

**Progression to Examination Decision Document**



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

|   |                                    |
|---|------------------------------------|
| Name of neighbourhood area              | Eardisley Group Neighbourhood Area |
| Parish Council                          | Eardisley Group Parish Council     |
| Draft Consultation period (Reg 14)      | 07/10/14 – 17/11/14                |
| Submission consultation period (Reg 16) | 15/05/15 – 26/06/15                |

**Determination**

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| 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> | 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'   | Yes             |    |
| Does the plan specify the period for which it is to have effect?   | Yes (2011-2031) |    |
| Are any 'excluded development' included? <ul style="list-style-type: none"> <li>• County matter</li> </ul>   |                 | No |

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| <ul style="list-style-type: none"> <li>Any operation relating to waste development</li> <li>National infrastructure project</li> </ul>   |     |    |
| Does it relate to only one neighbourhood area?   | 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> |     | No |

#### Comments received during submission consultation

| Organisation       | Comments   |
|--------------------|--|
| The Coal Authority | Having reviewed your document, I confirm that we have no specific comments to make on it at this stage.  |
| Historic England   | <p>Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. As noted in our previous consultation responses we are supportive of the content of the document, particularly its' emphasis on local distinctiveness and the protection of locally significant buildings and rural landscape character. We are pleased to note that several of our earlier recommendations have been incorporated in this version of the Plan.</p> <p>Overall Historic England considers that the Eardisley Group Neighbourhood Plan is a well-considered, concise and fit for purpose document that constitutes a very good example of community led planning.</p> |
| Environment Agency | I refer to your email of the 15 May 2015 in relation to the above Neighbourhood Plan (NP) consultation. We have reviewed the submitted document and would offer the following comments at this time. As submitted we would raise concerns with regards to a lack of sufficient evidence base to support allocations that are located within areas of flood risk.   |

We would therefore expect a sequential justification of these sites, in the first instance, to confirm that there are no alternative sites available within Flood Zone 1. We would then expect an assessment of flood risk to confirm that the proposed sites are developable for the uses proposed and will not exacerbate flooding within Eardisley, with flood risk betterment provided where viable.

We note that the allocated/committed sites in Winforton or Whitney-on-Wye are located solely within Flood Zone 1, the low risk Zone. New development in these areas (Policy H5 and H6 respectively) should accord with a (revised) E1 Policy to adopt a sequential approach in ensuring development is located within Flood Zone 1, the low risk Zone.

As stated in the associated Environmental Report reference should be made to Herefordshire Council's Strategic Flood Risk Assessment (SFRA) 2009. It is understood that Herefordshire Council will be undertaking further updates to this document, which is now six years old, in consideration of flood risk, especially in the rural areas. We would therefore recommend you contact the Neighbourhood Planning team to discuss this further. To assist in this regard we have attached a copy of our recently produced

Neighbourhood Plan Pro-forma which provides steer on how to address issues relating to flood risk and other sustainable water management requirements within your NP document.

Policy MD1 – Mixed Use Development in Eardisley: In acknowledgment of the above we would raise concerns, at this time, in relation to Policy MD1 and the development of this site, particularly for 'more vulnerable' uses such as a day-care facility (b) or residential (f). As shown on the attached Flood Map the site lies predominantly within Flood Zone 3 (High Risk) and it may not be viable to safely develop this site without increasing flooding to third parties. I refer to the associated Environmental Report (December 2014) which states that "Up-to-date flood risk information should be gathered from the Environment Agency, in order to ensure that any flood risks are considered when preparing the Eardisley Group NDP." The western edge of the site does fall within Flood Zone 1 and may be suitable for a day care facility, subject to a detailed Flood Risk Assessment (FRA).

A robust evidence base, and decision making methodology, should inform the plan and ensure that it stands up to public scrutiny from developers, local communities and third parties. In the absence of an up to date Strategic Flood Risk Assessment (SFRA) we would expect robust justification for locating allocations within areas of potential flood risk and confirmation that the flooding is understood and can be managed/mitigated without impacts on third parties.

With reference to the Basic Conditions that Neighbourhood Plan must meet it would appear that the plan is not in full conformity with Herefordshire Councils Emerging Core Strategy (and current Unitary Development Plan) and does not fully promote sustainable development.

Policy SD1 – Sustainable Development: As part of an overarching sustainability policy we welcome reference to the need (Point c) for development to be undertaken within the capacity of essential infrastructure and that developers may need to contribute towards upgrades, including surface water and foul drainage. Point c also states that “existing and new properties should be safeguarded from flooding with measures introduced to reduce flood risk where necessary, in accordance with Policy E1”. Whilst this is welcomed reference should be made, in the first instance, to ensuring that development is sequentially located on land at the lowest risk of flooding (Flood Zone 1).

Policy E1 – Flooding: Eardisley, Winforton and Whitney-on-Wye are all impacted by fluvial flooding. We therefore welcome a flooding Policy to ensure that development within these villages is directed to areas at the lowest level of risk. This Policy should accord with Herefordshire Council’s Emerging Core Strategy Policy for Sustainable Water Management (Policy SD3), and the current Unitary Development Plan (Policy DR7) to ensure that development will be safe and will not increase flood risk to third parties. There is some repetition of Herefordshire Council’s Policy within Policy E1 which is not necessarily required whereas we would recommend focus and consideration of flood risk issues in the Policy be specific to the NP areas.

Policy E1(c) states that no development will be permitted that will result in increased flood risk elsewhere. As both Policy MD1 and H4 propose development within Flood Zones 2 and 3 (Medium and High risk), based upon our ‘indicative Flood Map’, it may not be possible to achieve this.

In order to demonstrate that this site is appropriate for the abovementioned uses we would expect an assessment of flood risk (evidence) prior to final submission. We would expect a sequential justification of why this site has been allocated over sites within areas of lower flood risk. A SFRA should be undertaken to ascertain the precise risk to the site and whether it can be developed safely without increasing flooding to third parties.

Policy H4 – New Homes in Eardisley: Similar to the above land at The Glebe lies within Flood Zone 2, the medium risk Zone. This Policy confirms that development should comply with the flood risk Policy E1 but there appears to have been no sequential assessment of sites to demonstrate that there are no alternative locations for residential development within Flood Zone 1 (low risk). A FRA may demonstrate that the site is in fact developable but, in the absence of this evidence base, the risks to the site are unknown.

Flood defences: Options are currently being investigated to reduce flood risk in Eardisley with works on the Folly brook proposed. Currently £200,000 has been allocated to the project, subject to approval of a business case and securing funding contributions if needed. Currently the earliest construction start date is 2021. This scheme is to be led by Herefordshire Council. There may well be scope, to accommodate future development within Eardisley, for developer contributions to be utilised to bring these flood alleviation options to fruition.

Water Quality: As stated within the associated Environmental Report (December 2014)

'New development proposed through the Eardisley Group NDP should be assessed against the capacity of local infrastructure'. On this point we note (Section 8.2.20) discussions with Welsh Water confirming that their treatment works are performing well but that there might be a need for phased development or contributions towards enhancement of the works.

Water Framework Directive (WFD): The EC Water Framework Directive European Union 2000 Commits all EU member states to achieve good qualitative and quantitative status of all water courses by 2027 Aims for 'good status' for all ground and surface waters (rivers, lakes, transitional waters, and coastal waters) in the EU.

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|                        | <p>The Willerlsey Brook, which flows along the west of Eardisley is currently at 'moderate status'. In line with the above we would expect development in Eardisley to have no detrimental impact on the watercourse and, where possible, aid in it achieving 'good status' by 2027.</p>  |
| <p>Natural England</p> | <p>Thank you for your consultation on the above dated and received by Natural England on 15 May 2015.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Eardisley Group Neighbourhood Plan</p> <p>The NDP relies on policies of the as yet un-adopted Herefordshire Local Plan. Until such time as the Herefordshire Local Plan is adopted the plan, policies within it cannot be relied upon to ensure the NDP will not have a likely significant effect. As a consequence, we disagree with the conclusions of the HRA of the NDP. In order to conclude that the NDP will not have a likely significant effect, we advise that either the NDP is adopted only after the Herefordshire Local Plan is adopted, or suitable policies are included within the NDP. Such policies will need to ensure that:</p> <ul style="list-style-type: none"> <li>• "No development will be permitted within 100 metres of the boundary of the River Wye Special Area of Conservation (SAC). Development can only proceed where any adverse effects on the River Wye SAC can be avoided or mitigated.</li> <li>• Development will only be permitted when it does not compromise the ability of the nutrient management plan to deliver the necessary overall nutrient reductions along those stretches of the River Wye SAC which are already exceeding water quality targets."</li> </ul> <p>Habitats Regulations Assessment (HRA) Report and Addendum</p> <p>In Section 6 of the HRA and section 3 of the Addendum, it appears the basis for the conclusion that there will be no likely significant effect from the NDP, in combination with the proposed Main Modifications to the Herefordshire Local Plan (Core Strategy), is that in combination effects have been ruled out as the NDP aligns with the draft Local Plan.</p> |

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|  | <p>The draft Local Plan has not yet been adopted and both it, and its HRA, are therefore liable to further changes. Given this, relying on the draft Local Plan to avoid or mitigate any potential impact is not considered sufficient to be certain of avoiding impact at this stage. The NDP's HRA may, of course, rely on the evidence supporting the Local Plan's HRA to draw conclusions as to whether the policies in the plan will have significant effects on the River Wye Special Area of Conservation (SAC).</p> <p>Eardisley Environment Report</p> <p>Natural England welcomes the production of an Environmental Report. Having reviewed the report Natural England confirms that it meets the requirements of the Strategic Environmental Assessment (SEA) European Directive and national regulations, and that we concur with its conclusions.</p>                                 |
| Dwr Cymru Welsh Water  | <p>I refer to your letter regarding the above consultation. Dŵr Cymru Welsh Water (DCWW) appreciates the opportunity to respond and we offer the following representation:</p> <p>The comments provided at the Neighbourhood Development Plan Pre-submission Consultation Stage in November 2014 still apply, therefore we have no further comments to add at this time.</p>  |
| Collins Design and Build                                     | See attached representation   |
| Indigo Planning on behalf of West Register (Realisation) Ltd | <p>We write on behalf of West Register (Realisation) Ltd and in response to the Eardisley Group Neighbourhood Development Plan (EGNDP) Regulation 16 consultation.</p> <p>West Register supports the proposed allocation of its site, land at the Old Sawmills, which is proposed for mixed use development through Policy MD1, on the basis that Policy MD1 is amended to reduce the amount of proposed employment land and it is positively written. The rationale for this is set out below.</p> <p>Policy Wording</p> <p>Policy MD1 states that development of the Old Sawmills site is "an exception to policy J3". However, the Old Sawmills site is not an exception site. Rather, it is to be an allocated mixed-use site, and the wording should better reflect this point. As such reference to this section of the policy should be deleted altogether and the wording should state:</p> |

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|   | <p>“The area of land identified on Eardisley Inset Map comprising part (2.5 ha) of the Old Sawmills site may accommodate a range of uses...”</p> <p>Indeed, the National Planning Policy Framework (NPPF) at paragraph 14 states that plan-making should ensure that opportunities are positively sought to meet the development needs of the area.</p> <p>Paragraph 14 continues to state that plans should have sufficient flexibility to adapt to rapid change. Indeed the word “exception” contradicts the principle that neighbourhoods are required to “plan positively to support local development” (NPPF, paragraph 16).</p> <p>Quantum of Development</p> <p>The current apportionment in the EGNDP of 1ha for employment land and circa 0.5ha for community uses, with the remainder being split between housing, green infrastructure and car parking does not take into account the flood risk of the site. Indeed taking the area at risk of flooding into account reduces the net developable area to 2.2ha.</p> <p>West Register has undertaken a number of technical studies in respect of delivering a viable scheme on the site. These studies take account of the mix of housing, employment and community uses outlined in Policy MD1 as well as the site constraints. The technical work demonstrates that it would be very difficult to provide 1 ha of employment land and deliver the range of other proposed uses.</p> <p>As such West Register requests that policy MD1 be amended so that a flexible amount of employment land is sought, taking into account the site constraints and other proposed uses.</p> <p>We trust that the representation outlined above will be taken into consideration by the Neighbourhood Planning Team. We request the ability to participate in any future examinations of the Neighbourhood Plan.</p> |
| Herefordshire Council (Strategic Housing) | I've read through the plan and have no comments; they have listened to my past comments and amended everything.   |



Herefordshire Council (Environmental Health)

**RE: Eardisley Group Regulation 16  
Neighbourhood Development Plan  
consultation**

I refer to the above and would make the following comments with regard to the proposed development areas identified in the '*Policies Maps of; Eardisley, Winforton and Whitney*':

Please note; The Eardisley Group Regulation 16 Neighbourhood Development Plan states that the "Housing Commitment" sites referred to throughout the plan have been "granted planting permission". Therefore on the basis that this statement is correct, I have not commented on the "Housing Commitment" sites on the understanding these sites have been subjected to comments during the planning process.

Eardisley

Having reviewed records readily available, I would advise that the 'Proposed site for development (policy H4, H7)' (Brown on the map) appears, from a review of Ordnance survey historical plans to have largely agricultural use history. By way of general advice I would mention that agricultural practices such as uncontrolled burial of wastes or excessive pesticide or herbicide application may be thought of as potentially contaminative and any development should consider this.

'Proposed site for mixed use (Policy EDM1)' (hatched in pink) is identified in the report as part of the 'Old Sawmills site'. This is a potentially contaminative use and 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.

Whitney on Wye

The 'Proposed site for development (policy H6,H7)' (Brown on the map) appears, from a review of Ordnance survey historical plans to have largely agricultural use history. By way of general advice I would mention that agricultural practices such as uncontrolled burial of wastes or excessive pesticide or herbicide application may be thought of as potentially contaminative and any development should consider this.

The review of Ordnance survey historical plans also indicates the 'Proposed site for development (policy H6,H7)' encroaches onto an area of land that since 1964 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 sites historic 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.

Finally 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.

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

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| <p>Rose and Tony Urbainczyk</p> | <p>We support this plan, in particular Policy H4 New Homes in Eardisley, because we feel that it will help contribute to what most of the villagers want. We also support the number of houses planned (59) because of the benefits to the village as a whole that will accrue from them. It makes sense to make better use of 'brownfield' sites and these plans will stop uncontrolled sprawl by giving a well defined development boundary. Development within this boundary will not be further detrimental to existing the historic sites and buildings of the Black and White Villages Trail, which brings business to the village.</p>  |
| <p>Mike Budd</p>                | <p>The plan for Whitney-on-Wye appears to centre on two issues a) the impact of the A 438 b) housing location.</p> <p>I agree with the strategy on the A438, and in particular that there should be a lower speed limit. I also agree that the first 4-5 houses should be built at Millhalf as there are disused vernacular buildings there which can be easily converted into accommodation which is sympathetic to the hamlet. This seems to be an entirely valid reason for the proposal.</p> <p>However I do not agree with the reasons given in the plan which centre around flood mitigation. I also do not agree that Millhalf should be the default location for further housing provision after the first 4-5 houses, as the pool of convertible vernacular buildings will be exhausted, and the main reason given in the plan, once again mitigation of flood risk, seems to me doubtful. Also I disagree with the assertion that Whitney is a village with three main centres, an assertion presumably relevant to the proposal that there should be development outside the main settlement area. I am making this objection because I believe that the reasons given for policies are as important as the policies themselves. If policies are developed for challengeable reasons they could be challenged in court by enterprising developers. Also they may become accepted as fact and used to justify medium to long term housing location policy.</p> <p>The reasons given in the plan for selecting Millhalf as a development location are that housing along Duck Street, the main alternative location considered, is likely to cause an increase in flood risk though increased surface run-off presumably into the Millhalf brook [1]. I feel that the reasoning is doubtful because the area likely to be rendered impermeable by the housing (maybe 500-1000 square metres) is very, very small compared to the area of the two basins that cause flooding problems in Whitney. These are the river Wye basin (clearly huge) and Millhalf brook (about 7 million square metres). Therefore the increased</p> |

surface run-off is unlikely to cause a significant increase in flood risk from these rivers [2]. Furthermore the very small increase in risk involved could be offset by sustainable drainage measures, which could be enforced in perpetuity eg via covenants. Finally, the drainage of much of the land in Millhalf is ambiguous - a significant proportion of Millhalf land actually drains to Millhalf brook. But the plan does not specify the potential site of the second phase of housing which may be built there.

The plan implies that Whitney is a settlement with three main centres. It seems to me difficult to argue this. It seems more natural to argue that Whitney is a fairly concentrated linear settlement mainly consisting of Duck Street and Whitney Village road psychologically but not spatially divided by the main road. Millhalf is a very small, separate, agricultural hamlet.

As a corollary it is perhaps worth recognizing that there is a risk that the will of the more numerous residents of Whitney on Wye dominates over the much less numerous residents of Millhalf in medium to long term planning, including housing allocation. It would be particularly unfortunate if the residents of Millhalf experienced a diminution in house values (from development) while Whitney was experiencing an increase (from flood risk mitigation and absence of development).

None of this is to deny the importance of flood mitigation measures at Whitney-on-Wye. Around six houses are at high risk of flooding and measures are desperately needed to prevent or mitigate the risk. After walking around Millhalf brook for a while it seems to me that the flood risk from the brook might be managed by addressing aspects of land management in the upstream catchment, but to establish whether that is true further work would be needed. It also seems to me that the existing stream diversion scheme, while helpful, has insufficient capacity (there is trashline evidence that the associated dam is being frequently over-topped).

In conclusion I would suggest:

i) the plan is rephrased to justify the Millhalf location for the first 4-5 properties on the basis that vernacular building are available for conversion

ii) the Millhalf location is withdrawn as the default location for further housing, as the main reasons given for this appear to me weak. Other locations should probably be considered.

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|  | <p>iii) or alternatively any further development is strongly constrained (regarding materials, design and layout) to be consistent with Millhalf's character as a charming ancient agricultural hamlet with (currently) no modern buildings at all.</p> <p>iv) the statement that Whitney is a single village with three centres is withdrawn as it seems difficult to argue this</p> <p>v) Millhalf residents are separately consulted on medium to long term plans for housing in Millhalf</p> <p>vi) A flood risk study is conducted to determine what measures could be put in place to manage the Whitney flood risk. This is I think already intended. This should in my view include an upstream catchment study for Millhalf brook – this may not yet have been considered.</p> <p>Finally I would like to note that my thoughts on this should be qualified by the fact that I have not been a resident of Whitney for very long, so I may not be aware of all the local issues and initiatives involved. This also explains the length of this submission – I was not resident during the most of the local consultation period.</p> |
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**Assistant Director Comments**

**It is unhelpful that the comments from the EA have come relatively late in the day. They will no doubt be scrutinised by the appointed examiner.**

**Other than these comments there is a traditional range of varied comments on the Plan. It has positively addressed the issue of proportionate housing growth.**



**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**

A handwritten signature in blue ink, consisting of a large, stylized 'A' followed by a horizontal stroke and a loop.

**Andrew Ashcroft**

**Assistant Director of Economy, Environment and Cultural Services**

Date:

