

Response to examiners questions

Titley and District Group Neighbourhood Plan

The response below reference the paragraph number in the examiner's 'Initial Comments of the Independent Examiner' document dated 18 May 2023. Officers from Strategic and Neighbourhood Planning, Development Management and Transportation have been engaged in the responses.

The Council have only responded to those paragraphs as directed by the examiner as 'Herefordshire Council'.

Paragraph 7

In according with Paragraph 8 Schedule 4B of the Town and Country Planning Act 1990, the whole of the Core Strategy is to be considered as 'the strategic policies contained within the development plan for the area'. This is outlined in para 1.14 of the Core Strategy.

Paragraph 11

There is assumed to be a typographical error here and that the query relates to P160581/O (Proposed site for the erection of 5 no. four bedroom dwellings – Land at Balance Farm).

The Council considers this permission to remain extant. Permission was granted in outline with all matters reserved in 2016. Reserved matters approval for access was granted on appeal in 2019 (181476/RM). An application was made within the required time frame for approval of all the remaining reserved matters under reference P192515/RM and this currently remains undetermined.

Essentially, the application has been 'held' by the LPA since 2019 as they have been unable to complete a positive assessment under the Habitat Regulations given the ongoing nutrient issues within the River Lugg catchment. A positive assessment has however now been completed and Natural England have confirmed (19/5/23) that they have no objections to the scheme with regards to the Habitats Regulations.

It is therefore anticipated that the application will be advanced to planning committee for determination in due course, with an Officer recommendation of approval.

Paragraph 12

Any planning application which lapse should not be included within the commitment figures within Table 1 or be counted towards any proportional growth requirement.

The April 2023, housing land study is currently being undertaken and expected to report in early July. Parish proportional growth built and commitment monitoring figures are updated from this survey on an annual basis.

Paragraph 13

The Council does not have any record of any personal injury collisions at either junctions in the last 10 years (based on Police supplied records up to the 9th May 2023).

Paragraph 14

This is a very wide ranging question and the Council does not feel it is able to confirm with any confidence whether or not the scenarios listed represent viable fall back positions. To do so would require a detailed appraisal against the relevant rights of the GPDO, but without a specific application before it to assess making such an appraisal is not possible.

Paragraph 15

An application have been made to the Department of Levelling Up, Homes and Local Communities to designate eligible rural parishes within Herefordshire as rural under Section 157 of the Housing Act 2985. This process can take up to 18 months. The Council has yet to receive any feedback with regards to progress from DLUHC.

Paragraph 15

Paragraph 4.8.23 of the Core Strategy indicates that the role of a neighbourhood plan is to designate a settlement boundary to indicate the extent of Policy RA2 and RA3. Therefore the Council consider any NDP with a settlement boundary and a policy with a housing criteria to focus growth within that settlement boundary and outside being considered as open countryside to be in conformity with Policy RA2 and R3.

Paragraph 19

Prior to the final decision on any planning application there is a requirement to review the current status of planning policies within the development plan. Therefore any resolutions to approve application within the neighbourhood area would be reviewed in line within the up to date material weight of the Titley NDP prior to the decision being issued.

Paragraph 20

As per the response to paragraph 14, this is rather a broad question and the Council does not have sufficient information before it to be able to confirm whether the building in question is capable of meeting the criteria for conversion under Class Q of the GPDO.