

Brimfield and Little Hereford Neighbourhood Development Plan 2011-2031

Independent Examiner's Report

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Summary

I have been appointed as the independent examiner of the Brimfield and Little Hereford Group Neighbourhood Development Plan. The Group Parish comprises the two rural parishes of Brimfield and Little Hereford and lies approximately eight miles to the north-east of the market town of Leominster.

The Plan builds on a Parish Plan prepared in 2012 and addresses a variety of issues ranging from site allocations and identification of Local Green Spaces to the protection of key views of Brimfield Church and addressing concerns about flooding.

As well as an Environmental Report, a Habitats Regulations Assessment has also been undertaken because the Downton Gorge Special Area of Conservation lies some 9km to the northern boundary of the Group Parish.

Further to consideration of the policies in the Plan I have recommended a number of modifications that are intended to ensure that the basic conditions are met satisfactorily and that the Plan is clear and consistent enabling it to provide a practical framework for decision-making.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore delighted to recommend that the Brimfield and Little Hereford Neighbourhood Development Plan go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

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8 March 2016

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1.0 Introduction

This is the report of the independent examiner into the Brimfield and Little Hereford Group Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

The Group Parish is a small, rural group parish on the north-eastern boundary of Herefordshire. It lies some five miles south-east of Ludlow and some eight miles north-east of Leominster. As a relatively sparsely populated rural Parish, this is a community with a higher than the national average working in agriculture, farming or fishing.

My site visit revealed groups of dwellings sited along roads that formed a network of interconnecting lanes, often narrow with high hedge boundaries. Brimfield is relatively compact with little openness in the village itself, but with generally gently and undulating countryside enclosing it with views of distant hills. Trees and woodlands proliferate. The village is severed by the A49 and experiences considerable noise from the road. A number of local services and facilities are on offer. Newer enclaves of dwellings mingle alongside older properties. Little Hereford is characterised by a dispersed settlement pattern of farmsteads, small hamlets and individual rural cottages and properties separated by the A456 which runs through the middle of the settlement.

2.0 Appointment of the independent examiner

I have been appointed by Herefordshire Council (HC) with the agreement of the Group Parish, to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over twenty-five years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

3.0 The role of the independent examiner

The examiner is required to check¹ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions² are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two basic conditions in addition to those set out in primary legislation and referred to in the paragraph above. These are:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site³ or a European offshore marine site⁴ either alone or in combination with other plans or projects (this is applicable to this examination), and
- Having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described

¹ Set out in paragraph 8 (1) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

² Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

³ As defined in the Conservation of Habitats and Species Regulations 2012

⁴ As defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

in an order proposal is Environmental Impact Assessment development (this is not applicable to this examination as it refers to orders).

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case Herefordshire Council. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

4.0 Compliance with matters other than the basic conditions

I now check the various matters set out above in section 3.0 of this report.

Qualifying body

The Brimfield and Little Hereford Group Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This is also confirmed in the Basic Conditions Statement. This requirement is met.

Plan area

The Plan area is coterminous with the Brimfield and Little Hereford Group Parish administrative boundary. Herefordshire Council approved the designation of the area on 3 July 2013. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The area is shown clearly on page 3 of the Plan.

Plan period

The front cover of the Plan indicates it covers 2011 to 2031 which aligns with the Core Strategy and so this requirement is satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also usefully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. Where I consider a policy or proposal to fall within this category, I have recommended it be moved to a clearly differentiated and separate section or annex of the Plan or contained in a separate document. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but non-land use matters should be clearly identifiable.⁵ Subject to any such recommendations, this requirement can be satisfactorily met.

5.0 The examination process

It is useful to bear in mind that the examination of a neighbourhood plan is very different to the examination of a local plan. I am not examining the Plan against the tests of soundness used for Local Plans,⁶ but rather the submitted Plan meets the basic conditions, Convention rights and the other statutory requirements.

The general rule of thumb is that the examination will take the form of written representations.⁷ However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case.

After consideration of the documentation and all the representations, I decided it was not necessary to hold a hearing.

I have also specifically referred to some representations and sometimes identified the person or organisation making that representation. However, I have not referred to each and every representation in my report. Nevertheless each one has been considered carefully and I reassure everyone that I have taken all the representations received into account during the examination.

⁵ PPG para 004 ref id 41-004-20140306

⁶ NPPF para 182

⁷ Schedule 4B (9) of the Town and Country Planning Act 1990

During the course of the examination it was necessary to clarify a number of factual matters. These related to the new settlement boundary, the site selection process and other general matters of confirmation. My list of questions is appended to this report.

I would like to record my thanks for the exemplary support and quick responses that I received from the officers at HC and the Group during the course of this examination.

I undertook an unaccompanied site visit to the neighbourhood plan area on 29 January 2016.

6.0 Consultation

The Group has submitted a Consultation Statement which provides details of who was consulted and how, together with the outcome of that engagement process.

The Plan builds on an earlier, but recently developed Parish Plan and has been prepared by a Group of Parish Councilors and others with professional support.

A questionnaire was sent to residents in December 2013 and various meetings held including a cheese and wine event, to help gauge interest in preparing a neighbourhood plan and to identify the vision and objectives for such a plan. The group leading the preparation was subsequently formed and regular meetings, open to the public, held to discuss the scope and form of the Plan. Summaries of those meetings have been delivered to each household in the Parish.

Flyers to both residents and businesses in the two Parishes kickstarted the engagement process in May 2014 on a draft of the Plan.

At the same time a 'call for sites' was undertaken. 13 sites were submitted and assessed by the Group's planning consultants using HC's SHLAA methodology. This resulted in sites 8, 9, 10 and 11⁸ being recommended by the consultants. However, at a public meeting in June 2014 it was clear that the community did not support the allocation of these sites for a variety of reasons given in the minutes of that meeting. The Group then decided to (re)consult on revised housing options with a further period of one month in which residents could vote on the three options put forward. Site 7 came out with most support and is the site now put forward for allocation in Policy BLH2.

Pre-submission (Regulation 14) consultation took place between 15 December 2014 to 9 February 2015. This longer eight-week period sensibly took account of the festive season. Consultation bodies from a list helpfully provided by HC, local businesses and community organisations were contacted direct. A drop-in event was organised to promote the consultation and every household and business received a flyer, also

⁸ Shown on Map 5 on page 27 of the Plan or Map 2 on page 8 of the Consultation Statement (same map)

displayed on noticeboards in the locality. The Plan was available from the Parish Council's website, but hard copies were also available at a number of locations in the villages.

The Consultation Statement then details the 60 or so comments received.⁹ Table 1 clearly summarises the comments and how they have been addressed. Table 2 which incidentally is labeled as responses from the consultation bodies to the SEA Screening Report which I believe should be the Scoping rather than the Screening Report, details the responses from the consultation bodies and whilst it does not indicate how the issues raised have been addressed, this information is contained within the Environmental Report.

Submission (Regulation 16) consultation was carried out between 12 August and 23 September 2015. This attracted a number of representations which I have taken into account in preparing this report.

Whilst it is often unwise to single out a particular representation it is important to record that Historic England¹⁰ commends the Plan as "a well-considered, concise and fit for purpose document that effectively embraces the ethos of constructive conservation and is a very good example of community led planning".

Others query the process and whether the Plan and its policies have been prepared in a democratic and transparent way and refer to a lack of contact with landowners. There seems to have been a fairly comprehensive campaign in publicising the Plan and whilst more can always be done there seems to have been adequate opportunity for any interested parties to participate. The Consultation Statement shows that the Plan has emerged as a result of seeking, and taking into account the views of the community and other bodies.

7.0 The basic conditions

National policy and advice

The main document that sets out national planning policy is the National Planning Policy Framework (NPPF) published in 2012. In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the strategic development needs set out in Local Plans, plan positively to support local development, shaping and directing development that is outside the strategic elements of the Local Plan and identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with the neighbourhood plan to proceed.¹¹

⁹ See Tables 1 and 2 in the Consultation Statement

¹⁰ Representation from Historic England dated 26 August 2015

¹¹ NPPF paras 14, 16

The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. They cannot promote less development than that set out in the Local Plan or undermine its strategic policies.¹²

On 6 March 2014, the Government published a suite of planning guidance. This is an online resource available at www.planningguidance.planningportal.gov.uk. The planning guidance contains a wealth of information relating to neighbourhood planning and I have had regard to this in preparing this report. This is referred to in my report as Planning Practice Guidance (PPG).

The NPPF indicates that plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.¹³

PPG indicates that a policy should be clear and unambiguous¹⁴ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.¹⁵ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.¹⁶

The Basic Conditions Statement (BCS) sets out how the Plan has responded to national policy and guidance, particularly focusing on the NPPF's twelve core planning principles. It does so in a simple, but clear and effective way. There does however appear to be some errors in the BCS including reference to a southern link road and 18 policies on page 4 which appear to relate to a different neighbourhood plan and some erroneous (or at least not the latest) references to policy numbers. Despite this the commentary demonstrates that the way in which the Plan as a whole has had regard to this basic condition has been considered.

Sustainable development

A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole¹⁷ constitutes the Government's view of what sustainable development means in practice for planning.

¹² NPPF para 184

¹³ *Ibid* para 17

¹⁴ PPG para 041 ref id 41-041-20140306

¹⁵ *Ibid* para 040 ref id 41-040-20160211

¹⁶ *Ibid*

¹⁷ NPPF para 6 which indicates paras 18 – 219 of the Framework constitute the Government's view of what sustainable development means in practice

The Framework explains that there are three dimensions to sustainable development: economic, social and environmental.¹⁸ Tables 1 and 2 of the Basic Conditions Statement outline how the Plan contributes to the achievement of sustainable development.

The development plan

The development plan consists of the Core Strategy 2011 – 2031 (CS) which was adopted on 16 October 2015 and various other documents including the saved policies of the UDP (found in Appendix 1 of the CS). The most relevant document to this examination is the CS and I have taken all its policies to be ‘strategic’. It should be noted that the CS was adopted after the Plan was submitted to HC.

The Basic Conditions Statement contains a table¹⁹ that identifies how each of the Plan policies relate to the various UDP and to (the then emerging) CS policies. Understandably with the passage of time this is now out of date. The Parish Council however has helpfully confirmed to me that it considers all the policies to be in general conformity with the relevant policies of the adopted CS.

The Plan as a whole will support the vision, objectives and policies of the CS.

European Union obligations

A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant.

Strategic Environmental Assessment

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.

An Environmental Report has been prepared as an earlier screening opinion dated 7 June 2013 concluded that due to the range of environmental designations in and around the Parish there may be significant environmental effects.

The Environmental Report confirms a Scoping Report had been made available to the three statutory consultee bodies from 18 June to 23 July 2014. Responses from Natural England and Historic England have been incorporated into the document where relevant.

¹⁸ NPPF para 7

¹⁹ Basic Conditions Statement Table 3 on page 11

The draft Environmental Report was subject to a six-week consultation period from 15 December 2014 to 9 February 2015 alongside the pre-submission version of the Plan. The Environmental Report dated August 2015 was published for consultation alongside the submission version of the Plan.

PPG states “The strategic environmental assessment should only focus on what is needed to assess the likely significant effects of the neighbourhood plan proposal. It should focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan.”²⁰

The Environmental Report is a comprehensive and well written document and I consider it deals with the likely significant effects appropriately, meeting the requirements of the Regulations. Natural England (NE) confirms that it meets the relevant requirements and concurs with its conclusions.²¹

HC will monitor the outcomes from the Plan’s policies.

Habitats Regulations Assessment

Directive 92/43/EEC on the conservation of natural habitats, commonly referred to as the Habitats Directive, is also of relevance to this examination. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects.²² The assessment determines whether significant effects on a European site can be ruled out on the basis of objective information.

Screening was carried out as the northern boundary of the Group Parish is some 9km away from Downton Gorge, a Special Area of Conservation (SAC) and some 13km from the River Lugg. The screening assessment of 7 June 2013 concluded that a HRA would be required.

A HRA dated November 2014 has been prepared. An Addendum dated August 2015 considered whether the conclusions of the earlier report were affected by changing circumstances and the revision of two policies during the evolution of the Plan. Both documents conclude that the Plan will not have a likely significant effect on the Downton Gorge SAC. Natural England²³ agree with this conclusion.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out a further basic condition in addition to those set out in primary legislation as detailed in section 3 of this report. Requirements relating to Habitats Regulations Assessment have been met and that the Plan complies with this basic condition.

²⁰ PPG para 030 ref id 11-030-20150209

²¹ Natural England representation dated 23 September 2015

²² PPG para 047 ref id 11-047-20150209

²³ Natural England representation dated 23 September 2015

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement about fundamental rights and freedoms guaranteed under the ECHR and confirms the Plan complies with the Human Rights Act 1998. There is nothing in the Plan that leads me to conclude there is any breach of the Convention or that the Plan is otherwise incompatible with it.

Other Directives and conclusions on EU obligations

I am not aware of any other European Directives which apply directly to this particular neighbourhood plan (other than those which have been referred to in the Environmental Report) and in the absence of any substantive evidence to the contrary, I am satisfied that the Plan is compatible with EU obligations.

PPG indicates that it is the responsibility of local planning authorities to ensure that the Plan is compatible with EU obligations (including obligations under the SEA Directive) when it takes the decision on a) whether the Plan should proceed to referendum and b) whether or not to make the Plan.²⁴

8.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is well presented and policies are clearly differentiated from supporting text. A number of photographs are included through the Plan which add to its attractiveness.

At the end of each topic section, a box helpfully sets out the relevant UDP and emerging CS policies that support the policies. This will need updating throughout the Plan and I do not repeat this modification all the way through my report.

- **Update references to the relevant HC level policies (UDP and CS) as necessary on pages 34, 37, 51, 59 and 64**

Executive Summary

This offers a useful introduction to the Plan, but will require some natural updating for the next versions.

- **Update as necessary**

²⁴ PPG para 031 ref id 11-031-20150209

1.0 Introduction and Background

This is a very useful and well written section that sets out information about the Group Parish and background to the Plan.

Paragraph 1.11 requires some updating as with the passage of time the Core Strategy has been adopted and the numbers of the figures referred to have both changed. Some updating is also needed and this modification is recommended in the interests of accuracy.

- **Update paragraphs 1.11 and 1.13 as necessary to reflect the adoption of the Core Strategy**

2.0 A Neighbourhood Plan for Brimfield and Little Hereford

This section sets the scene for the Plan and is generally informative although there may be some overlap with the contents of the Consultation Statement and a little repetition. In the interests of accuracy, references to the appendices should be double checked.

- **Check that the right appendices are referred to in paragraphs 2.5, 2.7 and 2.8**

3.0 National and Local Planning Policy Context

An informative and succinct section.

4.0 Key Issues for Brimfield and Little Hereford

Seven key issues are identified. All of the issues are articulated well. My only concern relates to key issue three and the reference to the Plan identifying assets of community value (ACV). Whilst the process of neighbourhood planning and preparation of the Plan may well identify such assets, the Plan itself is not a mechanism to seek to include such assets on a register. As a result this key issue should be amended in the interests of clarity.

- **Ensure that it is clear in key issue three that the preparation of the Plan has resulted in the identification of assets suitable to be put forward as ACV but that the Plan itself cannot identify such assets**

5.0 Vision and Objectives

The succinct and clearly articulated vision states:

“In 2031, Brimfield and Little Hereford Group Parish will be a thriving rural area with an active and strong local community. The natural and built environment is protected for the benefit of everyone and there is a range of housing types, sizes and tenures to meet the local needs.”

Six objectives then sit alongside the vision. All are clear and well written. Objective 6 protects community facilities and supports the local community to identify assets for the community right to bid. This latter element of the objective can be an important part of the neighbourhood plan process, but it should be removed as this is not something which can be achieved through or by the Plan.

Once the objective has been revised any other references to it throughout the Plan will of course need revision and the modification below should be taken to apply throughout the Plan as appropriate; I have not repeated it at every juncture.

- **Delete “...and support the local community to...Right to Buy initiatives.” from objective 6**
- **Ensure that any other references to objective 6 throughout the Plan are revised in line with the above modification**

6.0 Neighbourhood Plan Policies

6.1 Housing

The strategy for the rural areas in the CS²⁵ is positive growth. The strategy is based on seven housing market areas (HMA) and the Group Parish falls within the Leominster HMA which has an indicative housing growth target of 14% according to CS Policy RA1. The CS explains that this proportional growth target in CS Policy RA1 will form the basis for the minimum level of new housing to be accommodated in each neighbourhood plan across the County.

The main focus for development is within or adjacent to existing settlements listed in two figures, 4.14 and 4.15. CS Policy RA2 translates this into policy. Brimfield is identified in Figure 4.14 as a settlement which will be the main focus of proportionate housing development. Little Hereford is identified in Figure 4.15 as a settlement where proportionate housing is appropriate. The CS explains that in Parishes which have more than one settlement listed in Figures 4.14 and 4.15, the relevant neighbourhood plan has appropriate flexibility to apportion the housing requirement between the settlements concerned.

²⁵ Core Strategy Section 4.8

Paragraphs 6.1.1 – 6.1.5 refer to Brimfield’s settlement boundary and the housing growth within the Leominster Housing Market Area. Paragraphs 6.1.5 and 6.1.9 quote from the main modifications to the (then) emerging CS.

With the passage of time, the CS has now replaced many of the policies in the UDP including Policy H4 which has been replaced by CS Policy RA2. A map of the UDP settlement boundary is included on page 21 and references are also made to the emerging Core Strategy. Whilst it is acceptable to retain the history or provenance of the Plan’s policies, this section would benefit from some updating in the interests of accuracy and whether it is confusing rather than beneficial to retain Map 3 (the UDP settlement boundary for Brimfield).

The section otherwise tackles the often complex issue of housing figures in a straightforward way concluding that 58 dwellings are needed over the Plan period.

Paragraph 6.1.10 explains that the Plan introduces an updated settlement boundary for Brimfield which takes account of existing commitments and a site allocation within the Plan itself subject of Policy BLH2. The final sentence indicates that the boundary may be further revised during the Plan preparation period. At this stage in the plan-making process the boundary put forward in Map 4 is the definitive one and so this last sentence should be deleted to avoid any confusion.

- **Update paragraphs 6.1.1 – 6.1.5 and 6.1.9 to reflect that the CS has now been adopted and Policy H4 of the UDP replaced by CS Policy RA2 and consider whether there is any benefit in retaining Map 3**
- **Delete the last sentence in paragraph 6.1.10**

Policies BLH1 New Housing within the Brimfield Settlement Boundary and BLH2 New Housing Development

The settlement boundary introduced in the Plan is clearly shown on Map 4 on page 25. It shows two changes to the (now out of date) UDP settlement boundary; the inclusion of a site along Tenbury Road and to the rear of houses close to the Village Hall along Church Road.

Policy BLH1 permits new housing within this revised boundary subject to a number of criteria. In themselves the criteria are generally clearly expressed and relate to planning issues that are reasonable considerations.

A representation draws my attention to a planning application on the Tenbury Road site for 15 dwellings, 5 affordable housing dwellings, an estate road, allotments with car parking and a play area. The Parish Council have helpfully confirmed in response to a query that this site has been the subject of a planning application which will be

approved subject to legal agreement.²⁶ Land off Church Road now has received planning permission for two bungalows.²⁷

Paragraph 6.1.11 onwards details the 'Call for Sites' identifying those sites on Map 6 and explaining that all the sites put forward have been assessed and that assessment is available as a separate report. Representations point out that the planning consultants' recommendations of sites 8, 9, 10 and 11 were not carried forward by the Parish Council.

The Plan contains detailed information about how the site allocated was selected. This included a lack of community support for the options originally recommended by the site assessment carried out by the consultants and a second round of community consultation on three options in July 2014. I have also referred to the site selection process in Section 6.0 of this report. In response to a query to the Parish Council, I am satisfied that the process was sufficiently transparent. Ultimately any site allocations must have the support of the community and it was clear that other sites were not favoured as much as the site included in the Plan. As the site now has a resolution to grant planning permission for housing development subject to a legal agreement, the issue has moved on.

The selected site, site 7, Paddocks Orchard, Tenbury Road, is allocated in Policy BLH2.

Policy BLH2 clearly identifies this site on Map 6. It directs development to "an appropriate part of the site" and imposes a cap of 20 dwellings at a density of 25 dwellings per hectare. It is not clear to me why some parts of the site might be appropriate for development and others not; if this is the case only the part(s) considered suitable for development should have been put forward in the allocation. This then requires modification so that the policy provides a practical framework for decision-making.

There is no explanation for the maximum figure or for the density. The imposition of any maximum figure unnecessarily restricts and could lead to an inefficient use of land. Given that the options considered by the community seem to be in the region of 15 – 40 houses, this appears to be a somewhat arbitrary figure. The NPPF²⁸ indicates that amongst other things, developments should "optimise the potential of the site to accommodate development...".

National policy supports setting out an approach to housing density to reflect local circumstances. It is important that the policy reflects the NPPF's aim of ensuring new development functions well and adds to the overall quality of the area; responds to local character and history; and reinforces and promotes local distinctiveness. The imposition of a maximum density could prevent development at a higher density which is otherwise acceptable coming forward.

²⁶ Planning application ref P150789/F

²⁷ Planning application ref P142466/F

²⁸ NPPF para 58

The NPPF is clear that good design (of which density is one consideration) is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.²⁹ It continues³⁰ that permission should not be refused for development that promotes high levels of sustainability because of “concerns about incompatibility with an existing townscape” if those concerns are mitigated by good design.

In other words higher density may well be acceptable if there is a design-led approach. CS Policy SS2 contains a target net density across the County of between 30 – 50 dwellings per hectare although in sensitive areas it can be less. Therefore in order to take account of the NPPF and to be in general conformity with the CS, this part of Policy BLH2 should be reworded more positively and flexibly.

The second element to Policy BLH2 covers other housing development in the Group Parish. It refers to other policies in the Plan unnecessarily as the Plan will be taken as a whole anyway and the UDP and emerging CS. These references can then be removed in the interests of clarity.

It indicates the focus for development will be Brimfield and this is in line with the approach and flexibility outlined in the CS.

The last element of the policy refers to phasing, but it is difficult to envisage a circumstance where this could be a reason for refusal. Therefore a modification to encourage such phasing is made, but this will also ensure that the provision of sustainable development is not scuppered.

The following modifications are therefore recommended:

- **Reword the last sentence in the first paragraph of Policy BLH2 to read:**

“Development of approximately 20 dwellings will be acceptable. The density of any scheme should be consistent and compatible with the existing and prevailing density and reflect the locally distinctive character of the locality in which the new development is proposed so that the village feel is retained.”
- **Delete the sentence “...subject to other policies in the Brimfield...Core Strategy.” from paragraph two of Policy BLH2**
- **Replace the word “will” in the first sentence of paragraph three of Policy BLH2 to “is encouraged to”**

²⁹ NPPF para 56

³⁰ *Ibid* para 65

Policy BLH3 Housing to Meet Local Needs

Paragraph 6.1.19 refers to Figure 4.21 in the emerging CS which of course requires updating.

A Local Affordable Housing Needs Survey was undertaken in 2012 and other evidence points to the need for affordable housing and housing that meets the needs of first time buyers, young families and older people.

This policy is clearly and positively worded and will help to meet the needs of the local community; it accords with the premise in the CS that indicates affordability is a significant issue in the rural parts of the County and that housing proposals will be expected to reflect the range required for the settlement concerned.³¹

However, as currently worded it seems to restrict the 58 or so houses identified in Policy BLH2 to the three types of housing (affordable/local connection, first time buyers/small families and older people) supported in this policy. This then prevents other general needs housing coming forward and would not reflect the support for housing in or adjacent to Brimfield and Little Hereford in CS Policy RA2 or for rural exception sites promoted by CS Policy H2. It is therefore too restrictive. As a result, additional wording is suggested to provide a balance between the delivery of housing and addressing local needs as supported by CS Policy RA2.

In order to meet the basic conditions, the following modifications are recommended:

- **Update paragraph 6.1.19 to refer to the adopted CS and the relevant figure in the CS (Figure 4.15)**
- **Add “*an element of*” after “...where it comprises...” and before “...one or a combination of the following types:...” in the policy**
- **Change the words “the elderly” in criterion 3 of the policy to “*older people*”**

Policy BLH4 Ensuring an Appropriate Range of Tenures, Types and Sizes of Houses

The policy seeks to ensure that a mix of tenures, types and sizes of dwellings is provided in the Parish. It does this by requiring applicants to demonstrate this and restricts one kind of dwelling on relatively small developments. Whilst this might in some instances be regarded as a relatively onerous requirement for developers, given the nature and needs of this rural Parish it seems to be a sensible way forward and will help to deliver the wide choice of homes and create inclusive and mixed communities promoted by national policy.

³¹ CS section 4.8

Affordable housing is sought in paragraphs three and four of the policy. This reflects CS Policy H1 and will help to deliver a wide choice of high quality homes.

No modifications are recommended.

Policy BLH5 Criteria for New Housing Sites in Little Hereford

Policy BLH5 is clearly worded and seeks to ensure that new housing in Little Hereford is appropriate and does not harm the living conditions of nearby residents. The policy is clearly worded and reflects the character of the settlement. It meets the basic conditions by setting out the standard required for development and will help to achieve sustainable development. No modifications are therefore recommended.

6.2 Community Assets

This section refers to assets of community value in relation to the community right to bid. It indicates that the Parish Council will work to provide a list of potential assets. It is often the case that preparing a neighbourhood plan sets such positive action in motion.

Incidentally, paragraph 6.2.2 refers to the community right to bid which came into force on 21 September 2012, I think, rather than 2011 so the date should be checked for accuracy (once it is moved to a clearly identified separate section).

Policy BLH6 Protection of Community Facilities

This policy seeks to protect local community facilities. It refers to buildings such as village halls and sports facilities as “community assets”. On a fair reading this might be taken to mean that such facilities are regarded as assets and so should be protected. However, given the references to “assets of community value” introduced in the preceding text, this may give rise to some confusion. To avoid this situation arising and so that a practical framework is provided, I suggest deletion of this phrase.

Criterion B of the policy requires any change of use application to potentially demonstrate there is no longer a need for the facility to the satisfaction of the Parish Council. However, it is HC as the local planning authority that determines planning applications. It is unnecessarily onerous for applicants to demonstrate to the Parish Council how their schemes might conform to this policy. Instead, criterion B should refer to the need to demonstrate to the local planning authority how a scheme might conform with the input of the Parish Council. I am mindful though that this suggested modification places an additional burden on HC and their agreement will need to be sought.

The remainder of the policy is worded clearly and is in line with national policy and guidance and CS Policy SC1.

The following modifications are therefore suggested:

- **Delete the words “as community assets” from the first sentence of the policy**
- **Revise criterion B to read: “*There is no longer a need for the facility and this is demonstrated to the satisfaction of the Local Planning Authority advised as appropriate by the Parish Council.*”**

6.3 High Quality Design

Policy BLH7 Local Heritage List

The section preceding the policy explains that non-designated heritage assets are of importance and that local heritage listing provides a way for the community and a local planning authority to jointly identify such assets. I agree that such a list provides clarity and can assist with identifying what is significance about the heritage asset. The Plan explains that such a list will be drawn up in partnership with HC and this is a worthwhile initiative that is to be commended.

Policy BLH7 refers to those non-designated heritage assets once the list has been drawn up. As a result modification is needed so that the policy ‘stands on its own two feet’ and better reflects national policy and guidance on non-designated heritage assets and to enhance clarity and precision.

Therefore the following modifications are recommended:

- **Delete the words “Once the local heritage list for Brimfield and Little Hereford has been adopted by Herefordshire Council” from the start of the policy**
- **Add at the end of the first paragraph of the policy “*taking account of the significance of the heritage asset.*”**
- **Reword the final sentence of the policy so that it reads: “*The whole or partial loss of any locally listed building or structure will normally be resisted.*”**

Policy BLH8 Building Design Principles

This policy has a number of criteria. Whilst some overlap a little, they all deal with different issues.

Design and access statements are referred to as a means of demonstrating compliance with this policy in criteria 1 and 2. Some proposals do not require the submission of such a statement and therefore a modification is recommended to ensure that the use of this phrase does not unduly restrict the application of the policy or go beyond national requirements.

Criterion 2 refers to the avoidance of “generic” features or schemes and this is a laudable aim. However, I feel it would be difficult to enforce this phraseology and to know what the generic in this case might be in order to avoid it. There may also be some room for confusion with criterion 4 which asks for a consistent design approach. Therefore I have suggested a positively worded modification which I hope matches the intent of the policy, but provides a more practical framework for decision-making.

Criterion 5 refers to the Herefordshire Farmstead assessment Framework and associated guidance and statements. In order to ensure that the Plan is future-proofed a modification is needed to this criterion.

In other respects the policy is clearly written and is in line with national policy and guidance, CS Policy SS6 and will help to achieve sustainable development.

The following modifications are therefore recommended:

- **Change “within design and access statements” at the end of criterion 1 to read *“through the submission of a design and access statement or similar evidence.”***
- **Change the word “display” in criterion 2 to *“demonstrate”***
- **Delete the sentence which begins “Proposals must not feature designs specific to a generic scheme...” from criterion 2 and replace it with *“Proposals must be designed in such a way that reflects the locally distinctive character of the area in which they are to be sited and design individuality and innovation are strongly encouraged. Proposals which do not demonstrate a locally distinctive design will be resisted.”***
- **Add at the end of criterion 5 *“or any successor guidance.”***

Policy BLH9 Landscape Design Principles

This Policy seeks to protect significant views. The views are described within the policy and clearly identified on Maps 7a and 7b. My site visit revealed the importance and value of these views.

In terms of presentation, it then comes as a bit of a surprise that the policy includes five further criteria after the maps and whilst this is a matter of style, the Group Parish

might like to consider how to ensure that users of the Plan do not miss these important elements of the policy.

The criteria are worded clearly and are in line with national policy and guidance and CS Policies SS6 and LD1 and will help to achieve sustainable development. No modifications are therefore recommended.

Policy BLH10 Local Green Space Designations

This policy seeks to designate three areas of Local Green Space (LGS). This designation has been introduced via the NPPF.³² The NPPF explains that these are green areas of particular importance to local communities. The effect of such a designation is that new development will be ruled out other than in very special circumstances. Identifying such areas should be consistent with local planning of sustainable development and complement investment. The NPPF makes it clear that this designation will not be appropriate for most green areas or open space. Further guidance about Local Green Spaces is given in PPG.

Two areas in Brimfield are identified; an area of land at the top of Wyson Avenue and St Michael's Gate Amenity Area. Both areas are clearly identified on Map 8a. As well as considering the extremely brief explanation given in the Plan for putting forward these areas as LGSs, I visited each site.

With regard to area 1, land at the top of Wyson Avenue, this is a well defined open space surrounded by trees and hedges. It is largely laid to grass and had a homemade swing and goalposts. It is close to residential properties and has good access. The Plan confirms that it is the area's recreational significance that is valued. In my view this area does meet the criteria set out in the NPPF.

Turning now to area 2, St Michael's Gate Amenity Area, I saw at my visit that access is gained from a footpath through an area of housing which then opens onto what I can only describe as rather unkempt piece of grassland with some mounds of gravel on it. Whilst the area was well defined, it is close to the road and also has some utility equipment on it. It did not seem to be well used and is certainly not well looked after. The Plan does not offer any explanation of why it is particularly special or valued by residents (it only states it is used for recreation which could apply to any number of areas). The Parish Council have subsequently clarified that the land was intended to be an amenity area as part of various historic permissions. Nevertheless, the evidence submitted in the Plan and in its support together with my visit to the site points to an area that does not obviously or presently satisfactorily meet the criteria in the NPPF. As a result it should be deleted from the Plan.

³² NPPF paras 76 and 77

One area in Little Hereford has been identified; land at Middleton. This is a green area with recent planting on it. It creates an open area in an otherwise enclosed locality typified by rural lanes with hedges to both sides. It was a peaceful and tranquil area as the Plan indicates with an abundance of snowdrops at the time of my visit. I consider this area does meet the requirements.

The policy then resists development on the LGSs which would harm their openness and this is consistent with the nature of the two retained LGSs and the rationale for their designations, but the policy could usefully go further by referring to their other attributes.

The policy has no need to refer to the NPPF as it is this Plan that allocates the LGSs.

The following modifications are recommended:

- **Delete “...under paragraphs 76...Framework.” from the policy**
- **Add after “...on the openness of these sites” in the final paragraph of the policy “*or the attributes for which they were designated will not be acceptable other than in very special circumstances.*”**
- **Delete area 2 St Michael’s Gate amenity area as a Local Green Space**
- **Consequential amendments to the text and the maps, including the separate Policies Map, will be needed**

Policy BLH11 Allotments and Open Space

This is a simply worded policy that encourages the provision of allotments and advocates a green infrastructure approach to new areas of open space. This policy chimes with the thrust of national policy and guidance and will help to achieve sustainable development. No modifications are therefore recommended.

6.4 Flooding and Waste Water Treatment

Map 2 shows flood zones mapping. These are likely to change over the passage of time and therefore it is recommended that a date is put on the map together with a notation that the most up to date information should always be referred to.

Paragraph 6.4.6 refers to “Technical Guidance to the National Planning Policy Framework”; this was withdrawn on 7 March 2014 and replaced by PPG. As a result this section requires reviewing to ensure it is up to date.

The suggested modifications are:

- **Add a notation to Map 2 that the flood zone information is correct as at [insert date] but reference should always be made to the most up to date information available from the Environment Agency**
- **Review paragraph 6.4.6 to delete references to the “Technical Guidance to the National Planning Policy Framework” and to ensure the most up to date national policy and guidance is included**

Policy BLH12 Water Management

This is a simply worded policy that refers to the use of the Strategic Flood Risk Assessment to inform the location of development, the need for SuDs and the use of appropriate mitigation and construction methods. National policy and guidance is clear that opportunities should be taken to reduce the overall level of flood risk and that this can be achieved through the location of development, the appropriate use of SuDs and other works. The policy is in line with CS Policies SS7 and SD3. It meets the basic conditions and no modifications are recommended.

Policy BLH13 Criteria for Assessing the Suitability of Future Potential Sites

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.³³ It advocates a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property.³⁴ The NPPF sets out the circumstances in which a site-specific flood risk assessment will be required.³⁵ PPG advises that the general approach and requirements for site-specific flood risk assessments should be applied to developments in areas at risk from flooding.

Policy BLH13 requires any development sites to demonstrate that regulatory requirements to minimise impacts on water quality and to reduce flood risk have been satisfied. It then requires all sites to be within flood zone 1. This does not reflect the sequential approach set out in national policy and guidance although I recognise it tries to steer development to areas of lower flood risk as far as possible in line with PPG.³⁶ This then requires a modification to bring it in line with national policy and guidance.

It is clear from the Plan that this is something that the community is very concerned about and there is little doubt that consideration of flood risk will proactively help to meet one of the challenges of climate change and aligns with CS Policies SS7 and SD3.

³³ National Planning Policy Framework (2012) para 100

³⁴ *Ibid*

³⁵ *Ibid para 103*

³⁶ PPG para 061 ref id 7-061-20140306

The only modification recommended is:

- Add to criterion 2 “*wherever possible and take account of the sequential approach to the location of development to avoid flood risk*” after “...(“low probability”)...” and before “...and must not increase flooding issues downstream.”

Policy BLH14 Development in Areas of Flood Risk

This policy restricts development to flood zone 1 until adequate surface water drainage and waste water treatment measures have been put in place. It refers to Map 2 which I have already suggested be dated and a sentence added to ensure users of the Plan refer to the most up to date information available.

The final paragraph refers to bio-disc systems. I understand this is a sewage treatment system, but I believe this is a trade name rather than a type of system. There is no mention of it in the supporting text to help me. As a result **this requires modification:**

- **Change the final paragraph of Policy BLH14 to remove any specific trade name and use a general term for the type of system sought or delete the paragraph as preferred**

Policy BLH15 Design for Flood Resilience and Resistance

Policy BLH15 outlines a number of measures for new development to help with making development safe from flood risk in line with PPG advice.³⁷ Given the community’s concern about this issue, the measures will help to combat the risks posed by climate change and help to ensure that any development in an area at risk of flooding would be safe. However, the policy is prescriptive and onerous and includes technical construction details that a Written Ministerial Statement³⁸ indicates should not be set out in neighbourhood plans. The policy cannot then require these measures, but could encourage them.

In order to meet the basic conditions, the following modifications are recommended:

- **Change the word “must” in paragraph one of the policy to “*should*”**
- **Change the word “must” in the second paragraph to “*could*”**
- **Change the first “must” in the third paragraph to “*should*”**
(continued on next page)

³⁷ PPG para 054 ref id 7-054-20150415

³⁸ Written Ministerial Statement 25 March 2015

- Change the word “must’ in the final paragraph to “*should*”

Policy BLH16 Design to Reduce Surface Water Run Off

PPG is clear that opportunities to reduce the overall level of flood risk in the area should be sought.³⁹ The appropriate application of SuDs and other measures can help to achieve this. Whilst this policy is arguably onerous and overly prescriptive touching on those performance and construction standards neighbourhood plans may not set, if the wording is altered to increase flexibility then it will comply with the basic conditions.

- Change both appearances of the word “must” in paragraph one of the policy to “*should*”
- Change the word “must” in the second paragraph to “*should*”
- Change the first “must” in the third paragraph to “*should*” and add “*wherever possible*” at the end of the paragraph

6.5 Communication, Supporting Local Business and Accessibility

Policy BLH17 New Communication Technologies

This policy supports technology and plans positively for high quality communications infrastructure in line with CS Policy SS5. Poor infrastructure such as broadband and mobile phone coverage is often a key barrier to economic growth. The policy has regard to the NPPF particularly in relation to building a strong, competitive economy, supporting a prosperous rural economy and supporting high quality communications infrastructure. The policy meets the basic conditions and no modifications are recommended.

Policy BLH18 Developments Supporting Rural Enterprise

Conditional support for small scale rural business is given in this clearly worded policy. It recognises the benefits that rural enterprise can bring to the community such as employment opportunities and the provision of local services. The policy accords with national policy and guidance which places considerable emphasis on supporting economic growth in rural areas and is in general conformity with CS Policies SS5, RA6

³⁹ PPG para 050 ref id 7-050-20140306

and E1. As a result the policy meets the basic conditions and no modifications are suggested.

Policy BLH19 Supporting Public Transport, Walking and Cycling

Developer contributions are sought through this policy. It seeks to improve public transport provision and encourages the use of other sustainable forms of transport such as walking and cycling including the reuse of a former disused railway track as a walking and cycling route. This policy sends out a clear signal as to the measures such contributions will be used for and is clearly worded. It is in general conformity with CS Policies SS4 and ID1, it also takes account of national policy and guidance and will help to achieve sustainable development. It therefore meets the basic conditions and no modifications are recommended.

7.0 Next Steps

This is a useful section for earlier versions of the Plan which may need removing or updating in the final version of the Plan.

- **Consider the need to retain this section or at the very least update it**

Appendices

A number of appendices are included in the Plan.

The first is a “Jargon Guide” and as the planning system is often criticised for its use of jargon this is a welcome addition to the Plan.

Appendix II contains details of listed buildings in the Parish. Again this is a useful addition, but may change over the lifetime of the Plan and so could be future-proofed by the addition of a date and a sentence indicating that the most up to date information should be sought.

Appendix III summarises the comments from the questionnaire to residents in January 2014 and a launch event held in the same month. Appendix IV contains information about the consultation which took place in May 2014. Appendix V refers to the site allocations consultation. These are not essential parts of the Plan at this stage in its evolution and are more appropriately found in the Consultation Statement where they are presently duplicated. Their removal from the Plan would make the Plan more user-friendly and manageable.

Appendix VI is an emergency guide on flood procedure. Whilst this might be useful it contains information that is likely to become out of date quickly and is not an integral part of the Plan. It should also be removed.

Appendix VII is a letter from Severn Trent and is more appropriately to be found in the Consultation Statement.

Appendix VIII is a bibliography and can be retained if desired.

The Plan will need to be checked for references to the Appendices and these will need to be updated as appropriate.

- **Add a date to Appendix II i.e. “listed buildings as at XXXX” and a note to remind readers to obtain the most up to date information, perhaps from HC or Historic England (?)**
- **Remove Appendices III, IV, V and VII as this information is now in the Consultation Statement**
- **Remove Appendix VI**
- **Consequential amendments to the appendices in the Plan may be required**

9.0 Conclusions and recommendations

I am satisfied that the Brimfield and Little Hereford Group Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore delighted to recommend to Herefordshire Council that, subject to the modifications proposed in this report, the Brimfield and Little Hereford Group Neighbourhood Development Plan should proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Brimfield and Little Hereford Group Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion. I therefore consider that the Plan should proceed to a referendum based on the Brimfield and Little Hereford Group Neighbourhood Plan area as approved by Herefordshire Council on 3 July 2013.

Ann Skippers
Ann Skippers Planning
8 March 2016

Appendix List of key documents specific to this examination

Brimfield and Little Hereford Group Neighbourhood Development Plan 2011-2031
Submission Draft July 2015

Brimfield and Little Hereford Group Policies Map

Brimfield Policies Map

Little Hereford Policies Map

Middleton Policies Map

Basic Conditions Statement

Consultation Statement

Environmental Report Addendum dated August 2015

Habitats Regulations Assessment dated November 2014

Habitats Regulations Assessment Addendum dated August 2015

Herefordshire Core Strategy 2011-2031 October 2015 and Appendices

Various evidence documents and other information on the Brimfield and Little Hereford Group website including Local Affordable Housing Needs Survey for Brimfield Parish dated November 2012 and Brimfield Call for Sites Viability Assessment Report dated June 2014

List ends

Appendix Clarification questions

Brimfield and Little Hereford Neighbourhood Plan Examination Questions of clarification from the Examiner to the Group Parish and HC

Having completed an initial review of the Neighbourhood Plan (the Plan) and the evidence submitted in support of it, I would be grateful if both Councils could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information.

1. The Plan introduces a new settlement boundary for Brimfield which includes sites 6 and 7 (as per the 'call for sites' numbers). It appears from representations that these sites may now be subject to planning applications. Please could you update me on whether either of these sites are subject to planning applications, if so brief details about the proposal(s) and any decision(s) made as well as reference numbers.
2. The site selection process has been questioned by some representations. I have viewed the 'Call for Sites Viability Assessment Report' of June 2014 by Kirkwells and the three options information presented to the community to vote on. Please could you briefly outline how and why those three options were selected and why other sites were not put to the vote?
3. Policy BLH6 in refers to "community assets" in the first paragraph. Is this term used in the general sense or the specific i.e. assets of community value?
4. The Basic Conditions Statement understandably refers to the UDP 2007 and an earlier version of the Core Strategy. With the passage of time the Core Strategy has now been adopted and its Appendix 1 explains which UDP policies have been superseded by it. Please could the Parish Council provide a short statement to confirm (or not) that they have considered their neighbourhood plan policies in the light of the adopted Core Strategy and consider them to be in general conformity with the relevant Core Strategy policies.
5. In relation to the SEA please could you confirm that the Environmental Assessment of Plans and Programmes Regulations 2004 have been compiled with and in particular Regulation 11 which requires publicity for the determination to be carried out.

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will crop up.

With many thanks.

Ann Skippers

7 February 2016