

## Progression to Examination Decision Document

### Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Dinedor Neighbourhood Area
Parish Council	Dinedor Parish Council
Draft Consultation period (Reg14)	31 October to 12 December 2017
Submission consultation period (Reg16)	10 August 2020 to 5 October 2020

#### Determination

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

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

**Summary of comments received during submission consultation**

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

<b>Herefordshire Council</b>	
Environmental Health Air land and water protection	No specific comments in regard to potential contamination.
Environmental Health Noise and nuisance	From a noise and nuisance perspective our department has no comments to make with regard to this proposed neighbourhood plan.
Development Management	<p>Policy A:</p> <p>The wording of the policy is a little ambiguous around regarding the settlement boundary, 'village settlement of Dinedor' and 'adjoining existing housing'.</p> <p>No site allocation included within the plan, therefore para 14 of the NPPF would not be met on adoption.</p>
Strategic Planning	<p>No major conformity issues highlighted.</p> <p>Policy A had further recommendation that the original wording in the reg 14 draft regarding the number of dwellings in "small-scale proposals" be reinstated.</p>

	<p>Placing a definitive cap at 2 seems overly prescriptive, and does not align with the positive approach to growth taken by the Core Strategy.</p>
<p>Historic Environment</p>	<p>It lacks the detail and fails to really grasp the local distinctiveness which would expect to see from a better robust evidence base.</p> <p>There is not really an acknowledgement of some the historical interest in the area, this includes no mention of the munitions area (it being largely within the EZ notwithstanding) which would warrant a message to show that the local context you expect see from these local plans was understood.</p> <p>Additionally the evidence base seems to be lacking, there is not a good definition of the archaeology, both undesignated and designated, in the parish.</p> <p>This is exemplified by there being no maps or any utilisation of the Historic Environment Record data extensively. There is certainly the desire, as the plan does at least have specific policies and aspirations relating to local heritage and archaeology.</p> <p>Also, it should be noted that the village envelope is tight to the existing, and therefore may lack detail in potentially sensitive broader areas.</p>
<p>Transportation</p>	<p>Policy D – The management of traffic around Dinedor.</p> <p>Development should assess the implication on the network and mitigate the implications of the development e.g. passing places.</p> <p>Sustainable transport modes should be promoted with cycle storage and improvements on any PROW facilities.</p> <p>Cycle storage should be provided for all developments  Para 4.5 There should be some recognition that at 2.5 miles from Hereford it is within active travel commuting distance from the city particularly via Dinedor Cross and Hoarwithy Road.</p> <p>4.7 Superfast Broadband para has some dates or locations missing.</p> <p>4.18 on the same issue may also need updating as it still refers to 2016.</p> <p>4.20 Public footpaths map is confusing as it suggests the lines shown in blue on the map might already be public rights of way. Parish registered public footpaths are shown in pink on the map below with the prefix DD. The green lines on the map in the parish plan correspond to existing registered public rights of way. The paths shown in blue on the map in the parish plan are not currently public rights of way at present and should be referred to either in a key or explicitly in the text as those they hope to secure permissive access over.</p> <p>In particular paragraph 5.6 refers to the development of the former</p>

	<p>rail line as an extension to the Greenway and will require wider permissions than just for pedestrians (eg for cyclists and equestrians). This should help confirm the parishes' aspirations to develop 5.6. The parish boundary is shown by the blue line in the plan below shows: Map attached in appendix 2.</p> <p>5. Housing objectives do not mention encouraging developers to support active travel (eg providing infrastructure that facilitates active travel, cycle storage etc), esp for affordable housing. This will help support delivery of aspirations in 5.6.</p>
<b>External</b>	
Welsh Water / DCWW	Nothing further to add.
Coal authority	No specific comments to make on it.
Historic England	<p>Historic England is supportive of the Vision and Objectives set out in the Plan. We particularly commend its' emphasis on conserving rural landscapes including archaeological remains and maintaining rural character.</p> <p>We equally commend the stress laid upon the importance of ensuring good design that conserves local distinctiveness".</p> <p>Overall, Historic England considers that the Plan takes a suitably proportionate approach to the historic environment of the Parish. Beyond those observations we have no further substantive comments to make.</p>
National Grid	No record of assets within the Neighbourhood Plan area.

### Officer appraisal

All the consultation requirements of Regulation 14 were undertaken by the parish council and all the required documentation was submitted under Regulation 15.

This plan has met the requirements of the regulations as set out in the table above. No concern has been raised from internal consultees with regards to the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy. The parish already has met its minimum proportional growth requirement of 21 with 4 commitments and 5 completions (as at April 2020).

The plan includes settlement boundary for the identified settlement of Dinedor. This takes into account existing commitments and proportional growth requirements of dwellings. The plan also allows for windfalls and some capacity within the settlement boundary and rural windfall. Therefore it is likely that Dinedor will continue to provide opportunities for growth in the plan period.

10 representations were received during the submission (Reg16) consultation period. 4 external and 6 from internal service providers at Herefordshire Council. The external consultees had no objections to the plan, and mostly provided general and supportive comments to the plan.

Statutory Consultees have raised no concerns regarding the site allocations or objectives and policies contained in the neighbourhood plan. Historic England, Coal Authority, Welsh Water and National Grid have raised no concerns during the Reg14 consultation and Regulation 16.

Internal consultees Transport, Development Management and Environmental Heath (x2) have raised no major objections to the plan, but have raised concerned about some ambiguous policy wording which can be addressed during the examination process.

Historic Environment team have suggested more detail can be added to the plan regarding local distinctiveness and indicated that the settlement boundary of Dinedor is quite tight.

Strategic Planning have confirmed that the policies within the plan are in general conformity with the Core Strategy

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

### **Assistant Director's comments**

A handwritten signature in blue ink, appearing to read 'R. Gabb', is written over a faint, circular stamp or watermark. The signature is positioned to the right of a vertical line.

**Richard Gabb**

**Programme Director – Growth**

Date: 8 October 2020

## Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From: Herefordshire Council Strategic Planning Team  
 Name of NDP: Dinedor- Regulation 16 consultation draft  
 Date: 24/08/20

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
A- New Housing Development in Dinedor Village	RA2	Y/N	Suggestion that the original wording in the reg 14 draft regarding the number of dwellings in “small-scale proposals” be reinstated. Placing a definitive cap at 2 seems overly prescriptive, and does not align with the positive approach to growth taken by the Core Strategy.
B- Rural Exception Housing	H2	Y	
C- High Quality Design	SD1-SD4, LD1-LD4	Y	
D- The Management of Traffic Around Dinedor	MT1	Y	
E- To Support the Growth of Small Scale Rural Businesses	RA6	Y	
F- To Protect and Enhance the Rural Environment and Landscape	LD1-LD4	Y	Criterion A may contain some typos- not clear what is meant? Criterion B- Presume “Protect or <i>enhance</i> ” is meant here?
G- Protecting Local Heritage Assets	LD4	Y	
H- Protecting Local Green Spaces	N/A	Y	
I- Community Facilities	SC1	Y	
J- Local Residents’ Enjoyment of the Parish	LD1, SD1	Y	