

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 19 November 2015 23:14  
**To:** Neighbourhood Planning Team  
**Subject:** the form Comment on a proposed Neighbourhood Area was submitted

the form Comment on a proposed Neighbourhood Area was submitted, this is the list of values it contained.



Alastair

**Last name:**

Scott

**Which plan are you commenting on?:**

Wellington

**Comment type:**

Objection

**Your comments:**

The site for the development of four houses in Auberrow Road (site 3) should be removed from the proposals. It is high quality farmland, grazed by Hereford cattle and any development of it would be beyond the existing edge of the village in open countryside. The narrow road would have to be widened, impacting on the character of this rural approach to the village from Auberrow. Claypits Lane, as an important wildlife corridor on the southern boundary of the site, would be affected by any development. Environmentally this area may suffer problems from the poultry houses farther east. The neighbourhood plan can meet its growth targets without development of this site for four houses because more infill sites will become available within the village centre by 2031.

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 November 2015 21:23  
**To:** Neighbourhood Planning Team  
**Subject:** the form Comment on a proposed Neighbourhood Area was submitted

the form Comment on a proposed Neighbourhood Area was submitted, this is the list of values it contained.



Giles

**Last name:**

Goodwin

**Which plan are you commenting on?:**

Auberrow Road

**Comment type:**

Objection

**Your comments:**

I do not feel this is the most suitable site for continued development for the following reasons;

- 1) This site is still in the conservation area therefore what is the point of having a conservation area if new builds are going to be built when there are no existing buildings that they will be replacing. This will only make it easier for future developers to encroach into the conservation area in the future
- 2) There are no pedestrian foot paths servicing this area which is a significant Health and Safety Hazard when taking into account the the increase in risk of an accident due to more people walking into the village from this area. If a path was made this would only narrow the road which will increase the disruption to motorists entering the village and increase the risk of an accident due to more cars pulling out on to a narrowed road.
- 3) One of the main objectives for the development of Wellington is not to over run the village with executive style housing however this is all that is currently being built and if this development is to going to executive style housing this will dramatically change the perception of the village when entering it from this side.
- 4) There are many other areas that could be developed that sit out side the conservation area which do not appear to have been given due consideration.

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 November 2015 21:29  
**To:** Neighbourhood Planning Team  
**Subject:** the form Comment on a proposed Neighbourhood Area was submitted

the form Comment on a proposed Neighbourhood Area was submitted, this is the list of values it contained.



**First name:**

Gavin

**Last name:**

Hailey

**Which plan are you commenting on?:**

Wellington neighbourhood development plan

**Comment type:**

Objection

**Your comments:**

I object to further development detailed in the development plan for the following reasons:

1. It would compromise the rural character of the Parish
2. The current road network is not sufficient to cope with a higher volume of traffic that the proposed developments would produce (there are lots of single carriageway lanes that join the Parish with surrounding areas).
3. The Parish currently lacks the infrastructure to meet the needs of an increased all inclusive community (no play park)

**Latham, James**

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 19 November 2015 21:52  
**To:** Neighbourhood Planning Team  
**Subject:** the form Comment on a proposed Neighbourhood Area was submitted

the form Comment on a proposed Neighbourhood Area was submitted, this is the list of values it contained.



John

**Last name:**  
Scott

**Which plan are you commenting on?:**  
Wellington

**Comment type:**  
Objection

**Your comments:**

I strongly object to the proposed development of four houses on site 3 in Auberrow Road, which would be beyond the existing settlement boundary on good quality farmland. Auberrow Road is a narrow road with occasional problems of speeding traffic, and the existing edge of the village is marked by two old historic properties. Recent new housing in the road has happened by infilling between the historic properties and the centre of the village, and by redevelopment of the farm (now Parsonage Fields). To extend the village further into the countryside by a form of ribbon development would be harmful to the rural character of the area and would impact on important views into the village. On the original plans for the nearby Parsonage Fields development part of site 3 was identified for tree planting and landscaping, although this was never done. Consideration should now be given to identifying the northern part of site 3 as green space for this purpose, along with some adjoining land. The rest ought to remain as farmland.

## **Latham, James**

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 18 November 2015 10:45  
**To:** Neighbourhood Planning Team  
**Subject:** the form Comment on a proposed Neighbourhood Area was submitted

the form Comment on a proposed Neighbourhood Area was submitted, this is the list of values it contained.

**Address:**

Les Stephan Planning Ltd  
9 Sweetlake Business Village  
Longden Road  
Shrewsbury

**Postcode:**

SY39EW

**First name:**

Les

**Last name:**

Stephan

**Which plan are you commenting on?:**

Wellington Parish NDP

**Comment type:**

Comment

**Your comments:**

We act on behalf of Ms M Thomson of [REDACTED] and have the following comments to make.

It is noted that the stated vision for the Wellington NDP is:

"To promote the sustainable development of Wellington Parish in order to maintain a safe and thriving environment with a vibrant community spirit."

The NDP however concentrates its attention on Wellington itself and makes little reference to Wellington Marsh which it refers to only as a hamlet which lies along a single no-through road leading off the A49.

Wellington is in fact a settlement comprising some 37 dwellings which contributes significantly to the housing stock in the locality.

It is considered therefore that consideration should be given to the potential for further housing in Wellington Marsh having regard to its close relationship to Wellington itself and to the Moreton Business Park which is on the opposite side of the A49.

Members and Officers will be aware that an application was recently refused on land at Kingcup Cottage, Wellington Marsh (planning ref: 143792) and we would advise that we are currently in the process of preparing a planning appeal submission. The indicative layout will now show a lower density scheme of approximately 6 units to better reflect the NDP and in response to the reasons for refusal. We would be happy to provide the Parish Council with a copy of this should they so wish.

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 19 November 2015 20:38  
**To:** Neighbourhood Planning Team  
**Subject:** the form Comment on a proposed Neighbourhood Area was submitted

the form Comment on a proposed Neighbourhood Area was submitted, this is the list of values it contained.

**Address:**



**First name:**

Rachel

**Last name:**

Scott

**Which plan are you commenting on?:**

Wellington

**Comment type:**

Objection

**Your comments:**

Whilst supporting policies aimed at preserving the character of the Conservation Area and protecting heritage assets and landscape character, I strongly object to the identification of site 3 in Auberrow Road for the development of four houses. The site is beyond the existing settlement boundary and extends into open countryside. Development will affect views into the village adversely and would be on high quality farmland. The site is far larger than the area required by four houses. This a rural approach to the village from Auberrow, along a narrow road past historic properties and its existing character should be maintained. Housing growth targets for Wellington can be met without development of this site in Auberrow Road, as infilling within the centre of the village can be expected to find sites for four further houses by 2031.

## Latham, James

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 17 November 2015 10:04  
**To:** Neighbourhood Planning Team  
**Subject:** the form Comment on a proposed Neighbourhood Area was submitted

the form Comment on a proposed Neighbourhood Area was submitted, this is the list of values it contained.

**Address:**



**First name:**

Stephanie

**Last name:**

Best

**Which plan are you commenting on?:**

Wellington Neighbourhood Development Plan proposed site by Mill Lane of 15 dwellings

**Comment type:**

Objection

**Your comments:**

I object to any building of dwellings on the site of Mill Lane, opposite Millway in Wellington. There are on going issues of flooding, drainage and also an additional 30 prospective cars on an already busy narrow country lane is frankly dangerous. The field itself is one of the most biodiverse and wildlife abundant areas in the village. As a conservationist and Wildlife educator, I have witnessed, as have many other residents of Millway, Barn owls hunting, endangered bird species feeding and nesting, and many different wild flower species (many of which are on the critical list) which bloom throughout the year in this rich habitat. The field does have cattle in it on occasion which does not affect the mix of wild and native British species which adorn this field. England has lost an area of countryside rich in wildlife and biodiversity the size of greater London in less than 5 years. A recent planning application for 45 self build homes was recently declined for this same area based on concerns for drainage, sewage disposal, traffic chaos and also the prospective biodiversity of the river lugg, which the stream that channels the field runs to. There has been comments made about the waste water and where it would go from any dwellings as the water board have already said our local current system cannot take any more on. So we would have the same problem with 15 new properties needing different or extra waste water systems in place, which if discharged into the brook would be catastrophic for biodiversity of a currently clean beautiful water way, even if "treated". The additional traffic is also a concern. The agricultural and public transport as well as private vehicle use of this country lane is already heavy, another 15 houses may mean 30+ cars, the access and bad vision is a problem and an accident waiting to happen. My concerns for flooding relate to recent floods which caused the area from the Vinery to the edge of Millway to flood, I was unable to get my car off our drive and the surface water was pushed towards properties by careless passing vehicles. The current surface water drains back up if the brook gets too high, and as this is an ongoing problem, taking away more drainage areas by building houses and adding to many existing strains and problems is idiotic! Aside from my main major concerns, of wildlife, conservation of a beautiful area, flooding, drainage, cars, traffic danger, I would like to point out to other people that Millway enjoys one of the most beautiful views in the village, and although I agree more housing is needed in our village, particularly in regard to the provision of suitable social housing for the elderly of our parish (which is virtually non existent) there are more appropriate places where the impact on wildlife, the environment and residents would be significantly less.

Please don't spoil our beautiful biodiverse unofficial Wellington nature reserve, and cause more problems for existing residents. Thankyou Mr and Mrs Best.





## Latham, James

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**From:** Turner, Andrew  
**Sent:** 12 October 2015 12:05  
**To:** Neighbourhood Planning Team  
**Cc:** James, Nick  
**Subject:** RE: Wellington Regulation 16 Neighbourhood Development Plan consultation

### RE: Wellington 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 development areas as described in 5.2.16 "Policy W2- Phasing of New Housing Development" and identified in brown ("Proposed housing sites") on "Map 1- Proposals Map" within the 'Wellington Regulation 16 Consultation Draft Neighbourhood Development Plan'. Having reviewed records readily available, I would advise the following:

#### Proposed Site 1 –"Adjacent the Graveyard"

The proposed site "1" identified in brown on "Map 1-Proposals Map" appears from a review of Ordnance survey historical plans to be immediately adjacent to a historic potentially contaminative use; a cemetery or graveyard.

The proposed development is adjacent to a cemetery or graveyard and as such it is possible that unforeseen contamination may be present. Consideration should be given to the possibility of encountering contamination as a result of its former uses and specialist advice be sought should any be encountered during the development

#### Proposed Site 2-" Mill Lane"

The proposed site "2" identified in brown on "Map 1-Proposals Map" appears from a review of Ordnance survey historical plans to have historically been used as orchards. By way of general advice I would mention that 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.

#### Proposed Site 3 -"Auberrow Road"

The proposed site "3" identified in orange on "Map 1-Proposals Map" appears from a review of Ordnance survey historical plans to be immediately adjacent (south) of a historic potentially contaminative use; Unknown filled ground (pond, marsh, river stream dock)

- Sites identified as unknown filled ground can be associated with contaminative fill material. In practice, many sites identified through the historical mapping process as unknown filled ground are instances where hollows have been made level with natural material, have remained as unfilled 'hollows' or have filled through natural processes. However, there are some instances where the nature of the fill is not inert and would require further investigation. Without any additional information it is not possible to comment further on this site. Any additional information you may be able to obtain will help in determining the exact nature of the site.

The proposed development is adjacent to UFG and as such it is possible that unforeseen contamination may be present. Consideration should be given to the possibility of encountering contamination as a result of its former uses and specialist advice be sought should any be encountered during the development.

- Historical plans also indicate that the proposed area has historically been used as orchards. By way of general advice I would mention that 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.

General comments:

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

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

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

Kind regards

Andrew

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**From:** Neighbourhood Planning Team  
**Sent:** 08 October 2015 09:59  
**Subject:** Wellington Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Wellington 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/draft-plans-regulation-14-and-submitted-plans-regulation-16/wellington-submitted-plans>

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

The consultation runs from 8 October 2015 until 19 November 2015.

If you wish to make any comments on this Plan, please do so by e-mailing: [neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk) , or sending representations to the address below.

If you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan, please indicate this on your representation.

Kind regards

**James Latham**  
**Technical Support Officer**  
Neighbourhood Planning, Strategic Planning & Conservation teams  
Herefordshire Council  
Planning Services  
PO Box 230  
Blueschool House  
Blueschool Street  
Hereford  
HR1 2ZB  
Tel: 01432 383617

Courier code : H31

Email: [jlatham@herefordshire.gov.uk](mailto:jlatham@herefordshire.gov.uk)

[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk) (for Neighbourhood Planning enquiries)

[ldf@herefordshire.gov.uk](mailto:ldf@herefordshire.gov.uk) (for Strategic Planning enquiries)

Web: [www.herefordshire.gov.uk/neighbourhoodplanning](http://www.herefordshire.gov.uk/neighbourhoodplanning) (Neighbourhood Planning)

[www.herefordshire.gov.uk/local-plan](http://www.herefordshire.gov.uk/local-plan) (Strategic Planning)

[www.herefordshire.gov.uk/conservation](http://www.herefordshire.gov.uk/conservation) (Conservation)

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## Latham, James

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**From:** Norman Ryan <Ryan.Norman@dwrcymru.com>  
**Sent:** 16 November 2015 13:55  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Wellington Regulation 16 Neighbourhood Development Plan consultation

Dear James,

I can confirm that Dŵr Cymru Welsh Water (DCWW) have no additional comment to make over and above our Regulation 14 consultation response earlier this year.

If you have any queries, please let us know.

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](http://www.dwrcymru.com)

*Have you seen Developer Services new web pages at [www.dwrcymru.com](http://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](#)**

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

**Sent:** 08 October 2015 09:59

**Subject:** Wellington Regulation 16 Neighbourhood Development Plan consultation

\*\*\*\*\* External Mail \*\*\*\*\*

Dear Consultee,

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If you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan, please indicate this on your representation.

Kind regards

**James Latham**

**Technical Support Officer**

Neighbourhood Planning, Strategic Planning & Conservation teams  
Herefordshire Council  
Planning Services  
PO Box 230  
Blueschool House  
Blueschool Street  
Hereford  
HR1 2ZB  
Tel: 01432 383617  
Courier code : H31

Email: [jlatham@herefordshire.gov.uk](mailto:jlatham@herefordshire.gov.uk)

[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk) (for Neighbourhood Planning enquiries)

[ldf@herefordshire.gov.uk](mailto:ldf@herefordshire.gov.uk) (for Strategic Planning enquiries)

Web: [www.herefordshire.gov.uk/neighbourhoodplanning](http://www.herefordshire.gov.uk/neighbourhoodplanning) (Neighbourhood Planning)

[www.herefordshire.gov.uk/local-plan](http://www.herefordshire.gov.uk/local-plan) (Strategic Planning)

[www.herefordshire.gov.uk/conservation](http://www.herefordshire.gov.uk/conservation) (Conservation)

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Company Name - DŴR CYMRU CYFYNGEDIG. Registered Office: Pentwyn Road, Nelson, Treharris, Mid Glamorgan CF46 6LY Company No. 02366777

Mae Dŵr Cymru Welsh Water yn buddsoddi'n hael ac yn gweithio'n galed i sicrhau gwasanaethau o'r ansawdd uchaf i'w holl gymunedau. Mae'r cwmni'n buddsoddi £1.7 biliwn yn ei rwydwaith dwr a charthffosiaeth rhwng 2015 a 2020.

Mae'n 'gwmni nid-er-elw', sydd wedi bod ym mherchnogaeth Glas Cymru ers 2001. Nid oes gan Dŵr Cymru gyfranddalwyr, ac mae unrhyw wargedion ariannol yn cael eu hail-fuddsoddi yn y busnes er budd cwsmeriaid. Manylion pellach ar ein gwefan [www.dwrcymru.com](http://www.dwrcymru.com)

Mae'r neges hon ac unrhyw ffeiliau atodedig at sylw'r bobl y cyfeiriwyd nhw atynt yn unig. Gallant gynnwys deunydd perchnogol, gwybodaeth gyfrinachol a/neu fod yn destun breintiau masnachol. Ni ddylid eu copïo, datgelu i neu ddefnyddio gan unrhyw barti arall. Os derbyniwyd trwy gamgymeriad, dilêwch y neges ac unrhyw atodiadau a hysbyswch yr anfonwr yn syth.

Enw'r cwmni - DŴR CYMRU CYFYNGEDIG. Swyddfa gofrestrdig: Heol Pentwyn, Nelson, Treharris, Morgannwg Ganol CF46 6LY Rhif y cwmni 02366777

## Neighbourhood Development Plan – conformity assessment

Name of NDP: Wellington (R16 version)

Date: 30/10/15

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
W1- Scale of New Residential Development	SS2, RA1, H3	N	<p>Bullet point 5 could be viewed as too prescriptive, which could restrict some development proposals from coming forward. This could include infill schemes on smaller plots. Greater flexibility could be given to this- should be used more as a guide than a limit. The rationale behind setting this density should also be provided in supporting text.</p> <p>For bullet points 6 and 7, some kind of reference could be made to being in accordance with Policy W8.</p>
W2- Phasing of New Housing Development	SS2, SS3	N	<p>Setting maximum figures for housing on the designated sites could be restrictive to proposals coming forward. To present these figures as an approximate target would give greater flexibility for proposals coming forward on these sites.</p>
W3- Ensuring an Appropriate Range of Tenures, Types and Sizes of Houses	H3	Y	
W4- Protecting Heritage Assets	LD1, LD4	Y	
W5- General Design Principles	SD1	Y	<p>Bullet point (n)- what is the basis for a 100m exclusion zone from the SAC? Would be less restrictive without the first sentence.</p>

W6- Protecting Landscape Character	LD1	Y	
W7- Protection of Local Green Spaces	N/A	Y	
W8- Protection of Local Community Facilities	SC1, OS1-OS3	Y	
W9- New Community Facilities	SC1	Y	There is an opportunity here to possibly identify particular community facilities or infrastructure that there may be an evidence-backed demand for the Parish- that could potentially be brought forward with a development proposal?
W10- New Communications Technologies	E3	Y	
W11- Design for Flood Resilience and Resistance- <b>POLICY REMOVED</b>	N/A	N/A	
W12- Design to Reduce Surface Water Run-off	SD3, SD4	Y	
W13- Connectivity	MT1, LD3	Y	

**Latham, James**

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**From:** Harrison, Anneli <Anneli.Harrison@orr.gsi.gov.uk>  
**Sent:** 28 October 2015 13:55  
**To:** Neighbourhood Planning Team  
**Subject:** Wellington Regulation 16 Neighbourhood Development Plan consultation

Dear Sir/Madam

Thanks for your e-mail of 8.10.15 in regard to the application by Wellington Parish Council for the designation of a Neighbourhood Plan.

We have reviewed your proposals and can confirm that the ORR has no comment to make on this particular document.

For future reference ORR only requires to be consulted if the minerals & waste plan, transport plan, planning application, core strategy etc mentions or impacts on the mainline railway, tramway or London Underground network.

Kind regards

A Harrison  
Planning Executive

Office of Rail and Road | One Kemble Street | 2<sup>nd</sup> and 3<sup>rd</sup> Floors | London | WC2B 4AN  
Tel: 020 7282 3829 | e-mail [DutyToCooperate@orr.gsi.gov.uk](mailto:DutyToCooperate@orr.gsi.gov.uk)  
Twitter: @railregulation - @highwaysmonitor Web: [www.orr.gov.uk](http://www.orr.gov.uk)

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**Latham, James**

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**From:** Zoe Hughes <Zoe.Hughes@sportengland.org>  
**Sent:** 09 October 2015 11:05  
**To:** Neighbourhood Planning Team  
**Subject:** Wellington Regulation 16 Neighbourhood Development Plan consultation

## **Wellington 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

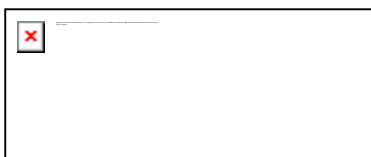
[maggie.taylor@sportengland.org](mailto:maggie.taylor@sportengland.org)

Kind Regards

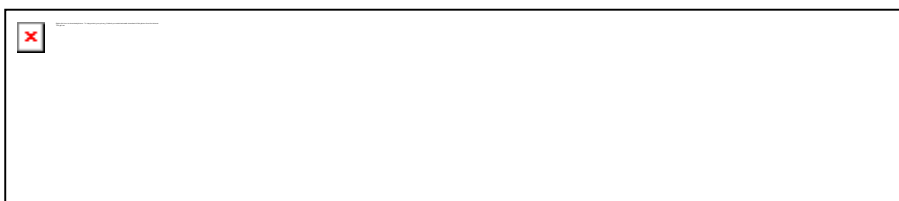
Zoe

**Zoe Hughes**  
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### **Creating a sporting habit for life**



Sport Park, 3 Oakwood Drive, Loughborough, Leicester, LE11 3QF

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21 January 2016

Our ref: Herefordshire 1

## Wellington Neighbourhood Plan Consultation

### 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) 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. Once detailed plans are available we can provide further comments on water supplies in specific areas.

## **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. We look forward to providing you with more comprehensive comments when more detailed plans and geographical locations of developments become available.

Yours sincerely

Dawn Williams



Historic England

James Latham  
Technical Support Officer  
Neighbourhood Planning  
Herefordshire Council  
Hereford  
HR1 2ZB

Our ref: 1550

Your ref:

Telephone  
0121 256887

04 November 2015

Dear Sirs

### **WELLINGTON NEIGHBOURHOOD PLAN – REGULATION 16 CONSULTATION**

Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan.

We have little to add to our previous comments relayed in connection with the Regulation 14 consultation, other than that we are gratified to see our minor suggested amendments have been incorporated in this iteration of the Plan.

Overall Historic England is of the view that the Wellington Neighbourhood Plan is a well-considered, concise and fit for purpose document that constitutes a very good example of community led planning. Historic England considers that those contributing to and drafting the Plan should be congratulated as in our view it is quite exemplary in its treatment of the historic environment.

Congratulations once again on producing an excellent end product. If you have any queries please do not hesitate to contact me.

Yours faithfully

Pete Boland  
Historic Places Adviser  
E-mail: [peter.boland@english-heritage.org.uk](mailto:peter.boland@english-heritage.org.uk)



Historic England, 8<sup>th</sup> Floor, The Axis, 10 Holliday Street, Birmingham B1 1TG  
Telephone 0121 625 6870 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford  
HR1 2ZB

(Representations submitted via email to [neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk))

**Re: Wellington Neighbourhood Plan – Regulation 16 consultation**

Introduction

Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for planning to deliver the homes, jobs and thriving local communities that the country needs. Every effort should be made to securing the housing and economic needs of an area, whilst responding positively to the wider opportunities for growth.

This letter is in response to the current consultation held by Herefordshire District Council (HDC) on the submission version of the Wellington Neighbourhood Plan (WNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

National Planning Policy and Guidance

The National Planning Policy Framework (NPPF/the Framework) sets out the Government's planning policies for England and how these are expected to be applied in respect of plan-making and decision-taking: NPPF paragraphs 1, 6 and 13. In doing so it sets out the requirements for the preparation of neighbourhood plans and the role they must play in meeting the development needs of the local area. The requirements set out in the Framework have now been supplemented by the Neighbourhood Plan section of Planning Practice Guidance (PPG)<sup>1</sup> and allied sections on Viability<sup>2</sup>, Housing Land Availability

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<sup>1</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

<sup>2</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/viability-guidance/>

Assessment<sup>3</sup> and Strategic Environmental Assessment<sup>4</sup>. The provisions of the Framework and the PPG are mandatory material considerations for the purposes of basic condition 8(2)(a).

Before a Neighbourhood Plan can proceed to referendum it must be tested against a set of Neighbourhood Plan Basic Conditions, set out in paragraph 8 (2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). This is also underpinned in PPG at paragraph 065 of the Neighbourhood Planning Chapter, the basic conditions are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
- (d) The making of the order contributes to the achievement of sustainable development.
- (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.

It is clear from the Framework and PPG that Neighbourhood Plans must conform with national policies (basic condition (a): "appropriateness") and up-to-date strategic policy requirements (basic condition (e)) set out in an adopted Local Plan. Neighbourhood Plans must take a positive approach to facilitate new development, these should not be used as a constraint to restrict growth going forward in the plans strategy. In relation to this Gladman refer to the requirements set out in paragraphs 16 and 184 of the Framework.

### Relationship to Local Plans

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that the Neighbourhood Plan should seek to support and meet.

Once Herefordshire District Council formally adopt the Core Strategy, it is this document which will provide the spatial strategy and planning policies for development in the district to 2031. The examination hearing sessions have now completed, the Inspector examining the Core Strategy published her Report on 29<sup>th</sup> September 2015 which concludes that the Herefordshire Core Strategy provides an appropriate basis for the planning of the District, subject to a number of modifications.

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<sup>3</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/>

<sup>4</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/>

The Inspector required further modifications where necessary to clarify the roles of neighbourhood plans and other development plan documents. Whilst strategic sites have been identified, the location of the remaining smaller scale sites for housing and employment for the market towns and rural villages will be established through neighbourhood plans. In order to assist with the provision of affordable housing and to boost the supply of housing, the market towns and rural areas are required to express housing targets as a minimum. This approach is not reflected in the WNP, this is evident in Policy W2 which sets a ceiling to housing figures and is at odds with the Herefordshire Core Strategy Main Modifications, and therefore cannot be consistent with basic conditions (a), (d) and (e).

### **Woodcock judgment**

The recent Woodcock High Court judgment demonstrates the implications for progressing a neighbourhood plan where there is no local plan in place or a five year housing land supply. In summary, this High Court judgment demonstrates the following key points:

- That §14 and §49 of the Framework in regard to five year housing land supply and the weight to be given to extant housing land supply policies applies equally to both emerging and 'made' neighbourhood plans as other development plan documents otherwise adopted and/or emerging by the local planning authority.
- There is nothing in policy or statute that elevates neighbourhood planning to a level above the wider development plan that enables special consideration.
- Neighbourhood plans must respect national policy and the core planning principles outlined within the Framework.
- Prematurity must be assessed against the whole of the requirements of the PPG. In neighbourhood planning, there is no requirement for planning bodies to produce an objective assessment of housing needs, as there is no requirement to consider the effectiveness or justification of a plan.

A recently SoS recovered appeal decision at Thorpe Road, Earls Barton<sup>5</sup> also highlights the importance of the above judgment. The appeal decision states that as *"there is not a 5 year supply of deliverable housing sites, the relevant policies for the supply of housing in the emerging EBNP [Earls Barton Neighbourhood Plan], including the proposed village development boundary, should not be considered up to date."* This decision was published one day prior to the Neighbourhood Plan referendum – an advanced stage of neighbourhood plan preparation. It is with this in mind that the WNP will need to be more flexible to take account of relevant changes in the housing market.

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<sup>5</sup> Appeal Reference: APP/H2835/A/14/2221102



The Parish Council should seek to deliver housing when the opportunity arises in accordance with paragraph 14 of the Framework. In the event that the Council is unable to identify a 5 year housing land supply then the policies contained in the WNP which relate to housing will also be found out of date.

**Gladman consider that the WNP in its current form fails to comply with various key paragraphs of the Framework and PPG as well as failing to meet basic conditions (a), (d), (e) and (f)** which will be addressed throughout this representation. If the Parish Council fails to heed this advice and attempts to progress to examination, the WNP should be found to have failed the basic conditions and the Plan cannot proceed to referendum. It is Gladman's view that the WNP is fundamentally flawed and requires substantial amendment, redrafting and the removal of the policies before progressing any further.

#### Wellington Neighbourhood Plan

Whilst the Plan provides a generally positive vision, the objectives and suite of policies contained throughout the WNP are based on a restrictive strategy which may limit the ability of future sustainable growth opportunities being delivered and is therefore in conflict with the basic conditions.

Gladman consider that the WNP in its current form fails to comply with various key paragraphs of the Framework and PPG as well as failing to meet a number of basic conditions, specifically basic conditions (a), (d), (e) and (f) which will be addressed throughout this representation.

The WNP as proposed is inflexible, ineffective and unable to respond rapidly to changes in the market i.e. in the event that the Council is unable to demonstrate a 5 year housing land supply. The plan requires significant amendments, redrafting and the removal of several policies before it is progressed to examination.

#### Neighbourhood Plan Policies

Gladmans' specific comments on the WNP's planning policies is as follows:

##### Policy W1 – Scale of New Residential Development

This policy states that development within the defined settlement boundary, and/or on an allocated site will be permitted to deliver small scale housing development subject to the criteria attached to this policy.

Gladman would object to the use of a settlement boundary if it is to be used as a method to otherwise preclude the delivery of sustainable growth opportunities from coming forward. The Framework makes clear that development which is sustainable should go ahead without delay, in accordance with the presumption in favour of sustainable development. The use of a tightly drawn settlement boundary will

act to arbitrarily restrict the delivery of sustainable growth outside of those sites which have been allocated for residential development. An overly restrictive approach such as the one presented cannot be considered consistent with the positive approach required by the Framework nor will it result in a plan that is able to demonstrate the achievement of sustainable development. This policy is contrary to basic conditions (a) and (d) in its current form. Gladman submit that the Neighbourhood Plan will need to take a more positive stance to further greenfield development. The level of housing identified will not provide the necessary level of affordable housing, which is clearly an important issue in planning policy terms for the assessment of appropriateness under 8(2)(a).

In light of the above, Gladman recommend that Policy W1 be deleted in its entirety and replaced with the following wording to ensure it is consistent with the requirements of national planning policy and guidance:

*"When considering development proposals, the Parish Council will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.*

*Planning applications adjoining the existing settlement boundary will be permitted provided that the adverse impacts do not significantly and demonstrably outweigh the benefits of development."*

#### Policy W2 – Phasing of New Housing Development

This policy states that new housing will be phased over the plan period. The supporting text to this policy also suggests that if development comes forward earlier than expected then it will be required to undertake a feasibility study to identify the required improvements to sewerage infrastructure, and provide funding improvements through a planning agreement.

Gladman submit that the Framework makes clear that development that is sustainable should go ahead without delay, in accordance with the presumption in favour of sustainable development. This policy does not have regard to the presumption in favour of sustainable development nor the requirement which seeks to boost significantly the supply of housing. This approach is completely inflexible and will not assist the Council in maintaining its 5 year housing land supply position.

Furthermore, it is the responsibility of the sewerage undertaker to manage the capacity of this facility and not developers who are only required to mitigate the impact of their development and not solve existing problems. Gladman note paragraph 204 of the Framework which states that 'Planning obligations should only be sought **where they meet all of the following tests:**

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

This policy is inconsistent with basic conditions (a), (d) and (e) in its current form and should therefore be deleted.

#### Policy W3 – Ensuring an Appropriate Range of Tenures, Types and Sizes of Houses

Whilst recognising the importance of delivering Wellington's housing needs, this matter will be appropriately dealt with by the local planning authority at the strategic level, we therefore recommend the deletion of Policy W3.

#### Policy W4 – Protecting Heritage Assets

Gladman consider that the evidence base supporting this policy is insufficient. To be clear it does not appear that any robust Landscape Visual Impact Assessment has been undertaken to support the provisions of this policy. This policy relating to landscape matters does not provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included within the plan. Gladman submit that this policy be deleted as this matter will be appropriately dealt with by the local planning authority at the strategic level.

#### Policy W5 – General Design Principles

Gladman recognise the importance of good design measures. However, this policy should not be prescriptive in detail, and should instead be consistent with the requirements of national planning policy and guidance. Whilst supporting the principle of good design, Gladman are concerned that the requirements of this policy may place undue policy burdens on the ability of future sustainable growth being delivered. In this regard we refer the Parish Council to the requirements set out in paragraph 173 of the Framework which states, '*Plans should be deliverable therefore the sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be delivered viably is threatened.*'

Planning policies should not attempt to impose architectural styles of particular tastes which could stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Gladman recommend that any future design policies contained in the plan be made in strict accordance to paragraph 59 and 60 of the Framework.

#### Policy W10 – New Communication Technologies

Whilst Gladman recognise the importance of improving broadband connections, we question the necessity of this policy given that the majority of in-home connections are now made through Wi-Fi enabled devices.

#### W11- Design for Flood Resilience and Resistance

The WNP states that this policy has now been removed from the plan. This policy serves no purpose being included within the plan and should therefore be deleted in its entirety.

#### Strategic Environmental Assessment/Sustainability Appraisal

The adequacy of a Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA) goes to the core compliance of basic condition (f) which requires strict adherence to the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 and implementing UK Regulations.

Gladman note that Herefordshire District Council has produced an Environmental Report published in September 2015. Legislation from the Environmental Assessment of Plans and Programmes Regulations 2004 makes clear at paragraph 12(2) *'The report shall identify, describe and evaluate the likely significant effects on the environment of – (a) Implementing the plan or programme; and (b) reasonable alternatives taking into account the objectives and geographical scope of the plan or programme'* (our emphasis).

Upon reviewing the Environmental Report it is not considered that this provides a robust piece of evidence as required above. The assessment of plan alternatives contained at appendix 5 of the document only provides a simply overview of 5 options with no robust detail being considered. Further the plan has failed to include reasonable alternatives of whether a higher level of growth is capable of being delivered in line with the requirements of the Framework. Gladman submit that the SEA is fundamentally flawed and is therefore unable to meet basic condition (f). We recommend that the SEA it is revisited in order to identify, describe and evaluate all reasonable alternatives in an informative and robust manner.

#### Conclusions

Gladman recognises the role of Neighbourhood Plans as a tool for local people to shape the development of their local community. Through these representations, Gladman have highlighted a number of significant concerns with the plan as proposed. The WNP contains a series of flaws not only in its application of local and national policy, but lacks clear, robust and up-to-date evidence to support a number of its objectives and policies. A number of policies require substantial redrafting and amending through a fundamental overhaul to the development strategy as proposed. Failure to do so will undoubtedly result in the plan being found unable to meet the basic conditions if it is progressed to independent examination in its current form.

The WNP contains a number of matters which contravene the following basic conditions:

**(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State,**

- The strategy as proposed by the WNP's objectives and suite of policies, including their supporting text, actively seek to constrain the delivery of sustainable development outside of those sites which have been allocated. The approach taken throughout the Neighbourhood Plan is contrary to the entire ethos of the Framework and has no regard to the need to significantly boost the supply of housing or the presumption in favour of sustainable development.

**(d) The making of the order contributes to the achievement of sustainable development,**

- A number of policies throughout the WNP actively seek to constrain the ability for sustainable development to come forward and are used as mechanisms to prevent future sustainable growth without regard to the district's housing needs.

- The SNP provides no flexibility to consider proposals outside of its proposed allocations through the use of a restrictive and inflexible settlement boundary.

**(f) The making of the order does not breach, and is otherwise compatible with, EU obligations.**

- The SEA does not contain sufficient detail or a robust assessment of reasonable alternatives and therefore fails to meet this basic condition.

Neighbourhood Planning Team  
Planning Services  
PO Box 230  
Hereford  
HR1 2ZB

(Representations submitted via email to [neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk))

**Re: Wellington Neighbourhood Plan – Regulation 16 consultation**

Introduction

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It is clear from the Framework and PPG that Neighbourhood Plans must conform with national policies (basic condition (a): "appropriateness") and up-to-date strategic policy requirements (basic condition (e)) set out in an adopted Local Plan. Neighbourhood Plans must take a positive approach to facilitate new development, these should not be used as a constraint to restrict growth going forward in the plans strategy. In relation to this Gladman refer to the requirements set out in paragraphs 16 and 184 of the Framework.

### Relationship to Local Plans

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet.

The current Development Plan for Herefordshire consists of the Herefordshire Core Strategy adopted on 16<sup>th</sup> October 2015 covering the period up to 2011. The Herefordshire Core Strategy was submitted to the Secretary of State for Examination on 23<sup>rd</sup> September 2014. The Examination in Public has now concluded and the Inspector released her final Report on 29<sup>th</sup> September 2015.

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<sup>3</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/>

<sup>4</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/>

Whilst strategic sites have been identified, the Core Strategy is reliant on the market towns and rural villages and those areas progressing with neighbourhood plans to accommodate land for housing and employment needs.

In order to assist the Council in delivering affordable housing and to boost significantly the supply of housing, MM036 makes clear that proportionate growth from within each HMA provides an indicative figure. The Inspector's Report makes clear at paragraph 106 that the overall figure of 5,300 dwellings is a minimum target and therefore the indicative figures are not meant to be read as a cap on housing numbers. In order to assist with the provision of affordable housing and to boost the supply of housing, the market towns and rural areas are required to express housing targets as a minimum. This approach is not reflected in the WNP, this is evident in Policy W2 which sets a ceiling to housing figures and is at odds with the Herefordshire Core Strategy Main Modifications, and therefore cannot be consistent with basic conditions (a), (d) and (e).

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<sup>5</sup> Appeal Reference: APP/H2835/A/14/2221102



advanced stage of neighbourhood plan preparation. It is with this in mind that the WNP will need to be more flexible to take account of relevant changes in the housing market.

The Parish Council should seek to deliver housing when the opportunity arises in accordance with paragraph 14 of the Framework. In the event that the Council is unable to identify a 5 year housing land supply then the policies contained in the WNP which relate to housing will also be found out of date.

**Gladman consider that the WNP in its current form fails to comply with various key paragraphs of the Framework and PPG as well as failing to meet basic conditions (a), (d), (e) and (f)** which will be addressed throughout this representation. If the Parish Council fails to heed this advice and attempts to progress to examination, the WNP should be found to have failed the basic conditions and the Plan cannot proceed to referendum. It is Gladman's view that the WNP is fundamentally flawed and requires substantial amendment, redrafting and the removal of the policies before progressing any further.

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Gladman would object to the use of a settlement boundary if it is to be used as a method to otherwise preclude the delivery of sustainable growth opportunities from coming forward. The Framework makes clear that development which is sustainable should go ahead without delay, in accordance with the presumption in favour of sustainable development. The use of a tightly drawn settlement boundary will act to arbitrarily restrict the delivery of sustainable growth outside of those sites which have been allocated for residential development. An overly restrictive approach such as the one presented cannot be considered consistent with the positive approach required by the Framework nor will it result in a plan that is able to demonstrate the achievement of sustainable development. This policy is contrary to basic conditions (a) and (d) in its current form. Gladman submit that the Neighbourhood Plan will need to take a more positive stance to further greenfield development. The level of housing identified will not provide the necessary level of affordable housing, which is clearly an important issue in planning policy terms for the assessment of appropriateness under 8(2)(a).

In light of the above, Gladman recommend that Policy W1 be deleted in its entirety and replaced with the following wording to ensure it is consistent with the requirements of national planning policy and guidance:

*"When considering development proposals, the Parish Council will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.*

*Planning applications adjoining the existing settlement boundary will be permitted provided that the adverse impacts do not significantly and demonstrably outweigh the benefits of development."*

#### Policy W2 – Phasing of New Housing Development

This policy states that new housing will be phased over the plan period. The supporting text to this policy also suggests that if development comes forward earlier than expected then it will be required to undertake a feasibility study to identify the required improvements to sewerage infrastructure, and provide funding improvements through a planning agreement.

Gladman submit that the Framework makes clear that development that is sustainable should go ahead without delay, in accordance with the presumption in favour of sustainable development. This policy does not have regard to the presumption in favour of sustainable development nor the requirement which seeks to boost significantly the supply of housing. This approach is completely inflexible and will not assist the Council in maintaining its 5 year housing land supply position.

Furthermore, it is the responsibility of the sewerage undertaker to manage the capacity of this facility and not developers who are only required to mitigate the impact of their development and not solve existing problems. Gladman note paragraph 204 of the Framework which states that 'Planning obligations should only be sought **where they meet all of the following tests:**

- Necessary to make the development acceptable in planning terms;

- *Directly related to the development; and*
- *Fairly and reasonable related in scale and kind to the development.*

This policy is inconsistent with basic conditions (a), (d) and (e) in its current form and should therefore be deleted.

#### Policy W3 – Ensuring an Appropriate Range of Tenures, Types and Sizes of Houses

Whilst recognising the importance of delivering Wellington’s housing needs, this matter will be appropriately dealt with by the local planning authority at the strategic level, we therefore recommend the deletion of Policy W3.

#### Policy W4 – Protecting Heritage Assets

Gladman consider that the evidence base supporting this policy is insufficient. To be clear it does not appear that any robust Landscape Visual Impact Assessment has been undertaken to support the provisions of this policy. This policy relating to landscape matters does not provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included within the plan. Gladman submit that this policy be deleted as this matter will be appropriately dealt with by the local planning authority at the strategic level.

#### Policy W5 – General Design Principles

Gladman recognise the importance of good design measures. However, this policy should not be prescriptive in detail, and should instead be consistent with the requirements of national planning policy and guidance. Whilst supporting the principle of good design, Gladman are concerned that the requirements of this policy may place undue policy burdens on the ability of future sustainable growth being delivered. In this regard we refer the Parish Council to the requirements set out in paragraph 173 of the Framework which states, *‘Plans should be deliverable therefore the sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be delivered viably is threatened.’*

Planning policies should not attempt to impose architectural styles of particular tastes which could stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Gladman recommend that any future design policies contained in the plan be made in strict accordance to paragraph 59 and 60 of the Framework.

#### Policy W10 – New Communication Technologies

Whilst Gladman recognise the importance of improving broadband connections, we question the necessity of this policy given that the majority of in-home connections are now made through Wi-Fi enabled devices.

## W11- Design for Flood Resilience and Resistance

The WNP states that this policy has now been removed from the plan. This policy serves no purpose being included within the plan and should therefore be deleted in its entirety.

### Strategic Environmental Assessment/Sustainability Appraisal

The adequacy of a Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA) goes to the core compliance of basic condition (f) which requires strict adherence to the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 and implementing UK Regulations.

Gladman note that Herefordshire District Council has produced an Environmental Report published in September 2015. Legislation from the Environmental Assessment of Plans and Programmes Regulations 2004 makes clear at paragraph 12(2) *'The report shall identify, describe and evaluate the likely significant effects on the environment of – (a) Implementing the plan or programme; and (b) reasonable alternatives taking into account the objectives and geographical scope of the plan or programme'* (our emphasis).

Upon reviewing the Environmental Report it is not considered that this provides a robust piece of evidence as required above. The assessment of plan alternatives contained at appendix 5 of the document only provides a simply overview of 5 options with no robust detail being considered. Further the plan has failed to include reasonable alternatives of whether a higher level of growth is capable of being delivered in line with the requirements of the Framework. Gladman submit that the SEA is fundamentally flawed and is therefore unable to meet basic condition (f). We recommend that the SEA it is revisited in order to identify, describe and evaluate all reasonable alternatives in an informative and robust manner.

### Conclusions

Gladman recognises the role of Neighbourhood Plans as a tool for local people to shape the development of their local community. Through these representations, Gladman have highlighted a number of significant concerns with the plan as proposed. The WNP contains a series of flaws not only in its application of local and national policy, but lacks clear, robust and up-to-date evidence to support a number of its objectives and policies. A number of policies require substantial redrafting and amending through a fundamental overhaul to the development strategy as proposed. Failure to do so will undoubtedly result in the plan being found unable to meet the basic conditions if it is progressed to independent examination in its current form.

The WNP contains a number of matters which contravene the following basic conditions:

**(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State,**

- The strategy as proposed by the WNP objectives and suite of policies, including their supporting text, actively seek to constrain the delivery of sustainable development outside of those sites which have been allocated. The approach taken throughout the Neighbourhood Plan is contrary to the entire ethos of the Framework and has no regard to the need to significantly boost the supply of housing or the presumption in favour of sustainable development.

**(d) The making of the order contributes to the achievement of sustainable development,**

- A number of policies throughout the WNP actively seek to constrain the ability for sustainable development to come forward and are used as mechanisms to prevent future sustainable growth without regard to the district's housing needs.

- The SNP provides no flexibility to consider proposals outside of its proposed allocations through the use of a restrictive and inflexible settlement boundary.

**(f) The making of the order does not breach, and is otherwise compatible with, EU obligations.**

- The SEA does not contain sufficient detail or a robust assessment of reasonable alternatives and therefore fails to meet this basic condition.