

Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 02 January 2023 17:03
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

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Comment on a proposed neighbourhood area

We have received the following form online. Reference: 863611

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Alan
Last name	Dickson
Which plan are you commenting on?	Pyons Group
Comment type	Comment
Your comments	<p>Important any future development is kept within the village boundary using infill and/or brownfield sites. The agricultural land in this valley is very fertile and should be conserved for growing food, contributing to national food security. Agri-business in the County especially intensive poultry farming has put a strain on local rivers. The Canon Pyon sewage plant is inadequate and potentially causes pollution in wet times. We need to stop polluting our waterways . The heavy clay in this Parish doesn't absorb extra water easily and run off into the rivers is inevitable. New houses bring extra problems with this soil structure. Too many houses have already been built in Canon Pyon and there are very few jobs locally. Hence many people use their cars to go to Hereford or Leominster for work. This is increasing our carbon footprint and global warming. New housing should be built near to a source of employment. It would be nice to see some new rural businesses taking on local labour. Its important any new buildings have decent access. Narrow roads and roads with fast moving traffic (like the 4110) are hazardous. Road safety is a major concern in the village. Every new house brings 2 cars and extra waste along with potential air pollution. The village has poor public transport so any new building should be near larger centres of population to reduce fuel pollution.</p>

Neighbourhood Planning Team

From: Turner, Andrew
Sent: 07 December 2022 12:52
To: Neighbourhood Planning Team
Subject: RE: Pyons Group Reviewed Regulation 16 submission neighbourhood development plan consultation

RE: Pyons Group Reviewed NDP Regulation 16 draft Neighbourhood Development Plan consultation.

Dear Neighbourhood Planning Team,

It is my understanding that you do not require comment on Core Strategy proposals as part of this consultation or comment on sites which are awaiting or have already been granted planning approval.

Having reviewed Ordnance survey historical plans, I would advise the following:

- The potential Primary School site is located on area of ground which has been classed as unknown filled ground (pond, marsh, river, stream, dock etc.)

Sites identified as unknown filled ground can be associated with contaminative fill material. In practice, many sites identified through the historical mapping process as unknown filled ground are instances where hollows have been made level with natural material, have remained as unfilled 'hollows' or have filled through natural processes. However, there are some instances where the nature of the fill is not inert and would require further investigation. Without any additional information it is not possible to comment further on this site. Any additional information you may be able to obtain will help in determining the exact nature of the site.

The potential Primary School site's potentially contaminative use will require consideration prior to any development. I would recommend any application that is submitted should include, as a minimum, a 'desk top study' considering risk from contamination in accordance with BS10175:2011 so that the proposal can be fully considered. With adequate information it is likely a condition would be recommended such as that included below:

1. *No development shall take place until the following has been submitted to and approved in writing by the local planning authority:*

a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice

b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors

c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

2. *The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.*

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

3. *If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.*

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

Technical notes about the condition

1. *I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2012.*

2. *And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.*

General comments:

Developments such as hospitals, homes and schools may be considered 'sensitive' and as such consideration should be given to risk from contamination notwithstanding any comments. Please note that the above does not constitute a detailed investigation or desk study to consider risk from contamination. Should any information about the former uses of the proposed development areas be available I would recommend they be submitted for consideration as they may change the comments provided.

It should be recognised that contamination is a material planning consideration and is referred to within the NPPF. I would recommend applicants and those involved in the parish plan refer to the pertinent parts of the NPPF and be familiar with the requirements and meanings given when considering risk from contamination during development.

Finally it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe development where a site is affected by contamination.

These comments are provided on the basis that any other developments would be subject to application through the normal planning process.

Kind regards

Andrew

Andrew Turner
Technical Officer (Air, Land & Water Protection)
Economy & Environment Directorate
Direct Tel: 01432 260159
Email: aturner@herefordshire.gov.uk



VACCINES



FRESH AIR



FACE
COVERING



STAY HOME
IF UNWELL



HAND
WASHING



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Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 10 January 2023 18:10
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

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Comment on a proposed neighbourhood area

We have received the following form online. Reference: 864972

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Ann
Last name	Bowen-Jones
Which plan are you commenting on?	Pyons Group National Development Plan
Comment type	Support
Your comments	Supportive of intent of the NDP to restrict new developments only within the village boundaries; to convert or expand existing buildings into new accommodation; and not to exceed building targets agreed by the Hereford Council. Important to retain the style and scope of any new buildings within the general style of the surrounding buildings within a village. Develop old industrial sites within the village boundaries i.e. site adjacent to Canon Pyon Village Hall.

Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 09 January 2023 16:29
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

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Comment on a proposed neighbourhood area

We have received the following form online. Reference: 864838

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Anna
Last name	Forster
Which plan are you commenting on?	Kings Pyon Neighbourhood Development Plan
Comment type	Support
Your comments	I strongly support this plan and also the review relating to the footpaths. As a responsible dog owner I am often challenged by wired over styles that are physically difficult (and often impossible) for both me and the dogs. As you suggest, gates would make it safer and more accessible for all.

Neighbourhood Planning Team

From: Luke Challenger <Luke.Challenger@blackboxplanning.co.uk>
Sent: 20 January 2023 16:18
To: Neighbourhood Planning Team
Cc: Matt Brown
Subject: Pyons Group Parish Council Neighbourhood Development Plan
Attachments: Pyons Group NDP Review - BBP Representations.pdf; Representations-form.pdf; Enc 4 - Illustrative site plan.pdf; Enc 5 - Pre-application feedback.pdf; Enc 1 - CTP - Mill Road, Canon Pyon Access Letter.pdf; Enc 2 - Land Drainage Comments.pdf; Enc 3 - Ecology Response.pdf

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs,

I write in relation to the Regulation 16 consultation on the above on behalf of my client, Great Oak Homes Ltd, who control the land subject to the site allocation for Site D (*'land adjacent to Brookside and to rear of the Nags Head'*) in the current version of the NDP.

We previously made representations to the Regulation 14 consultation (attached) strongly objecting to the removal of the Site D allocation setting out that this would fail the 'basic condition' test required by legislation.

Having reviewed the latest Regulation 16 version of the NDP, the Site D allocation is again proposed for deletion although no further evidence is presented to support the deletion. As such we hereby reiterate our previous objection.

The site which is allocated in the adopted Neighbourhood Plan (2017), was at the time recognised as a suitable location for new housing. We provided evidence in our Regulation 14 submission to highlight the deliverability of the site and rebut conclusions in the AECOM report which put forward reasons for its exclusion. We set out why there were no technical reasons preventing the site's delivery and hence why it is essential that it remains an allocated site.

The Neighbourhood Plan indeed recognises the issues Herefordshire is facing in terms of land supply and this is one of the reasons stated as a driving force behind production of the NDP Review (as referenced in the Forward of the NDP). However, the consequences of excluding deliverable sites will compound the land supply issues faced by the county and will be in conflict with paragraph 29 of the NPPF which requires neighbourhood plans not to promote less development than set out in the strategic policies for the area or undermine those strategic policies.

Given there is no evidence to support the removal of Site D, and the importance of the NDP Review positively supporting housing growth, the current approach of Policy PG1 would clearly fail the basic condition tests by not having regard to national policy and, not being in general conformity with the policies contained in the development plan. This issue can only be rectified through the retention of Site D's allocation.

We trust these representations can again be taken into account through the Neighbourhood Plan process.

Kind regards

Luke Challenger MRTPI
Associate
Black Box Planning Ltd
T: 07765158987

15th March, 2021



Parish Clerk
Pyons Group NDP Review,
PO Box 124,
Leominster,
HR6 6DE

Luke Challenger BA(Hons) MPlan MRTPI
E: luke.challenger@blackboxplanning.co.uk
T: 07765 158 987

36 King Street
Bristol
BS1 4DZ

BY EMAIL ONLY

BlackBoxPlanning.co.uk

Dear Sirs,

Pyons Group Neighbourhood Development Plan (NDP) Review (Regulation 14 consultation)

I write in relation to the above on behalf of my client, Great Oak Homes Ltd, who control the land subject to the site allocation for Site D (*'land adjacent to Brookside and to rear of the Nags Head'*) in the current version of the NDP.

The NDP Review which is now subject to public consultation seeks to remove this allocation to which we strongly object. This letter sets out that such an approach would not be consistent with the evidence base nor, the policies under the NPPF regarding the appropriate approach of Neighbourhood Planning.

This letter will set out the policy and legal basis that the NDP Review will be considered against when it comes to its examination by an independent inspector and thus the considerations that must be made at the early stages of the plan making process. The letter will then set out the importance of the NDP Review being in general conformity with the Herefordshire Core Strategy and national planning policy followed by a review of the available evidence relevant to the allocation of Site D.

Policy and legal background

The preparation of neighbourhood plans is primarily guided by the Neighbourhood Planning Act (2017) and, the Town and Country Planning Act 1990 (as amended), much of this legislation has been translated into national planning policy. One of the key elements of the Act is the requirement that draft neighbourhood plans meet 'basic conditions' which, are detailed below.

National Planning Policy Framework (NPPF)

The key elements of the NPPF relevant to the production of neighbourhood plans are:

- Paragraph 13: *“neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”*
- Paragraph 29 requires neighbourhood plans not to promote less development than set out in the strategic policies for the area or undermine those strategic policies.
- Paragraph 37 and footnote 21 state that neighbourhood plans must meet certain ‘basic conditions’ and other legal requirements (as set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended)) before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.

Planning Practice Guidance (PPG)

The PPG sets out the ‘basic conditions’ that are relevant to preparing a Neighbourhood Plan if it is to proceed to referendum (ref: 065 Reference ID: 41-065-20140306), these are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State.*
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses.*
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.*
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*
- e. the making of the order (or 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).*
- f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

It is in this context we provide comments to draft Policies PG1 and PG5 of the NDP Review.

Draft Policy PG1: Development Strategy

We **strongly object** to the proposed removal of Site D from the NDP Review and for the reasons given below we consider this would mean the document would fail the 'basic condition' test required by legislation.

Meeting Housing Need

The NDP Review sets out that at paragraph 1.4 that:

“recent housing developments and commitments, primarily in the settlement of Canon Pyon, have meant that the minimum housing target for the neighbourhood area of 18%, as set out in the Herefordshire Council Local Plan Core Strategy 2011 - 2031, has been met and exceeded. The NDP Review provides an opportunity for a fresh look at local housing and other planning policies in the light of ongoing development pressures, and the current lack of a 5 Year Land Supply in Herefordshire.”

Paragraph 5.4 goes on to explain that the indicative housing growth target of 18% equates to 68 new dwellings in the Group Parish up to 2031.

We raise a fundamental concern with this approach given the Herefordshire Core Strategy was adopted in October 2015 and is now in excess of five years old. The NPPF (paragraph 33) recognises the requirement for relevant strategic policies in local plans to be updated once every five years. To date, no such review has been concluded although Herefordshire Council agreed in November 2020 to commence a review.

It should thus be recognised that the housing requirement figure currently set out in the Herefordshire Core Strategy, at Policy SS2, of **825 dwellings per annum (dpa)**, may be altered through a more up to date assessment of housing need. In this context paragraph 60 of the NPPF would require strategic policies to be informed by a local housing needs assessment, conducted using the standard method. Indications for Herefordshire are that its standard method figure would increase the housing requirement to **846 dwellings per annum (dpa)**.

Given there is every indication that the housing need figure for the county would increase, the guidance in the PPG in relation to reviewing and updating neighbourhood plans is pertinent:

*“to reduce the likelihood of a neighbourhood plan becoming out of date once a new local plan (or spatial development strategy) is adopted, communities preparing a neighbourhood plan should **take account of latest and up-to-date evidence of housing need**, as set out in guidance (ref: Paragraph: 084 Reference ID: 41-084-20190509)(my emphasis).*

Given the age of the adopted Core Strategy and more up to date evidence on housing need through the standard method, it is imperative that as a minimum the NDP Review does not

seek to remove existing allocations previously secured in the adopted NDP. Such an approach would be inconsistent with national policy.

Notwithstanding the above, the approach set out in the NDP Review is inconsistent with the currently adopted Herefordshire Core Strategy (Policy RA1) which describes the housing target as a minimum figure and figure 4.14 which identifies Canon Pyon as one of the settlements to be the main focus of proportionate housing growth. The approach is also at odds with the NPPF (paragraph 59) which emphasises the importance of significantly boosting the supply of homes.

Further, the PPG states in relation to housing requirements: *“neighbourhood planning bodies are encouraged to plan to meet their housing requirement, and **where possible to exceed it**”* (ref: Paragraph: 103 Reference ID: 41-103-20190509) (my emphasis).

It is therefore essential that the NDP Review ensures allocations of sufficient new homes in the area. The site which is allocated in the adopted Neighbourhood Plan (2017) ‘Site D’ was at the time recognised as a suitable location for new housing. We provide evidence in this submission to highlight the deliverability of the site and rebut conclusions in the AECOM report which put forward reasons for its exclusion. Given this, we will set out why there are no technical reasons preventing the site’s delivery and hence why it is essential that it remains an allocated site.

The consequences of neighbourhood plans climbing back on previous commitments to deliver housing will compound the land supply issues that Herefordshire is facing at present which, according to the Council’s 5 Year Housing Land Supply Statement 2020-2025 (January 2021 Addendum) is only 4.22 years (a shortfall of circa 1,000 dwellings). This is a change to the figure presented by the Council in its April 2020 update of 3.69 years merely due to the application of a 5% buffer as per the latest Housing Delivery Test results as opposed to the previously applied 20% buffer. Nevertheless the latest figure still demonstrates a substantial shortfall in housing.

The land supply position is also being challenged at present through a planning appeal for a refused outline planning application for 625 units at Ledbury (PINS ref: 20/3244410) where the appellant presents a case demonstrating the Council has a 2.71 year land supply. The outcome of this appeal is expected in March 2021.

The Neighbourhood Plan indeed recognises the issues Herefordshire is facing in terms of land supply and this is one of the reasons stated as a driving force behind production of the NDP Review (as referenced in the Forward of the NDP). However, the consequences of excluding deliverable sites will compound the land supply issues faced by the county and will be in conflict with paragraph 29 of the NPPF which requires neighbourhood plans not to promote less development than set out in the strategic policies for the area or undermine those strategic policies.

The approach taken would clearly undermine the Core Strategy and thus would fail the basic condition test of ensuring general conformity with the strategic policies of the

development plan. It would also fail the basic condition of having regard to national planning policy as set out above.

Removal of Site D allocation

A key issue for the Neighbourhood Plan review was identified as the consideration of the suitability and viability of the former housing site allocation Site D (paragraph 3.3). The plan (paragraph 5.2) later states the reasons why the allocation is now proposed for removal through the NDP Review citing the conclusions of the Site Options and Assessment Report (AECOM - September 2020) which, concluded: *“PGNP02 is found to be not suitable at present for residential development due to the lack of sustainable access and visual sensitivity, and therefore not appropriate for allocation in the Plan.”*

Table 3 of the AECOM report considered Site D was not appropriate for allocation in the NDP Review due to the following:

- *“The site is situated within a larger open field with its northern boundary marked by a Public Right of Way, without a natural boundary feature. A number of adjacent dwellings overlook the site, giving it sensitivity in terms of neighbouring residential amenity.*
- *While the site’s existing access through a narrow, single-track lane could potentially support a limited number of dwellings, there is no safe pedestrian access. Provision of footways would require third party land. In addition, the junction of the lane with the A4110 has restricted visibility due to placement of existing buildings and there is limited potential to provide an additional entrance. Development at this location is therefore unsustainable and would be in contrary to Policy SS7 of the Herefordshire Local Plan Core Strategy.*
- *The site is in close proximity to a Grade II listed building but has very limited visibility from the building, although design of any potential development at this location would need to be sympathetic to the setting of heritage assets.”*

The NDP Review (paragraph 5.14) states that due to strong opposition Site D is removed for the foreseeable future due to the following:

- a. *Concerns over road access onto Mill Road including its narrowness (single-lane), lack of discernible verge to allow safe separation of vehicles and pedestrians and other non-vehicle users.*
- b. *The poor line of sight at the junction with the A4110.*
- c. *Mill Road is identified by the Environment Agency as being at "High Risk" from surface flooding preventing use by pedestrians and most vehicles.*

- d. *It is considered that run-off from the site will exacerbate surface flooding, in particular at Kinford.*
- e. *The site will extend light pollution into what is currently a dark area.*
- f. *The loss of habitat.*
- g. *The site is on slightly higher ground than the adjoining Patrick Orchard and Brookside and would thereby overlook these homes.*

We set out below responses to each of the issues raised based on a review of the AECOM Site Options and Assessment Report and, evidence from previous pre-application dialogue with Herefordshire Council on the suitability of the site for development.

Access

The AECOM Site Assessment Report, Site Assessment Pro-forma (Appendix A of the document) sets out for Site PGNP02 (i.e. Site D) that: *“the junction of the lane with the A4110 has restricted visibility due to placement of existing buildings and have little potential to provide an additional vehicular entrance”* and, that *“there is currently no safe pedestrian access to the site. Provision of footways would require third party land.”*

Earlier pre-application engagement with Herefordshire Council was supported by an assessment of the suitability of the access produced by Cotswold Transport Planning (CTP) on behalf of the developer (**enclosure 1**). This sets out that there is no recent pattern or history of collisions in the immediate locality of the site and it is considered that there is no existing safety issue on the local highway network that would be exacerbated by the development proposals.

It proposes an access arrangement onto Mill Road in accordance with Herefordshire Council's Highways Design Guide for New Developments. The accompanying Proposed Access Arrangement Plan shows how there is land available to widen Mill Road within the vicinity of the site access to 4.5m. This will allow for provision of a passing place to enable two cars to pass providing a benefit for existing and proposed road users. The letter demonstrates that the required emerging visibility splays are achievable in both directions within land in the ownership of the applicant, within the extent of the adopted highway and not reliant on third-party land. Visibility from the proposed access is therefore considered acceptable.

The letter goes on to demonstrate the deliverable off-site highway improvements; minor kerb line amendments to enable two cars to pass more comfortably at the A4110 junction and the provision of a formal passing place to enable cars, cyclists, pedestrians & horses to wait to enable another vehicle to pass between site access and the A4110 junction. These improvements can be provided along Mill Road to the west towards the A4110. The CTP letter considers that these highway improvements are suitable to mitigate the impact of the development.

Further evidence is provided in relation to pedestrian safety. The CTP letter clarifies that Mill Road is a road where the carriageway is shared by all road users. As per pages 82 and 83 of Manual for Streets (MfS), research on shared space streets indicates that there is a self-limiting factor on pedestrians sharing space with motorists of around 100 vehicles per hour. Automated Traffic Count (ATC) data provided sets out that the maximum recorded daily flow on Mill Road was 148 vehicles, this equates to an average of six vehicle movements per hour over a 24-hour period. Therefore, Mill Road can be considered appropriate to operate as a 'shared surface street'.

It is also important to note that the existing Public Right of Way which runs across the site would necessitate existing pedestrian to walk along Mill Road at some point so there is every indication it is already used as a shared surface.

The evidence presented therefore demonstrates that site access arrangements are considered suitable for the proposed development and appropriate junction visibility splays can be provided.

The exclusion of Site D from the NDP Review on the basis of highway issues is therefore not justified by the evidence presented. Further there are no new issues presented which would negate the support provided for originally allocating the site. The AECOM Report (Table 1) identifies that the conclusions of the 2012 SHLAA Assessment identified these issues however, this did not prevent the NDP later adopting the allocation in 2017.

There are clearly no material changes in circumstances to warrant a different conclusion on highway and access matters now being reached in respect of the allocation of Site D.

Flooding / drainage

Paragraph 5.14 of the NDP Review states that Mill Road is at 'high risk' from surface water flooding and that development of the site will exacerbate surface flooding.

However, pre-application discussions with Herefordshire Council on development of the site included a response from the Land Drainage Officer (**enclosure 2**) which indicated that issues of surface water flood risk and flow along the southern boundary of the site (i.e. Mill Road) should be considered in the assessment of flood risk and design of the scheme. The issue was not raised as an issue preventing delivery of the scheme.

Light pollution

The Environment and Ecology report supporting the NDP Review sets out issues and considerations relevant to light pollution. However, no evidence is presented to demonstrate that Site D will specifically cause issues of light pollution nor, how such impacts would be any different from those generated from other sites previously allocated.

In terms of mitigating any potential impacts of light pollution from development, we note that draft Policy PG5 of the NDP Review suggests a number of mitigation options to minimise light pollution including low level lighting and movement detectors on security lighting. The NDP Review clearly recognises that such mitigation is appropriate to address light pollution issues. Therefore, there is no evidence to support exclusion of Site D on light pollution issues.

We also separately comment on Policy PG5 below.

Habitat loss

The NDP Review refers to habitat loss as a reason for the removal of the Site D allocation but does not appear to provide further evidence to support this.

Through pre-application engagement with Herefordshire Council a response from the Council's Ecologist was received (**enclosure 3**). This did not raise objection to the proposals and suggested material in relation to biodiversity surveys that should be provided to support a planning application.

Overlooking of adjacent homes

Through pre-application dialogue a proposed layout for the site has been prepared by the developer. The initial pre-application engagement was on the basis of a scheme for 30 dwellings. This was revised down to 28 dwellings (**see enclosure 4**) following feedback from Herefordshire Council (**see enclosure 5**). The feedback set out that the revised scheme layout was welcomed and no issues were raised in respect of overlooking of adjacent properties.

Conclusion on draft Policy PG1

Based on the above it is clear that there is no evidence to warrant removal of Site D's allocation and, to the contrary, sufficient evidence to support its inclusion in the NDP Review.

The approach of the NDP Review to remove the allocation is inconsistent with the Core Strategy which describes the housing requirement as a minimum. Noting the age of the Core Strategy the approach is also inconsistent with more up to date evidence on housing need through the standard method which indicates a potential increase in the housing requirement. This is pertinent to note in terms of the requirements of the PPG that neighbourhood plans should take account of the latest evidence available and meet 'and where possible exceed' their minimum housing requirement.

Given there is no evidence to support the removal of Site D, and the importance of the NDP Review positively supporting housing growth, the current approach of Policy PG1 would clearly fail the basic condition tests by not having regard to national policy and, not being in

general conformity with the policies contained in the development plan. This issue can only be rectified through the retention of Site D's allocation.

If the NDP Review were to proceed with the proposed removal of Site D, the change would be of an extent to be considered as a material modification which would change the nature of the plan and thus would require examination and a further referendum (noting the provisions of PPG Paragraph: 106 Reference ID: 41-106-20190509).

The scaling back of development previously allocated is also likely to compound the housing land supply issues currently faced by Herefordshire. It would also go against the results of the previous referendum on the currently adopted Neighbourhood Plan where the site was included.

The site is fully deliverable and the developer is keen to work with the Parish Council to progress development proposals.

Draft Policy PG5: Protecting and Enhancing the Natural Environment

We object to the policy wording that *"light pollution should be minimised to protect dark skies and local wildlife. Developments should not increase light pollution in terms of either the extent of the lit area or the intensity and luminosity."*

It may not be feasible for development to ensure no increase in extent of lit areas given the nature of residential schemes. Whilst the aspirations of the policy are supported we consider more appropriate wording would be: *"light pollution should be minimised to protect dark skies and local wildlife. Developments should seek to minimise light pollution in terms of either the extent of the lit area or the intensity and luminosity."*

We trust that these representations can be taken into account in preparing the next stages of the NDP Review and would be happy to discuss with the Parish Council the positive contribution that Site D can make to the Neighbourhood Plan.

Yours faithfully

Luke Challenger MRTPI
Associate

Cc: Matt Brown – Great Oak Homes Ltd

Enc:

Enclosure 1 – Letter from Cotswold Transport Planning

Enclosure 2 - Land Drainage Officer Comments

Enclosure 3- Ecology Comments

Enclosure 4 – Illustrative Site Layout

Enclosure 5 – Pre-application feedback from Herefordshire Council

Please use the box below for any further comments.

Thank you for your time and interest.

Please return this form by 5pm on Monday 15 March 2021 via email, post, or collection box. Comments received after this time and date may not be considered:

- **Email: clerk.pyongroup@gmail.com;**
- **Post: Pyons Group NDP Review, PO Box 124, Leominster, HR6 6DE;**
- **Collection box in Kings Pyon church porch or Canon Pyon Shop.**



Herefordshire Council
Planning Services
PO Box 230
Blueschool House
Hereford
HR1 2ZB

Date: 27th March 2019

Our ref: CTP-18-645

Dear Sirs,

Mill Road, Canon Pyon

Cotswold Transport Planning Ltd (CTP) has been appointed by Jeffrey Hancorn to provide preliminary transport planning advice in support of a pre-application enquiry of up to 30 dwellings to Herefordshire Council (HC) for a proposed residential development, with a new vehicular access, at land adjacent Mill Road, Canon Pyon.

This letter considers the feasibility of a residential development, based on the appropriateness of the proposed access arrangements, in capacity terms, to accommodate the additional vehicle trips associated with up to 30 residential dwellings, in Canon Pyon.

Site Location

The application site is located within the village of Canon Pyon, Herefordshire on an undeveloped plot of agricultural land. The site is bound to the south by Mill Road, to the west by residential properties associated with Mill Road, Patrick Orchard and the A4110, to the north by residential properties associated with Brookside and to the north-east by undeveloped agricultural land. The site, its context and relationship with immediate adjoining areas is illustrated in **Appendix A**.

It should be noted that to the west of the application site along the A4110, adjacent to the junction with Mill Road, planning permission was granted conditionally by HC for the construction of 27 dwellings with a new access off the A4110 (Planning Ref: P141917/F). The development is currently in the process of being built. Therefore, the principle of development in this village location has been established.

Local Highway Network

Mill Road

Mill Road, which fronts the southern boundary of the site, is a single-track rural lane that accommodates two-way traffic. It runs in a roughly south-west to north-east alignment. It forms a priority junction with the A4110 to the west and merges into Lower Derndale to the north-east.

Cotswold Transport Planning Ltd
www.cotswoldtp.co.uk

Cheltenham Office
121 Promenade, Cheltenham,
Gloucestershire, GL50 1NW

T 01242 370283
cheltenham@cotswoldtp.co.uk

Bedford Office
38 Mill Street, Bedford,
Bedfordshire, MK40 3HD

T 01234 339 751

Bristol Office
13 Orchard Street, Bristol, BS1 5EH

T 01179 055 171
bristol@cotswoldtp.co.uk

Plymouth Office
Thrive Hub, The Crecent, Plymouth,
Devon, PL1 3EX

T 01752 876 734
plymouth@cotswoldtp.co.uk

It is subject to the National Speed Limit (60mph), within proximity to the site, which reduces to 30mph, upon approach to the junction with the A4110. Mill Road is bordered by hedgerows along the majority of its length and does not benefit from pedestrian footways or street lighting.

The application site currently takes access off Mill Road via an existing agricultural gated field access.

A4110

The A4110, a distributor road, is a single carriageway that routes north-south and provides access to the A44 to the north and Hereford to the south. Throughout Canon Pyon it is subject to a 30mph speed limit.

Walking and Cycling

In terms of pedestrian access there are no formal footways on either side of Mill Road, until its junction with the A4110. Inspection of HC's online mapping portal confirms that there are Public Rights of Ways (PROW) within proximity to the site. Public Footpath CP19 runs through the centre of the site, between Mill Road and Brookside, and routes in a south-east to north-west direction. There are no formal cycling facilities or designated cycle routes in proximity to the site.

Illuminated footways are provided along both sides of the A4110 throughout the village. The local shop / post office and bus stops are located 220m (approximately 2 ½ minute walk) to the south of the site along the A4110. The bus stops provide access to bus routes 498, 501, 502, 504, 802 for northbound and southbound travel to Leominster and Hereford respectively. Both stops are formal stops that consist of a flag, pole and timetable provision.

Highway Safety

A review of highway safety has been undertaken using the Crashmap database for the most recent five-year period available to the end of December 2018. The review confirmed that no collisions have taken place within proximity to the site during the most recent five-year period. An extract from the Crashmap database is provided in **Appendix B**.

In conclusion, there is no recent pattern or history of collisions in the immediate locality of the site and it is considered that there is no existing safety issue on the local highway network that would be exacerbated by the development proposals.

Traffic Surveys

An Automatic Traffic Count (ATC) was undertaken on Mill Road, 15m to the east of the existing access, by 360TSL, an independent traffic surveyor, between Wednesday 30th January 2019 to Tuesday 5th February 2019. The results are included in **Appendix C** and the combined average weekday peak hour flows are summarised in **Table 1** and speeds are summarised in **Table 2**.

Time Period	Direction	Total
AM Peak (08:00 - 09:00)	Northbound	11
	Southbound	5
	Total	16
PM Peak (17:00 - 18:00)	Northbound	6
	Southbound	7
	Total	13

Table 1: Summary of Average Weekday Vehicle Traffic on Mill Road

As **Table 1** highlights, two-way flow of 16 vehicles were recorded on Mill Road in the AM peak (08:00 - 09:00) and two-way flow of 13 vehicles in the PM peak hour (17:00 - 18:00).

As the proposed development will result in an intensification in use of Mill Road, it is necessary to demonstrate that junction visibility will be suitable, based on the recorded 85th percentile traffic speeds.

Direction	Average Speeds (mph)	85 th ile Speeds (mph)
Northbound	21.6mph	25.9mph
Southbound	23.0mph	25.9mph

Table 2: Summary of Average Speeds on Mill Road

As **Table 2** indicates, for northbound traffic the average speed was 21.6mph and the 85th percentile speed was recorded at 25.9mph. For southbound traffic the average speed was 23.0mph and the 85th percentile speed was recorded at 25.9mph.

For design purposes, the 85th percentile speeds used for new major/minor junctions or accesses on existing roads, should be adjusted for 'wet weather speeds' (generally taken as being 4kmph (2.5mph) lower than dry weather speeds as per TA22/81 of DMRB. It should be noted that 85th percentile speeds were not recorded under wet conditions; therefore, wet weather adjustments have been made.

Site Access

The proposed access arrangement is illustrated in **CTP Drawing SK01-B**, attached at **Appendix D**, and is in accordance with HC's Highway Design Guide for New Developments.

The proposed access will be in the form of a simple priority junction with a 5.5m wide carriageway, 6.0m kerb radius and a 2m footway to the west to the site boundary. As shown on **Drawing SK01-B**, its proposed to widen Mill Road to approximately 4.5m within the vicinity of the site access to the east to provide a passing place to enable two cars to pass providing a benefit for existing and proposed road users. Junction visibility splays of 2.4m x 28m, in both directions, commensurate with the recorded 85th wet weather percentile speeds are proposed to be provided.

Drawing SK01-B demonstrates that the required emerging visibility splays are achievable in both directions within land in the ownership of the applicant, within the extent of the adopted highway and not reliant on third-party land. Visibility from the proposed access is therefore acceptable.

Off-site Highway Works

An indicative plan, **Drawing SK02**, provided at **Appendix E**, demonstrates the deliverable off-site highway improvements (minor kerb line amendments to enable two cars to pass more comfortably at the A4110 junction and the provision of a formal passing place to enable cars, cyclists, pedestrians & horses to wait to enable another vehicle to pass between site access and the A4110 junction) that can be provided along Mill Road to the west towards the A4110. It is considered that these highway improvements are suitable to mitigate the impact of the development.

Pedestrian Safety

Mill Road is a road where the carriageway is shared by all road users. As per pages 82 and 83 of Manual for Streets (MfS), research on shared space streets indicates that there is a self-limiting factor on pedestrians sharing space with motorists of around 100 vehicles per hour. Above 100 vehicles per hour, pedestrians treat the street as a 'road to be crossed' rather than a space to occupy. On this basis, a shared surface road is suitable where traffic flows are below 100 vehicles per hour.

As per the ATC data, which is provided in **Appendix C**, the maximum recorded daily flow on Mill Road was 148 vehicles, this equates to an average of six vehicle movements per hour over a 24-hour period, or one vehicle movement every ten minutes. Mill Road can therefore be considered appropriate to operate as a 'shared surface street'.

Furthermore, Manual for Streets 2 (MfS2) states that many rural villages and lanes are unlikely to conform to a standardised highway layout where carriageways are often narrow and where footways may be narrow or non-existent. It also states that as a result of this, vehicle speeds are often low (as confirmed by speed surveys in relation to this scheme). MfS2 also recognises that the urbanisation of rural lanes and streets is not desirable and that a place sensitive approach should be used.

Trip Generation

The TRICS database has been consulted to determine the estimated trip generation of the proposed development.

Based on residential sites with similar site location characteristics within the TRICS database version 7.5.4; calculated vehicular trip rates and estimate traffic generation for 30 privately owned residential dwellings in this location is set out in **Table 3**.

Land Use / Floor Area	Peak Period	Forecast Trip Generation Proposed 30 Dwellings					
		Trip Rate (per dwelling)			Estimated Trips		
		Arrivals	Departures	Two way	Arrivals	Departures	Two way
C3 Residential (30 Dwellings)	AM Peak (08:00 - 09:00)	0.068	0.284	0.352	2	9	11
	PM Peak (17:00 - 18:00)	0.284	0.105	0.389	9	3	12

Table 3: Proposed Vehicular Trip Rates and Forecast Trip Generation (30 Dwellings)

30 proposed open market residential dwellings are predicted to result in just 11 two-way vehicle trips in the AM peak and 12 two-way vehicle trips in the PM peak period, which equates to an additional vehicle trip every 5 to 5 ½ minutes in both the AM and PM peak periods. Consequently, it is reasonable to conclude that, in view of the relatively modest trip generation for the site, it is predicted that the level of increase would not have a detrimental impact on the safe and efficient operation of the local highway network.

Suggested Planning Application Inputs

CTP have completed this feasibility study on behalf of Jeffrey Hancorn, to provide preliminary transport planning advice in support of a pre-application consultation enquiry to HC for a proposed residential development, with a new vehicular access, at land adjacent Mill Road, Canon Pyon.

For the scale of development proposed, we would recommend a Transport Statement (TS) report as being the commensurate level of assessment required for the planning application.

Given the scale of the proposed development it is not considered that a Travel Plan (TP) or a Walking, Cycling and Horse-Riding Assessment and Review (WCHAR) are required as part of the planning application.

Transport Statement

The TS will provide a detailed review of the proposed development within the context of the local highway network, and will then provide justification for the proposal, and advise on the measures considered appropriate to make the site suitable (policy compliant), all with a view to obtaining a positive recommendation from the highway officer.

At this stage, based on experience with other sites within this Authority, it is anticipated the TS will comprise the following detailed below:

Existing Conditions

- i. A review of the site location and composition;
- ii. A review of the local highway network;
- iii. A brief accessibility critique identifying the proximity of local services and amenities, plus any infrastructure available to promote travel by sustainable means; and
- iv. Analysis of local highway safety data for the most recent three-year period available.

Proposed Conditions

- i. A description of the development proposals, including confirmation of no. of dwellings;
- ii. Description and justification for the access arrangement (with visibility splay drawings for each access), off-site highway improvements, internal layout, car and cycle parking provision, and access for service and emergency vehicles, including all necessary swept-path assessments; and
- iii. Forecast traffic generation assessment using TRICS to demonstrate there will be no overall material impact on the local highway network.

Summary

The development proposals consist of up to 30 dwellings, with a new vehicular access, at land adjacent Mill Road, Canon Pyon.

In view of the potential trip generation of the site for vehicles, and in the spirit of the National Planning Policy Framework (NPPF), it cannot be considered that the impact on the capacity of the local highway network as a result of traffic arising from the development proposal for 30 dwellings can be considered severe.

The site access arrangements are considered suitable for the proposed development and appropriate junction visibility splays can be provided.

Mill Road currently operates safely as a shared surface route and can be considered as suitable to continue operate in this manner with the addition of the development traffic. It is expected that even with the additional development traffic pedestrians will continue to walk along the Mill Road carriageway.

It is CTP's opinion that a residential development could be achievable on the undeveloped plot of land and there are no valid highway reasons why residential development is not suitable at this site.

I trust the information set out in this letter is of benefit to pre-application assessment. However, please do not hesitate to contact me if there are any further matters you wish to discuss.

Yours Sincerely

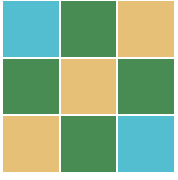
Mike Fuller

Technical Director on behalf of **Cotswold** Transport Planning Ltd

mike@cotswoldtp.co.uk

01179 055171 370283 / 07769 157151

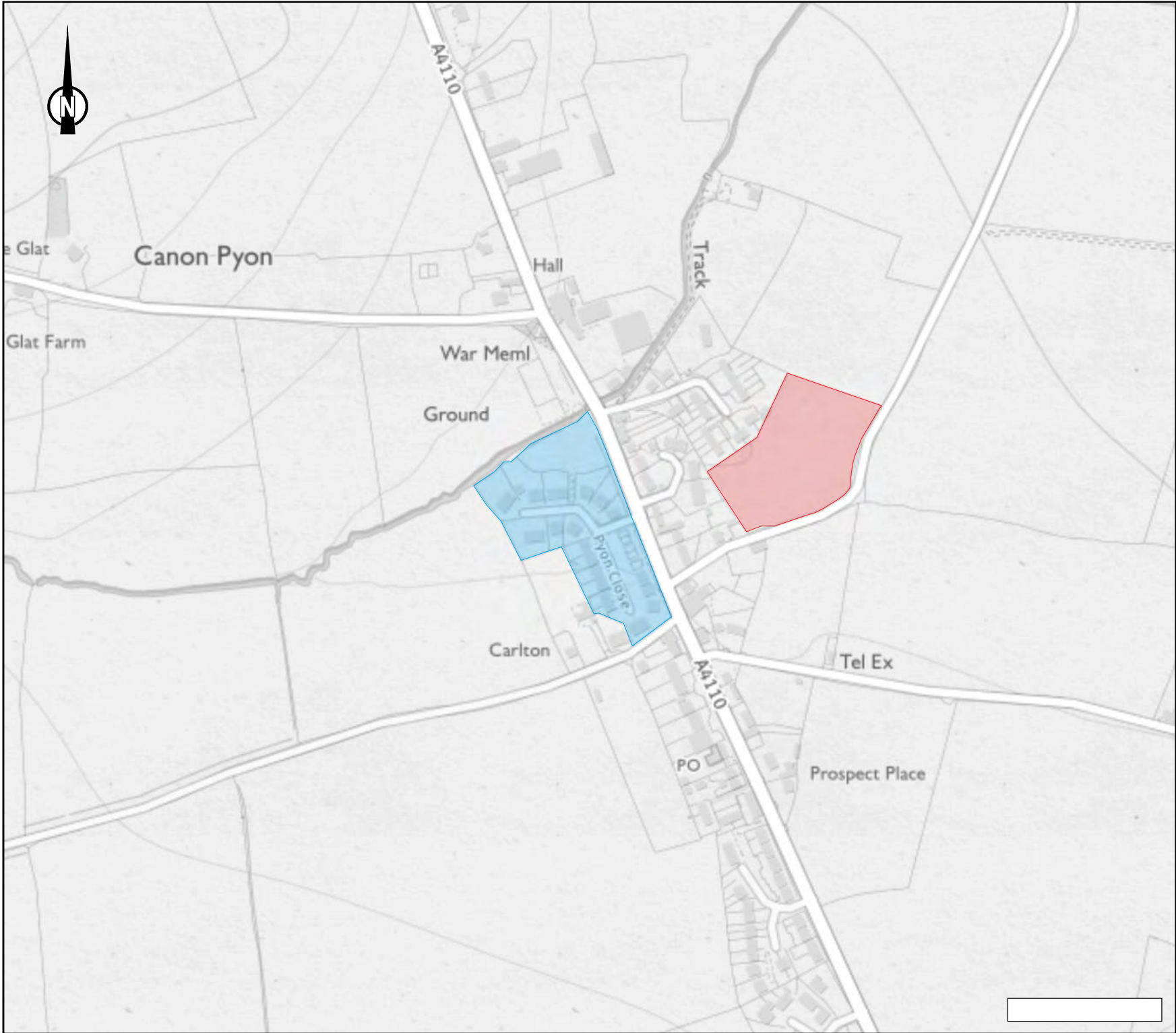
Enclosures - Appendix A, B, C, D & E



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Appendix A

Site Location Plan



Notes

Key

- Site Location
- (P141917/F)
Planning Application
27 Residential Dwellings



Cotswold Transport Planning Ltd
 121 Promenade
 Cheltenham
 Gloucestershire
 GL50 1NW

Tel: 01242 523696
 cheltenham@cotswoldtp.co.uk
 www.cotswoldtp.co.uk

Drawing Title:
Site Location Plan

Client:
Jeffery Hancorn

Project:
Mill Road, Canon Pyon

Drawing No: SK03	Revision:
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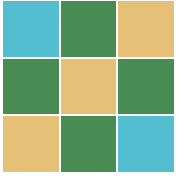
Date Drawn: 22.02.19	Issue Date: 22.02.19
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Drawn by: JS	Checked By: MF
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Project Code: CTP-18-645	Scale: NTS
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Drawing Status:
ISSUE





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Appendix B

CrashMap Data



Location:

Years
5 of 20 years selected

Severity
Fatal
Serious
Slight

Casualty Types:
All Casualty Types

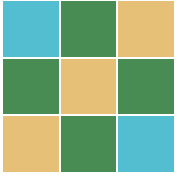
Vehicles Involved:
All Vehicle Types



Incident Severity

Slight Serious Fatal

No results found



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Appendix C

ATC Speed Data

Canon Pynon ATC, Mill Lane

Channel 1 - Northbound

Average Speed

Week 1

Hr Ending	30/01/2019 Wednesday	31/01/2019 Thursday	01/02/2019 Friday	02/02/2019 Saturday	03/02/2019 Sunday	04/02/2019 Monday	05/02/2019 Tuesday
1	-	-	25.5	-	-	25.5	-
2	-	-	-	-	-	-	25.5
3	-	-	-	-	-	-	-
4	-	-	-	-	-	25.5	-
5	-	-	-	-	-	-	-
6	-	-	25.5	-	-	25.5	-
7	-	-	-	-	-	-	-
8	25.5	25.5	16.8	25.5	25.5	16.8	25.5
9	23.5	24.2	19.7	23.6	24.0	19.4	24.1
10	21.1	19.7	18.0	21.3	22.4	18.0	23.0
11	14.2	14.2	18.0	15.5	15.5	18.0	14.2
12	22.5	23.0	-	22.5	20.5	21.0	23.0
13	25.5	25.5	15.5	23.6	23.0	13.0	25.5
14	25.5	25.5	21.5	25.5	25.5	22.6	25.5
15	16.9	18.3	15.5	18.3	16.6	15.5	17.1
16	21.0	21.2	17.2	20.2	20.5	16.8	21.8
17	19.2	25.5	27.0	19.9	21.8	27.0	19.2
18	21.2	23.6	20.5	22.5	22.3	20.5	20.8
19	25.5	24.0	18.0	25.5	25.5	18.0	25.5
20	25.5	26.6	25.5	25.5	25.5	25.5	25.5
21	21.3	25.5	-	17.2	19.2	-	22.4
22	18.0	25.5	25.5	18.0	18.0	25.5	18.0
23	-	-	25.5	-	-	25.5	-
24	-	25.5	25.5	-	-	25.5	-
10-12	18.8	20.3	18.0	20.5	18.5	20.5	19.5
14-16	19.0	19.9	16.8	19.4	19.5	16.3	19.4
0-24	21.7	23.1	20.5	21.6	21.6	20.8	22.0

Average	21.6
---------	------

Channel 1 - Northbound

85th Percentile

Hr Ending	30/01/2019 Wednesday	31/01/2019 Thursday	01/02/2019 Friday	02/02/2019 Saturday	03/02/2019 Sunday	04/02/2019 Monday	05/02/2019 Tuesday
1	-	-	26.5	-	-	-	-
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	-	-	-	-	-	-	-
5	-	-	-	-	-	-	-
6	-	-	25.7	-	-	25.6	-
7	-	-	-	-	-	-	-
8	26.2	26.4	18.5	25.7	26.4	18.2	26.1
9	26.0	25.9	25.6	25.7	26.1	26.5	26.3
10	26.1	26.0	19.0	26.1	26.1	18.1	25.5
11	18.3	18.8	-	18.4	18.4	-	18.2
12	25.8	25.6	-	25.9	25.6	25.9	25.6
13	26.3	26.1	18.0	26.2	26.1	-	25.6
14	25.5	26.0	26.1	25.8	26.2	25.7	25.8
15	26.3	25.8	18.1	26.1	26.4	18.5	25.6
16	26.3	26.1	18.1	25.7	26.3	18.3	25.5
17	26.2	26.1	33.8	25.7	25.5	33.6	26.0
18	25.5	25.8	25.8	26.1	26.0	26.0	26.2
19	25.9	25.8	-	25.6	26.4	18.2	26.0
20	-	26.6	-	-	-	-	-
21	26.3	-	-	26.4	26.2	-	25.6
22	18.4	-	-	18.3	18.5	-	18.2
23	-	-	-	-	-	-	-
24	-	26.5	-	-	-	-	-
10-12	26.5	26.4	19.0	26.3	26.0	25.6	26.2
14-16	26.4	25.7	18.4	25.9	26.0	18.8	26.0
0-24	25.6	26.2	25.8	25.8	25.9	26.0	25.9

85th %ile	25.9
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Canon Pynon ATC, Mill Lane

Channel 2 - Southbound

Average Speed

Week 1

Hr Ending	30/01/2019 Wednesday	31/01/2019 Thursday	01/02/2019 Friday	02/02/2019 Saturday	03/02/2019 Sunday	04/02/2019 Monday	05/02/2019 Tuesday
1	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	-	-	-	-	-	-	-
5	25.5	25.5	-	-	-	-	25.5
6	-	-	25.5	-	-	25.5	-
7	33.0	33.0	-	-	-	-	33.0
8	24.4	24.2	23.6	-	-	23.6	25.5
9	18.5	18.6	18.5	25.5	25.5	18.4	18.4
10	25.5	25.5	18.4	25.5	-	18.6	25.5
11	21.8	23.6	18.0	20.5	16.3	18.0	21.8
12	23.6	24.2	-	23.0	18.0	25.5	23.0
13	23.0	23.0	23.0	-	25.5	23.0	21.8
14	18.8	18.8	23.0	15.5	15.5	23.0	17.4
15	25.5	25.5	19.2	25.5	25.5	19.2	25.5
16	25.5	25.5	23.4	24.7	24.0	23.4	24.6
17	19.4	25.5	25.5	19.2	19.1	25.5	19.1
18	25.5	25.5	24.2	23.3	22.4	24.4	24.6
19	33.0	25.5	25.5	33.0	33.0	25.5	33.0
20	-	26.4	25.5	25.5	25.5	-	25.5
21	-	25.5	25.5	25.5	25.5	25.5	25.5
22	-	25.5	-	-	25.5	-	-
23	-	-	25.5	-	-	25.5	-
24	-	-	-	25.5	-	-	25.5
10-12	23.0	24.0	18.0	21.2	16.8	22.5	22.5
14-16	25.5	25.5	21.9	24.9	24.4	22.4	24.9
0-24	23.2	24.6	22.3	23.1	22.1	22.4	23.3

Average	23.0
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Channel 2 - Southbound

85th Percentile

Hr Ending	30/01/2019 Wednesday	31/01/2019 Thursday	01/02/2019 Friday	02/02/2019 Saturday	03/02/2019 Sunday	04/02/2019 Monday	05/02/2019 Tuesday
1	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	-	-	-	-	-	-	-
5	25.6	-	-	-	-	-	25.6
6	-	-	-	-	-	26.1	-
7	-	-	-	-	-	-	-
8	26.4	26.3	26.4	-	-	25.9	25.7
9	26.0	25.8	25.8	25.8	26.0	18.9	25.5
10	25.6	26.2	26.0	-	-	26.0	26.2
11	26.3	33.3	-	26.4	18.8	18.2	26.0
12	25.9	25.6	-	26.0	-	26.2	26.1
13	26.0	25.5	26.1	-	25.9	26.2	25.7
14	26.0	25.8	25.9	18.4	18.5	26.1	26.0
15	25.7	26.3	26.5	26.3	25.7	26.3	26.2
16	25.8	25.8	25.6	26.3	26.1	25.7	26.3
17	25.6	25.7	26.4	26.2	19.2	26.3	19.2
18	26.1	26.0	26.1	26.2	26.2	25.7	26.4
19	-	25.8	-	-	-	26.5	-
20	-	26.5	25.6	25.8	25.9	-	25.6
21	-	25.5	26.0	-	-	25.6	-
22	-	-	-	-	-	-	-
23	-	-	-	-	-	-	-
24	-	-	-	-	-	-	-
10-12	26.4	25.7	19.0	26.2	18.2	26.3	25.5
14-16	25.6	26.4	25.6	25.7	26.0	25.9	25.9
0-24	25.9	26.1	25.5	25.9	25.7	26.0	25.9

85th %ile	25.9
-----------	------

Canon Pynon ATC, Mill Lane

Channel 1 - Northbound

Vehicle Flow

Week 1

Hr Ending	30/01/2019 Wednesday	31/01/2019 Thursday	01/02/2019 Friday	02/02/2019 Saturday	03/02/2019 Sunday	04/02/2019 Monday	05/02/2019 Tuesday	5 Day Ave	7 Day Ave
1	0	0	3	0	0	1	0	1	1
2	0	0	0	0	0	0	1	0	0
3	0	0	0	0	0	0	0	0	0
4	0	0	0	0	0	1	0	0	0
5	0	0	0	0	0	0	0	0	0
6	0	0	2	0	0	3	0	1	1
7	0	0	0	0	0	0	0	0	0
8	6	7	4	3	4	4	7	6	5
9	11	6	12	4	5	14	11	11	9
10	8	6	6	3	4	3	3	5	5
11	4	4	1	2	2	1	4	3	3
12	5	9	0	5	3	5	6	5	5
13	4	5	2	4	3	1	4	3	3
14	3	4	5	5	3	7	3	4	4
15	5	6	2	7	4	2	6	4	5
16	5	7	6	10	12	4	6	6	7
17	6	6	5	4	2	5	6	6	5
18	7	4	6	10	7	6	8	6	7
19	3	5	1	4	2	2	2	3	3
20	1	7	1	1	1	1	1	2	2
21	3	1	0	3	2	0	4	2	2
22	2	1	1	3	3	1	2	1	2
23	0	0	1	0	0	1	0	0	0
24	0	3	1	0	0	1	0	1	1
7-19	67	69	50	61	51	54	66	61	60
6-22	73	78	52	68	57	56	73	66	65
6-24	73	81	54	68	57	58	73	68	66
0-24	73	81	59	68	57	63	74	70	68

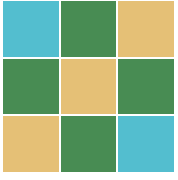
Canon Pynon ATC, Mill Lane

Channel 2 - Southbound

Vehicle Flow

Week 1

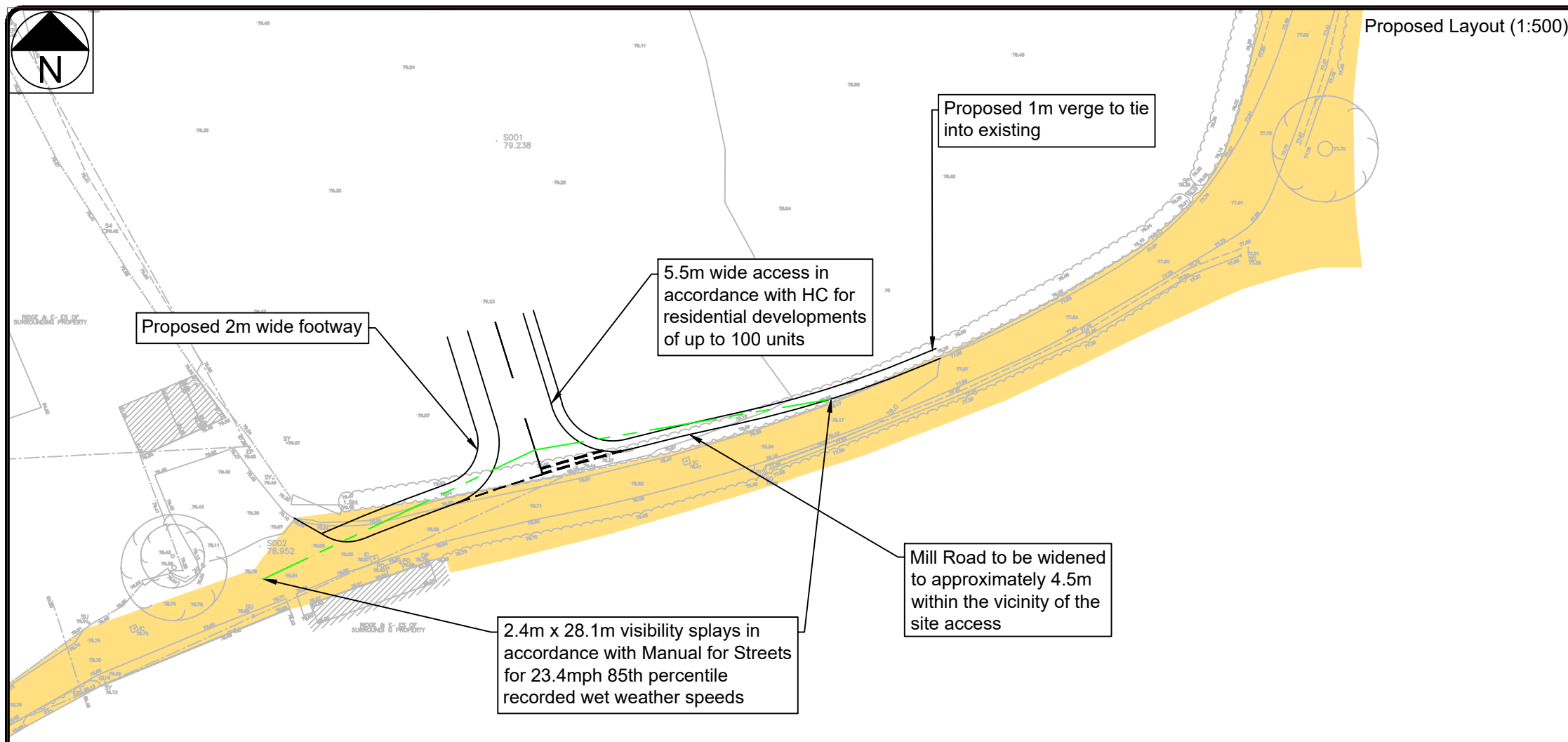
Hr Ending	30/01/2019 Wednesday	31/01/2019 Thursday	01/02/2019 Friday	02/02/2019 Saturday	03/02/2019 Sunday	04/02/2019 Monday	05/02/2019 Tuesday	5 Day Ave	7 Day Ave
1	0	0	0	0	0	0	0	0	0
2	0	0	0	0	0	0	0	0	0
3	0	0	0	0	0	0	0	0	0
4	0	0	0	0	0	0	0	0	0
5	2	1	0	0	0	0	3	1	1
6	0	0	1	0	0	4	0	1	1
7	1	1	0	0	0	0	1	1	0
8	7	6	4	0	0	4	5	5	4
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COTSWOLD
TRANSPORT
PLANNING

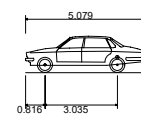
Appendix D

Access Arrangement



Notes:

 Extent of Adopted Highway



Large Car (2006)
 Overall Length 5.079m
 Overall Width 1.872m
 Overall Body Height 1.525m
 Min Body Ground Clearance 0.310m
 Max Track Width 1.831m
 Lock to lock time 4.00s
 Kerb to Kerb Turning Radius 5.900m



**COTSWOLD
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Cotswold Transport Planning Ltd
 121 Promenade
 Cheltenham Gloucestershire GL50 1NW
 Tel: 01242 370283
 cheltenham@cotswoldtp.co.uk
 www.cotswoldtp.co.uk

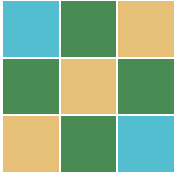
Drawing Title:
Proposed Access Arrangements

Client:
John Amos Co

Project:
Mill Road, Canon Pyon

Drawing No: SK01	Revision: B
Date Drawn: 13.02.19	Issue Date: 13.02.19
Drawn by: TG	Checked by: JS
Project Code: CTP-18-645	Scale at A3: As Stated

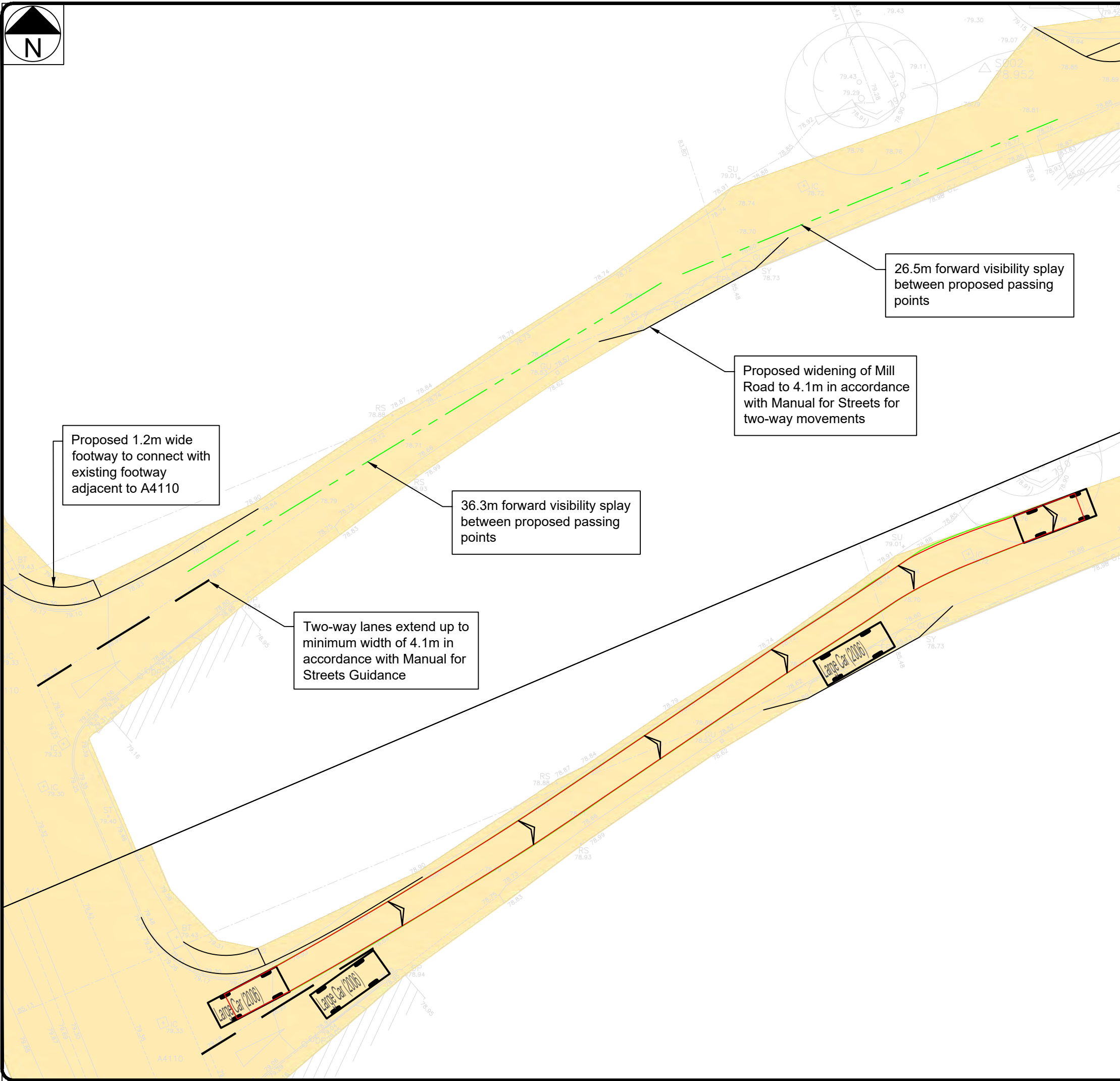
Drawing Status:
INFORMATION




COTSWOLD
TRANSPORT
PLANNING

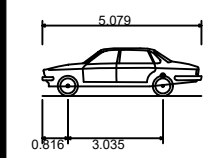
Appendix E

Off-Site Highway Improvements



Notes:

 Extent of Adopted Highway



Large Car (2006)
 Overall Length 5.079m
 Overall Width 1.872m
 Overall Body Height 1.525m
 Min Body Ground Clearance 0.310m
 Max Track Width 1.831m
 Lock to lock time 4.00s
 Kerb to Kerb Turning Radius 5.900m



Cotswold Transport Planning Ltd
 121 Promenade
 Cheltenham Gloucestershire GL50 1NW
 Tel: 01242 523696
 cheltenham@cotswoldtp.co.uk
 www.cotswoldtp.co.uk

Drawing Title:
Proposed Off-Site Highway Improvements

Client:
John Amos Co

Project:
Mill Road, Canon Pyon

Drawing No: SK02	Revision:
----------------------------	-----------

Date Drawn: 20.02.19	Issue Date: 20.02.19
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Drawn by: TG	Checked by: JS
------------------------	--------------------------

Project Code: CTP-18-645	Scale at A3: 1:250
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Drawing Status:
INFORMATION

Pre-Application Advice: Flood Risk and Drainage

This document provides a list of the information that, in general, must be submitted to support full planning applications in relation to flood risk and drainage.

Application details

SITE: Land north and west of Mill Road and Southeast of Brookside, Canon Pyon, Hereford

TYPE: Pre Application Advice

DESCRIPTION: Propose to create a new access junction northeast of Doran directly onto the Mill Road, the creation of necessary vision splays, the consequent removal of hedgerow, the construction of an internal estate road, shared driveway and footpaths, 30 accessible parking spaces, 30 dwellings, necessary landscaping and the possible construction of a drainage attenuation lagoon

APPLICATION NO: 191165

GRID REFERENCE: OS 346371, 248965

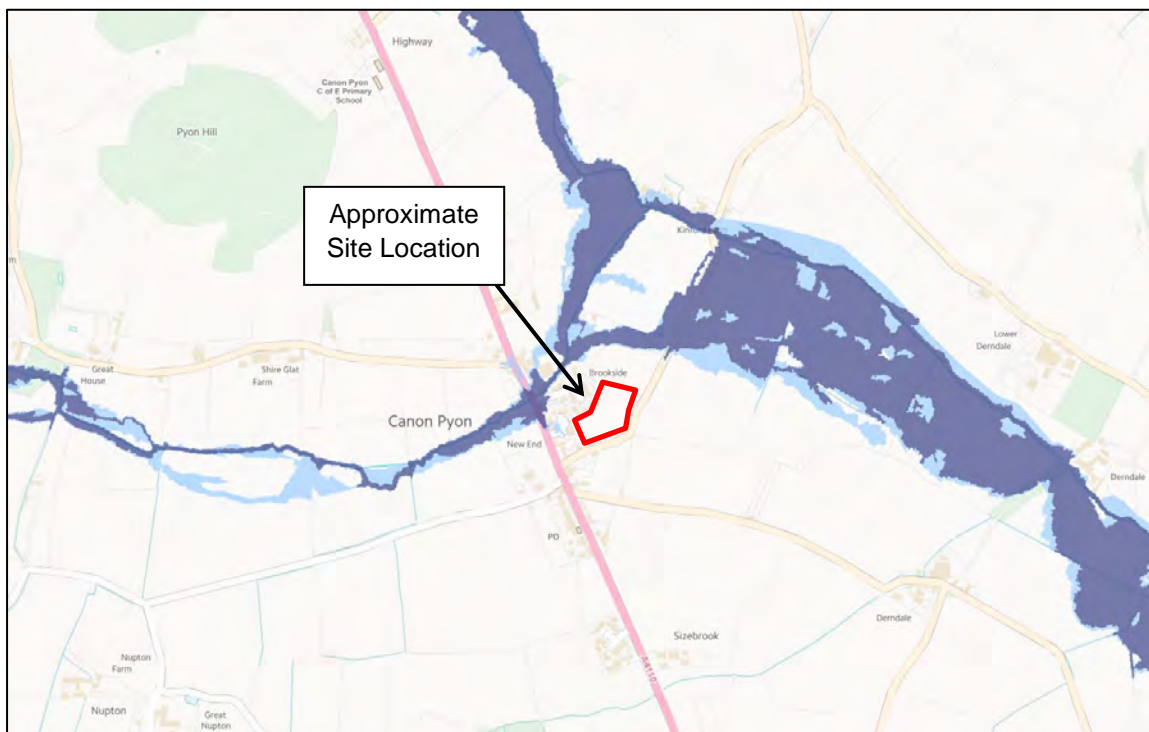
DATE OF THIS RESPONSE: 26/04/2019

This response is in regard to flood risk and drainage aspects, with information obtained from the following sources:

- Pre App Request (dated 29 March 2019)

Site location and extract of flood map(s)

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), April, 2019



Development description

The Applicant proposes the construction of 30 dwellings and associated infrastructure. The site occupies an area of approx. 1.06ha and is currently used for agricultural purposes.

Identifying the need for a Flood Risk Assessment

Fluvial flood risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low risk Flood Zone 1. Flood Zone 1 comprises land assessed as having less than a 0.1% (1 in 1,000) annual probability of river flooding.

The site is located approximately 70m from the indicated floodplain. The site is unlikely to be at risk when the potential effects of climate change are considered however this should be confirmed by the applicant as part of the planning application.

Surface water flood risk

Review of the EA's Risk of Flooding from Surface Water map indicates that the site is not located within an area at significant risk of surface water flooding. However, there is a significant surface water flow route along the southern boundary of the site that should be considered in the assessment of flood risk and design of the scheme.

Sequential Test

In accordance with NPPF new development should be steered away from areas at flood risk through the application of the Sequential Test. The site is located entirely in Flood Zone 1 hence it fulfils the requirements of the Sequential Test and Exception Test.

Need for a Flood Risk Assessment

In accordance with Environment Agency standing advice, the planning application should be supported by a Flood Risk Assessment (FRA) undertaken in accordance with National Planning Policy Framework (NPPF) and its supporting Planning Practice Guidance for sites that:

- a) Are located in Flood Zone 2 or 3;
- b) Are greater than 1 hectare;
- c) Are located in Flood Zone 1 but are at significant risk from another source of flooding other than fluvial flooding.

These requirements are discussed in detail in the forthcoming Herefordshire SFRA. Based on the site being greater than 1 hectare and located in close proximity to an area of high surface water flood risk, an FRA is required for this site.

The FRA should focus on flood risks from other sources, such as surface water, and the management of the additional surface water runoff generated by the proposed development. Consideration must also be given to the provision of safe access/egress and the implications of the mapped surface water flow route.

Other Considerations

Review of the EA's Groundwater map indicates that the site is not located within a designated Source Protection Zone or Principal Aquifer.

Local residents may have identified other local sources of flood risk within the vicinity of the site, commonly associated with culvert blockages, sewer blockages or unmapped drainage ditches. If the public come forward with any additional flood risks these should be investigated by the Applicant.

Surface Water Drainage

The Applicant should provide a surface water drainage strategy showing how surface water from the proposed development will be managed. The strategy must demonstrate that there is no increased risk of flooding to the site or downstream of the site as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change. At minimum, drainage systems should be designed for a 20% increase in rainfall intensity, and tested for a 40% increase in rainfall intensity to ensure no increased flood risk to the site or elsewhere.

In accordance with the NPPF, Non-Statutory Technical Standards for Sustainable Drainage Systems and Policy SD3 of the Core Strategy, the drainage strategy should incorporate the use of Sustainable Drainage (SUDS) where possible. The approach promotes the use of infiltration features in the first instance. If drainage cannot be achieved solely through infiltration due to site conditions or contamination risks, the preferred options are (in order of preference): (i) a controlled discharge to a local watercourse, or (ii) a controlled discharge into the public sewer network (depending on availability and capacity).

Reference should be made to The SUDS Manual (CIRIA C753, 2015) for guidance on calculating runoff rates and volumes. FEH methods are expected using FEH 2013 rainfall data. The assessment of pre and post-development runoff rates should consider a range of storm durations to determine those which are critical for the site and receiving watercourse or sewer and demonstrate sufficient storage has been provided. Allowances for climate change should not be included in the calculation of existing discharge rates.

Review of Cranfield University Soils Mapping indicates that the proposed development is underlain by freely draining soils. The use of infiltration techniques may therefore be viable and should be promoted within the development (subject to review of likely groundwater levels). However it is recommended that the Applicant either: a) provides an alternative strategy should infiltration prove not to be viable, or b) undertakes infiltration testing in accordance with BRE365 to support the application. If infiltration testing is not undertaken to support the planning application, on-site testing will need to be undertaken prior to construction to confirm assumed ground conditions.

If discharge to a watercourse or sewer is required, where site conditions and groundwater levels permit the use of combined attenuation and infiltration features are promoted to provide treatment and reduce runoff for smaller rainfall events. We would expect best practice SUDS measures to be investigated and, where appropriate, incorporated into the design.

For any proposed outfall to an adjacent watercourse, the Applicant must also consider the risk of water backing up and/or not being able to discharge during periods of high river levels in the receiving watercourses.

The drainage system should be designed to ensure no flooding from the drainage system (which can include on-the-ground conveyance features) in all events up to the 1 in 30 year event. The Applicant must consider the management of surface water during events that overwhelm the surface water drainage system (including

temporary surcharging of gullies) and/or occur as a result of blockage. Surface water should be managed within the site boundary and directed to an area of low vulnerability.

Consideration should also be given to the control of potential pollution of ground or surface waters from wash down, vehicles and other potentially contaminating sources. Evidence of adequate separation and/or treatment of polluted water should be provided to ensure no risk of pollution is introduced to groundwater or watercourses both locally and downstream of the site, especially from proposed parking and vehicular areas. SUDS treatment of surface water is considered preferential for a development of this size. Reference should be made to the Herefordshire SuDS Handbook regarding expected levels of treatment.

The Applicant must confirm the proposed adoption and maintenance arrangements for the surface water drainage system. We recommend that this is clarified, in principle, prior to granting approval as this may influence the type of systems considered appropriate. If adoption by Herefordshire Council or Welsh Water is proposed, the Applicant must give consideration to any requirements that these authorities may have regarding the type of SuDS features they are willing to adopt. If it is intended that the access roads and road drainage is to be adopted by Herefordshire Council, the below ground piped network should also be adopted by Herefordshire Council or a statutory water company. If the below ground piped network is adopted by a statutory water company, associated attenuation features such as ponds will require adoption by Herefordshire Council or a statutory water company. Details regarding the process for Herefordshire Council to adopt such features is outlined in the Herefordshire SuDS Handbook.

Foul Water Drainage

In accordance with Policy SD4 of the Core Strategy, the Applicant should provide a foul water drainage strategy showing how it will be managed. Foul water drainage must be separated from the surface water drainage. The Applicant should provide evidence that contaminated water will not get into the surface water drainage system, nearby watercourse and ponds.

If it is feasible to connect to a public foul sewer then this must be sought and an agreement in principle with the relevant authority submitted with any forthcoming planning application.

If a connection to a public foul sewer is not considered feasible, the applicant will be required to complete a Foul Drainage Assessment (FDA) Form and submit this as part of any forthcoming planning application. The FDA Form can be found on the GOV.UK website at this link: <https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>.

For any non-mains drainage the Applicant should demonstrate that alternative proposals are compliant with the general Binding Rules and are in accordance with the Building Regulations Part H Drainage and Waste Disposal.

The Applicant should undertake percolation tests in accordance with BS6297 to determine whether infiltration techniques are a viable option for managing treated effluent (see Section 1.32 of Building Regulations Part H Drainage and Waste Disposal).

If infiltration testing results prove soakage is viable, the following must be adhered to for Package Treatment Plants:

- The drainage field should be located a minimum of 10m from any watercourse, 15m from any building, 50m from an abstraction point of any groundwater supply and not in any Zone 1

groundwater protection zone. The drainage field should be sufficiently far from any other drainage field, to ensure that overall soakage capacity of the ground is not exceeded.

- Drainage fields should be constructed using perforated pipe, laid in trenches of uniform gradient which should not be steeper than 1:200. The distribution pipes should have a minimum 2m separation.
- Drainage fields should be set out in a continuous loop, i.e. the spreaders should be connected. If this feature is missed, it will gradually clog with debris and the field will become increasingly ineffective.

If infiltration testing results prove soakage is not viable, outfall to a watercourse or ditch with a non-seasonal constant flow may be permitted if the following is true for the site. The site is not within:

- 500m of a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site, Biological Site of Special Scientific Interest (SSSI), freshwater pearl mussel population, designated bathing water, or protected shellfish water;
- 200m of an aquatic local nature reserve;
- 50m of a chalk river or aquatic local wildlife site.

If the above is not true for the site, the Applicant should consider using a drainage mound. Please refer to Sections 1.27 to 1.44 of the Building Regulations, Part H Drainage and Waste Disposal, for further information about drainage mounds.

MEMORANDUM

To : Internal Consultee
From : Ms Chloe Smart, Planning Services, Plough Lane – H26
Tel : 01432 260139 My Ref : 191165
Date : 4 April 2019

SITE: Land North and West of Mill Road and Southeast of Brookside, Canon Pyon, Herefordshire
APPLICATION TYPE: Pre App Advice
DESCRIPTION: Pre application advice - Propose to create a new access junction northeast of Doran directly onto the Mill Road, the creation of necessary vision splays, the consequent removal of hedgerow, the construction of an internal estate road, shared driveway and footpaths, 30 accessible parking spaces, 30 dwellings, necessary landscaping and the possible construction of a drainage attenuation lagoon
APPLICATION NO: 191165
GRID REFERENCE: OS 346371, 248965
APPLICANT: Mr J Hancorn
PARISH: Canon Pyon

CONFIDENTIAL - PRE APPLICATION ADVICE REQUEST
(Please use the following box to enter your response)

The site is within the River Wye SAC catchment and this proposed development triggers the legal requirement for a Habitat Regulations Assessment process to be carried out by the LPA on any planning application submitted. The final HRA 'appropriate assessment' completed by the LPA must be formally approved by Natural England PRIOR to any future planning consent being granted.

Sufficient and detailed information will be required to be submitted with any future outline or full applications to allow the authority to assess the proposal through its Duty of Care under NERC Act and Habitat Regulations. Natural England will also need to be a statutory consultee and will require sufficient information, like ourselves, to formally undertake a Screening Assessment for 'Likely Significant Effects' and then subsequently undertake a relevant Appropriate Assessment to determine and recommend relevant and appropriate Conditions to secure that the development(s) will have NO 'likely significant adverse effects' on the relevant SAC.

In support of a further application I would request:

Foul Water is proposed to be managed through connection to the local Mains Sewer network - confirmation that this practical and possible and that the local network has sufficient capacity at the time any further application is submitted must be provided in support of any further application.

Full details of how surface water run-off will be managed to ensure no increased discharge from site will occur and that no contaminants (eg phosphates, oils and similar) from the access roads, drives and activities such as car washing will enter any local watercourse must be provided.

An ecological assessment of the site and surrounding boundary features and neighbouring habitats

should be supplied. There are local records of bat roosting, there is also a significant local hedgehog population and potential presence/use of the site and boundary features by Badgers. The LPA has a duty of care to ensure all biodiversity and in particular protected species such as bats are fully considered within the planning process prior to any planning consent being granted. To support this a fully detailed ecology survey, including assessment of use of boundary features by foraging and commuting bats and other species should be carried out. The final report submitted should include detailed results and clear recommendations for all relevant ecological working methods and mitigation/compensation requirements. Any requirements for protected species licences should be detailed.

In line with NPPF Guidance, NERC Act and Core Strategy LD2 all developments should show how they are going to enhance the local biodiversity potential (net gain) - this is in addition to any mitigation or compensation required through a protected species licence. To ensure this a detailed biodiversity enhancement plan is requested. Enhancements should include significant consideration for a wide range of species, including as a minimum for, bats, birds, hedgehogs and pollinating insects within the new development.

From available information it would appear that Trees and hedgerows could be impacted by the proposed development so a fully detailed BS5837:2012 trees and hedgerows (to Hedgerow Regulations 1997) survey is requested that clearly identifies all trees-hedgerows to be lost or impacted, including through creation of proposed new access and required visibility splays and the interposition of the development and trees and hedgerows. The report should also clearly define root protection areas and protection methods for all retained trees or hedgerows; and if appropriate an arboricultural working method statement.

All new planting should only consist of locally characteristic native species. In line with highway design guide: "*Thorned species shall not be accepted immediately adjacent to footways and cycle tracks.... Existing hedges adjacent to the existing highway shall be transferred to frontagers for maintenance.*"

No external lighting or radiated illumination should illuminate any of the biodiversity enhancements, adjacent habitats or boundary features and all lighting on the development should support the Dark Skies initiative (DEFRA/NPPF Guidance 2013 (2019)).

The application form, plans and supporting documents are available in Wisdom.

Please let me have your comments by 25/04/2019. If I have received no response by this date I shall assume that you have no objections. Should you require further information please contact the Case Officer.

Any comments should be added below and actioned in Civica to Ms Chloe Smart.

Comments: (Continue on a separate sheet if necessary)

Object

Support

No Objection

Approve with Conditions (Please list below any conditions you wish to impose on this permission.)

Further information required

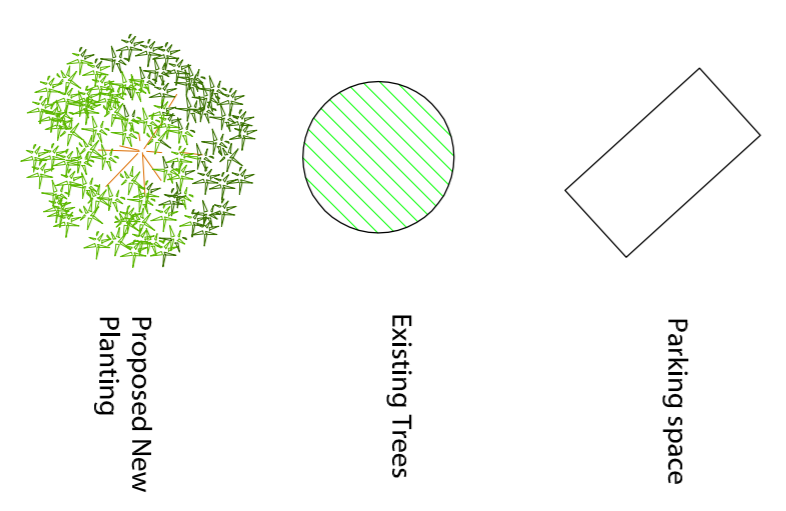
Consultation response from: Ecology (J Bisset)

DATE RETURNED: 03/05/2019

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 Any discrepancies should be reported immediately.
 Any surveyed information incorporated within this drawing cannot be guaranteed as dimension. All dimensions are in millimetres unless noted otherwise.



PLOT NUMBER	HOUSE TYPE	BEDROOM / PEOPLE	INTERNAL GROSS FLOOR AREA
1	DETACHED	3 BED 5 PERSON	130m ²
2	DETACHED	3 BED 5 PERSON	130m ²
3	SEMI-DETACHED	2 BED 4 PERSON	82m ²
4	SEMI-DETACHED	2 BED 4 PERSON	82m ²
5	SEMI-DETACHED	2 BED 4 PERSON	82m ²
6	SEMI-DETACHED	2 BED 4 PERSON	82m ²
7	DETACHED	3 BED 5 PERSON	110m ²
8	S-D BUNGALOW	3 BED 5 PERSON	90m ²
9	S-D BUNGALOW	3 BED 5 PERSON	110m ²
10	DETACHED	3 BED 5 PERSON	110m ²
11	DETACHED	3 BED 5 PERSON	110m ²
12	DETACHED	3 BED 5 PERSON	110m ²
13	DETACHED	3 BED 5 PERSON	110m ²
14	DETACHED	3 BED 5 PERSON	110m ²
15	DETACHED	3 BED 5 PERSON	90m ²
16	S-D BUNGALOW	3 BED 5 PERSON	90m ²
17	S-D BUNGALOW	3 BED 5 PERSON	90m ²
18	DETACHED	3 BED 5 PERSON	110m ²
19	S-D BUNGALOW	2 BED 3 PERSON	60m ²
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22	S-D BUNGALOW	2 BED 3 PERSON	60m ²
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25	SEMI-DETACHED	2 BED 4 PERSON	82m ²
26	SEMI-DETACHED	2 BED 4 PERSON	82m ²
27	S-D BUNGALOW	2 BED 3 PERSON	60m ²
28	S-D BUNGALOW	2 BED 3 PERSON	60m ²



Mike Harries

From: Smart, Chloe <Chloe.Smart@herefordshire.gov.uk>
Sent: 04 October 2019 15:00
To: Mike Harries
Subject: 191165 - Pre-application at Canon Pyon

Dear Mike,

I write in respect of the above site. A meeting and formal pre-application response has already been provided by the local planning authority. Revised plans have since been submitted and therefore I have provided a brief pre-application response. This email should be read in conjunction with the previously provided pre-application report.

My advice in respect of the revised proposals is as follows:

The pre-application site relates to a parcel of land measuring approximately 1.06 ha. There are no landscape designations covering the site, nor does it comprise part of a conservation area or listed building. The site does fall within the Lugg Catchment area of the River Wye SAC.

The previous pre-application layout proposed 30 dwellings which were to be positioned around a central access road. The site is allocated within the NDP for residential development and therefore the principle of residential development is accepted, however the following issues were raised in respect of design/layout:

- Fringe of village – important layout and design provides a successful transition – concerns raised regarding the number of dwellings proposed, density and layout;
- Adjacent development is more organic in nature with varying plot sizes, orientation and siting of buildings. In contrast, the pre-application proposal is very formal in terms of positioning of buildings, plots and circular access road;
- Northern part of the site needs particular attention;
- Scale and positioning adjacent to lane particularly important and entrance to the development; and
- Level of parking provision and communal parking areas – officers seek for parking to be integrated within the curtilage of dwellings.

The revised layout comprises a total number of 28 dwellings (reduction of 2 units). Additional parking provision has been provided which has been distributed across the site within the residential curtilage of dwellings.

I can offer the following feedback in respect of the revised proposals:

- The reduction in unit numbers is welcomed;
- The siting and orientation of the units at the entrance of the site are an improvement in terms of addressing the lane and street scene within the development, the orientation to provide surveillance over the drainage attenuation pond is also positive;
- The revised road layout is considered to allow for a more organic form of development across the site. Officers do still have concerns in this respect. Whilst parking has been incorporated within the curtilage of dwellings, the layout is such that units 3, 4, 5, 6, 7, 11, 12, 13 and 14 all have their parking within one area creating a very parking dominated environment. There are also some rear gardens facing onto this area which are likely to include higher boundary treatments and result in an unattractive street environment. Officers consider this needs to be addressed. It is felt that there could be scope to introduce shared private drive (s) to help free up the layout within either the central or north eastern section of the site. Further landscaping could also be considered between parking – street scene elevations would also be helpful in this respect;

- There are some areas of the development where rear gardens will be backing onto the public highway. Where possible this should be minimised, but if proposed the boundary treatments to those dwellings will be key in order to provide an attractive environment;
- In terms of Housing Mix, the Council's Housing Officer has provided advice on this which has been circulated. Land Drainage and Highways sets out various information which would be required as part of a planning application.
- The existing footpath route is of concern as per the PROW Officer comments – alternatives will need to be explored.

The site lies within the River Lugg catchment area and the Council is currently liaising with Natural England to agree an appropriate way forward for affected applications. Schemes which propose foul sewer connections to the adopted sewer systems are still subject to HRA Screening and it is dependent on the specifics as to when a HRA is required. We are expecting further advice from NE on this in the coming weeks.

I trust the above is of assistance. I will now close the pre-application case. Should you require any further feedback, I would be happy to facilitate this, however as we have now carried out both an initial consultation and follow up formal feedback and a further re-consultation and feedback, extra pre-application charges would be applicable.

This above advice is given in the context of your request and the information provided in support and has regard to the Council's planning policy. Should you wish to submit a planning application I would recommend that this advice is taken into account. However this advice is offered without prejudice to any future decision the Council may make following the formal consideration of a planning application.

Kind regards

Chloe

Chloe Smart

Planning Services Director | 10296 | Email: chloe.smart@herefordshire.gov.uk

Personal Contact Details

Tel: 01432 280139

 chloe.smart@herefordshire.gov.uk

General Planning Enquiries:

Planning_enquiries@herefordshire.gov.uk

Planning Services
Herefordshire Council
Council Offices
Plough Lane
Hereford
HR4 0LE

Herefordshire.gov.uk

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Neighbourhood Planning Team

From: Website <no-reply@herefordshire.gov.uk>
Sent: 22 January 2023 15:08
To: Neighbourhood Planning Team
Subject: Online form received: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

Case reference: FS-Case-480323214

Comment details

Title: Mr

First name: Brian

Last name: Thomas

Email: REDACTED

Postcode search: REDACTED

Address:

Address line 1: REDACTED

Address line 2: REDACTED

Address line 3: REDACTED

Town or city: REDACTED

Postcode: REDACTED

County: REDACTED

Which plan are you commenting on?: Kings Pyon Policy

Comment type: Comment

Your comments: Kings Pyon is not suitable for development. The reasons are:

- 1/ There are no facilities in the hamlet
- 2/ There is no public transport through the hamlet
- 3/ All the (narrow) roads in Kings Pyon have a 60MPH speed limit
- 4/ There are no pavements through the hamlet & no street lighting

5/ The ecology reports for Planning application 201780 & 214014 are both relevant. Kings Pyon is within the river Lugg catchment area and is subject to the latest restrictions.

Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 19 January 2023 20:25
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

We have received the following form online. Reference: 865325

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	caroline
Last name	hollywell
Which plan are you commenting on?	Parish boundaries
Comment type	Support
Your comments	It should have been done age's ago it would have stopped alot of stress and pain

Neighbourhood Planning Team,
Planning Services,
PO Box 4,
Hereford HR1 2ZB.

20/01/2023

By email to: neighbourhoodplanning@herefordshire.gov.uk

Dear Team,

RE: COMMENTS ON CANON PYON NEIGHBOURHOOD PLAN

Having lived in the village for over twenty years, we have seen considerable change, including a large increase in the number of houses and demand for local services. I would like to take this opportunity to comment specifically on the recent changes to the Pyons Group Neighbourhood Development Plan, as described at the Herefordshire County website¹.

PG3: New Homes in Canon Pyon

I completely agree with the deletion of this Policy. As explained in Table 1: "Deleted Former Made NDP Policies and Reasons for Deletion". Two of the four sites within the earlier NDP have already been developed, the site marked Site C on the village map has Planning Permission and should be developed ASAP. The former Site D is demonstrably unsuitable. The access is insufficient for the required increase in the volume of traffic and is subject to flooding. We are told that water and other services are under strain. It would not be appropriate to allow additional housing in this area, for all these reasons.

Policy PG11: Safeguarded Land for Proposed Relocation of Canon Pyon Church of England Academy Primary School

Turning to Table 2: "List of Modified NDP Policies": A new primary school is required but I note that the location of the site for a new primary school has NOT been changed. At a meeting called by the Group Parish Council a few years ago, a large number of residents expressed reservations over this location. Their reasons included its distance from the rest of the village and, crucially, from the playing fields. This would mean that Primary children would need to cross the A4110 to travel between the school and sports events.

A vote was called and the consensus of opinion was that a better location for the school would be in the field to the immediate west of the playing fields. I note that in the Canon Pyon Policies map of 2017, this field was designated as "Local Green Space (PG5)". That designation is no longer shown in the current map, making it hard to see why the preference of the community is not being respected. Given that the earlier vote was informal and indicative, I strongly recommend that a formal vote is organised and local people have the chance to choose between what appear to be two possible options.

Policy PG12: Local Green Space

I note that the area of Green Space has been reduced. As stated above, this would not be a problem if it was to respect the vote described above. There is a lot of green space within easy walking distance but making Primary children cross a busy main road to get to sports practice is not sensible and could lead to a very dangerous situation.

¹ <https://www.herefordshire.gov.uk/downloads/file/24595/statement-of-modifications-november-2022>

New Policy PG4: Waste water and Sewerage

Absolutely essential.

New Policy PG5: River Wye Special Area of Conservation (SAC)

This would be an improvement on the present situation, in which Planning Permission is granted before suitable measures have been demonstrated.

New Policy PG8: Rural Enterprise and Tourism

Encouraging such development makes perfect sense.

New Policy PG9: Polytunnels

Most of the provisions stated are already considered during the Planning process. Applicants will soon need to demonstrate biodiversity net gain, which should perhaps be added to the list on p.112 and p.113 of the NDP.

New Policy PG14: Community Energy Schemes and Solar Farms

I fully support all community energy schemes that provide electricity, without contributing to climate change. They would of course need to satisfy all the normal conditions of Planning. This is true of solar farms, which allow either agricultural production or wildlife to flourish beneath them. Like any other development, solar farms require Planning Approval and they should be encouraged.

Yours sincerely

Chris Nugent

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Clare
Last name	Fletcher
Which plan are you commenting on?	Pyons Group Neighbourhood Plan
Comment type	Support
Your comments	<p>Pyons Group Neighbourhood Development Plan I 100% support the proposals of the Pyons Group Neighbourhood Development Plan My Comments are below Over the last few years Kings Pyon and the other settlements within the Pyons Group have had considerable development that has been a strain on the local infrastructure. Kings Pyon needs to have a tightly defined settlement boundary as set out by the NDP Review village policy maps 2022 Policy PG1: Development Strategy. Kings Pyon is a scattered settlement which has narrow lanes it does not have much in the way of facilities except for the church there are no services, no public transport or employment opportunities. There is no mains sewerage or mains gas supply. The local infrastructure is already overstretched Herefordshire Local Plan 2021 – 2041 preferred spatial option is for development within sustainable settlements, by this and their own definition, Kings Pyon would be classed as ‘open countryside’. The Pyons Group has already greatly exceeded its target housing growth up until 2031. The provision of a tightly defined settlement boundary around Kings Pyon, and for the other Pyons Group villages, would protect adjoining high-grade agricultural land, biodiversity, and the existing natural and built environments that create their unique rural character. I also uphold the Neighbourhood Development Plan Review relating to the network of footpaths and public rights of way that exist within the area. I have made several concerns of the years with regard of access to footpaths have been found to be blocked or obstructed by crops, electric fences and wire and overgrown vegetation and weeds along the route of footpaths my recent one being of the 3.1.2023 at KP 10 access being blocked by electric fence. The Neighbourhood Development Plan rightly identifies Policy PG3: Improving Accessibility for All, part of which includes replacing existing access stiles to footpaths with gates. REDACTED I strongly support this proposal. Chris and Clare Fletcher REDACTED</p>



The Coal
Authority



200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Neighbourhood Planning and Strategic Planning
Herefordshire Council

[By Email: neighbourhoodplanning@herefordshire.gov.uk]

13 December 2022

Dear Neighbourhood Planning and Strategic Planning teams

Pyons Group Neighbourhood Plan - Regulation 16

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.

Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.

Yours sincerely

Christopher Telford BSc(Hons) DipTP MRTPI
Principal Development Manager

Neighbourhood Planning Team

From: Website <no-reply@herefordshire.gov.uk>
Sent: 21 January 2023 14:45
To: Neighbourhood Planning Team
Subject: Online form received: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

Case reference: FS-Case-480206407

Comment details

Title: Mrs

First name: Connie

Last name: Kingsland

Email: REDACTED

Postcode search: REDACTED

Address: REDACTED

Which plan are you commenting on?: Pyons Group

Comment type: Support

Your comments: I support the new Neighbourhood Development plan, especially the defined settlement boundary for Kings Pyon

Neighbourhood Planning Team

From: Ryan Norman <Ryan.Norman@dwrcymru.com>
Sent: 23 January 2023 09:52
To: Neighbourhood Planning Team
Subject: RE: Pyons Group Reviewed Regulation 16 submission neighbourhood development plan consultation

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

Thanks for the below consultation – we have no specific comment to make, but will comment accordingly when consulted on any planning applications within the neighbourhood plan area.

Kind regards,



Ryan Norman

Development Growth Manager | Developer Services |
Dŵr Cymru Welsh Water

T: 0800 917 2652 | E: 40719 | M: 07557812548

A: PO Box 3146, Cardiff, CF30 0EH



W: dwrcymru.com



E: developer.services@dwrcymru.com

Consultation Response – Development Management – Pyons Group – Review – Neighbourhood Development Plan – Submission Version

Review undertaken by Amber Morris (Senior Planning Officer), Adam Lewis (Principal Planning Officer) and Chloe Smart (Principal Planning Officer)

The following comments are made in respect of the reviewed plan:

- A list of policies would be helpful.

PG1: Development Strategy

- The policy appears to relate to proposals within the settlement boundary but elements of the policy are broader and relate to development outside of the settlement boundary;
- Point 2 of PG1 does relate to development within the settlement boundary and references conversion of redundant/disused buildings as being supported. Officers do not see the need for Point 2 given the development specified in point 2 is also acceptable beyond settlement boundaries subject to compliance with CS Policy RA5.
- This policy could be more precise and officers suggest dealing with development within the settlement boundary, and development outside of it separately.

Settlement Maps

- Ledgemoor – settlement pattern currently predominately linear, and single depth. A row of secondary development has been included in the settlement to the rear of the existing frontage. This could promote double depth development.
- Kings Pyon – concerns regarding the inclusion of the farm to the south in the settlement boundary.

PG2: Housing

- Recommend amendment to set out 'proposals for self-build in appropriate locations will be encouraged' as opposed to current wording;
- Concern regarding reference to abandonment and recommend this reference is removed. To permit the reinstatement of abandoned buildings in the countryside to dwellings would potentially be at odds with the CS and NPPF.

PG3: Improving accessibility for all

- No comment

PG4: Waste water and sewage

- Policy could be clearer in terms of mains being the first approach.

PG5: River Wye Special Area of Conservation (SAC)

- Part 1 identifies 'clear and convincing' justification is required. The terminology used should be consistent with wording in the Habitat Regulations.

PG6: Protecting and enhancing the natural environment

- Well laid out policy generally, very detailed but usable;
- In part 2, officers did consider the wording in respect of the use of screening ambiguous.

PG7: Protecting and enhancing the built environment

- Good policy overall, very detailed but well broken down;
- Officers felt part 22 'wider rural area' should be removed.

PG8: Rural enterprise and tourism

- For part 1, is the intention for only traditional buildings in the wider area to be developed? Unclear if this is the case, but is how the policy reads and this is not consistent with NPPF approach.

PG9: Polytunnels

- The policy could potentially be expanded to include associated development, such as ancillary agriculture structures or workers accommodation. .

PG10: Community facilities

- No comments

PG11: Safeguarded Land for Proposed Relocation of Canon Pyon Church of England Academy Primary School

- Rationale as to the 'up to 2' dwelling figure would be helpful.

PG12: Local green space

- No comments

PG13: Promoting sustainable design and resilience

- Our observations in respect of this policy were that some of the more important measures are in the latter parts of the policy – part 10 and 11 should feature earlier in the policy;
- Officers did not consider part 4 was necessary and suggest this is deleted – relates to internal space and occupiers of a dwelling can adapt space to suit their priorities.

PG14: Community energy schemes and solar farms

- Officers are unclear as to why there was a separate paragraph for 'small scale' and 'community led' and 'commercial'. The requirements for both appear broadly consistent.

Herefordshire Council
Forward Planning
PO Box 4
Hereford
Herefordshire
HR4 0XH

Our ref: SV/2022/111226/OR-
09/IS1-L01
Your ref:
Date: 19 January 2023

FAO: James Latham

Dear James

Pyons Group Reviewed Regulation 16 Submission Neighbourhood Plan

I refer to your email of 28th November 2022 in relation to the Pyons Group Reviewed Regulation 16 Neighbourhood Plan (NP). We have reviewed the NP along with the associated Environmental Report (ER) and Appropriate Assessment (AA). We have the following comments to offer.

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 have begun the Local Plan review process including updates to the evidence base.

Flood Risk: We would not, in the absence of specific residential sites allocated within areas of fluvial flooding, offer a bespoke comment at this time. However, it should be noted that the 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.

There are various ordinary watercourses within the NP area, most of which tribute to the Rivers Arrow and Lugg (outside of the NP area). These ordinary watercourses have associated Flood Zones 3 and 2 (the high and medium risk zones respectively), however, please note that other potential development areas may be at flood risk given the presence of 'ordinary watercourses' which are un-modelled based on the scale and nature of the stream and receiving catchment (less than 3km²).

Environment Agency
Hafren House Welshpool Road, Shelton, Shrewsbury, SY3 8BB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

We recognise the inclusion of policy PG1, which explains that '*Development of the site must not exacerbate flood risk, and where possible should provide a betterment.*' In relation to new development within the Pyons Group NP Area.

We note the inclusion of Policy PG11: '*Safeguarded Land for Proposed Relocation of Canon Pyle Church of England Academy Primary School*'. We previously provided comment upon the suitability of this site in terms of flooding. It is acknowledged that the site falls partially within Flood Zones 2 and 3, the medium and high risk zones. As previously stated there may be scope to site the school building to the west of the site adjacent to the road with playing fields located in areas of medium and high risk of flooding.

We note that policy PG11 states that '*To support the viability of a new school, the site could also accommodate a small scale housing development (up to 2 houses)*'. Under Annex 3 of the NPPF, we consider Dwelling Houses and Educational Establishments both a 'more vulnerable' use of land. As such, we would seek confirmation from a future planning application that both the Dwellings and School Building be located within the Flood Zone 1 portion of the site (to the west) as detailed above.

A Flood Risk Assessment (FRA) will need to determine the most appropriate location for any buildings in accordance with National Planning Policy and Herefordshire Council's Core Strategy (Policy SD3).

River Wye SAC Catchment: It is noted that Pyons Group 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, 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.

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.

It is noted, and welcomed, that the NDP includes a specific Policy section on the 'River Wye Special Area of Conservation (SAC)' and that the Policy PG5 now makes specific reference to adverse effects 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.

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.

I trust that the above is of assistance.

Yours faithfully

Mr. Matt Bennion
Planning officer

Direct e-mail matthew.bennion@environment-agency.gov.uk

End

Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 28 December 2022 14:54
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

We have received the following form online. Reference: 863165

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Gordon
Last name	Tong
Which plan are you commenting on?	Regulation 16 consultation of the NDP Review for Canon Pyon
Comment type	Support
Your comments	PG1 and PG2 - I fully support the plan in it's aim of small scale developments, infilling sites, brownfield sites and conversions. The recent developments have had an enormous affect on local infrastructure which would be unable to cope with similar increases. PG6 - Both of the recent developments have been on greenfield sites causing considerable loss of habitat. I wholeheartedly support anything which reduces this impact. PG7 - The rural village style should be supported to protect the character of the village. Any development should be of a rural village style and not an estate style. I would also support the encouragement for rural enterprises. In summary I wholeheartedly support the document.

Neighbourhood Planning Team

From: Website <no-reply@herefordshire.gov.uk>
Sent: 22 January 2023 11:06
To: Neighbourhood Planning Team
Subject: Online form received: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

Case reference: FS-Case-480285578

Comment details

Title: Mrs

First name: Helen

Last name: Tong

Email: REDACTED

Postcode search: REDACTED

Address:

Address line 1: REDACTED

Address line 2: REDACTED

Address line 3: REDACTED

Town or city: REDACTED

Postcode: REDACTED

County: REDACTED

Which plan are you commenting on?: The Pyons Group NDP

Comment type: Support

Your comments: PG1, PG2, PG6 & PG7. Canon Pyon has seen 2 major developments in the last few years far exceeding the allocated target for new housing. Any further development should be small scale or brownfield with village style housing design to try and recapture the Herefordshire rural village environment as proposed by the NDP. There is a need to restore and protect the natural environment



Historic England

Mr Richard Hewitt
Pyons Group Parish Council
PO Box 124
Leominster
Herefordshire
HR6 6DE

Direct Dial: 0121 625 6887

Our ref: PL00737022

5 January 2023

Dear Mr Hewitt

PYONS GROUP NEIGHBOURHOOD PLAN REVIEW- REGULATION 16 CONSULTATION

Thank you for the invitation to comment on the reviewed submission Neighbourhood Plan.

Our comments remain substantively the same as those expressed in relation to the Regulation 14 Plan, that is:

“Historic England is supportive of the content of the document and believes it takes a suitably proportionate approach to the historic environment of the Parish”.

In addition, the inclusion of Policy PG7: Protecting and Enhancing Built Character is warmly welcomed.

Beyond those observations we have no further comments to make on what Historic England considers is a good example of community led planning.

I hope you find this advice helpful.

Yours sincerely,

P. Boland.

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk

cc:



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone 0121 625 6888
HistoricEngland.org.uk



OBJECTION:

If the 'majority' of the local people did speak to the Parish Council, to the NDP Review process and or, to the Regulation 14 - Public Consultation Stage, to declare, without doubt, that they did not want "Site-D" to go ahead, that they wanted instead, a smaller Permitted Development Boundary shrunk and no more larger scale developments but just those applications of 2 or 3 houses, with hard evidence to support such an anti-2017 referendum vote-decision, which would be needed by them AND if that all then did still manage to align their areas with the existing and/or emerging, central core strategy and NPPF policies then, that would be an entirely different matter altogether, one that would be hard, if not impossible, to argue against but however, they did not and have not REDACTED

So, the questions are **how and why?** Against the public they are supposed to represent, how did this particular parish council end up, putting forward such an NDP Review proposal, one that is the polar opposite of the original 2017 'made' NDP and 91% YES referendum results, one that is ignoring the results from public consultations held during the review process which the majority said, leave the boundary alone, one that U-turned the correct PC decision to keep Site-D (May AGM 2021) and why? REDACTED

Just take a look at REDACTED about the staggeringly low numbers of public participants, coupled with the much later revealed REDACTED of those results, **REDACTED**, a **REDACTED** to include and assess Site-D for viability and deletion REDACTED, a grant funded NDP Review A.E.C.O.M. report by then, on it's 2nd DRAFT, presenting those late-figures to the rest of the Parish Council, much later then, REDACTED, being so relied upon then but NOT then, taken forwards as any part of the deletion-rationale cited now, ditched altogether in fact, with no democratic substance therefore, when explaining why they are **STILL asking to delete "Site-D" regardless**, which is evident now in the Pyon Group NDP Review, 2022-2041, "Consultation Statement" responses given, dismissing all that was true before, as presented here now, in this Regulation 16 – Herefordshire Council assessment stage - [Pyons Group Consultation Statement \(herefordshire.gov.uk\)](https://www.herefordshire.gov.uk)

So the next question is, **who?** Who is behind this REDACTED? REDACTED.

So the question is, **what were those results?** Not only are the first NDP Review, public consultation numbers super-low, they still more or less, supported keeping 2017 NDP "Site-D" yet, REDACTED. As I say, later, they dismiss the requirement to include those outcomes, REDACTED and because they would instead just say, it's being deleted from the NDP, because the PC objected to the application?????

For example, in the informing public consultation, for those brave enough to attend and mix at the very start of COVID lockdowns, on the weekend ahead, REDACTED, regardless of known public-health concerns and fears, on 14th and 15th March 2020, but still, the largest majority figure of almost 50%, were from the people who did NOT want the existing Permitted Development boundary to shrink or grow.

No matter how the figures or percentages REDACTED, the bottom line was that out of 70 people attending the village hall and online (*if that can really be considered democratic or inclusive, under the rural circumstances, at that , or at any other time*), that **only 52 questionnaires were returned in total**, questionnaires which along with slides and diagrams, presented by steering group REDACTED, which we consider were of course altogether

REDACTED, as if developments like Site-D, which is for circa 30 houses, was in some way the reason why anyone, might be disgruntled about other recent developments, permitted under the same 2017 NDP along with other windfalls granted under planning, if that for example did negatively impact upon folk, REDACTED, consultation questionnaires which did not succeed however and so, the ONLY percentage of any perspective version, of assessing those 52 people's opinions, showed that just 12-13% of them (the Parish Council say it's 18% but we've checked and double checked this), **just 12-13%** of them said, that they did NOT want any further, larger developments AND wanted the Permitted development boundary to shrink.

So the question is, **how many?** So out of 70 people and 52 respondents, **that equates to just 6 people** from the whole of the Pyons Group areas who ever wanted to stop "Site-D" REDACTED.

However, note **mathematically**, there are **zero people specifically asking to get rid of existing NDP Site-D** in any public consultation, REDACTED

However, in spite of these earlier NDP Review process REDACTED, they then do NOT use this data , **REDACTED**, and only SINCE the application was made on 31st August 2021 onwards, that they have no reason to make this NDP Review REDACTED on Site-D EXCEPT that by their own admission, it is because **the Parish Council itself did object to that application??** REDACTED

REDACTED.

So, the only reason anyone, and especially the Parish Council, are continuing with this REDACTED decision to erase "Site-D", is because they objected to it and NOT because it is what the people decided, not during any public consultation stage held, and not with anything reasonable or tangible, leading to this Regulation 16 moment!!

How is this democratic? How is this following NDP legislation and protocol? REDACTED.

In their attempts to continue to hold REDACTED (and it is clear in the objections made to the application to see this), that REDACTED, the Parish Council and those petitioned on doorsteps since (and only since September/October 2021), **are all citing, the A.E.C.O.M. report, a since discredited report**, and the older 2012 SHLAA report, from which the AECOM report; more or less, just copied it's rhetoric from and so, **not in any way, a "technical" assessment of land**, (more on this detail later) which one would expect it to be, if using grant funding to produce for an important NDP Review, to assess any land viability needing assessment, especially not of an existing allocation already 'made' (REDACTED

REDACTED yet, the 'other reserved-for-new-school site', a grant funded assessment REDACTED, but not yet 'available' land, not donated or otherwise, with all of it's recorded and known, higher-levels of constraints, in the same report, but is being conversely described, as viable, by A.E.C.O.M. which we think REDACTED whereas, the good to go "Site-D" is described, as 'not viable', clearly without any proper 'technical' assessment save for copy & paste from the 2012 SHLAA REDACTED.

The question is, **what is the A.E.C.O.M. assessment?** REDACTED, the following is my own assessment which is, the A.E.C.O.M.' reassessment of the 2012 SHLAA assessment of Site-D, will need to be reassessed so, I will now go deeper into this subject to assess further, and will re-assess with an assessment of the A.E.C.O.M. re-assessment report, just given in brief, but with a much more forensic reassessment, to reassess that reassessment assessed by A.E.C.O.M., REDACTED

The question is, REDACTED A.E.C.O.M. rhetoric still; itself coming from the even older, self-proclaimed, non-definitive, non-technical 2012, S.H.L.A.A. report, a speculative and rather subjective therefore, outdated and superseded report (certainly with regards to "Site-D", a report it more or less borrowed from therefore, to altogether present the perceived 'dangers', REDACTED, A.E.C.O.M. "failed" and "rejected" claims, REDACTED against Site-D, all coming from those very reports discredited or superseded, REDACTED therefore about the access to "Site-D", 'the dangers' of using country lanes as 'mixed use'; which of course, they all are already being used nationally for, the one-day of road-surface flooding that happened once in 2019 used, causing walkers to wear wellies REDACTED, the housing 'need' numbers and targets successfully exceeded REDACTED.

Nevertheless, they presented all it as true, to the people on their doorsteps, doorstepped much later in the review process, REDACTED, to this good application P213332/F, thereby, retrospectively, U-Turning against that earlier correct Parish Council, May AGM decision, a position the Parish Council themselves took, following their correct assessments after the earlier Reg 14 representations received, which included the expert planning advice received from 'Black Box', to simply leave "Site-D" alone and altogether, REDACTED, to object to the planning application, REDACTED for the recent surge in the much-needed housing expansions, necessary developments that all came relatively close together, at the same time and perhaps, as an understandable discomfort to some, but necessary nevertheless, after decades of local planning stagnation REDACTED.

Just look back through all Parish Council minutes and records to see where anyone was ever asking, except for the two people in February 2019 once, and then just one other MOTP, a couple of times only, during the NDP Review itself, when "Site-D" had already been, REDACTED..

The question is, **are we sure?** Just look at the objections:

It's clear that what I am saying about REDACTED, is true! The objectors are therefore, all saying the same REDACTED, , all coming from the original 2012 S.H.L.A.A. report, REDACTED, as the member of the public asking in those early Review meetings, presented, while presenting the very first 'housing number rationale' report of his, to support that, building-up as planned, REDACTED.

By the time most people would read this truthful perspective, it would be 2023, over a decade later from that 2012 SHLAA report. Things change and progress, that is, REDACTED.

The question is, **did they know?** REDACTED. REDACTED why they are reversing the 91% referendum "YES" decision made by the same public in 2017, why they are without a majority, REDACTED, going ahead and shrinking the Permitted Development boundary and without mentioning, why they have re-written the whole of the Pyons Group NDP Policies including PG01 to boot REDACTED but say just instead; as if this is proper legal justification for the people they represent to swallow, that they are deleting "Site-D" REDACTED?

The question is, **so what?** This is all just wrong and on so many levels: REDACTED.

The Parish Council are at the Regulation 16 stage, with no public mandate for it and with no evidence therefore, to support any of the claims they made along the way, but to still ask to delete "Site-D", REDACTED.

The question is, **who do they think they are?** What gives them this right to overrule, REDACTED and to ignore the whole purpose of the NDP process, regulations and the legislation like this? How in any world is this democratic, representative or is any mandate, to reverse a referendum with such a massive 91% majority and 32% turnout in 2017, to delete the only remaining, main, viable, deliverable, ready-to-go, 2017 'made' allocation known as "Site-D" on Mill Road which is at the post determination planning stage, waiting??

Conclusion: It's wrong and should in no way be supported or given the time of day to go forwards and we ask that Herefordshire Council asks this Parish Council to complete accountability, to justify their actions or inactions, to start the whole process over for the people and in fact, REDACTED, before they then embark upon a 2nd necessary NDP review for the Pyons Group areas and people!!

Suggestion: They could for example just re-present the original plan to be re-'made', with no need for any such independent approvals or any 2nd referendum, as they then properly start in earnest to prepare the NEXT necessary NDP Review going forwards, considering and properly incorporating elements that are actually relevant to the success of the areas, by planning for the inevitable fact of life itself, . . . growth.

Take a good look at NPPF 5: Delivering a sufficient supply of homes, Paragraphs 60 – 80 and then ask yourselves, with integrity, has the Pyons Group Parish Council and Steering Group, followed the essence of the NPPF policy? Are they representing what the people wanted or what the people voted for in 2017?

Where did they think they had the right to make decisions on the majority's behalf with only a super-minority viewpoint? REDACTED.

Opinion: The logical premise of the whole NDP Review, was to make sure it continues to be 'made' and so, to carry weight in planning terms, a real concern for some of those asked and as indicated during other local planning application representations before and during the review process. In the review process, one expects them to progress and expand ideas for growth further, **to hold a call-for-sites for example**, to look for things to include sensibly and practically REDACTED, while looking for extra windfalls in the hamlet's back yards instead, a policy which directly contravenes the notion that Canon Pyon is considered; and expected to be, the primary area of growth concentrations for the areas, to preserve the touristic outlying hamlets for as long as possible.

Note: It should also be asked now, if "Site C" for 10 houses, already with planning since before 2017, if that contaminated land is ever going to be deliverable enough to be included in numbers under law, or in the NDP review, as it may never be affordable to decontaminate the old bus depot/garage to get built. If one takes this allocation away, what have they got if they don't have "Site-D"?

REDACTED.

REDACTED.

What was the A.E.C.O.M.s remit? It was, they were presented with the 2012 – S.H.L.A.A. report, REDACTED A.E.C.O.M. to assess land for the new-school-'reserved' site and "Site-D" REDACTED.

Why was it A.E.C.O.M.s remit? Sorry to repeat but this must be made clear: REDACTED must have known that the people did not want this removal of "Site-D", nor the shrinking of the Permitted Development boundary, REDACTED.

REDACTED.

Summarising: This NDP review REDACTED by the Pyons Group Parish Council, REDACTED.

Now: Let's now explore the A.E.C.O.M. report in some detail:

Since even before the review REDACTED on "Site-D" had started, in late 2019, the landowner exploring, had engaged and so, Cotswold Transport Planning Consultants had already produced surveys and work, to mitigate against any access constraints perceived through pre-planning, all completed by September 2019, and more work on that has happened since, to underline their expert technical efforts to the planning process. Didn't the grant-funded consultants, A.E.C.O.M., REDACTED.

Note: Reasons to kill off Site-D, part two: **The visual sensitivity** is subjective but comes only from the rear views of just 3 x 2-story houses existing at Brookside, themselves protruding and sitting high in the village-edge landscape, the countryside-fringe landscape, with all other property's rear gardens and views, coming from lower bungalows nearby or are properties set away from the boundaries so, REDACTED opinions given by the otherwise desktop assessors who did once, visit the site and made such REDACTED opinions part of the rationale or "reasons to kill off Site-D". A.E.C.O.M. did say that they had "been to site" to complete their otherwise, 'desktop' assessments?

The question is, **what is the A.E.C.O.M. report?** – It is NOT a "technical" assessment but a desktop assessment using previous subjective S.H.L.A.A. , similarly non-technical information from 2012. As far as Site-D goes, it is more or less, a copy & paste exercise by A.E.C.O.M..

The question is, **did A.E.C.O.M. "technically" survey?** For example, survey the land using any apparatus or instrumentation devices, taking samples, percolations testing, contamination testing or anything that could reasonably be defined as 'technical' assessment as claimed. No, they did not. As far as Site-D goes, they just copied and pasted. Did they similarly employ any expert transport or landscape consultants? No, they did not.

The question is, **how are these results being misinterpreted?** The Parish Council objecting and all of the people they REDACTED do all repeat that "Site-D" has **failed 2 x technical land assessments**, which the 2012 S.H.L.A.A. describes itself as a **"non-definitive" list** AND the A.E.C.O.M. merely "copies" all of that and cannot in any way, be truthfully described as a 'technical report' therefore or that "Site-D" has failed anything. REDACTED.

These are subjective speculations being repeated and used but which this Parish Council, the Steering Group and the petitions mustered to object to the associated planning application, they do all personally and as the Parish Council, repeat the same REDACTED, born out of being a non-technical copy of a previous non-technical assessment, both since discredited before and herein, using consultants before, during and after the pre-planning to September 2019, had already been achieved before the A.E.C.O.M. report was even conceived therefore, achieved in the main, before the October moratorium in fact, again, by September 2019 and so, as far as "Site-D" is concerned, all known BUT **A.E.C.O.M. did not approach the landowner to find out?** Similarly REDACTED, the Parish Council nor REDACTED Steering-Group REDACTED, did contact the landowner, developer or agent to care to engage and ask either and we ay, that is because REDACTED.

A.E.C.O.M. and this parish council, REDACTED, they could have saved a whole lot of time and grant funding wasted, REDACTED.

A.E.C.O.M. Report – Page 31 – Assessment of availability of the 'mixed school and 18 houses' land: They answer 'unknown' In spite of many greater constraints, in spite of not knowing, A.E.C.O.M. view this land as suitable, available and achievable within the plan period 2011-2031 (Isn't this NDP review now to 2041??) because it said so

in the 2012 S.H.L.A.A. (their own words and rationale) – Summarising with : “It is not known whether the site is available now for development, either for education use or residential.”

The question is, so how can this be right to be included for grant funded assessment. REDACTED When answering about if there is a known time-frame for availability, they answer with the same 2012 S.H.L.A.A. info only and say again, “availability is not known”?? Well, it can’t be both of these things can it. It can’t be available and at the same time with availability unknown.

A.E.C.O.M. s own disclaimer tells everyone what they need to know, about the REDACTED evidence base that they are submitting. It is entirely capable of being superseded meaning, they may NOT have all of the facts of the matter and so again, **not a technical report by which any parcel of land can fail or be written off with, to fail.**

It is made clear that **land may go on to supersede the views given, with and by their own mitigations** as Site-D in fact, did.

Being equally subjective and speculative, REDACTED. It appears that they talk about how they assess land, as if the land they are assessing is the first time, that it is being assessed to go into any NDP as an allocation *or not* and so, when they conclude using speculative 2012 S.H.L.A.A. info and a single REDACTED site visit to ‘see’ where that plot sits in the vicinity (again subjective, to say it isn’t viable), they may not have realised that it was already an existing allocation and by not asking the landowner (a logical prerequisite one would think) about what his plans were or at what stage then, they did not know that this ‘perspective; which they present, is already discredited??!! However, **it looks like everyone knew that Site-D was an existing NDP allocation.**

This A.E.C.O.M. report remains the one and only thing which the Parish Council holds up, as a good reason to now reverse that 2017 NDP allocation because, a majority in the 1st public consultation respondents, did not want the boundary changed. However one looks at it, this means, **87% asked, did not specifically want to block Site-D!!**

A.E.C.O.M. – Assessment of Viability: School house land – when asking ‘if viable’ and ‘if abnormal costs’, they answer ‘yes’ about power lines, but say it could be mitigated through design and then in ‘conclusions’, they say this school and mixed housing site, (a site they also say they don’t know if it is available), that the likely time frame for development is 0-5 years?? **How so?**

Again, with no quantifiable, technical assessment done, the desktop only assessors, happily promote or ‘suggest’, that this land can be achieved in 5 years which is nothing short of REDACTED. With a list of constraints to consider, including listed buildings, power lines, trees, flood zones 2 & 3, the higher visible level in the landscape and the vehicle and pedestrian access in and out of the site to the main A4110, they say that “overall, it’s good for mixed school with 2 houses (or up to 40 houses with no school) yet, they do not give the same level of consideration, flexibility or even optimism to Site-D but instead, REDACTED “Site-D”, painting it as not having planning when by the time this Regulation 16 started, **it was already one year POST planning-determination.**

When asked if there is existing pedestrian access to the site, they answer ‘no’. They say there is no safe pedestrian access?? How else are all of the local people currently moving about these country lanes then and (notwithstanding the dead-end aspect of the 1960s PROW cut off by Brookside CP Development) how would one get to and from the PROW or indeed, to any residential properties down these country lanes or to the shop or pub, if walking country lanes is unsafe??? The consultants, Cotswold Transport, for the landowner and developer, has carried out evidence based risk assessments to calculate for accidents, deaths, traffic flow, pedestrian use and have determined that like all country narrow lanes, they are reasonably classed as mixed use and pose no immediate threat to safety over and above, the need to use common-sense. There will be opportunities for splay widening and visibility improvements to achieve the minimum requirements under law and without any 3rd party land required so, altogether, the access in and out of Mill Road, would do the one thing that the village has been complaining about for over the years, better exiting onto the A4110 AND the speeding. Vehicles waiting to turn into Mill Road will effectively slow down traffic on the A4110, as people indicate to turn in and out of Mill Road more often.

Similarly, A.E.C.O.M. also conclude that “‘No’, there is no ‘safe’ cycle access to the site”, when clearly, there is and always has been. Its called, Mill (Lane) Road.

Overall, A.E.C.O.M. assessed "Site-D" to have no constraints aside from access, the safety of mixed use roads, and visual sensitivity, all of which have been dealt with since. Low flood, relatively flat, no trees, no power lines, no listed structure, wildlife assessed as unknown but clearly, a mainly arable ploughed, flat field, which occasionally may have sheep grazing.

A.E.C.O.M. gives it a 'medium' rating, in terms of landscape and visual amenity, with subjective 'wet' comments thrown in when talking about the 'conservation' of the character of a field, whereby we all know that all such land is reclaimed from the original natural wooded landscapes that existed, long before farming stripped the trees away to create farmland. This is a good quality piece of pasture land, true, with no other redeeming features to protect, immediately fringed by housing so, low sensitivity would have been more accurate to describe it for both landscape and what that landscape looks like to anyone who isn't using Mill Road on foot, isn't able to use a drone to observe it like a bird or use binoculars to see down over, if from Westhope Hill for example because otherwise, it is a natural continuation of the village line, being located within 50 yards of the variable positioned, front-row houses situated on the A4110 and not visible at all, save from the car park wall perhaps, of the historical centre of the village and the only listed structure nearby, the old Nags Head public house, an historical establishment REDACTED.

A.E.C.O.M. say that in spite of the natural screening from buildings, that "Site-D" would have some impact but mitigatable, upon the heritage asset that is the Nags Head. How so? What impact could it possibly have if not visible. It would positively produce more potential customer base but how so is that impact mitigatable either way? Bushes? Or. are they still moving the Nags Head physically, to the new historical REDACTED centre of Canon Pyon, being programmed in this same REDACTED NDP Review to be the bus stop, playing fields and war memorial by the village hall at the far end of the village???

Surely, a quick exploration to reveal the owner has made it available as expected when allocated, REDACTED, and everything that is historically Canon Pyon, the centre of that village, REDACTED. The landowner here, REDACTED.

Conversely, it says Site-D would have no impact on any non-heritage assets yet, REDACTED are all directly adjacent and part of the historical and rural vernacular?? Not that it should ever matter when developing houses to expand a village but . . . more evidence that A.E.C.O.M. can make REDACTED. Nothing "technical" to see here.

A.E.C.O.M. say that Site-D is a greenfield site which is adjacent and connected to the built up area. However, being in the 2017 NDP and within the Permitted Development boundary (permitted development), it has already been reclassified as 'development land' and as an NDP allocation for the built up area prescribed.

A.E.C.O.M. rightly conclude that Site-D is not large enough to impact upon the character of the existing settlement but do curiously say, it may create a "hard edge" with the absence of a natural northern boundary???. What?? The existing hard edge is, the fences of the back gardens of the existing houses in the already-built areas and so, so what? Brookside similarly does this already, from it's carpark area, so what? So, it will not significantly change the character but it MAY have a hard edge. People are used to seeing both hard and soft edge village vistas so, what's the point of this assessment? Whatever, we see that the application incorporates greenery and trees to soften.

A.E.C.O.M. : When asked if Site-D is available. They answer, it was in the 2012 S.H.L.A.A. and in the 2017 NDP but . . . "unknown"???. Surely, it must have been available under regulation to be available, to be allocated in the first place. Isn't this part of the independent examination process to check as a requirement and this is why we argue similarly against the NDP reserved-for-new-school site which is known to be, not available.

When answering to 'it is with a known time frame' or 'if there are any known abnormal viability costs', they answer "unknown" when clearly, it had a 1-5 year 2017 NDP time frame set already, which we all now know, was in the process and had achieved pre-planning, before this NDP Review REDACTED got underway in earnest in 2020 and before the moratorium blow that followed.

In their own report conclusions for Site-D, they answer that 'there is no expected capacity of the site, as it is unsuitable for that period' according to the 2012 S.H.L.A.A. . . YET . . . for the unavailable and heavily constrained, reserved-for-school site, they say the likely timeframe is 0-5 years??

REDACTED.

A.E.C.O.M. Report. For direct comparison, for the reserved site see Page 31 and then for Site-D, see page 39!!

Summarising:

Site-D – They didn't ask so, don't know if the 2017 NDP site remains available, they say??

REDACTED.

So, Overall rating (Red/Amber/Green): The site is **suitable and available**. The site is **potentially suitable, and available**. The site is **not currently suitable, and available**. (They seem to have missed to include, The site is not currently suitable, **OR** available????)

Are there any known viability issues? **Yes / No**. To this, for **Site -D**, they answer just – '**There are no known viability issues**' ???? Yet, **Site-D** get's **RED** ???

Whereas,

Reserved Site – They consider this suitable, available and achievable but say, they don't know if it's available now for any type of development??? REDACTED.

So, Overall rating (Red/Amber/Green): The site is **suitable and available**. The site is **potentially suitable, and available**. ??? The site is **not currently suitable, and available**.

Are there any known viability issues? **Yes / No**. To this, for **Reserved Site**, they answer just – '**Yes, there are a few constraints which might affect viability**' ???? **Reserved Site** get's **AMBER** ???

REDACTED.

Our conclusions, this report is non comprehensive, REDACTED, even though it is available, low constraints yet, not viable within 5 years they say, favouring the reserved-for-school site, which isn't available but has many constraints, yet determined to be viable and doable within 5 years????

Like the 2012 S.H.L.A.A. report before it and from which it borrows heavily, it is not technically assessing but is copy and pasting and is full of misleading and opposing rhetoric therefore, that contradicts itself all the way through. REDACTED.

Notwithstanding my even worse use of English language aside, they say for example, "while the site's existing access could potentially support a limited number of dwellings, there are no safe pedestrian access". This is both bad English and baseless to conclude. To start with, there is a PROW?? REDACTED.

If access can support a few, it could equally support much more than just a few. If access can support a few then, why are they claiming issues with access? In what way is it unsafe to walk a country lane to get anywhere? In town, we are more likely to be impeded by the mixed use of cycles and scooters on even narrower footpaths so, doesn't make sense in that rural setting to use that as a reason to be negative.

This author then concludes that footpaths would be necessary but would require 3rd party land. Well, they're not necessary at those levels of occupation in a mixed-use, country-lane settings but if they are required, there would be other opportunities to address that concern and the same would apply to the reserved-for-school but unavailable land! The author says, development is unsustainable in this location therefore AND would be contrary to Policy SS7 of the CS?? SS7 is a policy about climate control REDACTED.

Heritage Assets? For Site-D, the report then repeats that while Site-D is not seen from the heritage asset, it's design would have to be sympathetic to that heritage asset? This 'heritage' point has little relevance, has not prevented this 'made' site from already getting to a post-planning, determination stage or to become an NDP allocation in the first place in 2017! REDACTED.

It's a little surprising to see that this same Parish Council didn't mind supporting a recent application, to give up some of that same heritage asset, the listed coaching-house associated, by allowing them to kill-off the historic 'hotel' letting covenants, which linked the "Old Brewery" to the main Pub or Hotel, as lodgings or staff accommodation, to allow it to become a regular house, marooned in a pub-carpark instead, REDACTED.

All that A.E.C.O.M. have got and have repeatedly said is, the site is found to be unsuitable for development during the plan period 2011-2013, (I think the REDACTED author meant 2031) and with this news, REDACTED, could now REDACTED claim that Site-D had already failed TWO "technical" assessments when clearly, REDACTED.

Just take a quick look to see the main, repeated rhetoric within the objections and especially, the 2 x petitions!!

Two true points to make: Firstly, this NDP Review at Regulation 16 is now speculating to align until 2041 but secondly, the S.H.L.A.A. and this A.E.C.O.M. report mirroring, have both been found to be non-technical, superseded and so, discredited.

Both reports today, are unreliable reports to rely upon too, REDACTED, which let's face it, is already now at post-determination stage. This horse is coming way after the cart because unlike the unusual, questionable-to-be-included, reserved-for-new-school site, in truth, "Site-D" is entirely available, viable, deliverable and in fact, ready-to-go, is at post planning determination, just waiting on the phosphate moratorium, EU law or other legal solutions to go ahead in due course.

REDACTED.

A.E.C.O.M. say that the 'reserved' school + 2 x houses site (as was previously assessed and reserved to be), with all of it's perceived constraints known and listed even now, deducing from nowhere, that although the 2012 S.H.L.A.A. report said it could potentially support 18 houses, A.E.C.O.M. are NOW, newly broadcasting REDACTED, while REDACTED about Site-D, with no proper technical assessment or prior pre-planning evidence to back this up for the 'reserved-for-new-school site, that the unknown-if-available, known-to-be-flood zone and known-to-have-access-and-access-level plus powerline, trees and listed-building constraints to overcome, that still, it could be viable to support 18-40 houses, if no school or a school and up to 18 houses!!!?? Yet, the truth still is, that this land is higher, in clear view with more of the landscape and amenity views yet, they support it with this level of "potential" whereas again and by contrast, in this same report REDACTED, Site-D is doomed because 2012 S.H.L.A.A. said so??

REDACTED.

Note: REDACTED

<https://www.herefordshire.gov.uk/downloads/file/24597/consultation-statement>

. . . no matter how the 1st COVID Drop-In public-consultation went, no matter that there is no public appetite for it but REDACTED recommendation is:

Recommendation: Due to the lack of support for any further substantive house building, as well as concerns over the supporting infrastructure, the boundary is tightened and future development is restricted to 1-2 house infills and brownfield. This includes the former Yeomans (brownfield) site for which planning permission for a 10-house development has been granted and is taken into consideration when addressing future housing need. Due to concerns over traffic, the narrowness of the lanes leading off the A4110, as well as the increased risk of flooding, as well as light-pollution, development on these rural lanes is avoided.

It's not clear how further development will impact the planet enough to increase flooding, or if light pollution beside a village built area and a main lit A4110 location would be significantly impacted or REDACTED to Site D are all within 30m of the main A4110 so, we're not talking about any great distance away from the village but, in the village and right in the centre of the village.

There is no evidence for this REDACTED position held, no public appetite, no public consultation statistics to back it up and in fact, just 6 people ever, anywhere REDACTED.

In the responses to the Reg 14 consultation statement respondents, this Parish Council have altered their position REDACTED and responded about the AGM and BlackBox-representation now, as follows:

Page 236 – In order to justify REDACTED, they respond with . . .

“REDACTED was co-opted to the parish council on 4 June 2019 under minute 2019/234. The process (NDP review) started in September 2019 when the decision was taken to review the NDP, and a working group of councillors then met to recommend areas that might be reviewed/ updated in the Pyons Group NDP”

OK good but we say, there were one or two discussions ahead surely, as it would be known that a review is looming, required at some stage soon AND two members of the public REDACTED were already asking about Site-D in the Parish Council meeting minutes much earlier, in February 2019!! There was a build-up and those REDACTED Co-opted Steering Group MOTP, REDACTED

All REDACTED therefore but also, very difficult to claim that people did not know until September 2019 that an NDP Review was coming, is my point.

The 'Black Box' Representation, starts **bottom of Page 300: Noted and No Change ??** This is misrepresenting the fact that the Parish Council themselves, did take this representation from Black Box on board and seriously, did recognise that what Black Box was presenting, was true, that it did (correctly) mitigate against the perceived

constrains of the A.E.C.O.M. report therefore AND spoke correctly about the policies, regulations and about the resulting misalignments, REDACTED.

Page 308 - Black Box state that the removal of Site-D would result in the NDP failing the basic conditions, required by legislation. **Noted, No change see 5.6.** The Parish Council response given on Page 310 is entirely outdated at this Regulation 16 point REDACTED, the Parish Council's own NDP Review is now to 2041 yet, they ignore the emerging strategy alignments required, harking back instead to this old info! They are REDACTED in my view, claiming that, because it hasn't been given figures yet, that HC have a 5-year supply to 2026 (it's now 2023 as I write this so, already becoming out of date) and this Parish Council will adamantly continue, to only offer infills along with just, the successes they claim for having exceeded their 'minimum' targets. Under NPPF policies, aren't they also supposed to take up the slack of neighbouring areas for example? So, by their own success and efforts, they have allowed extra capacity to exist in the areas, but now want to use that 'extra' created to kill-off the priority and already existing allocation which is already 'made'??

Hereford Times: 16th January, 2023: A report by Local democracy reporter, Gavin, McEwan included that the case planning officer had said, . . . **But Ms Carlisle concluded the visual impact would be “only minor”, and that there would be “opportunities for tree and other green infrastructure retention and enhancement” around the houses.**

These would provide “a minor contribution” to new housing in Hereford, “where there is currently under-delivery”, she said.

So, this NDP Review proposal being justified by the author, REDACTED is REDACTED, one which flies in the very face of the whole point of the NDP and the NDP Review process.

So, **looking at 5.6 on Page 314 onwards**, as we're constantly being directed to go and check by REDACTED the author, this Parish Council REDACTED gives a rather glib, non-technical, non-public opinion, non-public consultation reason to

keep Site-D off the review's allocation list . . . and we and everyone reading, will hope that no matter the fate of this misrepresentative NDP Review, as constructed by REDACTED .

this is the Parish Council passing 100% of the responsibility and weight of the planning decision, to the planners.

If nothing else, this is good news right? They are saying, after all of the grant funding and disputes caused, defending, that it's up to the planners so, let's hope the planners do NOT give this reckless and irresponsible parish council any planning-weight ever, when deliberating about Site-D.

Finally at page 418, in response to a another MOTP comment, made about concerns over removing deliverable sites from the allocations: The Parish Council response Notes, **No change** and a statement says: **“It does not promote less development than the CS sets but more, as they exceed the minimum targets” ???**

However, to then use this to take away a site for 30 houses means, you're actually reducing or narrowing that excess or success in my view . . . and are only replacing with unquantified windfall in the areas, which by their own admissions, has had a lot of success with windfall so, my question is, where else will windfall happen in the areas to 2041, if it's been 'used up' so well already?

NPPF Policies: To positively seek and to include to cater for neighbouring areas housing needs too. This Parish Council say on **Page 348**, look how well we've done?? Clearly, the parish council haven't built anything but state: there is no housing need because there are still houses unsold in Pyons Close and Watling Close??? In 2023, they all look sold to me so, a further out-of-date consultation report entry REDACTED.

The NPPF - paragraph 77 sets out that, in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs

This parish council seem to have mistakenly construed that responsive housing need for more and the people's need for no more, are both the same thing perhaps whereas, this policy is definitely talking about where there is provision needed, not prevention wanted.

The NPPF - Paragraph 78 adds that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages **to grow and thrive**, especially where this will support local services

. . . such as near the centre of a village?

To all, we say, **long live Site-D and all who come to live there.**

Thank you for any reasonable considerations that any one determining about, would give to protecting the moratorium suspended existence of the already 2017 'made' housing allocation of Site-D – thank you.

Kindest regards,

Jeffrey Hancorn – REDACTED

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Joyce
Last name	Bull
Which plan are you commenting on?	Pyons Group Neighbourhood Development Plan
Comment type	Support
Your comments	<p>I fully support the Pyons Group Neighbourhood Development Plan Review . I wish to make the following comments. Following an indepth and rigorous consultation process the Group NDP has been democratically formulated taking account of the concerns and wishes of the Pyons group residents.. In this respect it has been determined that tightly defined settlement boundaries as detailed in the NDP review village policy maps PG1 Development Strategy , should apply to all Settlements. This will ensure the integrity of adjoining prime agricultural land will maintain and help to increase biodiversity. Whilst I support Settlement boundaries for all villages within the Pyons Group I wish to comment specifically on Kings Pyon. Kings Pyon is a dispersed settlement with no facilities, (except for St Mary's Church). It has no public transport , no employment opportunities, nor any health or retail facilities , and no schools. Nor does it have any mains sewerage or gas supply. The road network consists of narrow lanes (with no footpaths) , some of which are subject to fluvial and surface water flooding, Kings Pyon is not sustainable. It is noted that the emerging Herefordshire Local Plan 2021 - 2041 preferred "special option" is for development within sustainable settlements . In this respect Kings Pyon would fall within the "open countryside" classification as defined in the Plan. The Pyons Group has already exceeded its housing growth target for 2031. The provision of a tightly defined settlement boundary around Kings Pyon will ensure the protection of adjoining agricultural land and thriving biodiversity. On a further point I wish to say that I support the Pyons Group Neighbourhood Development Review relating to the need for for accessible and well maintained footpaths and rights of way. I respectfully request that the Pyons Group NDP be accepted.</p>



Our ref:
Your ref:

James Latham
Herefordshire Council
Via Email: jlatham@herefordshire.gov.uk

Russell Gray
Assistant Spatial Planner
National Highways
9th Floor
The Cube
199 Wharfside Street
Birmingham B1 1RN

Tel: 07849077545

19 December 2022

Dear James,

Consultation on Pyons Group Review of the Neighbourhood Development Plan

National Highways welcomes the opportunity to comment on the submission version of the Pyons Group Review of the Neighbourhood Development Plan 2022 - 2041. This review updates the previous Pyons Group Neighbourhood Development Plan 2011 - 2031.

We note that the document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.

In relation to the Pyons Group Neighbourhood Development Plan, our principal interest is in safeguarding the operation of the A49 corridor which routes approximately 4km to the east of the Plan area. We understand that a Neighbourhood Development Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Pyons Group Neighbourhood Development Plan Review is required to conform to the Herefordshire Local Plan, which is acknowledged within the document.

Considering the limited level of growth proposed across the Neighbourhood Development Plan area, as well as that already delivered within the Local Plan period, we do not expect that there will be any impacts on the operation of the SRN.

We therefore have no further comments to provide and trust the above is useful in the progression of the Pyons Group Neighbourhood Development Plan Review.

Yours sincerely,

Russell Gray
Assistant Spatial Planner
Email: Russell.Gray@nationalhighways.co.uk



Neighbourhood Planning Team

From: Mid Planning <MidPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 03 January 2023 14:23
To: Neighbourhood Planning Team
Subject: RE: Pyons Group Reviewed Regulation 16 submission neighbourhood development plan consultation - NRW Response NRW:07380766

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

Thank you for consulting Natural Resources Wales on the above neighbourhood plan.

We have reviewed the plan and have no comments to make, but refer you to Natural England as the Appropriate Nature Conservation Body (ANCB) to consider the Plans proposal further.

Kind Regards

Bryn Pryce

Tîm Cynllunio Datblygu / Development Planning Team

Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffôn / Tel: 03000 654696

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy / Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi / Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.

Neighbourhood Planning Team

From: HINDLE, Joanna (NHS HEREFORDSHIRE AND WORCESTERSHIRE ICB - 18C)
<joanna.hindle3@nhs.net>
Sent: 28 November 2022 10:24
To: Neighbourhood Planning Team
Subject: RE: Pyons Group Reviewed Regulation 16 submission neighbourhood development plan consultation

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Good Morning,

Thank you for notifying NHS Herefordshire & Worcestershire Integrated Care Board (ICB) of the Pyons Group Parish Council Regulation 16 Neighbourhood Development Plan consultation.

NHS Herefordshire & Worcestershire ICB has no direct comment on the plan, but welcomes the Community Action for the Parish Council's plans to provide access to broadband and mobile communication technologies, which is of benefit to the provision of healthcare into rural communities.

Kind Regards,

Jo Hindle

Primary Care Contracts Officer

NHS Herefordshire and Worcestershire

01905 896985 | 07521 059078 | joanna.hindle3@nhs.net



OBJECTION

Pyons Group Parish Council

Your Parish council = The closest tier of government to you. The voice of local people.

Introduction:

I and others, including the landowner and the expert planning consultants for the developer, have already made extensive representations to object to the Pyons Group DRAFT NDP Review at the Regulation 14 Stage (**Reg 14**), a public consultation event held back in February-March 2021 and so, the following is an attempt to plough through this gargantuan topic once more . . . , but to highlight and focus minds in on the NDP anomalies still apparent.

Let it be known that the Parish Council (PC) and clerk have done their best REDACTED.

Let it be known that following the phosphate moratorium suspension of NDPs and NDP reviews, soon after March 2021, the Representation 14 Consultation Responses were never made public, not until we read them in this Christmas and New Year, REDACTED Regulation 16 Stage window! This isn't open.

Let it be known that the Parish Council took the representations, particularly from 'Black Box', the 'expert' planning consultants to the developer and agreed in their 4th May 2020 minutes, that these had sufficiently mitigated against the perceived 'technical' constraints from AECOM used, which itself uses discredited information from an old 2012 SHLAA assessment report and so, they decided correctly, to leave "Site D" alone and to go back and have a 2nd Regulation 14 Stage.

However, let it be known that the people we see REDACTED to block "Site D" REDACTED.

So let it be known REDACTED, they went on to reverse that PC AGM decision, to U-Turn the PC right back to their original REDACTED on "Site D" and there is plenty of real and circumstantial evidence to support this true view.

Let it be known for example that they are ignoring the good Representation 14 voices and advice therefore, mitigations which discredited both of those reports, to then use the very same AECOM and 2012 SHLAA report rhetoric, rehashing REDACTED. They all go on to REDACTED in their objections and petitions doorstep only since the application went live in September 2021 and so, to this Regulation 16 Stage in December 2022, with their consultation responses and especially feeding into REDACTED.

So, these anomalies continue to be presented here - in the "[Consultation Statement](#)" still too, (click to follow) Appendix 10 – Responses Table = MOTP, scroll down to the bottom of Page 142 onwards.

These are responses from the PC but which there are questions about if the PC & Steering Group (SG) even understand the regulations and how to achieve allocations.

I will also show a time-line (later, below) of what we see as this PC REDACTED and the REDACTED, resulting in a financial/commercial opportunity invested in, NDP "Site D", a good opportunity for the Pyon Group areas to have a sizeable allocation to go forward to 2041 in their NDP review, a site already at post-planning-determination stage, but only held-up due to the phosphate-moratorium.

We aim to use this time-line coupled with the responses in the 'consultation statement' to support our robust view that this NDP Review has been, . . . REDACTED. These were REDACTED which we would argue and show, were not altogether, a true reflection of public-opinion gathered nor the results collated but so, with only the extremely low, 'minority view' of 6 people taken forwards to inform this whole process, to reverse the 2017 NDP referendum opinions of the 91% who voted "YES" to that and so, any resulting NDP Review can only be described now as flawed, as wrong because of the REDACTED.

There are questions to be answered about WHY an existing NDP allocation site that had already been considered and already went through the process, and as the old Clerk, REDACTED rightly points out, was extensively consulted about, why they would use grant-funding to go back and make a technical assessment about it again? To contrast (*and compete with "Site D"*) REDACTED after the Reg 14 representations received by the PC, about deliverability/developability, availability in NDP terms, about ownership, REDACTED, about using grant funding to survey 'the other, so called allocation' of private land, REDACTED . . . REDACTED when the PC U-turned to object to this planning application P313332/F for "Site D" REDACTED. Complete speculation of course but we could also ask, REDACTED.

However, for now, while a lot of this is intertwined, let's try to stick to the reasons why we conclude that this particular Pyons Group NDP Review and process is flawed, REDACTED and is still clearly misrepresenting against the majority view.

Using PC and SG minutes, we hope to show the time-line about how and when REDACTED, joined the PC & SG during the initial NDP Review build-up in 2019, to show their roles in relation to forming PC, SG AND public opinions about "Site D" during a REDACTED public consultation event, held at the village hall, what we had previously framed as the "COVID-Drop-In-Event" (C-DIE), on 14th & 15th March 2020, having REDACTED and which altogether, REDACTED then used by them at this Regulation 16 Stage, to REDACTED "Site D" . . . and to demonstrate that in particular, anyone can see that REDACTED that is NDP related, since kindly being co-opted to the NDP Review steering Group at the end of 2019 and by his volunteering to collate, assess and to create various public opinion, floods, housing need comments to the process reports and his own non-expert reports proffered too.

It should never be the case that just one (or two) person/s, more or less throughout, REDACTED view of just 6 consultation respondents, who has the REDACTED.

The application P213332/F for “Site D” was for 33 x 100% affordable houses REDACTED. It has since reverted to 30 mixed houses and is now a policy-compliant, ready-to-go, post-determination opportunity, upon a 2017 NDP ‘made’ land-allocation.

REDACTED.

They also since, have doorstepped REDACTED, using as their objection rationale, the same older 2012 SHLAA and AECOM discredited information which they know not to be true, with a regurgitated and repeated list of falsehoods in objections now, and it became repeated almost word for word, in petitions REDACTED to this planning application, still warning of the ‘dangers of Site D’ .

This is REDACTED, making it clear and that altogether objecting therefore, they managed to get this PC to have no choice but to U-turn away from that earlier AGM decision to leave “Site D” alone.

“. . . copied REDACTED into this, since he has taken the lead locally on warning of the dangers of developing this site”.

No one should really care, right! Nimbyism is normal and should be expected right and as the NDP coordinator for Herefordshire Council Ms Banks says, it’s in the PC’s gift to get this all wrong. However, our concern here is, . . . that if allowed to succeed unchallenged, while this application sits waiting in good faith for an expensive moratorium ‘credits’ solution to materialise, with hands firmly tied otherwise but with the suspension since lifted for NDPs, to carry on and giving an advantage to ‘proper’ NDP agendas emerging yes, but we are warned that emerging NDPs may retrospectively carry more weight in planning terms. So, there is a possibility that if the Pyons Group pushes this through unchallenged, “Site D” might retrospectively suffer the consequence and we cannot allow that to ever happen, not on my watch, not when it’s at this final hurdle and can appeal, not when it’s so heavily invested-in with time and money spent and so, NOT when we can clearly see the REDACTED.

So, this is a general complaint/representation to Herefordshire Council at this Regulation 16 Stage, about this PC’s NDP Review request to DELETE the existing 2017 NDP ‘made’ allocation, known as “Site D”.

Let’s all remind ourselves again that “Site D” and other allocations were adopted into HC’s strategies and figures for house building and proportionate growth, a result of a large 32% turnout referendum in 2017, whereby 91% of the local Pyons Group people voted “YES” in favour of it.

We strongly believe that this SG, REDACTED misinterpreted Ms Banks’ original NDP review guidance from HC in January 2020 (more below), when talking about reducing allocation numbers at the start and then, when planning the first public consultation, REDACTED, showing reserved land as YELLOW (previously in the same 2012 SHLAA map as RED, described as having too many constraints) and presenting NDP “Site D”, the only remaining larger site, by colouring that in RED!

To show the whole of the ‘current boundary’, the arrow for that, points directly at the outer edge of “Site D” and altogether, subliminally and effectively warning about it, to a low-turnout audience, at that first COVID-Drop-In-Event on 14th & 15th March 2020 ahead of the first national ‘full’ lockdown. It was therefore an event along with the super-low online/electronic input which they REDACTED justify as available to access, so they can continue to push forwards with such a low regard for public safety, and even after all of that, REDACTED promote a minority position of just 6!!

No matter REDACTED “Site D”, all they could really ask was (*and why would an NDP review consultation ask this???*) do you think the Development Boundary (DB) should change? One would imagine that people would naturally be inclined to say “yes, let’s make it smaller” to that question. However, to that question, just under 50% said leave the development boundary alone, they didn’t want it to grow or shrink. THIS was the majority of nearly 50% and whilst some of that group didn’t want any more larger scale developments beyond

that, they did NOT specifically say anything regarding, not wanting "Site D". The PC Reg 14/16 Consultation response reads as follows:

*There was a common theme that following recent developments, the village has grown enough. **Just under a half of respondents do not want to see changes to the boundary**, although this sometimes conflicts with the same respondent not wanting any further development. This could be due to seeing further changes to the boundary being linked to further enlargement, rather than "tighter" managed control. Approximately 40% of respondents specifically expressed that they would like to see the boundary being tightened including not wanting to see development on the side roads, including Site D (an issue raised by 6 respondents (18%).*

Firstly, to say "*although this sometimes conflicts with the same respondent not wanting any further development*", this 'conflict' perspective, is a personal opinion of the author. *How does this 'conflict' if one can have both conditions at the same time?*

Secondly, am I missing something here?? Never mind that this event should have waited for better public inclusionary opportunities, **isn't the majority of public saying, leave the boundary alone**, no matter a proportion may say no to further developments but still, together, this is not expressing to reduce the boundary AND to get rid of Site D. Whereas, the minority 40% group they choose and prefer to focus on, because they do want to shrink the boundary, but it is still a super-minority of those 40%, just 6 people (12-13%) in fact, . . . who specifically want to shrink the boundary by getting rid of "Site D".

In the PC's consultation Statement responses also:

From the drop-in consultation and completed questionnaires it is concluded that the majority of respondents (62%) do not support further development in the village. The exception to this being acceptance of development on redundant brownfield sites and 1-2 house infills (49% of respondents).

Breaking it down properly, this 6 people is in fact just a 12-13% of the total respondents, not 18% and if we take the 62% of 51 respondents not wanting more larger developments but take away the 49% who said "but they wouldn't mind smaller developments" well, that leaves accurately, the 12-13% we are talking about, a super-minority group of just 6 people in fact, whose views this PC seem to be selectively promoting to reverse the views of the 91% massive majority of a large 32% turnout of local people who voted for "Site D" to exist in the first place!

So . . . WHY or HOW with integrity, has this PC & SG ignored the majority views from 2017 AND from the 1st public consultation? REDACTED that's why. REDACTED.

With no one else asking except this SG REDACTED, here is a further example of REDACTED: *In addition, **the Steering Group believe** that the village "hub", currently defined as the shop, pub, village hall and playing field is too elongated (approximately 440m, or 40% of the length of the settlement). This has led to confusion over where the centre of village life is, especially in social terms. In order to better define the hub, and to reflect pattern of life activity, it is recommended that the "hub" is redefined as the Village Hall, Playing Field and adjacent Car Park and Bus Stops. These are seen as natural areas where members of the community meet as groups. In the case of the bus stop, this is also the pick-up and drop-off point for the school bus, and therefore represents a natural point for social inter-action for those parents with school-age children.*

??? *Aside from stating the obvious, REDACTED? There are no justifications here REDACTED.*

This incredibly uncalled-for idea by this SG, seeks to redefine the 'historic real' centre of the ancient village of Canon Pyon, giving more credence to a bus stop and a car park for people to 'meet and socialise' at, over a listed pub (*an historical coaching hotel and grocery store combined, since the turn of the century before last etc. and run but the same family for generations, REDACTED but not mentioned in the NDP 'history' preamble?*) and a thriving village shop???

REDACTED if car parks and bus stops are enough of a reason to move the historic centre of an historic black and white village??

Like "Site D", perhaps just leave things alone????

In any event and no matter the REDACTED public opinion gathered, we still maintain that the first public consultation event REDACTED and did REDACTED "Site D". Well of course, Site A (Pyons Close) & Site B (Watling Close) were already built by then. Site C (Yeomans contaminated land) was seen as 'an eyesore' so people asked, were keen for that to stay in the NDP to get built (but super-unlikely to ever get built) and the only Canon Pyon Site allocation remaining in that consultation, and so, framed, . . . is "Site D".

So however, their public consultation event pushed, produces the opposite result than what they then go on to take forward to 'judges houses', as public opinion. Using just 6 people, and against a 91% of a 32% majority who voted for the NDP in 2017, they go forward to Reg 14 regardless, REDACTED "Site D".

This is just wrong and we let them all know, as best we could back then, at the Regulation 14 Stage but this time around, we are looking more closely at the first NDP public consultation event REDACTED, how it was REDACTED and how and why REDACTED managed to push REDACTED, to this Regulation 16 Stage.

As we keep highlighting, the PC correctly identified and agreed with us in May 2021 but then, they U-turned REDACTED on "Site D" reinstated, when our application went live in September 2021. They do all of this while REDACTED still presenting a 'reserved-for-new-school' land and now with houses, which appears to be unavailable land to the NDP to be declared as an 'allocation' and/or counted, to continue with "Site C" also, which may never get built because it is 'contaminated' land, making it too prohibitively expensive.

So on top of what we highlight about framing, these PC & SG members are expecting to rely upon such numbers counted from these 'undeliverable' and/or 'undevelopable' allocation sites, to ask for more houses on that 'reserved' land, while asking to get rid of houses entirely for "Site D". Their argument about success and having achieved such good BUT 'minimum' target figures, as rationale to delete "Site D" can be rubbished by this. It begs the question, why not aim for and ask for both? If they are both already in the NDP then, it would be a simple task to re-instate the NDP as adopted AND would consider the extra years to cover to 2041 to some extent for now. It makes no sense is what I am saying and the reasons are because the background rationale is simply REDACTED.

This ladies and gentlemen, if this goes unchallenged and is allowed to succeed then, this is all making a mockery of the NDP Review and process, it is entirely undemocratic if one agrees that the founding principle of a majority of public opinion gathered isn't used properly to inform this NDP Review correctly and displays REDACTED.

Just wondering if anyone reading is remembering that, in order to prepare for necessary 'growth', the Neighbourhood Development Plan (NDP) regulations and processes are supposed to be there, in place to help deliver local growth contributions, ushered in by REDACTED parish councils working towards that constant goal REDACTED, to facilitate the necessary regulatory-alignments required in law via NDPs, to get local house building allocations made into law therefore and so that local plans are carrying the necessary protective weight desired, in planning terms, as they are supposed to be able to do!!

For those who don't know or have moved to the areas in recent years since the 2017 NDP was first created, these NDPs are achieved following extensive public consultations of course and eventually, with local NDP referendums for the local population to vote in, such as the 2017 Pyons Group NDP. This gave for example, the opportunity for new people to come and live in new housing 'allocations' here in Canon Pyon, under that NDP, now benefitting many new people therefore who would not otherwise have had the ability or opportunity granted, to move to the area in very recent times, a good NDP therefore to provide house building opportunities for those centrally prescribed but evolving, housing rolling targets, always emerging.

However, . . . if we let REDACTED such as we put it to those reading and to those REDACTED within this Pyons Group Parish Council and NDP Steering Group then, the NDP system seems doomed to fail us all.

I mean, I could just stop there but also, they have not done a call-for-sites, the deletion of “Site D”, aside from being uncalled for, is presenting an NDP review with no alternative substantial or substantiated allocations to replace it to 2041 and means that this NDP in my view, cannot be re-‘made’ into law!

The SG’s initial interpretation of Ms banks’ ‘reduction’ guidance/suggestion in January 2020, is an error in anyone’s view and all never mind the myriad of ‘other’ questionable regulatory or statutory factors regarding ‘alignment’ with the emerging strategy, the ‘success numbers’ or ‘percentages’ REDACTED claimed, about what were only ever **“minimum target figures”** anyway and the **‘minority of public opinions’** used, with other REDACTED ‘allocations’ and ‘reservations’ which perhaps, should never have been counted or in the NDP in the first place. They now rely upon such flimsy consultation results REDACTED, along with all of this REDACTED, with undeliverable figures to count so as to not count REDACTED “Site D”.

Finally, this REDACTED is beyond the pale. We sincerely hope that HC at this Reg 16 Stage, will force this PC to go back to the beginning and start this NDP Review process properly, with a call-for-sites and with more scrutiny and integrity. Keep in mind the weight of support that ‘made’ this Pyons Group NDP and stop them REDACTED with “Site D”! REDACTED

Let me please emphasise to all involved, determining and reading this, . . .

[that if it were not for the phosphate moratorium since October 2019, this legally ‘made’ housing opportunity prescribed under NDP law in 2017,](#)

[could have been built by now in 2022!](#)

Haven’t we ALL got better things to do and consider?

Continued

So, here we go TIME-LINE of **minutes**, with **extracts, highlights and comments**

. . . . to highlight the lack of public interest and the PC REDACTED as follows:

2017 – NDP “Site D” is ‘made’ into law following whopping YES vote in a local referendum.

2018 – The landowner invests with transport consultants Cotswold Planning to test if access constraints could be mitigated regarding Mill Road and access to the A4110. This produced positive feedback.

February 2019, - With only four MOTP in attendance:

2019/159 VIEWS OF LOCAL RESIDENTS

Two members of the public asked about plans for development of Site D in the neighbourhood development plan. A surveyor has been seen taking measurements on the site and was reported to have said that a planning application is being worked on.

The Clerk said there have been no planning application notifications for Site D received from planning services, Herefordshire Council. Development of the site is a matter for the landowner and is subject to the usual planning application process. The group parish council was asked how Site D was selected for housing in the neighbourhood development plan. The Clerk said the neighbourhood development plan was consulted on extensively and has been adopted by Herefordshire Council.

March 2019 – No MOTP attend and no discussions about NDP or Site D.

May AGM 2019 -

2019/208 VIEWS OF LOCAL RESIDENTS

There were no matters raised.

2019/217 MATTERS RAISED FOR NEXT MEETING (no discussion)

No matters raised.

June 2019 – 11 MOTP to talk about planning adjacent St Marys Church in Kings Pyon only but other than that, no mention of “Site D” nor any NDP Review yet. For the first time, we see

2019/234 CO-OPTION TO THE GROUP PARISH COUNCIL

REDACTED was co-opted to the parish council to represent Canon Pyon Parish. REDACTED signed the declaration of acceptance of office and joined the meeting.

2019/235 MATTERS RAISED FOR NEXT MEETING (no discussion) – None.

July 2019, with 1 MOTP

2019/240 VIEWS OF LOCAL RESIDENTS

There were no matters raised.

2019/252 MATTERS RAISED FOR NEXT MEETING (no discussion) – None.

September 2019 – 5 MOTP and REDACTED in attendance & for the first time, 1 member of the public is asking . . .

2019/257 VIEWS OF LOCAL RESIDENTS

Members of the public present asked about planning application 191655 Land adjacent to St Mary’s Church and **the Pyons Group Neighbourhood Development Plan.**

2019/264 PYONS GROUP NEIGHBOURHOOD DEVELOPMENT PLAN (NDP)

A member of the public asked whether the plan can be updated to highlight areas where no development is possible. **A member of the public raised concern at the viability of one of the housing allocation sites and said there was a sewage leak recently by the brook in Canon Pyon.**

Herefordshire Council's neighbourhood planning team has provided some information on updating a neighbourhood plan but does not have a guidance note or an update on the status of the **Core Strategy review scheduled to begin in 2019**. As the neighbourhood plan needs to be in conformity with the core strategy, a review of the county plan may affect parish neighbourhood plans. The group parish council resolved to review the **neighbourhood development plan** and formed a **working group** of councillors for this purpose REDACTED,

Note: By September 2019, the landowner has completed pre-planning with HC case office – Chloe Smart.

1st October 2019 – with REDACTED now on the NDP working group and 8 MOTP in attendance, one member of the public, REDACTED, is asking again and commenting upon the PROW to Brookside across the field from Mill Road (*which is actually a dead-end PROW anomaly*), . . .

2019/279 VIEWS OF LOCAL RESIDENTS

A member of the public suggested steps are installed to reach the stile on Mill Road, Canon Pyon, which accesses CP19 towards Brookside. **A member of the public asked about the inclusion of Site D in the neighbourhood development plan.**

2019/286 PYONS GROUP NEIGHBOURHOOD DEVELOPMENT PLAN (NDP)

The neighbourhood development plan working group reported on a meeting held in September, and recommended sections of the NDP to review. The recommendations were supported by the parish council. REDACTED kindly agreed to attend Herefordshire Council's NDP review workshop on 6 November 2019.

2019/292 MATTERS RAISED FOR NEXT MEETING (no discussion) – s106 funded highway improvement projects at Canon Pyon.

Note: - **October 2019** but with no mention, is when the phosphate moratorium was introduced

12th November 2019 – with REDACTED on the NDP working group and 8 MOTP in attendance

2019/297 VIEWS OF LOCAL RESIDENTS

There were no matters raised. Yet . . .

2019/298 LAND NORTH AND WEST OF MILL ROAD AND SOUTH EAST OF BROOKSIDE, CANON PYON

It was noted that sales particulars have been made publicly available for potential residential development of site D in the neighbourhood development plan. The particulars include an indicative layout for 28 dwellings and development of the site is subject to planning permission by Herefordshire Council.

Members of the public said site D in the neighbourhood development plan should not be developed, as the site had been rejected by Herefordshire Council on highway grounds (2012 SHLAA) when assessing land with housing potential in Canon Pyon in 2012. It was felt that **development in Canon Pyon since 2011 has exceeded the guidance figure, and that more houses will place undue pressure on services including the school and sewage system. Mill Road was reported to have had extensive surface water flooding following heavy rainfall in October 2019. A request was made to consult with local people. A response from Welsh Water in respect of the sewerage infrastructure at Canon Pyon was noted. **The parish council resolved to include site D in a review of the neighbourhood development plan.****

2019/306 **PYONS GROUP NEIGHBOURHOOD DEVELOPMENT PLAN (NDP)** REDACTED provided a short report on the core strategy update and neighbourhood planning review workshop held by Herefordshire Council in November 2019. It was agreed to schedule a full meeting on Wednesday 4 December 2019 to look at the next steps.

4th December 2019, with REDACTED and 7 MOTP,

2019/321 **VIEWS OF LOCAL RESIDENTS**

Members of the public raised concerns about the proposed plan to develop land to south of Meadow Drive, including wet clay, and development away from the village hub as set out in the neighbourhood development plan.

A member of the public REDACTED provided a written analysis of housing allocation 'Site D' in Canon Pyon and asked that it is considered as part of the review of the Pyons Group Neighbourhood Development Plan.

We say that this REDACTED.

2019/324 **NEIGHBOURHOOD DEVELOPMENT PLAN (NDP)**

It was agreed to inform Herefordshire Council that the neighbourhood development plan is to be reviewed. *The risk that the plan may require a further review to be in conformity with the emerging core strategy review was noted.*

The recommended areas to review that were agreed on 1 October 2019 will be shared with Herefordshire Council in order to provide a focus for advice and guidance from their neighbourhood development team.

The parish council agreed to work with a planning consultant on the review of the neighbourhood development plan. The steering group will hold an initial meeting with the contractor that previously advised the parish council on the neighbourhood development plan.

A member of the public asked for the review **to consider the capacity of the school, roads and sewage works.**

The parish council agreed members of a steering group comprising REDACTED and the Clerk. A member of the public, REDACTED, kindly agreed to join the steering group. Completion of a neighbourhood planning review questionnaire from Herefordshire Council was delegated to the Clerk.

Then January 7th 2020 with 14 MOTP but not talking about the NDP or Site D . . .

2019/340 **NEIGHBOURHOOD DEVELOPMENT PLAN** (NDP)

The meeting noted that Herefordshire Council's neighbourhood plan team and planning consultant who advised on the Pyons Group NDP have been asked to attend the first meeting of the steering group. (Ms Banks) The parish council asked the steering group to plan for a consultation event, and to make best efforts to obtain an alternative quotation for planning advice in line with the financial regulations of the parish council. A budget of up to £500 was agreed to support the consultation event. Members of the steering group agreed to meet on 22 January 2020.

2019/346 **MATTERS RAISED FOR NEXT MEETING** (no discussion)

In January 2020, IMPORTANT - with REDACTED with Ms Banks representing Herefordshire Council as the NDP coordinator in attendance, along with planning consultant Mr Bloxsome together; . . . we see . . .

[SG-Notes-22-January-2020.pdf \(pyongroupparishcouncil.gov.uk\)](#) (click to follow but here anyway . . .)

“ . . . 5. Assess NDP review process with Herefordshire Council and planning consultant, and initial list of areas to review that have been agreed by the parish council

Ms S Banks provided an overview of the review process, and that moderate and substantial changes will require examination and in the case of substantial changes a further referendum before the NDP is remade (or adopted) by Herefordshire Council. Examples of substantial changes include housing allocations, sites and settlement boundaries. Minor reviews will not result in the NDP being remade. A site can be just 1-2 houses and might be identified in settlements outside of Canon Pyon. Under the NPPF an NDP requires a housing allocation site in order to be made or adopted by the planning authority.

The legislation requires a Regulation 16 public consultation which is carried out by Herefordshire Council. However, it is recommended to undertake a local six week consultation, including external consultees, before this.

There is **no requirement for a call for land if the site allocations remain unchanged**. A call for land will extend the time taken to do the review, and the submissions received will need to be assessed in line with current guidance which has become more rigorous. **One option to consider is to reduce the size of remaining site allocations, to reflect the delivery of housing under Herefordshire Council's core strategy.**”

Note also: They have been unable to get 3 x quotes from planning consultants to feed into this review, as their own PC financial regulations stipulates. They have not carried out ANY call-for-sites even though, Ms Banks' advice is that they can only avoid a CFS only if there are no changes to the allocations . . . but they are DELETING "Site D"???

REDACTED.

No, I think they took and REDACTED open-ended advice to then take that and run with it to support their REDACTED, to delete "Site D" come what may!!

With only 3 MOTP in attendance but REDACTED not, . . .
we see in **February 2020** . . .

2019/352 **VIEWS OF LOCAL RESIDENTS**

There were no matters raised by the members of the public.

2019/359 **NEIGHBOURHOOD DEVELOPMENT PLAN (NDP)**

Notes and recommendations from the steering group from the meeting held on 22 January 2020 were approved. The updated list of proposed areas to include in the NDP review was agreed. There will be a consultation event in March 2020 to invite views and participation from members of the public on areas of the NDP to review.

2019/364 **MATTERS RAISED FOR NEXT MEETING** (no discussion) – None.

The **March 2020 - COVID Drop-In-Event** takes place and the rest is history!!

In **7th July 2020** . . with 5 MOTP but asking about other matters , , ,

2020/60 **NEIGHBOURHOOD DEVELOPMENT PLAN**

The Clerk reported that the parish council has been awarded a grant of £9,810.00 to support the NDP Review. The grant will support the NDP Review process and plan set out by planning consultancy, Kirkwells, when appointed in March 2020 (2019/375). An additional award for technical support will allow for the independent assessment of land and also a potential design code. The parish council agreed to request that the independent land assessment reviews the remaining allocation sites in the neighbourhood development plan and that constraints highlighted in the 2012 SHLAA conducted by Herefordshire Council, and by the steering group are given due consideration in the assessment.

2020/66 **MATTERS RAISED FOR NEXT MEETING** (no discussion)

Still by **20th July**, in this SG Meeting, Kirkwells (the consultants paid) had produced the first DRAFT of the NDP

6. Review of draft NDP Review document: The first draft of the NDP Review document prepared by Kirkwells was reviewed. Areas requiring additional input, which are highlighted in red text, were agreed. At the request of the planning consultant, the additional information is to be submitted to Kirkwells via the Clerk. The deadline set for the additional information to be available is 24 August 2020.
7. Review process for assessment of housing allocation sites in the NDP: The approach proposed by AECOM, the company that will be undertaking the land assessment, was agreed.
8. Report on drop in consultation on 14-15 March 2020 – Deferred to next meeting.

So, the NDP review is underway at this point BUT without the necessary driving public-opinion conclusions of the C-DIE REDACTED, to feed into that process?? REDACTED

This C-DIE report was not produced to the SG meetings until August 2020?? By then, the AECOM 'technical assessment' draft report had also not yet been produced. Yes, they are already now underway with a 2nd version of the DRAFT NDP to consider???

20th August 2020 – with only 2 MOTP – nothing is mentioned about the NDP whatsoever.

2020/76 **MATTERS RAISED FOR NEXT MEETING** (no discussion) – Concrete base at Club Room for telephone kiosk and report on footpaths.

1st September 2020 – with only 4 MOTP

2020/83 **VIEWS OF LOCAL RESIDENTS**

There were no matters raised.

2020/88 **NEIGHBOURHOOD DEVELOPMENT PLAN**

The parish council considered the following documents: **Report on the drop in consultation** in March 2020 and **report on flooding** at Canon Pyon. Both reports **including steering group recommendations in the drop in consultation report** were supported unanimously. It was noted that a draft of the NDP Review document will be considered at the next meeting and the independent land assessment report has yet to be completed.

2020/96 **MATTERS RAISED FOR NEXT MEETING** (no discussion) – None.

??? Here we finally have the long awaiting COVID-drop-in Report which took so long because REDACTED, spent 6 months producing an extensive flooding report for Canon Pyon REDACTED but here we have the PC REDACTED, unanimously just accepting the 'recommendations within, coming from the SG about that C-DIE?? REDACTED. What were those 'recommendations I wonder?? It should have been, to leave Site alone as the majority view indicated!!

If considering the total turnout of 51 respondents, 6 people is in fact 12%, not even 18%! But clearly, REDACTED

6th October 2020 – with just 4 MOTP attending, but discussing other matters . . .

2020/106 **NEIGHBOURHOOD DEVELOPMENT PLAN**

The parish council considered the following documents: draft AECOM report and draft NDP Review document. **The AECOM report, including steering group comments on the report, was supported.** The parish council supported the direction being taken in the draft NDP Review document and agreed that the document should go to **Regulation 14 public consultation** once it has been finalised.

2020/113 **MATTERS RAISED FOR NEXT MEETING** (no discussion) – Speeding through Westhope village.

On 10th November 2020 – with just 2 MOTP attending . . .

2020/119 **VIEWS OF LOCAL RESIDENTS**

There were no matters raised.

2020/123 **NEIGHBOURHOOD DEVELOPMENT PLAN**

The parish council agreed the draft NDP Review document, Environment and Ecology report and supported AECOM's response to comments on the draft report. Members of the steering group were thanked for all their hard work and for doing a superb job. Herefordshire Council expects to complete the HRA and SEA documents early in the new year. The parish council agreed to ask the steering group to plan for a Regulation 14 public consultation on the draft NDP Review document in early 2021.

2020/131 **MATTERS RAISED FOR NEXT MEETING** (no discussion) – Community resilience plan.

5th January 2021, - with 5 MOTP but one only asking about speeding . . .

They then are preparing for the 1st Regulation 14 and the rest is history!!

Further evidence now of the REDACTED to the application:

Before but especially since this “Site D” planning application went live on 31st August 2021, these PC and steering group people and those doorstepped/petitioned objecting . . . REDACTED.

See here for example form the collective REDACTED - [documents \(herefordshire.gov.uk\)](#) Not only do these people keep misrepresenting the AECOM REDACTED, they bang-on about 5 year targets which they claim to have over exceeded yet, Site D appears to still be included in those totals, which gives that perspective they seem to want to benefit from AND none of this, since those targets were given out in 2015, are as relevant today in 2022/2023 when we ALL know now that housing growth and REDACTED are two of the big national issues being talked about, never mind that no PC, until this one in the Pyons Group areas, has ever asked to delete or reverse a ‘made’ NDP allocation or public NDP referendum result before, to ask an independent examiner and the people who had the original referendum again, to get rid of just the one NDP allocation they have left approved, for just circa 30 houses, REDACTED like it would somehow be as impactful as “Sizewell” !

Well it's not Sizewell, HS2, it's not a spectacular wind-turbine array, plastic polly-tunnels, shiny solar panels or a traveller site yet but a relatively small 2nd line (*hidden from the main through-road*) group of circa 30, mixed, everyday houses behind the existing and protected hedgerow and existing back garden fences, designed to be also facing into it's own driveways and with landscaping with new trees planted for additional screening and all typical, down on low ground alongside, within the 2017 NDP allocated development boundary, as a ‘made’ allocation for such development voted for and sitting in the most inconspicuous village built line therefore, conveniently right up among and right beside existing period, bungalow and ex-council style housing and the existing skyline, pushing out no further from the village as they already do, houses in close-proximity therefore, to all village services and amenities and so, houses which now includes just some affordable houses in the mix as opposed to the 100% affordable houses (*as was the original plan objected to, when the application first went live in September 2021*) so altogether, it's just good houses, where the REDACTED and PC itself did prescribe for there to be such houses and people living in their 2017 NDP so, where they should still be permitted to be built and to live in.

See here also for the second-collective of REDACTED local people door-stepped for a further objection petition to this good application - [documents \(herefordshire.gov.uk\)](#) The same REDACTED as the last example, has all been pushed on those doorsteps by this PC and steering group steering, with the thread of REDACTED. This campaign must be ignored by the planners and this NDP at regulation 16 should be stopped in it's tracks!!

Look at it: Anyone would think that the people (doorstepped with this repetitive and disproven list of doom) ‘allegedly’ combining in this joint objection, REDACTED. These petitions objections should be a discredit.

See here for another repetitive example, *as this personal objection from REDACTED also mentions the AECOM report which had been at that time again, already been mitigated about/against, as proven in the 4th May 2021 AGM meeting REDACTED where this changed the policy and where the PC decided to not delete Site D (but later U-turned REDACTED, when this application went live in September 2021)!!* – [documents \(herefordshire.gov.uk\)](#)

See here again for REDACTED, who REDACTED to say that the land (Site D) had already failed 2 x technical surveys . . . so, read the first paragraph REDACTED again against “Site D” - [documents \(herefordshire.gov.uk\)](#)

See here too, in the first paragraph on page four of the first REDACTED objections from REDACTED with photos – [documents \(herefordshire.gov.uk\)](#) All of the examples of flooding by the way, are matters for the PC and Balfour Beatty to resolve together but which until recently, have NOT been on the PC agendas, REDACTED to explore why culverts and ditches are not being funded to be managed in all of the surrounding lanes flooding.

See here too : If one also takes a look at the late [objection REDACTED here](#). REDACTED, and that those in Patrick Orchard between 'Canon Court' and with back gardens leading to "Site D" objecting behind that, did also all come to benefit from REDACTED 'developing' those few houses and bungalows in Patrick Orchard, to be built around Canon Court, all just before REDACTED had moved in, [REDACTED](#), which they now benefit from living in but objecting to REDACTED "Site D" still and so, objecting to others now having such developments and opportunities to also come "from off", to live in Canon Pyon, as we had given to them back then.

Again, in REDACTED final sentence, he clearly states that he has

". . . copied REDACTED into this, since he has taken the lead locally on warning of the dangers of developing this site".

There we have it. REDACTED.

Check this example text out below. In his first-objection, [REDACTED](#), says almost word-for-word, the same falsehoods he gives to others, all over again, things which can be shown that he now REDACTED, for example saying :

"The site has failed two technical inspections, the 2012 SHLAA conducted by Herefordshire Council Wrong : it didn't fail it just wasn't perceived as being as ready-to-go as others might be back in 2012 and based on data from 2011 and before that, much in the same way as the NDP 'reserved-for-new-school' land, land which originally was asking for consideration for 40 houses BUT which everyone, including the 2017 NDP must have agreed, had much worse constraints, described in fact as (Land with Significant constraints), and a 2020 survey by AECOM carried out as part of the Pyons Group NDP review. Which although grant funded and although claiming to be a 'technical' report, was conveniently informed by the same old 2012 SHLAA list report as highlighted and used the same old outdated, proven to be mitigatable, REDACTED and anecdotal flood factoring reports that the kindly REDACTED continues to use to this application today!! Both describe the site as unsuitable due to relying on a narrow single-track rural lane, lack of space for a pedestrian walkway, location, and, poor sight-lines onto the A4110. All things since mitigated about and policy-compliant, if you ever cared to ask the landowner together and find out, using expert transport and highways consultants and surveys since 2019, paid for by the land-owner and the developer since so, not correct to state at all! Whilst it was included in the original NDP, its inclusion went against the terms of reference for the NDP group, which was reportedly to consider only those sites identified in the SHLAA.

Nonsense ! REDACTED. The more recent NDP Review, currently in draft form, supported by the independent AECOM survey . . . misrepresentation again because, check [THIS OUT](#),

and scroll down . . . corrects this error. It's not ever an error, it's REDACTED again and reflects the views of local residents identified during public consultations." **Rubbish!** I mean I already visited all of this subterfuge about public opinion misrepresented above. While it may be correct to say to some degree but only the views of 6 people surveyed perhaps as you said, REDACTED.

Above all else, THIS is a further misrepresentation of highest order coming from REDACTED because of the low participation and REDACTED.

This is REDACTED who presented the first non-expert housing assessment report; as a MOTP, to the PC in 2019 and a further non-expert area flood-report with photos about one day in the life of Canon Pyon.

Does this all sound REDACTED.

Where is the evidence for any public appetite to get rid of "Site D"?

In FEBRUARY 2019 - 4 years ago.

2019/159 VIEWS OF LOCAL RESIDENTS

Two members of the public asked about plans for development of **Site D** in the neighbourhood development plan. **A surveyor has been seen** taking measurements on the site and was reported to have said that **a planning application is being worked on**. The Clerk said there have been no planning application notifications for Site D received from planning services, Herefordshire Council. Development of the site is a matter for the landowner and **is subject to the usual planning application process**. The group parish council was asked how Site D was selected for housing in the neighbourhood development plan. The Clerk said **the neighbourhood development plan was consulted on extensively and has been adopted** by Herefordshire Council.

Since then, with local knowledge that the 2017 NDP was in place and all the way through, no 'other' members of the public were attending PC meetings much, not interested or asking about Site D ever, except for one or two isolated but no doubt, REDACTED.

This NDP Review needs to start over.

It is full of REDACTED.

Let's talk about the repeated claims and calculations about their house-building successes, as they presented about exceeding those now outdated and since 2017 NDP superseded, 2015 Core Strategy TARGETS and the resulting mis-alignment to the emerging Core Strategy to 2041 therefore:

They bang on and broadcast that THEY, the PC and the local areas, have built 48% more houses than those target figures given to 2031 and that therefore, they should be allowed to stop building to 2041 . . . yet children born in the village now would be 18-19 years old by then and would be forced to move away if you stop affordable building.

What they forget to explain in all of that REDACTED, is that since the only recent small wave of development in Canon Pyon in the 90's and before that to the 60's at Brookside for examples, Canon Pyon and the surrounding Hamlets were relatively under-developed, stifled and stagnating in fact **due to the lack of development**, to the point that it lost one of it's village pubs in Canon Pyon , The Plough Inn, for example and so, the recent NDP splurge in housing developments, NDP prescribed and otherwise, are and were necessary "catch-up" events to happen, were a set-of-targets, which were **understandably** experienced by locals recently as, **all too much** because it was all more or less, in the same time period being done, all being built together!

We would argue that their figures include undeliverable and undevelopable numbers from Site C and from the 'reserved-for-new-school' land which seems still, unavailable and just an 'aspiration of the landowner expressed?? I'm pretty sure it would need to be on the table, shown to be available and deliverable within 5 years and/or to be known to be developable within 6-15 years, to be able to feature, be counted and legally 'made' into law **as an allocation**.

We also think that by taking the "Site D" numbers of 28 away from their success story, they have in fact built not much more than the **'minimum target'** to 2031, never mind to 2041. In their OWN conclusions, the PC state that they need the 10 houses from the Site C (contaminated) land allocation for example, to be able to have their NDP re-made, or words to that effect so, a very thin margin of success to claim, especially if now planning to 2041 and even more especially if considering the emerging new alignment landscape for growth and development!

Here now are some NDP Regulation and SHLAA guidance to highlight:

In the various SHLAA (2012, 2015 & 2019), in the author's own 'introduction' and unedited by me, it underlines as follows:

“The Strategic Housing Land Availability Assessment (SHLAA) forms part of the evidence base for the Local Plan. It assesses sites on an individual basis against the key requirements of Government guidance to determine if they might be appropriate for allocation.”

There you have it. They are positively looking for possibilities and NOT actively determining that any site might NOT be appropriate for allocations and so, it was right and proper that in the 2017 NDP superseding the 2012 report, that “Site D” was given the opportunity to demonstrate that it was/is a doable, viable and so, NDP deliverable allocation site for housing.

SHLAA lists are repeatedly created and updated and used all through the 5 year target growth/house planning system rolling/changing ever forwards, to help HC to strategise into the relatively unpredictable future otherwise, for growth projection planning only. *It can't just stick a finger in the air.*

The SHLAA looks, for the purpose of 'their' planning, for sites that are both 'deliverable' (1-5 years) and 'developable' (6-15 years), give or take a 5% analysis buffer. However, it's not a list preventing or allocating sites or allocations which can mitigate and achieve planning on their own merits, in any case.

In SHLAA documents, it references the following

NPPF 2019. Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular: a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

We don't see for example, how in this NDP review, how Site C can continue to be an allocation, counted as viable within 5 years!!

NPPF 2019. Developable: To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

Again, it is super-questionable if the REDACTED; and 'reserved for new school', coloured yellow on their NDP Policies map still, while all rubbishing and deleting Site D, whether that more heavily constrained land should 'currently' be presented be a 'reserved' site allocation for any new school or for housing that could be delivered within the time frames.

Paragraph 14 of the NPPF states that local plans should positively seek opportunities to meet the development needs of their area and meet objectively assessed needs unless (i) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when viewed against the policies of the Framework as a whole, or (ii) specific policies in the Framework indicate development should be restricted. The accompanying footnote 9 includes various designations such as Sites of Special Scientific Interest, Green Belt, an Area of Outstanding Natural Beauty, heritage assets and locations at risk of flooding as examples.

“Site D” however, is an already ‘made’ site on relatively flat, slightly raised ground, outside of the flood zones and which, aside from any surface flooding on adjacent and other local roads needing drainage maintenance and solutions across the whole village areas, “Site D” does not flood, it is available, it is ready-to-go, waiting for the moratorium only and so, can most definitely be considered then and now, to be deliverable and developable within 5 years, as required.

The NPPF and the statutory NDP regulations, never prescribe that PCs can actively or positively choose to seek opportunities, with no public appetite to show, to delete or reverse an existing ‘made’ allocation, reducing numbers by deleting the last remaining allocation and let’s all remember, in a projections window to 2041 now, not just to 2031!! Is there nothing else? No emerging projections to align with for that additional decade?

If one compares now, the 2012 SHLAA map and the current 2022 NDP Review map, the same ‘reserved’ for-new-school-land back then was with eth potential for 40 houses BUT was described on that map as “Land having significant constraints . . . whereas back then Site D was seen as with no potential during the period. [canon-pyon-map \(herefordshire.gov.uk\)](http://herefordshire.gov.uk/canon-pyon-map)

Of course, “Site D” is allocated in the NDP 2017 NDP . . . BUT . . . they have now re-drawn their policy map to DELETE it whereas, this same reserved/constrained red village hall land just mentioned nevertheless, is not rubbished by REDACTED AECOM and others objecting in the same way but is SUPPORTED and is now yellow in the current NDP Review at this Regulation 16 Stage. See that 2022 NDP Policy Map here. [Canon Pyon Village Policies Map \(herefordshire.gov.uk\)](http://herefordshire.gov.uk/canon-pyon-village-policies-map)

REDACTED

However, what the 2019 SHLAA highlights, is that apart from our “Site D” for 30 houses still, there is no other potential registered to be considered for the next 1-15 years in the Pyons Group areas and certainly, nothing yet, to 2041.

Where is the growth planning in that??

Perhaps, time to stop avoiding that call for sites??

In the 2015 version of the SHLAA, 1st Page – Important Notice – It states . . .

“The SHLAA only identifies sites with or without development potential; it **does not allocate** sites in the manner of an adopted plan”

and . . .

“The inclusion of a site within this document does not imply that the Council would necessarily grant planning permission for residential use. Similarly, the exclusion of sites from the study **does not preclude the possibility of planning permission for development being granted**”

To counter/show the intent of the document otherwise, the 2015 SHLAA also caveats,

“Users of the study must appreciate that there may be additional constraints on some sites that were not identified at the time of the survey and that planning applications will continue to be **treated on their own merits**”

Looking again at the PC Consideration Responses, they say,

The Steering Group and Parish Council decided that a call for sites was not required as part of the NDP Review as there remained some undeveloped sites allocated in the made NDP, there were several outstanding planning applications for new housing and the minimum housing growth target for the Group Parish had already been met and exceeded. There is no 'legal requirement' for a Call for Sites and site allocation in an NDP but including a site allocation strengthens the NDP - see paragraph 14 of the NPPF in terms of applying the presumption in favour of sustainable development. The proposed site for the new school and some limited housing is considered to be a site allocation.

Well, I've 'gone on' about how out-dated this 'success' rhetoric is and how the calculations to substantiate that position held, are questionable but look again, it's a 'minimum' target figure set in any case. Ms Banks said that **any material change to the NDP would require a call of sites** in the meeting with the SG back in January 2020.

While Ms Samantha Banks, the NDP co-ordinator for HC may be proven to have mis-spoke regarding the call-for-sites (*I doubt it*), Ms Banks was correct to present that there ARE regulations which dictate that site allocation/s are required for an NDP to be 'made'/adopted into law.

Aside from viable and available, sites must be deliverable (1-5 years) and developable (6-15 years) in order to be classed as an NDP allocation that can then go on to become 'made' or adopted by HC into law.

In response to the plans or slides used to obtain 'sketchy' public opinions, which we said were 'leading' and framing, the PC's consideration response was:

It was appropriate to ask for views on remaining sites in the made NDP as part of the Review process. The SHLAA information for the various sites was provided as background information, but in any case the site was later assessed independently by AECOM later in 2020 and found to have constraints that made it unsuitable for development.

Clearly, in any case, AECOM were REDACTED and by the time the PC makes this statement, they know it REDACTED and in objections and petitions to the associated application!! They were in any case, 'perceived' and not actual constraints and for that reason, it is wrong to hold AECOMs testimony up as 'technical' or 'expert', especially if as we conclude that all they really did and have done for 'other' parish areas; REDACTED, they seem to have just agreed with and used REDACTED speculations that came from the old, out-of-date 2012 SHLAA report, a report which itself tells us, their view is not the final word in planning or allocation terms!

REDACTED, the 2012 SHLAA information was very much at the centre of all of their agenda strategy.

To ask the question about shrinking the DB in the 1st public consultation event, without specifically including to ask, should that be before or after "Site D" is concluded, is not a good way to run a questionnaire, to learn about public opinion properly and the results can clearly be misconstrued or REDACTED.

With the 2012 SHLAA information as 'background', it gave them (clearly), especially in conjunction with maps, slides and the REDACTED questionnaire, REDACTED "Site D" in the public consultation but still as I say, only a minority of 6 gave the disappointing result but they go ahead anyway with their plan.

The SHLAA was not just 'background' information therefore, was it! It was wishful thinking at best to start but more like, convenient propaganda, purposefully employed throughout, starting with the 1st housing assessment report presented to the PC REDACTED.

The views gathered from 6 with subjective commentary about 'other' majorities, is incorrectly presented to skew against the clear majority views and is just undemocratic. No planning weight from REDACTED should ever burden this application and opportunity!!

They say also:

The NDP Review process did not seek to establish a 'choice' between the proposed safeguarded land for the new school and Site D; rather it has considered each site on its own merits.

Yet, why assess in the first place REDACTED and then, they support a site described only as 'aspirational' but with more constraint over a 'made' NDP allocation, which now has no constraints and no public opinion against it? REDACTED.

This 'reserved land' is described as an 'aspiration of the landowner' by this PC so, how can it be an actual NDP allocation with house number opportunities to be 'made' or adopted into the core plan and counted??

Then, how did they come to two opposing assessments of land and PC opinions about the 'reserved-for-new-school' land', compared to "Site D"? The PC & SG, along with paid AECOM 'technically' assessing, do SUPPORT that 'reserved' 'aspirational' idea, no matter it's many constraints as indicated in the same 2012 SHLAA on the Canon Pyon area map, while REDACTED at the same time, all denounce "Site D" which had much less perceived constraints, now known in any case to be mitigated against but all still at the Regulation 16 stage, REDACTED.

This is REDACTED, it does not represent the majority view in any analysis, it's REDACTED!

So, in 2022 to this Regulation 16 still, in the consultation response from this PC's considerations, they said:

The decision not to include Site D in the Draft NDP Review was based on the AECOM technical site assessment (old and 2012 SHLAA fed news, since discredited by Black Box) and the most up to date and available information at that time, and responses to the consultation in March 2020

In spite of EVERYTHING we are highlighting about, in this regulation 16 finally, REDACTED.

REDACTED.

So, in their own words, the decision to delete Site D is based only on the AECOM report! They don't have any public opinion or a majority or anything else, just this rather crass statement which is relying solely upon a REDACTED report, that if no one asked for Site D to be assessed (again) and if there was never any public opinion or majority then, it's a report that should NOT have included to reassess "Site D" in the first place, it contains only 'borrowed' perceived constraints which have since been mitigated against and known to not be true to conclude any longer anyway but also, it should never have used it's remit to REDACTED, without having a minimum of 51% of the public consulted, as a mandate to reverse against the 91% majority of the public to do so.

Finally:

So, now we know the flawed reasons why this NDP should be halted and start over.

It begs the question however, have they simply landed on the wrong square in the game of NDP 'Snakes and Ladders'?? With nothing plausible to present, they only can use the AECOM position REDACTED from a paid consultant REDACTED, where there was clearly no public mandate for any of that agenda.

We put it to all, that it all comes directly down from REDACTED from the start, REDACTED.

REDACTED.

REDACTED.

Thank you for reading . . .

Padraig Kelly - REDACTED

Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 26 December 2022 10:00
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

We have received the following form online. Reference: 863000

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Paul
Last name	hollywell
Which plan are you commenting on?	kings pyon neighborhood planning
Comment type	Support
Your comments	The villagers had a vote done by the parish council. The results were that the boundary would be put up to control the building in the village. Therefore no building to be made outside the neighborhood planning area. So we support this and its about time it was put in place, its taken to long .The vote was for it ,therefore that's the end of it, you cant go back on the vote

Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 13 January 2023 10:12
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

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Comment on a proposed neighbourhood area

We have received the following form online. Reference: 865117

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Richard
Last name	Harris
Which plan are you commenting on?	Pyons Group
Comment type	Support
Your comments	<p>I do support the Pyons Group NDP review in general and am in support of both proposals for footpath reform and development boundaries with one exception. Recently the development boundary accepted by public democratic referendum at Bush Bank was over ruled at a planning committee and the democratic vote for the then boundary was ignored. It was said at the meeting that the boundary would not be moved and that the permission given was described to be adjacent to but outside of the boundary voted for. I see now that the boundary has now been extended into open farmland not voted for in the referendum and am of the opinion that the referendum voted for has been breeched making such a vote null and void due to being overruled without special need, and by that defying the democratic vote of residents . There should be a public enquiry into this matter as it makes voting worthless.</p>

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Rose
Last name	Sheppard
Which plan are you commenting on?	Pyons Group Neighbourhood Development Plan
Comment type	Support
Your comments	<p>I strongly support the proposals of the Pyons Group Neighbourhood Development Plan Review and specifically wish to comment as follows: Kings Pyon and the other settlements within the Pyons Group should all have a tightly defined settlement boundary as set out by the NDP Review village policy maps 2022 Policy PG1: Development Strategy. Kings Pyon is a scattered settlement surrounded by narrow spidery lanes and is without facilities (save for the Parish Church); there are no services, no public transport or employment opportunities. There is no mains sewerage or mains gas supply. The local infrastructure is already overstretched and compromised and given that the emerging Herefordshire Local Plan 2021 – 2041 preferred spatial option is for development within sustainable settlements, by this and their own definition, Kings Pyon would be classed as ‘open countryside’. The Pyons Group has already greatly exceeded its target housing growth up until 2031. The provision of a tightly defined settlement boundary around Kings Pyon, and for the other Pyons Group villages, would protect adjoining high-grade agricultural land, biodiversity, and the existing natural and built environments that create their unique rural character. I also uphold the Neighbourhood Development Plan Review relating to the network of footpaths and public rights of way that exist within the area. I reiterate concerns, previously raised by others, that access to footpaths have been found to be blocked or obstructed by crops, electric fences and wire and overgrown vegetation and weeds along the route of footpaths. For example, running parallel REDACTED runs footpath KP5, which has been diverted by the landowner so that the access stile and start of the footpath are currently in the wrong place. This footpath should run parallel to the fence (as shown on the PROW official map). The Neighbourhood Development Plan rightly identifies Policy PG3: Improving Accessibility for All, part of which includes replacing existing access stiles to footpaths with gates. As someone REDACTED I strongly support this proposal.</p>

Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 17 January 2023 11:32
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

We have received the following form online. Reference: 865266

Question	Response
Address	Unit 5, Westwood Industrial Estate Pontrilas
Postcode	HR2 0EL
First name	Russell
Last name	Pryce
Which plan are you commenting on?	Pyons Group NDP
Comment type	Objection
Your comments	The settlement boundary for Westhope has been incorrectly drawn as it partly excludes a site that has outline PP for 4 dwellings and is anticipated to secure reserved matters approval Feb 2023 - outline ref 162311, RM ref 193195. Secondly there are serious questions over whether the committed site in Canon Pyon on the former Yeomans Yard will deliver housing over the NDP period - approved in 2015. The site is partly floodzone 3 and developers are no longer prepared to invest in such sites due to the potential impact on sales and insurance issues. Recent DOC apps were submitted to try and sell the site.

Neighbourhood Planning Team

From: Planning Central <Planning.Central@sportengland.org>
Sent: 13 January 2023 14:35
To: Neighbourhood Planning Team
Subject: 2023 Neighbourhood Plan - Pyons Group Review

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Thank you for consulting Sport England on the above neighbourhood plan.

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 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.

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

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

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.

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 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>

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.)

If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Yours sincerely

Planning Administration Team
Planning.Central@sportengland.org

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Neighbourhood Planning Team

From: donotreply@herefordshire.gov.uk
Sent: 06 January 2023 04:23
To: Neighbourhood Planning Team
Subject: Online form submitted: Comment on a proposed neighbourhood area

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood area

We have received the following form online. Reference: 864265

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Stephen
Last name	Caine
Which plan are you commenting on?	Kings Pyon, Pyons Group Parish Council
Comment type	Support
Your comments	I would like to offer my support for the drafted Kings Pyon part of the Neighbourhood Plan. Having previously been involved with the previous Communities Led Plan concept (in a previous Hereford parish location), I fully understand the importance of communities being able to have their say in future environmental, economic and most importantly housing development strategies. The latter point raises the need to ensure each community establishes parish settlement boundary lines and need the to limit future development that doesn't meet the needs of the communities. I support the Pyons Group Parish Council in establishing this plan, not just for Kings Pyon settlement but for the entire Parish area as a whole.

Question	Response
Address	REDACTED
Postcode	REDACTED
First name	Steven
Last name	Maund
Which plan are you commenting on?	Canon Pyon NDP
Comment type	Support
Your comments	<p>Having attended parish council meetings regarding Canon Pyon village for the last two years , I'm in total agreement with the thought process proposed within the meetings attended. My main concerns are the infrastructure of the village being improved in the future years ahead , there are too many aspects of the village that need improvement before increasing the population of the village. From a safety aspect and living close to the A4103 this road accommodates large agricultural vehicles, HGV lorries and a lot of car owners who do not recognise the 30 mph speed limits with in the village, there is a real need for educating road users ,this is a small A road within a densely populated village. The above is top of my concerns, REDACTED occasionally makes the journey to the local post office, REDACTED , this sums it up really ,with no crossing either pedestrian or zebra crossing this makes it very dangerous for REDACTED . While on this subject of road safety , 40mph speed limit past the School is way too fast I think 30mph would be excessive ,maybe 20mph would suffice slowing traffic down before entering the village. Then moving on from basic safety elements I've learnt the waste sewerage system is dated ,contributes to major flooding issues within the village with raw sewerage escaping in heavy rainfall , this I have not experienced and to be honest would not. Amenities are very poor ,travel is the only options for ie doctors, pharmacies, essential requirements . Basically to increase Canon Pyon in anyway it has been over the past few years , a lot of investment needs to be carried out BEFORE contemplating any future development ,if not this could and would jeopardise the quality of life the current population within the village have.</p>

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Pyons Group- reviewed Regulation 16 Submission Version

Date: 01/02/2023

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
PG1- Development Strategy	SS2; RA1; RA2; E3	Y	<i>“The impact of additional traffic from development proposals on existing rural roadworks” – Should this read ‘rural road networks’?</i>
PG2- Housing	SS2; H1; H3	Y	
PG3- Improving Accessibility for All	SS4; MT1	Y	
PG4- Waste Water and Sewerage	SD4	Y	
PG5- River Wye Special Area of Conservation (SAC)	SD3, SD4, LD1, LD2, LD3	Y	
PG6- Protecting and Enhancing the Natural Environment	SS6; LD2; LD2	Y	
PG7- Protecting and Enhancing Built Character	SS6; LD1; LD4	Y	
PG8- Rural Enterprise and Tourism	RA6; E4	Y	
PG9- Polytunnels	n/a	Y	
PG10- Community Facilities	SC1	Y	
PG11- Safeguarded Land for Proposed Relocation of Canon Pyon Church of	n/a	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
England Academy Primary School			
PG12- Local Green Space	OS3	Y	
PG13- Promoting Sustainable Design and Resilience	SS7; SD1	Y	
PG14- Community Energy Schemes and Solar Farms	SS7; SD2	Y	