

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area – Aston Ingham Neighbourhood Area

Parish Council – Aston Ingham Parish Council

Draft Consultation period (Reg14) – 3 May 2022 to 15 June 2022

Submission consultation period (Reg16) – 3 November 2022 to 15 December 2022

Determination

<i>Legal requirement question</i>	<i>Reference to section of the legislation</i>	<i>Did the NDP meet the requirement as state out?</i>
Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act		Yes
Are all the relevant documentation included within the submission <ul style="list-style-type: none"> • Map showing the area • The Neighbourhood Plan • Consultation Statement • SEA/HRA • Basic Condition statement 	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes
Does the plan specify the period for which it is to have effect?	2004 Act 38B (1and 2)	Yes

<p>The plan contains no 'excluded development'?</p> <ul style="list-style-type: none"> • County matter • Any operation relating to waste development • National infrastructure project 	1990 61K / Schedule 1	Yes
Does it relation to only one neighbourhood area?	2004 Act 38B (1and 2)	Yes
Have the parish council undertaken the correct procedures in relation to consultation under Reg14?		Yes
<p>Is this a first time proposal and not a repeat?</p> <ul style="list-style-type: none"> • Has an proposal been refused in the last 2 years or • Has a referendum relating to a similar proposal had been held and • No significant change in national or local strategic policies since the refusal or referendum. 	Schedule 4B para 5	Yes

Summary of comments received during submission consultation

Please note the below are summaries of the responses received during the submission consultation.

Full copies of the representations will be sent to the examiner in due course.

Table 1 – comments made by Herefordshire Council departments

Herefordshire Council	Comment made
Strategic Planning	<p>The plan is in general conformity with the policies of the Core Strategy and no objections to this NDP.</p> <p>The full response can be found in Appendix 1.</p>
Environmental Health (contamination)	<p>Policy AST5 Land at Ellsmere, Aston Ingham.</p> <p>The site has historically been used as orchards which can be subject to agricultural spraying practices which maylead to a legacy of contamination and any development should consider this.</p>
Transportation	No comment received.

Herefordshire Council	Comment made
Development Management	No comment received.

Table 2 – comments made by statutory consultees

Statutory Consultee	Comment made
Welsh Water / DCWW	We were consulted on the Reg 14 NDP and are pleased to see that the PC have taken on board our comments.
Coal Authority	No specific comments to make.
Historic England	<p>Historic England is supportive of both the content of the document and the vision and objectives set out in it.</p> <p>Our previous comments on the Regulation 14 consultation remain entirely relevant, that is:</p> <p>“The commitment to support well designed locally distinctive development that is sympathetic to the character of the area including its rural landscape character, views and biodiversity is commendable. The recognition of the importance of Historic Farmsteads being sustainably and sensitively converted is also welcomed.</p>
Natural Resources Wales	No comments to make
Severn Trent	<p>Supportive of the policies AST2 and AST3. There are specific suggestions ATS5 and ATS11.</p> <p>This site is outside of the Severn Trent region for potable water supply, however within our wastewater regions.</p> <p>There is currently a very small Wastewater Treatment Works (WwTW) which is adjacent to the proposed development site which currently serves a population equivalent of 31 (about 16 properties). It is likely that should the Land at Ellesmere wish to connect to this WwTW there may be capacity concerns as an additional 5 dwellings would be a significant increase proportional to the existing population served by the works.</p> <p>Supportive of policy ATS11, but recommends to reword policy AS11. ST has provided comments for wastewater and surface water, with suggested wording to drainage hierarchy including comments for a wastewater strategy, surface water, sustainable drainage systems, water quality/efficiency, and resources and blue green infrastructure.</p>
Natural England	No comments were received.

Statutory Consultee	Comment made
Environment Agency	'Land at Ellsmere' has been taken forward to Regulation 16 stage. Previously provided commented upon the Flood Zone 2 and 3 extent of the site and note section 5 of policy AST5 that has reflected such: <i>"it is demonstrated through a Flood Risk Assessment that the development will be safe and will not increase flood risk elsewhere, and is otherwise in accord with policy AST11 in respect of surface water management and flood risk. The Flood Risk Assessment should confirm the extent of Flood Zones 1, 2 and 3 within the site and demonstrate that all development is to be located within Flood Zone 1"</i> . EA welcomes the NDP including a specific policy section on water quality in the River Wye.
National Grid	National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.
NHS CCG	No direct comments to make on this plan.
Gloucestershire County Council Planning Policy	No specific comments to make on this plan.
Gloucestershire County Council Minerals and waste	No objection to the plan.

Table 3 – comments made by members of the public

Herefordshire Council	Comment made
Mr and Mrs Stallard	Objection to the allocation at Ellesmere. Objects to digging up a wildflower meadow which is partly prone to flooding. There are other sites with more services that are available locally. Ellesmere is about the last chance to retain an untouched field of organic grass, wildflowers and part orchard that should be an SSSI site with Aston Meadows.

Officer appraisal

All the consultation requirements of Regulation 14 were undertaken by the parish council and all the required documentation was submitted under Regulation 16.

This plan has met the requirements of the regulations as set out in the table above. No concern has been raised from internal consultees with regards to the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy. The parish has a minimum proportional growth requirement of 25, and has 7 commitments, 9 completions (as of April 2022) and has one site allocation of 5 dwellings and an expected windfall allowance of 7 within the NDP.

The plan includes one settlement boundary for the identified settlement of Aston Ingham. This takes into account existing commitments and proportional growth requirements,

therefore it is likely that the Aston Ingham NDP will continue to provide opportunities for growth in the plan period.

13 representations were received during the submission (Reg16) consultation period. 10 external, 2 from internal service providers at Herefordshire Council, 1 comment was submitted by members of the public. The external and Statutory Consultees had no objections to the plan, and mostly provided general and supportive comments to the plan. The Environment Agency and Severn Trent have provided comments to improve policies to improve water quality in the Neighbourhood Area. One objection was received by the member of the public regarding the site allocation at Ellesmere, objecting to the impact on wildflower meadow and that the site is partially prone to flooding.

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

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

Service Director's comments

Decision under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012.

It is recommended that the Aston Ingham Neighbourhood Plan **does** progress to examination at this stage.

A handwritten signature in black ink that reads "Tracey Coleman". The signature is written in a cursive style and is enclosed within a faint rectangular border.

Tracey Coleman

Interim Service Director – Planning and Regulatory Services

Date: 3/1/12

Appendix 1
Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Aston Ingham Regulation 16

Date: 22/11/2022

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
AST1: Landscape	SS1, LD1, LD2	Y	N/A
AST2: Biodiversity	SS1, LD2, LD3	Y	N/A
AST3: Building Design	SD1 – SD4	Y	N/A
AST4: Aston Ingham village settlement boundary	LD1	Y	N/A
AST5: Land at Ellesmere, Aston Ingham	SS2, SS3, SD3, OS1, OS2, LD1 – LD3	Y	N/A
AST6: Housing mix	H3	Y	N/A
AST7: Householder development	N/A	Y	N/A
AST8: Community Facilities	SS1, SC1	Y	N/A
AST9: Communications Infrastructure	SS1, E3, RA6, ID1	Y	N/A
AST10: Renewable and low carbon energy	SS1, SS7, SD2	Y	N/A
AST11: Surface water and flood risk	SS1, SD3, LD3	Y	N/A
AST12: Small-scale employment	SS1, SS5, E1 – E4, RA5, RA6	Y	N/A
AST13: Agricultural and forestry development	RA4, RA5, RA6	Y	N/A

Other comments/conformity issues:

The plan is in general conformity with the policies of the Core Strategy and Strategic Planning therefore raises no objections to this NDP.