

**Sutton St. Nicholas Parish Council
Neighbourhood Development Plan 2011-2031**

Review

Consultation Statement

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1. INTRODUCTION

1.1 This Consultation Statement has been prepared to accompany the submission of proposals to modify the made Sutton St. Nicholas Neighbourhood Development Plan (NDP) to Herefordshire Council (HC), the local planning authority, and to ensure that the relevant statutory requirements are met.¹ The Statement:

- Contains details of the persons and bodies who were consulted about the NDP as proposed to be modified;
- Explains how they were consulted;
- Summarises the main issues and concerns raised by those consulted; and
- Describes how these issues and concerns have been considered and, where relevant, addressed in the NDP as proposed to be modified.

Format of the Consultation Statement

1.2 The Statement covers the following stages of work:

- Determining the scope of the proposals to modify the NDP (section 2).
- The Regulation 14 consultation on the NDP as proposed to be modified (section 3).
- The issues and concerns raised in response to the Regulation 14 consultation, and how they were addressed (section 4).

1.3 In summary, the following principal consultation methods were used in preparing the modified NDP:

- Formation of a Project Group comprising Parish Councillors and other parish residents.
- Posting of material to an NDP Review tab on the community website at www.suttonstnicholas.co.uk.
- Articles and inserts in the Sutton News, a community monthly publication circulating throughout the Area on a subscription basis. For the Regulation 14 consultation this coverage was extended to all households.
- Regular updates to the monthly meetings of the Parish Council.
- Regular project group meetings.
- Posting NDP consultation material and other information on the parish notice boards.
- Public deposit of NDP documentation at St. Nicholas' and St. Michael's Churches and The Golden Cross public house.
- Consultation on the draft NDP held in accordance with Regulation 14 of the 2012 Regulations.

¹ Neighbourhood Planning (General) Regulations 2012, SI 2012/637, Regulation 15 (2) as amended.

2. SCOPE OF THE REVIEW

- 2.1 The Sutton St. Nicholas NDP was made in March 2017. An informal review meeting was held between Parish representatives and a planning officer from HC's Neighbourhood Planning team in November 2020. This highlighted how the plan could be kept up to date, bearing in mind the provisions of paragraph 14 of the National Planning Policy Framework and the lack at the time of a five-year supply of deliverable housing sites in Herefordshire (at 3.69 years). The Parish Council considered this advice at its meeting on 8 December 2020. It was decided to undertake a review of the plan and to include a new site allocation(s) for housing, in addition to the two site allocations in the made plan which had come forward as planning applications. HC Development Management subsequently provided more detailed feedback on their experience of using some of the made policies in determining planning applications, along with suggestions for new policies.
- 2.2 The Review was then progressed by:
- Seeking planning consultancy support for the process.
 - Canvassing support from parishioners for volunteers to sit on a project group.
- 2.3 The issue of land for new housing in the NDP was brought into focus by a report to the Parish Council on 4 May 2021 that two significant sites on the edge of the village were being put out to tender with potential developers, with rumours spreading in the village as to their location. At this meeting, the Parish Council decided to publish location maps of the two sites in view of the public concern. The publicity was given in the Sutton News in June 2021 and by uploading location maps to the community website.
- 2.4 The May Parish Council meeting also appointed a planning consultant to undertake work on the Review, and established the NDP Project Group. This comprised three Parish Councillors and four local residents, one of whom acted as chair. Project Group meetings were also attended by the Parish Clerk, who produced minutes, and by the planning consultant. The Project Group arrangement provided a means of ensuring community engagement with the Review whilst also ensuring a connection with the decision-making of the Parish Council.
- 2.5 The intended scope of the Review was revised in August 2021 following confirmation that HC could now demonstrate a five-year housing land supply (at 6.9 years). HC advice was that this meant that NDPs which were over two years old continued to have full material weight. In light of this, it was decided that it was no longer necessary to review housing site allocations, but that there was a continuing need to review policies and that this should be overseen by the Project Group (Parish Council meeting 2 August 2021 refers). Draft paperwork including publicity material for a Call for Sites was set aside in favour of such a 'policy only' review.
- 2.6 A set of planning policies to be provided through the Review was subsequently prepared by the planning consultant. This comprised revisions to made policies and proposed new policies. This policy set was considered by the Project Group in September 2021, and agreed by the Parish Council in October 2021.

2.7 The issues and concerns raised in this initial stage of the plan-review process comprised in summary:

- How best to keep the NDP up-to-date, taking into account that at the outset of the process Herefordshire had a less than five years' supply of deliverable housing sites, and the provisions of paragraph 14 of the National Planning Policy Framework.
- The amount of new housing that had taken place or been committed since 2011 vis a vis the minimum requirements of the Herefordshire Local Plan Core Strategy 2011-2031, which had already been met for the Neighbourhood Area (confirmed in NDP Table 1).
- Continuing landowner interest in bringing forward land for housing at Sutton St. Nicholas, and associated community concerns with the scale and location of such development.
- A recognition that the made NDP was lacking planning policies on topics such as design principles, householder development, and agricultural and forestry development; and that some policies re-iterated Core Strategy policies without adding material local value.

2.8 These issues and concerns were considered and addressed by:

- Seeking and obtaining advice from HC Neighbourhood Planning officers on the process of reviewing the neighbourhood plan. Feedback was also provided by HC Development Management officers on their experience of using the made plan to guide the determination of planning applications.
- The establishment of the Project Group comprising elected Parish Councillors and other volunteers.
- Obtaining grant funding and seeking professional planning support.
- Publishing the location of the sites being offered for tender for new housing development, to allay public concerns.
- Debating and agreeing the scope of the Review in the Project Group and Parish Council, which was to focus on revisions to the made planning policies and the addition of new ones, with no requirement to make any further housing site allocations.
- Given the reduced scope of the exercise from that which was originally envisaged and specifically the absence of any new housing site allocations (which would have been of public concern), it was decided it would be appropriate to progress to prepare the draft NDP Review as a basis for public consultation.

3. CONSULTATION ON THE DRAFT NDP REVIEW

- 3.1 The draft NDP Review and the accompanying Statement of Modifications was approved for public consultation by the Parish Council on 4 April 2022. Consultation was carried out in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 as amended. The consultation ran for a period of six weeks and one day from 9.00 a.m. on 3 May 2022 to 5.00 p.m. on 15 June 2022.
- 3.2 The Environmental Report and the Appropriate Assessment Report which had been provided by HC to the Parish Council in April 2022 were also published for consultation.
- 3.3 The draft NDP Review, the Statement of Modifications, a consultation and publicity notice setting out the requisite details of the consultation, a flyer/comments form, the Environmental Report and the Appropriate Assessment Report were all posted on the community website.
- 3.4 The flyer/comment form was distributed at the start of the consultation period as an insert to the May 2022 Sutton News. To ensure comprehensive coverage this edition was circulated to all households in the Neighbourhood Area, not just to subscribers, the cost of doing so being met by the Parish Council. The flyer explained how and where the draft NDP Review could be viewed and provided an opportunity to make comments. Further publicity was given in the Sutton News for June 2022 and by poster in the parish notice boards. Printed copies of the documents were deposited for inspection in both churches and at The Golden Cross, and were also available on request from the Parish Clerk.
- 3.5 Comments could be made by hand to the collection boxes in both churches and at The Golden Cross, or by post or email to the Parish Clerk. Parish Councillors were available to respond to telephone queries.
- 3.6 A initial list of consultees was provided by HC and then added to by the planning consultant and the Project Group, having regard to the consultation bodies specified in paragraph 1 of Schedule 1 of the 2012 Regulations. The final list is at Table 1. Consultation was by email or letter, sent by the Parish Clerk at the start of the consultation period and explaining where the NDP Review and other documents could be viewed and how and by when to make comments.
- 3.7 Copies of the consultation and publicity notice, flyer/comment form and poster are at Appendix 1.

Table 1: consultees on the draft NDP

Organisations	
Campaign to Protect Rural England	National Highways
Diocese of Hereford	Historic England
Dŵr Cymru Welsh Water	Homes England
English Heritage	National Grid
Environment Agency	National Trust
Education Funding Agency	Natural England
Forestry Commission England	Network Rail (West)
Natural Resources Wales	Hereford Travellers Support Group
Hereford and Worcester Chamber of Commerce	RWE Npower Renewable
Herefordshire Council (Neighbourhood Planning)	The Coal Authority
Councillor. K. Guthrie, Herefordshire Council	Western Power Distribution
Herefordshire Nature Trust	Woodland Trust
Herefordshire Primary Care Trust	
Adjoining Parish Councils	
Marden Parish Council	Pipe and Lyde Parish Council
Withington Group Parish Council	Moreton-on-Lugg Parish Council
Holmer and Shelwick Parish Council	
Local consultees	
Landowners and prospective developers of the two housing site allocations	
Other landowners who submitted sites for consideration in 2015	
Landowners of the Local Green Spaces	
Other landowners including farming businesses	
Parochial Church Council	
Sutton St Nicholas Village Hall	
The Golden Cross	
Sutton Primary Academy	
Sutton Walls Conservation Group	
Kemble Housing (Woodville Grove)	
River Lugg Internal Drainage Board	
Herefordshire and Gloucestershire Canal Trust	
Sutton Environment and History Group	

4. RESPONSES TO THE CONSULTATION

Issues and concerns raised

4.1 Consultation body responses were received from:

- HC service providers: Neighbourhood Planning, Strategic Policy, and Environmental Health.
- Coal Authority.
- Dŵr Cymru Welsh Water.
- Environment Agency.
- Herefordshire and Gloucestershire Canal Trust.
- Herefordshire Campaign to Protect Rural England.
- Historic England.
- National Grid.
- Sport England.

4.2 Comments were also received from six residents. All comments are reported verbatim in the Response Log at Appendix 2. Personal information has been anonymised. A response is provided to each comment and any necessary amendments to the draft NDP are detailed.

4.3 The principal issues and concerns raised in the consultation may be summarised as follows:

- HC Strategic Policy advised that all NDP policies were considered to be in general conformity with the equivalent policies of the Local Plan Core Strategy.
- HC Neighbourhood Planning were pleased to see the inclusion of policy SUT11 dealing with water quality in the River Wye and a policy index at the front of the plan.
- Dŵr Cymru Welsh Water and the Environment Agency supported the plan's approach to nutrient neutrality and water quality in the River Wye Special Area of Conservation.
- The Environment Agency provided comments in relation to flood risk at one of the housing site allocations.
- Historic England supported the approach taken to the historic environment and welcomed the inclusion of policy SUT17 on the historic environment and heritage assets.
- Herefordshire and Gloucestershire Canal Trust asked for further detail to be included as to how Canal restoration could aid green infrastructure.
- Herefordshire Campaign to Protect Rural England supported the modifications/policies, including policy SUT13 on key views, and suggested additions to policy SUT17 on heritage.
- Other statutory consultees who responded either had no comment or no comment specific to the Neighbourhood Area/the draft NDP.
- Resident issues and concerns were raised in respect of the introduction of policy SUT13 and the protection given therein to key views of the landscape around the village. Two residents (in a joint response) queried the approach taken and objected to the policy. Another resident supported the policy and suggested additional views to the north-west of the village.
- Other resident issues and concerns were raised in respect of traffic volume and speed in the village, amount and nature of development, availability of services including reduction in public transport, play space, a local shop, agricultural development, surface water run-off onto highway, upkeep of Local Green Space, allotments, protection for Scheduled Ancient Monuments, and biodiversity at Sutton Walls.

Considering and addressing issues and concerns

- 4.4 All comments were passed to the planning consultant for review and to provide a recommended response, including amendments to the draft NDP. Table 2 provides a summary of the resulting principal amendments to the draft NDP. Full details may be found at Appendix 2.

Table 2: Schedule summarising principal changes made to the draft NDP following consultation

Consultee	Change made
Environment Agency	Clarification in policy SUT2 that all development is to be located in Flood Zone 1 in accordance with a Flood Risk Assessment to be provided.
Herefordshire and Gloucestershire Canal Trust	Reference made in supporting text to policy SUT15 to the potential for Canal restoration to deliver benefits for green infrastructure through the creation of walking and cycling routes, and for wildlife.
Herefordshire Campaign to Protect Rural England	Addition of new criterion to policy SUT17 in respect of circumstances when a Heritage Impact Assessment and archaeological assessment will be required.
Resident 6	Addition of three key views to policy SUT13.
Resident 6	Reference made to Historic England guide for owners and occupiers of Scheduled Ancient Monuments.
Resident 6	Reference made in supporting text to policy SUT15 to deciduous woodland at Sutton Walls as a Habitat of Principal Importance.

APPENDIX 1

Regulation 14 consultation material

Pre-submission consultation and publicity notice

Flyer/comment form

Poster

Pre-submission consultation and publicity notice

A public consultation on proposals to modify the Sutton St. Nicholas Neighbourhood Development Plan held in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended) will start at 9.00 a.m. on Tuesday 3 May 2022 for a period of six weeks and one day ending at 5.00 p.m. on Wednesday 15 June 2022.

Where you can inspect the modification proposals

The modification proposals may be inspected:

- on the community website at <https://suttonstnicholas.co.uk/>.
- at St. Nicholas' and St. Michael's churches and The Golden Cross.
- by requesting that a printed copy is posted to you. To do so, contact the Clerk to Sutton St. Nicholas Parish Council, by email ssnparishclerk@btinternet.com or telephone 01432 880673.

A Statement of Modifications and other supporting documents are available on the community website.

How to make comments on the modification proposals

Comments must be made in writing and include the name and address of the person making the comments. Please make comments as specific as possible, quoting the relevant policy or paragraph number(s). All comments will be publicly available (personal information will not be published).

A form for making comments can be downloaded and printed from the website, requested from the Parish Clerk, or collected from any of the above locations where the Plan can be inspected.

Send us your comments:

- by hand to the collection boxes at St. Nicholas' and St. Michael's churches and The Golden Cross.
- by post to the Clerk to Sutton St. Nicholas Parish Council, 20 Willow Rise, Sutton St. Nicholas, Hereford HR1 3DH.
- by email to the Clerk at ssnparishclerk@btinternet.com.

If you have any questions, please telephone Ron Gow on 01432 880545, Ian Nicholas on 01432 880447, or Stan Gyford on 01432 880687.

All comments must be received by 5.00 p.m. on Wednesday 15 June 2022. These will be considered by the Parish Council and will help shape the proposals to modify the Neighbourhood Development Plan.

Sutton St. Nicholas Neighbourhood Development Plan - Review

Public Consultation: TUESDAY 3 MAY – WEDNESDAY 15 JUNE 2022

Dear Parishioner,

Our first Neighbourhood Development Plan for the Parish was completed in 2017. We've now updated the Plan to take account of changes since then. We've revised the original policies and added several new ones, including on the size and type of new housing that's needed, householder development, building design, countryside views, and water quality in the [River Lugg](#).

We've prepared a draft of the revised Plan and want to know what you think. We are launching a public consultation from **Tuesday 3 May to Wednesday 15 June**.

You can read the draft Plan and supporting documents on the community website at <https://suttonstnicholas.co.uk/>, at St. Nicholas' and St. Michael's churches and The Golden Cross. To request a printed copy to be posted to you, email the Parish Clerk on ssnparishclerk@btinternet.com or telephone 01432 880673.

You can use this form to give us your comments. Please return it:

- to the collection boxes at St. Nicholas' and St. Michael's churches and The Golden Cross.
- by post to the Clerk to Sutton St. Nicholas Parish Council, 20 Willow Rise, Sutton St. Nicholas, Hereford HR1 3DH.
- by email to the Clerk at ssnparishclerk@btinternet.com.

Please include your name and address.* Additional copies of the form can be downloaded and printed from the Parish Council website, requested from the Parish Clerk or collected from St. Nicholas' and St. Michael's churches and The Golden Cross. If you have any questions, please telephone Ron ~~Gow~~ on 01432 880545, Ian Nicholas on 01432 880447, or Stan Gyford on 01432 880687.

All comments must be received by 5.00 p.m. on Wednesday 15 June 2022. Thank you.

Yours faithfully,
Councillor Ron ~~Gow~~, Chairman of the Parish Council.

Your details:*

Name:	
Address:	
Email:	

Please give us your comments overleaf.

* The personal information you provide on this form will be processed in accordance with the Data Protection Policy on the Parish Council website. It will be used only for the preparation of the Neighbourhood Development Plan. Personal information will not be published.

Sutton St. Nicholas Neighbourhood Development Plan - Review

Please give us your comments below. All comments will be publicly available.

Which part of the Review are you commenting on? Please tell us the page number, paragraph number, or policy.	Are you supporting, objecting or just making a comment?	Comments and/or suggested changes

Do you have any general comments?

Thank you – and don't forget please return this form by Wednesday 15 June 2022.

Sutton St. Nicholas Neighbourhood Development Plan

We've reviewed our Neighbourhood Development Plan – and we want your views.

You can read the new Plan and find out how to respond:

- On the community website at <https://suttonstnicholas.co.uk/>.
- at St. Nicholas' and St. Michael's churches and The Golden Cross.
- by requesting that a printed copy is posted to you. To do so, contact the Parish Clerk by emailing ssnparishclerk@btinternet.com or telephone 01432 880673.

**Let us have your comments by 5.00 p.m. on
Wednesday 15 June 2022**

We look forward to hearing from you
Sutton St. Nicholas Parish Council

Appendix 2

Regulation 14 consultation Response Log

Part 1: Comments from consultation bodies

Part 2: Community and other comments

Abbreviations

AA: Appropriate Assessment (April 2022)

HC: Herefordshire Council

LVIA: Landscape and Visual Impact Assessment

LPCS: Herefordshire Local Plan Core Strategy (adopted 16 October 2015)

NPPF: National Planning Policy Framework (2021)

NDP: Neighbourhood Development Plan

NPPG: National Planning Practice Guidance

PROW: Public right of way

SAC: River Wye Special Area of Conservation

SoM: Statement of Modifications

SEA: Strategic Environmental Assessment (April 2022)

Sutton St Nicholas NDP Review: Response log

Part 1: Comments from consultation bodies

Consultee	NDP Review ref	Type C = Comment O = Object S = Support	Comment received	Response	Amendments to draft Sutton St Nicholas NDP Review
Avison Young for National Grid	NDP	C	<p>National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland. National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use. National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.</p> <p>Proposed development sites crossed or in close proximity to National Grid assets:</p> <p>An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines. National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.</p> <p>National Grid provides information in relation to its assets at the website below.</p> <ul style="list-style-type: none"> • www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/ <p>Please also see attached information outlining guidance on development close to National Grid infrastructure.</p> <p>Distribution Networks</p> <p>Information regarding the electricity distribution network is available at the website below: www.energynetworks.org.uk</p> <p>Information regarding the gas distribution network is available by contacting: plantprotection@cadentgas.com</p> <p>Further Advice</p> <p>Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets.</p>	Comment noted.	No change.
Coal Authority			Thank you for consulting The Coal Authority on the above. Having reviewed your document, I confirm that we have no specific comments to make on it.	Comment noted.	No change.

Sutton St Nicholas NDP Review: Response log

Consultee	NDP Review ref	Type C = Comment O = Object S = Support	Comment received	Response	Amendments to draft Sutton St Nicholas NDP Review
Dŵr Cymru Welsh Water	NDP and objectives	S	I refer to the below and would like to thank you for consulting Welsh Water. We welcome and support the proposed modifications to the Plan. Specifically with regard to the Objectives, we welcome the addition of the objective on the River Wye Special Area of Conservation.	Comment noted.	No change.
	Policies SUT2 and SUT3	S	We note that there are number of new and replacement policies proposed, and we note and welcome the continued inclusion of the accompanying text to policies SUT2 and SUT3 with regard to the provision of Welsh Water infrastructure.	Comment noted.	No change.
	Policy SUT11	S	We also welcome the inclusion of Policy SUT11 Water quality in the River Lugg – the first element of this policy will be key to ensuring the water quality issue is addressed, whilst the capacity of the WwTW and the public sewerage network is a requirement in order for development to be forthcoming. If you require any further detail on the above, please let me know.	Comment noted.	No change.
Environment Agency	NDP	C	We have reviewed the submitted document and would like to make the following comments at this time. As part of the adopted Herefordshire Council Core Strategy updates were made to both the Strategic Flood Risk Assessment (SFRA) and Water Cycle Strategy (WCS). This evidence base ensured that the proposed development in Hereford City, and other strategic sites (Market Towns), was viable and achievable. The updated evidence base did not extend to Rural Parishes at the NDP level so it is important that these subsequent plans offer robust confirmation that development is not impacted by flooding and that there is sufficient waste water infrastructure in place to accommodate growth for the duration of the plan period. Herefordshire Council are shortly to begin the Local Plan review process including updates to the evidence base.	Comment noted.	No change.
	Policies SUT2 and SUT3		Flood Risk: We note that there are two submitted sites within the proposed plan; Land at the Lane (Policy SUT2) and Land adjacent to the Linnings (SUT3). Land adjacent to the Linnings is entirely within Flood Zone 1, the low risk Zone. Land at the Lane is predominantly within Flood Zone 1 but the southern extent of the site is shown to fall within Flood Zone 3, the high risk zone. It is noted that the land that lies within Flood Zone 3 is to be 'kept free from development'. As part of any detailed proposals for this site we would expect	As this comment notes, the southern part of land at The Lane is already identified as to be kept free from development. To clarify the planning requirements, an additional criterion is added to policy SUT2. A Flood Risk	Add new criterion 5 to policy SUT2: "all development is located within Flood Zone 1 in accordance with a Flood Risk Assessment which should accompany any planning application for the development of the site;".

Sutton St Nicholas NDP Review: Response log

Consultee	NDP Review ref	Type C = Comment O = Object S = Support	Comment received	Response	Amendments to draft Sutton St Nicholas NDP Review
			all development to be located within Flood Zone 1. Should this allocation be maintained within the NDP it should be noted that a Flood Risk Assessment (FRA) would need to accompany any forthcoming planning application to confirm the above. It should be noted that our Flood Map provides an indication of 'fluvial' flood risk only. You are advised to discuss matters relating to surface water (pluvial) flooding with the drainage team at Herefordshire Council as the Lead Local Flooding Authority (LLFA).	Assessment has already been submitted as part of planning application P193293/F for the development of the site.	
	Policy SUT11	C	<p>River Wye SAC Catchment: It is noted that Sutton St Nicholas falls within the River Lugg Sub-Catchment and that an Appropriate Assessment (AA) has been undertaken in light of recent comments from Natural England (NE). As confirmed within the AA document, and the Draft Plan, the most significant issue within the River Wye SAC Catchment (included the River Lugg) relates to water quality and the potential impact of policies and site allocations within the NDP's.</p> <p>We have previously provided comment on similar NDPs' with a view to ensuring a robust submission and that development can be achieved without impact on the integrity of the SAC, primarily within the Lugg Catchment. Herefordshire Council are seeking to progress mitigation measures, including integrated wetlands, to assist in the reduction of phosphate levels and with a view to resolving water quality issues within the County, specifically the Lugg Sub-catchment. Further evidence is being drafted by the Council, in consultation with NE, to give greater certainty that the mitigation proposed will enable development to proceed without an impact on the SAC.</p> <p>It is noted, and welcomed, that the NDP includes a specific Policy section on Water Quality in the River Lugg and that the Policy SUT11 (Water Quality in the Lugg) now makes specific reference to impacts on the Catchment, including the need for nutrient neutrality and mitigation measures to secure such. The Phosphate Budget Calculator Tool, and associated guidance, is also referenced in the Policy.</p> <p>In consideration of the above Herefordshire Council should be satisfied, in consultation with NE, as the primary consultation body on this matter, that this approach, including possible mitigation, is a viable and deliverable and that there is a reasonable degree of certainty provided to take forward the sites in the plan.</p>	Comment noted.	No change.

Sutton St Nicholas NDP Review: Response log

Consultee	NDP Review ref	Type C = Comment O = Object S = Support	Comment received	Response	Amendments to draft Sutton St Nicholas NDP Review
Herefordshire and Gloucestershire Canal Trust	Policy SUT15	C	Thank you for the opportunity to reply to your Regulation 14 of the NDP. Thank you for highlighting the Canal within the document and having it as part of the policy SUT14. It would be good to see further comment about the enhanced benefits to the green space that the canal can bring such as a new walking routes when restored. A cycle route also along the towpath and enhance wildlife as already seen at locations that the canal has been cleared bring further bird life such as herons and kingfishers to the area. It is also not clear from the statements within the document if you support as a parish the restoration of the canal?	This support for the NDP is welcomed. The benefits of a restored Canal in terms of green infrastructure are acknowledged and should be referenced within the NDP. The Parish Council does support Canal restoration and this is also made clear in the amendment.	Add to bullet point 3 in para. 5.12: “The Parish Council supports the restoration of the Canal and recognises the benefits to green infrastructure this would bring through the creation of walking and cycling routes and for wildlife.”.
Herefordshire Campaign to Protect Rural England	Objectives	S	Herefordshire CPRE strongly supports the more specific wording of the objectives and we particularly support: <ul style="list-style-type: none"> the emphasis on protection of the River Wye, the inclusion of an objective re managing large scale agriculture and forestry the inclusion of key views and heritage assets and the guidance to build the type size and tenure of houses needed. 	This support for the NDP is welcomed.	No change.
	Made NDP policy 4	C	Why has the reference to re-use of existing buildings (proposal 1) been removed – the existing proposal sets out a sustainable approach to development in the countryside which would make good use of existing resources and limit the impact of development on the landscape.	The SoM explains that made policy 4 has been expanded to include further guidance on appropriate forms of economic development in Review policy SUT6. The provision referred to in the comment has not been removed from the NDP and is now to be found in bullet point 2 to policy SUT6.	No change.
	Policy SUT7	S	No comment made.	This support for these policies is welcomed.	No change.
	Policy SUT10	S	No comment made.		
	Policy SUT11	S	No comment made.		
	Policy SUT13	S	No comment made.		
	Policy SUT16	S	No comment made.		
Policy SUT17	S/C	Consider: <ul style="list-style-type: none"> Adding reference to protection of archaeology and necessity for development proposals to include full archaeological investigations. 	These suggestions are agreed.	Add new criterion 4 to policy SUT17:	

Sutton St Nicholas NDP Review: Response log

Consultee	NDP Review ref	Type C = Comment O = Object S = Support	Comment received	Response	Amendments to draft Sutton St Nicholas NDP Review
			<ul style="list-style-type: none"> Requiring where appropriate, Heritage Impact Assessments should be undertaken to inform development proposals. 		“requiring development proposals to be accompanied by Heritage Impact Assessments where the significance of heritage assets may be affected. Where proposals may affect archaeological interests, an appropriate desk-based assessment and where necessary a field evaluation should be provided;”.
	NDP	C	The modifications have brought great clarity and detail to the plan, we believe this will help guide development effectively and help to protect Sutton Nicholas’ assets, environment and landscape. We particularly welcome the new policies SUT7 – 17 inclusive which give greater protection to the rural landscape and the environment as well as the townscape.	This support for the NDP is welcomed.	No change.
HC Neighbourhood Planning			<p>Welcome the addition of a policy index at the front of the plan, this aids Development Managements to reference policies. Para 3.2/ Table 1 – April 2022 figures show there are still 53 built with 3 commitments. Please to see the inclusion of Policy SUT11 and the details within the reasoned justification text.</p> <p>[NB No comments received from HC Development Management, Transportation and Highways, Environmental Health (noise/air), Strategic Housing, Landscape/archaeology/conservation, Economic Development, Education, Property Service, Parks and Countryside, and Waste.]</p>	Noting no change to the completion and commitment figures in Table 1, this can be updated to April 2022.	Update Table 1 to be based at April 2022 (not April 2021).
HC Strategic Policy	NDP	C	Core Strategy Conformity Assessment.	Comment noted.	No change.

Sutton St Nicholas NDP Review: Response log

Consultee	NDP Review ref	Type C = Comment O = Object S = Support	Comment received				Response	Amendments to draft Sutton St Nicholas NDP Review
			Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments		
			SUT1: Sutton St Nicholas settlement boundary	RA2: Housing in settlements outside Hereford and the market towns	Y			
			SUT2: Land at The Lane	H1: Affordable housing SD1: Sustainable design and energy efficiency LD4: Historic environment and heritage assets	Y			
			SUT3: Land adjacent to The Linnings	H1: Affordable housing SD1: Sustainable design and energy efficiency LD1: Landscape and townscape	Y			
			SUT4: Housing mix	H3: Ensuring a range and mix of housing types	Y			
			SUT5: Householder development	SD1: Sustainable design and energy efficiency	Y			
			SUT6: Small-scale employment	E3: Homeworking RA4: Agricultural, forestry and rural enterprise dwellings RA5: Re-use of rural buildings	Y			

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			SUT7: Agricultural and forestry develop-ment	RA4: Agricultural, forestry and rural enterprise dwellings	Y			
			SUT8: Communica-tions infra-structure	N/A	Y			
			SUT9: Community facilities	SC1: Social and community facilities	Y			
			SUT10: Renewable and low carbon energy	SD2: Renewable and low carbon energy	Y			
			SUT11: Water quality in the River Lugg	SD4: Wastewater treatment and water quality	Y			
			SUT12: Landscape character	LD1: Landscape and townscape	Y			
			SUT13: Key views	N/A	Y			
			SUT14: Local Green Space and public open space	OS1: Requirement for open space, sport and recreation facilities OS2 Meeting open space, sports and recreation needs	Y			

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			<table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>SUT15: Green infrastructure</td> <td>LD3: Green infrastructure</td> <td>Y</td> <td></td> </tr> <tr> <td>SUT16: Building design</td> <td>SS6: Environmental quality and local distinctiveness SD1: Sustainable design and energy efficiency</td> <td>Y</td> <td></td> </tr> <tr> <td>SUT17: Heritage</td> <td>LD4 Historic environment and heritage assets</td> <td>Y</td> <td></td> </tr> </table>					SUT15: Green infrastructure	LD3: Green infrastructure	Y		SUT16: Building design	SS6: Environmental quality and local distinctiveness SD1: Sustainable design and energy efficiency	Y		SUT17: Heritage	LD4 Historic environment and heritage assets	Y			
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Environmental Health (Environmental Protection – contaminated land)	Policy SUT2	C	Land at the Lane: historically used as orchards, may have been subject to agricultural spraying.	This possibility is already included at para. 3.12.	No change.																
	Policy SUT3	C	Land adjacent to the Linnings: historically used as orchards, may have been subject to agricultural spraying.	This possibility is already included at para. 3.16.	No change.																
Historic England	NDP	C	Thank you for the invitation to comment on the reviewed Neighbourhood Plan. Historic England remains supportive of both the content of the document and the vision and objectives set out in it and has no adverse comments to make on the changes proposed. We do, however, welcome the inclusion of a new policy (SUT17) covering the conservation of the historic environment and heritage assets. Beyond those observations we have no further comments to make on what Historic England considers is a good example of community led planning that takes a suitably proportionate approach to the historic environment of the Parish.	This continued support for the NDP and for the inclusion of policy SUT17 is welcomed.	No change.																
Sport England	NDP	C	Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for	Comment noted.	No change.																

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			<p>sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 98 and 99. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document. https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded. https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications</p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 99 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the</p>		

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			<p>community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work. http://www.sportengland.org/planningtoolsandguidance If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes. http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/ Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place. In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals. Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved. NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p>		

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			Sport England's Active Design Guidance: https://www.sportengland.org/activedesign (Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)		

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Part 2: Community and other comments

Consultee	NDP Review ref	Type C = Comment O = Object S = Support	Comment received	Response	Amendments to draft Sutton St Nicholas NDP Review
Resident 1	NDP	C	Having only moved to Sutton St. Nicholas in August 2021, I applaud the Neighbourhood development Plan but would like to make a few general observations to date.	This support for the NDP is welcomed.	No change.
	Community Action CA1	C	The amount, size and speed of traffic passing through the Village is a major concern and with the proposed increase in housing this will only increase.	This is being addressed though the Traffic Plan referred to in CA1.	No change.
	Housing requirement and delivery	C	It is fantastic to see old properties being renovated but is there a need to build on land just for the sake of it because it is available, especially as the government have now announced the scrapping of new build targets?	NDP housing proposals have been developed to meet LPCS requirements.	No change.
		C	Should there be a reduction of planning granted on infill sites, given the current effects of climate change and environmental concerns.	LPCS policy RA2 provides for sustainable housing growth to be permitted in settlements such as Sutton St. Nicholas where planning criteria are met, including those set out in made and Review NDP policies.	No change.
	Community Action CA10	C	The play /park facilities for the village children seems a little underwhelming, could provision for a better green space not be found?	This is the subject of the Community Action listed at CA10.	No change.
	Community Action CA9	C	I note the mention of a local shop in the report, could this not be a community run venture and supported by the Parish council initially as has been done in other parts of the county?	This is the subject of the Community Action listed at CA9.	No change.
	NDP	C	As I have previously stated I applaud the Neighbourhood Development plan and its aim to keep Sutton St. Nicholas a thriving community rather than an extension of the Hereford City boundary.	This support for the NDP is welcomed.	No change.

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			My observations are as many may say those of a "Blow in" but they are fresh and made with the best intention.		
Resident 2	Para. 3.19	C	Herefordshire Council's policy "increased requirement for new housing to cater for older people": do we take account of our facility at Woodville which I understand is underutilised.	Woodville is part of the existing housing stock whereas LPCS policy H3 (to which policy SUT4 provides local detail) is concerned with the provision of new, additional dwellings.	No change.
	Community Actions	S	Very welcome additions.	This support is welcomed.	No change.
Resident 3	NDP	C	Services in the village have depleted since the last review eg bus service has reduced.	This is recognised by the inclusion of Community Action CA5.	No change.
	Policies SUT2 and SUT3	C	Developments agreed in the last NDP have not been fulfilled.	Land allocations in the made NDP have been carried forward into the Review. Both are the subject of undetermined planning applications.	No change.
	Community Action CA1	C	Despite many voluntary hours committed by villagers traffic volume and speed has increased, which is detrimental to our quality of life.	This is being addressed though the Traffic Plan referred to in CA1.	No change.
Residents 4 and 5	Policy SUT13	O	<p>Thank you for your invitation to consult on the above. This letter is written to convey our views and concerns and requests answers to a number of questions that the draft NDP review has raised - some general and others more specific. Please note that we understand and support the need for an effective NDP.</p> <p>Whilst this revision of the NDP is generally welcome and updates the original plan, there is one specific aspect that we cannot support and that is the inclusion of the proposed Policy SUT13 - Key Views. We note that in the Statement of Modifications, page 22, that this policy is dismissed as 'another topic' in relation to changing the nature of the plan.</p>	The addition of policy SUT13 does not change the nature of the plan. This is because the made NDP already recognises that the contribution made by important views of the open countryside around the village is part and parcel of the protection to be afforded to its landscape setting (objective for open spaces	No change.

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			<p>'The new policies on the other topics are relatively detailed, specific and limited in their application and as such do not change the nature of the plan.' We disagree with this. The inclusion of this policy, in our opinion, does appear to fundamentally change the nature of the plan and has potentially significant legal and financial implications for each respective landowner impacted by it should they wish to undertake future development. We recognise that the household survey did indicate that a substantial proportion of respondents would like to 'protect important views and landscape settings.' There was however no indication of which views and landscape settings respondents saw as important. The eight 'Key Views' proposed appear to apply to areas of private land, several of which would potentially afford the opportunity for housing and/or other development either pre or post 2031.</p> <ul style="list-style-type: none"> • Is the development and adoption of this policy designed to deliberately obstruct potential and future development of the land covered by these Key Views? <p>It is further noted that no views to or from the north and northwest of the village have been identified as Key Views despite there being a significant number of other views of the village available from the existing parish rights of way and public highways in that area.</p> <ul style="list-style-type: none"> • Why are views from the Ordis Bridleway towards the village setting not included? <p>Key View (KV) 2 is the specific view that impacts on land owned by us. (The photo appears to relate solely to our field!). Should SUT 13 be adopted it would impact directly on any future development through the imposition of the proposed conditions and restrictions. To help to determine the financial and legal limitations and implications that Policy SUT 13, if adopted, will have on any potential future development of our land please answer the following:</p> <ul style="list-style-type: none"> • What criteria were used in determining the location of the Key Views and specifically that relating to KV2? • How are the Parish Council defining 'protection' in this context? <p>The proposed policy also states: 'Where a development proposal within the Neighbourhood Area lies within sight of one of the above Key Views, a Landscape and Visual Impact Assessment, or similar study should be provided to demonstrate that the</p>	<p>and the environment; made policy 6 and para. 6.7). New policy SUT13 seeks to further specify that contribution by identifying specific views and so providing greater clarity to decision makers. This is analogous to the example given in NPPG that "if the original plan primarily shapes growth through measures such as design policies, then modifications seeking to take forward these policies through design codes would be unlikely to change the nature of the plan" (Paragraph: 086 Reference ID: 41-086-20190509). Policy SUT13 is not 'designed to deliberately obstruct development', but rather seeks to appropriately protect and enhance the contribution made by the identified key views to the landscape setting of the village. It responds to the household survey where 82% of respondents wanted to see important views and the landscape setting of the village protected (Q15) and provides clarity as to how development proposals affecting the identified views will be assessed. Views to the north-west of the village/Sutton Walls including the bridleway referred to are to be</p>	

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			<p>levels of effects are acceptable and that the scheme has been sited and designed sensitively and appropriately.' This raises two questions, namely:</p> <ul style="list-style-type: none"> • What criteria will be used by Councillors in deciding whether a scheme is 'acceptable'? • What 'similar' studies will be acceptable? <p>Finally, in understanding that this plan covers the period to 2031, there appears to be nothing in the proposed modified review that looks to the need for development beyond that. If anything, the modifications and amendments in this review actively introduce obstructions to future development.</p> <ul style="list-style-type: none"> • What are the parish Council doing to plan for development post 2031 in light of the national changes to planning and the clear need for increased national and local housing? <p>In conclusion, we understand, accept and support the need for a meaningful NDP for Sutton St Nicholas albeit objecting to the introduction of Policy SUT 13. We look forward to your responses to the questions posed.</p>	<p>included in response to other comments (see response to resident 6, below).</p> <p>Key views have been identified by the Steering Group taking into account household survey responses. There were six references to land at Ridgeway in this context (Q16). KV2 looks across land at the village edge on the approach to Sutton St. Nicholas from the east. The character and contribution of this land to the open landscape setting of the village can be readily appreciated from the adjacent footpath (PROW). The key views will be protected through the operation of the policy, i.e. the submission of a LVIA or similar study to accompany relevant planning applications.</p> <p>The acceptability of any specific proposal will be a matter for the planning judgement of the decision maker.</p> <p>Policy SUT13 avoids over-prescription whilst recognising the LVIA assessment framework is the established and accepted methodology for assessing the impact of development on views and the landscape.</p> <p>The NDP plan period extends to 2031. The Parish Council will</p>	

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				keep under review the need for the NDP to be updated. Policies in the NDP may be superseded by other development plan policies, such as those arising from the current review of the Local Plan/LPCS, changes to national policy, or the emergence of new evidence. Where policies in the NDP become out-of-date or new policies are found to be required, the Parish Council will decide how best to update the plan.	
Resident 6	Policies SUT7 and SUT10	C	Utmost concern given Government 2022 greenlight to increased industrial farming and polytunnels, regarding the 24/7 volume and size of HGV from/to Marden. Can this be monitored? How might this be monitored?	Development proposals will need to provide a Transport Assessment (or Statement) in demonstrating compliance with these policies, as referenced in para. 4.5.	No change.
	Policy SUT7	C	Surface run-off on road between St. Michaels and Freens Court after heavy rain is caused by up and down hill ploughing. Similar run-off between Ordis Farm and The White House also impacts on highway. <ul style="list-style-type: none"> Concern must be for soil erosion and phosphate contamination of waterways, as well as evident damage to highways. Given future development of farming towards greater industrialised production and its impact on current road infrastructure – how can this be assessed and sustainably addressed? 	This is not a planning matter.	No change.
	Policy SUT14	S	To be supported. Furthermore to maintain the character of LGS1 – what further support might be made available, e.g. towards replanting or maintenance as an orchard. Might public access be possible?	This support for the policy is welcomed. Maintenance of privately-owned Local Green Space remains a matter for the land owners. Designation does not in itself confer any rights of	No change.

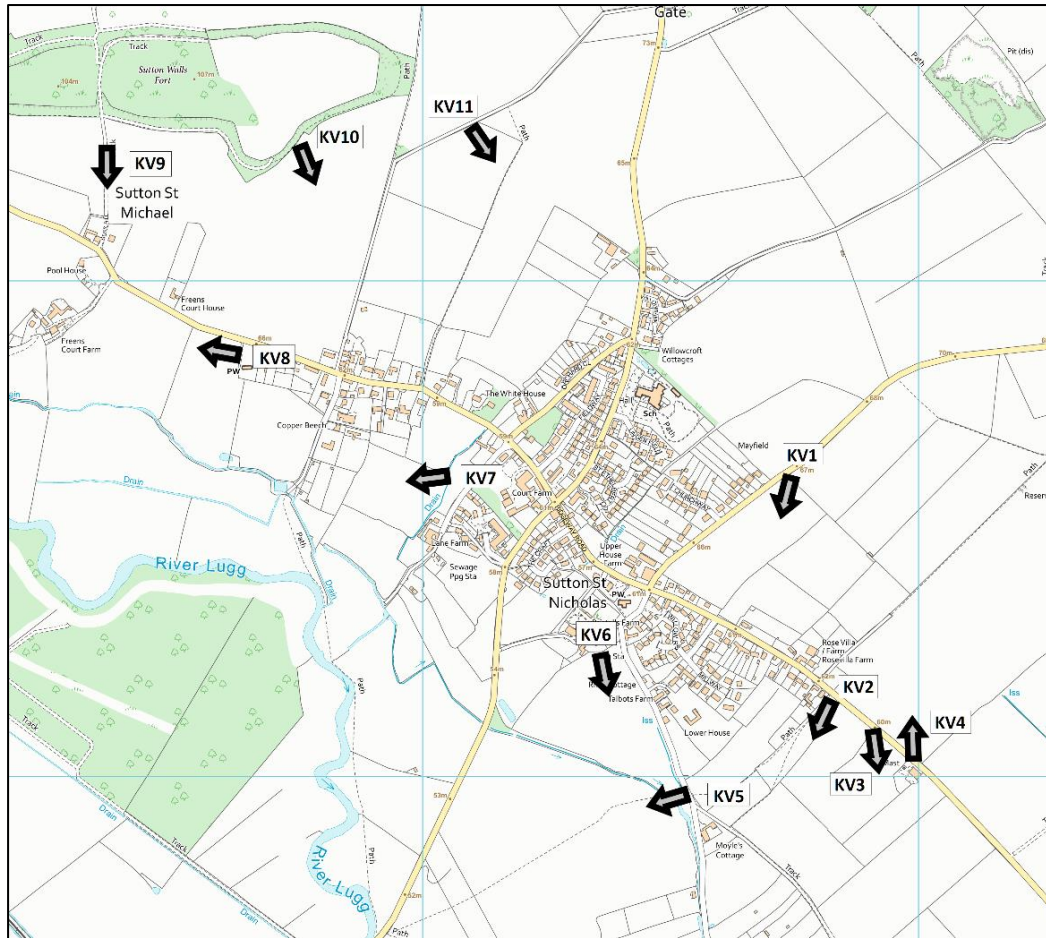
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				public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.	
	NDP	C	Given cost of living crisis and increasing number of houses without gardens – has any thought been given to setting aside space for allotments.	The provision of allotments has been previously considered by the Parish Council, being discounted at that time due to lack of proven demand and of any available sites. The Parish Council would consider the matter again if there was demand from local residents and it was reasonable to do so.	No change.
	Policy SUT13	S	Supporting and need to include more crucial key views of village within CP neighbourhood. To add: <ul style="list-style-type: none"> • View from public footpath at east end of Sutton Walls hill fort looking east towards village, including Thinghill, Malverns and Breckonbury. • View of village from permitted footpath on spur of southern aspect of Sutton Walls. • View down Busy Lane over Freens Court and archaeological sites and Lugg Meadows. <p>Key views are crucial to determining the character of the area and the curtilage of development contained within village. These views must be protected.</p>	The suggested views to the north-west of the village will complement those already included in policy SUT13. The view from the east end of Sutton Walls offers only glimpsed views of the village due to intervening vegetation; an alternative is proposed from a bridleway further to the east. This view, KV11, includes land allocated for development by policy SUT3. This development will not harm KV11 as it will appear against the backdrop of the existing village. In addition, KV11 will more generally serve to protect the landscape setting of the village	Add to policy SUT13 and include in para 5.6 (with grid references): <p>“KV9: the view from Sutton St. Nicholas public footpath 1 Busy Hill looking south over the Lugg Valley. KV10: the view from Sutton St. Nicholas public footpath 2 on Sutton Walls looking south-east towards the village. KV11: the view from Marden bridleway 29 east of Sutton Walls looking south-east towards the village.”.</p> <p>Include viewpoints on Plan 5.</p>

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				on its north-westerly flank. Taking this into account, the inclusion of KV11 in policy SUT13 is justified.	See plan and view images at end of response log.
	Policy SUT17	C	Inclusion of English Heritage guidelines regarding ploughing and agricultural development adjacent Ancient Scheduled Monuments into plan.	Historic England's 2014 guide for owners and occupiers of Scheduled Monuments refers to these matters and encourages farmers to consider ways of minimising the risk to scheduled monuments under cultivation. It could usefully be referenced in para. 5.17.	Add footnote to first bullet para 5.17: "Historic England's guide for owners and occupiers of Scheduled Monuments aims to reduce the risk to scheduled monuments under cultivation. Ploughing gradually erodes earthworks and breaks up undisturbed archaeological remains: see https://historicengland.org.uk/images-books/publications/scheduled-monuments-guide-for-owners-and-occupiers/guideforownersofschedule monuments/ ".
	NDP	C	What more can be included in the plan to protect and support biodiversity of Sutton Walls?	This is primarily a matter for land owners and managers unless development is proposed. Policy SUT15 explains how green infrastructure will be enhanced when opportunities associated with development proposals arise. Sutton Walls is in part a Habitat of Principal Importance (deciduous woodland) so it could be referenced within the supporting text to this policy.	Add deciduous woodland at Sutton Walls to the list at the first bullet point of para. 5.12.

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Policy SUT 13: additional key views KV9, KV10 and KV11



KV9: south from Busy Hill



KV10: south-east from Sutton Walls



KV11: south-east from bridleway 29