

Date: 16 September 2015
Our ref: 161816
Your ref: Weston under Penyard Neighbourhood Plan



Mr J Latham
Herefordshire Council
Planning Services,
Blueschool House,
Blueschool Street
Hereford,
HR1 2ZB

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

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Latham

Re: Weston under Penyard Neighbourhood Development Plan (NDP), SEA and HRA-Regulation 16

Thank you for your consultation on the above dated and received by Natural England on 05 August 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Weston upon Penyard Neighbourhood Plan

In section 3 under landscape, the paragraph makes reference to the Wye Valley SAC, this should be amended to the Wye Valley Area of Outstanding Natural Beauty (AONB) (p11). We suggest that this paragraph explains that the Wye Valley AONB is immediately adjacent to the parish boundary and is a national designation.

We suggest that the Vision in section 4 (p16) should include an aspiration to protect and enhance the natural assets of the parish.

Within section 12.1 Sustaining the Parish Environment- Background (p51) reference is made to the "Wye Valley special Area of Conservation (SAC)". Is this actually in reference to the Wye Valley AONB or the Wye Valley Woodland SAC?

The NDP relies on policies of the as yet un-adopted Herefordshire Local Plan. Until such time as the Herefordshire Local Plan is adopted the plan, policies within it cannot be relied upon to ensure the NDP will not have a likely significant effect. We note that the Habitats Regulations Assessment dated May 2015 proposed additional policy wording within relevant housing policies of the NDP to ensure adequate safeguarding measures. These measures have not been included within the submitted NDP and consequently we disagree with the conclusions of the HRA Addendum of the NDP. In order to conclude that the NDP will not have a likely significant effect, we advise that either the NDP is adopted only after the Herefordshire Local Plan is adopted, or suitable additional policy wording is included within the NDP.



Habitats Regulations Assessment (HRA) Report and Addendum

In Section 6 of the HRA and section 3 of the Addendum, it appears the basis for the conclusion that there will be no likely significant effect from the NDP, in combination with the proposed Main Modifications to the Herefordshire Local Plan (Core Strategy), is that in combination effects have been ruled out as the NDP aligns with the draft Local Plan.

The draft Local Plan has not yet been adopted and both it, and its HRA, are therefore liable to further changes. Given this, relying on the draft Local Plan to avoid or mitigate any potential impact is not considered sufficient to be certain of avoiding impact at this stage. The NDP's HRA may, of course, rely on the evidence supporting the Local Plan's HRA to draw conclusions as to whether the policies in the plan will have significant effects on the River Wye Special Area of Conservation (SAC), Wye Valley Woodlands SAC and Wye Valley and Forest of Dean Bat Site SAC.

We note that the HRA addendum report has stated that "the three European sites are now specifically mentioned within relevant policies and this negates the likelihood of an adverse impact on these" (Section 1.3, p1) and that "Policy SE1 includes specific reference to the necessity to avoid adverse impacts on the European sites and ensure that the delivery of the Nutrient Management Plan is not compromised" (Section 3.1, p2). Having reviewed the submitted NDP the additional wording referred to in sections 1.3 and 3.1 has not been included within the NDP.

Provided that the policy changes as outlined in the HRA and HRA addendum are incorporated into the Neighbourhood Plan, Natural England would be in a position to agree that the NDP will not have a significant effect on the SACs either alone or in-combination effects.

Weston under Penyard Environment Report

Natural England welcomes the production of an Environmental Report. Having reviewed the report Natural England confirms that it meets the requirements of the Strategic Environmental Assessment (SEA) European Directive and national regulations, and that we concur with its conclusions.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Gillian Driver on 0300 060 4335. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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

Yours sincerely

Gillian Driver

Miss Gillian Driver
Planning Lead Adviser
South Mercia Team



The Coal
Authority

Planning and Local Authority Liaison
200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG
DX: 716177 Legal Mansfield 5

Telephone: 01623 637 119 (Planning Enq)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

James Latham
Herefordshire Council

[BY EMAIL ONLY: neighbourhoodplanning@herefordshire.gov.uk]

3 September 2015

Dear Mr Latham

Weston under Penyard Neighbourhood Plan – Submission

Thank you for the notification of the 5 August 2015 consulting The Coal Authority on the above NDP.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware the very southern tip of the Neighbourhood Plan area lies within the current defined coalfield. However no surface coal resource or mining legacy features are present within the area. Therefore The Coal Authority has no specific comments to make on the Neighbourhood Plan.

In the spirit of ensuring efficiency of resources and proportionality it will not be necessary for you to provide The Coal Authority with any future drafts or updates to the emerging Neighbourhood Plan. This letter can be used as evidence for the legal and procedural consultation requirements.

The Coal Authority wishes the Neighbourhood Plan team every success with the preparation of the Neighbourhood Plan.

Yours sincerely

R. A. Bust

Miss Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MCMI, MRTPI*

Chief Planner / Principal Manager

Latham, James

From: Turner, Andrew
Sent: 21 September 2015 12:45
To: Neighbourhood Planning Team
Subject: RE: Weston under Penyard Regulation 16 Neighbourhood Development Plan consultation

RE: Weston under Penyard Regulation 16 Neighbourhood Development Plan consultation

Dear Neighbourhood Planning Team,

Apologises for my delay in responding to you.

I refer to the above and would make the following comments with regard to the proposed development areas identified in the "Weston under Penyard Neighbourhood Development Plan 2011-2031, Draft Version 3":

Having reviewed Ordnance survey historical plans, I would advise regarding the 4 sites in section 8.2 (Selected Sites for housing Development) outlined in red in Appendix A – that a historic potentially contaminative use may have encroached one of the sites.

- Records indicate a former railway may have encroached onto the northern side of "Site 8" boundary and the southern side of "site "12"s boundary (outlined in red in Appendix A of the plan).

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

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

From: Neighbourhood Planning Team
Sent: 05 August 2015 10:19
Subject: Weston under Penyard Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Weston under Penyard 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/weston-under-penyard-1>

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

The consultation runs from 4 August 2015 until 16 September 2015.

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

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
neighbourhoodplanning@herefordshire.gov.uk (for Neighbourhood Planning enquiries)
ldf@herefordshire.gov.uk (for Strategic Planning enquiries)

Web: www.herefordshire.gov.uk/neighbourhoodplanning (Neighbourhood Planning)
www.herefordshire.gov.uk/local-plan (Strategic Planning)
www.herefordshire.gov.uk/conservation (Conservation)

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Latham, James

From: Crane, Hayley
Sent: 17 August 2015 10:53
To: Neighbourhood Planning Team
Subject: RE: Weston under Penyard Regulation 16 Neighbourhood Development Plan consultation

Hi Neighbourhood Planning Team

I'm happy with the Weston Plan, they've amended the allocation policy as I'd suggested last time so no comments from me.

Regards

Hayley

From: Neighbourhood Planning Team
Sent: 05 August 2015 10:19
Subject: Weston under Penyard Regulation 16 Neighbourhood Development Plan consultation

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

neighbourhoodplanning@herefordshire.gov.uk (for Neighbourhood Planning enquiries)
ldf@herefordshire.gov.uk (for Strategic Planning enquiries)

Web: www.herefordshire.gov.uk/neighbourhoodplanning (Neighbourhood Planning)
www.herefordshire.gov.uk/local-plan (Strategic Planning)
www.herefordshire.gov.uk/conservation (Conservation)

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Latham, James

From: Williams, Dawn <Dawn.Williams@severntrent.co.uk>
Sent: 23 September 2015 13:19
To: Latham, James
Cc: Neighbourhood Planning Team
Subject: Weston Under Penyard Neighbourhood Plan

Thank you for giving Severn Trent Water the opportunity to comment on the above, I can now provide you with the following information.

As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is therefore 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 geographically site specific location are decided 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; however 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 so as to minimise customer bills.

With this in mind it is important that you consult with us throughout the stages of developing your local Plan.

Kind regards

Dawn

Dawn Williams
Growth & Water Efficiency Analyst
☎ **07554114125 mobile**
✉ growth.development@severntrent.co.uk

Severn Trent Plc (registered number 2366619) and Severn Trent Water Limited (registered number 2366686) (together the "Companies") are both limited companies registered in England & Wales with their registered office at Severn Trent Centre, 2 St John's Street, Coventry, CV1 2LZ

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Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 15 September 2015 15:32
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:

CarterJonas
Mayfield House
256 Banbury Road
Summertown
Oxford

Postcode:

OX2 7DE

First name:

Kevin

Last name:

Ayrton (on behalf of Mr and Mrs Foreman)

Which plan are you commenting on?:

Weston under Penyard Neighbourhood Development Plan

Comment type:

Objection

Your comments:

It is welcoming to see the draft Neighbourhood Plan attempt to positively plan to meet the future needs and aspirations of the local community. It is clear that the steering group has spent time on preparing a substantial evidence base, which includes the findings of the resident survey and housing site assessment prepared by a planning consultant.

However, the proposed Housing Site Options (A & B) do not appear to properly reflect the findings of the evidence base. Instead, they appear to be influenced by the fact pre-emptive planning applications have been submitted on the sites. Whilst we have every sympathy with the position the steering group finds itself in, it is our view that too much emphasis has been put on this factor. The Neighbourhood Plan is well advanced and should be able to progress without having to be influenced by premature applications.

Our client's site (no.12) is the 'field between 'the Street' and 'Rectory Lane''. It is effectively the third ranked site in the housing site assessment. We note the following comments that were made in the housing assessment:

- 'It is not visible from the main route through the village or from important vantage points. It will have a minimal effect on the setting of the village.'
- 'The site is a natural extension to the village that will not affect its streetscape.'
- 'The site has the least effect upon the setting of and forms a natural extension to the village.'

The only real disadvantage identified is the lack of connection to a public footpath. However, there is recognition that the site has links by two roads to the village, neither of which is a major thoroughfare. These roads already serve existing dwellings without causing adverse harm to pedestrians.

In contrast the preferred options (A & B) identify sites 33 and 8. Both are sited to the east of the

village and would visually extend the village into the countryside and be visible as you enter the village. It is suggested that the sites could help to enhance the approach into the village, however this would be reliant on a successful landscaping scheme and sympathetic housing layout. There are significant concerns that this simply will not be delivered. This is perhaps best reflected in the current applications, which in no way offer an improved approach to the village. In contrast, site 12 (out client's site) already has an established landscape in place.

Our client's site also better reflects the findings of the residents' survey, one of which was the need for high quality design. A key aspect in meeting this will be through layout and relationship with the surrounds. The site would provide a much more organic extension to the existing built form, as opposed to sprawling outwards from the village in a linear fashion like the preferred sites. The existing roads on either side provide access options (both vehicular and pedestrian) and permeability. The result will be a much more integrated site that does not simply appear to be a modern housing estate stuck to the side of the village. This will be further assisted by the capacity of the site, which better reflects the small-medium sites preferred by the community.

Having regard to the above, we would request that site no.12 is included in the proposed site allocations. This amendment would accord with the draft plan's own planning policy context and evidence base.

This could be achieved by the site replacing one of the other 'preferred sites', or the site being an additional allocation. The latter option would represent a much more positively prepared plan. Indeed we note that draft plan is only planning for the minimum number of houses required in the parish. There is a very real danger that the plan will become out of date as soon as it is adopted. The opportunity should be taken now to incorporate a longer term strategy and degree of flexibility to ever increasing housing needs. Without such an approach, the local community will not be able respond to future development pressures. Instead it will have to continuously react to pre-emptive planning applications resulting in less suitable sites coming forward as recently evidenced.

Having regard to the above, at the very least, site no.12 should be allocated as a reserve housing site.

In summary it is clear that there has been an attempt for the plan to be prepared in a positive manner and to identify the key planning considerations. However, it is our view that there is an opportunity to deliver a better outcome for the local community by allocating site no.12 for residential development. Without doing so the plan will fail to provide a long term strategy and level of flexibility in order to deliver the community's future development requirements.

Latham, James

From: Goodall, Stephanie
Sent: 13 August 2015 15:28
To: Neighbourhood Planning Team; Edwards, Mark; Lewis, Alan (Transportation); Williamson, Paul
Cc: Callard, Jeremy
Subject: Weston Under Penyard Neighbourhood Plan Reg 16

Dear NP team,

I am slightly concerned that the Weston Under Penyard NP Reg 16 doesn't wholly include the comments that were made on the draft. Specifically regarding public transport. Some examples are on page 38 and page 42 where there is no mention of public transport.

I was also concerned about the sustainable transport supporting statement and also the key objectives. I don't understand the context of the supporting statement and why it says that this isn't the place for policies of this nature? I would have thought this was the place.

I didn't receive any comments from the public transport team on the draft back in June so perhaps this is the opportunity for them to represent any concerns now before it becomes adopted. I felt Weston was one of the locations in Herefordshire that does have PT as opposed to some areas that are lacking so more should be made of it and its connections to Ross and Gloucester. There is also some community feedback highlighting how they feel PT is important. But that doesn't seem to be represented in the plan.

Mark's comments on including cycling links as well as walking links seem to have been included.

Below are the links to the plan.

Today is my last day at the council so please coordinate comments via Jeremy and the NP team email address.

Cheers,

Steph

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/weston-under-penyard-1>

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

The consultation runs from 4 August 2015 until 16 September 2015.

Stephanie Goodall

Senior Transport Planner

Herefordshire Council | Plough Lane | Hereford | HR4 0WZ

Tel: 01432 383 143

Email: Stephanie.goodall@herefordshire.gov.uk

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Latham, James

From: NIBLETT, Robert <Robert.NIBLETT@gloucestershire.gov.uk>
Sent: 02 September 2015 12:02
To: Neighbourhood Planning Team
Subject: Weston under Penyard Regulation 16 Neighbourhood Development Plan consultation

Dear Sir

Thank you for consulting Gloucestershire County Council on the above matter. I have the following officer level comments to make.

Ecology Comments

Although we can agree with Natural England that the NDP is unlikely in itself or in combination with other plans and projects likely to have a significant effect on any European Site we think some wording needs to be amended for clarity. In the main HRA Report (*final page 35, row for Policy SE5, column 6*) reference to the Wye Valley & Forest of Dean Bat Sites SAC should be ADDED because renewable energy schemes have a mechanism (disturbing or injuring bats) for affecting the SAC's bat populations. In the NDP itself *Policy SE5* needs to have a cross reference to European Sites particularly as the risk to bats is mentioned in the policy. It is recommended therefore to ADD to the end of the policy a reference to *Policy SE1 criterion (e)* as well as criterion (d).

If you would like to discuss any of the points raised in this email please do not hesitate to contact me.

Thank you

Rob Niblett
Planning Officer

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Neighbourhood Development Plan – conformity assessment

Name of NDP: Weston-under-Penyard (R16 version)

Date: 04/09/15

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
H1- Number of new houses	SS2	Y	
HS1- Land East of Penyard Garden, SW of A40	N/A	Y	Allocating a maximum of 18 dwellings is quite specific and potentially restrictive to delivery. It would be more consistent with the modified CS place-shaping policies if it was stated as a minimum allocation.
HS2- Land East of Hunsdon Manor, NE of the A40	N/A	Y	Allocating a maximum of 37 dwellings is quite specific and potentially restrictive to delivery. It would be more consistent with the modified CS place-shaping policies if it was stated as a minimum allocation.
H2- Location of new developments	N/A	N	<p>Only permitting infill developments with frontages of 30 metres or less is overly specific and potentially restrictive- what is the basis for this limit set?</p> <p>Only permitting development within Flood Zone 1 is not consistent with the Sequential Testing approach to managing flood risk and development set out in the NPPF.</p>
H3- Housing mix and tenancy	H3	N	To comply with national policy, the threshold for providing Affordable Housing contributions should be proposals of over 10 dwellings, which have a maximum combined gross floor space of more than

			100sqm.
H4- Type of housing	H3	Y	
H5- Provision of Affordable Housing	H1	Y	
H6- Affordable Housing on Rural Exception Site	H1	Y	
H7- Allocation of Affordable Homes for local people	H2	Y	
D1- Design appearance	LD1, SD1	Y	
D2- Technical design	SD1-SD3	Y	
SD1- Promoting a sustainable community	N/A	Y	General comment: This seems to be an overarching policy that outlines the main objectives of the NDP's policies- would this be better placed at the start or end of the document/policies section?
SD2- Community facilities	SC1	Y	It would give greater flexibility to add a caveat: "...will be resisted vigorously, <u>unless it can be demonstrated that an equivalent alternative facility is available; or it can be demonstrated that it is no longer fit for purpose, or unviable.</u> "
ST1- Accommodating traffic within the Parish	MT1	Y	
SB1- Supporting local business	E1, E2, E3, RA6	Y	
SB2- Work space development	E3	Y	
SB3- Change of use	E2	Y	
SB4- Provision of broadband and mobile telephone services	N/A	Y	

SE1- Sustaining the Parish environment and landscape	LD1, LD2, LD3	Y	
SE2- Sustaining local heritage and character	LD4	Y	
SE3- Sustaining open spaces	OS1-OS3	Y	
SE4- Polytunnel development	N/A	Y	
SE5- Renewable Energy	SD2	Y	
SE6- Sustainable water management	SD3	N	Only permitting development within Flood Zone 1 is not consistent with the Sequential Testing approach to managing flood risk and development set out in the NPPF.

NEIGHBOURHOOD DEVELOPMENT PLAN

For

WESTON-UNDER-PENYARD

Representation to:

Mr James Latham
Neighbourhood Planning Team
Herefordshire Council
Planning Services
PO Box 230
Blueschool House
Blueschool Street
Hereford.HR1 2ZB

for

Land Adjacent The Link

Church Lane
Weston-under-Penyard
Ross-on-Wye
Herefordshire HR9 7QA

Existing Use:

Residential land/garden.

Proposed Use:

Residential Land/Garden

Note: Enclosed is an ordnance map 1:2500 scale indicating in red the area of land which is the subject of this Representation. This land is suitable for residential use, therefore, should be included as such in the new Neighbourhood Development Plan.

1.

Previously Garden of residential property.

The land which is the subject of this Statement of Case has been, until recent times, part of the garden of the residential property known as The Link, Church Lane, Weston-under-Penyard, Ross-on-Wye, Herefordshire. Pre 1991 this land was within the settlement boundary as drawn at that time.

In 1978 planning permission was granted for the Vicarage which is located south east of this site on the other side of the lane.

2.

Policies and Settlement boundary.

The village is designated as one of the villages to allow proportionate housing development.

The site was part of the garden of the Link and should form part of the area of land included within the settlement boundary. The site is surrounded on three sides by residential land identified within the settlement boundary.

If the land is included as part of the land allocated for housing development then could be identified within the settlement boundary for Weston-under-Penyard. This land would constitute 'a natural extension of the settlement' as set out in Policy H.4 of the Herefordshire Unitary Development Plan dated March 2007.

The land is not within the settlement boundary of the existing Local Plan. However, this is not a planning reason in itself for not including the land within the new Local Plan settlement boundary.

One dwelling can be accommodated under Policy RA2 – Herefordshire's Villages of the Core Strategy 2011 – 2031.

Fair, reasonable and justifiable planning reasons must be given for not including this site.

3.

Visual Impact.

The site is within the Area of Great Landscape Value as is all the residential property at Weston-under-Penyard to the south of the A40 and north, south and east of the site.

The site cannot be seen from distance from the north, east and south. The site can only be seen in small glimpses from distance from the west but in the context of the background of the surrounding residential property and through the existing hedges and trees. A single storey dwelling would not be clearly visible from the surrounding countryside to the west.

Obviously the site can be seen when immediately adjacent the site but this is the case for any potential site considered for development.

The design brief of the houses would be to a high standard and could enhance the area. The dwelling could be single storey (bungalow) and as such would not be as dominant as the Vicarage sited to the south east. The design of the dwelling could be of natural stone and slate roof and as such would blend in with the best of the surrounding buildings. See attached drawing No. 1302:1154:01

4.

Precedence.

There will be no detrimental precedence set to the policies of Herefordshire Council if this land is included in the Neighbourhood Plan for residential development.

5.

Adjacent land and the Village in general.

The land to the north, south and east is residential land. The proposed dwelling would not have a detrimental effect on the adjacent properties and there would be no loss of amenity for the adjacent dwellings.

A well designed dwelling on this site would not be harmful to the character and appearance of the village and the surrounding countryside.

The site is somewhat lower than the site which is the Vicarage.

6.

Land use.

The site is disused as part of the garden land of the Link. It has always been and remains the intention that it be residential land. The last use was as a residential garden and the land remains within the curtilage of link even though it is not in the same ownership. The site is not agricultural land.

7.

Vehicular access.

A suitable and safe vehicular access can easily be formed onto Church lane which is more than capable of safely accommodating one further dwelling.

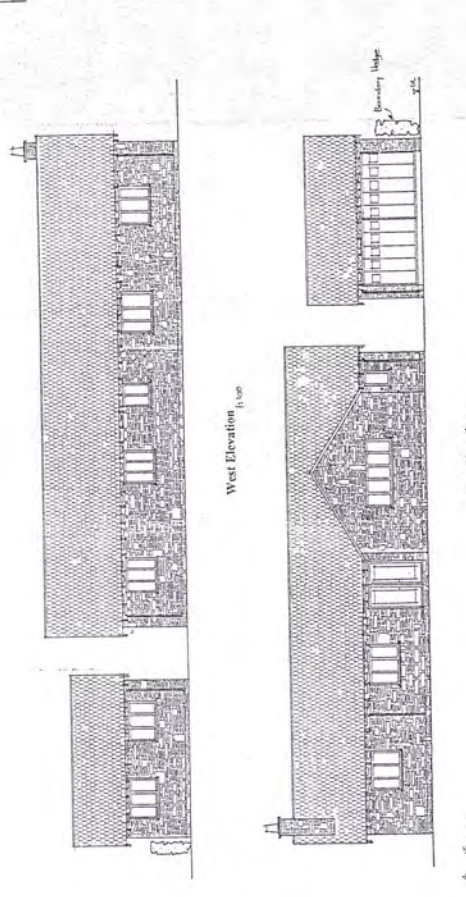
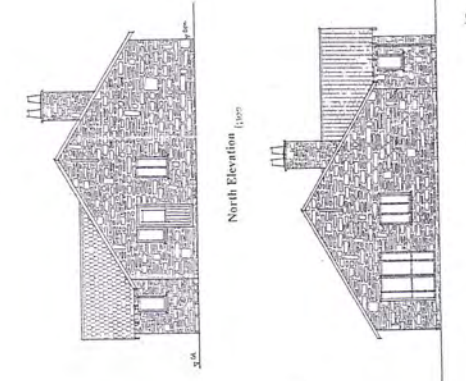
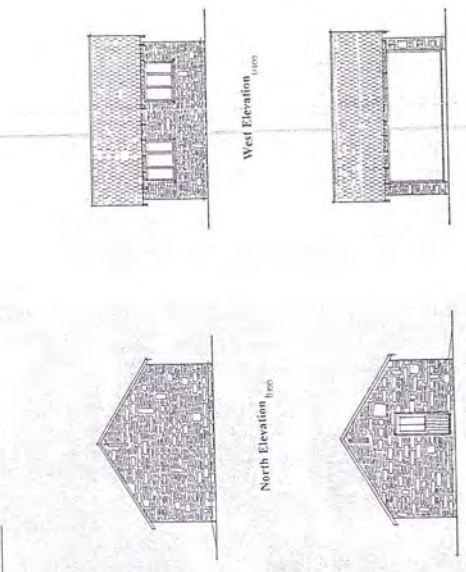
8.

Services.

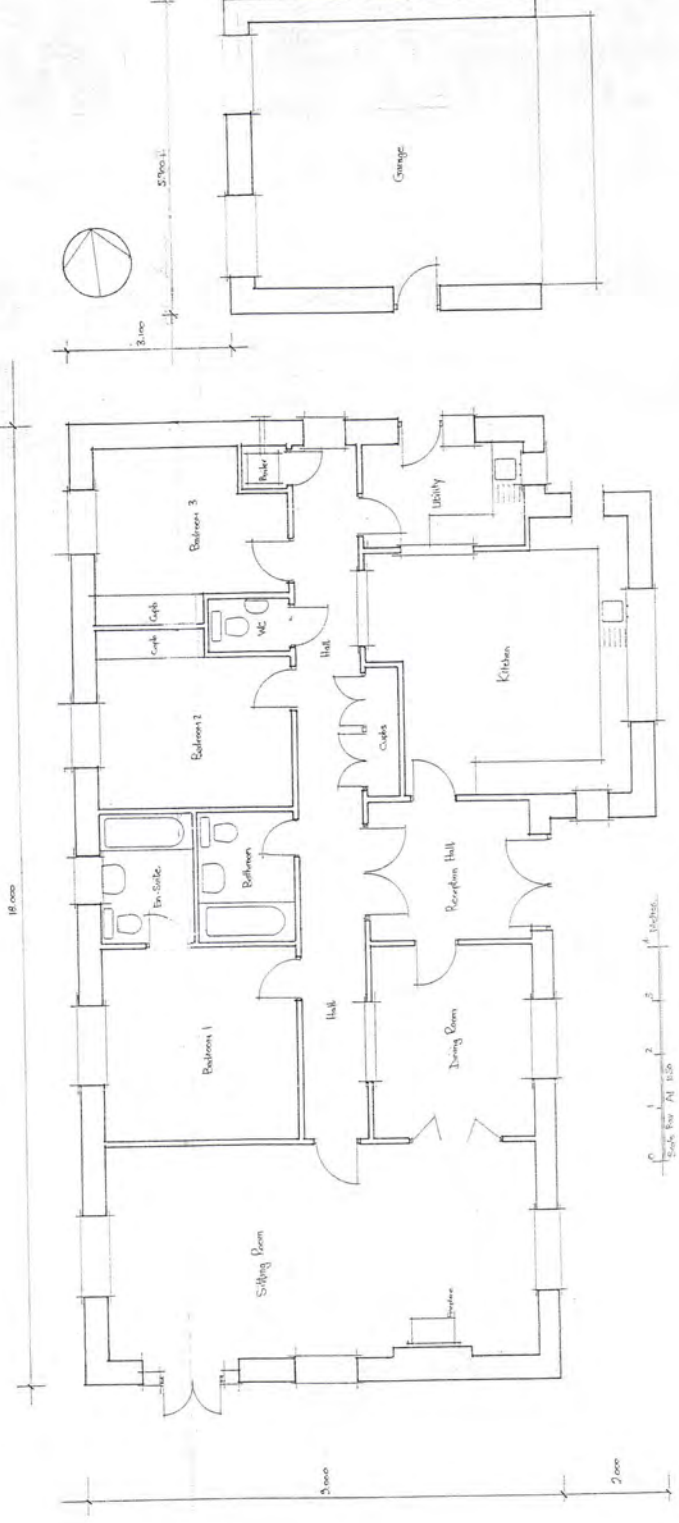
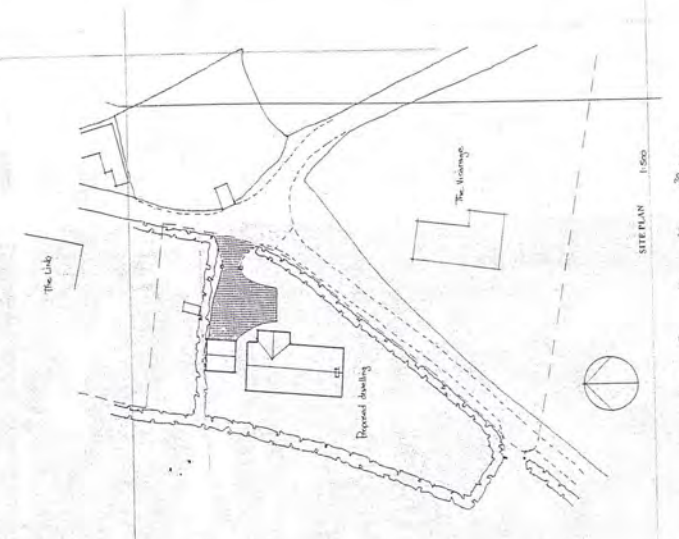
All necessary services are readily available. Public transport is also available (Bus stop at the end of the lane), the site is within walking distance of the local school. Planning policy requires that future development be directed towards the larger villages where services and facilities already exist.

Christopher F. Knock B. Sc.
Tinkers Grove Cottage
The Deer Park
Eastnor
Nr. Ledbury
Herefordshire HR8 1RQ

Tel: 01531 635462
5th September 2015



Construction materials:
 Roof: Welsh Slate
 Walls: Random rubble with stone
 Windows and doors: Oak



22 Alnost Court
 Alnost Higham
 Alnost, Alnost
 Northampton NN17 3LS

Christopher F. Knack
 Architectural & Planning Consultant

File: 01793 210 651
 Tel: 01793 210 651
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PROJ TITLE: Proposed dwelling at land adjacent to The Link, within the proposed development.

PREPARED BY: C. F. Knack
 FOR: Dr. Green

DRAWING TITLE: Elevations, Plan and Site Plan

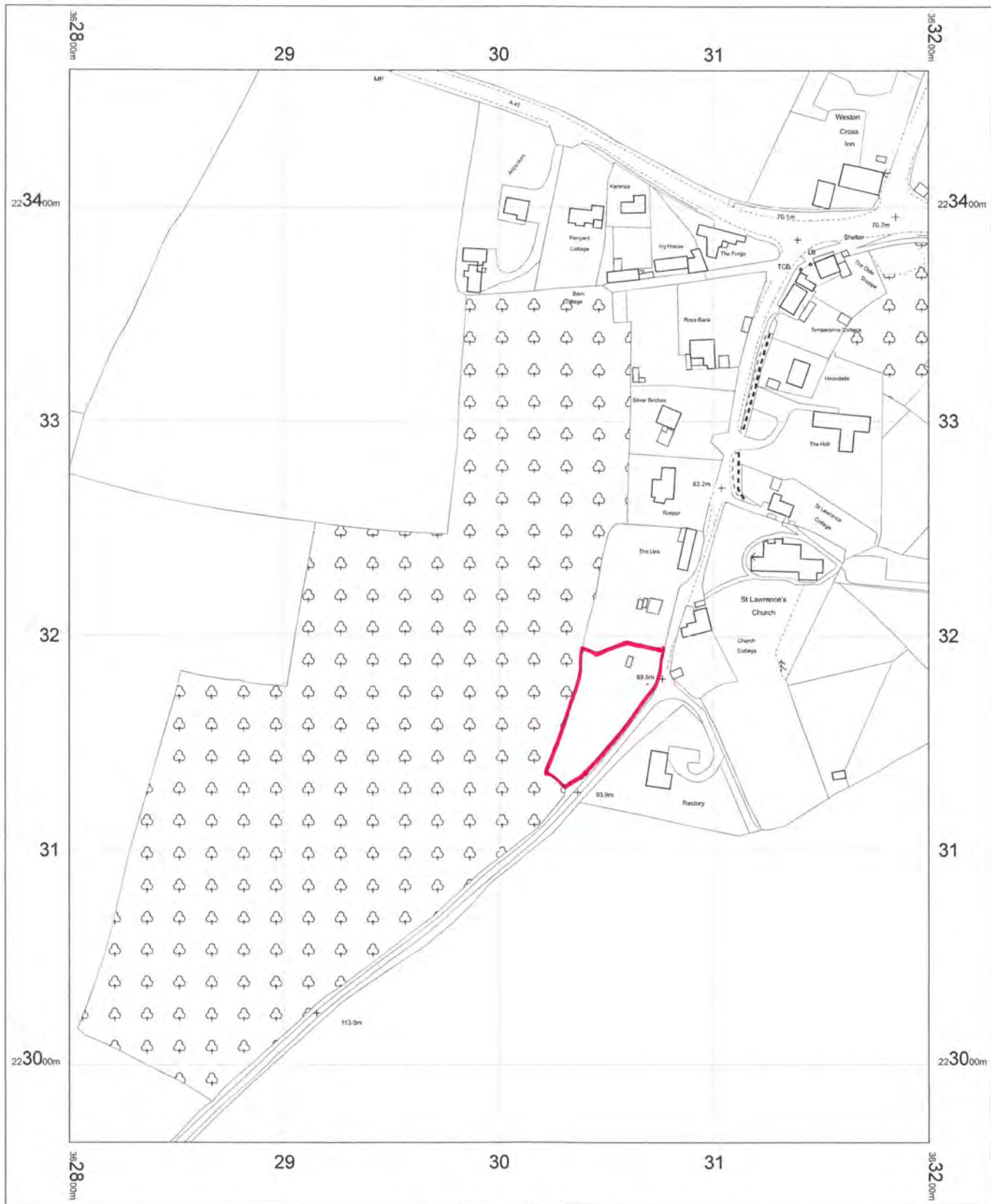
SCALE: 1:50, 1:100 and 1:500

DRAWING NO.: 13021154:01

DATE: 27 September 2013

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DATE:	
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OS MasterMap 1250/2500/10000 scale
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Neighbourhood Planning Team
Planning Services
PO Box 230
Hereford
HR1 2ZB

Our Reference: GW/CR/4052/eds
14th September 2015

Sent via email

Dear Sir or Madam,

Weston-under-Penyard Neighbourhood Plan Consultation, Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Hunter Page Planning has been instructed by Markey Group to submit representations on the Weston-under-Penyard Neighbourhood Plan during the Local Planning Authority consultation period according to Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. Markey Group have been promoting land east of Penyard Gardens at for residential development throughout the preparation of the Weston-under-Penyard Neighbourhood Plan. An outline planning application for up to 35 units was recently determined by committee at Herefordshire Council.

Site and Surrounding Area

The land under option with Markey Group is located towards the eastern end of the village. The site is generally flat, although there is a gentle rise towards the south west. Measuring approximately 1.3 hectares, it is currently grassland.

The north western boundary is formed by 20th Century residential development. A mature hedge and the A40 form the boundary to the north east. The south western boundary is formed by a hedgerow and a track. The south eastern boundary is made up of a broken hedgerow and an agricultural barn in the very south eastern corner.

The site is accessible to the services and facilities within the village, including the village hall, public house and the local primary school. The site is situated approximately 150m from the nearest bus stops which are located either side of the A40. The existing public transport provision within Weston-under-Penyard is good with an hourly bus service available to both Gloucester and Ross-on-Wye.

The application site is not situated within the Area of Outstanding Natural Beauty, and is also excluded from the floodplain and any conservation areas. There are no listed buildings on or adjoining the site.

Weston-under-Penyard Neighbourhood Plan Policies

The inclusion of land east of Penyard Gardens for 18 units is supported. For the reasons explained below, the number of dwellings to be allocated to this site should be increased to 35 units.



Policy H1: Number of new houses

Policy H1 identifies the number of houses to be granted permission within the parish between April 2015 and 31st March 2031. The overall approach to this policy is supported as there is no wording which would seek to restrict residential growth in case of any changing circumstances during the plan period.

Section 5.4: Selected sites for development

Section 5.4 identifies two sites – Site WNP33 (land east of Penyard Gardens) and Site WNP08 (field next to Hunsdon Manor) to deliver the minimum 55 dwelling requirement across the plan period.

The housing potential of approximately 30 dwellings on land east of Penyard Gardens was identified as the site of most preference for future housing within the parish. Therefore, increasing the number of units on the said site within the Neighbourhood Plan would ensure housing is delivered on the site that is most preferred by local residents and that which is less sensitive in landscape terms.

Notwithstanding the above, there is a need to make the most efficient use of land as per the requirements of the NPPF as well as respect the character of the area and amenity of neighbouring residents. As detailed within the outline planning application (P150888/O) that is currently being determined by Herefordshire Council, 35 units on the site represents a low density scheme and encompasses an area of public open space. It reflects the density of development that adjoins the site. It is the opinion of Markey Group that 18 units on would not make efficient use of the whole site area.

In light of the above, Policy HS1 should be amended to increase the provision of 18 dwellings to 35 (an increase of 17) on land east of Penyard Gardens. This increase would reflect the outline application that was recently determined by Herefordshire Council Planning Committee with a resolution to permit. No issues were raised by the relevant consultees or committee members that could withstand development coming forward on this site. Such an increase would be in line with the general Policy H1 which seeks to provide a **minimum** (our emphasis) of 55 dwellings for the Neighbourhood Plan Period.

Basic Conditions

A draft Neighbourhood Plan or Order that meets each of a set of basic conditions (as set out below) can be proceed to referendum. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

- e. the making of the order (or neighbourhood plan) 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 (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

Markey Group are of the view that the current approach to deliver 18 units on land east of Penyard Gardens (as detailed within Policy HS1) would not make efficient use of the site as per the requirements of the NPPF and would therefore not represent a sustainable form of development. Some concerns arise over the plan's approach to basic condition (d.)the making of the order (or Neighbourhood Plan) contributes to the achievement of sustainable development.

Increasing the number of dwellings within Policy HS1 to 35 on land east of Penyard Gardens would result in the efficient use of land. The suggested 35 units is compliant with the overarching housing numbers policy which seeks a **minimum** (our emphasis) of 55 units for the Weston-under-Penyard Neighbourhood Plan Period and therefore would contribute to achieving sustainable development.

Overall, the general approach and policies of the Weston-under-Penyard Neighbourhood Plan are generally supported. The policies are largely consistent with the emerging Herefordshire Core Strategy which will set a precedent for growth within the county as well as national planning policy and guidance. In our view the plan therefore meets the requirements of the majority of the basic conditions with concerns over criterion (d) as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.

I trust all of the above is of use and if you require any further information, please do not hesitate to contact me.

Yours sincerely



Guy Wakefield MRTPI
Hunter Page Planning
guy.wakefield@hunterpage.net