plan. For example, you would expect to see it referred to in the development strategy and site policies in section 6, such as Site Layout in Access design in Policy CD2 - General Design Principals for Development, Highway and Access Design in CD3, CD4 etc. - How the appendix integrates / supports the Malvern Hills AONB equivalents would also be helpful (rather than just a reference to it in 4.16). - Highway Design & Minimising Traffic Impacts might also have featured as one of the Aims of the 2031 Vision for Colwall, perhaps. - A minor point: Some aims appear to have dropped off the list (e.g in 6.2, the first aim is Aim 2). | <p>The Appendix should not be a planning policy – NDPs have no jurisdiction over highways who operate under their own primary legislation. But some changes may be appropriate.</p> <p>The Appendix is meant to apply to the highway authority on its own schemes in the Parish so it is not solely associated with building development. It could be referenced in paragraph 6.2.1 Landscape Character and / or in Policy CD2 3 Site Layout and Access Design.</p> <p>The Parish Council does not wish the NDP to reference MfS or Herefordshire Council design requirements as they are used anyway and do not need to be included in the NDP.</p> <p>It is rather late in the day to introduce a new Aim in the NDP.</p> <p>The Aims listed at the start of each section relate to that particular section.</p> |

Table 2 Consultation Bodies

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| Severn Trent | |
| <p>Policy CD2 General Design Principles for Development within Colwall Settlement Boundary – <u>Site Layout and access design</u> -Severn Trent is supportive subsection 5 of the minimisation of hard surfacing and the recommendation to use more permeable options – this is because of the benefits that can be achieve to flood risk reduction through the management of surface water through more permeable options.</p> <p>However we believe that you policies should go further and the inclusion of a specific section on Surface Water Drainage and Sustainable Urban Drainage (SuDS) should be included. We recommend the inclusion of additional policy wording which states the following:</p> <p>'All major developments shall ensure that Sustainable Drainage Systems (SuDS) for the management of surface water run-off are put in place unless demonstrated to be inappropriate. All schemes for the inclusions of SuDS should demonstrate they have considered all four aspects of good SuDS design, Quantity, Quality, Amenity and Biodiversity, and the SuDS and development will fit into the existing landscape. The completed SuDS schemes should be accompanied by a maintenance schedule detailing maintenance boundaries, responsible parties and arrangements to ensure that the SuDS are maintained in perpetuity.</p> <p>All applications for new development shall demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such that a discharge to the public sewerage systems are avoided, where possible. The drainage hierarchy (Planning Practice Guidance Paragraph 80) states that surface water should be discharged according to the hierarchy of 1) into the ground (infiltration), 2) to a surface water body, 3) to a surface water sewer, highway drain or another drainage system, 4) to a combined sewer.'</p> | <p>Not accepted.</p> <p>This topic is covered by the Core Strategy Policy SD3, which will be updated more frequently than the Plan.</p> |
| <p><u>Building design</u> – Within this section we believe it is important to include a policy relating to water efficiency in building design. New development will result in a need for an increase in the amount of water to be supplied across the Severn Trent region, and issues with the sustainability of some of our water sources are placing supply resilience at risk. We are supportive of the use of water efficient fittings and design within new developments, this is supported by National Planning Policy Framework Paragraph 149 'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures'. We therefore encourage the inclusion of the following wording:</p> <p>'Development proposals should demonstrate that the estimated consumption of wholesome water per dwelling is calculated in accordance with the methodology in the water efficiency calculator, should</p> | <p>Not accepted.</p> <p>Water efficiency in building design is covered by the Building Regulations Approved Document G.</p> |

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| not exceed 110 litres/person/day. Developments should demonstrate that they are water efficient, where possible incorporating innovative water efficiency and water re-use measures.' | |
| Policy CD3 – Surface water should be managed sustainably on site through SuDS and it is important that the drainage hierarchy is followed. There are known hydraulic flooding incidents in the downstream network and with additional housing commitments downstream it will be important that the developer contacts Severn Trent at the earliest opportunity to determine the impact of this development on the foul sewer network. | Noted. This is normal procedure for developers. |
| Policy CD4 -Surface water should be managed sustainably on site through SuDS and it is important that the drainage hierarchy is followed. There is a watercourse adjacent to the site which would provide a potential surface water outfall. There are known hydraulic flooding incidents in the downstream network and with additional housing commitments downstream it will be important that the developer contacts Severn Trent at the earliest opportunity to determine the impact of this development on the foul sewer network. | Noted. This is normal procedure for developers. |
| Welsh Water | |
| No comments | Noted. |
| Malvern Hills AONB unit | |
| <p>The Malvern Hills AONB Unit has worked closely with Colwall Parish Council in developing the NDP and supports the Reg 16 draft. However, we do wish to see one or two corrections and amendments as follows. Apologies that these were not spotted at an earlier time. Hopefully they can be made at this late stage.</p> <ol style="list-style-type: none"> 1. Para 4.24 – think word should be context not contest 2. Policy CD8, para 3 – needs tweaking to make sense 3. Policy CD8, para 14 – suggest changing the current text from: Dark roofs, however, may increase heat absorption and would require additional ventilation for housing livestock. An exception to this is if a building has to be located against a skyline; it would then be more appropriate to use a lighter colour for roofing, which would blend more with the colour of the sky. to: | <p>Amendments accepted.</p> <p>CD8 3 could be amended to: "The style, scale, massing and siting of any new building must respect and be complementary to local landscape character and should not cause significant adverse effects on visual impacts. to ensure New buildings <u>should</u> reflect other farm buildings and do not dominate the group, and so erode the group's contribution to landscape character.</p> <p>Amendments accepted.</p> |

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| <p>Dark roofs, however, may increase heat absorption and would may require additional ventilation for housing livestock. An exception to this is if a building has to be located against a skyline; it would then be more appropriate to use a lighter colour for roofing, which would blend more with the colour of the sky.</p> <p>Reason: It is not a given that a darker roof would lead to a requirement for additional ventilation since much may depend on other factors such as existing shading, positioning of building, elevation materials etc. Reason: Many people believe it is inadvisable to use lighter colours against the skyline but in any case such locations are unlikely to be . Also, in the Colwall area it is highly likely that there will be views down onto any such buildings located on a skyline. Given that lighter roofs are likely to be detrimental in such views this sentence should be deleted.</p> | |
| <p>4. Policy CD8, para 15 – suggest adding a new sentence to the current wording (in italics below) as follows:</p> <p>Use of timber boarding is encouraged as it provides excellent natural ventilation for new agricultural buildings and it may be possible to source this locally. Applying a stain or paint finish to this boarding would often help to integrate a building more successfully into the landscape, especially if it is sited in a more prominent position.</p> <p>Reason: To help ensure that new development is more successfully integrated into the AONB landscape.</p> | Amendments accepted. |
| Historic England | |
| <p>COLWALL NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION.</p> <p>Thank you for the invitation to comment on the Submission Neighbourhood Plan. We are pleased to note that our suggestions at Regulation 14 stage have been taken into account and note that our other comments on the Regulation 14 Plan remain entirely relevant, that is:</p> <p>“Historic England is supportive of both the content of the document and the vision and aims set out in it. The emphasis on the conservation of local distinctiveness and the protection of the built environment and rural landscape character including important views is highly commendable. We also commend the approaches taken in the Plan to ensuring that the design of new development takes cues from the local vernacular, thus reinforcing local distinctiveness and contributing to the conservation and enhancement of the historic environment. We note that the selection of sites with the potential for new housing development has been positively guided by considerable research including the Village Design Statement (2001) and the Landscape Assessment and associated stage 2 Landscape Sensitivity and Capacity Assessment (Tinkler 2013). This and other documentation produced by the Malvern Hills AONB provides a very thorough evidence base for the policies and proposals put forward.</p> | Noted. |

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| <p>It is also clear that specific policies for individual development sites provide for thorough mitigation against potentially adverse impacts upon the rural and built environment including heritage assets and the Colwall conservation area.</p> <p>The consideration of development outside the Development Boundary within the rural environs of Colwall is equally well thought through and well analysed and the detailed policies seeking to ensure the retention and sensitive conversion of historic farmsteads are particularly welcomed".</p> <p>Beyond those observations we have no further substantive comments to make on what Historic England considers is a very good example of community led planning.</p> | |
| National Grid | |
| <p>Proposed development sites crossed by or in close proximity to National Grid assets</p> <p>An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.</p> <p>National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.</p> | Noted. |
| Highways England | |
| <p>Highways England has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Colwall Neighbourhood Plan, our principal concern is safeguarding the operation of the M50 Motorway, which is approximately 4 miles south of the parish.</p> <p>We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for Colwall is required to be in conformity with the current Herefordshire Council Local Plan (2011-2031) and this is acknowledged within the document.</p> <p>It is understood that, by applying the required 14% growth target, a total allocation of 160 new dwellings has been assigned to Colwall Parish for the period up to 2031 (or 176, if including a 10% spare capacity). It is noted that 106 of these have already been completed or are part of committed developments. As such, assuming maximum impact on the SRN, an additional 70 dwellings should be developed in the area by 2031.</p> <p>Due to the low level of development proposed for the area and the distance of the parish from the SRN, it is not expected that the policies set out in the Colwall Neighbourhood Development Plan will have any impact on the operation of the SRN. As such, Highways England have no objections to the arrangements proposed.</p> <p>We have no further comments to provide and trust that the above is useful in the progression of the Colwall Neighbourhood Plan.</p> | Noted. |

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| Ledbury Town Council | |
| <p>I've read the plan in detail and apart from noting a few typographical and grammatical errors that I am sure will be corrected in the final version, overall I think it is an excellent and clearly worded document reflecting what I would expect to see from a neighbourhood in a special setting like the Malvern Hills AONB. I thought the landscape assessment and analysis work in particular was very well presented with understandable explanations as to why particular areas of land were identified for different types of development or for no development. Design Guide inclusion in the policies was also very useful and concise.</p> <p>My main feedback would be on the maps and diagrams which I did not always find that easy to follow or accurately locate some of the smaller diagrams onto the overall NDP area map. I also found some of the keys to the main maps a bit difficult to follow and did not always seem to relate to the information (such as colours and shading) I was seeking to find on the maps. I suggest it would be useful and add to the readability of the plan for the reader looking at it with no advance knowledge of its contents, to do some more clarification work on the diagrams and maps, such as asking some of this category of reader for their thoughts on if and how they could be improved.</p> | <p>Noted.</p> <p>Policies maps will be provided as an online resource by HC when the NDP is made.</p> |
| Coal Authority | |
| Having reviewed your document, I confirm that we have no specific comments to make on it. | Noted. |
| West Midlands National Farmers Union | |
| <p>The NFU would emphasise the importance of all neighbouring plans, to consider the potential impact they could have on rural economies, climate change, food security, providing affordable homes and getting essential rural infrastructure in place. We also have real challenges for our elderly rural population to ensure they get the services they need, including broadband, appropriate housing and dealing with isolation. At a time when we have an Agriculture Bill and Environment Bill coming forward, as well as changing trading conditions it is essential that neighbourhood plans can support their farming and rural communities to move to a more sustainable future.</p> <p>These issues could be more challenging for a village and wider parish with farmland and landscapes within an AONB and hence need clear support in the neighbourhood plan. This would ensure the plan can meet the objectives of National Planning Policy Framework as a whole, as well as those emphasised in paragraph 172 of the National Planning Policy Framework. The importance of farming and living in landscapes, emphasised in the recent Landscapes Review, means there must be some thought about the additional burden of costs which could be created and how these can be mitigated.</p> | <p>Noted.</p> |

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| <p>You may be aware that the farming industry is committed to be carbon neutral by 2040, which will mean land use change, more renewables and more efficient buildings, including glasshouse and polytunnels. The Government targets for 2050 and legislation now coming into force will affect how we live our lives, heat our homes and drive vehicles. We would ask you to ensure that the neighbourhood plan promotes carbon neutrality and climate change provision. A simple way to cut a carbon footprint is access to local, sustainable food; but the neighbourhood plans can also help, by encouraging sustainable and inclusive housing design at a cost rural workers can afford, and that residents have access to vehicle charging stations and renewable energy supplies.</p> <p>Herefordshire's economy is underpinned by farming, with many landscapes maintained by family businesses. The Agriculture Bill will require them to be producing more food on less land, with new buildings and operations. Only if this happens can they then increase ecological and biological diversity of other land and landscapes and allow this to adapt to climate change. Only by allowing farming to become more productive can there be the ability to allow the landscape to produce more public goods for the benefit of the wider community and visitors. The neighbourhood plan has therefore to recognise and ensure it can happen with the minimum regulatory burden and support.</p> <p>Food security is becoming more important, and access to sustainable, local food impacts on every carbon footprint. Currently only circa 8% of the fruit we eat and 53% of the vegetables are produced in the UK. Climate change, particularly access to water supplies, is affecting key countries who import to the UK, whilst areas such as Herefordshire and Worcestershire continue to have more plentiful water and high quality soils and are much needed to produce more food for us. The need to ensure local produce is available to all has never been higher.</p> <p>The NFU would emphasise the importance of ensuring you contact any farmer or landowner in Colwall parish and those with adjoining land to ensure that the plan has considered how their farm businesses and future has been assessed and accommodated by the document. This is essential as some of the draft policies appear to directly conflict with the planning system; as well as the wider regulatory framework and changing legislation for farm building and operations and how land is managed. The document may understandably have a landscape focus, but it is for a farmed environment, with new ecological and environmental challenges, which it must be in tune with.</p> | |
| <p>We would highlight the need for policies CD2; CD5; CD6; CD8 and CD9 and CRE to be amended before any examination and provide detailed commentary for these essential changes.</p> | <p>Not accepted.</p> <p>Para 29 of the NNPF regrading promoting less development has a footnote viz;</p> |

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| <p>Paragraph 29 of the National Planning Policy Framework is clear that neighbourhood plans should not promote less development than set out in the strategic policies for an area, and we are concerned that this could happen by reason of the overly prescriptive nature of the policies. We would also point out the use of land for agriculture or forestry does not fall within the remit of development for which permission is needed under the town planning system nor should any neighbourhood plan seek to restrict agricultural building development that is, as a matter of principle appropriate development in an AONB.</p> <p>The plan should reflect the recent Planning Inspectorate Appeal Decision Appeal -Ref: APP/W1850/W/19/3239434, Land at Chances Pitch, Colwell, Ledbury, Herefordshire WR13 6HW. This decision was issued on 19 February 2020 and relates to prior approval for a general purpose agricultural building for the storage of grain/fertiliser in Colwall. The content of the decision covers a range of relevant issues including; landscape policy, the siting of agricultural buildings and screening and should inform the neighbourhood plan policy on these issues. We recommend that the neighbourhood plan is amended in accordance with this decision in order to ensure that no further appeals are need on this topic.</p> | <p>Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.</p> <p>The Parish Council considers we have satisfied this test as has Herefordshire Council.</p> <p>Planning policies in the NDP can only be used for proposals where planning permission is required. The detailed design policies in the NDP have been prepared to take into account the area's location in an AONB and the need for all development to be designed sensitively. New agricultural buildings can have a significant impact on the character of the landscape and the NDP provides a positive and informative planning framework to guide proposals and to ensure they are of a high quality and take into full consideration Colwall's unique location and character.</p> |
| <p>We have the following specific comments on the plan: We must firstly state how concerned we are by the scope and detail of the guidance within this plan, which for farming and landscape, which appears to so onerous as to appear to seek to restrict agricultural development, which would otherwise be appropriate in an AONB.</p> <p>Any policy should be workable and support farming, within the context of environmental and landscape benefit, including climate change adaptation, otherwise it will not support a future living and working AONB and should not be in the plan. We recommend you seek support from a consultant with agricultural expertise to help.</p> <p>It appears that some of the policies are in fact aspirations and guidance that duplicate existing resources in which case ensuring the farmer and landowner gets access to guidance and advice would be far more appropriate than seeking to impose them through a neighbourhood plan.</p> <p>Without amendment more generally the document could inadvertently amount to an additional regulatory burden upon business and the rural community, rather than bringing forward appropriate development and protecting cherished landscapes.</p> | <p>Not accepted.</p> <p>The NDP area falls within the Malvern Hills AONB and notes in para 6.0.4 NPPF 2018, paragraph 172 which sets out that "great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues."</p> <p>The policies have been prepared taking into consideration this "great weight" and have been written with the close involvement of officers from the AONB, taking account of guidance documents published by the AONB.</p> |

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| <p>Design and Colour There are several references to colour and colour pallets throughout the document. We made representations to the Malvern Hills AONB in 2016 on this topic and we remain concerned by this approach. We think the document, by seeking to impose a colour palette may be well intentioned but is too prescriptive and has the potential to be confusing and impose an unnecessary and possibly discriminatory burden by virtue of the added cost. It is important for new design codes to demonstrate how they reinforce a sense of place and can work in practice, if they are to be promoted more fully by the planning system. The local planning authority will not be able to enforce the use of a specific colour that is not available or suitable for a building. Colour is an extremely subjective issue, and planning permission is not required to change the colour of a building in most instances, so this document could be used to constrain repair and upkeep of buildings, which may be needed to comply with other legislation. We believe it could be useful to assess additional cost burden that will be created and how the parish council could help this to be funded. There is also scope for a developer to inadvertently select a colour from the “wrong” palette, or there may be issues in securing building materials in the colours specified. All of this has the potential to add significantly to the costs of development and could lead to difficulties when developing a planning application. For example, we can foresee subjective and complex arguments about colour and its place in the landscape were a development to go to appeal.</p> | <p>Not accepted. Refer to Malvern Hills Area of Outstanding Natural Beauty, Guidance on the Selection and Use of Colour in Development, Malvern Hills, AONB, 2015 which is used as a reference document in the NDP, and mentioned specifically in policies such as CD5.</p> |
| <p>Promoting High Quality Design <u>Policy CD2 General Design principles for development within Colwall settlement boundary.</u> <u>Building design – point 26:</u> This policy should be amended as it cannot be applied successfully to bring forward farm buildings. For example, it is very difficult to break up the rooflines of modern farm buildings into smaller elements as they are designed to meet regulatory requirements, such as animal welfare and food storage requirements. Many traditional farm buildings became redundant because their design did not give sufficient ventilation which led to health and welfare problems within livestock. There are similar concern for other agricultural buildings such as grain and potato stores which would be built to accommodate specific air flows which could not be accommodated in a smaller building.</p> | <p>Not accepted. Refer to Herefordshire Council comments above. It is accepted that not all requirements can always be met and negotiations will be undertaken as part of the development management process on a case by case basis.</p> |
| <p><u>Policy CD5 general design principles for development in the wider countryside</u> A. High Hills and Slopes The reference to new agricultural development not being appropriate in this landscape should be deleted as it is one of the few forms of development in principle to meet this test. Any policy should</p> | <p>Not accepted. This only applies to buildings in the narrow High Hills and Slopes area (see NDP p34) which is</p> |

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| <p>be workable and support farming, within the context of environmental and landscape benefit, including climate change adaptation. We would recommend this policy be rewritten. Local farm businesses should be supported as producers of sustainable local food and key delivery mechanism for landscape and biodiversity assets.</p> | <p>essentially just the tops of the Malvern Hills and where new agricultural buildings should be resisted.</p> |
| <p><u>B Principle Wooded Hills</u> 12: As stated above, these sites need to evolve and develop. New tracks may be necessary to aid woodland management. It is important that existing and new woodlands are managed appropriately for them to maximize carbon sequestration opportunities as well as to continue to form a landscape worthy of an AONB.</p> | <p>Noted. Refer to Herefordshire Council's comments above. The reference to cabling should be deleted. The sentence "New tracks, roads or cabling are not generally appropriate" Could be deleted altogether.</p> |
| <p><u>C Wooded Hills and Farmland</u> 20: This appears to supplement guidance rather than being appropriate as a neighbourhood plan policy. Using more than one building material may not be achievable in all agricultural building projects, so this policy needs to reflect this and thought given to how these additional costs will be met. Local farm businesses should be supported as producers of sustainable local food and key delivery mechanism for landscape and biodiversity assets.</p> | <p>Noted. The policy includes "where possible" to provide flexibility.</p> |
| <p><u>D Principle Timbered Farmlands</u> 25: It is not clear what "new agricultural buildings should enhance the diverse built character" means in practice these will be in rural settings and not designed for public view or use. Their design must respect their function to provide safe food and animal welfare, increasingly they will accommodate climate change adaptation. We recommend this text is amended.</p> <p>26: Please bear in mind that species planting recommendations will change as the climate changes and that forestry professions are already suggesting that we should be looking at a wider range of species more suited to a changing, warming, climate. We recommend the plan anticipates and accommodates this.</p> | <p>Noted. "New agricultural buildings should enhance the diverse built character" could be deleted.</p> <p>Noted. The sentence could be amended to: " The characteristic mixed species hedgerows and buildings set among a backdrop of native trees including oak, hazel and birch should be maintained and enhanced, <u>taking into account climate change and the need for greater adaptability and resilience in species</u>".</p> |
| <p>Farmsteads and Agricultural Buildings</p> <p><u>Policy CD6 Farmsteads</u></p> | <p>Noted.</p> <p>Refer to Herefordshire Council's comments above. It is proposed that this Policy should be</p> |

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| <p>We have to repeat that any policy should be workable and support farming, within the context of environmental and landscape benefit, including climate change adaptation. If such a policy is not simply duplicating existing guidance we would recommend this policy be rewritten after the appropriate discussions with the landowners have taken place, and after a full evaluation of the additional costs and opportunities for the land has been made. Local farm businesses should be supported as producers of sustainable local food and key delivery mechanism for landscape and biodiversity assets.</p> <p>1: Farmsteads are surrounded on all sides by open fields and woodland. Therefore it may not be practical to avoid blocking all views. This policy has the potential to stifle rural development and the rural economy especially as some infrastructure improvements will be regulatory requirements to protect the environment and is necessary for food production. Any farmstead work needs to be carried out at an appropriate level, traditionally at County level with landowners and tenants involved to ensure they make sense for their farm businesses. We are concerned as to why this has been put forward unless it specifically relates to land in the control of the parish.</p> <p>Concepts such as “significance of farmsteads” are very abstract and difficult to define and add significantly to costs and uncertainty for businesses applying for planning consent, this work has to be done at an objective scale.</p> <p>2: As stated above, this requirement is not appropriate and raises concern about priority of the neighbourhood plan.</p> <p>3: It is unrealistic to suggest that modern agricultural infrastructure and buildings could or should be constricted using traditional building materials and / or salvage materials. This level of control is simply not reasonable or reflective of good practice in national parks and AONB.</p> <p>4: It is not clear how this would be helpful and think there will be existing guidance available. if landscaping is appropriate, its design should address the function of the building and AONB setting as well as biodiversity and any climate change function.</p> <p>5: As a general principle, buildings should be well designed according to the specific conditions of each site, in so far as technical requirements permit. Farmers are increasingly required to look at site layout, building design and materials to minimise fuel costs and reduce carbon emissions at source. Renewable energy generation on or within these buildings will become more important particularly as we seek to achieve net zero carbon emissions. It is important that we support farming businesses in these objectives and over prescriptive guidance avoided.</p> <p>6: We are supportive of this section as farmers are uniquely positioned to general renewable energy.</p> <p>7: Is this a duplication of earlier guidance? This should be determined on a case by case basis.</p> | <p>amended to refer to conversions of farmsteads and new / modern agricultural buildings are addressed in CD8. Most of these points refer to new buildings.</p> |

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| <p>10: The requirement for rooflights will vary according the design and function of each building. Therefore this section is unduly prescriptive and could undermine climate change adaptation.</p> | |
| <p>New Agricultural Buildings <u>Policy CD8</u> New agricultural buildings are appropriate in Areas of Outstanding National Beauty as a matter of national and local plan policy, so this policy has to accord with this and anticipate new development which has to happen as part of the Agriculture Bill.</p> <p>2: Land is sold without buildings and new buildings will be required in new locations in order to run a farming business. This is particularly important for new entrants to the industry, many of whom will be working to ensure landscapes are maintained as part of new Environmental Land Management Schemes. Farmsteads have evolved over time, and therefore whether they dominate existing buildings is a subjective judgement. Historic farm buildings were there to facilitate food production and modern buildings are simply the latest in a long line of rural buildings which the planning system is designed to accommodate to continue to produce safe, affordable, high quality food.</p> <p>3: It is very difficult to determine what this section actually means in practice. We suggest that it be rewritten to form a more proactive and supportive policy or be deleted as there is existing guidance available.</p> <p>4: Often farmers need to replace traditional farm buildings because they are no longer suitable for modern livestock rearing and crop production. For example, they may no longer meet animal welfare or food hygiene standards. The scale of the building is often important to give livestock sufficient space and ventilation and to accommodate modern agricultural machinery and other infrastructure. Operations need to be of sufficient scale to make them economically viable.</p> <p>5: Guidance recommending the construction of two smaller buildings will not help farmers. It will add to costs and to the footprint of development. The buildings may not be suitable for the reasons outlines above in point 4.</p> <p>6: This policy seeks to reintroduce building features that have been designed out of modern farm buildings. Features such as low eaves, roofs and ceilings often make traditional buildings unsuited to modern livestock production as they have poor ventilation. It is not desirable to design redundancy into new infrastructure and definitely not at a parish council level. There is already guidance for designing farm buildings and this avoids such issues in the main.</p> <p>7: Does this conflict with earlier guidance on location which focuses on the proximity to existing farmsteads?</p> <p>8: Landscape architects will be assessing planning applications in the AONB and this can avoid unpractical and unduly costly guidance. From a climate change point of view young trees would be preferable as they will sequester more carbon as they grow than a mature tree grown off site.</p> | <p>Noted. Refer to Herefordshire Council's comments above.</p> <p>The term "wherever possible" provides flexibility in 2.</p> <p>Please refer to AONB comments above. 3. has been amended to read better.</p> <p>4. Refer to HC comments and suggested amendment above.</p> <p>5. suggests "consideration should be given". It is not a requirement.</p> <p>6. The policy does not mention low eaves or roofs or ceilings. This should not be changed; overhanging eaves will be needed with climate change to reduce the wall temperatures</p> <p>Consideration should be given to a balanced approach to 2 and 7.</p> <p>Noted. Could delete "mature" before trees.</p> |

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| <p>10,11, 12 & 13: These points, if appropriate will be more suited to be dealt with by existing guidance rather than plan policy.</p> <p>14: In practice any planning application will deal with animal welfare issues and hence any design guidance should be assessed alongside it as supplementary guidance.</p> | <p>10-14 - not accepted. The policy draws from guidance but will have more weight in planning decisions than guidance and background documents.</p> |
| <p>Polytunnels As new agricultural buildings are appropriate in Areas of Outstanding National Beauty as a matter of national and local plan policy, the Neighbourhood plan should set out positive policies to accommodate these or defer to the supplementary planning guidance already in place. The guidance below may be of value for how to take this forward.</p> <p><u>6.5.9:</u> In order to be a balanced document Section 6.5.9 must give some background information on the reasons for using polytunnels, particularly in Herefordshire where they are so important to the rural economy. Soft fruit production within Herefordshire is recognised as a major industry, rural employer and producer of food. It is clear that the economic benefit of soft fruit production spreads much wider than to the farm alone. Primary soft fruit production will support a whole supply chain and therefore many jobs. The soft fruit farms of Herefordshire would not be viable without the use of polytunnels as in many instances it is quite simply uneconomic to grow soft fruit in the open in the UK climate. Many of the farms involved cover small acreages and would find it difficult to survive without soft fruit production. Herefordshire growers have invested enormous capital and resources in the polytunnels, equipment and associated infrastructure including pack houses etc. Their contribution to the local rural economy must be given full consideration when determining a planning application.</p> | <p>Accepted.</p> <p>The additional wording provided could be added to the beginning of 6.5.9 as a new paragraph, for example:</p> <p>"However, soft fruit production in Herefordshire is a major industry, rural employer and producer of food. It supports a whole supply chain and therefore many jobs but would not be viable without the use of polytunnels. Many of the farms involved cover small acreages and would find it difficult to survive without soft fruit production. Their contribution to the local rural economy should be given careful consideration when determining planning applications."</p> |
| <p><u>Policy CD9: Polytunnels</u></p> <p>The policies within this section must be in alignment with Herefordshire Councils Polytunnel Planning Guide 2018 and should not be more restrictive.</p> | <p>Noted.</p> |
| <p><u>Renewable Energy</u></p> <p>We are very supportive of Colwalls aspiration to contribute to a low carbon future. Agriculture is uniquely placed to be part of the solution, as both an emissions source and a sink. As farmers we have a special responsibility to protect carbon reserves already in our soils and vegetation. But we must and we can do more. There is no single answer to this problem. To achieve our aim we will need a range of measures that fall under three broad headings:</p> <ul style="list-style-type: none"> • Improving farming's productive efficiency; | <p>Noted.</p> |

| Consultation Body and Comments | Recommended Colwall Parish Council Response |
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| <ul style="list-style-type: none"> • Improving land management and changing land use to capture more carbon; • Boosting renewable energy and the wider bioeconomy. <p>The NFU believes that the agricultural sector is very much part of the solution to decarbonising the UK economy and achieving net zero and we are working on proposals for pilot schemes to introduce policy incentives to bring to life net zero for farmers and growers. But we will only be able to achieve our carbon neutral goal with concerted support from government, industry and other key groups to help deliver this challenging, but achievable, ambition.</p> | |
| <p><u>Policy CRE1 Renewable Energy Schemes</u></p> <p>Boosting renewable energy and the bioeconomy to displace greenhouse gas emissions from fossil fuels and to create GHG removal through photosynthesis and carbon capture is a key part of the NFU ambition for achieving net zero. Therefore we welcome the support for small scale renewable energy in policy CRE1. As our work on net zero evolves more information on the part local farms can play will become available.</p> | Noted. |

Table 3 Other matters:

| Organisation and Response | Recommended Parish Council Response (By L Kirkup) |
|---|--|
| Collins on behalf of owners of 1&2 Barton Villas | |
| Proposed inclusion of 1 & 2 Barton Villas within Settlement Boundary | This area was not included in the previous UDP settlement boundary and Walwyn Road provides a strong and defensible boundary. The area is considered in the LSCA (2019) and is identified as having a low capacity for development. There should be no change. |
| Rosconn Strategic Land (on behalf of Landowners of Grovesend Farm) | |
| Policy CSB1 – Colwall Settlement Boundary Concerns about final paragraph. | <p>Refer to Herefordshire Council comments above.</p> <p>It is noted the representation mis-quotes implying the development should build up to the edge of the Settlement Boundary when the Plan says it should <u>not</u>. However, it is accepted that was not their interpretation.</p> <p>The only existing building line that might be considered to impact on the Grovesend site is along Old Church Road. Pulling forward the set-back semi-detached properties in the indicative layout could be beneficial as it would increase the visibility of the development to drivers so increasing their understanding that this is a residential area. (Refer to Traffic Villages)</p> |
| <p>Policy CD4 Site 2 Grovesend Farm</p> <p>Fully support the identification of land at Grovesend Farm as a proposed housing allocation within the CNDP under Policy CD4 and confirm that the site is suitable, available and achievable for housing development, and therefore consider there are no insurmountable constraints to the delivery of the site during the plan period.</p> <p>Include statement the Indicative layout does not preclude other layouts</p> <p>Suggest CD4 should specifically refer to Appendix 1 regarding highway works</p> | <p>The Parish Council is grateful for the support provided in the representation.</p> <p>The term 'indicative' has been used to imply it only 'serves as a sign' and therefore other layouts may be acceptable.</p> <p>Not accepted - see response to Herefordshire Council comments.</p> |

| | |
|--|---|
| <p>Item 4 – density of indicative development is well below the 20 dwellings per hectare quoted in 6.0.12 bullet point 3</p> <p>The additional land to the south and west of the proposed housing allocation is unnecessary to serve the public open space requirements as this can be easily accommodated within the site itself.</p> | <p>Regarding the provision of a pedestrian/cyclist link, Policy CD4 2 is a specific requirement imposed by the highway authority on the Grovesend site and over-rides general requirements.</p> <p>The highway authority has imposed a limit of 37 homes on traffic grounds. The indicative layout concluded 32 homes could be sensitively provided and that number has been counted towards the target.</p> <p>Schemes that depart from that number and/or layout will be judged on their merit using the Indicative Layout as a base against which it can be compared.</p> <p>These areas of land are identified in the LSCA as having heritage and landscape significance and should be retained. The boundary of the site allocation could be amended to include them in the site, provided they remain protected. These areas should be the focus for public open space.</p> |
|--|---|

Parish Council Response to
Regulation 16 comments supporting
Planning Application P200156/O Outline planning application for a
residential development with all matters reserved except for access for up to
32 dwellings, Land off Mill Lane, Colwall
28 July 2020

1.0 Introduction and Background

- 1.1 This document has been prepared by Mrs Louise Kirkup, a Director of professional town planning consultants Kirkwells Ltd, with the involvement of Mr John Stock (see below) on behalf of Colwall Parish Council. Mrs Kirkup has over 25 years' experience of town planning in the public and private sectors. She has a degree in Land Management (Development) from the University of Reading, a Masters of Civic Design from the University of Liverpool and has been a full member of the Royal Town Planning Institute (MRTPI) since 1996.
- 1.2 Mr John Stock is a parish councillor and leads the Neighbourhood Development Plan Working Group in a voluntary capacity. In his professional life he is Chartered Civil Engineer with over 45 years of highway planning experience including preparation of schemes under the Highways Act 1984 and latterly via Development Consent Orders. He is a Technical Director at WSP, a world-wide engineering consultancy where much of his work has been in Areas of Outstanding Natural Beauty, working closely with landscape architects to minimise and mitigate the impact of infrastructure on the landscape. He also has significant experience of writing highway design standards and guides including specifically for AONBs, that recognises the importance of the landscape.
- 1.3 The parish council's objection to this development is based on the LSCA prepared for the Colwall Neighbourhood Development Plan by Carly Tinkler BA CMLI FRSA MIALE, who has provided specialist landscape and colour advice to Colwall Parish Council since 2013. The parish also liaised with the Malvern Hills Area of Outstanding Natural Beauty Unit with whom they have a long-term working relationship. Carly Tinkler was also heavily involved in the development of the new school which is adjacent to this development site, which afforded further information on which to assess the sensitivity of the site.
- 1.4 This document has been prepared in response to the comments submitted by a number of respondents to the Colwall NDP Regulation 16 public consultation, which set out their support for a new planning proposal for 37 dwellings on land next to the new primary school off Mill Lane. The representations included support for the proposal as an alternative site allocation to the site included in the NDP at Grovesend Farm, Colwall.
- 1.5 The application site has not been included in the NDP as a proposed site allocation and the Parish Council has objected to the planning application on the grounds it is within an area identified as having the highest overall sensitivity and hence lowest capacity for development in the LSCA (2019). Allowing development within the AONB on sites with the lowest capacity would be contrary to the NPPF which requires 'great weight' to be given to the protection of the AONB.

- 1.6 This document sets out more information about the background evidence and reasoning supporting the site allocation process in the NDP and the Parish Council's objections to the proposed development at Mill Lane. It addresses the key points made in the representations to Herefordshire Council during the Regulation 16 consultation process.
- 1.7 A second document setting out the rationale and evidence supporting the proposed site allocation in the NDP at Grovesend Farm has also been prepared¹ and should be read alongside this document.
- 2.0 NDP Approach to Identifying Proposed Site Allocations
- 2.1 The housing requirement for Colwall NDP is set out in the adopted Herefordshire Council Core Strategy, 2015. An indicative housing growth target of 14% is given for the Ledbury rural Housing Market Assessment (HMA) (see Policy RA1) within which the NDP areas lies, and Colwall village is identified as one of the settlements which are the main focus of proportionate housing development (Figure 4.14 in the Core Strategy). The Colwall NDP includes site allocations and an estimated windfall allowance to meet the up-to-date housing requirement of 46 further dwellings over the plan period, taking account of recent development and commitments.
- 2.2 Colwall NDP area is located entirely within the Malvern Hills AONB. The NDP has therefore been prepared in accordance with NPPF 2019, paragraph 172 which sets out that 'great weight should be given to conserving and enhancing landscape and scenic beauty in in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'
- 2.3 National Planning Practice Guidance (PPG) goes on to provide more detail:
'How should development within National Parks, the Broads and Areas of Outstanding Natural Beauty be approached?
The National Planning Policy Framework makes clear that the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty.
Paragraph: 041 Reference ID: 8-041-20190721 Revision date: 21 07 2019.
- 2.4 At an early stage in the Plan's preparation, following advice from the Malvern Hills AONB officers, and with their assistance, a landscape architect was commissioned to review the areas immediately adjacent to the former UDP settlement boundary to assess their relative importance in respect of landscape character and visual amenity. This resulted in the published 'Preliminary Assessment of Settlement Boundary – Landscape Appraisal', dated March 2013. This assessment identified 8 sites which demonstrated the most obvious potential [for development] based on a preliminary 'rapid' assessment of areas adjacent to the settlement boundary. It was considered unlikely these sites alone would provide sufficient development to satisfy the housing target due to other constraints, and so a more detailed assessment was commissioned to establish whether further sites could accept development and to grade their relative impact on the AONB.

¹ Parish Council Response to Regulation 16 Comments Objecting to Site Allocation Policy CD4 Site 2 Grovesend Farm (Approximately 37 houses)

- 2.5 The purpose of the additional technical study, the Landscape Sensitivity and Capacity Assessment (LSCA), was to identify areas on the outskirts of Colwall's settlement where future residential development potentially could be sited without giving rise to unacceptable levels of adverse effects on landscape character and visual amenity. The Stage 2 Landscape Sensitivity and Capacity Assessment (LSCA) was published in September 2013 and graded parcels of land immediately outside the historic settlement boundary.
- 2.6 Over the following years the LSCA was updated several times, finally in October 2019, to take account of the visual impacts of new development schemes which were built out over the period, and to consider further information and assessment work prepared for developers, including the new primary school. These updates had the following impact on the LSCA rating of the Mill Lane and Grovesend sites:

| Stage/ Area | LSCA Capacity Rating | |
|-------------------------|--|--|
| | Area 9A and Area 9 (Mill Lane) | Area 12 subsequently Areas 12A, 12B(1) and 12B(2) (Grovesend) |
| Stage 1 LSCA | Area 9A (then referred to as site 'H') 'potential for development' | Not identified |
| Stage 2 LSCA Sept 2013 | 9A – High Remaining 9 – Low to Medium | 12 – Medium/ Low to Medium |
| Stage 2 LSCA Dec 2014 | 9A- Reduced from High to Medium to High (because in AONB) Remaining 9 – No change | No change |
| Stage 2 LSCA Oct 2016 | 9A – not assessed as built up by new school Remaining 9 – Low (Reduced following reassessment with additional data from work commissioned for the school development.) | No change |
| Stage 2 LSCA March 2017 | No change | Following additional work, Area 12 split into 3 parts to protect specific areas within the Area 12A – Medium/ Low to Medium 12B(1) – Low to Medium Low 12B(2) – Low to Medium Low |
| Stage 2 LSCA Oct 2019 | No change | No change |

- 2.7 Throughout the development of the LSCA (Stages 1 and 2), the area behind the village hall, latterly known as Area 9A, was rated as having the highest capacity for development. It is now built out as it contains the new primary school.
- 2.8 Throughout the development of the Stage 2 LSCA (the Stage 1 did not identify the Grovesend site) the Grovesend site has been rated as having a greater capacity for development than the Mill Lane site, Area 9. The 2019 LSCA identified Area 9 as having a 'Low' capacity. This is the lowest rating out of the nine levels available and it would be entirely inappropriate to consider areas rated 'Low' for development given the NPPF requirement to give 'great weight' to the AONB. The LSCA assessment is set out below (p29):

AREA 9

Location: West edge of settlement, north of Mill Lane.

General Description: Flat, open arable land with slight slope to watercourse to north. Bounded by mature trees and hedges. New Colwall primary school, village hall and car park to SE (beyond Area boundary). Roadside hedge with mature escaped oak. Mature tree belts, ornamental hedges. Houses with gardens on S side of Mill Lane.



Key Baseline Features: Important watercourse running along N of sector. Setting limited by vegetation and Hills to N and E. 20th C influences. Strong edge pattern. Public fps crossing Area.

Landscape Sensitivity: High to Moderate. High vulnerability to loss and high landscape character sensitivity. Some loss of condition and eroded edges but historic boundary hedge reinstated 2018.

Visual Sensitivity: High. Visible from Hills ridges (incl. Beacon) and slopes. Visible from roads, public fps, residential properties / school / village hall. Upper Mill Farm visible to NW.

Overall Sensitivity: High to Moderate. Area forms integral part of good quality rural, open countryside and development here would be inappropriate.

Landscape Value: High to Moderate.

Function / Context / Comment: At important village gateway on Mill Lane marking clear point where W side of village ends, site forms integral part of good quality rural, open countryside beyond. Strong tree-lined hedged boundary at W edge settlement (new primary school). Well-used local public footpaths and visual amenity. [Note that a public footpath is shown S of the village hall in old maps but presumably since diverted to E?] Development of this area would give rise to significant adverse effects on the character of the village and landscape, and on visual amenity especially in terms of views from the Malvern Hills. Capacity level decreased to Low to link Low capacity Areas 11 and 8 and reinforce belt along W side of village.

Overall Capacity: Low

| LANDSCAPE SENSITIVITY | VISUAL SENSITIVITY | OVERALL SENSITIVITY | LANDSCAPE VALUE | OVERALL CAPACITY |
|-----------------------|--------------------|---------------------|------------------|------------------|
| HIGH TO MODERATE | HIGH | HIGH | HIGH TO MODERATE | LOW |

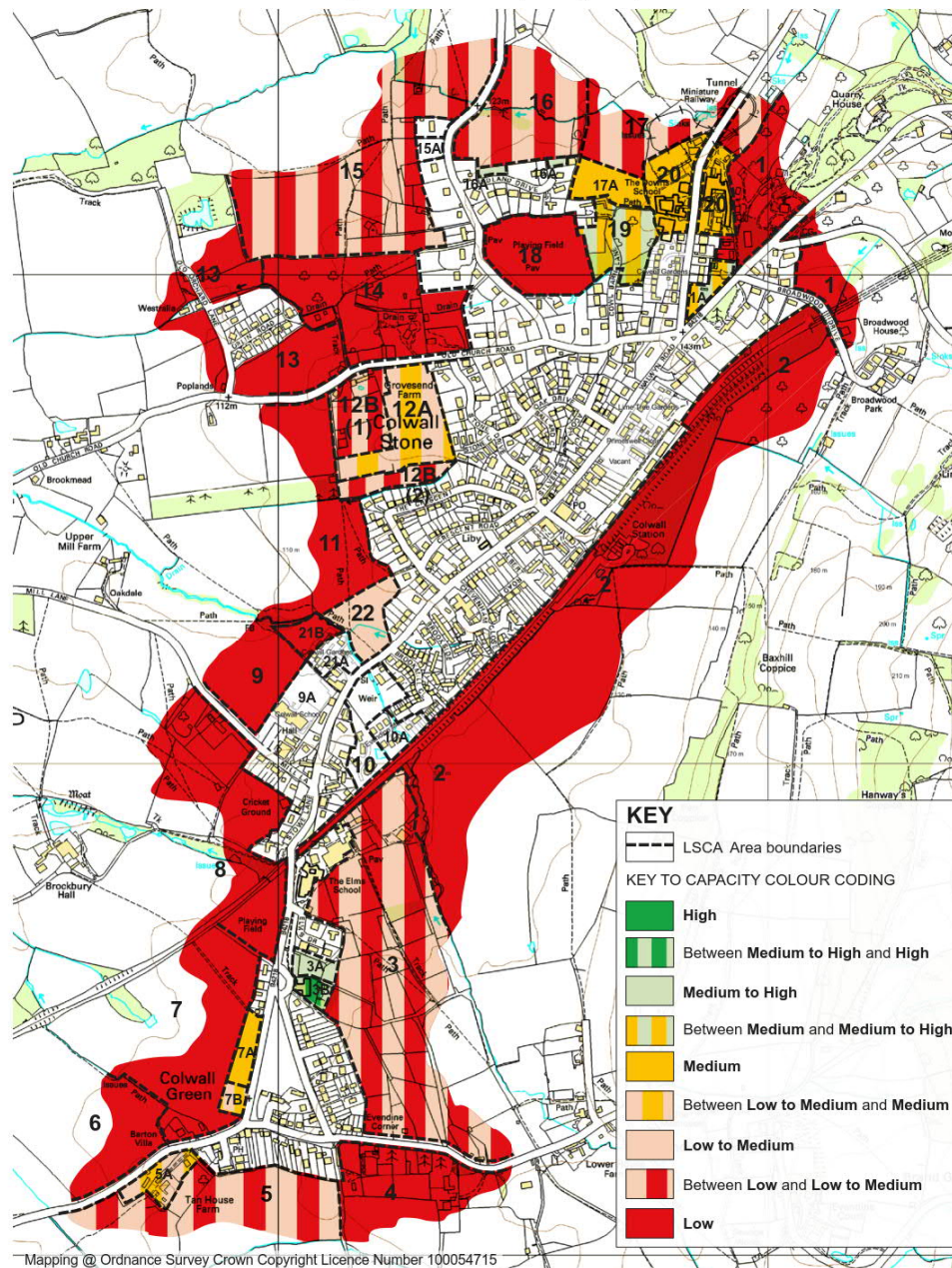
2.9 It is worth noting that the assessment sets out that 'Development of this area would give rise to significant adverse effects on the character of the village and landscape, and on visual amenity especially in terms of views from the Malvern Hills.'

2.10 LSCA Figure 1: Landscape Capacity is reproduced as Map 3 in the NDP. The planning application site is identified as Area 9, with 'Low' capacity for development. See Map 1 below.

Map 1 LSCA Figure 1: Landscape Capacity

Colwall Neighbourhood Development Plan LSCA

Figure 1: Landscape Capacity



Carly Tinkler BA CMLI FRSA MALE for Colwall Parish Council October 2019

Not to Scale

2.11 At the same time a Capacity Table was developed which graded the potential sites in order of their ability to accept development, in landscape terms. The Table was then populated with the other constraints, including whether the landowner wished to develop in the Plan period, and taking account of technical constraints such as access, flood risk and impacts on built and natural heritage assets.

2.12 The Capacity Table is provided as Table 1 in the NDP (on p24) and is reproduced below. This was used to guide decisions about proposed site allocations in the NDP. Plots identified as Low Capacity, including Area (Plot) 9 were not considered suitable for development and were not taken forward in the NDP.

Table 1: Capacity Table

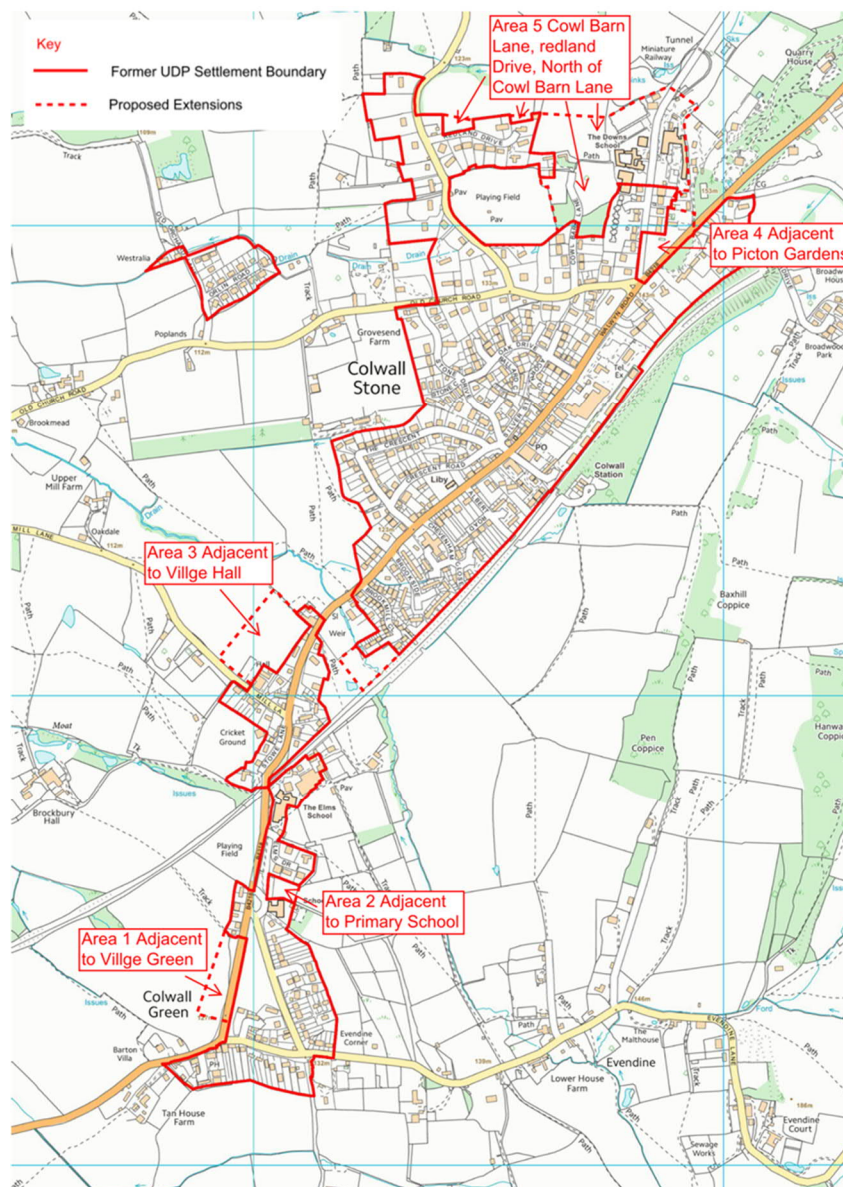
| LSCA Ref (see Figure 1) | Description | Landscape Capacity | Comments | Include in Settlement Boundary? | Allocate site? | Dwellings achievable |
|--|-----------------------------|-----------------------------------|---|---------------------------------|----------------|----------------------|
| 3B | Former school site | Brownfield inside SB | See 3A below | Already in | See 3A below | See 3A below |
| 3A | Adj former school | Medium to High | To be developed jointly with Area Ref 3B, above. Indicative layout indicates 14 dwellings. Landowner confirmed willingness to develop in Plan period. | Yes | Yes | 14 |
| 16A1 | Redland Drive | | Landowner does not wish to develop. Land is actively managed to encourage flora. | No | No | 0 |
| 16A2 | Redland Drive | | No highway access or reasonable prospect of access. | No | No | 0 |
| Total to this level | | | | | | 14 |
| 1A | Picton Gardens | Between Medium and Medium to High | This site is a commercial nursery. Landowner does not wish to develop within the Plan timescale. | No | No | 0 |
| 19 | Cowl Barn Lane | | Rejected in SHLAA 2012, not considered achievable because of highway authority's concerns and difficulty cost of upgrading access. Impacts on historic orchard. | No | No | 0 |
| Total to this level | | | | | | 14 |
| 7A | 3rd side village green | Medium | Landowner does not wish to develop in Plan period. | No | No | 0 |
| 17A | N of Cowl Barn Lane | | No public road access, worsens issues for Area 19. | No | No | 0 |
| 20 | Downs school | | Downs School, include in SB because fully developed. | Yes | No | 0 |
| Total to this level | | | | | | 14 |
| 5A | Tan House Farm | Between Low to Medium and Medium | Generally developed today, a barn may be converted. | Yes | No | 1 |
| 7B | 3rd side village green | | Landowner does not wish to develop in Plan period. | No | No | 0 |
| 12 | Grovesend | | Land owner willing to develop subject to NDP approval. Indicative layout indicates 32 properties appropriate. | Yes | Yes | 32 |
| Total to this level | | | | | | 47 |
| 22 | The Gap site, north of Thai | Low to | Not required to achieve target. Landowner not consulted. | No | No | 0 |
| Total to this level | | | | | | 0 |
| Plot 3, 5, 15, 16, 17. | | Between Low and Low to | Development considered unacceptable in the AONB | No | No | 0 |
| Total to this level | | | | | | 0 |
| Plots 1, 2, 4, 6, 7, 8, 9, 10, 11, 13, 14, 17, 18, 21B | | Low | Development considered unacceptable in the AONB | No | No | 0 |

3.0 Key Points raised in Regulation 16 Responses

3.1 'Broad Public Support for the Site in 2015'

3.1.1 An emerging Draft Plan was published for informal, local consultation in late 2015. At around this time there was also a proposal for a new primary school in the village, and the consultation process for the new school proposal was combined with the consultation on the emerging NDP. The planning application site adjoins Area 3 (see Map 2 below). Area 3 was included in the NDP as an option for new houses in Draft Policy CD5 - Area 3 Adjacent to village hall, and as Option 2 Draft Policy CS1 – Site Allocation for a New Primary School for a mixed-use development including a new school, community / recreational facilities and housing.

Map 2 Former UDP Settlement Boundary and Proposed Extensions, 2015



3.1.2 The Questionnaire included Q8 Draft Policy CD5 - Area 3 Adjacent to village hall (Approx 21 houses, note Plan has error, says 16) with a box for respondents to record whether they supported, objected, or didn't know, and a box for comments / suggested changes.

3.1.3 The questionnaire also included Q17 Draft Policy CS1 – Site allocation for a New Primary School:

| | Support | Object | Don't Know | Comments / Suggested Changes |
|--|---------|--------|------------|------------------------------|
| Option 1 The Existing School Site | | | | |
| Option 2 – Adjacent to the Village Hall (incl approx. 16 houses under CD4) | | | | |
| Option 3 – Grovesend Farm | | | | |

3.1.4 In addition there was a further question, Q19 Proposal by landowner adjacent to village hall. This set out that 'the landowners have offered to negotiate a viable and acceptable scheme to them, Herefordshire Council and Colwall Parish Council to support the provision of a school, community facilities, nature and housing on about 9 acres, see plan.'

Map 3 (Q19)



| Support | Object | Don't Know |
|---------|--------|------------|
| | | |

3.1.5 The map in the Questionnaire included the area for the planning application, as well as the area proposed for the new school (Map 3 above).

3.1.6 The summary of the consultation responses showed that for Q8, 65 respondents supported the option for housing, 7 objected and 13 didn't know. In response to Q17, 82 respondents supported Option 2 (the site adjacent to the village hall) for a new school, 8 objected and 2 didn't know. In response to Q19, the Land Owner Proposal for Provision of School, Community Facilities, Nature and Housing - Adjacent to the Village Hall, 67 supported the proposal, 14 objected and 10 didn't know.

3.1.7 It is worth noting that at this early stage of the NDP's preparation, Grovesend Farm was not consulted upon as an option for housing development, but it was considered as an option

for a site for the new school (with 6 supporting this, 56 objecting and 9 not knowing). The other areas identified as options for housing, (Area 1 Adjacent to the Village Green, Area 2 Adjacent to (former) Primary School, Area 3 Adjacent to Village Hall, Area 4 Picton Gardens, and Area 5 Cowl Barn Lane, Redland Drive, North of Cowl Barn Lane) were all assessed in the most recent LSCA study at that time as being of medium to high and medium to high/medium and medium landscape capacity, and therefore acceptable for housing development.

- 3.1.8 Following the informal public consultation, Herefordshire Council made the decision to develop Area 3 for the new school and this development has been completed.
 - 3.1.9 Other areas identified as options for new housing were not progressed in the NDP for various reasons - see Table 1 Capacity Table above.
 - 3.1.10 The planning application site, adjacent to Area 3, was not considered suitable due to its low capacity. The LSCA concluded that development would extend built form into the sensitive open countryside of the Malvern Hills AONB, beyond the strong edge of the settlement. In views from the Hills' summits in particular, this would be very noticeable, and overall, would result in a significant adverse impact on the landscape character and visual amenity of the AONB. Therefore, the site was not taken forward in the NDP, along with a number of other areas.
 - 3.1.11 Over the following few years, discussions with landowners, consideration of further evidence and technical studies, development of the new school and new housing, and results of other consultation processes, were all used to inform the policies and proposals in later iterations of the NDP. Therefore, although stakeholders' responses to the options for new housing and also the proposed additional site put forward by the landowner in 2015 were carefully considered at that time, the 2015 consultation process results contributed to just one of many elements in the decision-making process, cumulating in the Submission version of the NDP.
- 3.2 'Not in the Conservation Area'
- 3.2.1 A number of objections set out that the Mill Lane site is preferable to the Grovesend Farm site because it does not lie within the Conservation Area.
 - 3.2.2 Development is permitted within Conservation Areas. The NPPF explains in section 16. Conserving and enhancing the historic environment, paragraph 192. That, 'In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.' Herefordshire Council Core Strategy Policy LD4 – Historic environment and heritage assets sets out that, amongst other things, 'Development proposals affecting heritage assets and the wider historic environment should: 1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible.' Any future proposals coming forward for Grovesend Farm will be required to address national, Herefordshire and NDP planning policies in relation to conservation and design.

- 3.2.3 As set out in Section 2 above in more detail, development of the Mill Lane site would have a significant adverse landscape and visual impact on the AONB. The site is not within the Conservation Area but development would be contrary to Core Strategy Policy LD1 – Landscape and townscape which sets out that 'Development proposals should: • demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas; • conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management.'
- 3.2.4 The LSCA demonstrates that the character of the landscape has positively influenced site selection and this process has not led to the identification of the Mill lane site as a site allocation for new housing. The Grovesend site LSCA capacity rating of 'Between Low to Medium and Medium' is 3 levels less sensitive than the Mill Lane site which has the lowest possible rating of 'Low'. It is this stark difference in impact on the AONB that justifies the possible impacts on the Conservation Area.
- 3.3 'Better vehicular and pedestrian access, with links directly to existing footpaths towards the village and local amenities'
- 3.3.1 Respondents to the Regulation 16 consultation suggested that Mill Lane provided better vehicular and pedestrian access to local facilities than the site at Grovesend Farm.
- 3.3.2 The proposed site adjoins the site of the new village school and village hall with obviously very short distances to these facilities. However, local shops, the library and rail station and the main village centre are closer to the proposed site at Grovesend Farm, as tabulated below.

| To/ From | Walking distances in metres Shortest highlighted | | Difference Mill Lane less Grovesend (negative = saving) |
|--|---|-----------|---|
| | Grovesend | Mill Lane | |
| School (by road/ paved pedestrian routes) | 1176 | 163 | -1013 |
| School (incl some field footpaths) | 745 | 163 | -582 |
| V Hall (by road/ paved pedestrian routes) | 1196 | 152 | -1044 |
| V Hall (incl some field footpaths) | 765 | 152 | -613 |
| Butchers | 715 | 763 | 48 |
| Library | 621 | 857 | 236 |
| Pharmacy | 466 | 1012 | 546 |
| Surgery | 345 | 1133 | 788 |
| Rail station | 590 | 1094 | 504 |
| Colwall Park | 510 | 1014 | 504 |
| Café Morso | 591 | 1095 | 504 |
| Community church | 591 | 1095 | 504 |
| Peter's Fruit & Veg | 626 | 1130 | 504 |
| Provisions of Colwall | 703 | 1207 | 504 |

- 3.3.3 Other respondents set out concerns about increased traffic on Mill Lane from the development proposal. One concerned resident advised 'how busy the lane currently is, not just with cars and agricultural traffic, but also large lorries, including articulated lorries which pass through on a daily basis. Safety issues are also a concern; 'The junction of Mill Lane to Walwyn Road is very busy, particularly at school times. With the traffic lights at the bridge, many parents accessing the Elms school, park Mill Lane side and walk their children over the bridge and then return turning in the entrance to Mill Lane. Cars are often parked in Stowe Lane for both schools, and often people stop and park opposite the T-junction to Mill Lane creating dangerous driving conditions, particularly when there are so many young children about. A further consideration is that there is no pavement beyond, school side, beyond the vehicular exit of the village hall, which already creates a significant risk to safety. The suggestion that approximately 40 houses could be built next to the school could only increase an already unsatisfactory situation. If only half the homes had only 2 cars that would be an increase of 60 vehicles.'
- 3.3.4 The Parish Council was involved in the discussions regarding Mill Lane and its junction with Walwyn Road as part of the mixed school and housing development and were content it could provide safe access for the school and additional housing, such as the proposed 37 homes.
- 4.0 Conclusion
- 4.1 The Parish Council maintains its objection to the proposed development of new housing on the site next to the new school, off Mill Lane.
- 4.2 The site is in area identified as of low landscape capacity in the LSCA, where development should be considered unacceptable due to adverse impacts on the AONB. Consequently, the area has not been included in the proposed Settlement Boundary.
- 4.3 Although the proposals for a school and housing in the area received significant public support in an early informal consultation in 2015, it was on the basis of providing a new school and housing in an integrated development. The developer then chose to omit the housing and developed the site purely on the basis of the school. As a result of the landscape studies carried out for the school, Area 9 was reassessed and rated 'low'.
- 4.4 Although the LSCA capacity rating for Area 9 has changed its rating, it has always been lower than the Grovesend site and consequently the Grovesend site should be considered as the preferred site for development. Whilst the Mill Lane application has the advantage of not being in a Conservation Area and its access to Walwyn Road has some public support, it is less accessible to most of the village centre services.
- 4.5 The fact remains that major housing development at Mill Lane would have a far greater adverse impact on the highly sensitive landscape character and visual amenity of the AONB compared to the Grovesend site. Proposing development on an area rated as having the lowest capacity effectively negates the purpose of the LSCA and implies a development free-for-all in the AONB.

Parish Council Response to
Regulation 16 Comments Objecting to Site Allocation Policy CD4 Site 2
Grovesend Farm (Approximately 32 houses)
28 July 2020

1.0 Introduction and Background

- 1.1 This document has been prepared by Mrs Louise Kirkup, a Director of professional town planning consultants Kirkwells Ltd, with the involvement of Mr John Stock (see below) on behalf of Colwall Parish Council. Mrs Kirkup has over 25 years' experience of town planning in the public and private sectors. She has a degree in Land Management (Development) from the University of Reading, a Masters of Civic Design from the University of Liverpool and has been a full member of the Royal Town Planning Institute (MRTPI) since 1996.
- 1.2 Mr John Stock is a parish councillor and leads the Neighbourhood Development Plan Working Group in a voluntary capacity. In his professional life he is Chartered Civil Engineer with over 45 years of highway planning experience including preparation of schemes under the Highways Act 1984 and latterly via Development Consent Orders. He is a Technical Director at WSP, a world-wide engineering consultancy where much of his work has been in Areas of Outstanding Natural Beauty, working closely with landscape architects to minimise and mitigate the impact of infrastructure on the landscape. He also has significant experience of writing highway design standards and guides including specifically for AONBs, that recognises the importance of the landscape.
- 1.3 The parish council's objection to this development is based on the LSCA prepared for the Colwall Neighbourhood Development Plan by Carly Tinkler BA CMLI FRSA MIALE, who has provided specialist landscape and colour advice to Colwall Parish Council since 2013. The parish also liaised with the Malvern Hills Area of Outstanding Natural Beauty Unit with whom they have a long-term working relationship. Carly Tinkler was also heavily involved in the development of the new school which is adjacent to this development site, which afforded further information on which to assess the sensitivity of the site.
- 1.4 This document has been prepared in response to the comments submitted by a number of respondents to the Regulation 16 public consultation on the Colwall NDP, which set out objections to the proposed site allocation for 37 new houses at Grovesend Farm. Firstly, it should be noted the approximately 37 homes is not correct, it should be 32 houses. It is hoped this correction will be recommended by the examiner. This response is based on the provision of 32 homes.
- 1.5 It provides information about the background evidence and reasoning supporting the site allocation process in the NDP, and the Parish Council's decision to include the site at Grovesend Farm in the Submission Plan.
- 1.6 It addresses the key points made in the representations to Herefordshire Council during the Regulation 16 consultation process.
- 1.7 A number of respondents suggested the recent proposal for housing development at Mill Lane should be substituted for the proposed site allocation in the NDP at Grovesend Farm. This document is provided in addition to the document setting out the Parish Council's

Response to Regulation 16 comments supporting planning application for new housing at Mill Lane¹, and should be read alongside it.

1.8 The Parish Council notes the concerns raised by residents, many of whom live close to the proposed development, but considers that, on balance, new housing development on the Grovesend Farm site is supported by the technical evidence. There is a lack of other suitable and available sites in Colwall, and there is a need to meet the indicative housing requirement for the NDP area. The landowner, through their agent, has confirmed that 'the site is suitable, available and achievable for housing development, and therefore [they] consider there are no insurmountable constraints to the delivery of the site during the plan period.'

2.0 NDP Approach to Identifying Proposed Site Allocations

2.1 Planning Policy Context

2.1.1 The housing requirement for Colwall NDP is set out in the adopted Herefordshire Council Core Strategy, 2015. An indicative housing growth target of 14% is given for the Ledbury rural Housing Market Assessment (HMA) (Policy RA1) within which the NDP areas lies, and Colwall village is identified as one of the settlements which are the main focus of proportionate housing development (Figure 4.14 in the Core Strategy). The Colwall NDP includes site allocations and an estimated windfall allowance to meet the up-to-date housing requirement of 46 further dwellings over the plan period, taking account of recent development and commitments.

2.1.2 Colwall NDP area is located entirely within the Malvern Hills AONB. The NDP has therefore been prepared in accordance with NPPF 2019, paragraph 172 which sets out that 'great weight should be given to conserving and enhancing landscape and scenic beauty in in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'

2.1.3 National Planning Practice Guidance (PPG) goes on to provide more detail:

'How should development within National Parks, the Broads and Areas of Outstanding Natural Beauty be approached?

The National Planning Policy Framework makes clear that the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty.

Paragraph: 041 Reference ID: 8-041-20190721 Revision date: 21 07 2019.

2.2 Consideration of Landscape Sensitivity and Landscape Sensitivity and Capacity Assessment

2.2.1 Taking into account the need to take a landscape-led approach in the NDP and following advice from the Malvern Hills AONB officers, and with their assistance, a landscape architect was commissioned at an early stage by the Parish Council to review the areas immediately adjacent to the former UDP settlement boundary and to assess their relative importance in respect of landscape character and visual amenity. This resulted in the published 'Preliminary Assessment of Settlement Boundary – Landscape Appraisal', dated March 2013.

¹ Parish Council Response to Regulation 16 comments supporting Planning Application P200156/O Outline planning application for a residential development with all matters reserved except for access for up to 37 dwellings, Land off Mill Lane, Colwall

This assessment identified 8 sites which demonstrated the most obvious potential [for development] based on a preliminary 'rapid' assessment of areas adjacent to the settlement boundary. It was considered unlikely these sites alone would provide sufficient development to satisfy the housing target due to other constraints, and so a more detailed assessment was commissioned to establish whether further sites could accept development and to grade their relative impact on the AONB.

2.2.2 The purpose of the additional technical study, the Landscape Sensitivity and Capacity Assessment (LSCA), was to identify areas on the outskirts of Colwall's settlement where future residential development could potentially be sited without giving rise to unacceptable levels of adverse effects on landscape character and visual amenity. The Stage 2 Landscape Sensitivity and Capacity Assessment (LSCA) was published in September 2013 and graded parcels of land immediately outside the historic settlement boundary.

2.2.3 Over the following years the LSCA was updated several times, finally in October 2019, to take account of the visual impacts of new development schemes which were built out over the period, and to consider further information and assessment work prepared for developers, including the new primary school.

2.3 Identification of Grovesend Farm as a Proposed Site Allocation

2.3.1 During the very early stages of the NDP's preparation, Grovesend Farm was not considered as one of the options for housing development, as a number of other identified areas were considered to be less sensitive and to have a greater capacity for development. Grovesend Farm was not therefore consulted upon for housing development during the Autumn 2015 public consultation on the emerging First Draft Plan. It was, however, considered as an option for the new primary school.

2.3.2 As work progressed on the NDP, a number of other potential sites had to be discounted from the process. In summary:

- Planning and technical constraints were considered in more detail and as a consequence several sites were discounted on highway access and other grounds. (see All Site Assessments, Oct 2019, available on the Colwall Neighbourhood Plan website www.colwallneighbourhoodplan.org.uk);
- Landowners of potential sites were contacted about whether they were willing to develop their sites and almost all landowners indicated their sites were unlikely to come forward over the plan period (see copies of letters from landowners in Appendix II of the Consultation Statement);
- Herefordshire Council made the decision to develop the site off Mill Lane next to the village hall for the new primary school and initially to provide a mixed development with housing. Subsequently, it chose to only develop the school leading to the loss of a potentially suitable housing site;
- The LSCA had to be updated to account of new development which affected the sensitivity ratings of other potential sites; and
- There were several changes to the net housing requirement over time, from the addition of 10% to the target to give resilience to it being achieved and the reduction in housing following the redevelopment of 34 bedsits for 18 new dwellings.

- These increases in requirement were offset by planning approval for a mix of houses and apartments on the former bottling plant site instead of the nursing home, which did not qualify towards the target.

2.3.3 Overall therefore, the Parish Council had to consider other possible sites to meet the indicative housing requirement set out in the Core Strategy in the NDP.

2.3.4 As an example, Figure 1 below provides a summary position statement on the various housing sites as at October 2017.

Figure 1 Housing Site Position, October 2017

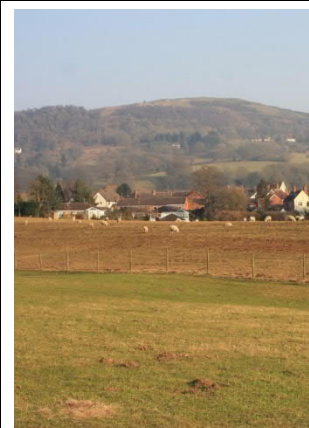
| October 2017 | | | | | |
|---|-------------------------------|-----------------------|---|---|--|
| Area Ref | Description | Landscape Capacity | Capacity Rating 9=high capacity, 1=none | Possible Dwellings towards target (Deliverable) | 14% target on 1141 properties in 2011 = Less achieved to date Less windfall in remainder of Plan based on past 5 years excl large devs Minimum number needed to satisfy target |
| Comments | | | | | |
| | Bottling Plant (Nursing home) | Brownfield & in SB | | Not Count | Not permitted towards target because of extant planning permission, nursing beds not count though high over provision in Colwall |
| | Existing school site | Brownfield & in SB | | 14 | In conjunction with 3a below. Revised LSCA supports this development and suggests 14 properties. HC suggested 6 to match adjacent and take account of village style. As >5 need adoptable standard access which may need flexibility from highways to allow more visually acceptable designs in Village Green. If it is also a requirement for the access to be adopted, it would be an additional barrier. Note, CIL kicks in at 10 or more houses. |
| 3a | Adj old school | Medium to High | 7 | incl above | To be developed jointly with Area Ref 3a. Above |
| 9a | Village Hall to Thai | Medium to High | 21 | Not Deliverable | Used for new school site |
| 16a1 | Redland Drive | Medium to High | 7 | Not Deliverable | Landowner stated no development will be permitted |
| 16a2 | Redland Drive | Medium to High | 7 | Not Deliverable | No highway access or reasonable prospect of access. |
| 1a | Picton Gardens | Medium to High/Medium | 6 | Not Deliverable | Landowner timescale for development beyond the Plan date. |
| 21a | Behind Thai | Medium to High | 6 | 7 | Additional properties to current permission, but may not be achievable. |
| 19 | Cowl Barn Lane | Medium to High/Medium | 6 | Not Deliverable | Rejected in SHLAA 2012. Reduced development area to landowner interest and avoiding orchard means now too few to support construction of access to adoptable standards which is seen as essential. |
| 7a | 3rd side village green | Medium | 5 | Not Deliverable | Landowners timescale too late. If only one access permitted removes 'connection' between properties and Walwyn Road and the Green which was sought. Width of verge is also whilst attractive is counter to the wish to change the nature of the road here. |
| 7b | 3rd side village green | Medium | 5 | Not Deliverable | as above |
| 17a | N of Cowl Barn Lane | Medium | 5 | Not Deliverable | No highway access |
| 20 | Downs school | Medium | 5 | Not Available | Currently built-up as contains Downs School |
| 5a | Tan House Farm | Medium/Low to Medium | 4 | Not Available | Currently built on. |
| Part of 5 | Behind Tan Hill Farm | Medium/Low to Medium | 4 | Not Deliverable | Access off Yew Tree Close. Complex to achieve because of need to re-site and rebuild garages. Would be subject to a 'local' LSCA indicating Capacity Rating of 4 or higher to be acceptable in the AONB. Not previously suggested and therefore likely to be seen as offered because other sites removed for various reasons all of which would equally apply here. |
| 12 | Grovesend | Medium/Low to Medium | 4 | 37 | Agreed by Herefordshire highways subject to pedestrian access arrangements |
| 5 | Netherpaths track | Low to Medium | 3 | Not Deliverable | Unacceptable in the AONB at Capacity Rating 3. Local LSCA unlikely to alter. Access difficulties, remote from village though adjacent to settlement. Not previously suggested and therefore likely to be seen as offered because other sites removed for various reasons all of which would equally apply here. |
| 17 | N of Cowl Barn Lane | Low to Medium | 3 | Not Deliverable | No access |
| 3 | Behind schools | Low to Medium/Low | 2 | Not Deliverable | Inappropriate in the AONB to develop areas with a Capacity Rating of only 2. |
| 15 | West of Mathon Road | Low to Medium/Low | 2 | Not Deliverable | Inappropriate in the AONB to develop areas with a Capacity Rating of only 2. |
| 16 | North of Redland Drive | Low to Medium/Low | 2 | Not Deliverable | Inappropriate in the AONB to develop areas with a Capacity Rating of only 2. |
| 1 & 2 Barton Villas | | Low | 1 | Not Deliverable | Historically rejected in SHLAA. Unacceptable in the AONB with a LSCA Capacity Rating of 1 unless a local LSCA gives a Capacity Rating of 4 or greater. Put forward by landowner Count is 9 properties less 2 demolished. Access for 9 dwellings is unlikely to be acceptable because of location on the inside of the bend. |
| 9 | Mill Lane adj school | Low to Medium | 1 | Not Deliverable | Unacceptable in the AONB with a LSCA Capacity Rating of 1 |
| Plots 1, 2, 4, 6, 7, 8, 9, 10, 11, 13, 14, 18 | | Low | 1 | Not Deliverable | Not considered appropriate for development in the AONB as have the lowest Capacity Rating |
| Totals | | | | 58 | Totals |
| Exceeds target by | | | | 8 | |

- 2.3.5 Throughout the NDP process, residents were kept informed through a number of well-publicised open meetings, and the Parish Council and Working Group sought to engage with stakeholders at all times. More detailed information is provided about this in the Consultation Statement. These engagements stressed the Council's approach to the choice of development sites being made on landscape grounds, unless sites were not deliverable.
- 2.3.6 The Draft NDP was published for Regulation 14 Public Consultation Formal Consultation from 1st February 2018 to 18th March 2018. The proposed site allocation for 37 new houses at Grovesend Farm was included as Site 2 under Draft Policy CD3. There were a significant number of objections to the site from local residents, largely on the grounds of over-reliance on the LSCA in the NDP process, impacts on highways from additional traffic, poor accessibility, loss of green space and adverse impact on the Conservation Area.
- 2.3.7 However there were also a significant number of respondents who supported the proposal and the NDP as a whole. The supportive representations were balanced against the objections, and the need to meet the indicative housing requirement in the NDP. The Site Allocation Policy and other NDP Policies were reviewed and amended to address concerns about design, landscape, protection of built heritage and to encourage walking and cycling and reduce reliance on the car.
- 2.3.8 Prior to Submission, the LSCA was updated and the final version (October 2019) identified Grovesend Farm as Areas 12A and 12B. The assessments (p31 - p32) are reproduced below:

AREA 12A

Location: West side of settlement at Colwall Stone, south of Old Church Road.

General Description: L-shaped part of larger open sloping field currently used for grazing sheep. E boundary tight up against existing settlement, N boundary = Old Church Road. Improved grassland, mature & ornamental trees on boundaries. Good hedge along track to W.



Key Baseline Features: Conservation Area. Listed buildings (Grade II) in vicinity. Victorian industrial heritage buildings / features adjacent SW and S boundaries (ice works / tramway), ag. / forestry buildings & coniferous plantation to SW. Strong influence of Hills to E but local setting mostly confined to boundaries. Public fp.

Landscape Sensitivity: High to Moderate. Currently relatively low quality and condition with eroded and broken edges. Whole field highly sensitive in terms of local landscape character but E side of field less so. Close association with highly sensitive historic sector of village to N.

Visual Sensitivity: High to Moderate. Highly visible from Hills' ridges and properties on boundaries. Partly screened by hedge on E side of public fp in summer. Partly visible from public fp to S.

Overall Sensitivity: High to Moderate. Conservation Area, high visibility, valued local amenity but no public access to field.

Landscape Value: High to Moderate.

Function / Context / Comment: Conservation Area. Forms part of important green open space to N and W of residential area at Colwall Stone. Identified as 'significant open space' and 'green lung' in Village Design Statement. Part of setting of Colwall's Victorian industrial heritage. Site of old ice works and tramway beyond southern boundary. Grade II listed buildings close to N boundary and close association with historic sector of village. Well-used public footpath and hedge along track to W forming clear edge to village. Area's overall capacity from matrix was Low to Medium but was judged to be Medium / Low to Medium due to low value / function. Residential development potentially acceptable on this Area, but density, siting, layout and design of built form must respect and reflect the existing local settlement pattern, vernacular and sense of place.

Overall Capacity: Medium / Low to Medium.

| LANDSCAPE SENSITIVITY | VISUAL SENSITIVITY | OVERALL SENSITIVITY | LANDSCAPE VALUE | OVERALL CAPACITY | |
|-----------------------|--------------------|---------------------|------------------|------------------|---------------|
| MODERATE | HIGH TO MODERATE | MODERATE | HIGH TO MODERATE | MEDIUM | LOW TO MEDIUM |

AREAS 12B(1) & 12B(2)

Location: West side of settlement at Colwall Stone, south of Old Church Road.

General Description: Areas associated with / part of larger open sloping grassed field (see 12A). 12B(1) includes properties / gardens to N (along Old Church Rd) and to W; 12B(2) comprises site of Victorian ice works / tramway, with settlement edge to S. Some mature native & ornamental trees. Good hedge along track on W side.



Key Baseline Features: Conservation Area. Grade II listed buildings. Victorian industrial heritage buildings / features (ice works / tramway). Ag. / forestry buildings & coniferous plantation to SW. Strong influence of Hills to E but local setting mostly confined to boundaries. Public fp.

Landscape Sensitivity: High to Moderate. Mixed quality and condition - some eroded and broken edges but both areas highly sensitive in terms of local landscape character and existing edge of settlement. Important local heritage features, GI assets and vegetation.

Visual Sensitivity: High to Moderate. Highly visible from Hills' ridges. Partly screened by hedge on E side of public fp in summer. Partly visible from public fp to S.

Overall Sensitivity: High to Moderate. Conservation Area, high visibility, valued local amenity but currently no public access to field.

Landscape Value: High to Moderate.

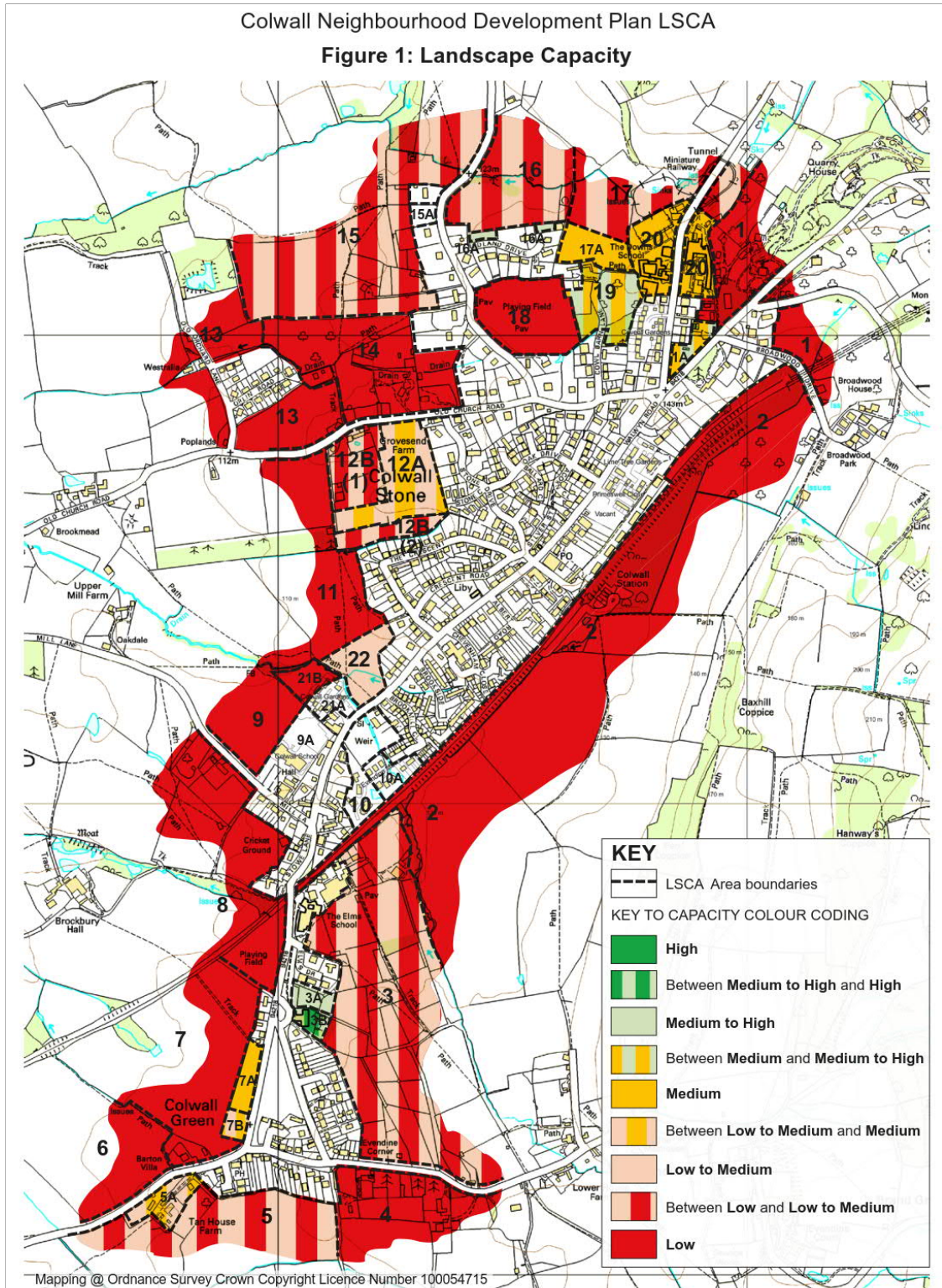
Function / Context / Comment: Conservation Area. Associated with / part of important green open space to N and W of residential area at Colwall Stone. Identified as 'significant open space' and 'green lung' in Village Design Statement. Part of Colwall's Victorian industrial heritage. 12B(2) is site of old ice works and tramway. 12B(1) includes Grade II listed building and closely associated with historic sector of village. Part of field shown as orchard on old maps. Well-used public footpath along track forming clear edge to village. Important GI assets. Development would have adverse effects on landscape character / visual amenity / GI - area not recommended for consideration. Levels of quality / value / GI function could be increased by creating new community green space in field with access from E and W, and restoring / protecting heritage assets.

Overall Capacity: Low to Medium / Low

| LANDSCAPE SENSITIVITY | VISUAL SENSITIVITY | OVERALL SENSITIVITY | | LANDSCAPE VALUE | OVERALL CAPACITY | |
|-----------------------|--------------------|---------------------|----------|------------------|------------------|-----|
| HIGH TO MODERATE | HIGH TO MODERATE | HIGH | MODERATE | HIGH TO MODERATE | LOW TO MEDIUM | LOW |

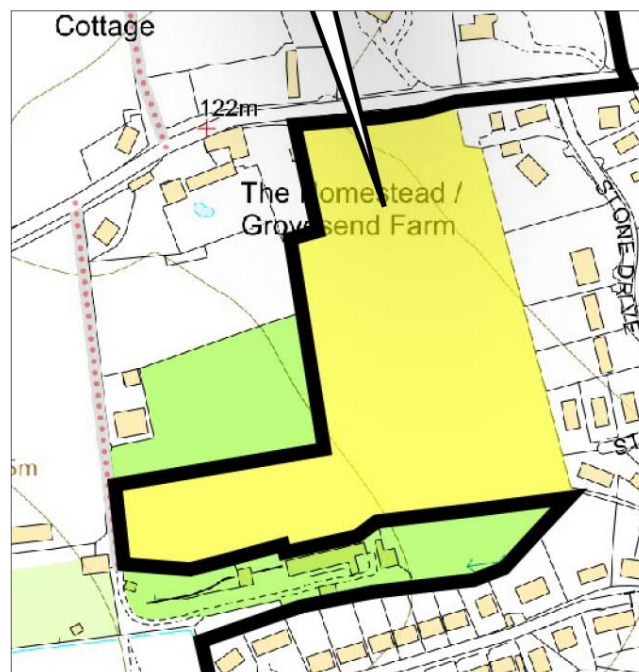
2.3.9 LSCA Figure 1: Landscape Capacity is reproduced as Map 3 in the NDP and as Map 1 below.

Map 1 LSCA Figure 1: Landscape Capacity



- 2.3.10 The site allocation for housing at Grovesend Farm is limited to Site 12A, which is considered to have Medium / Low to Medium capacity for development. The LSCA sets out that Area 12A's 'overall capacity from matrix was Low to Medium but was judged to be Medium / Low to Medium due to low value / function. Residential development potentially acceptable on this Area, but density, siting, layout and design of built form must respect and reflect the existing local settlement pattern, vernacular and sense of place.'
- 2.3.11 Area 12B (Parts 1 and 2) are assessed as having an overall capacity for development of Low to Medium / Low and the report sets out 'Development would have adverse effects on landscape character / visual amenity / GI - area not recommended for consideration. Levels of quality / value / GI function could be increased by creating new community green space in field with access from E and W and restoring / protecting heritage assets.' These more sensitive areas are not included in the site allocation for housing.
- 2.3.12 The proposed Site Allocation Policy CD4 Site 2 Grovesend Farm is shown on the extract from the Policies Map (Map 5 in the NDP) which is reproduced as Map 2 below. The yellow area indicates the site allocation for housing and the green areas are identified as Green Space.

Map 2 Grovesend Farm Site Allocation



- 2.3.13 Overall then, the proposed site allocation for new housing at Grovesend Farm should be retained in the NDP as it is the most suitable, appropriate and deliverable site available to enable the NDP to meet the housing requirement set out in the Core Strategy.
- 3.0 Key Points raised in Regulation 16 Responses
- 3.1 'New housing would lead to additional vehicular traffic on roads that are not suited such as a narrow road in Old Church Road and Stone Drive'
- 3.1.1 The Parish Council takes the residents' concerns about traffic very seriously and has carefully considered the issue.

3.1.2 Herefordshire is a rural area and a great deal of development is accessed by narrow country lanes; Colwall is no exception. Whilst the narrow lanes provide a poor service there is no evidence the narrow lanes in the parish are dangerous; over a 10-year period to 2014, all the injury accidents were on the A449, the B4218 Walwyn Road and B4232 Jubilee Drive. Also, almost all traffic related complaints received by the Parish Council are related to Walwyn Road and Jubilee Drive.

3.1.3 These lanes form an essential part of the rural character of the area, and widening schemes would impact adversely on this character and create short lengths of improved road that would only encourage increased speeds. Conversely, it would not be appropriate to only develop sites that were accessed from more main roads as it would lead to ribbon development, would not take account of the impact on the landscape nor the need for development to be within or adjacent to the main built-up area (Core Strategy Policy RA2).

3.1.4 The following has also been taken into account:

- That all the roads in the Parish have the capacity to absorb the additional traffic generated from the modest development required to meet the housing target;
- There is no evidence that Mill Lane is more suitable than Old Church Road;
- Discussions with the highway authority who confirmed in June 2017 it was content for a Grovesend development of up to 37 homes to go ahead "...subject to the provision of a safe and suitably surfaced (suitable for all seasons of the year) pedestrian link or links to the amenities and facilities of Colwall Village." This requirement is included in the Plan. Note also that the proposed number of homes is 32;
- 35 homes are served by Orlin Road/Old Orchard Lane which is a narrow cul-de-sac and rarely causes any issues;
- The 20 additional dwellings at Covent Garden, where there were concerns about the capacity of Brockhill Road and the impact on the Old Church Road junction. In the event there has been no discernible impact; and
- The additional 12 new homes on Evendine Mews which together with the existing 23, total 35, which are served only by Brookmill Close. Again, the impact has been minimal. It is noted this cul-de-sac has now been extended by a further 10 dwellings.

3.1.5 It is therefore considered the addition of 32 homes to the short length of Old Church Road to Stone Drive is unlikely to create a significant issue and only a proportion of the traffic will then use Stone Drive. Old Church Road is shared use as there is no separate provision for pedestrians or cyclists. This can be a benefit if it is well-used by pedestrians, cyclists and horse-riders, as it significantly calms the traffic. Provision of a footway may appear beneficial but can just lead to increased traffic speeds in the belief pedestrians will not be in the carriageway. Nevertheless, the Plan requires "the provision of a safe and suitably surfaced (suitable for all seasons of the year) pedestrian link or links to the amenities and facilities of Colwall Village."

Furthermore, the highway authority will have to approve all the highway-related details of the development, including junctions, sight-lines and signage, and should include measures to slow traffic on Old Church Road.

- 3.2 Lack of safe pedestrian / cycle route to village centre
- 3.2.1 The Plan requires the developers of the Grovesend site to provide “a safe and suitably surfaced (suitable for all seasons of the year) pedestrian link or links to the amenities and facilities of Colwall Village.” The landowner, through their agent, has confirmed that ‘the site is suitable, available and achievable for housing development, and therefore [they] consider there are no insurmountable constraints to the delivery of the site during the plan period.’
- 3.3 ‘Unacceptable impact on Colwall Conservation Area, historical significance and loss of Green Space’
- 3.3.1 The Grovesend Farm site lies within the Colwall Conservation Area. The site includes an important open space on the edge of the built-up area which is valued by residents. It is bounded to the south and east by modern estate-type housing development which lies outside the Conservation Area boundary.
- 3.3.2 Development is permitted within Conservation Areas. The NPPF 2019, explains in section 16 Conserving and enhancing the historic environment, paragraph 192, that,
- ‘In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.’
- Herefordshire Council Core Strategy Policy LD4 (Paragraph 5.3.24) – Historic environment and heritage assets sets out, amongst other things, that
- ‘Development proposals affecting heritage assets and the wider historic environment should:
1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible.’
- Any future proposals coming forward for Grovesend Farm will be required to address national, Herefordshire Council and NDP planning policies in relation to conservation and design.
- 3.3.3 The proposed site allocation at Grovesend Farm limits the built form to those areas which are of least heritage interest, and which have the highest capacity for development in landscape terms.
- 3.3.4 The LSCA (2019) notes in the site assessments that Site 12B forms ‘part of Colwall’s Victorian industrial heritage. 12B(2) is site of old ice works and tramway. 12B(1) includes Grade II listed building and closely associated with historic sector of village. Part of field shown as orchard on old maps.’ New housing would be limited to Site 12A.

- 3.3.5 The proposed site allocation Policy CD4 Site 2 includes a range of criteria to protect built and heritage assets. These include that designs should be sensitive to the setting and context of the ice house, tramway and former orchard, and a buffer zone of native trees and shrubs and secure fencing should be provided along Area 12A's southern boundary in order to protect these assets and features. Consideration should also be given to effects on listed buildings in close proximity to the site.
- 3.3.6 In addition, the areas to the west and south of the proposed new housing are protected as Green Space as part of the development scheme. Overall, much of the open space, which is cited as a "green lung" in representations and objections, is retained in the proposal. Policy CD4 Criteria 6 requires enhancement of the landscape and ecology, and provision of additional green infrastructure for the benefit of local residents, including a 'green corridor' from the new road through Site 2 to the greenspace to the west, allowing access for pedestrians and maintenance vehicles.
- 3.3.7 It is particularly worth noting that Historic England are fully supportive of the Colwall NDP. In their response to the Regulation 16 consultation, they note 'that the selection of sites with the potential for new housing development has been positively guided by considerable research including the Village Design Statement (2001) and the Landscape Assessment and associated stage 2 Landscape Sensitivity and Capacity Assessment (Tinkler 2013). This and other documentation produced by the Malvern Hills AONB provides a very thorough evidence base for the policies and proposals put forward. It is also clear that specific policies for individual development sites provide for thorough mitigation against potentially adverse impacts upon the rural and built environment including heritage assets and the Colwall conservation area.'
- 3.3.8. Overall the Parish Council is mindful of the potential impact of the development on the Conservation Area, but the proposed site allocation provides an opportunity to guide proposals and help ensure a high-quality scheme which protects and enhances built and natural environment assets.
- 3.4 'Over-reliance on the LSCA in decisions about sites and insufficient consideration of local residents' objections'
- 3.4.1 A number of responses expressed concerns about the pre-eminence of the LSCA in decisions about site allocations and the apparent lack of consideration given to local residents' objections.
- 3.4.2 The NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.
- 3.4.3 The LSCA and subsequent Colwall Visual Study Report, 2019 are a very important part of the NDP's technical evidence base and have been used to inform decisions about site allocations and planning policies in the NDP. The studies used accepted methodologies to provide objective and subjective assessments. It is appropriate that the Parish Council considered the assessments and recommendations in the reports and used the findings to inform the decision-making process. At the same time, other research, consideration of technical information and landowner engagement all contributed to decisions about site allocations.
- 3.4.4 The Consultation Statement sets out in detail how and when local residents and stakeholders have been informed and invited to engage in the NDP process. There were

objections to the proposed development of new housing at Grovesend Farm during the Regulation 14 public consultation, but also a significant number of respondents supported the NDP and the proposed site allocation. The various issues and concerns raised were given careful consideration and led to review and amendment to the Plan's Policies and the specific criteria for Site 2. It was considered that the principle of development on the site was acceptable, provided that detailed proposals properly addressed the NDP policies through the development management process.

- 3.4.5 At the end of the day, therefore, the Parish Council took an informed decision to include the site in the Submission Plan, even though there were objections from some local residents.

4.0 Conclusion

- 4.1 The Parish Council maintains that the proposed site allocation Policy CD4 Site 2 Grovesend Farm (approximately 32 houses) should be retained in the Colwall NDP.

- 4.2 The site would deliver a significant contribution to the indicative housing requirement for Colwall over the Plan period.

- 4.3 In allocating this site the Plan extends the Settlement Boundary into the open country and it is therefore inevitable the proposed development will significantly impact on those properties that currently lie on the settlement edge. Those residents affected by this proposed development have understandably objected to the site allocation, but this has to be balanced against the impact on the AONB which has been the paramount concern throughout the Plan development process.

- 4.4 The LSCA considered the impacts of development on this site on landscape character and visual amenity, especially that of a) local residents and b) the AONB and concluded that it had a greater capacity for development than other areas around Colwall.

- 4.5 The criteria in the proposed site allocation set out in detail how developments should consider and mitigate the impacts on heritage and requires the provision of pedestrian / cycle access to the village centre, to reduce reliance on the car.

- 4.6 The LSCA also concluded that 'Levels of quality / value / GI function could be increased by creating new community green space in the field with access from E and W and restoring / protecting heritage assets'. There is currently no public access to these areas, so providing it would be of benefit to the local community, and now forms part of NDP policy.