

9th September 2016

Comments on Leintwardine Neighbourhood Development Plan – Regulation 16

From: A. Banks – Development Management

Policy	Comment
Para 1.12	This underplays the services that are available in the village. Leintwardine is one of the best served villages in the county in this respect with services that include a primary school, doctor's surgery, fire station and library. To suggest that there are limited services seems rather disingenuous.
LG1	<p>Point b) The meaning or intention of this criteria is not clear. Is it suggesting that development will be expected to contribute towards the improvement of local infrastructure to mitigate impacts? This needs to be clarified and re-written.</p> <p>Point c) The first part which says about meeting need is ok, but the last part which suggests that development that does not contribute to need will be resisted is phrased in the negative and is contrary to the NPPF.</p> <p>The concluding paragraph of the policy needs to be amended. It shouldn't suggest that there will be proposals that aren't covered by the plan. It is enough to say that proposals should comply with the sustainability priorities as set out by the plan.</p>
LG2	<p>Points a, c & e) are all phrased in the negative and need to be re-worded to be NPPF and Core Strategy compliant.</p> <p>Point c) remove the word 'similar'</p> <p>Apart from the above, the policy provides a good basis for considering the effects of developments on heritage assets</p>
LG3	Ok
LG4	<p>Point a) is ok but would read more easily if the key elements were presented as bullet points</p> <p>Point b) the intention is fine but the first part is again unclear as to the precise intention</p> <p>Point c) this is good as it gives some clear direction about alterations and extensions to dwellings in the conservation area. This has been lacking from a number of other NDP's and its inclusion is welcomed.</p> <p>Point f) says nothing. Should be removed</p>
LG5	This is a good policy. It gives clear direction about how development will be assessed. The only suggestion is that it should be clear that it is relevant to extensions and other development within residential curtilages.
LG6	The basic premise of the policy is fine but as a whole it is unclear and needs a

	complete re-think and simplification.
LG7	Ok
LG8	<p>Point b) it's acceptable to require development to provide appropriate levels of parking but it should not be expected that it solves pre-existing problems. The last part of the sentence should be removed.</p> <p>Point e) issue with the font. The last part of could be simplified by removing the words "existing footways or to the"</p> <p>Point f) is unnecessary and should be removed</p>
LG9	Ok
LG10	Point g) should simply read – <i>Proposals will be supported where:</i>
LG11	<p>The policy relates specifically to two sites that already have the benefit of outline planning permission. It is very prescriptive and in some cases seeks to add a further layer of control where matters have already been agreed through the granting of permission.</p> <p>The matters that the policy seeks to exert a degree of control over in points a to j) are essentially covered by Policy LG5 and by the conditions and Section 106 Agreements imposed on the respective sites.</p> <p>The policy then goes on to make specific requirements in relation to each of the individual sites.</p> <p>Point l) what evidence has been produced to suggest that the existing access for the surgery is unacceptable? The new surgery was completed around three years ago and the access was considered to be acceptable at that stage. Improvements to the junction will only be required if it is evident that the intensification of its use as a result of the housing development makes it unsafe.</p> <p>Pont m) it cannot be presumed that planning permission would not be granted again should the outline permission for the site at Rosemary Lane not be implemented. The effect of this would be to pre-determine any future application. This is entirely unreasonable when it has previously been found that the development of the site is acceptable.</p> <p>Point n) this runs contrary to the assessment of the outline planning permission and paragraph 64 of the Inspector's decision letter. The NDP should not seek to impose requirements retrospectively when the issue of access was determined at part of the outline permission.</p> <p>Point o) it is assumed that this is trying to secure a date for the completion of the development. The reference to a 'bond' is unclear. Is this envisaged to be some sort of financial payment if the development were not to be completed in an agreed timescale?</p>

	Points l to o) are all unreasonable and unnecessary and should be removed.
LG12	<p>Point d) is contrary to the Council's current position as far as Section 106 contributions towards commercial development are concerned. Contributions are not currently being sought.</p> <p>The rest of the policy is ok, although it is suggested that criteria f, g and h) would all be better as individual policies.</p>
LG13	The last sentence is not acceptable and should be removed. Again it is pre-determining proposals – in this case those for multiple wind turbines. This is prejudicial and should not be included.
LG14	Ok
LG15	The majority of the policy is perfectly clear. The exception is the penultimate paragraph. How can a development proposal <u>provide</u> off site facilities? I assume that it means that developments which contribute financially towards the provision of off-site community facilities will be supported. This should be caveated on the basis that they are acceptable in all other respects.
LG16	Ok
LG17	This policy would have greater value if the plan specifically identified an area of land for the provision of an area for sport and recreation. Without a specific allocation the policy has limited value.
LG18	It is well established by planning legislation and case law that contributions should only be requested to provide for infrastructure improvements where it can be demonstrated that they are required to make a development acceptable (paragraphs 122 & 123 of the Community Infrastructure Levy Regulations 2010 provide clear advice in this respect). Contributions will not meet the tests of reasonableness and necessity if they are required for the 'operation and maintenance' of community facilities. These references should be removed from the policy and it should be clear that contributions will be proportionate to the development proposed and not necessarily to secure community facilities in their entirety.
Appendix 2	<p>I'm not sure that I understand the purpose of including non-statutory policies. If they are non-statutory then they would have no weight in the determination of planning applications and therefore of little value. Many of the matters included in LG(NS)19 and 20 appear to be items that may be the beneficiary of funding through Section 106 contributions. Provided that they could be rationalised they would be better placed as a separate policy under the Community Infrastructure heading of the plan.</p> <p>If LG(NS)21 is to be included as a policy, it too should appear under the Community Infrastructure heading.</p>

Latham, James

From: Turner, Andrew
Sent: 03 October 2016 10:05
To: Neighbourhood Planning Team
Subject: RE: Leintwardine Group Regulation 16 Neighbourhood Development Plan consultation

RE: Leintwardine Group Regulation 16 Neighbourhood Development Plan consultation

Dear Neighbourhood Planning Team,

I refer to the above and would make the following comments with regard to the proposed housing development areas identified in the Leintwardine Group Regulation 16 Neighbourhood Development Plan.

My understanding is that apart from the two sites; 'Land adjacent to the Surgery in High Street' and 'Land adjacent to Rosemary', both of which have Outline Planning Permission, no other specific sites have been identified in this plan and as such I would advise:

- Given that no other specific sites have been identified in the plan I am unable to provide comment with regard to potential contamination.

General comments:

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

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

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

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

Kind regards

Andrew

Andrew Turner
Technical Officer (Air, Land and Water Protection),
Environmental Health & Trading Standards,
Economy, Communities and Corporate Directorate
Herefordshire Council, Blueschool House, PO Box 233
Hereford. HR1 2ZB.
Direct Tel: 01432 260159
email: aturner@herefordshire.gov.uk

From: Neighbourhood Planning Team
Sent: 23 August 2016 10:33
Subject: Leintwardine Group Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,



The Coal
Authority



200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Neighbourhood Planning, Strategic Planning &
Herefordshire Council

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

21 September 2016

Dear Neighbourhood Planning, Strategic Planning & Conservation teams

Leintwardine Group Regulation 16 Neighbourhood Development Plan

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on it.

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

Yours sincerely

Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*
Chief Planner / Principal Manager
Planning and Local Authority Liaison

Latham, James

From: Norman Ryan <Ryan.Norman@dwrcymru.com>
Sent: 03 October 2016 15:05
To: Neighbourhood Planning Team
Cc: Evans Rhys
Subject: RE: Leintwardine Group Regulation 16 Neighbourhood Development Plan consultation
Attachments: DCWW consultation response - Leintwardine Neighbourhood Plan.pdf

Dear Sir/Madam,

Thank you for consulting Welsh Water on the below consultation.

Given that Welsh Water provided a consultation response at the Regulation 14 consultation stage, we have nothing further to add and are content to rely on our previous representation.

Please find attached a copy of this representation for you information.

If you require any further information, then please do not hesitate to contact me.

Regards,



Ryan Norman

Forward Plans Officer | Developer Services | Dŵr Cymru Welsh Water

Linea | Cardiff | CF3 0LT | T: 0800 917 2652 | Ext: 40719 | www.dwrcymru.com

Have you seen Developer Services new web pages at www.dwrcymru.com? Here you will find information about the services we have available and all of our application forms and guidance notes. You can complete forms on-line and also make payments. If you have a quotation you can pay for this on-line or alternatively by telephoning 0800 917 2652 using a credit/debit card. If you want information on [What's new in Developer Services?](#) please click on this link.

If we've gone the extra mile to provide you with excellent service, let us know. You can nominate an individual or team for a Diolch award through our [website](#)

From: Neighbourhood Planning Team [<mailto:neighbourhoodplanning@herefordshire.gov.uk>]

Sent: 23 August 2016 10:33

Subject: Leintwardine Group Regulation 16 Neighbourhood Development Plan consultation

***** External Mail *****

Dear Consultee,

Leintwardine Group Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

The plan can be viewed at the following link: <https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/leintwardine-group>

Once adopted, this NDP will become a Statutory Development Plan Document the same as the Core Strategy.

The consultation runs from 23 August 2016 to 4 October 2016.

If you wish to make any comments on this Plan, please do so by e-mailing:

neighbourhoodplanning@herefordshire.gov.uk , or sending representations to the address below.



Forward Planning
PO Box 3146
Cardiff
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
E.mail: Forward.Plans@dwrcymru.com

Cynllunio Ymlaen
Blwch Post 3146
Caerdydd
CF30 0EH

Ffôn: +44 (0)800 917 2652
Ffacs: +44 (0)2920 740472
E.bost: Forward.Plans@dwrcymru.com

Leintwardine Group NDP Steering Group
C/o 9 Roman Close,
Leintwardine
Herefordshire

Enquiries: Rhys Evans/Ryan Norman
0800 917 2652

28th January 2016

Dear Sir/Madam,

PUBLIC CONSULTATION ON LEINTWARDINE GROUP PARISH COUNCIL NEIGHBOURHOOD DEVELOPMENT PLAN – JANUARY 2016

I refer to your email dated the 7th December 2015 regarding the above consultation. Dŵr Cymru Welsh Water (DCWW) appreciates the opportunity to respond and we offer the following representation:

Given that the Leintwardine Group Parish Council Neighbourhood Development Plan has been prepared in accordance with the Adopted Herefordshire Local Plan Core Strategy, DCWW are supportive of the aims, objectives and policies set out.

We do not envisage any issues in providing a supply of clean water for the 15 additional houses proposed on allocation '*Land adjacent to the Surgery*'. We can advise that our public sewerage network does not extend to the Leintwardine Parish area.

Should any additional development come forward between now and 2031, we will provide further comment should it be required when consulted by Herefordshire Council at the planning application stage.

We hope that the above information will assist you as you continue to progress the Leintwardine Group Parish Council Neighbourhood Development Plan. In the meantime, should you require any further information please do not hesitate to contact us at Forward.Plans@dwrcymru.com or via telephone on 0800 917 2652.

Yours faithfully,

Rhys Evans
Lead Forward Plans Officer
Developer Services



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no. 2366777. Registered office: Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

Mr James Latham
Herefordshire Council
Neighbourhood Planning & Strategic Planning
Planning Services, PO Box 230, Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Direct Dial: 0121 625 6887

Our ref: PL00035501

20 September 2016

Dear Mr Latham

LEINTWARDINE GROUP NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION

Thank you for the invitation to comment on the Leintwardine Group Neighbourhood Plan. Historic England is supportive of both the content of the document and the vision and objectives set out in it.

The emphasis on the conservation of local distinctiveness and variations in local character through good design and the protection of local built and landscape character, including important views, farmsteads and archaeological remains is to be applauded.

The plan is well written, well-considered and concise and eminently fit for purpose. We consider that the Plan takes an exemplary approach to the historic environment of the Parish and that it exemplifies “constructive conservation”.

Those involved in the production of the Plan should be congratulated.

I hope you find these comments and advice helpful.

Yours sincerely,

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

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



Latham, James

From: Cotton, Julian
Sent: 04 October 2016 12:02
To: Neighbourhood Planning Team
Subject: Leintwardine Group Regulation 16 NDP

Dear Neighbourhood Planning Team,

I refer you to the comments I previously made (15/012016) in relation to the plan at draft stage.

No further comments.

Regards,

Julian

Julian Cotton, Archaeological Advisor, Herefordshire Council

7 September 2016

Dear Sir / Madam

Leintwardine Group Neighbourhood Plan Consultation SUBMISSION ON BEHALF OF NATIONAL GRID

National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Gas Distribution – Low / Medium Pressure

Whilst there is no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

Gables House
Kenilworth Road
Leamington Spa
Warwickshire CV32 6JX
United Kingdom
Tel +44 (0) 1926 439 000
amecfw.com

Amec Foster Wheeler Environment
& Infrastructure UK Limited
Registered office:
Booths Park, Chelford Road, Knutsford,
Cheshire WA16 8QZ
Registered in England.
No. 2190074



The electricity distribution operator in Tunbridge Wells Borough Council is UK Power Networks. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Robert Deanwood
Consultant Town Planner

n.grid@amecfw.com

Spencer Jefferies
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

Amec Foster Wheeler E&I UK
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours faithfully

[via email]

Robert Deanwood
Consultant Town Planner

cc. Spencer Jefferies, National Grid

Date: 03 October 2016
Our ref: 194370



Mr J Latham

BY EMAIL ONLY

neighbourhoodplanning@herefordshire.gov.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mr Latham,

Leintwardine Group Regulation 16 Neighbourhood Development Plan (Herefordshire)

Thank you for your consultation on the above dated 23/08/2016

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.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For clarification of any points in this letter, please contact James Hughes on 020 802 61000. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

James Hughes
Planning Adviser
South Mercia Planning Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

From: Morgan Barbara <Barbara.Morgan@networkrail.co.uk>
Sent: 29 September 2016 10:07
To: Neighbourhood Planning Team
Subject: Leintwardine Neighbourhood Development Plan

Dear Sir/Madam

Network Rail has been consulted by Herefordshire Council on the Leintwardine Regulation 16 Neighbourhood Development Plan (NDP). Thank you for providing us with this opportunity to comment on this Planning Policy document.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.

Network Rail would draw the council's attention to the following (which applies to England only):

**The Town and Country Planning (Development Management Procedure) (England) Order 2015
Publicity for applications for planning permission within 10 metres of relevant railway land**

16.—(1) This article applies where the development to which the application relates is situated within 10 metres of relevant railway land.

(2) The local planning authority must, except where paragraph (3) applies, publicise an application for planning permission by serving requisite notice on any infrastructure manager of relevant railway land.

(3) Where an infrastructure manager has instructed the local planning authority in writing that they do not require notification in relation to a particular description of development, type of building operation or in relation to specified sites or geographical areas ("the instruction"), the local planning authority is not required to notify that infrastructure manager.

(4) The infrastructure manager may withdraw the instruction at any time by notifying the local planning authority in writing.

(5) In paragraph (2) "requisite notice" means a notice in the appropriate form as set out in Schedule 3 or in a form substantially to the same effect.

Developer Contributions

The Neighbourhood Plan should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure.

Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements.

Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development.

The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network.

To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following:

- A requirement for development contributions to deliver improvements to the rail network where appropriate.
- A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.

- A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.

Level Crossings

Development proposals affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision.

As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services.

In this regard, we would request that the potential impacts from development affecting Network Rail's level crossings, is specifically addressed through planning policy as there have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing. We request that a policy is provided confirming that:

- The Council have a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway:
 - *Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010 requires that... "Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway (public footpath, public or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval".*
- Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact: and
- The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.

Planning Applications

We would appreciate Leintwardine Group Parish Council provide Network Rail with an opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).

We trust these comments will be considered in your preparation of the forthcoming Neighbourhood Plan document.

Regards,

Barbara Morgan

Town Planning Technician (Western and Wales)
1st Floor, Temple Point
Redcliffe Way, Bristol BS1 6NL

Tel: 0117 372 1125 – Int: 085 80125

Email: townplanningwestern@networkrail.co.uk

www.networkrail.co.uk/property

The content of this email (and any attachment) is confidential. It may also be legally privileged or otherwise protected from disclosure.

**TO: DEVELOPMENT MANAGEMENT- PLANNING AND
TRANSPORTATION
FROM: ENVIRONMENTAL HEALTH AND TRADING
STANDARDS**



APPLICATION DETAILS

215359 /
Leintwardine Parish
Susannah Burrage, Environmental Health Officer

I have received the above application on which I would be grateful for your advice.
The application form and plans for the above development can be viewed on the Internet within 5-7 working days using the following link: <http://www.herefordshire.gov.uk>

I would be grateful for your advice in respect of the following specific matters: -

	Air Quality		Minerals and Waste
	Contaminated Land		Petroleum/Explosives
	Landfill		Gypsies and Travellers
	Noise		Lighting
	Other nuisances		Anti Social Behaviour
	Licensing Issues		Water Supply
	Industrial Pollution		Foul Drainage
	Refuse		

Please can you respond by ..

Comments

We would reiterate our earlier recommendation regarding policies LG10 and LG11 which has not been taken on board namely::

To protect existing and future residential occupants amenity, we recommend that this be listed as a criteria in policy LG10, LG11 and any future housing policy.:

- a) New development does not impact on the amenity of existing residential occupants.
- b) Existing agricultural, industrial or commercial activity does not impact on the amenity of future residential occupants. (Leintwardine)

Signed: Susannah Burrage
Date: 6 September 2016

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Leintwardine Group (Regulation 16 submission draft)

Date: 22/09/16

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
LG1- Promoting a Sustainable Community	SS1	Y	
LG2- Protecting Heritage Assets	LD4	Y	Where possible, new development could not only conserve, but also enhance heritage assets and their settings through appropriate design and management. Acknowledging this in the policy would add some flexibility.
LG3- Retaining the Natural Environment and Landscape	LD1-LD3	Y	
LG4- Development Within Leintwardine's Conservation Area	LD1, LD4	Y	
LG5- Design Appearance	LD1, LD4	Y	
LG6- Sustainable Design	SD1-SD4	Y	
LG7- Highways and Transport Infrastructure	SS4, MT1	Y	
LG8- Highway Requirements	SS4, MT1	Y	
LG9- New Homes in Leintwardine	SS2, RA2	Y	
LG10- Leintwardine	N/A	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Settlement Boundary			
LG11- Housing Land Adjacent to the Surgery	N/A	Y	
LG12- Supporting Local Business	RA5, RA6, E3, E4	Y	
LG13- Renewable Energy	SD2	Y	
LG14- Broadband Infrastructure	N/A	Y	
LG15- Protection and Enhancement of Services and Facilities	SC1	Y	
LG16- Safeguarding Local Greenspace	OS3	Y	
LG17- Provision of Local Sports Area	OS1, OS2	Y	
LG18- Use of Community Infrastructure Levy	ID1	Y	

05 October 2016

Our ref: Herefordshire 19

Dear Sir/Madam

Leintwardine Group Regulation 16 Neighbourhood Development Plan consultation

Thank you for the opportunity to comment on your consultation. We currently have no specific comments to make, however we have set out some general information and advice below.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in further detail with the local planning authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.

Sewage Strategy

Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.

Surface Water and Sewer Flooding

We expect surface water to be managed in line with the Government's Water Strategy, Future Water. The strategy sets out a vision for more effective management of surface water to deal with the dual pressures of climate change and housing development. Surface water needs to be managed sustainably. For new developments we would not expect surface water to be conveyed to our foul or combined sewage system and, where practicable, we support the removal of surface water already connected to foul or combined sewer.

We believe that greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. We request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers.

Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency's Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

Water Supply

When specific detail of planned development location and sizes are available a site specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.

Water Efficiency

Building Regulation requirements specify that new homes must consume no more than 125 litres of water per person per day. We recommend that you consider taking an approach of installing specifically designed water efficient fittings in all areas of the property rather than focus on the overall consumption of the property. This should help to achieve a lower overall consumption than the maximum volume specified in the Building Regulations.

We recommend that in all cases you consider:

- Single flush siphon toilet cistern and those with a flush volume of 4 litres.
- Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute.
- Hand wash basin taps with low flow rates of 4 litres or less.
- Water butts for external use in properties with gardens.

We hope this provides you with useful information and look forward in receiving your detailed proposals at your earliest convenience.

Yours sincerely

Dawn Williams

Water Efficiency and Growth Advisor

growth.development@severntrent.co.uk

Latham, James

From: Zoe Hughes <Zoe.Hughes@sportengland.org>
Sent: 23 August 2016 14:17
To: Neighbourhood Planning Team
Subject: Leintwardine Group Regulation 16 Neighbourhood Development Plan consultation

Thank you for consulting Sport England on the above Neighbourhood Consultation.

Planning Policy in the **National Planning Policy Framework** identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.

It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Parts 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, '**A Sporting Future for the Playing Fields of England – Planning Policy Statement**'.

<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

Sport England provides guidance on developing policy for sport and further information can be found following the link below:

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.

<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/>

If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

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

Yours sincerely

Planning Administration Team
Planning.central@sportengland.org

