

# **COLWALL NEIGHBOURHOOD DEVELOPMENT PLAN**

## **Submission Draft Version**

**A report to Herefordshire Council  
into the examination of the  
Colwall Neighbourhood Development Plan  
by Independent Examiner, Rosemary Kidd**

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## 1.0 Summary

- 1.1 The Colwall Neighbourhood Plan has been prepared to set out the community's wishes for the village of Colwall.
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer, including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
  - The sub-division of Policy CD2 into four separate policies;
  - The inclusion of a list of community and social facilities in Policy CF1;
  - Clarification of the wording of policies;
  - Clarification to the supporting text; and
  - Improvements to the mapping of policies.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Colwall Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

## 2.0 Introduction

### Background Context

- 2.1 This report sets out the findings of the examination into the Colwall Neighbourhood Plan.
- 2.2 The Parish of Colwall lies about 4.5 miles from the towns of Malvern and Ledbury. The parish lies on the western slopes of the Malvern Hills in the centre of the Malvern Hills AONB. At 2011 there were 2400 people living in the parish.

### Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Colwall Neighbourhood Plan (CNDP) by Herefordshire Council (HC) with the consent of Colwall Parish Council in June 2020. I do not have any interest in any land that may be affected by the CNDP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

### Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Development Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Development Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
  - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.
- 2.5 An Independent Examiner must consider whether a neighbourhood plan meets the "Basic Conditions". The Basic Conditions are set out in paragraph

8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
  3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
  5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans:
    - Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that 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.
- 2.6 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.
- 2.7 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

### **The Examination Process**

- 2.8 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.

- 2.9 I have sought clarification on a number of factual matters from the Qualifying Body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.
- 2.10 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the CNDP dated November 2019.
- 2.11 I have considered the Basic Conditions Statement and the Consultation Statement as well as the Environmental Report and Habitats Regulation Assessment. In my assessment of each policy I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.
- 2.12 I have undertaken an unaccompanied site visit to the Plan area.

### **Legislative Requirements**

- 2.13 The neighbourhood plan making process has been led by Colwall Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process.
- 2.14 The Basic Conditions Statement confirms that the Neighbourhood Plan area is co-terminus with the parish of Colwall and that there are no other neighbourhood plans relating to that area. The area was designated by Herefordshire Council on 17 September 2012 as a Neighbourhood Area.
- 2.15 A neighbourhood plan must specify the period during which it is to have effect. The Basic Conditions Statement states that this is from 2011 to 2031. These dates are shown on the front cover of the Neighbourhood Plan and the supporting documents. It is acknowledged that they coincide with the dates of the Herefordshire Core Strategy, however, it is recommended that the start date should be revised to the date the plan is made.
- 2.16 The Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.17 The Neighbourhood Development Plan should only contain policies relating to the development and use of land. The CNDP policies are compliant with this requirement.
- 2.18 The Basic Conditions Statement confirms the above points and I am satisfied therefore that the CNDP satisfies all the legal requirements set out in paragraph 2.4 above.

**Recommendation 1: Revise the start date of the CNDP to the date the Plan is made.**

**The Basic Conditions**

**Basic Condition 1 – Has regard to National Policy**

- 2.19 The first Basic Condition is for the neighbourhood plan “*to have regard to national policies and advice contained in guidance issued by the Secretary of State*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “*consistent with national policy*”.
- 2.20 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”
- 2.21 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.22 The NPPF of February 2019 (as amended) is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council after 24 January 2019.
- 2.23 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies*” and further states that “*A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.*”
- 2.24 Table 2 of the Basic Conditions Statement includes comments on how the policies of the CNDP have had regard to the six principles for plan-making set out in paragraph 16 of the NPPF. The following paragraphs set out how the CNDP has sought to deliver various aspects of the NPPF. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.

## **Basic Condition 2 - Contributes to sustainable development**

- 2.25 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.26 Table 1 of the Basic Conditions Statement sets out how the CNDP delivers the 3 overarching objectives of sustainable development.
- 2.27 I am satisfied that the Plan contributes to the delivery of sustainable development and therefore meets this Basic Condition.

## **Basic Condition 3 – is in general conformity with strategic policies in the development plan**

- 2.28 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area. The Development Plan relevant to the area comprises the Herefordshire Local Plan Core Strategy 2011-2031 which was adopted in October 2015.
- 2.29 Table 3 of the Basic Conditions Statement sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Core Strategy.
- 2.30 I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies.

## **Basic Condition 4 – Compatible with EU obligations and human rights requirements**

- 2.31 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. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.32 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 from the responsible authority (Herefordshire Council) that the plan is not likely to have "significant effects."
- 2.33 A screening opinion carried out by Herefordshire Council in May 2013 determined that the CNDP would require a Strategic Environmental Assessment as the Plan may give rise to significant environmental effects due to the range of environmental designations in and around the parish. The



Screening Opinion is set out in Appendix 1 of the Environmental Report dated January 2020.

- 2.34 Consultation was carried out with the statutory environmental bodies on the SEA Scoping Report from October to November 2014. The responses are included in Appendix 3 of the Environmental Report. No further responses were received from the statutory environmental bodies to the Environmental Report at the Regulation 14 consultation stage.
- 2.35 The Environmental Report assesses the aims, options and policies of the CNDP against 16 SEA objectives. Four options were assessed:
- Do nothing.
  - Allocate sites for housing
  - Manage future housing using a settlement boundary
  - Allocate sites and identify a settlement boundary.
- 2.36 The policies and sites proposed for allocation were assessed against the SEA objectives.
- 2.37 The assessment demonstrates that the cumulative impact over the time scale is generally positive. Although the development policies indicate that in the short term there may be a neutral or uncertain impact due to the development works that would be undergoing, but within the middle and long term the effects often turn positive due to the criteria in additional CNDP policies that provide mitigation methods against the development. Therefore the majority of the policies will be balanced with sustainable policies to minimise environmental impact.
- 2.38 The assessment identified the cumulative effects of the Plan's policies; it was highlighted that the policies contained in the Colwall Plan are not over and above the Core Strategy, therefore the cumulative effect will not exceed that of the Core Strategy Policies which have also been subject to a full Sustainability Appraisal
- 2.39 Many of the policies already include mitigation criteria with regards to landscape character and the historic environment. The plan's objectives have been the safeguarding of the environment given Colwall's location within the Malvern Hills Area of Outstanding Natural Beauty. The settlement boundary delineation and the site selection process have been based on the Landscape Sensitivity and Capacity Assessment (LSCA) and the policies criteria within the policy are seeking to ensure that this character is maintained.
- 2.40 Consultation was carried out on the Environment Report alongside that on the Submission Draft Plan. No comments were received.
- 2.41 The initial Colwall HRA Screening Report was undertaken in September 2012 and found that the neighbourhood area did not contain any European sites or their proximity would not be affected by policies and proposals within the

proposed Colwall Neighbourhood Plan. It concluded that a full HRA Screening was not be required. The HRA Addendum Report of November 2017 reached the same conclusion.

- 2.42 No comments were received to the consultation on the HRA screening assessment.
- 2.43 I am satisfied that the Environmental Report and HRA screening opinion have been carried out in accordance with the legal requirements.
- 2.44 The Basic Conditions Statement considers the impact of the Plan on Human Rights and concludes that: *“The Colwall Submission Neighbourhood Development Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels.”*
- 2.45 From my review of the Consultation Statement, I have concluded that the CNDP has had appropriate regard to Human Rights.
- 2.46 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the CNDP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

### **Consultation on the Neighbourhood Plan**

- 2.47 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.48 The key stages of consultation on the preparation of CNDP were:
1. Several rounds of community engagement and public consultation were undertaken at key stages throughout the early preparation of the Draft Plan between 2013 and 2015. A series of open public meetings were held in the village hall to explain progress on the CNDP and to discuss any key issues. These meetings were promoted widely through the distribution of flyers circulated to local residents and stakeholder groups.
    - a) Launch Event - Colwall Village Hall 27 March 2013.
    - b) Colwall Village Hall 10 October 2013.
    - c) Colwall Village Hall 17 January 2015.

2. An emerging draft plan was published for informal 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 CNDP.
3. A public meeting was held in the village hall on 4 November 2015. A copy of the emerging First Draft Plan and a representation form were placed on the neighbourhood plan website for comments. Copies of the Plan were also available on request from the Parish Clerk and were available at several local locations.
4. There was a high level of response to the plan with written representations from over 100 local residents / households / representatives of local organisations and businesses.
5. A further meeting was held on the 26 November 2015 in the Yew Tree public house at the request of Colwall Green residents and 30 attended. Subsequently a petition was received against the development proposals in Colwall Green. Another meeting was held with residents of Cowl Barn Lane and the landscape consultant on 24 March 2016 regarding the LSCA findings in their area.
6. In February 2017 the Qualifying Body (QB) wrote to landowners of identified potential housing sites and invited their comments about whether they supported their site's possible inclusion as a site allocation, and if so, the timeframe for bringing the site forward.
7. Regulation 14 Public Consultation on the draft CNDP was carried out between 1 February to 18 March 2018. An e-mail or letter was sent to all Consultation Bodies, local businesses and local community organisations. A public event was held on 31 January 2018 in the village hall, where the Plan was presented and there was an opportunity for questions and answers.
8. The Regulation 14 public consultation generated a high level of responses from consultation bodies, local residents, businesses and other stakeholders. The responses, together with the Steering Group and Parish Council's consideration and any resulting changes to the Submission NDP are set out in the Regulation 14 Report of Consultations. Many local residents were highly supportive of the CNDP and recognised the hard work and commitment of the Steering Group members. However there were also a number of very detailed comments and objections relating to the proposed housing sites and the LSCA.
9. The proposed Grovesend Farm development site generated by far the greatest number of representations. The representations were primarily concerned with the use of the LSCA to determine development sites and the impact on the narrow lanes and roads in the vicinity.
10. Regular updates on progress with the preparation of the CNDP were presented to the public at Parish Council meetings from 2018 - 2019. A public meeting was held on 22 January 2019 in the Village Hall to update local residents and stakeholders on progress on the CNDP since the Regulation 14 consultation. A presentation was made summarising the

many detailed comments received and proposed changes to potential development sites within the village.

- 2.49 It is clear from the evidence presented to me in the Consultation Statement, that extensive consultation has been carried out during the preparation of the CNDP. It is evident that there has been considerable interest by the local community in the preparation of the plan and the Parish Council has afforded the community a number of opportunities to express their views. The Consultation Statement and Regulation 14 Report of Consultation present a comprehensive summary of the consultation events, the issues raised and the responses by the Steering Group and Parish Council to comments raised.
- 2.50 The Regulation 16 consultation was carried out by Herefordshire Council between 14 February to 27 March 2020. In total, 89 representations were received as a result of the Regulation 16 consultation including 9 external bodies, 5 service areas from Herefordshire Council, 66 local residents and a joint representation from 28 residents. The vast majority of those from local residents were objecting to the site allocation at Grovesend Farm.
- 2.51 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.
- 2.52 This report is the outcome of my examination of the Submission Draft Version of the CNDP. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions. My report makes recommendations based on my findings on whether the Plan meets the Basic Conditions and provided the Plan is modified as recommended, I am satisfied that it is appropriate for the Neighbourhood Plan to be made. If the plan receives the support of over 50% of those voting then the Plan will be made following approval by Herefordshire Council.

### 3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The PPG states that *“a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. 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”*. I will consider this requirement as I examine each policy.
- 3.5 The CNDP contains policies on housing, design principles, community facilities, open space and renewable energy. Appendix 1 contains a Community Action on highway design and minimising traffic impacts.
- 3.6 The Plan is well prepared and presented, setting out comprehensive policies to guide the future development of housing in the village and the safeguarding of community facilities and open space. In view of the location of the plan area in the Malvern Hills AONB, the Plan makers have underpinned the assessment of potential housing sites with a Landscape Sensitivity and Capacity Assessment (LSCA) which assessed the capacity of sites to absorb development.
- 3.7 The policies are clearly distinguishable from the supporting text by surrounding coloured boxes. Appendix 1 contains a Community Action for the Parish Council to work to provide better highway design in new development. I have made a recommendation on the presentation of this section at the end of my report.

- 3.8 Historic England has commented positively on the plan to say that they consider the CNDP to be very good example of community led planning. They have observed:

*“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.*

*“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. 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”.*

- 3.9 The Plan contains Policies Maps for the parish and the village of Colwall. There are also small inset maps within the text of certain policies; these are helpful as they show the location in more detail. They should be titled as Inset Maps. Map 5 should be retitled to avoid any confusion with the formal Policies Maps. To avoid any confusion, the policies should refer to the Parish Policies Map instead of the Inset Maps. Ledbury Town Council has commented that they did not always find the maps and diagrams easy to follow and some of the keys were not clear. I agree with the comments and have made recommendations under relevant policies for improvements to the plan’s mapping.
- 3.10 Herefordshire Council has confirmed that the Parish Policies Map will form an inset into the overall county development plan map and should show the policies from the Core Strategy and the CNDP.

**Recommendation 2: Make reference to locations being shown on the Parish Policies Map instead of the Inset Maps in the Policy wording.**

## The Neighbourhood Plan

### Introduction

- 3.11 The introductory sections of the Plan are clearly presented and explain the primary purpose of preparing the Plan of identifying a suitable settlement boundary for the village. The process of preparing the LSCA to assess the potential capacity of sites around the settlement boundary is described. Following consultation, the LSCA was reassessed and a study of views and visual amenity of the village and surrounding areas was undertaken.
- 3.12 The QB has asked that reference should be included in paragraph 4.16 of two additional AONB guidance notes. There is a typographical error in paragraph 4.24.

### **Recommendation 3: Include reference in the list of Malvern Hills AONB Guidance Documents in paragraph 4.16 to:**

- *Guidance on how development can respect landscape in views, 2019*
- *Guidance on keeping horses in the landscape, 2010.*

**Correct the typographical error in paragraph 4.24: “contest” should read “context”.**

### Vision and Aims

- 3.13 The vision and eleven aims are clearly presented and are delivered through the policies of the Plan. The relevant aims are set out in each section of the Plan.
- 3.14 There is a typographical error in Aim 9: “More”

### Development Strategy and Sites Assessments

- 3.15 Section 6 sets out the strategic context for housing development in the Plan area and the significance of the setting of the parish wholly within the Malvern Hills AONB. The section explains the process that has been undertaken in preparing background evidence to justify the selection of sites to be included in the revised settlement boundary.
- 3.16 In consultation with the AONB unit, a landscape architect was commissioned to review the areas immediately adjacent to the existing settlement boundary to assess their relative importance in respect of landscape character and visual amenity. This Preliminary Assessment dated March 2013 identified 8 sites which had the most obvious potential for development. However, it was considered that these sites would not provide sufficient development to satisfy the target because of other constraints.

- 3.17 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. Over the following years it was updated several times, with the final iteration dated October 2019, to take account of the visual impacts of new development schemes, and to consider further information and assessment work prepared for developers, including for the new primary school.
- 3.18 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.
- 3.19 For those sites that appeared deliverable, an indicative housing number was inserted to understand the likely number of sites required to achieve the target. It was determined that sufficient development land to satisfy the target could be allocated without using land which is rated in the lowest three capacity gradings
- 3.20 Paragraph 6.0.12 summarises the criteria used in selecting sites to be included in the settlement boundary and to be allocated in the Plan. Table 1 Capacity Table ranks the sites by their Landscape Capacity and includes key comments on their deliverability. The Stage 2: Landscape Sensitivity and Capacity Assessment report sets out the justification for the ranking of the sites. Further information on other factors is set out in the Site Assessment Forms which the QB has supplied to me.
- 3.21 Two sites were selected for allocation for housing development and three other developed areas were proposed for inclusion in the settlement boundary. The two sites were considered to be capable of delivering sufficient housing to meet the indicative housing target after taking account of commitments and windfall sites.

### **Policy CSB1 Colwall Settlement Boundary**

- 3.22 The first paragraph of the policy supports the provision of at least 70 new homes over the Plan period. Paragraph 6.1.1 points 1 and 2 explain that the housing requirement for the parish for the period 2011 – 2031 to meet the indicative target set by the Herefordshire Core Strategy is 176 dwellings. This includes a 10% uplift to provide some resilience. Table 2 of the Plan showed that at November 2019 there were 106 commitments; Herefordshire Council has confirmed that this has increased to 112 at April 2020. Windfalls were estimated at 2 per year giving 22 dwellings in the remaining plan period. Paragraph 6.1.1 point 2 states that the plan is seeking to allocate 46



dwellings and make provision for a total of 70 dwellings. I recommend that the figures in this section of the plan should be updated.

- 3.23 I am satisfied that this part of the policy accords with and will support the delivery of the strategic housing requirement over the remainder of the Core Strategy period. My previous recommendation to revise the Plan period for 2011 – 2031 to 2020 – 2031, will ensure that the first part of the policy relates to the period 2020 – 2031.
- 3.24 A representation has been received proposing that the housing requirement should include a buffer of 20% instead of 10%. NPPF paragraph 73 calls for a buffer of 20% where there has been significant under delivery of housing over the previous 3 years. The increase in the buffer would require an additional 16 dwellings to be provided in the plan. Herefordshire Council has confirmed that housing delivery is calculated on a countywide basis and not at parish level. The Housing Delivery Test shows that between 2016 and 2019 Herefordshire had provided 80% of the housing required, which represents an increase in 6% from the last year.
- 3.25 NPPF paragraph 73 c) states that a buffer of 20% should be provided where there has been a significant under delivery of housing over the previous three years. Footnote 39 states that from November 2018, this will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.
- 3.26 It is for HC to set the appropriate housing requirement for each neighbourhood plan taking account of the results from the Housing Delivery Test. HC has not advised me that the higher buffer of 20% is required. I am satisfied that the CNDP is proposing in excess of the housing requirement figure and is therefore contributing towards the delivery of the strategic housing requirement set by HC over the remainder of the Core Strategy period.
- 3.27 The second paragraph of the policy “permits” residential development on site allocations and other areas within the settlement boundary. NPPF paragraph 2 states that “*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*”. Neighbourhood Plan policies cannot state whether certain forms of development will or will not be permitted. I have recommended a modification to avoid the use of this phrasing and to make reference to the policies of the Development Plan. There is no need to refer to the “site allocations and other areas” as the sites are allocated under Policies CD3 and CD4.
- 3.28 The third paragraph sets out guidance that built form should not be built up to the settlement boundary. Representations have been made that it is unclear how this part of the policy is to be applied. As Policy CD2 sets out extensive design principles for development in the settlement boundary it would be more appropriate to include it in that policy. The QB has proposed text to

clarify the intentions of this paragraph to be added to Policy CD2 point 3. I have recommended the inclusion of the revised text under Policy CD2 and the deletion of the third paragraph of Policy CSB1.

- 3.29 A representation has been received requesting that the settlement boundary should be revised to include 1 and 2 Barton Villas and possibly Broadleigh Cottage and their curtilages. It is argued that the site is substantially developed and lies adjacent to the historic settlement boundary and therefore satisfies bullet point 5 of paragraph 6.0.12. The site has the potential to provide a modest windfall development to meet the needs of the plan's provision that can be integrated into the settlement and landscape.
- 3.30 The QB has confirmed that the site has been assessed in the LSCA (2019) and has been identified as having a low capacity for development. The inclusion of the site within the settlement boundary therefore conflicts with bullet point two of paragraph 6.0.12. I am satisfied that there have been no errors in excluding this location from the settlement boundary. It is not within my remit to recommend that additional sites should be identified for development. No change is recommended.

**Recommendation 4: Revise Policy CSB1 as follows:**

**Revise the second paragraph to read: “Residential development will be *supported* within the Colwall settlement boundary shown on the Policies Map, where proposals are in accordance with the policies of the *Development Plan*”.**

**Delete the third paragraph of the policy.**

**Update the housing figures in paragraph 6.1.1.**

**Policy CD1 Protecting Exceptional Key Views**

- 3.31 The policy identifies Exceptional Viewpoints and requires a Landscape and Visual Impact Assessment to be undertaken for development proposals likely to affect any of the views. The final paragraph of the policy states that proposals which have a high degree of adverse effect on one or more of the views will be refused.
- 3.32 The Exceptional Key views have been identified in the Colwall Visual Study Report dated January 2019. This is a comprehensive study undertaken by an independent landscape specialist. Whilst some of the viewpoints are on higher land outside the plan area, it is considered valid that they should be included in the policy as development in the village will be visible from them. Although it may be helpful to plan users to include a statement in the justification to explain that the policy can only be applied to development in the Plan area.

- 3.33 Map 7 shows the classification of two locations from the Malvern Hills AONB viewpoints as Exceptional or Special. The published version of the Visual Study did not attempt to grade the quality of the viewpoints and referred to them all as important views. I have asked the QB to explain the reasons for the change to the term “exceptional” in the description of viewpoints and consider whether this seeks to give greater status to the viewpoints than was intended by the assessment in the Visual Report and whether this greater status can be justified.
- 3.34 The QB has responded to say that an earlier version of the Visual Study was provided on the CNDP website in error. The final version refers to 'Exceptional Key Views' as agreed with officers from the Malvern Hills AONB. The report includes an additional paragraph 2.7 explaining the changes:
- “2.7 However, during consultation with the Malvern Hills AONB Unit, it was concluded that the term ‘Important View’ should be replaced with the term ‘Exceptional Key View’ in the 2019 study and NDP policy, superseding the 2001 VDS term completely. The reason for this is because it made more sense for the Visual Study and the NDP to align with other visual studies carried out in the area (for example the AONB’s ‘Guidance on Views’ and Malvern Town’s NDP), which use the term ‘Exceptional Key Views’ for those of highest value (the examples mentioned also categorise views as ‘Special’ and ‘Representative’; however, it was agreed that this would not be appropriate for smaller-scale areas such as Colwall village).”*
- 3.35 They have also noted that Figure VS3 Viewpoint Location Plan of the Visual Study was included in the NDP as Map 7. As a consequence of the changes to the Visual Study, Map 7 needs to be updated.
- 3.36 I have noted the QB’s explanation of the change in the description of the views in the final version of the Colwall Visual Study Report and the need to revise Map 7 to reflect the final version of the Report and have proposed modifications accordingly.
- 3.37 In accordance with NPPF paragraph 2, neighbourhood plan policies cannot state whether certain forms of development will be refused. I have recommended a modification to avoid the use of this wording.
- 3.38 HC has commented that the level of information required in assessing proposals should be proportionate to the type of development proposed. I agree with the concerns expressed and have recommended a modification to this effect.
- 3.39 It is considered that subject to the recommended modifications, the policy accords with NPPF paragraphs 170 and 172 as it helps protect and enhance the valued landscape of the AONB. It conforms to Core Strategy Policy LD1 which requires development proposals to demonstrate how the character of the landscape and townscape has positively influenced the design.

**Recommendation 5: Revise of Policy CD1 as follows:**

**Add the following to the second paragraph: “*The information required in the assessment study should be proportionate to the type and scale of development proposed.*”**

**Revise the third paragraph “.....Exceptional Key views will *not be supported.*”**

**Replace Map 7 with the updated Figure VS3 from the final Colwall Visual Study Report.**

**Add the following to the justification to the policy: “*There are extensive views from some of the viewpoints especially those on higher ground. However, this policy can only be applied to development in the plan area.*”**

**Policy CD2 General Design Principles for Development within Colwall Settlement Boundary**

- 3.40 The policy sets out a comprehensive and detailed suite of design principles to be applied when considering the design of development within the settlement boundary.
- 3.41 The policy accords with NPPF paragraph 125 which states that “*Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.*”
- 3.42 The policy builds on the principles set out in the Core Strategy Policies SS6 and LD1.
- 3.43 HC has suggested that the policy should be divided into separate policies to aid the plan user. The QB has agreed to this and has proposed that it should be divided into four policies. I have included their proposal in my recommendation. They have proposed that point 21 should be revised to refer to “metal” instead of “steel”. They have proposed that point 23 should be revised to refer to “in the conservation area”.
- 3.44 HC Transportation has raised concerns about point 5 and has stated that gravel is not suitable for areas to be adopted by the Highway Authority. They have suggested an amendment to point 24 concerning the maintenance of visibility splays. I have made recommendations to address these concerns.

- 3.45 Severn Trent Water has suggested that the policy should include reference to water efficiency in building design. This matter is addressed by the Building Regulations and I make no recommendation to revise the policy in this respect.
- 3.46 A representation has been made that point 26 cannot be applied successfully on new farm buildings in the settlement boundary as it is difficult to break up the rooflines of modern farm buildings as they are designed to meet regulatory requirements.
- 3.47 It is considered that point 26 is appropriate as it includes examples of techniques that could be used to help to integrate large buildings into the landscape.
- 3.48 A revision is recommended to point 3 of the policy to improve its clarity. Additional text is recommended to point 3 following the recommendation to delete the third paragraph in Policy CSB1.
- 3.49 A revision to point 12 is needed to correct a typographical error.

**Recommendation 6: Revise Policy CD2 as follows:**

**Revise point 3 to read: “.....Schemes should aim to *be integrated* into the existing streetscape.....will *not be supported*. Where possible, built form should respect and continue the existing building line.”**

**Point 5 - add the following at the end : “.....are preferred on accesses that are not proposed for adoption.”**

**Revise point 12 to read “...in Policy CD1 and Map 7.”**

**Revise point 21 to read “Timber or *metal* are considered....”**

**Revise point 23 to read: “New dwellings in gardens *in the conservation area* will only...”**

**Revise point 24 to read: “.....adequately screened, *whilst maintaining visibility splays*, by trees.....”**

**In point 27 the reference to Policy CD6 should be renumbered.**

**Subdivide the policy into four policies as follows:**

**New Residential Development: Protecting Local Amenity – Point 2. Site Layout and Access Design - Points 3, 24 and 25. Landscape Design – Points 4, 5, 6, 7, 8, 9, 10, 11 and 12. Building Design – Points 13, 14, 15, 16, 17, 18 and 19.**

**Householder Development and Extensions – Points 20, 21 and 22.**

**Development in the Conservation Area and Protecting Built Heritage Assets – Points 1, 23 and 27.**

## **Commercial, Agricultural and Industrial Buildings – Point 26.**

**All cross references to Policies in the Plan should be checked and corrected.**

### **Policy CD3 Site 1 Former Primary School and Adjacent Land (Target - approximately 9 houses)**

- 3.50 The policy proposes that the site of the former school and adjacent land “is considered” suitable for new housing development. Eight design principles addressing site specific highway and access design, landscape design and building design are included in the policy.
- 3.51 The site is an allocation of the Plan and the policy should be worded accordingly. The minimum number of dwellings should be included in the policy wording instead of the title. I have recommended a revision in this respect.
- 3.52 The indicative layout in Appendix IV shows a site for 14 dwellings. The QB has confirmed that the correct figure for the site is 14 as shown in Table 1. The target reference in the title of the policy should be deleted.
- 3.53 Point 1 of the policy refers to the need to obtain access across common land and approval from the Malvern Hills Conservators. I have asked the QB whether they are likely to agree to this access.
- 3.54 They have responded to say that the access has been discussed with the Malvern Hills Trust (previously called the Malvern Hills Conservators). There are already two accesses across the common land to this site, for which the Malvern Hills Conservators have granted easements; one serving the school and one to a field. The school access consists of a one-way loop creating a significant area of hard surfacing. The expectation is the new access would provide a saving in paved area and reduce the accesses across the common land to one.
- 3.55 The Parish Council has spoken with the Senior Officer at the Malvern Hills Trust who confirmed that a realignment of the existing access to the closed school and field access (either of which is expected to provide adequate access to the development) can be given consent to at Officer level. In the event that a new easement or additional hard surfacing (in total) is required, this would require approval of the Board of the Malvern Hills Trust.
- 3.56 HC commented on the indicative layout and proposed density of the development which are detailed design matters for consideration at the planning application stage. I make no recommendation in respect of the points raised.

- 3.57 Severn Trent Water has stated that surface water should be managed sustainably on site through SuDS and it is important that the drainage hierarchy is followed. It is considered that this matter is addressed in Core Strategy SD3 and there is no need to include reference to it in this policy.

**Recommendation 7: Revise Policy CD3 as follows:**

**“.....Policies Map below is *allocated* for housing development for at least 14 dwellings.”**

**Delete (Target – approximately 9 houses) from the policy title.**

**Policy CD4 Site 2 Grovesend Farm (Approximately 37 houses)**

- 3.58 The policy proposes that the land at Grovesend Farm “is considered” suitable for new housing development. Twelve design principles addressing site specific highway and access design, landscape design and building design are included in the policy.
- 3.59 The site is an allocation of the Plan and the policy should be worded accordingly. An indicative layout of development on the site is included in Appendix 4 which shows a mixture of house sizes to deliver 32 dwellings. The QB has confirmed that the indicative number of dwellings in the title of Policy CD4 should be corrected to 32. I have made a recommendation to amend the housing number and to include it in the policy wording instead of the title.
- 3.60 Representations have been received from 66 local residents and a joint representation from 28 residents objecting to the site allocation at Grovesend Farm. The main concerns are:
- That the LSCA has not been developed consistently;
  - Other factors such as the local highway network, conservation area, connectivity and the views of the local community should be taken into account;
  - The site adjacent to the primary school on Mill Lane is considered preferable;
  - Old Church Road has highway and access capacity limitations with narrow width, hazardous junction and no pavements;
  - The site is within the conservation area and is bordered by listed buildings and an area of historical industrial importance;
  - Concern as to whether the site could deliver the required number of houses.
- 3.61 One representation expressed concern about the Mill Lane site and the amount of traffic using the lane especially at school times.
- 3.62 A representation has been made on behalf of the landowner of the Grovesend Farm site which states that the site is suitable, available and

achievable for housing development. It raises a number of points about the plan's proposals for the site which I consider below.

- 3.63 As stated in paragraph 2.6 above, my role as examiner is defined. It is to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and the other statutory requirements. It is not within my role to comment on whether an alternative site allocation would be preferable.
- 3.64 I will focus on whether the site allocation at Grovesend Farm has been the subject of appropriate consultation, that it has been the subject of adequate assessment, that it is suitable, available and achievable and that there are no requirements that would render the site not deliverable.
- 3.65 Advice in the NPPG is that a qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria, including whether the site is economically viable.
- 3.66 A site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated. Constraints may include the potential impacts upon landscapes including landscape features, nature and heritage conservation. (Paragraph: 018 Reference ID: 3-018-20190722)
- 3.67 A site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. Plans should set out the contributions expected from development, including affordable housing and other infrastructure to enable the viability of the site to be assessed.
- 3.68 In the early stages of the development of the neighbourhood plan, the site was considered as an option for the new school. A decision was taken to develop the school on a site adjacent to the village hall and not to develop land adjacent to the school site for housing. Following this, a further review of the potential housing sites around the village was undertaken and the Grovesend Farm site was selected. The site was included in the Regulation 14 draft plan as an allocation for 37 houses.
- 3.69 There was a significant number of objections to the site at this stage from local residents, largely on the grounds of over-reliance on the LSCA, impacts on highways from additional traffic, poor accessibility, loss of green space and adverse impact on the Conservation Area.
- 3.70 However there were also a significant number of respondents who supported the proposal and the CNDP as a whole. The Plan makers balanced the supportive representations against the objections, and the need to meet the indicative housing requirement in the CNDP. The 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.



- 3.71 As the parish is in the AONB, the approach to the initial selection of sites using the LSCA and Visual Study Report accords with NPPF paragraph 172 which states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. A detailed site assessment report has also been prepared for each site describing a wide range of factors including accessibility, suitability and availability. Sites were also assessed against the SEA objectives in the Environmental Report.
- 3.72 The site assessment report for the Grovesend Farm site notes the requirements of the Highway Authority to provide a pedestrian and cycleway link to the village facilities. It notes that the Old Church Road is narrow. However, no concerns have been raised by the Highway Authority about the adequacy of this lane for access to the development.
- 3.73 I have asked for further information from the Highways Authority about the deliverability of the proposed pedestrian and cycle link to the village facilities. They have responded to say that *“Overall, the Local Highway Authority feels that appropriate routes should be deliverable but this would be subject to the usual feasibility stages to explore design options in more detail with appropriate supporting data that is unavailable for this exercise.”* I have no reason to consider that it would not be feasible to provide the required pedestrian and cycle link. It is therefore considered appropriate to retain criterion 2 in the policy.
- 3.74 The site is within a conservation area, however, this does not preclude its development. The design principles for the allocation require the design of the development to respond positively to the distinctive character of the area. The site to the south of the housing allocation which contains locally important heritage assets is to be safeguarded through point 10 of Policy CD4.
- 3.75 I am satisfied that the requirements for consultation on the site in the draft plan stage have been complied with. I am satisfied that the assessment of potential housing sites has been carried out in a robust manner against clearly identified criteria in addition to the LSCA and Visual Study Report. I am also satisfied that the plan makers have taken account of the concerns raised by representors in the Regulation 14 consultation and addressed them in the mitigation in the design principles in the policy. The landowner has confirmed that the site is suitable, available and achievable for housing development.
- 3.76 I will now turn to address the further points made by the landowner.
- 3.77 The indicative layout in Appendix IV should not preclude an alternative layout coming forward taking account of the policies in the Plan. I am satisfied that the diagram is headed as an indicative layout to demonstrate the key policy requirements and that the site can accommodate the specified number of dwellings. No change is recommended.

- 3.78 Point 2 of Policy CD4 requires a safe and surfaced pedestrian and cycle link being provided to the community facilities in the village. The landowner is supportive of this in principle but points to Appendix I and the Malvern Hills AONB Guidance on Highway Design concerning the importance of new roads and associated features being designed and sited sensitively and only provided where absolutely necessary. They suggest that point 2 should be cross referenced to the advice in Appendix I so that there is a degree of flexibility to enable various options to be explored.
- 3.79 Appendix I contains an Action for the Parish Council and is not a policy of the Plan. Highway requirements for development proposals will be considered by the Highways Authority using adopted guidance, currently their 2006 Highways Design Guide for New Developments. It is noted that the QB has raised its concerns that this guidance has an urban focus and considers that the AONB Highways Design Guide is better aligned to their setting in the AONB.
- 3.80 The Malvern Hills AONB Highways Design Guide has been produced as good practice to help implement the Management Plan. Herefordshire Council has not formally adopted this as Supplementary Planning Guidance; it is used as informal guidance. The Local Highway Authority is supportive of the guidance and principles.
- 3.81 Appendix 1 sets out the highway design principles that the plan makers will seek to promote on all developments in the parish. There is no need to include reference to any part of it in a particular policy.
- 3.82 The proposal for 32 dwellings would result in a development with a net density of 11.7 dwellings per hectare, well below the 20 dwellings per hectare advised as being appropriate within the settlement boundary. I am satisfied that points 4 and 12 of Policy CD4 require the design and density of the development to respond to the character of the local area. Existing housing development to the east and north west of the site is very low density and the indicative layout proposed reflects this.
- 3.83 A representation has been made stating that the additional land to the south and west proposed as open space is unnecessary to serve the public open space requirements of the proposed housing allocation as this can be accommodated within the development site itself. They request that the two sites are omitted from the policy and plans.
- 3.84 The QB has explained that the area identified as open space is proposed to be protected in the CNDP in response to recommendations in the LSCA for Area 12B (Parts 1 and 2). The report identifies that this area is part of Colwall's Victorian industrial heritage and includes the site of the old ice works and tramway. It is considered that development on this area would have adverse effects on landscape character, visual amenity and green infrastructure. The area is not recommended for consideration for development in the LSCA.

- 3.85 Furthermore, the assessment proposes that the quality, quantity and value of green infrastructure could be increased by creating new community green space in the field with access from the existing adjacent footpath and from the new housing development as well as helping to restore and protect the heritage assets.
- 3.86 There is appropriate and robust evidence why these areas should be safeguarded as open space. I agree with the approach taken by the plan makers to propose their allocation as new open spaces and to exclude them from the settlement boundary as shown on the Policies Map.
- 3.87 The Policies Map shows the area of proposed open space adjacent to the Grovesend Farm housing allocation as a Local Green Space. However, proposed green areas do not satisfy the criteria to be designated as Local Green Space. The sites are correctly shown on Map 5 as Allocated Development Site – Green Space. I make a recommendation to correct the Policies Map accordingly.
- 3.88 HC Transportation has commented that the indicative layout should include a turning head. This is a detailed matter that will be addressed through the planning application.
- 3.89 Severn Trent Water has stated that surface water should be managed sustainably on site through SuDS and it is important that the drainage hierarchy is followed. It is considered that this matter is addressed in Core Strategy SD3 and there is no need to include reference to it in this policy.

**Recommendation 8: Revise Policy CD4 as follows:**

**“.....the Policies Map below is *allocated* for housing development for at least 32 dwellings. The sites to the west and south of the housing allocation are allocated as areas of open space.”**

**Delete “(Approximately 37 houses)” from the policy title.**

**Revise the Policies Map to delete the Local Green Space designation from the two areas allocated for open space and show the areas as “Proposed Open Space”. Revise the key.**

**Policy CD5 General Design Principles for Development in the Wider Countryside**

- 3.90 The policy sets out the design principles and other considerations for development in the countryside. The policy is aligned to the four landscape types which are described fully in the Malvern Hills AONB Guidance on Building Design. The justification to the policy includes lengthy extracts from this Guidance and the AONB Partnership’s Guidance on the Selection and Use of Colour in Development 2015. In order to ensure that the plan is more

focused on the policies, it is considered that a reference to the Guidance Notes in the justification is sufficient and there is no need to repeat these lengthy extracts in the plan.

- 3.91 A representation has commented that the use of a colour palette is too prescriptive, confusing and imposes an unnecessary burden due to added cost.
- 3.92 As noted above, the colour palette referred to is taken from the AONB's Guidance. The Malvern Hills AONB Guidance on Building Design and the associated colour palette have been produced as good practice to help implement the Management Plan. Herefordshire Council has not formally adopted them as Supplementary Planning Guidance, they are used as informal guidance.
- 3.93 The title and third paragraph of the policy refer to the "wider" countryside. NPPF refers simply to "the countryside" and it is recommended that the word "wider" should be deleted to reflect national guidance.
- 3.94 A representation has been made that the statement in point 4 that "new agricultural development is not normally appropriate in this landscape" should be deleted. The QB has commented that this is only to be applied in the landscape area that covers the tops of the hills where new agricultural buildings would be very prominent. I note the reasoning for the policy and that the policy makes provision for the alteration or replacement of existing buildings. No change is proposed.
- 3.95 Representations have been made to the last sentence of point 12 that cabling is permitted development and new tracks may be required as part of woodland management. The QB has proposed that the sentence should be deleted. I agree that this would clarify the policy.
- 3.96 A representation has commented on point 20 that using two or three materials on agricultural buildings may not be achievable and may add to costs. The QB has responded that the inclusion of the words "where possible" provides flexibility. I agree that this design principle is worded with sufficient flexibility. No change is proposed.
- 3.97 A representation has highlighted that it is not clear what the sentence in point 25 "new agricultural buildings should enhance the diverse built character" means in practice. The QB has suggested that the sentence could be deleted. I agree that the deletion of the sentence would bring greater clarity to the policy.
- 3.98 A representation has noted that the tree species referred to in point 26 may need to change with climate change. The QB has suggested additional text to address this point which I recommend.

**Recommendation 9: Revise Policy CD5 as follows:**

**Delete the word “wider” from the title of the policy and the third paragraph.**

**Delete “New tracks, roads or cabling are not generally appropriate” from point 12.**

**Delete the following from point 25: “New agricultural buildings should enhance the diverse built character.”**

**Revise the first sentence of point 26 to read: “.....maintained and enhanced, *taking into account climate change and the need for greater adaptability and resilience in species.....*”**

**Delete the extracts from the Malvern Hills AONB Guidance on Building Design from paragraph 6.5.4.**

**Delete the Developed Palette diagrams from paragraph 6.5.5.**

**Policy CD6 Farmsteads**

- 3.99 A representation has been received commenting on a number of points from the perspective of applying the policy to a working farm and the development of new farm buildings. The QB has confirmed that this policy is concerned with the conversion of farmsteads to residential use and that new agricultural buildings are covered by Policy CD8. It is recommended that the policy should be retitled and that an opening paragraph should be included in the policy to make this explicit.
- 3.100 HC has commented that a right to a view is not a material planning consideration. The QB has proposed revisions to point 1 of the policy which I agree will improve the clarity of the policy.
- 3.101 Point 7 refers to new development within a farmstead. As the recommended modifications make it clear that the policy relates to conversions and extensions only, then this point is unnecessary. New agricultural buildings in the countryside are covered by Policy CD8. It is recommended that the point should be deleted.
- 3.102 Points 8 and 11 include text that is a reason for the policy and should be included in the justification. Other minor amendments are recommended to points 11 to improve the clarity of the policy.

**Recommendation 10: Revise Policy CD6 as follows:**

**Add the following to the beginning of the policy: “*The conversion of farm buildings for residential use or the extension of existing farm dwellings should take account of the following design principles:*”**

**Revise point 1 of the policy to read: “....including identification of any important views towards the farmstead. Development proposals are required....”**

**Delete point 7.**

**Place the following text from point 8 in the justification: “these erode the functional and simple character of buildings while introducing suburbanising or residential elements”.**

**Revise the first sentence of point 11 to read: “When converting farm buildings to residential use, private areas.....” Move the final sentence of point 11 to the justification.**

**Revise point 12 to read: “Where there is no hard boundary definition between farm buildings and the landscape, new buildings and extensions should follow this characteristic.”**

**Retitle the policy to “The *Conversion of Farmsteads to Residential Use and the Extension of Existing Dwellings on a Farmstead.*”**

### **Policy CD7 Protecting Archaeology**

- 3.103 The policy has been included at the suggestion of Historic England to protect archaeological remains. It is considered that the policy accords with national and strategic policies. No change is proposed.

### **Policy CD8 New Agricultural Buildings**

- 3.104 The policy sets out 15 principles to be considered in the location and design of new agricultural buildings, many of which are drawn from the Malvern Hills AONB Guidance on Building Design.
- 3.105 HC raised concerns about the restrictive nature of the requirements of the policy. The QB has highlighted the need to promote sensitive design in new agricultural buildings taking account of the parish’s location in the AONB.
- 3.106 The NPPF gives great weight to conserving and enhancing the landscape and scenic beauty of AONBs. In view of their scale, farm buildings could be intrusive features in the landscape unless they are carefully located and designed. The policy sets out design principles drawn from established local guidance and includes sufficient flexibility.
- 3.107 Malvern Hills AONB has proposed an amendment to point 3 to correct the typographical error to clarify the policy which I have recommended should be made.

- 3.108 Malvern Hills AONB has commented on the wording of point 14 which I agree will help to clarify the interpretation of the policy.
- 3.109 Malvern Hills AONB has suggested additional wording to point 15 which the QB has proposed should be added.
- 3.110 A representation has commented on a number of aspects of the policy in terms of its applicability by farming enterprises as follows:

Point 2 – the needs of new entrants to farming may require a farm building away from a farmstead or other farm buildings. I consider that there is adequate flexibility in the wording of the point to provide for this requirement.

Point 3 – It is difficult to determine the implications of this point. A revision to this point is recommended to improve its clarity. I am proposing a recommendation to clarify the point.

Points 4 - 7 - the scale of a new agricultural building may be governed by the welfare needs of livestock or the size of modern agricultural machinery. Points 4 - 7 are considered to be overly prescriptive and I have recommended that they be included in the justification to Policy CD8 to aid the interpretation of the policy.

Point 8 – 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. The QB has suggested that the word “mature” should be deleted.

Points 10, 11, 12 and 13 – These points are appropriately addressed in existing guidance rather than policy. National Planning Guidance is clear that it is appropriate for neighbourhood plans to set out local design principles for an area. PPG on Planning for Well Designed Places (004 Reference ID: 26-004-20191001) states that “*Non-strategic policies can be used to establish more local and/or detailed design principles for an area, including design requirements for site specific allocations.*” Further that “*Neighbourhood plan-making is one of the key ways in which local character and design objectives can be understood and set out, and with the benefit of being a community-led process.*” No changes are recommended to these points.

**Recommendation 11: Revise Policy CD8 as follows:**

**Revise point 3 to read: “...adverse visual *impacts*. New buildings *should* reflect other farm buildings and not dominate the group.....”**

**Move points 4 - 7 to the justification. Include a cross reference in the justification to the new policy derived from point 26 of Policy CD2 concerning new agricultural buildings within the settlement boundary.**

**Point 8 – delete the word “mature”.**

Revise point 14 to read: “..... additional ventilation *if used* for housing livestock. *In all cases the colours and tones of materials should be chosen with reference to the local context and views.*” Delete the final sentence of point 14.

Add the following to the end of point 15: “*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.*”

### Policy CD9 Polytunnels

- 3.111 The policy sets out local details on the location and design of polytunnels that builds on Herefordshire Council’s Polytunnels Planning Advice Guide 2018.
- 3.112 A representation has proposed that additional text should be added to the justification to explain the reasons for the use of polytunnels in the area. The QB has proposed additional text which I have included in my recommendation.
- 3.113 It is considered that the policy seeks to strike a balance in supporting the rural economy and safeguarding the local landscape and accords with national planning policy and Core Strategy Policy SS5.

**Recommendation 12: Add the following to the beginning of paragraph 6.5.9:**

***"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."***

### Policy CH1 Range and Mix of Housing

- 3.114 This policy repeats the provisions of Core Strategy Policy H3 but excludes the threshold of 50 dwellings and adds in support for self build schemes.
- 3.115 I can see no reason why this policy should not be applied to the sites to be allocated in the Plan. However, it may be difficult to apply to the small windfall sites as a small development would be unable to provide a range of house types and sizes to meet the needs of all households. I am proposing that the first criteria should be revised to read that new housing developments should “contribute to” the needs of all households.



- 3.116 I am recommending a modification to the final point to give support rather than encouragement to self build housing.

**Recommendation 13: Revise Policy CH1 as follows:**

**Revise the last sentence in the first paragraph of the policy to read: “In particular, *developments should contribute to:*”**

**Revise the first word of points 1, 2 and 3 to “*Providing*”.**

**Revise the last paragraph of the policy to read: “Self build housing development will be *supported.*”**

**Policy CF1 Supporting A Range of Goods and Services in the Village Centre**

- 3.117 The policy supports the development of new retail and service facilities and sets out criteria for their location and design. The second paragraph covers the change of use of retail premises to mixed offices and residential and the loss of retail premises.
- 3.118 HC has commented that the policy should include reference to appropriate marketing for a least a continuous period of 12 months as a minimum, particularly in relation to community and social facilities in line with the justification to Core Strategy Policy SC1.
- 3.119 The QB has proposed additional wording to be included in the final paragraph of the policy to address the point. I have recommended that this revision should be made.
- 3.120 The third paragraph of the policy (under point 3) states that certain forms of development will be considered acceptable and others will be resisted. Neighbourhood plan policies cannot predetermine development proposals. It is considered that this paragraph does not accord with paragraph 2 of the NPPF which states that planning permissions will be determined in according with the development plan unless material considerations indicate otherwise. I have made a recommendation to revise the wording of this paragraph to avoid this form of wording.

**Recommendation 14: Revise Policy CF1 as follows:**

**Revise the third paragraph of the policy to read: “....mixed offices and residential accommodation *will be supported*, but the loss of retail premises to wholly residential use will *not be supported.*”**

**Add the following to the end of the final paragraph of the policy:  
“*Proposals which would lead to the loss of any of the following community and social facilities should demonstrate that appropriate marketing has taken place, for at least a continuous period of 12 months*”**

***as a minimum, in line with the justification to Policy SC1 of the Herefordshire Core Strategy.***

- a) Colwall Village Hall, including St Crispin's Chapel***
- b) The Scout Hut***
- c) Colwall Cricket club and its ground***
- d) Colwall library and***
- e) Public houses: The Crown, The Yew Tree and The Chase"***

***Show the location of the community and social facilities on the Policies Map.***

### **Policy CF2 Recreation Facilities and Open Spaces**

- 3.121 The policy seeks the protection of 10 areas of open space. I have viewed the areas and consider that they are appropriate for inclusion in the policy. However, the first paragraph of the policy states that they are "public" open spaces, however the list includes the grounds of the cricket club and the Downs private school which are not public open spaces. I am therefore recommending the deletion of the word "public".
- 3.122 The second paragraph repeats the wording of paragraph 97 of the NPPF and is considered unnecessary. Core Strategy Policy OS3 sets out the strategic principles to be taken into account in the consideration of proposals that would result in the loss of open spaces. It is considered that this policy provides adequate guidance on the subject. I am recommending therefore that the second paragraph of the policy should be deleted and reference to Policy OS3 be included.
- 3.123 I am recommending revisions to point 1 of the policy to improve its clarity and to make reference to the building design policies.
- 3.124 Point 5 is considered to be unnecessary and I am recommending that it should be deleted from the policy.
- 3.125 I am concerned that the Policies Map is at a scale that site 4 cannot be identified and site 10 is difficult to locate. It is recommended that consideration should be given to how the location and boundaries of the site can be shown clearly so that plan users can identify them. The sites should be numbered on the Policies Map to match the numbering in the Plan

#### **Recommendation 15: Revise Policy CF2 as follows.**

**Delete the word "public" from the first paragraph of the policy.**

**Delete the second paragraph of the policy.**

**Revise point 1 to read: “....sensitive to local landscape character *and takes account of the Design Principles set out in Policies CD2 and CD5.*”**

**Delete point 5.**

### **Policy CF3 Local Green Space**

- 3.126 The policy proposes to allocate the Brookside Green Triangle as a Local Green Space. The area consists of an area of wide grass verges in the middle of Brookside housing estate used for recreation by local children and amenity. I am satisfied that the area meets the criteria in NPPF 100 for designation as a Local Green Space. The policy should be worded that the site is “designated”.
- 3.127 I am concerned that the Policies Map is at a scale that the site cannot be identified. It is recommended that consideration should be given to how the location and boundaries of the site can be shown clearly so that plan users can identify it.
- 3.128 The Policies Map shows the areas of proposed open space adjacent to the Grovesend Farm housing allocation as Local Green Space. I have included a recommendation under Policy CD4 that these should be allocated as proposed open space. The designation on the Policies Map should be revised to show the areas as an open space allocation instead of Local Green Space.
- 3.129 The policy does not include a policy to manage future development on the site. NPPF paragraph 101 advises that policies for Local Green Spaces should be consistent with those for Green Belts. I have recommended a modification to correct this omission.

#### **Recommendation 16: Revise Policy CF3 as follows:**

**Revise the policy to read: “...is designated as a Local Green Space.”**

**Add the following to the end of the policy: “*Development on the Local Green Space will not be supported except in very special circumstances.*”**

**Show the site on the Policies Map.**

### **Policy CRE1 - Renewable Energy Schemes**

- 3.130 The policy sets out support for small scale renewable energy schemes and community energy schemes with certain provisos. It gives guidance on the design of solar schemes. The policy explicitly states that schemes of one or more wind turbines are not considered appropriate and will not be supported.

- 3.131 Core Strategy Policy SD2 sets out the factors that renewable energy schemes will have to satisfy. It also states that wind power developments will only be supported where the proposed site is identified in a Neighbourhood Development Plan and it can be demonstrated that the planning impacts identified can be fully addressed and the proposal has the backing of the local community.
- 3.132 The third paragraph includes the word “etc” which is imprecise and should be deleted.
- 3.133 The plan has given considerable attention to the quality of the local landscape and the degree of visibility from important viewpoints. The QB considers that Colwall’s location within the AONB means that any proposals for wind turbines are likely to have an unacceptable impact on the sensitive landscape.
- 3.134 The final part of the policy proposes that new development should incorporate low carbon and energy efficiency technologies where it would be in keeping with local landscape character. It is considered that this part of the policy accords with Core Strategy Policy SD1.
- 3.135 HC has stated that there is no reference to biomass and ground source heat pumps in the policy. The QB has responded that they consider it is not necessary to refer to them specifically. As the policy covers all forms of small scale renewable energy schemes I agree with the QB and I am proposing no revisions in this respect.
- 3.136 A representation has been received welcoming the support for small scale renewable energy schemes in the policy. It notes that the agricultural sector has a part to play in the solution to decarbonising the UK economy and refers to proposals for pilot schemes to introduce policy incentives for farmers and growers.

**Recommendation 17: Revise Policy CRE1 as follows:**

**Delete the abbreviation “etc” from the third paragraph of the policy.**

**Appendix I Highway Design and Minimising Traffic Impacts**

**Working to Provide Better Highway Design in new Developments and To Minimise Traffic Impacts**

- 3.137 Appendix I includes a section on the principles that the Parish Council will promote wherever possible to provide better highway design in new development and to minimise traffic impacts. Fifteen design principles are set out in a coloured box titled “Action for the Parish Council”.
- 3.138 The plan makers are correct in setting the proposals out as Community Action and not as a planning policy. To improve the clarity of the section it is

recommended that it should be headed “Community Action – this section does not form part of the Neighbourhood Development Plan”. The box around the highway design principles is a similar colour to the planning policies and should be revised to a distinctly different colour.

- 3.139 HC Transportation has suggested that reference should be included in paragraph 2 to Herefordshire Council’s Highway Design Guide for New Development. I have made a recommendation to include this.
- 3.140 HC Transportation has stated that point 4 on page 83 is unclear. The QB has suggested a revision to improve the clarity of this point which I have recommended. HC has advised that point 7 should refer to HC policy on the dimming of public lighting. They have queried the use of “local stone” in point 9. The QB has proposed a revision to this point which I have recommended.

**Recommendation 18: Revise Appendix I as follows:**

**The section should be headed “Community Action – this section does not form part of the Neighbourhood Development Plan”.**

**The colour of the box around the highway design principles should be revised to a different colour to the planning policies.**

**Revise paragraph 2 of Appendix I to read: “....AONB Guidance on Highway Design and Herefordshire Council’s Highway Design Guide for New Development should be followed, as appropriate .....”**

**Revise point 4 of the Action for the Parish Council to read: “Where side roads require indicating, use ‘flag signs’ rather than junction approach warning signs. Traditional.....”**

**Revise the second sentence of point 7 to read: “Public lighting should be dimmed in accordance with Herefordshire Council’s policy.”**

**Revise the first sentence of point 9 to read: “Road surfacing should be hot tar spray surface dressing.”**

**Additional Policies**

- 3.141 Severn Trent Water has proposed that an additional policy should be included in the plan on surface water drainage and Sustainable Drainage Systems. As this subject is addressed in Core Strategy Policy SD3 there is no need to include an additional policy in the neighbourhood plan.

## 4.0 Referendum

- 4.1 The Colwall Neighbourhood Development Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contributes to the achievement of sustainable development;
  - is in general conformity with the strategic policies contained in the Development Plan for the area; and
  - does not breach, and is otherwise compatible with, EU obligations and human rights requirements.
- 4.3 **I am pleased to recommend to Herefordshire Council that the Colwall Neighbourhood Development Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by Herefordshire Council on 17 September 2012.

## 5.0 Background Documents

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

- Colwall Neighbourhood Plan Submission Draft Version 2011- 2031
- Colwall Neighbourhood Plan Basic Conditions Statement February 2020
- Colwall Neighbourhood Plan Environmental Report January 2020
- Colwall Neighbourhood Plan HRA Addendum Report November 2017
- Colwall Neighbourhood Plan Consultation Statement February 2020
- Colwall Neighbourhood Plan Regulation 14 Report of Consultation February 2018
- Colwall Parish Policies Map
- Colwall Neighbourhood Plan Sites Assessment Report Draft March 2019
- National Planning Policy Framework 2019 (as amended)
- Planning Practice Guidance March 2014 (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- Herefordshire Core Strategy 2011-2031 adopted October 2015
- Malvern Hills AONB Guidance on Building Design
- Malvern Hills AONB Guidance on the Selection and Use of Colour in Development
- Herefordshire Council's Polytunnels Planning Advice Guide 2018.
- Malvern Hills ANOB Guidance on Wind turbines
- Guidance on how development can respect landscape in views, 2019
- Guidance on keeping horses in the landscape, 2010
- Colwall PC Table of New Residential Planning Applications since 2011.

## 6.0 Summary of Recommendations

**Recommendation 1:** Revise the start date of the CNDP to the date the Plan is made.

**Recommendation 2:** Make reference to locations being shown on the Parish Policies Map instead of the Inset Maps in the Policy wording.

**Recommendation 3:** Include reference in the list of Malvern Hills AONB Guidance Documents in paragraph 4.16 to:

- *Guidance on how development can respect landscape in views, 2019*
- *Guidance on keeping horses in the landscape, 2010.*

Correct the typographical error in paragraph 4.24: “contest” should read “context”.

**Recommendation 4:** Revise Policy CSB1 as follows:

Revise the second paragraph to read: “Residential development will be *supported* within the Colwall settlement boundary shown on the Policies Map, where proposals are in accordance with the policies of the *Development Plan*”.

Delete the third paragraph of the policy.

Update the housing figures in paragraph 6.1.1.

**Recommendation 5:** Revise of Policy CD1 as follows:

Add the following to the second paragraph: “*The information required in the assessment study should be proportionate to the type and scale of development proposed.*”

Revise the third paragraph “.....Exceptional Key views will *not be supported.*”

Replace Map 7 with the updated Figure VS3 from the final Colwall Visual Study Report.

Add the following to the justification to the policy: “*There are extensive views from some of the viewpoints especially those on higher ground. However, this policy can only be applied to development in the plan area.*”

**Recommendation 6:** Revise Policy CD2 as follows:

Revise point 3 to read: “.....Schemes should aim to *be integrated* into the existing streetscape.....will *not be supported. Where possible, built form should respect and continue the existing building line.*”



**Point 5 - add the following at the end : “.....are preferred *on accesses that are not proposed for adoption.*”**

**Revise point 12 to read “...in Policy *CD1* and Map 7.”**

**Revise point 21 to read “Timber or *metal* are considered....”**

**Revise point 23 to read: “New dwellings in gardens *in the conservation area* will only...”**

**Revise point 24 to read: “.....adequately screened, *whilst maintaining visibility splays*, by trees.....”**

**In point 27 the reference to Policy *CD6* should be renumbered.**

**Subdivide the policy into four policies as follows:**

**New Residential Development: Protecting Local Amenity – Point 2. Site Layout and Access Design - Points 3, 24 and 25. Landscape Design – Points 4, 5, 6, 7, 8, 9, 10, 11 and 12. Building Design – Points 13, 14, 15, 16, 17, 18 and 19.**

**Householder Development and Extensions – Points 20, 21 and 22.**

**Development in the Conservation Area and Protecting Built Heritage Assets – Points 1, 23 and 27.**

**Commercial, Agricultural and Industrial Buildings – Point 26.**

**All cross references to Policies in the Plan should be checked and corrected.**

**Recommendation 7: Revise Policy *CD3* as follows:**

**“.....Policies Map below is *allocated* for housing development for at least 14 dwellings.”**

**Delete (Target – approximately 9 houses) from the policy title.**

**Recommendation 8: Revise Policy *CD4* as follows:**

**“.....the Policies Map below is *allocated* for housing development for at least 32 dwellings. The sites to the west and south of the housing allocation are allocated as areas of open space.”**

**Delete “(Approximately 37 houses)” from the policy title.**

**Revise the Policies Map to delete the Local Green Space designation from the two areas allocated for open space and show the areas as “Proposed Open Space”. Revise the key.**

**Recommendation 9: Revise Policy *CD5* as follows:**

Delete the word “wider” from the title of the policy and the third paragraph.

Delete “New tracks, roads or cabling are not generally appropriate” from point 12.

Delete the following from point 25: “New agricultural buildings should enhance the diverse built character.”

Revise the first sentence of point 26 to read: “.....maintained and enhanced, *taking into account climate change and the need for greater adaptability and resilience in species.....*”

Delete the extracts from the Malvern Hills AONB Guidance on Building Design from paragraph 6.5.4.

Delete the Developed Palette diagrams from paragraph 6.5.5.

**Recommendation 10: Revise Policy CD6 as follows:**

Add the following to the beginning of the policy: “*The conversion of farm buildings for residential use or the extension of existing farm dwellings should take account of the following design principles:*”

Revise point 1 of the policy to read: “....including identification of any important views towards the farmstead. Development proposals are required....”

Delete point 7.

Place the following text from point 8 in the justification: “these erode the functional and simple character of buildings while introducing suburbanising or residential elements”.

Revise the first sentence of point 11 to read: “When converting farm buildings to residential use, private areas.....” Move the final sentence of point 11 to the justification.

Revise point 12 to read: “*Where* there is no hard boundary definition between farm buildings and the landscape, new buildings and extensions should follow this characteristic.”

Retitle the policy to “*The Conversion of Farmsteads to Residential Use and the Extension of Existing Dwellings on a Farmstead.*”

**Recommendation 11: Revise Policy CD8 as follows:**

Revise point 3 to read: “...adverse visual *impacts*. New buildings *should* reflect other farm buildings and not dominate the group.....”

Move points 4 - 7 to the justification. Include a cross reference in the justification to the new policy derived from point 26 of Policy CD2 concerning new agricultural buildings within the settlement boundary.

Point 8 – delete the word “mature”.

Revise point 14 to read: “..... additional ventilation *if used* for housing livestock. *In all cases the colours and tones of materials should be chosen with reference to the local context and views.*” Delete the final sentence of point 14.

Add the following to the end of point 15: “*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.*”

Recommendation 12: Add the following to the beginning of paragraph 6.5.9:

*"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."*

Recommendation 13: Revise Policy CH1 as follows:

Revise the last sentence in the first paragraph of the policy to read: “In particular, *developments should contribute to:*”

Revise the first word of points 1, 2 and 3 to “*Providing*”.

Revise the last paragraph of the policy to read: “Self build housing development will be *supported.*”

Recommendation 14: Revise Policy CF1 as follows:

Revise the third paragraph of the policy to read: “....mixed offices and residential accommodation *will be supported*, but the loss of retail premises to wholly residential use will *not be supported.*”

Add the following to the end of the final paragraph of the policy:  
*"Proposals which would lead to the loss of any of the following community and social facilities should demonstrate that appropriate marketing has taken place, for at least a continuous period of 12 months as a minimum, in line with the justification to Policy SC1 of the Herefordshire Core Strategy.*

- f) *Colwall Village Hall, including St Crispin’s Chapel*
- g) *The Scout Hut*

- h) Colwall Cricket club and its ground**
- i) Colwall library and**
- j) Public houses: The Crown, The Yew Tree and The Chase”**

**Show the location of the community and social facilities on the Policies Map.**

**Recommendation 15: Revise Policy CF2 as follows.**

**Delete the word “public” from the first paragraph of the policy.**

**Delete the second paragraph of the policy.**

**Revise point 1 to read: “....sensitive to local landscape character *and takes account of the Design Principles set out in Policies CD2 and CD5.*”**

**Delete point 5.**

**Recommendation 16: Revise Policy CF3 as follows:**

**Revise the policy to read: “...is designated as a Local Green Space.”**

**Add the following to the end of the policy: “*Development on the Local Green Space will not be supported except in very special circumstances.*”**

**Show the site on the Policies Map.**

**Recommendation 17: Revise Policy CRE1 as follows:**

**Delete the abbreviation “etc” from the third paragraph of the policy.**

**Recommendation 18: Revise Appendix I as follows:**

**The section should be headed “Community Action – this section does not form part of the Neighbourhood Development Plan”.**

**The colour of the box around the highway design principles should be revised to a different colour to the planning policies.**

**Revise paragraph 2 of Appendix I to read: “....AONB Guidance on Highway Design *and Herefordshire Council’s Highway Design Guide for New Development* should be followed, as appropriate .....**”

**Revise point 4 of the Action for the Parish Council to read: “*Where side roads require indicating, use ‘flag signs’ rather than junction approach warning signs. Traditional.....*”**

**Revise the second sentence of point 7 to read: “*Public lighting should be dimmed in accordance with Herefordshire Council’s policy.*”**

**Revise the first sentence of point 9 to read: “*Road surfacing should be hot tar spray surface dressing.*”**