

## Progression to Examination Decision Document



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

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| Name of neighbourhood area             | Wellington Neighbourhood Area |
| Parish Council                         | Wellington Parish Council     |
| Draft Consultation period (Reg14)      | 29/06/2015 – 09/08/2015       |
| Submission consultation period (Reg16) | 08/10/2015 - 19/11/2015       |

#### Determination

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| Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act  |                       | Yes |
| Are all the relevant documentation included within the submission <ul style="list-style-type: none"> <li>• Map showing the area</li> <li>• The Neighbourhood Plan</li> <li>• Consultation Statement</li> <li>• SEA/HRA</li> <li>• Basic Condition statement</li> </ul> | Reg15                 | Yes |
| Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'   | Localism Act 38A (2)  | Yes |
| Does the plan specify the period for which it is to have effect?   | 2004 Act 38B (1and 2) | Yes |
| Are any 'excluded development' included? <ul style="list-style-type: none"> <li>• County matter</li> </ul>   | 1990 61K / Schedule 1 | No  |

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| <ul style="list-style-type: none"> <li>Any operation relating to waste development</li> <li>National infrastructure project</li> </ul>   |                       |     |
| Does it relation to only one neighbourhood area?   | 2004 Act 38B (1and 2) | Yes |
| Have the parish council undertaken the correct procedureds in relation to consultation under Reg14?  |                       | Yes |
| <p>Is this a repeat proposal?</p> <ul style="list-style-type: none"> <li>Has an proposal been refused in the last 2 years or</li> <li>Has a referendum relating to a similar proposal had been held and</li> <li>No significant change in national or local strategic policies since the refusal or referendum.</li> </ul> | Schedule 4B para 5    | No  |

#### Comments received during submission consultation

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| <b>Herefordshire Council – Environmental Health</b> | <p>Proposed Site 1 –“Adjacent the Graveyard”</p> <p>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, and as such it is possible that unforeseen contamination may be present.</p> <p>Proposed Site 2-“ Mill Lane”</p> <p>The proposed site “2” 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.</p> <p>Proposed Site 3 -“Aubberow Road”</p> <p>The proposed site “3” appears from a review of Ordnance survey historical plans to be immediately adjacent (south) of a historic potentially contaminative use; Unknown filled</p> |
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|  | <p>ground (pond, marsh, river stream dock)</p> <p>Sites identified as unknown filled ground can be associated with contaminative fill material, 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.</p>   |
| <b>Herefordshire Council - Planning Policy</b> | <p>Policy W1- Scale of New Residential Development - Bullet point 5 could be viewed as too prescriptive, which could restrict some development proposals from coming forward.</p> <p>For bullet points 6 and 7, some kind of reference could be made to being in accordance with Policy W8</p> <p>Policy W2- Phasing of New Housing Development - Setting maximum figures for housing on the designated sites could be restrictive to proposals coming forward</p> <p>W5- General Design Principles - Bullet point (n)- what is the basis for a 100m exclusion zone from the SAC? Would be less restrictive without the first sentence.</p> <p>W9- New Community Facilities - 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?</p> |
| <b>Welsh Water – Dwr Cymru</b>                 | Content to rely on previous representations to Reg14 consultation  |
| <b>Historic England</b>                        | No specific comments to make to this Plan, gratified to see minor suggestions from previous comments incorporated into this version of the Plan.   |
| <b>Severn Trent water</b>                      | States ways in which Severn Trent can work with Authorities and Developers during more detailed plans are drawn up for sites. No specific comment on Wellington NDP.   |
| <b>Office of Road and Rail</b>                 | The ORR has no specific comment to make on this Plan.  |
| <b>Stephanie Best – Local resident</b>         | Objects to Site at Mill Lane due to flooding, highway issues if increased traffic and the field itself being biodiverse and wildlife abundant inc barn owls. There has previously been an  |

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|                                  | <p>application for 45 houses which was turned down for concerns with drainage, sewage and traffic. In addition, Millway enjoys some of the best views.</p>  |
| <b>Sport England</b>             | <p>Highlighted the importance of Sport within Neighbourhood Development Plans, and Sport England's Role in protecting playing fields. No specific comments regarding the Plan.</p>  |
| <b>Alistair Scott – Resident</b> | <p>Site 3 (4 houses) should be removed from the plan due to extending the village beyond the existing boundary into open countryside, and the road to the site would need widening as well as Claypits Lane is an important wildlife corridor on the southern boundary of the site.</p>   |
| <b>John Scott - Resident</b>     | <p>Site 3 should be removed from the Plan, as it will be on good quality agricultural land. Auberrow is a narrow lane for additional traffic, there has already been recent new housing along that road. The northern part of site 3 should be made into open space and the rest left as agricultural land.</p>   |
| <b>Rachel Scott - Resident</b>   | <p>Supports the policies aimed at preserving the character of the Conservation Area and protecting heritage assets and landscape character. Objects to Site 3 (4 houses), the site is beyond the existing settlement boundary and within open countryside.</p>  |
| <b>Gavin Hailey – Resident</b>   | <p>Object to further development detailed in the development plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. It would compromise the rural character of the Parish</li> <li>2. The current road network is not sufficient to cope with a higher volume of traffic</li> <li>3. The Parish currently lacks the infrastructure to meet the needs of an increased all inclusive community (no play park)</li> </ol> |
| <b>Giles Goodwin - Resident</b>  | <p>Objects to site on Auberrow Road and does not feel that it is the most suitable site for continued development for the following reasons;</p> <ol style="list-style-type: none"> <li>1) This site is still in the conservation area;</li> <li>2) There are no pedestrian foot paths servicing this area;</li> </ol>  |



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|   | <p>3) One of the main objectives for the development of Wellington is not to overrun the village with executive style housing however this is all that is currently being built</p> <p>4) There are many other areas that could be developed that sit outside the conservation area which do not appear to have been given due consideration.</p>  |
| <b>Les Stephan Planning on behalf of a resident</b> | The NDP concentrates on Wellington village and has little reference to Wellington Marsh where there are 37 dwellings. Consideration should be given to allowing more development within Wellington Marsh.  |
| <b>Gladman Developments</b>                         | <p>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.</p> <p>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.</p> <p>They object to points within the policies.</p> <p>The SEA does not consider enough reasonable alternatives.</p> |

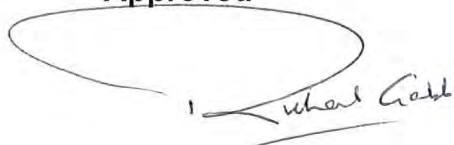
**Programme Director's comments**

*I confirm I am content for this NDP to progress to examination*

**Decision under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012.**

The decision to progress to appoint an examiner for the above neighbourhood plan has been

**Approved**



**Richard Gabb**

**Programme Director Growth**

Date: 26.11.15

