

## Progression to Examination Decision Document



### Neighbourhood Planning (General) (Amendment) Regulations 2012

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|--|--|
| Name of neighbourhood area             | Brimfield and Little Hereford Neighbourhood Area |
| Parish Council                         | Brimfield and Little Hereford Parish Council     |
| Draft Consultation period (Reg14)      | 15/12/2014 – 09/02/2015                          |
| Submission consultation period (Reg16) | 12/08/2015 - 23/09/2015                          |

#### Determination

|  |                        |     |
|--|------------------------|-----|
| Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act  |                        | Yes |
| Are all the relevant documentation included within the submission <ul style="list-style-type: none"> <li>• Map showing the area</li> <li>• The Neighbourhood Plan</li> <li>• Consultation Statement</li> <li>• SEA/HRA</li> <li>• Basic Condition statement</li> </ul> | Reg15                  | Yes |
| Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'   | Localism Act 38A (2)   | Yes |
| Does the plan specify the period for which it is to have effect?   | 2004 Act 38B (1 and 2) | Yes |
| Are any 'excluded development' included? <ul style="list-style-type: none"> <li>• County matter</li> </ul>   | 1990 61K / Schedule 1  | No  |

|  |                       |     |
|--|-----------------------|-----|
| <ul style="list-style-type: none"> <li>Any operation relating to waste development</li> <li>National infrastructure project</li> </ul>   |                       |     |
| Does it relation to only one neighbourhood area?   | 2004 Act 38B (1and 2) | Yes |
| Have the parish council undertaken the correct procedures in relation to consultation under Reg14?   |                       | Yes |
| <p>Is this a repeat proposal?</p> <ul style="list-style-type: none"> <li>Has an proposal been refused in the last 2 years or</li> <li>Has a referendum relating to a similar proposal had been held and</li> <li>No significant change in national or local strategic policies since the refusal or referendum.</li> </ul> | Schedule 4B para 5    | No  |

#### Comments received during submission consultation

|   |   |
|---|---|
| <b>Herefordshire Council – Environmental Health</b> | Likelihood of contamination on the allocated site is low. General comments regarding contamination on sensitive sites.  |
| <b>Welsh Water – Dwr Cymru</b>                      | Content to rely on previous representations to Reg14 consultation   |
| <b>Historic England</b>                             | No specific comments to make to this Plan   |
| <b>The Coal Authority</b>                           | No specific comments to make on the Plan  |
| <b>Natural England</b>                              | Does not consider this Plan to have any likely significant risk to internationally and nationally designated sites.   |
| <b>Malvern Hills District Council</b>               | No objection to the Plan  |
| <b>Severn Trent Water</b>                           | No specific comments to make to this Plan   |
| <b>Sport England</b>                                | Highlighted the importance of Sport within Neighbourhood Development Plans, and Sport England's Role in protecting playing fields. No specific comments regarding the Plan. |
| <b>B &amp; J Atkins</b>                             | Support the plan and it should be endorsed without delay to protect the village   |
| <b>M Humphries c/o Mr Millward</b>                  | Seeks omission of Local Greenspace Area 2 from Policy BLH10 as their Client owns the parcel of  |

|                 |  |
|-----------------|--|
|                 | land and has not given consent to the allocation for greenspace on his land.   |
| <b>Mr Brick</b> | <p>Objects to the Plan and the way that the housing sites were decided, contrary to the recommendations of the Planning Consultants results, due to claims made regarding flooding on the preferred site.</p> <p>Questions the protocol used by the steering group for the process of their NDP.</p> |

**Programme Director's comments**

*I'm happy for this document to proceed.*

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

The decision to progress to appoint an examiner for the above neighbourhood plan has been

**Approved**



**Richard Gabb**

**Programme Director Growth**

Date: *13.10.15*

