

Stretton Grandison Group Neighbourhood Development Plan

Independent Examiner's Report

July 2020

Barbara Maksymiw

Independent Examiner BSc (Hons), MSc, MRTPI

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Summary

I have been appointed by Herefordshire Council to carry out an independent examination of the Stretton Grandison Group Neighbourhood Development Plan.

The examination was carried out in June/July 2020 and was undertaken by considering all the documents submitted to me, including the written representations. I visited the Neighbourhood Development Plan area on 13 June 2020.

The plan is based on extensive engagement with the local community and provides a distinct set of policies, relevant to the needs of local people. The Group Parish - which is made up of the settlements of Stretton Grandison, Eggleton, Canon Frome and Castle Frome - is one of the smaller rural parishes in east central Herefordshire. The Neighbourhood Development Plan provides for the modest housing needs identified in the Herefordshire Local Plan Core Strategy.

Subject to a number of modifications set out in this report, I conclude that the Stretton Grandison Group Neighbourhood Development Plan meets the Basic Conditions and I am pleased to recommend that it should proceed to referendum.

I recommend that the referendum should be confined to the Neighbourhood Plan area.

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1. Introduction

1. Neighbourhood planning is a relatively new process, introduced by the Localism Act 2011, which enables local communities to develop planning policies to guide development in their area and help to shape the places where they live and work.

2. Stretton Grandison Parish is situated in east-central Herefordshire, about ten miles to the north east of Hereford and eight miles north west of Ledbury. It is a rural parish with a population of 360, according to the 2011 census. It is characterised by scattered rural settlements, including Stretton Grandison, Canon Frome, Castle Frome, Upper Eggleton and Lower Eggleton. The Parish relies on services provided outside the parish and has a limited bus service connecting to Hereford, Ledbury and Bromyard. The remainder of the parish is characterised by scattered groups of houses, wayside dwellings and farmsteads.

3. The Parish is crossed by two A class roads – the A4103 linking Hereford and Worcester and the A417 which runs north - south. Both are busy through routes which intersect at Newtown Cross. The landscape of the parish is important in defining local character and distinctiveness and its rural character and heritage assets are features which are highly valued by local people.

4. The purpose of this report is to assess whether the Stretton Grandison Group Neighbourhood Development Plan (NDP) complies with the relevant legislation and meets the Basic Conditions, which such plans are required to meet. Where necessary, the report makes recommendations about changes or modifications to the plan to ensure that it meets the legislative requirements.

5. The report also makes a recommendation about whether the NDP should proceed to the referendum stage. If there is a positive recommendation at referendum, the NDP can be “made” by Herefordshire Council and so become part of the wider development plan and then used by Herefordshire Council to determine planning applications in the plan area.

2. Appointment of the independent examiner

6. I have been appointed by Herefordshire Council with the agreement of Stretton Grandison Parish Council to carry out this independent examination. The Neighbourhood Planning Independent Referral Service (NPIERS) has facilitated my appointment. I am a chartered town planner with extensive planning experience in local government and therefore have the appropriate qualifications and experience to carry out this examination. I am independent of the qualifying body and have no

land interest in the area that might be affected by the plan.

3. The role of the independent examiner

7. The role of the independent examiner is to ensure that the submitted NDP meets the Basic Conditions together with a number of legal requirements.

8. In examining the NDP I am required, under Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990, to check ¹ that:

- the policies in the plan related to the development and use of land for a designated neighbourhood area; and
- the policies in the plan meets the requirements of Section 38 of the Planning and Compulsory Purchase Act (that is, it specifies the period to which it has effect, does not include provision about excluded development and does not relate to more than one neighbourhood area); and
- the plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.

9. I must also consider whether the NDP meets the Basic Conditions set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended). A plan meets the basic conditions² if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- the making of the plan contributes to the achievement of sustainable development
- the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
- the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations

10. Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:

- the making of the neighbourhood plan is not likely to have significant effects on a European

¹ Set out in paragraph 8(1) of Schedule 4B of the Town and Country Planning Act (as amended)

² Set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

site³ or a European offshore marine site⁴ either alone or in combination with other plans or projects and

- having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to this examination as it is not about a neighbourhood development order).

11. A further Basic Condition was added by legislation on 28 December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:

- In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act-
- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

12. As independent examiner, having examined the plan, I am required to make one of the following recommendations:

- that the plan as submitted can proceed to a referendum; or
- that the plan with recommended modifications can proceed to referendum; or
- that the plan does not meet the necessary legal requirements and cannot proceed to referendum

13. If the plan can proceed to referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

14. Herefordshire Council will consider the examiner's report and decide whether it is satisfied with the examiner's recommendations and will publicise its decision on whether the plan will be subject to referendum, with or without modifications. If a referendum is held and results in more than half of those voting in favour of the plan, the Council must "make" the neighbourhood plan a part of its development plan. The plan then becomes part of the development plan for the area and is a statutory consideration in guiding future development and determining planning applications in the

³ As defined in the Conservation of Habitats and Species Regulations 2012

⁴ As defined in the Offshore Marine Conservation (Natural Habitats &c) Regulations 2007

area.

4. Compliance with matters other than the basic conditions

15. In August 2015, Stretton Grandison Group Parish Council applied to Herefordshire Council for the Parish to be designated as a neighbourhood planning area. On 21 September 2015, Herefordshire Council designated the Stretton Grandison Group as a Neighbourhood Area in accordance with the Neighbourhood Planning (General) Regulations 2012. The designated area covers the parish and does not cover any other Neighbourhood Area and the qualifying body is Stretton Grandison Group Parish Council. The Stretton Grandison Group NDP covers the period from 2020-2031, which is the same plan period as the adopted Herefordshire Local Plan Core Strategy (LPCS) ie up to 2031.

16. The preparation of the plan has been managed by a Steering Group made up of local residents and parish councillors which was set up in May 2016 and has overseen the preparation of the NDP. The Group has also had professional assistance from AECOM and Kirkwells.

17. I am satisfied that the NDP includes policies that relate to the development and use of land and does not include provision for any excluded development. The Stretton Grandison Group NDP therefore meets the requirements set out in para 8 above.

5. The examination process

18. The documents which I considered during the course of the examination are listed in Appendix 1.

19. The general rule⁵ is that an examination is undertaken by the consideration of written representations only. Having considered all the information before me, including the representations made to the submitted plan (the Regulation 16 responses), I was satisfied that the Stretton Grandison, Eggleton, Canon Frome and Castle Frome NDP could be examined without the need for a public hearing.

20. During the course of the examination it was necessary to clarify several matters with Herefordshire Council and the Parish Council. These are set out in Appendix 2 to this report. I was provided with prompt and helpful responses to my questions and I am satisfied that I had all the information I required to carry out the examination.

⁵ PPG para 004 ref id 41-004-20140306

21. As part of the Neighbourhood Plan Examination process, it is important for the examiner to understand the context of the neighbourhood plan in the wider area and its overall character, as these shape the issues and policies set out in the plan. I therefore made an unaccompanied site visit to the area on 13 June 2020.

22. The plan has been assessed against the guidance in the National Planning Policy Framework (NPPF) dated February 2019 in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council in March 2020.

6. Consultation

Consultation process

23. Effective consultation and engagement with the local community is an essential component of a successful neighbourhood plan, bringing a sense of public ownership to its proposals and helping to achieve consensus. The policies set out in the NDP will be used as the basis for planning decisions – both on local planning and on planning applications – and, as such, legislation requires neighbourhood plans to be supported by public consultation.

24. In line with the Neighbourhood Planning (General) Regulations 2012⁶, the Steering Group has prepared a Consultation Statement for the NDP which sets out how the group approached public consultation, who was consulted and the outcomes.

25. Throughout the plan preparation process, the Steering Group has sought to consult and engage as wide a range of people as possible and feedback has been used to inform the content and scope of the plan. The first step involved preparing an Issues and Options document and accompanying Residents' Questionnaire which were published for local informal consultation in February 2017. The Issues and Options document identified the main planning issues for the NDP and possible policy options for addressing these issues. The residents questionnaire was circulated to all residents and associated drop in events were also held to raise awareness of the NDP.

26. In order to help identify possible sites to meet the housing requirements of the parish, the Parish Council undertook a 'call for sites' exercise which concluded on 1 March 2018. A notice was placed on the Parish Council's website and on Parish Council notice boards in various locations around the Group Parish. Landowners and agents were asked to complete and return a site

⁶ Regulation 15 of the Neighbourhood Planning (General) Regulations 2012

submission form with a location plan. The submitted sites were then site subject to a technical assessment by consultants AECOM.

27. The next stage involved producing the First Draft Plan (Preferred Options) with possible options for site allocations. This was published for consultation between 3 and 29 June 2019 and paved the way for the first draft of the NDP in autumn 2019.

28. The first formal consultation on the Stretton Grandison Regulation 14 Draft Neighbourhood Development Plan took place between 4 November and 16 December 2019. Local residents and stakeholders were notified of the Regulation 14 public consultation by leaflet. A public drop in event was held to which all residents were invited to attend; free lifts to attend the event could be organised by contacting the Parish Clerk.

29. The final Reg 16 consultation on the Submission Draft version of the NDP was carried out between 18 March and 29 April 2020.

30. It is clear from the Consultation Statement that the Steering Group has engaged very widely with the local community and kept people informed as the plan progressed. This consultation process has helped to ensure that the community's vision for the Parish has been clearly shaped by the views and priorities of the community. This is:

- *New housing development, including affordable housing, will be provided to support the sustainable growth of the area.*
- *Development will be of a high quality design which is sympathetic to the distinctive rural character of existing local buildings in the area. In addition, buildings will incorporate sustainable design principles including energy efficiency measures.*
- *The rural environment, landscape and wildlife of the Stretton Grandison Group Parish will be protected and enhanced.*
- *The rural economy will be strengthened through appropriate small scale business development and farming that provides local employment opportunities.*

Representations received

31. Preparing the NDP has involved two statutory six-week periods of public consultation. The first on the Regulation 14 Draft Plan, took place between 4 November and 16 December 2019. In all, thirty nine representations were received – four from Herefordshire Council, nine from statutory bodies and external consultees with twenty six comments being made by members of the community.

32. The second consultation on the Submission Draft NDP was managed by Herefordshire Council and took place between 18 March and 29 April 2020. This generated eleven responses – four from Herefordshire Council and seven from statutory consultees, external bodies and a member of the public.

33. Occasionally in this report I refer to representations and identify the organisation making that particular comment. However, I have not referred to every representation in my report. Nonetheless, I can assure everyone that each comment made has been looked at and carefully considered.

34. From the evidence in front of me, it is apparent that the Stretton Grandison NDP has been subject to appropriate and extensive community engagement involving much time and effort by the Steering Group. They are to be congratulated for all their efforts and for producing a comprehensive NDP. I am therefore satisfied that the consultation process which has been followed complies with the requirements of the Regulations.

7. Compliance with the basic conditions

35. In my role as independent examiner I must assess whether the NDP meets the Basic Conditions⁷ set out in the Regulations as described in paras 8-11 above.

36. I have considered the Stretton Grandison Neighbourhood Development Plan Basic Conditions Statement produced by the Steering Group, and other supporting documentation, to assist my assessment which is set out below.

National Policy

35. National planning policy is set out in the National Planning Policy Framework (NPPF) and in the supporting Planning Practice Guidance (PPG). At the heart of the planning system is a presumption in favour of sustainable development, which applies to all levels of plan making. For neighbourhood plans, this means that neighbourhood plans should support the strategic development needs set out in Local Plans and plan positively to shape local development. Planning Practice Guidance⁸ states that all plans should be prepared positively, be shaped by effective engagement with the local

⁷ Para 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

⁸ Planning Practice Guidance Paragraph: 041 Reference ID: 41-041-20140306

community and contain policies which are clearly written and unambiguous. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

36. Table 2 of the Basic Conditions Statement provides a comprehensive assessment of how each of the policies in the NDP has regard to the six planning principles in the NPPF. This very comprehensive assessment means that the NDP satisfies the basic condition that it has regard to national policies and advice.

Sustainable development

37. The qualifying body also has to demonstrate how a neighbourhood plan contributes to the achievement of sustainable development as set out in the NPPF⁹. Table 1 in the Basic Conditions Statement sets out a broad assessment of how the NDP will help deliver the economic, social and environmental objectives of the NPPF. I therefore conclude that this Basic Condition is met.

Development Plan

38. The NDP also has to demonstrate that it accords with the strategic policies of the Development Plan. In terms of the wider planning of Herefordshire as a whole, the Neighbourhood Development Plan has been prepared in the context of the Herefordshire Local Plan Core Strategy (HLPCS), which was adopted on 16 October 2015. There is therefore an up to date development plan in place.

39. Table 3 of the Basic Conditions Statement sets out a very comprehensive assessment of how each of the policies in the NDP conforms generally with the relevant strategic policies in the HLPCS. A number of the policies are designed to support and amplify the policies in the HLPCS so that they are relevant to the particular needs and priorities of the parish.

40. Various departments in Herefordshire Council have provided comments on the plan as it has progressed through each stage of preparation and the Council's Progression to Examination Decision Document, dated 30 April 2020, confirms the Council's view that the NDP is legally compliant and can proceed to examination.

41. From my assessment of the plan's policies in the rest of my report, it is evident that the strategic

⁹ NPPF paragraph 16

policies of the adopted HLPCS have generally been carried through to the NDP. Therefore, subject to the recommended changes set out in Section 8 below, I conclude that the NDP is in general conformity with the strategic policies of the development plan and therefore this basic condition is met.

Basic Conditions – conclusions

42. I have considered the Basic Conditions Statement, the supporting evidence and representations made to the Stretton Grandison NDP and I am satisfied that the Plan as submitted follows the general principles set out in national planning policy and contributes to the achievement of sustainable development. It sets out a positive vision for the group parish and policies to protect its distinctive character while accommodating development needs.

43. At a practical level, however, a few of the policies in the Submission NDP need some minor adjustment to ensure that they comply with the NPPF and the strategic guidance in the HLPCS. I have therefore suggested a number of modifications in Section 8 below, to help ensure that the plan accords with national and strategic guidance and therefore meets the basic conditions.

European obligations and Human Rights Requirements

Strategic Environmental Assessment (SEA)

44. The SEA Directive aims to provide a high level of protection to the environment by ensuring that environmental considerations are included in the process of preparing plans and programmes. A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination is made by the responsible authority that the plan is not likely to have “significant effects.”

45. An SEA/HRA Screening Assessment was carried out by Herefordshire Council in September 2015 and a Scoping Report was carried out in May 2016, during the initial stages of preparing the NDP. These concluded that the Neighbourhood Development Plan for the Stretton Grandison Group Parish would require further environmental assessment for Habitat Regulations Assessment and Strategic Environmental Assessment. Herefordshire Council’s approach is set out in two

Environmental Reports, dated October 2019 and March 2020. Habitat Regulations Assessment reports were carried out at the same time.

46. The Environmental Report produced in October 2019 concluded that, on the whole, it is considered that the Stretton Grandison Group NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set out within the Herefordshire Local Plan (Core Strategy).

47. A Habitat Regulations Assessment (HRA) screening was also carried out as the initial Screening report carried out in May 2016 found that the Group Parish falls within the catchment for the River Wye (including the Lugg) SAC, Wye Valley and Forest of Dean Bat Sites and Wye Valley Woodlands SAC.

48. Two Habitat Regulations Assessments were carried out to support the Neighbourhood Development Plan – in October 2019 and March 2020. These both concluded that the Stretton Grandison Group NDP will not have a likely significant effect on the River Wye SAC.

49. Herefordshire Council has sought Counsel advice in light of the implications of the European judgment on the case of *People Over Wind and Sweetman v Coillte Teoranta (C-323/17)* (“Sweetman”).

50. This was summarised in an advice note published in September 2018 . This explains that Herefordshire Council has sought Counsel advice following the judgments and that revised screening reports rely on policies in the HLPCS - specifically policies SD4 and LD2 - to reach a conclusion that a Neighbourhood Development Plan would not result in any likely significant effects. It explains that the key issue has been whether HLPCS policies are classified as ‘mitigation’ and therefore cannot be taken into account at the screening stage.

51. Counsel advice has indicated that Policy SD4 (for example) is part of the development plan and importantly it has been considered through the Core Strategy assessment as removing the pathway to harm and ‘likely significant effects’. As all neighbourhood plans need to be in conformity with the Core Strategy and the policies of the development plan read as a whole, there is no need for the NDPs to include additional mitigation covered within these policies as it is within the higher level plan (the Core Strategy).

52. Herefordshire Council sought further legal advice in December 2018 on the implications of the judgement on *Cooperation Mobilisation for the Environment v Verenigin Leefmilieu* (Dutch

Nitrogen). A statement dated 13 December 2018, explains that counsel's advice concludes "that the overall package will ensure that the NDP is not adopted in breach of reg 63(5) and that, assuming SD4 is properly applied, any permission under Policy RA1, RA2, SD4 and compliant neighbourhood development plans would not breach reg 63 (5)."

53. As the Habitat Regulations Assessments and Environmental Reports prepared to support the NDP have all been prepared in light of this legal advice and the updated basic condition referred to in para 11 above, this leads me to conclude that the necessary legislative requirements have been met and that the basic condition is complied with.

Human rights requirements

54. Section 3.6 of the Basic Conditions Statement provides a detailed explanation which confirms the Steering Group's view that the NDP is compatible with the requirements of EU obligations in relation to human rights. In addition, I could see from the Consultation Statement that consultation activities carried out for the NDP have been wide ranging and the Steering Group sought to engage with all members of the community and relevant stakeholders.

55. I am satisfied, therefore, that the NDP is compatible with the requirements of EU obligations in relation to human rights and no evidence has been submitted to me to suggest otherwise. I am satisfied, then, that the Plan does not breach the European Convention on Human Rights obligations and therefore meets the Basic Conditions.

Other Directives

56. I am not aware of any other European Directives that would apply to this NDP, and in the absence of any evidence to the contrary, I am satisfied that the plan is compatible with EU obligations.

8. Neighbourhood Plan policies

57. This section of my report considers the NDP policies against the basic conditions.

58. The Plan is clearly written and is very well presented and illustrated, with a clear structure distinguished by separate sections. The plan policies are grouped by topic area and for each policy there is a short introduction, followed by relevant supporting text and then the policy which is set out in a coloured text box.

59. All of the policies relate to the development and use of land and none cover excluded development, such as minerals and waste, so the statutory requirements and guidance set out in Planning Practice Guidance¹⁰ are met.

60. As part of this examination, my report includes a series of recommended modifications to ensure that the policies are expressed concisely and precisely in order to comply with the basic conditions. Where I have suggested modifications, these are identified in **bold text**. The recommended modifications relate mainly to issues of clarity and precision and are designed to ensure that the plan fully accords with national and strategic policies. I have considered the policies in the order they appear in the Plan, by section and comment on all of the policies, whether I have suggested modifications or not. Where I consider that the supporting paragraphs need amendment to help explain and justify the plan policy, I have made comments to that effect.

Part One : Setting the Context

Section 1.0 : What is a Neighbourhood Development Plan (NDP)?

61. This section introduces the Neighbourhood Development Plan, explains why a NDP is being prepared and the approach taken to community involvement. I have no comments to make.

Section 2.0: A Neighbourhood Development Plan for Stretton Grandison

62. This section provides a helpful overview of the parish and is both succinct and easy to follow. There is a minor typographical error in paragraph 2.11 on page 7, where “Stiffords Bridge” should read “Fillings Bridge”.

- **Recommendation : In paragraph 2.11 on page 7, change “Stiffords Bridge” to read “Fillings Bridge”**

Section 3.0 : Vision and Objectives for the Group Parish of Canon Frome, Castle Frome, Upper and Lower Eggleton and Stretton Grandison

63. This section outlines the Vision and Objectives for the plan which were developed from a series of community consultation events which were held in 2017. I have no comments to make.

Part 2 Planning Policies and Site Allocations

¹⁰ Planning Practice Guidance PPG para 004

64. This section introduces the policies and I have no comments to make.

Section 4 : Housing in Our Parishes

65. The Stretton Grandison Group Parish lies within the Ledbury Rural Housing Market Area where the target housing growth rate is 14%, which equates to a minimum of 18 new houses in the Parish between 2011 and 2031.

66. Two settlements in the Group Parish are identified in the Herefordshire Local Plan Core Strategy as settlements which will be the main focus of proportionate housing development - namely Lower Eggleton and Fromes Hill. Three settlements are identified as places where proportionate housing is appropriate – these are Stretton Grandison, Canon Frome and Eggleton.

67. In response to my query, the Parish Council confirmed that when the Submission draft NDP was prepared in August 2019, four houses had been built between April 2011 and 2019 and there were no housing commitments or sites with planning permission for new homes. This means that the NDP has to allocate sites for at least 14 dwellings to ensure that the housing requirements for the Parish set out on the HLPCS can be met. I suggest this situation is explained more clearly in Para 4.2.

- **Recommendation : Reword last sentence of para 4.2 to read “As only four houses have been built in the Group Parish since 2011, and there are no committed housing sites or sites with planning permission for new homes, this equates to land for 14 dwellings to be allocated in the NDP.”**

68. The sites allocated under Policy SG2 will provide a total of 14 new homes which means that the indicative housing target for the Parish can be met. The NDP therefore conforms with strategic guidance and the basic condition is met.

Policy SG1 Settlement Boundaries

69. Policy SG1 identifies new settlement boundaries for the five main settlements in the NDP area. These are illustrated in the Policies Map for each village and also show the sites which are allocated for housing development and other important designations, such as conservation area boundaries.

70. Herefordshire Council has drawn up detailed guidance on the drawing up of settlement boundaries in Neighbourhood Plans and this has been used to guide the drawing up of the new settlement boundaries. I can also see that there has been extensive community consultation on the new boundaries, which went hand in hand with discussions about the possible options for new

housing development sites. The outcome of the consultation is well documented and the Steering Group is to be congratulated on the thorough way in which they have approached this aspect of plan making.

71. Clause 5 of policy SG1 refers to provision being made for food growing opportunities such as through community allotments or orchards and gardens. In practice this is likely only to be achievable on larger residential development sites, so the policy needs some minor rewording.

- **Recommendation : Reword clause 5 of Policy SG1 to read “On larger residential development sites, provision should be made for food growing opportunities such as through community allotments or orchards and gardens”**

72. Herefordshire Council has suggested that Policy SG1 could be strengthened by making reference to supporting active travel and seeking developer contributions to help improve the line of the old Herefordshire - Gloucestershire Canal. I agree that this would help deliver on the environmental objectives of the plan, specifically Objective EN02.

- **Recommendation : Add at the end of the second sentence of clause 3 of Policy SG1 “ and support active travel”. Add new sentence at end of clause 3 to read “ Where proposals offer opportunities to link to or otherwise benefit the line of the old Herefordshire- Gloucestershire Canal, developer contributions will be sought towards the reinstatement of the canal and for towpath improvements, in order to provide a cycle and pedestrian friendly traffic-free route between Ledbury and Hereford.”**

73. There is a minor typographical error in Para 4.11 on page 19 , where “Hertfordshire” should read “Herefordshire”. Also, in para 4.19 on page 21, “Canon Pyon” should be changed to “Canon Frome”.

- **Recommendation: In Para 4.11 on page 19, change “Hertfordshire” to “Herefordshire”. In para 4.19 on page 21, change “Canon Pyon” to “Canon Frome”**

Policy SG2 Housing Sites

74. Policy SG2 allocates four sites for residential development to meet the Group Parish’s needs up to 2031. Given each site is unique, detailed guidance about how each site might be developed is provided. This is an excellent example of how a neighbourhood plan can add value by reflecting local community aspirations and concerns and help to ensure that new development is sensitively integrated into small rural settlements.

75. Each site is mapped and its boundaries are shown on the maps that accompany Policy SG2. They are also identified with light brown hatching on the respective Policies Map for each village; however, they are not annotated with a site number. In order to ensure clarity for future users of the plan, site reference numbers should be added to the Policies Maps.

- **Recommendation : Add site numbers for the sites allocated in Policy SG2 to the Policies Maps for Canon Frome and Stretton Grandison**

Policy SG3 Affordable Housing at Canon Frome Court (up to 8 units)

76. Policy SG3 identifies Site 8 as a potential rural exception site where affordable housing may be permitted in line with HLPCS policies RA3 and H2. The general approach to rural exception sites is however, that they are not allocated as such in an NDP, but if such sites come forward they are judged against the generic guidance in the NPPF, PPG and relevant strategic policies in the adopted Local Plan .

77. In response to my query, the Group Parish Council provided a plan showing the boundary of Site 8 and the areas with potential for conversion and new development. I could see from these plans that the areas envisaged for development are very limited, to minimise the impact on the setting of Canon Frome Court.

78. I note, however, that there is no guidance in Policy SG3 limiting development to affordable housing. Herefordshire Council has also commented that some market housing may need to be permitted to make the development viable. Policy SG3 therefore requires some tightening up to ensure that it complies with the guidance in HLPCS policies. It is clear from the site plan that I was provided with, that only a limited amount on new development is envisaged and the majority would involve the conversion of existing buildings. This should be made more explicit in the policy.

- **Recommendation : Add as a new sentence at the end of policy SG3 “ Development proposals should also comply with the HPLCS Policy RA2”. Add “a very limited number of” before “new buildings” in the last sentence of Policy SG3.**

79. I have given some thought to the mapping for Site 8. Depicting the boundary of Site 8 as being within the settlement boundary of Canon Frome, as in the map supplied to me by the Group Parish Council in response to my query, gives the impression that the site is part of the settlement which clearly it is not. I therefore consider that Site 8 should be shown as a stand alone site, without the settlement boundary notation around it. A thinner, coloured or dotted line would be appropriate. As

the other sites allocated in the NDP have been numbered 1-4 , I suggest Site 8 is renumbered as Site 5.

- **Recommendation : Renumber Site 8 as Site 5 in paragraphs 4.32 to 4.35. Insert a thinner, coloured or dotted line boundary around Canon Frome Court into the Canon Frome Village Policies Map to denote the boundary of Site 5 and add a site specific notation. Amend the Policies Map key accordingly, to add reference to the boundary of Site 5.**

Policy SG4 Housing Mix

80. Policy SG4 provides guidance about the mix of housing that is required in the NDP Area. It also covers affordable housing provision, although there is no supporting information in the supporting paragraphs to the policy. In order to provide clarity for future users of the NDP, I suggest that some supporting text is added to explain the reference to the affordable housing requirement in the last clause of Policy SG4.

- **Recommendation : Add a new sentence at the end of paragraph 4.42 to read “On larger housing sites, the Herefordshire Local Plan Core Strategy requires that a proportion of new homes should be affordable for local people. The relevant policy is policy H1 ; it provides sufficient guidance if such sites were to come forward in the NDP area”.**

Section 5 : Protecting our Environment

Policy SG5 Protecting Local Landscape Character and Wildlife

81. This policy seeks to protect the landscape character and wildlife in the NDP area. On a point of detail, the references in the supporting text and the policy itself should be to “principal settled farmlands” not “principle settled farmlands”. This is an issue elsewhere in the plan and a consistency check is required.

- **Recommendation : In policy SG5 change “principle settled farmlands” to “principal settled farmlands”. Make the same change in the supporting text and other relevant policies throughout the NDP document**

82. The reference to “thought should be given to...” in the third clause of Policy SG5 is rather vague and needs to be expressed more precisely.

- **Recommendation : Reword second sentence of the third clause of Policy SG5 to read**

“Where appropriate, development proposals should consider the prevailing threat of Ash Dieback (Chalara) and Sudden Oak Death (Phytophthora)”

Policy SG6 Design Guidelines for Stretton Grandison Conservation Area

83. A consultee has pointed out that they are not aware of a listed building known as “Bishops Cottages” in Stretton Grandison although there is a “Brinsop Cottage” listed in Appendix 4 which is the list of listed buildings in the NDP area. The reference in paragraph 5.29 therefore should be corrected.

- **Recommendation : Change “Bishops Cottages “ in last sentence of para 5.29 to read “Brinsop Cottage”**

Policy SG7 Design Principles – Protecting and Enhancing Heritage and Local Character

84. I have no comments on this policy and the supporting text.

Policy SG8 Design Principles – Promoting High Quality and Sustainable Design

85. Herefordshire Council has suggested that this policy could be strengthened by making reference to public waiting/seating facilities to encourage walking, cycling and the use of public transport. It could also highlight the potential for linking to and developing a traffic free route along the line of the old canal. I agree these changes would be helpful.

- **Recommendation : Reword clause 4 of Policy SG8 to read “Proposals for new development should aim to promote walking and cycling and public transport by providing public waiting/seating facilities and linking to existing routes and facilities where possible and include suitable secure storage provision for bicycles. The potential to link to and develop a traffic free route along the line of the old Herefordshire/Gloucestershire canal should also be considered.”**

Section 6 : Local Economy

Policy SG9 Re-Use of Former Agricultural Buildings for Local Economic Development

86. I have no comments on this policy.

Policy SG10 New Agricultural Buildings and Poly Tunnels

87. The National Farmers Union (NFU) has commented that this policy could be considered overly restrictive, especially where infrastructure requirements are needed to comply with legislation and I agree that some minor rewording to clause 3 is necessary to improve clarity. Clause 7 repeats guidance in the HLPCS so can be deleted.

- **Recommendation : Insert at start of second sentence of Policy SG10 clause 3 “Where operational requirements allow”. Delete Clause 7.**

Policy SG11 Community-Led Renewable Energy Schemes

88. I have no comments on this policy.

Section 7 : Flooding

Policy SG 12 Reducing Flood Risk

89. Herefordshire Council has commented that Policy SD3 of the HLPCS provides comprehensive guidance on flood risk matters . As drafted, Policy SG13 does not add any supplementary local detail and is therefore superfluous and I agree it should be deleted. The supporting text is helpful and signposts the policy guidance in the HLPCS on flooding so I suggest it is retained.

- **Recommendation : Delete Policy SG12**

Section 8 Promoting Sustainable Communities

90. I have no comments on this section.

Section 9 Next Steps

91. I have no comments on this section .

9. Conclusions and Recommendations

92. I have examined the Stretton Grandison, Eggleton, Canon Frome and Castle Frome NDP and I have concluded that, subject to the modifications set out in my report, it meets the basic conditions and other statutory requirements.

93. I am therefore pleased to recommend to Herefordshire Council that, subject to the modifications set out in my report, the Stretton Grandison, Eggleton, Canon Frome and Castle Frome NDP should

proceed to referendum.

94. I am also required to consider whether the referendum area should be extended beyond the Stretton Grandison, Eggleton, Canon Frome and Castle Frome Group Parish area. I see no reason why it would be necessary to alter or extend the plan area for the purposes of holding a referendum, nor have I received any representations to that effect. I therefore conclude that the plan should proceed to referendum based on the neighbourhood area approved by Herefordshire Council in September 2015.

APPENDIX 1: Background Documents

In undertaking this examination, I have considered the following documents:

- Stretton Grandison, Eggleton, Canon Frome and Castle Frome Neighbourhood Development Plan 2020-2031 Submission Version : March 2020 and associated Policies Maps
- Stretton Grandison, Eggleton, Canon Frome and Castle Frome Neighbourhood Development Plan Consultation Statement: March 2020
- Stretton Grandison, Eggleton, Canon Frome and Castle Frome Neighbourhood Development Plan Basic Conditions Statement: March 2020
- Herefordshire Council: Stretton Grandison Group Neighbourhood Area - Progression to Examination Decision Document: 30 April 2020
- Strategic Environmental Assessment Stretton Grandison Group Neighbourhood Area Scoping Report May 2016
- Draft Environmental Report for Stretton Grandison Group Neighbourhood Area: Herefordshire Council: October 2019
- Draft Habitats Regulations Assessment Report for Stretton Grandison Group Neighbourhood Area: Herefordshire Council: October 2019
- Environmental Report for Stretton Grandison Group Neighbourhood Area: Herefordshire Council: March 2020
- Habitats Regulations Assessment Report for Stretton Grandison Group Neighbourhood Area: Herefordshire Council: March 2020
- Herefordshire Council : Neighbourhood Planning Guidance 20 : Settlement Boundaries :April 2013 - revised June 2015
- National Planning Policy Framework (NPPF) February 2019
- Planning Practice Guidance March 2014 and subsequent updates

APPENDIX 2:

Stretton Grandison Group Neighbourhood Development Plan Examination

Request for further information and questions from the Examiner to Herefordshire Council and Stretton Grandison Group Parish Council

I have carried out a preliminary review of the Neighbourhood Development Plan and the evidence submitted in support of it and there are a few points where I need some clarification or further information. I would therefore be grateful if both Councils could assist me, as appropriate, in answering the following questions.

Policy SG3 Affordable Housing at Canon Frome Court

This policy identifies a site at Canon Frome Court as being suitable for an affordable housing development. Although there is some information about the location and extent of the site in the Site Assessment Proforma which was submitted in response to the Call for Sites exercise, the boundary is not precisely defined in the NDP and Policies Maps.

I would be grateful for comments from both Councils on this issue and, if appropriate, I could be supplied with the relevant site plan.

Housing Requirements

Paragraph 4.2 refers to the overall housing requirement for the Group Parish, expressed as a percentage of the number of dwellings in the Parish, but does not give an actual total for the period 2011-2031. Please can this be provided, along with the actual number of existing commitments and completions in the Parish up to the start date of the NDP?

Thank you for your assistance with these questions. Once I have received your responses, I may need to ask for further clarification or further queries may arise as the examination progresses.

Please note that these questions and requests for information is a public document and the answers and any associated documents will also be in the public domain. Both my questions and the responses should be placed on the Councils' websites as appropriate.

Barbara Maksymiw

23 June 2020

