

# **Staunton on Wye Neighbourhood Development Plan**

## **Examination Version**

Report to Herefordshire Council of the Examination into the  
Staunton on Wye Neighbourhood Development Plan

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### **Summary of Recommendation:**

Staunton on Wye Neighbourhood Development Plan: as modified should  
proceed to referendum

# Contents

1. Introduction
2. Compliance with matters other than the Basic Conditions
3. Basic Conditions and Development Plan Status
4. Background documents
5. The Community's Vision
6. Consultation Statement
7. Modifications and recommendations to Staunton on Wye NDP
8. Summary and Referendum

# 1. Introduction

Neighbourhood Planning provides communities with the power to shape future development in and around where they work.

This Report provides the findings of the Examination into the Staunton on Wye Neighbourhood Development Plan (referred to as the SOWNDP).

This Report provides a recommendation as to whether or not the Neighbourhood Development Plan should go forward to a Referendum.

I am pleased to report that the Plan may proceed to Referendum subject to a series of minor Modifications. None of these fundamentally change the Plan's content or direction, but are intended to ensure that the Plan meets the Basic Conditions. Within this report are also clearly marked recommendations that are optional and will enable the information to be presented more clearly in a user-friendly document.

Were the Plan to go to Referendum and achieve more than 50% of votes in favour, then the Neighbourhood Plan would be made by Herefordshire Council. The Neighbourhood Plan would then be used to determine planning applications and guide planning decisions in the Staunton on Wye Neighbourhood Area.

## **Role of the Independent Examiner**

I have been appointed by Herefordshire Council with the consent of Staunton on Wye Parish Council to conduct the Examination and provide this Report as Independent Examiner. I confirm I am independent of the qualifying body and local authority. I do not have any land or other interests that may be affected by the Plan. I am a Chartered Town Planner with over 25 years experience in local authority, private, partnership, third sector and community organisations specialising in planning, design, rural and community-led development. NPIERS are satisfied that I hold the appropriate qualifications and experience to be a member of their Panel of Examiners.

As Independent Examiner, I must make one of the following recommendations:

a) that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;

- b) that the Neighbourhood Plan as modified should proceed to Referendum; -
- c) that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements. -

If recommending that the Neighbourhood Plan should proceed to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Staunton on Wye Neighbourhood Area to which the Neighbourhood Plan relates. I make my recommendation on the Referendum Area at the end of this Report. -

In examining the Neighbourhood Plan, I am also required, under Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990, to check whether: -

- a) the policies relate to the development and use of land for a designated neighbourhood area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004; -
- b) the Neighbourhood Plan meets the requirements of Section 38B of the 2004 PCPA (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area), -
- c) the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body. -

Subject to the contents of this Report, I am satisfied that each of the above points have been met. -

## **Neighbourhood Plan Period**

A neighbourhood plan must specify the period for which it is to have effect.

The Neighbourhood Plan states on the front page that it covers the period 2011-2031. It therefore satisfies this legal requirement.

## **Public Hearing**

As a general rule, neighbourhood plan examinations should be held without a public hearing – by written representations only. I have considered written representations as part of the examination process. A public hearing must be held when *the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

The Consultation Statement evidences the opportunities for individuals and organisations to consider the Neighbourhood Plan and to put forward representations, whether in support, objection or as general comments. I consider the Neighbourhood Plan consultation process in detail below. I note that the receipt of representations in support and, fewer in number, representations in objection to the Staunton on Wye Neighbourhood Plan, provides evidence that people have had a fair chance to put a case.

I am satisfied from the depth of the consultation responses and the spread of consultation invitations that most respondents have been satisfied with the process.

Taking the above into account, I consider it is **not** necessary for there to be a Staunton on Wye Neighbourhood Plan Hearing.

## **2.0 Compliance with matters other than the Basic Conditions**

### **Qualifying body**

The Parish Council of Staunton on Wye is recognised as the qualifying body for leading a neighbourhood development plan<sup>1</sup>.

### **Plan area**

The Plan area was approved by Herefordshire Council on 5<sup>th</sup> September 2012. A map of the area is to be found in Appendix 5 of the Plan.

### **Plan period**

The Plan covers a period to 2031. This is stated clearly on the front cover.

### **Excluded development**

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement.

### **Development and use of land**

Policies in neighbourhood plans must relate to the development and use of land. Neighbourhood plans may sometimes contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. I am satisfied that all policies in the Staunton on Wye NP are land use policies.

### **Publicity**

The Regulation 14 draft of the Neighbourhood Plan was consulted on by Staunton on Wye Parish Council between 7 November 2014 and 19 December 2014. Herefordshire Council has undertaken the Regulation 16 Consultation between 13 August 2015 and 24 September 2015. These dates comply with the requirements of the 2012 Regulations.

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<sup>1</sup> In line with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2012) and Planning Practice Guidance (2014)

### **3. Basic Conditions and Development Plan Status**

An Independent Examiner must consider whether a neighbourhood plan meets the “Basic Conditions” which were set out following the Localism Act 2011. In order to meet the Basic Conditions, a neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan (see Development Plan Status below) for the area; and,
- be compatible with EU obligations and human rights requirements.

I confirm that I have examined the Neighbourhood Plan against these Basic Conditions.

I consider whether the policies of the Neighbourhood Plan have regard to national policies, contribute to sustainable development and are in general conformity with strategic development plan policies, the status of the relevant development plan and whether the Neighbourhood Plan is compatible with EU obligations and human rights requirements.

The Modifications proposed for the submitted NDP will enable compliance with the Sustainability criteria of the Basic Conditions and the NPPF.

#### **Development Plan Status**

The current Development Plan for the Staunton on Wye neighbourhood plan area comprises the Herefordshire Local Plan which was adopted by Council at its meeting 16 October 2015. The council has prepared a Local Plan to guide development and change in the county up to 2031. The Local Plan is made up of a number of documents including the Core Strategy (2013) and sets a vision as to how the county should look and function and how development needs will be met up to 2031.

The Basic Conditions Statement states that Staunton on Wye NDP policies were predicated on the adopted Herefordshire Core Strategy 2013 and includes policies within the, then, imminent Herefordshire Local Plan. I am satisfied the Staunton on Wye Neighbourhood Development Plan policies have been developed in line with the adopted 2013 Core Strategy and 2015 Plan, are in general conformity, as primarily referred to in the Basic

Conditions Statement and there is no conflict with the recently adopted 2015 policies, as detailed later in this report, subject to modifications.

### **European Convention on Human Rights (ECHR) and European Union (EU) Obligations**

I am satisfied that the Neighbourhood Plan does not breach, nor is in any way incompatible with the ECHR. The consultation process for the NDP has been wide ranging and responses listened to which have resulted in obvious changes to the Plan. I am also mindful of the responses received subsequently and have made modification later in this report to account for these.

The Consultation Statement charts the changes made to the SOWNDP as a result of the responses received. Where changes have not been made contrary to the wishes of all respondees sufficient reason for not doing so has been provided in the Consultation Statement.

I am satisfied that a fair and transparent process has been undertaken in the policy generation and focus of the plan.

I am satisfied Staunton on Wye Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

The emerging Local Plan does not specify levels of growth for Staunton on Wye Parish and I am satisfied that the SOWNDP is sufficiently flexible in providing for a balance of development within the neighbourhood plan area and that it is positive in promoting sustainable development.

Herefordshire Council carried out a screening opinion on the Staunton on Wye NDP in accordance with EU Directive 2001/42 on strategic environmental assessment. It concluded that there may be significant environmental effects due to the range of environmental designations in and around the parish, and consequently an SEA would be required.

The SEA report demonstrates its policies will have no significant social, economic or environmental effects. Consultees are satisfied the proposals have been sufficiently assessed and raise no negative impact. I am satisfied of the content of the SEA and from the responses that the proposals have been sufficiently assessed and raise no negative impact.



Under Regulation 102(1)(a) of the Habitats Regulations 2010 the NDP was screened for likely significant effects on European sites. The Staunton-on-Wye Plan is not directly connected with the management of any European sites but does however include proposals for development which may affect European sites. The initial screening report (06/09/12) found that a full screening assessment is required due to the presence of the River Wye SAC that is located on the southern edge of the Neighbourhood Area.

The HRA of neighbourhood plans is undertaken in stages and should conclude whether or not a proposal or policy in a neighbourhood plan would adversely affect the integrity of the site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated) and are measured with reference to the conservation objectives for those qualifying features as defined by Natural England.

Three HRA reports were undertaken subsequent to the September 2012 screening report, in November 2014, February 2015 and August 2015. They consistently reported that the Staunton on Wye NDP will not have a likely significant effect on the River Wye SAC.

Notably the February 2015 HRA Addendum Report detailed the findings of the screening of the two policies which had been added to the Staunton on Wye NDP and to consider if they significantly affected the conclusions of the earlier HRA Report (November 2014). These comprised General Policies SOWG1 and SOWG2 restricting development within 100m of the River Wye SAC and green infrastructure. These policies were considered to not significantly affect the conclusions of the earlier HRA report, as they merely acted upon Natural England's recommendations.

In conclusion I am therefore satisfied that the Neighbourhood Plan is compatible with EU obligations and the Basic Conditions.

### **National policy and advice**

The main document that sets out national planning policy is the National Planning Policy Framework (the NPPF) published in 2012. In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the strategic development needs set out in Local Plans, plan positively to

support local development, shaping and directing development that is outside the strategic elements of the Local Plan and identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with the neighbourhood plan to proceed.

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

On 6 March 2014, the Government published a suite of planning guidance via the online resource [www.planningguidance.planningportal.gov.uk](http://www.planningguidance.planningportal.gov.uk). The planning guidance contains a wealth of information relating to neighbourhood planning which is updated from time to time and I have had regard to this in preparing this report. This is referred to in this report as Planning Practice Guidance (PPG).

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

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

I am satisfied Staunton on Wye Neighbourhood Plan has had regard to the requirements of the NPPF and NPPG.

### **Sustainable development**

A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The Basic Conditions require consideration whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether or not the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some

alternative plan would make a greater contribution to sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The Framework explains that there are three dimensions to sustainable development; economic, social and environmental.

Whilst the SOW Basic Conditions Statement does not offer a detailed explanation of how the Plan contributes to the achievement of sustainable development, the policies have been considered in the Table comprising Appendix 4 to contribute to satisfying the requirement for sustainable development. It states sustainability is weaved throughout the Plan within the Policies demonstrating how to encourage sustainable development throughout the future growth across the Parish. I find this to be the case in the suite of policies promoting a rounded approach to sustainable growth of the Parish through providing energy efficient and well designed homes of varying tenures and types from new build to conversions, encouragement of continued business growth where not affecting landscape or highway safety and promoting alternative means of travel to the private motor car; built heritage and environmental protection and for maintenance of community facilities, endorsed by the findings of SEA scoping report where the NDP provides mostly neutral to positive potential environmental impacts. I have recommended a further policy to add to this suite, relating to provision of broadband in line with the community's and consultees wishes and concerns. Subject to this I am satisfied that the SOWNDP addresses the sustainability issues and alternatives and that the links between sustainability and the Plan Policies are made within the SOWNDP.

### **Herefordshire Council**

The Basic Conditions Statement states that Herefordshire Council has been engaged throughout the development of the Staunton on Wye Neighbourhood Plan which has ensured that the process of developing the policies for the Plan has been scrutinised in terms of conformity with strategic policies of the 2015 Plan.

I am satisfied the SOWNDP is in general conformity with the policies in the recently adopted 2015 Plan that affect the overall deliverability of the Plan and meets the Basic Conditions in this respect.

## **Neighbourhood Plan Area**

The chosen Neighbourhood Plan Area will be the Area within which the Policies contained in this Neighbourhood Plan will be exercisable. Staunton on Wye Neighbourhood Plan Area is within the Local Planning Authority Area of Herefordshire Council. The Neighbourhood Plan Area follows the Parish boundary. The boundary therefore comprises a known area and is logical for the intent of the Neighbourhood Plan Policies.

The Plan Area does not overlap with any other and no other neighbourhood development plan has been made within this area.

This satisfies requirements for the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

## **4. Background documents**

In undertaking this examination, I have considered the following - documents in addition to the Examination Version of the Staunton on Wye - Neighbourhood Plan: -

National Planning Policy Framework (NPPF) (2012) -  
National Planning Policy Guidance (NPPG) (2014) -  
Town and Country Planning Act 1990 (as amended) -  
The Localism Act (2011) -  
The Neighbourhood Planning Regulations (2012 as amended) -  
The Herefordshire Local Plan (adopted 16 October 2015) -  
The Herefordshire Core Strategy (2013) -  
Basic Conditions and Consultation Statements -  
SEA and HRA Screening Statement from Herefordshire Council -  
Submission Letters -  
Neighbourhood Area (map) -

Representations received during the publicity period and additional - representations Herefordshire Council emailed to me 18 November 2015. -

I spent an unaccompanied day visiting the parish of Staunton on Wye in - November 2015. -

## **5. The Community's Vision and Objectives**

The community's Vision and Objectives are clearly set out in their NDP for how they wish the future of their Parish to be taken forward and it is clear these form a thread informing policies throughout their NDP.

The Basic Conditions, Consultation Statement and other supporting documents provides evidence of the aspects that are valued and shows this vision and objectives have been tested and supported throughout local consultation.

These are clear and unambiguous and will assist in the understanding of the Plan and delivery of its aims.

Staunton on Wye NDP's Vision fits well with the aims of the adopted Local Plan policies. They all emphasise retaining built and natural landscape character, encouraging the economic and social life of the parish and managing development and its impacts.

## 6. Consultation Statement

Public consultation is an important part of a Neighbourhood Development Plan. It is a legislative requirement. It forms part of the evidence base.

Building effective community engagement into the plan-making process encourages public participation and raises awareness and understanding of the plan's scope and limitations. Successful consultation can also create a sense of public ownership, achieve consensus and provide the foundations for a successful 'Yes' vote at Referendum.

As required by regulation 4, Staunton on Wye Parish Council submitted a Consultation Statement to Herefordshire Council setting out who was consulted and how, along with comments on the outcome of the consultation. The Consultation Statement provides a useful explanation of the stages of consultation. Interfaces with the public are recorded and the statement provides evidence of how the community was reached, the quality of engagement and where the results have and have not been incorporated into the SOWNDP. It will be useful to include more detail within the Consultation Statement to show the number of people engaged at each event, where they were from and demographics, dialogue on how the Steering group was recruited and who made up the membership and proportionate representation from the community. Where demographic detail is available, this should be included and any reference to how the Qualifying Body met their Public Duty.

Over the four year process of developing the Staunton on Wye Neighbourhood Plan evidence demonstrates the community has been engaged and consulted widely and using various methods of contact. The Reg. 14 consultation responses have been either taken on board to alter aspects of the Plan or reason provided as to why responses have not been taken forward.

I am satisfied that the Neighbourhood Plan meets its statutory obligations in that the responses show a wide range of outreach and input and that the majority of responses are positive about the quality of the process and the outcomes. I am confident that the Plan has emerged as a result of seeking, and taking into account, the views of residents and the wider community and other bodies. Consequently I am satisfied the Neighbourhood Plan is a community-driven document.

## 7. Modifications and recommendations to the Staunton on Wye Neighbourhood Development Plan

**Modifications** to the following Policies do not fundamentally change the Plan's content or direction and will ensure overall legal compliance and consistency within policies.

**Recommendations** are optional for consideration by the Parish Council and its advisers. The recommendations below largely relate to clarifying the message and intent of the Plan through re-ordering information.

My overall comments are that the Plan is clear and concise. It is a well set out document and tells the story of the inception and development of the Plan well.

The simplicity of language and presentation makes it easy to understand. The Introductory pages set the scene well, particularly the development of policies on page 7, and the photographs illustrate the features of the area.

### Recommendation

R.1. Remove grey/green background used throughout the documents to enable legibility.

In terms of accessibility the grey/green background used throughout the documents reduces the contrast between background and text, some headings in capitals and underlining and a small font does not meet the criteria of the, 'See it Right Guidelines'. Good practice would work within these guidelines and demonstrate promoting equality under your Public Sector Duty (Equality Act 2010), to advance equality for the protected characteristic of disability.

R.2. Page 8 SOWNDP. Suggest incorporate explanatory text in bold as follows:

These policies have been formulated in response to suggestions received in response to the consultation process **that generated this Plan and documented in the Consultation Statement and subsequently via responses received** under Regulation 14 **and 16** of the Neighbourhood

Planning Regulations and apply to all the following policies in so far as they relate to the development of land.

R.3. A lot of support has been given to improved broadband connection through the consultations. It is unclear why there is no policy supporting this. If there are no barriers, I suggest adding such a policy, along similar lines to the 'made' Upper Eden NDP.

R.4. Consider incorporating the opportunity for contemporary development of a high quality, sustainable design which is appropriate to the context and makes a positive contribution to the surrounding environment and rural landscape into the supporting text to policy SOWE- Development and Design Principles, that relate specifically to the Old School and other buildings within the Conservation Area. For example NDP policy SOWD2 where it allows 'Unless it can be demonstrated that the design and use of materials will result in a building of exceptional and unique architectural merit'. Whilst such development must be treated with caution, successful contemporary interventions may provide opportunities for using space more effectively and gracefully which can increase the viability of a development proposal and thus contribute to securing the future of these fine buildings. Historic England produces guidance to support contemporary interventions in the historic environment, such as Building in Context.

R.5. Staunton on Wye NDP may wish to consider a regular plan review to monitor the effectiveness of policies in delivering development of a nature sought in their NDP, including responding to any site delivery constraints and achieving any necessary flexibility and adaptability. This would deliver one of the NDP's stated Objectives 'To involve local people on an ongoing basis in the process of plan-making and delivery of development'.

## **Modifications**

### **Basic Conditions Statement:**

1. Update the third para of page 3 to incorporate the adopted 2015 Plan.
2. Use the Basic Conditions criteria relating to neighbourhood development plans.
3. Appendix 1 add **Herefordshire Local Plan Core Strategy 2011-2031 adopted 16 October 2015.**



4. Appendix 1 has inaccuracies and omissions where only partial updates seem to have been made to account for the adopted 2015 Plan, corrected as follows:

(i) Add 'General policies' or 'Environment' category. Refer to Core Strategy Policy SD3 - Sustainable Water Management, Policy LD2 – Biodiversity and geodiversity, Policy LD3 – Green Infrastructure.

(ii) Housing. Add Policy RA3 – Herefordshire's countryside

(iii) Business and Employment. Add Policy E4 – Tourism.

(iv) Community Facilities. Add OS1: Requirement for open space, sports and recreation facilities

(v) Design Principles. Historic environment and heritage assets are significant contributors to sustainable development, it is therefore appropriate to add LD4 - Historic environment and heritage assets and Policy SD1 – Sustainable design and energy efficiency, Policy SD2 – Renewable and low carbon energy generation.

(vi) Old School and Conservation Area category, add Policy LD4 – Historic environment and heritage assets. Remove reference to LD2 and LD5.

5. Incorporate into the Appendix the formal response from Herefordshire Council designating the Neighbourhood Plan Boundary Area and a map of the Area.

### **Neighbourhood Development Plan:**

6. All policies remove the word "only" from text to read "development will be supported where ..."

7. Reword Policy SOWG1 to incorporate Environment Agency response to ensure development may take place, in accordance with NPPF, similar to the following:

**SOWG1 - Sustainable water management  
Development will be supported subject to other policies within  
this Plan where it is located within Flood Zone 1 (Low Risk).  
Where small-scale development is deemed necessary (with**

**consideration of the Sequential Test) within Flood Zones 2 and 3 proposals will demonstrate that they are safe and will not increase flood risk to third parties, with flood-risk betterment provided where possible. Development within 100 metres of the boundary of the River Wye Special Area of Conservation will not be supported.**

Within policy supporting text refer to National Planning Policy Guidance (NPPG) and Herefordshire Council's Core Strategy (Policy SD3 - Sustainable Water Management).

8. Reword policy SOWG 2 so that it is more positive. Suggest as follows:

**Proposals for new development will be supported where they demonstrate regard to the Herefordshire Strategy for Green Infrastructure by:** etc

9. Policy SOWH 1 reword for greater clarity, along the lines of :  
**Further proposals for new housing will be supported within the built up area of Staunton village, (excluding land within the Conservation Area) subject to satisfying the following criteria:**  
etc

Add: **Proposals for more than three dwellings per plot are likely to be refused permission by reason of being out of scale and context to the local pattern of development in the village. Where such proposals are submitted evidence will be required to satisfy appropriateness to context and other impacts upon residential amenity and any other additional benefits that might be brought by the development.**

10. Policy SOWH 4 reword:

In the Parish generally individual houses outside **the built up area of the village of Staunton on Wye** will be supported .... etc

In all the above cases the proposal will need to demonstrate safe access, neutral or positive **landscape and other environmental impacts** and .... etc

11. Add at the end of the first paragraph of explanatory text .... **This may also be linked to live/work proposals.**

12. Policy SOWB5. Remove reference to excluding those in SOWC1 as these do not comprise agricultural buildings. Suggested as follows: -

Proposals for change of use of agricultural buildings in the Parish to residential and holiday accommodation and non-agricultural business will be supported etc ....

Clause a) add "**landscape or other** environmental impacts"

13. SOWB6 Alter title and add wording in order to broaden the encouragement to business enterprises that may not be within B1 use, as below. This may be for uses such as for tourism or locally based food manufacturing, so long as local amenity is not adversely affected, i.e. the basis of the B1 use class, similar to alternative wording below. Otherwise this policy could preclude and therefore be unnecessarily restrictive to uses that may have no harm on the environment or amenity, contrary to the NPPF. Other changes are recommended to enable this policy to fit within the requirements of the NPPF and sustainability criteria:

### **SOWB6 New employment generating enterprises**

Proposals for new employment generating enterprises **will be supported** within the village of Staunton on Wye and to the north of, and with direct access onto, the A438 subject to satisfying all of the following criteria:

- remove (a) B1 use class reference, and;
- replace (a) with d) iv 'demonstrate that landscape, environmental etc'
- retain c and d

d) i be accessed by **vehicular** traffic from the A438 etc

d) ii Demonstrate that **ways in which** the proposal will **can** provide employment for the local community

d) iii Either be served with pedestrian access and be within reasonable walking distance of the village or provide a travel plan favouring alternative means of transport to the private car where appropriate.

**' Proposals that are related to the local economy such as for tourism, food production or manufacture, environment or agriculture are particularly encouraged through this policy.'**

**' Proposals with a demonstrable adverse impact on local amenity, landscape and other environmental impacts particularly highways will be refused permission.'**

Explanatory text - Insert alternative word in the third line from bottom of page '...such development will ~~prove~~ **provide** employment opportunities...'

14. SOWC1. Additional wording to include support for positive development to sustain facilities and to provide additional direction from LP Policy SC1:

**SOWC1 A. Development proposals will be supported where they will improve and otherwise encourage the use and viability of the following facilities:**

add list a to h

**B. Proposals for change of use of these facilities will not be permitted unless it has been demonstrated the community (in the form of the Parish Council and other recognised community organisation) has been given **first** opportunity to take them on in order to retain their use. **Applicants will be expected to show the steps taken in the relevant land or property being marketed to the community, including the parish council and community organisation affected, for a period of at least 12 months.****

**C. There will be a presumption against the loss of these community facilities unless it can be shown they are no longer viable and a community based useage has been explored, as per clause B. above. In such cases, flexibility will be given to enable these facilities, local shops, services or public house to diversify into ancillary retail and tourism opportunities, which may enable the business to continue to serve the local community.**

15. SOWC2 reword and reorder paragraphs. Add map beneath policy.

**Development proposals will be supported where they will improve and otherwise encourage the use and viability of the existing recreational facility (abutting the Conservation area and highlighted in the map below).**

~~**The Parish Council will action and support consideration of further recreational and community facilities within Staunton on Wye village.**~~

**Any development likely to adversely affect the existing recreational facility highlighted on the plan below will not be permitted.**

Incorporate text "The Parish Council will action and support consideration of further recreational and community facilities within Staunton on Wye village" into the supporting text. This is a declaration of intent not a land use policy.

16. SOWD1 no change

17. SOWD2 – New building.

Subject to compliance with the other policies in the Neighbourhood Plan the erection of new buildings will ~~only~~ be supported **where** they comply with the following criteria:

a) Dwellings and other non –agricultural/business buildings.

i. Unless it can be demonstrated that the design and use of materials will result in a building of exceptional and unique architectural merit the new building **is encouraged to** be of one or two storeys and of a scale which matches its surroundings.

ii. The use of external materials ~~is such as to~~ blend in with surrounding buildings.

iii. The incorporation of **energy efficient components as well as** renewable energy will be encouraged. **Where incorporated on a roof** these should, whenever possible, be of a low profile **and non reflective**.

Etc..

### **Appendices to Staunton on Wye NDP**

18. Remove Appendix 1. Already in the Basic Conditions Statement.

19. Move Appendices 2 and 6 to the Basic Conditions Statement

20. Move Appendix 7 to the Consultation Statement

## **9. Summary and Referendum**

In summary, it is my view that the Staunton on Wye Neighbourhood Plan reflects the views of the community and sets out a clear and deliverable vision for the neighbourhood area.

There are minor Modifications and recommendations to the Plan. None fundamentally change its content or direction, but are intended to ensure that the Plan meets the Basic Conditions and is a user-friendly document.

Subject to the above, the Staunton on Wye Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State; contributes to the achievement of sustainable development; is in general conformity with the strategic policies of the development plan for the area; does not breach, and is compatible with European Union obligations and the European Convention of Human Rights.

The Staunton on Wye Neighbourhood Plan meets the Basic Conditions.

### **Referendum**

I am pleased to recommend to Herefordshire Council that, subject to the minor modifications proposed, the Staunton on Wye Neighbourhood Plan should proceed to a Referendum.

### **Referendum Area**

I am required to consider whether the referendum area should be extended beyond the Staunton on Wye Neighbourhood Area.

I consider the Neighbourhood Area to be appropriate as it follows the boundary of the Parish Council area which is an established, known boundary.

I recommend the Plan proceed to Referendum based on the Staunton on Wye Neighbourhood Area as defined by Herefordshire Council on 5<sup>th</sup> September 2012.