

Progression to Examination Decision Document



Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Little Dewchurch Neighbourhood Area
Parish Council	Little Dewchurch Parish Council
Draft Consultation period (Reg14)	28 March to 16 May 2016
Submission consultation period (Reg16)	5 October to 16 November 2016

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"> • Map showing the area • The Neighbourhood Plan • Consultation Statement • SEA/HRA • Basic Condition statement 	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 (1and 2)	Yes
Are any 'excluded development' included? <ul style="list-style-type: none"> • County matter 	1990 61K / Schedule 1	No

<ul style="list-style-type: none"> Any operation relating to waste development National infrastructure project 		
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
Is this a repeat proposal? <ul style="list-style-type: none"> Has an proposal been refused in the last 2 years or Has a referendum relating to a similar proposal had been held and No significant change in national or local strategic policies since the refusal or referendum. 	Schedule 4B para 5	No

Summary of comments received during submission consultation

Herefordshire Council – Environmental Health (contamination)	The proposed housing site identified in light brown ('LDH1') in Plan 1 has historically been used as orchards. By way of general advice orchards can be subject to agricultural spraying practices which may, in some circumstances, lead to a legacy of contamination and any development should consider this.
Herefordshire Council – Strategic Planning	Generally support and confirm conformity See appendix 1 for details.
Herefordshire Council - Housing	No comments on this plan, they make provision for affordable housing which is good.
Herefordshire Council – Environmental Health	<p>As per our earlier comments, we recommend that policy LDH2 be amended so that it reads</p> <p>Be of a scale and form which meets local housing need, complements the character of the area and does not result in a loss of amenity for existing residents and result in inappropriate development of residential gardens; ...<i>and be suitably located such that the amenity of future occupiers is protected</i></p> <p>The reason for this is to ensure that the occupants of any new housing are not adversely affected by existing business activities. (If new occupants were nuisanced by existing businesses our department would have the duty to investigate and if appropriate require the business activity to be curtailed)</p>

Natural England	No further comment to make on this draft neighbourhood plan.
Historic England	Supportive of both the vision and objectives set out in the plan and consider that it takes a suitable proportionate approach to the historic environmental of the parish. No further substantive comments to make.
Coal Authority	No specific comments to make
National Grid	National Grid has identified the following high pressures Gas Distribution pipeline as falling within the neighbourhood area: 1465 Ross-on-Wye – Luggbridge – HP pipeline. The above pipeline does not interact with any of the proposed development sites.
Homes and Communities Agency	The Agency is not a landholder within the boundary of the neighbourhood plan and as such will not be formally submitting a response.
Dwr Cymru/ Welsh Water	The parish council have taken on board our comments from the Reg14 consultation stage and amended Policy INF1 and the supporting text at point 5.65 accordingly. No further comment to make at this stage.
CPRE Herefordshire	Have commented on the Reg14 stage of the plan and content that those comments have been noted. Congratulate work producing a comprehensive analysis of local landscape character, robust policies particularly in regards to local green space and a clear vision for the future of the parish. It is clear from the accompanying Consultation Statement that local people have been included in the development of the plan at every stage.

Please note the above are summaries of the response received during the submission consultation. Full copies of the representations will be sent to the Examiner in due course.

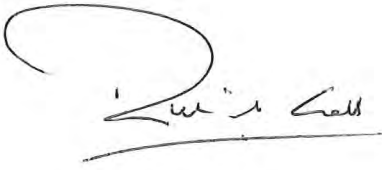
Officer's Appraisal

The comments received have been generally supportive and any outstanding issues highlighted can be addressed as part of the examination process.

Assistant Director's comments

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 black ink, appearing to read 'Richard Gabb', with a large, stylized initial 'R' at the start. The signature is written over a horizontal line.

Richard Gabb

Programme Director – Growth

Date: 25 November 2016

Appendix 1 Herefordshire Council Strategic Planning Team

Name of NDP: Little Dewchurch- Regulation 16 submission version

Date: 06/10/16

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
LD ENV 1: A Valued Natural and Built Environment	LD1-LD4	Y	
LD ENV 2: Local Green Spaces	N/A	Y	
LD SB 1: Settlement Boundary	N/A	Y	
LD H1: Policy Housing Delivery	RA1, RA2	Y/N	With the fairly tightly drawn settlement boundary, it is difficult to ascertain whether enough infill schemes are going to come forward in the plan period to supplement the allocated site and meet the growth target.
LD H2: Housing Design Criteria	LD1, LD2, SD1-SD3, MT1	Y	
LD E1: Rural Employment	RA6, E3	Y	
LD INF 1: Local Infrastructure	SC1, MT1, SD3	Y	With regard to flooding, development proposals should also be located in accordance with the Sequential Test and Exception Tests (where appropriate) outlined in the NPPF paragraphs 100-104. It must also have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire.
DNP RE1: Renewable	SD2	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Energy			
LD CF1: Community Facilities	SC1	Y	Designating/listing the specific community facilities to be retained could afford stronger protection.