

Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 22 August 2016 20:20
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	Andrew
Last name	Bailey
Which plan are you commenting on?	Burghill ND plan
Comment type	Objection
Your comments	<p>My objection to the Burghill Neighbourhood Development plan is primarily with the the lack of information and consultation from Burghill Parish Council. While accepting that some development is not only desirable but necessary for the future of our village, the scale of the proposals are completely at odds with the sparsely populated open countryside we chose to settle in 26 years ago. The locations chosen for this development seem bizarre, when what would appear to be more suitable sites have been ignored. Little thought seems to have been given to the impact that these changes will have on road safety, access to amenities(schools etc) and the environmental impact from the disposal of the sewage generated, where no mains sewage system exists.</p>

Latham, James

From: Mandy Lowe
Sent: 01 August 2016 23:01
To: Neighbourhood Planning Team
Subject: Burghill neighbourhood Plan "objection"

Following belated disclosure of proposals from Cabinet meeting of 14th April 2016, regarding development proposals for Burghill neighbourhood to increase the 2011-2031 targeted numbers from 120 dwellings to a potential 581 dwellings, I am writing to stro object in the strongest possible terms.

The lack of consultation with and involvement of the local community in this sudden and vast increase of proposed/potential dwellings is very underhand and undemocratic.

The new proposal would place undue strain on the roads in the neighbourhood which are already inadequate, in poor repair and with no continuous pavements for foot traffic. Your new proposals of 581 dwellings, would render the three local primary schools (Burghill, Trinity, Holmer) unable to cope with the large increase of numbers. The capacity to develop these schools further would fall on Burghill and Holmer, as Trinity already has 600 pupils and no plans to increase its capacity.

Neither school is within walking distance of the development area, and so large increase in road traffic usage and congestion around the school entrances would ensue. this would create huge health and safety issues.

There is an inadequate bus service to the and from the village and the centre of Hereford currently, so the new residents will use their cars to take children to school, go to work, go shopping, go out in the evening, all adding extra volumes of traffic on our roads.

There is no shop in Burghill village, no pub and only a small village hall. There is one pub in Tillington and one shop there too. The facilities therefore are totally inadequate for such an influx of people and the huge increase in number of residents would forever change the atmosphere of this rural village in which existing residents chose to live.

The building programme would take several years, and would seriously disrupt the peace and tranquillity of the St Mary's development, and the new proposal will take FIVE times longer than the submitted plan. This would be intolerable to those of us living in close proximity to the sites.

There is a lack of high end housing in Hereford and the St. Mary's site provides housing for the small portion of the population who require this type of housing. If Hereford wishes to attract people from all echelons of society, housing of all kinds is necessary.

The existing housing at St. Mary's will be seriously devalued by such developments close by, and their resale value will be detrimentally affected.

Planning proposals such as this are affecting resale values now. The house next door to mine, has failed to sell on four occasions in the last three years due to the proposed road development logged in planning services. Now the owners have moved abroad, taking a valuable business entrepreneur away from the area. They have had to let the house.

The existence of the proposed road has deterred people from London and elsewhere from buying what is a beautiful property with idyllic views, because of the possibility of a major road ploughing through a rural valley. The owners and other residents will see the same lack of market prospects, loss in house value and increase in personal stress whenever they need to move house.

This kind of underhand, "through the back door" sort of dealing seems to be rife in Hereford. Decisions seem to be made with little reference to current market trends or existing residents of the area. There is little aforethought given to the extended infrastructure and needs of an influx of possibly up to 2,000 residents.

Where indeed, are the business opportunities to attract these new residents to Hereford?

The desire of Hereford's council to gain government funding to provide a University in the area, should not be to the detriment of existing residents. The university may benefit the city but I wonder which members of the council will also directly benefit?

Yours sincerely,
Amanda Lowe

Latham, James

From: Turner, Andrew
Sent: 17 August 2016 16:30
To: Neighbourhood Planning Team
Subject: RE: Burghill Regulation 16 Neighbourhood Development Plan consultation

RE: Burghill 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 identified in the 'Burghill Parish Neighbourhood Development Plan Consultation- Regulation 16'.

Please note the following comments were also made for the 'Burghill Parish Neighbourhood Development Plan- Regulation 14- First Consultation Draft' and it has been noted that our comments are referred to throughout this NDP (Regulation 16).

Lower Burlton- Map 2

Having reviewed Ordnance survey historical plans, I would advise the following; regarding the three proposed housing sites identified as; '2B', '2D' and 'White Roses', (cross hatched in pink) on the plan titled 'Map 2: Lower Burlton proposed settlement boundary':

Site: '2D'

The site has been historically 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.

Site '2B and 'White Roses'

- The two sites have also been historically used as orchards. As mentioned above, 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.
- The two sites are located in an area, which has historically been used for the quarrying of sand and clay operation and since 1986 has been classed as unknown filled ground (pit, quarry etc.)

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.

Responsibility for securing safe development rests with the developer and/or landowner. It is incumbent on the developer and/or landowner to demonstrate that the proposed development is both safe and suitable for its intended use.

The sites historic potentially contaminative use (former quarry) will require consideration prior to any development. I would recommend any application that is submitted should include, as a minimum, a 'desk top study' considering risk from contamination in accordance with BS10175:2011 so that the proposal can be fully considered. With adequate information it is likely a condition would be recommended such as that included below:

1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:

- a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
- b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors
- c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

Technical notes about the condition

1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2012.

2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.

Tillington- Map 4

Having reviewed Ordnance survey historical plans, I would advise the following; regarding the three proposed housing development sites identified as; '10','22' and '25',(cross hatched in pink) on the plan titled 'Map 4: Tillington proposed settlement boundary ';

Sites: '10','22' and '25'

- The three sites have all been historically 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 Solar Energy Site- Map 7

Having reviewed Ordnance survey historical plans, I would advise the following, regarding the proposed 'Solar Farm Site'(cross hatched in yellow) on the plan titled 'Map 7: Proposed Solar Energy Site':

Site: Solar Farm Site

- Our records suggest that the proposed development located on a known closed landfill site (Winstow Pit, Burghill). Because of this it will be necessary for the applicant to undertake a site investigation to consider the risk from the landfill to the development. Therefore we would recommend a condition be appended to any planning approval to ensure the site is both safe and suitable for its intended use.

For ease of reference I have included a suitably worded condition.

1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:
 - a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice
 - b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors
 - c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local planning authority for written approval.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.

Technical notes about the condition

1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably competent person as defined within the National Planning Policy Framework 2012.
2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.

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.

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.

Finally it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe development where a site is affected by contamination.

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: 13 July 2016 10:37
Subject: Burghill Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Burghill Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

21.08.16

Objections to the Burghill Parish N D Plan from Ann Beryl White:

I have a number of complaints to make on the Plan, as follows:

HEREFORDSHIRE COUNCIL	
PLANNING SERVICES	
DEVELOPMENT CONTROL	
23 AUG 2016	
To
Ack'd	File

- a) Throughout the process, I and a number of other residents have felt that we have had only a minor participation in the development of the plan.
- b) Attempts to sway opinion in other directions seem to have received scant consideration and yet the plan was supposed to reflect local wishes and opinions.
- c) There appears to have been in the plan an unusually strong and robust defence against the objections raised against Site 10.....of which there are many.
- d) The objections to site 10 and other potential sites in Tillington are numerous and all of them are valid. Yet again, the objections were cast aside. It is as if these sites were cemented in place from the very beginning and nobody was going to be able to suggest alternatives.
- e) I have the impression that the Parish Council/Steering Group were almost 'closed shops' and were not at all happy to listen to the views of parishioners. Meetings were arranged with little warning allowing no input from parishioners.
- f) Whilst the Parish Council will tell you that communication/consultation has been according to the stipulated modes of conduct closer inspection will show that it has been lacking or inadequate.
- g) It seems unfair that Tillington Common has been completely omitted from the Development Plan. One has to ask why this has happened.
- h) The area in Tillington, around which many of the sites are found, is lacking in many respects and would 'normally' and sensibly preclude most of what is outlined in the plan. The problems we are speaking about are not insignificant. A walk through the area would reveal the considerable problems: the main road through the village is narrow, of varying width; there are two dangerous crossroads where visibility is poor; access to the sites would create more safety problems; the amount of traffic is considerable at certain times with excessive speed ; there is no mains sewage and soil drainage is poor. If you wish to seek an area where housing should NOT be built, this is it!
- i) One can hardly say that the plan, as it stands, is "proportionate"..as the code of conduct says the plan should be. This in itself should invalidate the plan!

You can see from what I have said that I am extremely dissatisfied with the end product and any unbiased reader is bound to agree. This plan cannot and must not go ahead in its present form.

Yours faithfully

A. B. WHITE

Latham, James

From: Hazel Philpotts <burghillparishclerk@gmail.com>
Sent: 12 August 2016 12:15
To: Neighbourhood Planning Team
Cc: Mark Ellis; Anthony Vaughan; Banks, Samantha
Subject: Burghill Neighbourhood Development Plan - comments from Burghill PC

Dear Sirs

This submission from the Burghill Parish Council (BPC) seeks to rebut any other submission claiming the potential availability of alternative sites within the southern part of the parish and that these lands should be substituted for sites included within the draft NDP

There are two sites involved with these claims: **firstly**, there are the lands of Hospital Farm becoming available as a result of the disposal of farmland owned by Herefordshire Council; **secondly**, a site where a planning application has been made to locate 50 dwellings on a triangular portion of land between the Roman Road and Tillington Road (known as site No 2E in the NDP Assessment Process). Both these sites were examined by the BPC, by the NDP Steering Group and by the independent consultants appointed to assist with the NDP process and they were discounted in favour of the selected sites in the draft NDP.

Council-owned Hospital Farm is within the southern part of the parish of Burghill. It is acknowledged that Herefordshire Council is seeking a joint partner for the development of this land. It is the understanding of the BPC that the lands of Hospital Farm are regulated by a restrictive covenant which would compromise the availability of this ground for development purposes. Until this covenant is discharged the land here is not available for development. It was also considered by BPC that the development of this ground would merge St Mary's Park with the city, in turn promoting the unacceptable coalescence of Burghill Village with the City's northern fringes.

Privately-owned site No 2E was considered less favourable for development when compared to the sites chosen for inclusion in the draft NDP. Currently, this site has two significant infrastructure problems which have yet to be resolved. Welsh Water has requested that any dwellings on the site are not occupied until 2020 at the earliest. There is also a trunk water main crossing the site which will either have to be moved or a maintenance corridor provided across the site. This will be an expensive exercise resulting in major capital works and impact on potential house numbers. The development of site No 2E would cause the loss of open ground, in a westerly direction, beyond the clearly defined boundary of the Tillington Road. This would harm the character and appearance of the countryside in this location. These issues concerning character, appearance and infrastructure place Site 2E lower down the acceptability table when compared to selected sites in the draft NDP. For these reasons the site should not be considered as a displacement option for sites currently within the draft NDP.

Yours faithfully
Hazel Philpotts
Clerk to Burghill Parish Council
The Vineyard, Bowley Lane, Bodenham, Hereford HR1 3LF

Latham, James

From: Banks, Samantha
Sent: 15 August 2016 09:40
To: Neighbourhood Planning Team
Subject: FW: Burghill Regulation 16 Neighbourhood Development Plan consultation

From: Atkins, Charlotte
Sent: 02 August 2016 14:42
To: Banks, Samantha <sbanks@herefordshire.gov.uk>
Subject: FW: Burghill Regulation 16 Neighbourhood Development Plan consultation

Hi Sam,

I have only had chance to give the BdNDP a cursory overview, but would comment as follows:

- Policy B4 only refers to employment reuses of traditional agricultural buildings. If this excludes reuse of non-traditional this appears to conflict with CS policy RA5 and the NPPF. In addition no mention of conversion to residential use, which also conflicts with adopted policy.
- Requirement for 35% affordable housing, but no threshold for applying. This could conflict with the NPPG - *Affordable housing and tariff style section 106 contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm*

There seems to be a typo in policy B10(3) – where it refer to ‘Whitmoorpool Common’, our mapping systems refer to ‘Whitmore pool’.

Just as an aside, your out of office assistant is on and says you’re away until 15th July!

Charlie

From: Withers, Simon
Sent: 13 July 2016 10:42
To: Gibbons, Kelly; Atkins, Charlotte; Barber-Martinez, Fernando
Subject: FW: Burghill Regulation 16 Neighbourhood Development Plan consultation

All,

If you have any views on this document, please do make them direct to the NP team

S

From: Neighbourhood Planning Team
Sent: 13 July 2016 10:37
Subject: Burghill Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Burghill Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 23 August 2016 17:45
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	Clare
Last name	Fenton
Which plan are you commenting on?	Area noted as 2B on Map 2 Lower Burlton Site.
Comment type	Objection
Your comments	<p>We request the site be excluded from the NDP as it contravenes the criteria set out in the Burghill NDP and Herefordshire design guide for new development. Also we have only recently become aware of its inclusion and understand that other residents both in the Burghill Parish and Hereford City Boundaries are also unaware of the sites inclusion and the affect it will have on their properties. We highlight the following issues:</p> <ol style="list-style-type: none">1. The field (not White Roses) is included on the Environmental Agencies mapping which shows there are surface water issues where the water does not drain away. The field is completely surrounded by roads and properties and is a flat pooling point that sits at the base of higher ground before the ground continues to descend down onto Roman Road and Three Elms. There is no drainage to the field and at present no rights of way to access existing drainage nearby. The field regularly floods our driveway and the flooding last year extended into the property 'Kincraig'. The flood water had to be pumped out of the field as it didn't naturally drain away, this process took approximately 6 weeks. We believe that this field is an old quarry site that has been infilled and itself holds a large volume of water before the field floods, the development will effectively place a concrete lid on this bowl and we are concerned as to where this water will go. There is mapping evidence available on the Environment

Agency website that indicates a natural tracking path of excess water coming from higher level and into this site. We do not think that there is any way to effectively pump this water out . We also think that the boundary to Canon Pyon road that sits on the East side of the proposed site acts in itself as a further flood defence protecting the properties on Roman Road and Three Elms. During Heavy Rainfall the water cascades like a waterfall down the Canon Pyon Road up over its rise close to the Roman Road cross roads to continue in a torrent down Three Elms Road. By opening up an access off Canon Pyon Road this water will naturally flood into the proposed development site exasperating the current situation. This will further worsen once hard standing for the road, properties and parking is constructed for the proposed development. We also understand that there will be further development higher up Canon Pyon Road, including the development of the relief Road, this will also increase the water run off. Herefordshire Highway Design Guide for new developments. Under the UDP policies section (Appendix 4) it states: In all cases development will only be permitted where it would not be at an unacceptable risk of flooding or where it is essential to that location. Any protection, compensatory, mitigation and other measures proposed must be acceptable in safety terms and in terms of their environmental effects. All proposals would need to include a dry access, the necessary minimum standards of flood defence, show that there would be no net loss of flood plain storage and that it would not impede water flows or increase flood risk elsewhere. We feel that an environmental Agency report would be require including consultation with all residents in the area surrounding the proposed site (both City and Burghill Parish) consulted and the history of the site, water tables, surface water run offs (both at the site and land higher) and future developments above the site to be included.

2. The field is currently accessed through the drive belonging to our property CF FTGUU TGF CEVGF "which is only a small narrow access approximately 4m wide. The width of the drive is insufficient for access to a housing development and the easement only allows for access and NOT services.

Therefore, a new access would be required off Canon Pyon Road. We have already raised our concerns regarding the flooding impact of this entrance, now we need to consider the risk and design requirement criteria. We have reviewed the Herefordshire Highway Design Guide for new developments and the criteria for Major Access Roads (2. Design Criteria; 2.8 Major Access Roads). Due to the speed of the road, we have made some simple calculations and do not feel that the entrance can gain the correct visual splays. When we factor in the vertical alignment there are issues with the sight lines and it is impossible to achieve the 600mm unobstructed visibility at any point from the access to the final required visibility point. This due to the major incline of the road raising approximately 89 metres over its length from crossroads to road bend which is approximately 160 meters (27 feet raise over 0.1 mile); the hedgerows and trees and neighbouring properties boundary fences all sit at least 6 foot above the ground. The volume of traffic to the road especially at peak times is high as it is a main route into the city. At the head of the short stretch of road is a blind bend, currently the traffic lights catch many vehicles unaware and they need to break hard to slow for traffic queuing at the lights. We feel that introducing a new entrance before the junction is dangerous and has the potential to cause accidents in both directions. At peak times the traffic from the traffic lights will queue back passed the proposed new entrance and trying to turn into this flow heading towards the city will be nearly impossible to join. Also this is a main route for cyclists into the city both for commuting and recreational purposes. Cycle groups can travel up to speeds in excess of 25mph down this inclined road and due to the position of the entrance they would not be seen by any vehicles turning to the traffic lights or indeed by the cyclists themselves.

3. Pedestrian access from an entrance on Canon Pyon Road will be dangerous. At present there is no pedestrian access to that side of the road and any pedestrians will have to cross the busy major road at the entrance point. The pedestrian crossing is approx. 90 meters down the road at the traffic lights. There is no land available between the edge of the proposed site and the pedestrian

crossing to build a pavement. Herefordshire Highway Design Guide for new developments. Under the UDP policies section (Appendix 4) it states: DR3 Movement Where relevant to the proposal, all development will be required to: 1. provide a safe, convenient and attractive pattern of movement into, out of and across the site, particularly for pedestrians, people with disabilities and cyclists, satisfying minimum design standards and incorporating pedestrian seating and cycle parking as required; 4. The land is an old quarry site and initial reports already indicate that some areas of tested soil have shown contamination. Herefordshire Highway Design Guide for new developments. Under the UDP policies section (Appendix 4) it states: Development on or adjacent to land which is known or suspected to be contaminated will only be permitted provided that: 1. a site investigation and risk assessment has been carried out to determine the nature and degree of any contamination, its source and possible pathways and receptors; and 2. appropriate remediation and protection measures are proposed to reduce any risk to an acceptable level, taking into account the nature of the proposed use and the nature and extent of contamination, its source and possible pathways and receptors. Development will not be permitted where the risk cannot be reduced to an acceptable level or appropriate remedial or protection methods are not proposed. 5. The land is an old quarry site and in areas has stability issues. The properties on the South East corner have already encountered issues with small builds and works to install the new traffic light / pedestrian crossings at the cross roads. We understand to develop in certain areas of the plot, pile driving will be required. We feel that a full assessment of the field by an independent body would be required prior to the commencement of any construction work so no damage or subsidence will be encountered by properties surrounding the site. 6. The proposed site is subject to many legal covenants with adjoining properties. The site houses the septic tanks for some properties. The main access to the field is owned by Larch Meadow. Services to the field can only be accessed through existing properties and land

owned by others. Easement rights do not currently allow for this and neighbouring properties will be drawn into legal and costly renegotiations of existing rights. 7. The field has become a natural habitat for wildlife. We know there are bats, badgers, woodpeckers, foxes, rabbits, newts, frogs, toads, wrens, buzzards, woodpeckers and nesting birds to name but a few. 8. This proposed development will box existing properties in with no path or road between properties, it will also create privacy issues.

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

23rd August 2016

By Email to neighbourhoodplanning@herefordshire.gov.uk

Dear Sir/Madam

BURGHILL NEIGHBOURHOOD DEVELOPMENT PLAN (BNDP): CONSULTATION 2016 – REPRESENTATIONS ON BEHALF OF THE TRUSTEES OF THE LATE PETER MATTHEWS

CBRE Limited has been instructed by its Client, the landowners of the land south west of Tillington Road and north of Roman Road, to submit representations to this Regulation 16 Consultation of the Burghill Neighbourhood Development Plan (BNDP).

Representations have previously been submitted (dated April 2015 and appended to this letter for convenience) promoting land of my clients for the allocation of residential development within the emerging BNDP (Site ref: 2E). However, this site has not been taken forward on the basis of a site score greater than other sites put forward (consultant score of 3.75 and a PC/SG score 4.37) even though a total of 30 comments at the Consultation Options Day supported the site for residential development and the site is well connected, accessible and therefore a sustainable site appropriate for residential development.

A planning application for residential development of circa 50 dwellings at the south eastern corner of the site is currently pending determination given the sustainable nature of the site, close to existing residential properties, employment opportunities and amenities within the Burghill Parish and Hereford City Centre. To this end, our position is that this site should be included with the Burghill Neighbourhood Plan as a residential allocation as it will achieve the aims as set out in Objective 1:

“To try to ensure there is a mix of housing for local people to rent/buy so that both first time buyers and the elderly can remain a part of the community”.

And the general objectives of design and sustainability of new housing (objective 2); promote and support the local primary school (objective 4), services (objective 5); and leisure facilities (objective 6).

Southern Fringe commentary

We disagree with the description of the existing “Southern fringe of the Parish” (para 2.17). This paragraph does not accurately reflect this area by not including the area of converted barns at Lower

Burlton Barns which are located on the northern side of Tillington Road and clearly form part of Lower Burlton and not “other small groups” (para 2.18). Additionally, those properties should be shown within ‘Map 2 Lower Burlton’ (Appendix 1) as per the Options Days plan at Appendix 2, rather than omitted from this plan as this misrepresents the proximity and connectivity of these properties to the currently drawn settlement boundary of Lower Burlton. This settlement area should be redrawn to include these existing residential properties. Additionally, the smaller part of the site 2E should be included within this settlement given the connected nature of this site with the settlement of Lower Burlton and the existing properties to the north.

Historic Residential Delivery

We disagree with the text supporting the bar chart at paragraph 2.20. This chart does not show a significant increase over the last 15 years of new housing as stipulated, but a significant increase in the 10 year period between 1996-2001, owing primarily to the delivery of the former St Mary Park hospital site which represented 50% of the new homes delivered within this period. Subsequent to 2001, there has only been an additional 32 dwellings, representing a 5% increase in dwellings which is significantly below the required 18% growth minimum identified within the adopted Hereford Core Strategy. This clearly shows a significant reduction in the number of dwellings delivered in the Parish and a potential issue in regards to available and deliverable sites. Therefore, there is potential for the required minimum number of dwellings to be delivered over the plan period to not come forward which would have a detrimental impact on the choice, mix and availability of residential properties as well as associated implications for the continued provision of key local services and facilities in the Parish.

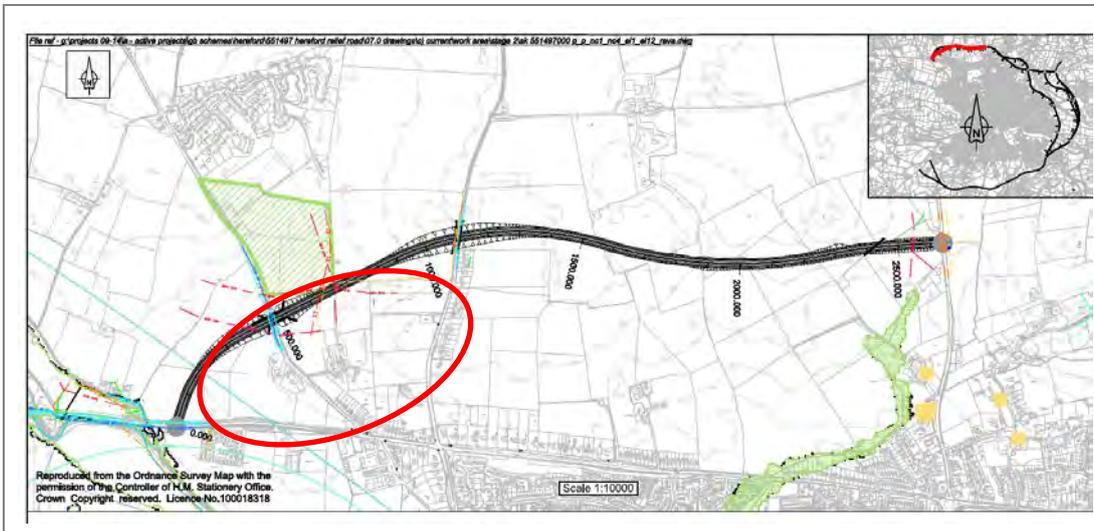
Connection with the City of Hereford

We are concerned with the vision as set out for the Parish, particularly the statement: “with a separate identity from the City of Hereford” which does not reflect the geographical proximity and relationship with the City of Hereford, particularly at the southern boundary of the Parish where existing properties are more closely connected with the City of Hereford than the main settlements of the Parish. This is close relationship and connection is clearly shown in the BNDP, at the map in Appendix 2 Option Days Park.

This position is further strengthened by the approved location of the Hereford By-Pass Relief Road (attached plan appended to this letter and extract included above) which creates a clear and physical boundary between the southern part of the parish, land within the relief road, and the main Burghill Parish area outside of the Hereford By-Pass Relief Road. Clearly the area inside the ring road forms part of the Hereford Area Plan area (Issues and Options to be consulted on Summer 2015 according the Council’s latest Local Development Scheme 2015) and should therefore be included within this area, not within the Burghill Parish Neighbourhood Plan Area given this physical boundary and therefore altering character for the southern part of the Parish.

Hereford Relief Road (Northern Core 1)

Sheet 17 of 32



Source: Amey Drawing No. 551497-H-P-A3.17 Map No. A3.17 Rev A

Residential Allocations

We disagree with the quantity of sites put forward for development to achieve the minimum growth requirement of 18% given national planning policy requirements to promote new housing and deliver a range of housing sites. Paragraph 6.15 of the Neighbourhood Plan identifies a minimum number of sites to achieve the 18% growth of new homes within the Parish and applies this rigidly to the task of site allocations rather than identifying a surplus number of sustainable sites suitable for residential development to ensure that the growth of the parish is delivered. Indeed, concerns regarding two sites are set out in the draft plan at paragraphs 6.1.26 – 6.1.28 where the White Roses and Site 2B are acknowledged to have potential contamination issues and therefore may not be considered viable. These sites together represent over 21% of the total housing land required to achieve the 18% growth for the parish.

Therefore, the current number of sites identified for residential development does not fundamentally achieve the BNDP Objective 1 relating to housing mix “*Identify suitable sites for housing development within the Parish*” owing to a potential for 2 sites to have viability issues regarding contamination. In our view, additional sustainable sites should therefore be included within the BNDP to deliver new residential dwellings and ensure that the required minimum growth is achieved for both Burghill and Hereford as a whole in accordance with local policy SS2 of the Hereford Core Strategy and Para 49 of the NPPF.

Policy B1 – Scale and type of new housing in Burghill and Tillington and Lower Burlton

We also object to the current wording of Policy B1, which states in the first paragraph “*proposals for new housing will only be considered on an allocated site or within the settlement boundaries on Map 2...*”. This policy does not provide opportunities for the assessment of sustainable sites, outside of allocated sites/settlement boundaries in accordance with National Planning Policy. This policy should be reworded such that in the first instance development is directed to such identified locations whilst providing opportunities for other sites to also come forward to meet growth requirements where sustainable.

Alternative sustainable locations should be considered where identified sites do not come forward owing to constraints/viability so as to accord with National Planning Policy and support the delivery of much needed new housing within Hereford.

Policy B7 – Traffic management and transport improvements

Concern is raised at the omission of the Hereford By-Pass Relief Road given the anticipated timescales for delivery of this (2027) is within the period of the neighbourhood plan (2031). This significant programmed infrastructure will have fundamental implications for the development of land in and around Hereford and Burghill Parish and should be referenced within this policy.

Process

Questions are also raised in regards to the process of the BNDP, and the inclusion of the White Roses site given that this was a “late submission” and not an option for consultation at the Options Day. This site is rated as Consultants Score 3.3 and PC/SG Score of 3.25 and capable of delivering 3 homes. There should have been the opportunity for consultation at the Options Day so that local residents can comment on this site.

In summary, we have a number of concerns in regards to the current content and scope of the Burghill Neighbourhood Plan and the requirement to deliver housing in accordance with the minimum growth requirement set by local planning policy. Overall, we consider that in its current form the Neighbourhood Plan should be, at the very least modified to reflect the concerns raised above and the additional site of my clients included within the residential allocations but our representation is such that the BNDP does not progress to examination.

I trust the above comments will be duly considered within the Burghill Neighbourhood Development Plan and would be grateful for your confirmation that our representations have been received. I confirm that I would like to be informed of any decision made by EHDC under Regulation 19 in relation to the outcome of the Neighbourhood Plan Examination.

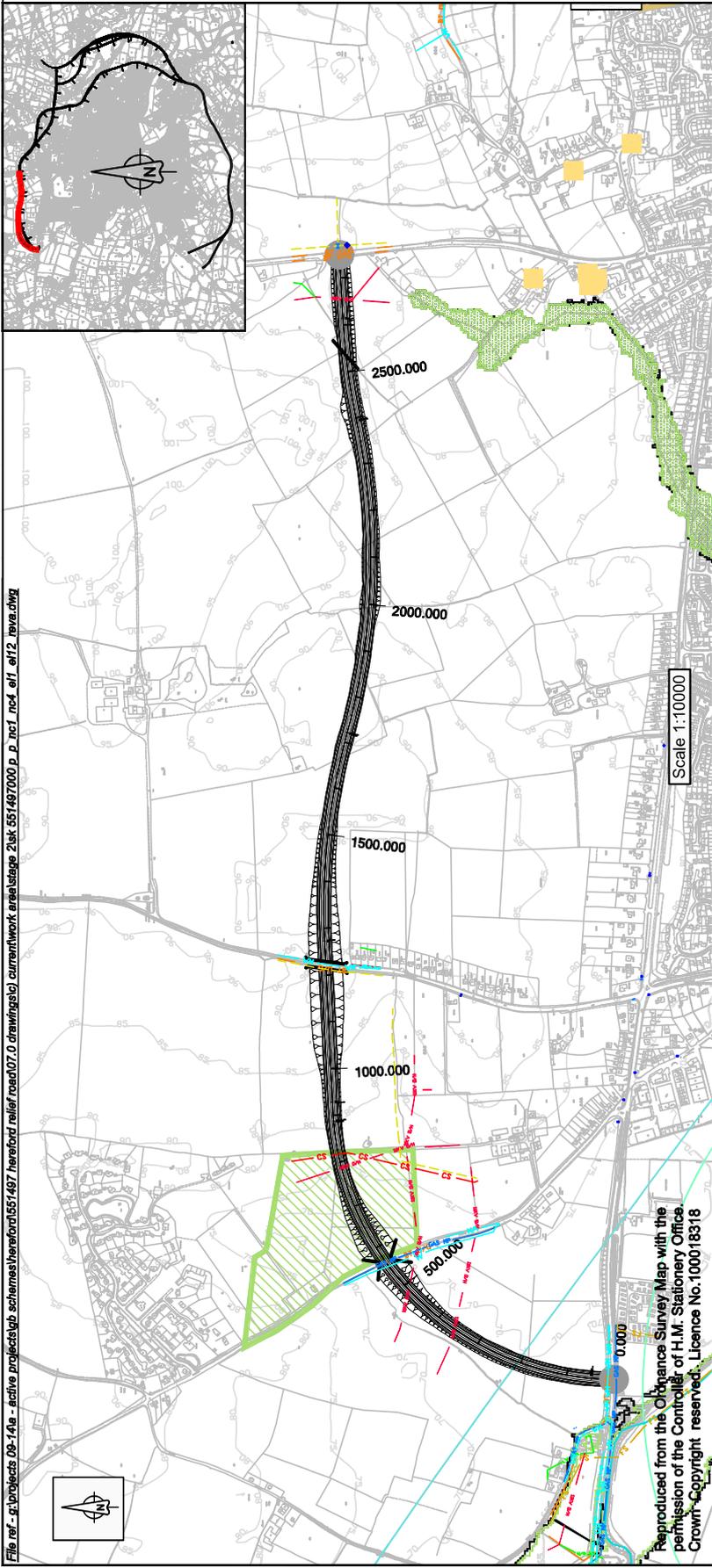
Should you have any queries or wish to discuss any issues raised above, please do not hesitate to contact me.

Yours sincerely

Emma Warren
Associate Director – PLANNING AND DEVELOPMENT

Encs Hereford Relief Road Norther Core 1 Sheet 17 of 32
Burghill Neighbourhood Plan Consultation regulation 14 representation comments

File ref - E:\projects\09-14a - active projects\sb schemes\hereford\551497\07.d drawings\sb current network engineering\21k 551497000.p_d.nc1.nc4_e112_0112_1pva.dwg



- ### NOTES
- Historic floor map
 - Area benefiting from flood defences
 - Greater than 0.1% flood risk from river / sea (loodzone 2)
 - Greater than 10% flood risk from river or 0.5% flood risk from sea (loodzone 3)
 - Source Protection Zone 1 (inner zone)
 - Source Protection Zone 2 (outer zone)
 - Source Protection Zone 3 (total catchment)
 - Flood defences
 - Surface Water Courses (with flow direction)
 - Ancient Woodland
 - Special Area of Conservation (SAC)
 - Site of Special Scientific Interest (SSSI)
 - Conservation Areas
 - Special Middle Site (SMS)
 - Listed building
 - Roundabout
 - Sewerage
 - Prepared Traffic Signals
 - CS - Combined Sewerage
 - WW - Water Main
 - WV - Water Main
 - WV - Foul Sewerage
 - WV - Pumped Foul Sewerage
 - E-On 11k PVC Cable
 - E-On LV Cable
 - E-On LV Overhead Cable
 - Gas - LHP Mains
 - Gas - LP Mains
 - Gas - MP Mains
 - BT Underground
 - BT Overhead

- Ascent Monument
- Historic Parks and Gardens
- UDP Proposed Planning Site
- Land Use (as amended)
- Roundabout
- Sewerage
- Prepared Traffic Signals
- CS - Combined Sewerage
- WW - Water Main
- WV - Water Main
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- E-On LV Cable
- E-On LV Overhead Cable
- Gas - LHP Mains
- Gas - LP Mains
- Gas - MP Mains
- BT Underground
- BT Overhead

Drawn: EJJ	Preliminary	✓
Design: JRP	For comment	
Chkd: SD	For tender	
Appr: RM	For construction	
Date: June 2010	AS constructed	



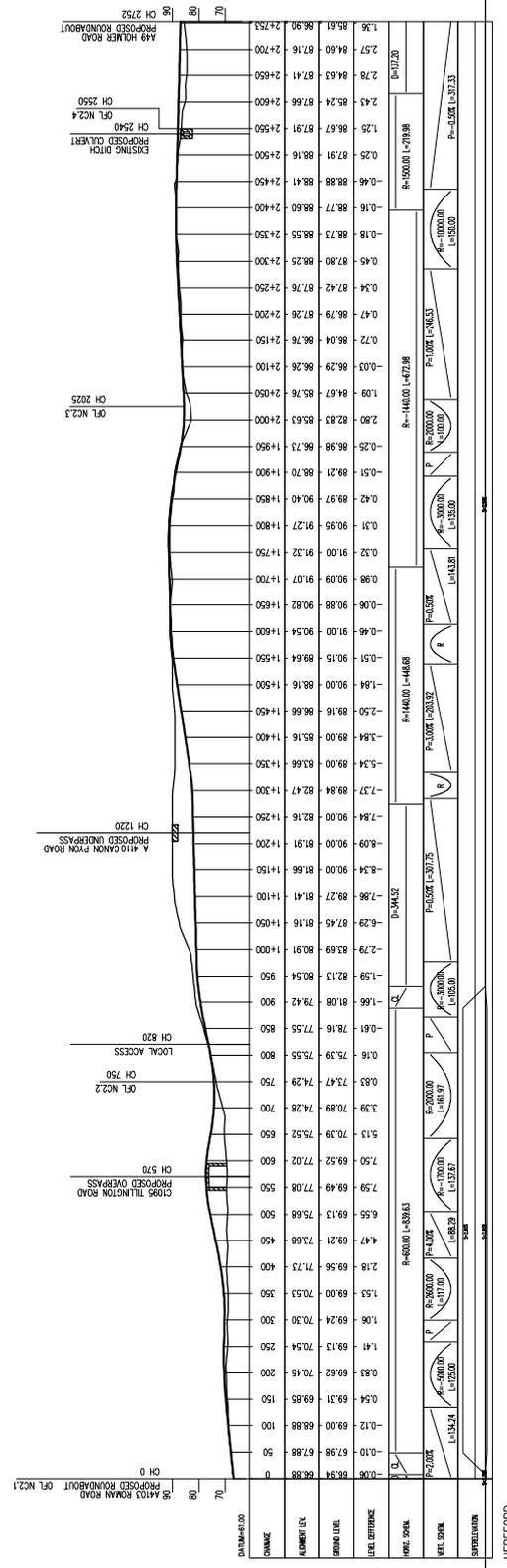
Client: **HEREFORDSHIRE COUNTY COUNCIL**
 Director of Environment & Culture
 Herefordshire Council
 Hereford, Herefordshire, HR1 2RH Tel: 01432 36000 Fax: 01432 31460

Project Name: **Hereford Relief Road**

Drawing Title: **Northern Core 2 Sheet 18 of 32**

Original Drawing Size: A3
 Scale: As Shown
 Dimensions: Metres

Drawing No: 551497-H-P-A3.18
 Map No: A3.18
 Rev: A



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HEREFORD
 SCALE: 1:5000 (MAP), 1:1000 (200M)

Scale 1:10000/2000

SITE PROMOTION – BURGHILL NEIGHBOURHOOD PLAN

**Land Between Tillington Road and Roman
Road, Hereford**

April 2015

CONTENTS

1.0 Introduction and Site Context.....	2
2.0 Planning Policy Framework.....	4
3.0 Redevelopment Opportunities.....	7

Reference:	Land between Tillington Road and Roman Road, Hereford		
FMS Number:	Date:	Prepared By:	Verified By:
50BCD0087317	10 April 2015	Emma Warren Senior Planner	Harry Bolton Associate Director
CBRE, Belvedere, 12 Booth Street, Manchester M2 4AW Telephone: 0161 455 7666 Fax: 0161 233 5684			
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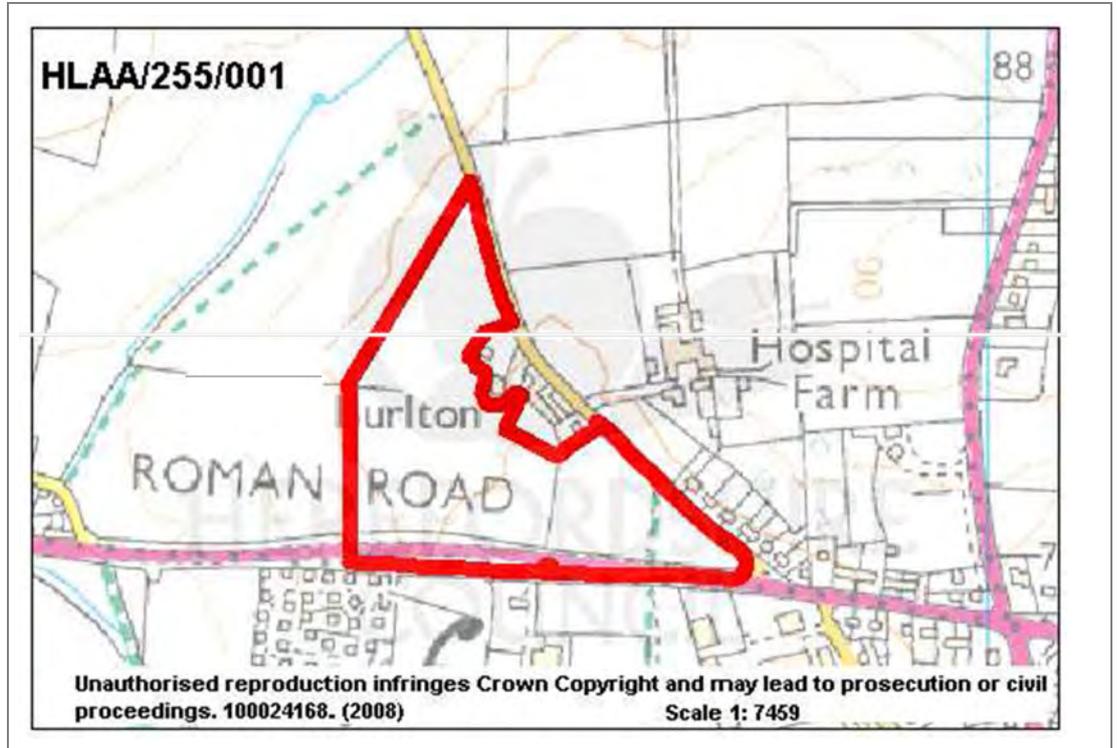
1.0 Introduction and Site Context

- 1.1 CBRE has been instructed by its Client, the landowners of the site, to put forward and promote the opportunity of redevelopment of this current vacant field for residential/employment use within the emerging Burghill Neighbourhood Plan.
- 1.2 The site owners are also seeking to engage with the Local Planning Authority on potential development opportunities for the site.
- 1.3 CBRE consider that this site is appropriately located for redevelopment, benefitting from good access links to Hereford and the wider area and forming a natural extension to the existing settlement. The redevelopment for additional residential / employment development will help to support the existing services within Burghill, support infrastructure improvements and, through sensitive and high quality design and landscaping, will positively contribute to the character and appearance of the area.
- 1.4 We briefly set out below the key site issues and relevant planning policy context prior to providing justification for this site to be included for allocation within the emerging Burghill Neighbourhood Plan for redevelopment for residential / employment use.

SITE CONTEXT

- 1.5 The site is located immediately north west of Hereford City Centre and lies just outside the defined settlement boundary. However, the site is well connected to Hereford, being situated on Roman Road, the northern boundary point of Hereford.
- 1.6 The site comprises a roughly triangular parcel of land with one boundary fronting Tillington Road from which site access is currently provided. The former Lower Burlton Farm and associated former barn buildings are removed from the appraisal site as these have previously been converted to residential use. The site is enclosed by Tillington Road to the east and Roman Road to the south. An area of vegetation and landscaping runs alongside Roman Road, along a steep bank that slopes down from the site from the central ridge area. A public footpath crosses the site at the south east where there is a clear hedgerow path. The site extends to an area of approximately 6.84ha.
- 1.7 A large designated employment site is situated opposite the site on the south side of Roman Road. South east of the site on Tillington Road is a row of dwellings which follows Roman Road before opening out into the larger residential areas of Hereford. Opposite the site is Hospital Farm which comprises predominantly arable farmland with associated dwellings and farm buildings of single storey height and other larger agricultural storage buildings. The wider area to the north-west is predominantly agricultural open space.

Figure 1
Site Plan



Source: Site Location Plan (Source: Herefordshire SHLAA Call For Sites 2013)

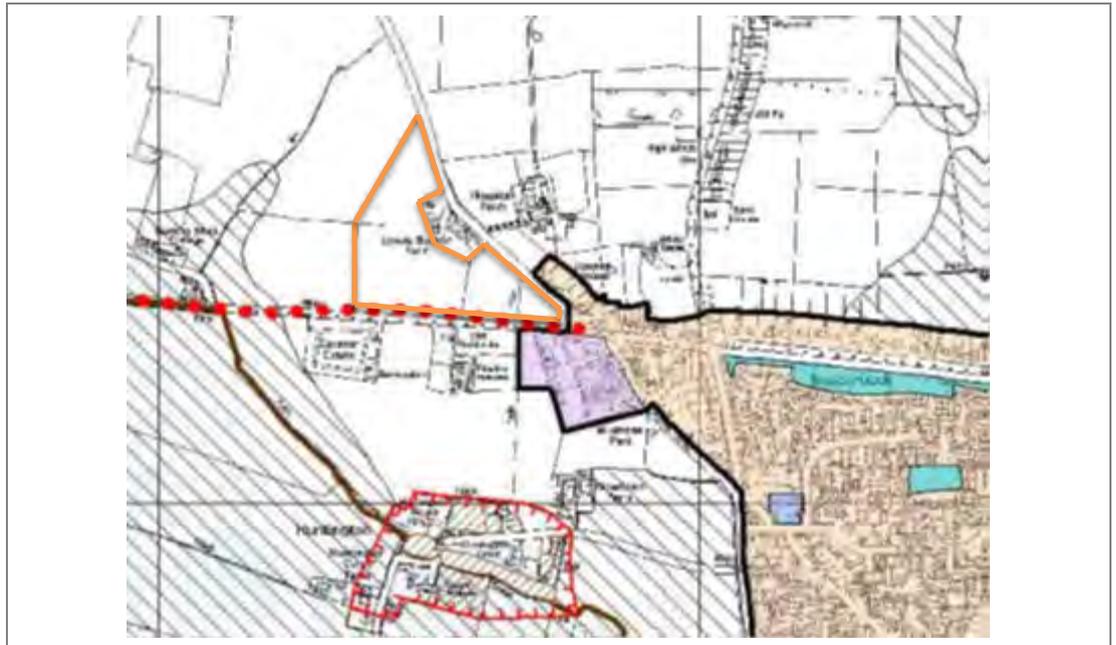
2.0 Planning Policy Framework

SAVED POLICIES OF THE HEREFORDSHIRE UNITARY DEVELOPMENT PLAN (MARCH 2007)

- 2.1 The site is not allocated for any specific use, as shown on the Proposals Map extract below.

Figure 2

Herefordshire Proposals Map Excerpt - site outlined in orange



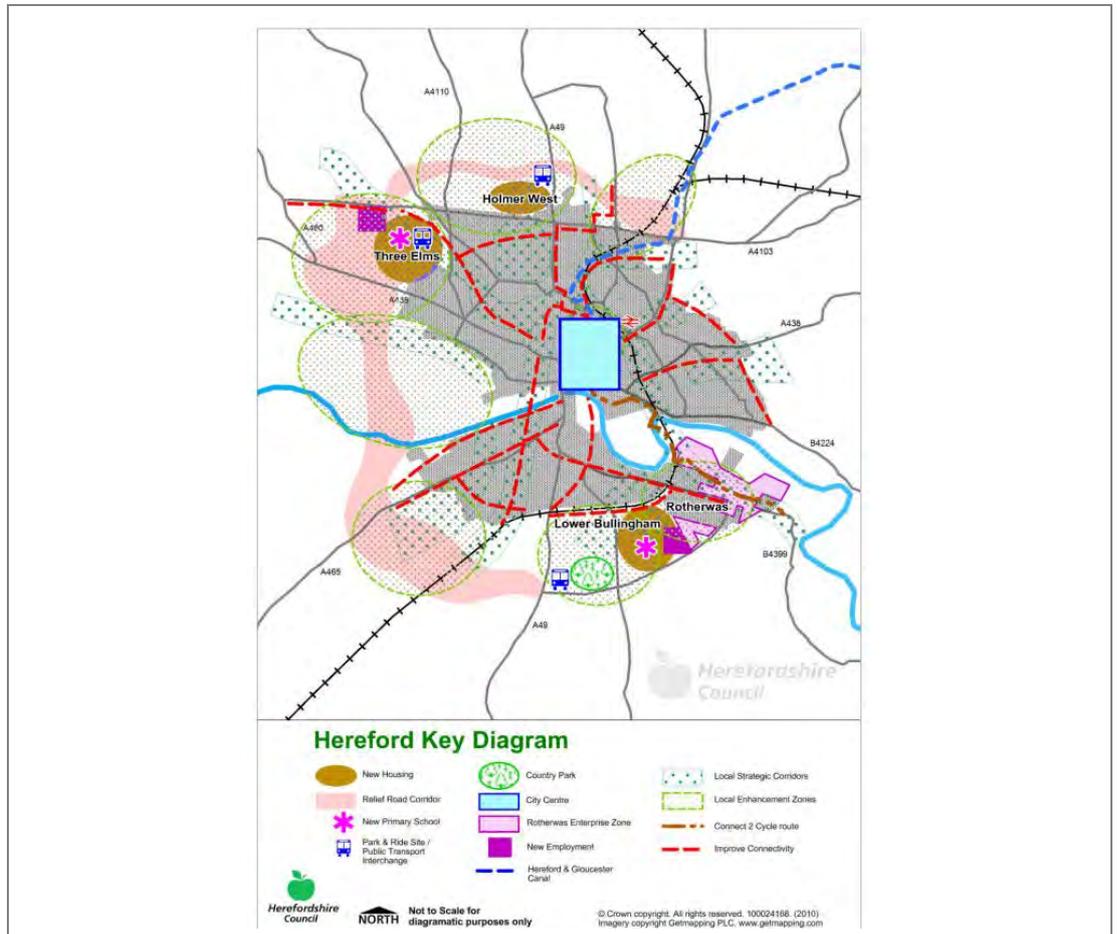
Source: Herefordshire Unitary Development Plan Proposals Map Excerpt 2007

EMERGING DEVELOPMENT PLAN

CORE STRATEGY

- 2.2 The updated Proposals Map for the emerging Core Strategy shows no changes or alterations to the appraisal site.
- 2.3 Within the Core Strategy the site is included in a 'Local Enhancement Area'. These areas were identified in the green infrastructure study as areas which would benefit from enhancements to green infrastructure.
- 2.4 With specific regard to Hereford, Policy HD1: 'Hereford' states that 6,500 new homes will be provided within the plan period and a minimum of 15ha of new employment land. Major residential development is proposed within the Western Urban Expansion area (Policy HD5) for 1,000 whilst a further 1,000 at the Southern Urban Expansion Area and 500 at the Northern Urban Expansion Area (HD4).
- 2.5 Policy HD5 'Western Urban Expansion (Three Elms)' (see Figure 3 below) relates to a strategic urban expansion allocation which is located immediately south of the site. The area is identified for a sustainable mixed use urban expansion, comprehensively masterplanned to provide approximately 1,000 homes.

Figure 3
Hereford Key Diagram



OTHER MATERIAL CONSIDERATIONS

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT SECOND REVIEW (MARCH 2012) & SHLAA CALL FOR SITES (2013)

- 2.6 The Strategic Housing Land Availability Assessment (SHLAA) was prepared as part of the Council’s Local Plan evidence base. The SHLAA assesses the potential availability of land for housing across Herefordshire. In 2013 Herefordshire Council began to update the SHLAA by consulting again on potential sites within the district.
- 2.7 The study identified that there is insufficient land available in the district to meet the five year land requirement. There is a requirement to deliver approximately 2,800 dwellings between 2011-2017 and the SHLAA has demonstrated that there are deliverable sites to accommodate 2,584 dwellings. This represents an under provision of land for 216 dwellings.
- 2.8 The site has been identified in the 2011 ‘Call For Sites’ as being suitable, achievable and available. The delivery timescale appropriate is in the latter years i.e. years 16-20, of the plan period due to considered site sensitivity owing to it not being located within a defined settlement envelope and considered constrained due to the landscape setting. The site is identified as achieving 200 new dwellings.

- 2.9 The Scoping Report identifies that approximately 45 new dwellings will be required in Burghill and 20 in Tillington to meet the housing needs of the community and strengthen economic viability. However, these figures do not take account of the shortfall of 216 dwellings identified at paragraph 2.7 above.

3.0 Redevelopment Opportunities

LOSS OF GREENSPACE / LANDSCAPING

- 3.0 The site is identified as agricultural land which is graded 'good' but is not in any active use and therefore is considered to be surplus to current requirements. As such the loss of this land for alternative uses would not be harmful to the overall supply of agricultural land within the area.
- 3.1 Due to the topography of the site, it is considered that a sensitive and attractively designed development in the form of a low-density residential-led mixed use scheme with a high quality landscaping treatment will positively support the character and appearance of this site whilst protecting future residential amenity, particularly in regards to noise and visibility from the adjacent Roman Road. On this basis it is considered that the redevelopment of the site would positively support the character and appearance of this area.

SUSTAINABLE LOCATION

- 3.2 The site has good connections to the surrounding settlement of Hereford through the Roman Road and residential development on the opposite side of Tillington Road. The site is well positioned for access directly into Hereford and the village of Burghill and forms a natural urban extension to the northern area of Hereford.
- 3.3 The site has been identified within the 2013 SHLAA 'Call for Sites' as being deliverable within the plan period. However, the plan period phase for which it was allocated was the latter phase, years 16-20. The site was identified as being available but with constraints such that it has been identified for development within the later years of the plan. We consider that management of these issues can be achieved to enable the site to be brought forward for short-term residential-focussed development.
- 3.4 The development of this well connected and accessible site, with a high quality and sensitive residential-led mixed use scheme that incorporates a well-designed landscape and screening proposal, will positively respond to the character of the surrounding area such that residential development is appropriate within the 5 year plan period. We therefore consider that this site could be delivered in the short-term.
- 3.5 Residential development at this location will connect to both Burghill and Hereford. It will provide sustainable development that is close to amenities and existing public transport links in addition to assisting in delivering much needed housing, not only to the immediate area, but to Hereford as a whole. The redevelopment of this site will enable the comprehensive, planned approach to the delivery of new housing within the Borough which capitalises upon utilising existing and proposed infrastructure associated with surrounding developments.
- 3.6 Planning for the wholesale, comprehensive delivery of housing in this way provides a high level of surety for housing delivery in the Borough. The site will assist in the Council's development of a robust and deliverable housing strategy, providing much needed new homes for the Borough. Opportunities for an affordable housing scheme at this location may also be considered appropriate, which would assist in responding to significant demand within Hereford.
- 3.7 The scale of development will also ensure that Section 106 contributions could also potentially be sought for the local area which could benefit of the existing and future community.
- 3.8 Therefore, a residential proposal which is of high quality design and attractive in terms of layout, boundary treatments and density, will be of significant benefit to the community

through the creation of a mixed new housing development that is appropriate to the character and appearance of the area.

- 3.9 This development can be delivered promptly to satisfy the need for new housing within the authority area and, with sensitive design, will enhance the local area.

CONCLUSIONS

- 3.10 Sited within a sustainable location the redevelopment of the site for residential use will capitalise on the highways and access improvements proposed within the wider area as well as provide additional contribution towards these. The development would also support connectivity between the site and surrounding existing residential properties. The development of a high quality and sympathetic design scheme, with considerate landscaping and boundary screening, will create attractive development that supports the character and appearance of this area of Hereford.
- 3.11 The site forms a natural urban extension for Hereford and, combined with the proposed urban extension at Three Elms will create a complete and attractive gateway to this area of Hereford.
- 3.12 The residential redevelopment of this site would help the Council to meet the requirements of its five year housing land supply as required by the NPPF. Additionally, the delivery of the site would provide the Burghill Neighbourhood Forum with a site that can deliver a large volume of housing rather than requiring a larger number of smaller sites to be brought forward for development. This is considered to be a significant improvement to the local community as it will ensure that the site is delivered as it will be considered a commercially attractive opportunity for developers.
- 3.13 Furthermore, an affordable housing redevelopment may be suitable for this site, given the identified shortage of affordable units within the Borough.



The Coal
Authority



200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Mr J Latham
Herefordshire Council

[By Email: neighbourhoodplanning@herefordshire.gov.uk]

03 August 2016

Dear Mr J Latham

Burghill Neighbourhood Development Plan - Regulation 16

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on it.

Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.

Yours sincerely

Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*
Chief Planner / Principal Manager
Planning and Local Authority Liaison



To Whom it may Concern,

We are writing to object strongly over the proposed Burghill and Tillington development plan. At no time have we been consulted officially over the proposed building development in our area but we understand that over one hundred houses could be built in Tillington alone.

We are extremely concerned over this plan and as far as we know, no consideration has been expressed over the increased volume of traffic which could result from this large development. The roads are narrow and very poorly maintained. Large lorries and tractors as well as vehicles from the Weobley area constantly use these roads and many drivers passing through the village fail to observe the restricted speed limits. The roads are too narrow for vehicles to overtake safely.

We are also very worried for the safety of our children attending the village school which is situated on a dangerous bend and although there are adequate warning signs as drivers approach the school, many drivers choose to ignore these signs. The school population would increase as a result of this development and the school would be unable to accept a large intake of children as accommodation is already limited.

There is no employment in the village and home-owners would have to use their own transport for travelling to work each day as public transport in the area is very restricted.

It is vitally important that this development plan is examined again and the proposed number of residences are spread out more evenly in the area.

D. A. and A.J. Apperley



By email to
neighbourhoodplanning@herefordshire.gov.uk

22 August 2016

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

Dear Sir/Madam

Objections to Burghill NDP – Regulation 16 Consultation

Please notify me of the local planning authority's decision under regulation 19 in relation to this Neighbourhood Development Plan (NDP).

I have been dismayed by the manner in which the preparation of the Burghill Area Neighbourhood Development Plan (BNDP) has been conducted. I am not against development and I fully understand the objectives of the National Planning Policy Framework (NPPF) and Guidance (NPPG). However I am against processes which can be used to shut out the valid views of citizens or parishioners. Localism was a good concept but it can all too easily be undermined.

I should declare that I was a member of the Steering Group (SG) of the BNDP from November 2013 until I felt it necessary to resign on 8 October 2014 because, among other reasons, it was being managed and conducted in a manner which caused sites to be selected with inadequate consultation with parishioners, and there was an indecent haste to select and rank sites, and the methodology being used was flawed. I raised my concerns with the Burghill Parish Council (BPC) at that time, but can see no evidence that my concerns were ever addressed.

I cannot see how this submitted Regulation 16 NPD can conceivably conform with Basic Conditions, for the following reasons 1 – 16 below:

1. LACK OF PROPER CONSULTATION & ENGAGEMENT

The huge flaw in the Neighbourhood Planning process is that it pre-supposes that communities will be fully consulted with, and that a Qualifying Body will properly oversee the process, ensuring that all views are properly taken into account, and that there is a proper engagement. Paragraph 47 of the NPPG, the basis for proper community engagement, states:

“What is the role of the wider community in neighbourhood planning?”

A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed*
- is able to make their views known throughout the process*
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order*
- is made aware of how their views have informed the draft neighbourhood plan or Order.”*

I found an NPIERS Neighbourhood Planning presentation by Andrew Ashcroft, Herefordshire Council's Assistant Director – Economic Environmental and Cultural Services, four pages of which I append as Appendix A at the end of this letter. I have highlighted in (pink) on those slides where I believe that the Burghill NDP in particular does not comply, or where modification is supported. Contrary to Mr Ashcroft's tips:

- There is lack of compliance with NPPF and NPPG particularly because of lack of consultation with the local community, and public engagement has been inadequate.
- The Plan has not been properly informed by public debate, because the public debate was inadequate.
- The Plan seems to be the product of an individual, or a few individuals, and not the community as a whole, and it certainly does not make the Localism Act a reality.

Despite the dressing-up of the Consultation Statement to make it **appear** that there has been sufficient consultation and engagement with the community, **the reality is that:**

- a. Para 1.5 of the Consultation Statement is waffle. **“Consultation” has been restricted to a Questionnaire, just 2 “Options Days” on one weekend in November 2014, and then the publication of the Regulation 14 Draft NDP as a *fait accompli* over a year later.**
- b. The *“Fliers were distributed to every household in the parish on 3 occasions”* statement in Para 1.5 of the Consultation Statement relates to one distributed before the first public meeting in November 2013, one distributed before the second public meeting in March 2014, and one distributed in January 2016 to announce the commencement of the Regulation 14 consultation on 20 January 2016. Leaving aside the fact that no fliers had been delivered for a year, I must point out that **several households in Tillington (including us) did not receive that last flyer announcing that the Regulation 14 was commencing on 20 January 2016, until 3 days later on Saturday 23 January 2016!** Presumably other households would have been similarly informed late. Amateurism is no excuse.
- c. Para 1.6 of the Consultation Statement waffles on: *“Since the start of the process NDP progress report has been presented at every parish council meeting. All these meetings are open to the public and at all meetings there is a 10-minute session for members of the public to present a matter of their choice to the PC for discussion.”* The reality is that the brief, scanty, verbal NDP progress reports presented at parish council meetings are a **wholly inadequate means of informing the wider public**, and they do not allow for public discussion. The 10-minute public session usually comes **before** the brief, scanty, verbal NDP progress report. Parishioners are not allowed to speak during Parish Council meetings so cannot discuss points raised at one meeting until the next 10-minute session ***a month later***, which is hardly a basis for engagement.

Para 1.6 conveniently omits to state that **there are NO PUBLISHED, FREELY AVAILABLE MINUTES OF STEERING GROUP MEETINGS, NOR AGENDAS**, and although the meetings were supposed to be open to the public, **THE MEETINGS WERE NEVER PUBLICISED SO THE PUBLIC WAS EFFECTIVELY EXCLUDED**. I will cover this issue later.

- d. The **results of the Questionnaire** were published in late Spring/early Summer 2014 on the Burghill Community Website (this is not the Parish Council website) but ***have now disappeared from that, and they are not now on the Parish Council website either***. Para 1.7 of the Consultation Statement states *“It also contains feedback from the public in the form of analysis of the questionnaire”*. ***Neither the Questionnaire nor the full analysis of***

the results, are in the 167 page Consultation Statement or its 94 pages of Appendices – both seem designed to numb the reader into submission. “Appendix 11 – Questionnaire (April 2014)” (presumably that is just the Questionnaire, and not the results) in the Appendices states “See attached document”. That is missing!!

- e. Para 1.5 of the Consultation Statement says: “regular use was made of the community Parish Magazine, which again is delivered to every household, for frequent updates.” The reality is that there have been ***occasional*** (not really describable as frequent) sketchy, updates in the Parish magazine on ***the “progress”*** of the NDP. These are now consigned to history, into the recycling bins, but ***the only thing remarkable about these inserts in the Parish magazine was that they really never said very much at all from mid-2014 onwards.***
- f. Para 1.5 of the Consultation Statement refers to the “Options Days with the opportunity to submit comments”. The results from the November 2014 “Options Days” were not published at all until December 2015/January 2016 (***13/14 months later***) when they were eventually published ***in selective and partial form only for the chosen sites*** in the Regulation 14 Draft Plan! Looking at the Options Days “results” for all the sites, belatedly published in the Regulation 16 NDP itself (***too late for people to be informed at Regulation 14 stage!!***) it seems that there were only 80 ‘votes’ on average per site because the attendance was rather poorer than made out. The consequence is that less than 7% of the electorate (average of 80 out of approx. 1,200) was commenting/‘voting’, and because the venue of the Options Days was Burghill’s Simpson Hall, one wonders how many people attended from outside Burghill village itself. The danger is that “consultation” becomes an exercise in nimbyism, not localism. And a skewed sample of an average of 80 ‘votes’ per site is unlikely to be representative or statistically significant. The Options Days were not so much an “opportunity to submit comments”, they appear to me to have been an opportunity to garner results which could then be used later in a selective way to support a particular predetermined agenda. If the results had been published in full soon after those Options Days, and debated further with the community, then the perception might be otherwise, but the fact that they have only been published in full now, at Regulation 16 stage, is damning.
- g. In addition I do not believe that there has been adequate dialogue with the submitters of sites, either (apart perhaps from one or two). I am aware of one who had no idea that his land (in fact only a small part of it) had been included until the Regulation 14 Draft appeared. So much for dialogue and consultation – the site was submitted in Spring 2014, and the Regulation 14 Draft appeared in December 2015/January 2016.

2. PUBLIC CANNOT HAVE BEEN ADEQUATELY INFORMED AT REGULATION 16 STAGE DUE TO LACK OF AVAILABLE EVIDENCE

Herefordshire Council only publishes what it is required to publish on its website. The background and evidence base is not published there because it is not required. Therefore anyone wanting to be properly informed and get the whole picture has to go elsewhere. The usual place is the website of the qualifying body (in this case Burghill PC). The lack of information on the Burghill PC website means that no-one can be properly informed (what little there was – Questionnaire results, Kirkwells’ Site Assessment Report – had all been deleted from the site, or their links disabled, by the commencement of the Reg 16. Similarly all the past (limited) “evidence” had also disappeared from the “Community website” by then.

3. INADEQUATE PUBLICITY ABOUT THE REGULATION 16 CONSULTATION

Furthermore, the Regulation 16 Site Notice has been *placed on only one noticeboard*, near the Church, whereas the Burghill & Tillington Community Website (this is not the Parish Council website, which contains NO information about the Regulation 16 period at all) was giving a deadline for comments of 26 August until it was corrected to 24 August following the intervention of my wife on 16 August:

The Plan has now been published by Herefordshire Council and is out for consultation. Notices have been displayed around the village. Please send your comments, both favourable and against the plan to Herefordshire Council before 26th August 2016

[Screen grab from <http://www.burghill-web.co.uk/#!about1/cyj5>

16 August **am**]

The Plan has now been published by Herefordshire Council and is out for consultation. Notices have been displayed around the village. Please send your comments, both favourable and against the plan to Herefordshire Council before 24th August 2016

[Screen grab from <http://www.burghill-web.co.uk/#!about1/cyj5>

16 August **pm**]

At least the Burghill & Tillington Community website was making a valiant lone effort to publicise the Reg 16. Good for them, at least they care about democracy even though they got the date wrong. Obviously, Herefordshire Council MUST now at the very least allow late representations up to and including 26 August because some people may have been misinformed by this.

Note the incorrect statement "Notices have been displayed around the village". This is not true – for a parish/neighbourhood area of 1,600 people, with 1,200 electors, spread over 6 square miles, there is **JUST ONE** displayed Regulation 16 Site Notice. There are 5 noticeboards in Burghill, and 1 noticeboard in Tillington (Tillington is indeed the poor relation). There is not even a notice on the main noticeboard outside Burghill Village Hall, the single notice has just been posted on the one noticeboard near Burghill Church which few people outside those in its immediate area will pass, let alone observe....

This surely cannot be compliant with the Regulation 16 of the Act which says "*As soon as possible after receiving a plan proposal which includes each of the documents referred to in regulation 15(1), a local planning authority must (a) publicise the following on their website **and in such other manner as they consider is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area.***" [my emphases]. Posting just **one** Site Notice on **one** Noticeboard which the majority do not pass is hardly likely "to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area."

The Burghill Parish magazine is delivered to all 700 households but there has been *no notice* in it by the BPC or Steering Group or Herefordshire Council *informing of the actual date of commencement of the Regulation 16 nor informing of the deadline for comments.*

4. REGULATION 16 PERIOD IS UNREASONABLY SHORT GIVEN THAT IT CO-INCIDES WITH THE SUMMER HOLIDAYS

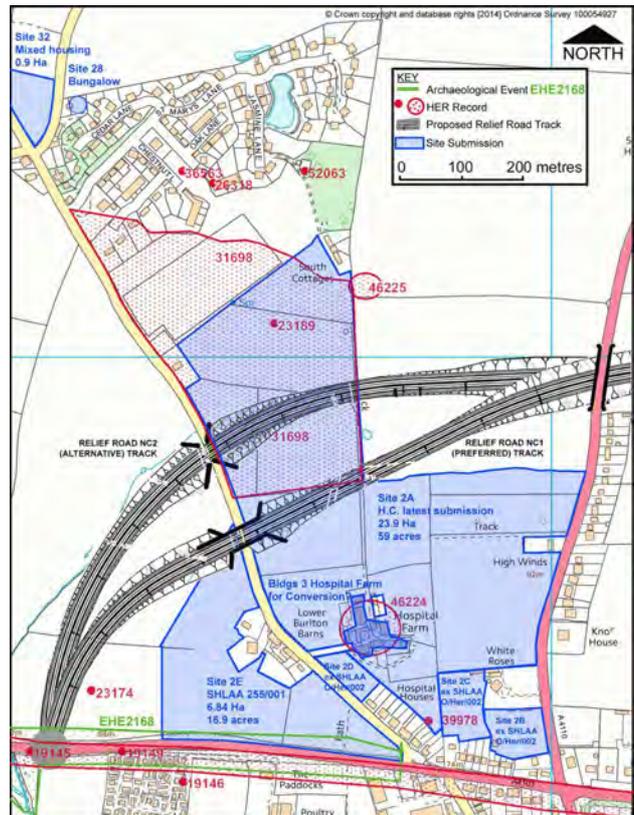
The Regulation 16 period by law is a minimum of 6 weeks. There is reason for that – more time might be necessary if it runs into a holiday period when people might be absent. The Regulation 16 issued by Herefordshire Council was from Wednesday 13 July to Wednesday 24 August – exactly 6 weeks, running into what is obviously the summer holiday period. This is unacceptable because it shuts people out of what is supposed to be an inclusive process (even if somehow they had been able to find out that the Regulation 16 was taking place at all!!).

5. FAILURE OF THE NDP TO MENTION OR CONSIDER KEY STRATEGIC ISSUES IN THE CORE STRATEGY

There is non-compliance with the strategic policies of the Core Strategy. The Hereford Relief Road is a major plank in both the Core Strategy and the Local Transport Plan but it does not even warrant a mention in the NDP.

When I was on the SG I did the mapping and included the proposed Relief Road tracks through the Parish (from the Amey reports) on the mapping (right):

The HRR, if built, will have huge impact on the Southern part of the Neighbourhood Area – 1.2 km of it will run through the Parish and it is fairly obvious that it is likely to be a distributor road to facilitate housing and other development (which is not in the NDP).



6. FAILURE TO CONSIDER SUSTAINABLE DEVELOPMENT ADJACENT TO PROPER INFRASTRUCTURE

Linked to the above point 5, there is a failure to consider development in more sustainable locations. There is currently an ongoing 50 house planning application P160048/O (part of Site 2E on the map above) in the southern part of the Parish north of Roman Road close to a large main sewer where so far the only meaningful constraint to emerge is Welsh Water not wanting it until after 2020, to coincide with their Asset Management Programme (for water supply). So it is highly likely, given Herefordshire Council's aspirations for more revenues from housing (Council Tax, New Homes Bonus, CIL etc) and its lack of 5 year housing land supply, that the Burghill Neighbourhood Area will result in having development not only as a result of its NDP, but from additional development as well, which is (logically) likely to be approved outside the NDP because it is highly sustainable! And it has not, in my view, been properly considered in the NDP. I appreciate that there is no maximum for development in the NPPF, but equally it is ridiculous to encourage (by omission) too much, over and above the targets of the Core Strategy, which will not sell!

7. FAILURE ADEQUATELY TO CONSIDER SUSTAINABLE DEVELOPMENT (CONVERSIONS & SMALL SITES)

Numerous sites utilising the re-use of old farm buildings, or for housing on small sites, were submitted to the NDP in 2014. I know, because I mapped them then for evaluation. They have been completely ignored. The NDP is based on mini-housing estates of new houses. Those submitted sites utilising the re-use of old farm buildings or for housing on small sites have been designated “windfalls”. This is ludicrous – how can a *known* site be an (unexpected) windfall? The consequence of this is that there is an over-dependency on new builds which have an immediate effect on the landscape and visual amenity in what is a rural landscape (conversions and small sites have far less impact, particularly conversions because the structures already exist). These mini-housing estates also have impact on existing properties, in particular flooding consequences due to rainwater run-off and treated wastewater from intensive pockets of development using package treatment works or septic tanks in unsustainable locations.

The author of the NDP has ordained (Appendix 3 page 76) that “Housing groups within development projects shall not exceed 10 dwellings”. Yet this has, in effect, been totally subverted by that same author where, at Tillington, 3 sites adjacent to each other have been allocated (with no consultation about the settlement boundary either) and which together have **24** dwellings allocated upon them. There is no mains sewerage or drainage at Tillington, either.

8. FAILURE TO CONSIDER IMPLICATIONS OF THE HEREFORD AREA PLAN & HEREFORDSHIRE COUNCIL’S DECLARED INTENT TO DEVELOP IN THE SOUTH OF THE PARISH (SEEMINGLY NOT WITHIN THE CORE STRATEGY)

The emerging Hereford Area Plan is in preparation but does not even warrant a mention in the NDP.

Herefordshire Council at a Cabinet meeting on 14th April 2016 has approved its Smallholdings Disposal Plan but “*recognised the need to exclude from sale certain sites with development potential.*” It was proposed that the following Burghill Parish sites be excluded:

*“Hospital Farm, Burghill, Hereford – potential for housing development site
Tow Tree Farm, Burghill, Hereford – identified in the core strategy as potentially on route of
the by pass.”*

Herefordshire Council is now seeking a ‘development partner’ for those sites.

Again, this does not even merit a mention in the NDP. Not only that, although the Qualifying Body (Burghill Parish Council) has been made fully aware (by some concerned parishioners) of the stated intentions of Herefordshire Council to develop those two sites, it has not seen fit to publicise this fact to residents of Burghill Parish, and has just ignored this material consideration altogether (Hospital Farm alone is 41 acres ≈ 16.6 Hectares ≈ 581 dwellings @ 35 dwellings per Hectare).

The NDP surely must consider these factors, and Herefordshire Council must comment on them and provide policy detail. Isn’t there a duty of co-operation??

9. DRAWING OF A SETTLEMENT BOUNDARY FOR TILLINGTON WITHOUT COMMUNITY CONSULTATION

At the November 2014 "Options Days" there were forms for Burghill (the main Settlement with an existing Settlement Boundary) and for Lower Burlton (in the Parish but included within the Hereford Settlement Boundary) asking for comments about possible Settlement Boundary changes, and the forms included the following:

You also wanted a settlement boundaries drawn for Tillington & Tillington Common. We are not doing that just yet as the PC is waiting for the final version of Herefordshire Council's Core Strategy. This might declare that Tillington and Tillington Common are both in the countryside and a settlement boundary would not be necessary.

Subsequent to that, there has been **NO CONSULTATION WHATSOEVER on a Settlement Boundary for Tillington**. But one just appeared as if by magic in the Regulation 14 Draft Plan in January 2016, over a year later.

My wife was told by two Steering Group members at a Parish Council meeting in November 2015 that a Settlement Boundary for Tillington **had** been consulted on at the November 2014 Options Days. She and I knew that this was **incorrect**, and my wife emailed them both with a copy of the above Options Days form containing those words "we are not doing that just yet..." She had an email response from one of these Steering Group members on 19 November 2015 (copy available for the examiner if he/she requires) which included this:

I too went home and checked and **you are quite right - there wasn't a Tillington settlement boundary map at the Options Days**. There were a great many other maps but not that one so I can only apologise. It's interesting that [REDACTED] was under the same misapprehension!

So if Steering Group members themselves don't know what has been consulted on, this is a very poor show, and it demonstrates the cavalier approach to the NDP and the arbitrary inclusion of sites in Tillington **without consultation**.

Furthermore, this has a consequence. The Kirkwells Site Assessment Report (SAR) dated September 2015 was not published on the Parish Council website until partway through the Regulation 14 Consultation itself, at the request of Herefordshire Council which had had a major landowner/site submitter request its publication. This SAR is also no longer visible on the BPC website (although I did download a copy at the time which I can pass to the examiner if he/she requires) but what is key to understand is that the SAR repeatedly rates chosen sites for allocations in Tillington as "within proposed settlement boundary". That is, of course, a *proposed* settlement boundary **WHICH HAS NEVER BEEN CONSULTED ON**, and to rate sites on that is therefore **PREDETERMINATION!** The Site Assessment Report, and therefore the Neighbourhood Plan are both invalid certainly as far as Tillington is concerned due to lack of consultation and an arbitrary **imposed** settlement boundary.

I am very concerned that inadequate screening and 'due diligence' has been done for certain sites, and I have picked out a couple of examples below:

10. INCLUSION OF SITE 10 ON WRONGFUL BASIS THAT IT IS BROWNFIELD

This site was originally submitted as 4 acres (which is the area extending from C1095 Tillington Road in the south to the C1099 in the north by Court Lodge/Domino House). It was **the whole 4 acres which were presented at the November 2014 Options days to the public** (as shown by "Appendix 2: Option Days Maps" on page 72 of the Regulation 16 "Neighbourhood Development Plan submission version June 2016 - 6.39MB (PDF)". See extract to the right:



The Consultation Statement Appendices show quite clearly on PDF page 57 of Appendix 18 that this Site 10 was presented at the November 2014 Options Days to parishioners for comments as follows:

BURGHILL NDP SUBMITTED SITES- TILLINGTON LOCAL AREA
 This is a part of our community consultation process on potential development sites

Please indicate your preference with a 'tick' and add any comments that you may wish to make

10	Tillington Business Park Existing Use - Brownfield, Commercial Proposed use-Mixed housing, Commercial and retail 4 Acres				
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Note that it described "Existing Use – **Brownfield, Commercial**" and "**4 Acres**"

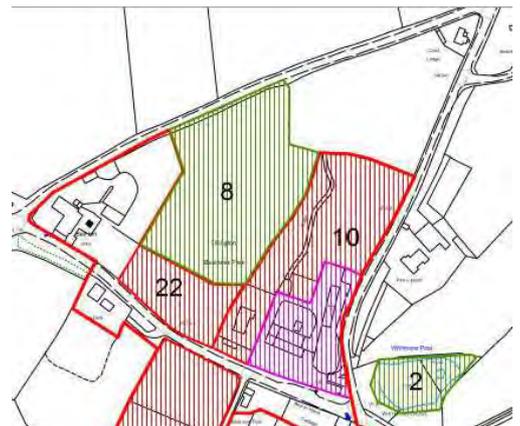
Parishioners commenting on that (in the Simpson Hall at Burghill) would have had to rely on those assertions (Brownfield, 4 acres) in order to make their comments.

Immediately this can be deemed a dubious claim because the area at the northern end of this 4 acre site is in fact a Natural England Priority Habitat Inventory - Traditional Orchards (England), i.e. BAP recorded site on the Defra Magic Mapping, <http://magic.defra.gov.uk/MagicMap.aspx?chosenLayers=orchardIndex,backdropDIndex,backdropIndex,europeIndex,vmlBWIndex,25kBWIndex,50kBWIndex,250kBWIndex,miniscaleBWIndex,baseIndex&box=346175:245206:347165:245615&useDefaultbackgroundMapping=false>



as shown in the extract on the right (I had pointed this out to the SG, 6 weeks before the Options Days, shortly before I resigned from the SG on 8 October 2014!!):

The Site 10 included in the Regulation 16 "Neighbourhood Development Plan submission version June 2016 - 6.39MB (PDF)" is shown in "Map 4 Tillington proposed settlement boundary including Tillington Business Park" on page 68. An extract of it is on the right:



Tillington Business Park is the area hatched as Employment

Site 10 proposed as housing is the area hatched as Proposed Housing site

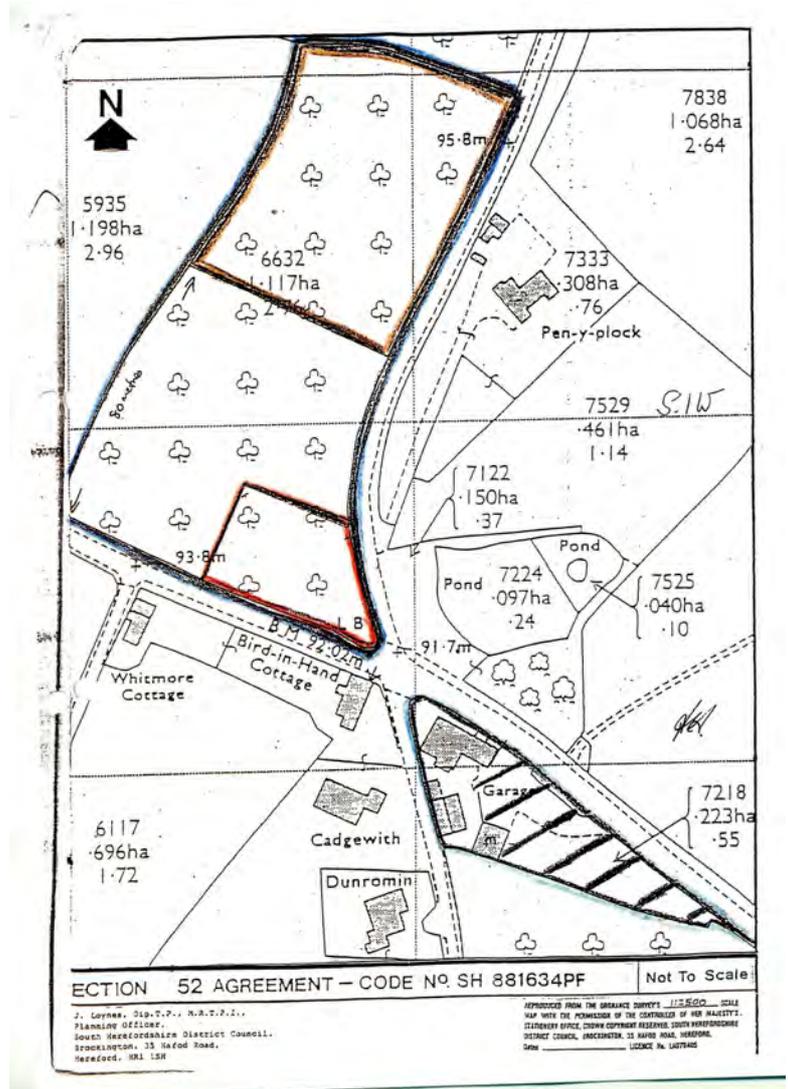
The area of Site 10 plus the Tillington Business Park equates to approximately 2.5 acres when measured on Defra's Magic Mapping.

However **a material consideration has been brought to my attention** which is a **SECTION 52 AGREEMENT DATED 10 MAY 1989** between South Herefordshire District Council (the forerunner to the Unitary Herefordshire Council), and Trustees for D Tamplin. A Section 52 Agreement, as is well known, lasts in perpetuity and passes with the land as an obligation on subsequent owners. This Section 52 Agreement was agreed at the same time as the Planning Application No. SH881634PF for "Proposed New Vehicle Sales Showroom, land adjacent to Whitmore Cross" was being negotiated/considered. I attach a scanned copy of this Section 52 Agreement obtained from Herefordshire Council as Appendix B at this end of this letter. Because of its material importance I also attach it as a separate PDF.

Research into the contemporary planning applications reveals that at that time Mr Tamplin's business was (as now) at the ("Bird") Garage on the south east side of the crossroads, where vehicles were described in other papers as being piled two high there. What later became the shop and units was apparently a field with orchard to the immediate north. The field was apparently being used for stored vehicles.

The Planning Officer's Report contained the then Parish Council's comments:

"The Parish Council is very concerned about the access and increased traffic at this junction, and feels that major improvement in 'visibility' is needed on both sides of the main road i.e. exit from Crowmore lane as well as the lane adjacent to the proposed development. They are also concerned about the proliferation of vehicles in the field where Mr. Tamplin wishes to build . His garage is already something of an eyesore and the field an unsightly mess – and feel if permission is granted there should be some form of control over this."



For ease of understanding I reproduce the plan accompanying the Section 52 above. The scanned copy of the S52 Agreement will print colours differently on different printers. But colours should display properly on-screen. For the avoidance of confusion or misunderstanding:

- The land "shown edged blue" is the Bird Garage area to the south east of the crossroads plus the area which is now the "Business Park" to the north west of the crossroads and also the land just to the north of the "Business Park".
- The land "shown edged red" is where the car showroom was proposed (it is now the shop)
- The land "shown edged brown" is the land to the north of what are now the units, and its southern edge is shown on the S52 location plan as being 80 metres north of the Tillington Road (in fact that southern edge is dead opposite what is now Pen-y-plock's side gate)
- The land "hatched black" is the Bird Garage and house on the south east of the crossroads.

I have previously demonstrated that **the area to the north of the area shown on this Section 52 Plan is a Natural England Priority Habitat Inventory** - Traditional Orchards (England) recorded site on the Defra Magic Mapping, **and that cannot be considered to be brownfield, it must be greenfield.**

What this Section 52 Agreement did specifically (and permanently) was to stipulate that *“No motor vehicles vehicle parts scrapped vehicles or other equipment may be stored on the land shown edged brown on the plan annexed”*.

The *“land shown edged brown on the plan”* is that north of a line marked on the S52 Plan 80 metres north of the C1095 Tillington Road, and south of the Natural England Priority Habitat site (which the S52 Plan does not show). That line is in fact approximately opposite the side gate of the property Pen-y-Ploc. Therefore, unless there has been a breach of the S52 Agreement, that **land north of that line 80 metres north of the C1095 cannot be considered to be brownfield, either.**

Additionally, I attach date-marked Aerial Images as my Appendix C to this letter. Because of their material importance I also attach them as a separate PDF. These indicate that the land use was not materially different in 1999, 2006, 2009, and 2011-12. **The land area which equates to the *“land shown edged brown”* on the Section 52 Plan appears to be *greenfield*, not brownfield.** Therefore the Section 52 Agreement has clearly performed a useful planning purpose, by preventing storage on that *“land shown edged brown”*. Therefore if in 2011-2012 that land was greenfield as demonstrated by these aerial images, it would be risible should it now be claimed to be brownfield perhaps by virtue of an application for a Lawful Development Certificate which requires such use to have been made for at least 10 years.

I now return to what is named as *“Site 10”* in the Regulation *“Neighbourhood Development Plan submission version June 2016 - 6.39MB (PDF)”* shown in *“Map 4 Tillington proposed settlement boundary including Tillington Business Park”* on page 68. The extracts A & B below compare the Section 52 Plan with the Site 10 as shown in Map 4 of the Regulation 16 NDP, and then the third extract C compares the two to demonstrate **that there are only very small parts of “Site 10” which are actually “brownfield:**

A	B	C
<p>Section 52 Plan</p>	<p>B - Site 10 in Reg 16 NDP</p>	<p>C - Site 10 showing “true” brownfield parts (i.e. the parts which I have outlined in Brown below, i.e. south of “land shown edged brown” on the S52 Plan, but excluding the existing dwelling and its curtilage, and excluding the Tillington Business Park)</p>
		
<p>Area of “land shown edged brown” in Section 52 ≈ 1.03 acres approx</p>	<p>Total area in plan of Site 10 ≈ 1.66 acres Total Area in plan of “Tillington Business Park” “Employment” Area ≈ 0.86 acres</p>	<p>Brown outlined areas (“true” Site 10 brownfield) are approx 0.31 and 0.05 acres ≈ 0.36 acres approx. Curtilage of existing dwelling is approx 0.25 acres</p>

Conclusions: “Brownfield” v Greenfield

Therefore, analysing the areas on these map extracts using the mapping tool on Defra’s Magic Map, we find that the total area of Site 10 (from Extract B above) is 1.66 acres approx. The curtilage of the existing dwelling (from Extract C above) is approx. 0.25 acres, and of course that is residential in its planning permissions (refs. SH931312PO/SH951130PM). The “true” Brownfield parts of Site 10 (again from Extract C above, the areas outlined brown) therefore total 0.36 acres approx. (ca 0.36 acres + ca 0.05 acres).

Q.E.D. the proportion of “true” brownfield within Site 10 is 0.36 acres ÷ 1.66 acres ≈ **only 21% of Site 10**. Therefore in reality, **the majority of Site 10 is actually greenfield.**

However, Site 10 was presented to parishioners at the Options Days in November 2014 as being “Existing Use – Brownfield, Commercial” and “4 Acres”. That was clearly an inaccurate description, and of course it yielded comments which were based on that inaccurate description. The Options Days are over-relied upon as background in the NDP because clearly there were only an average of 80 people “voting” per site out of a Parish electorate of about 1,200 people (6½% is hardly statistically significant), but these people were wrongly “informed” that Site 10 was “Brownfield” when demonstrably it was not. There is a general preference for development on brownfield land (government, Campaign for the Protection of Rural England, and indeed the Questionnaire returns where unsurprisingly 81% of households said new housing should be placed on brownfield land). It is therefore unfair (to other submitters of sites as well as to the local communities affected) to generate bias by presenting a site as brownfield when really only a small percentage is brownfield.

This is from the table on page 38 of the Regulation 16 NDP submission:

NDP Site No	NDP Site Name	Consultants Score * (see note above)	SG and PC's Score ** (see note above)	Options Days Returns *** (see note above)			Approximate house numbers at a density of 25 per hectare	
				For	Neutral	Against	Houses per site	Running totals
10	Tillington Business Park	2.75	2.84	45	24	13	10	34

Do we really think that this Site would have had such a high score (45) in favour if it had been presented as mainly Greenfield, which is what it is?? Of course not.

Furthermore, the Site 10 included in the Regulation 16 “Neighbourhood Development Plan submission version June 2016 - 6.39MB (PDF)” **STILL** claims that it is “Site 10 - Tillington Business Park – Brownfield (in Para 6.1.24 on Page 36)”. The brownfield assertion **IS SO MISLEADING** when in fact as demonstrated above, Site 10 in the Regulation 16 Draft NDP is **mostly Greenfield**.

Another consequence which this analysis reveals is that the developable area of the proposed Site 10 is actually 1.66 acres minus the curtilage of the existing dwelling approx. 0.25 acres ≈ 1.41 acres approx. developable area. That equates to 0.57 hectares. 10 houses have been allocated onto Site 10. Therefore the density would be $10 \div 0.57 = 17.5$ dwellings per hectare. This is an absurdly high density which is out of keeping with the area of Tillington generally which is typically 7 dwellings per hectare. (In fact the NDP densities for Sites in Tillington are **all** bizarrely high - Site 22 Adjacent Bell Inn, Tillington is 16 dwellings per Hectare and Site 25 Cherry Orchard is 20 dwellings per Hectare). It is very strange that the two Burghill sites (yes, there are only **two** at Burghill despite Burghill being the main settlement) in this Plan have a much lower density - Redstone Site 21 is a modest 12 dwellings per Hectare and the Pyefinch site already given Planning Permission is 14 dwellings per Hectare. It seems that Tillington has been selected not just to have a disproportionate quantity of housing (actually +133% on the existing dwellings contained within the *imposed* settlement boundary), but also a disproportionately high density. One wonders why. This was raised in my Regulation 14 comments, and of course was ignored. The “Parish Council” decided to suppress much of my text on this, and did not properly respond. Strangely if one makes the observation “disgraceful” at Regulation 14 it seems that this is accorded the status of being “defamatory” by “Burghill Parish Council”, and the representation is suppressed!!

When I was on the Steering Group, just before I resigned in sheer exasperation with the conduct of it, I had made the points that Site 10 had been presented in a vague manner, and that the bulk of it was not brownfield. The above analysis just demonstrates that I was correct. It is such a pity that other Steering Group members and the Qualifying Body (Burghill Parish Council) just tolerated all this. Quite clearly, there were material considerations affecting this site (the Section 52 Agreement for example) which nobody bothered to find out about. It was available from Herefordshire Council – I found the reference to it, when looking through the microfiches, and anybody could have – if they too had bothered to look.

The reason why I am particularly concerned about this is because brownfield sites tend to get preferred in the hierarchy of potential sites, and with the advent of “Planning Permission in Principle” in the recently passed Housing and Planning Act 2016, branding a site as brownfield when largely it isn’t, gives it unfair advantage.

Intriguingly the original 4 acre "Tillington Business Park" Site also reappeared more recently in Herefordshire Council's Strategic Housing Land Availability Assessment (SHLAA) Rural Report dated **November 2015**, as a "**BROWNFIELD**" site, see the following images:

https://www.herefordshire.gov.uk/media/3821672/shlaa_rural_report_nov_2015.pdf

<https://www.herefordshire.gov.uk/media/3821576/tillington.pdf>

Settlement	Site Postcode	Site Address	Site Reference	No potential	Low 16-20 yrs	Medium 11 - 15 yrs	Medium 6 - 10 yrs	High 1 - 5 yrs
Tillington	HR4 8L	Land including and north of Tillington Business Park	HLAA/409/001			14		

Tillington SHLAA Text & Map 2015

Settlement Name Tillington **Site Ref** HLAA/409/001 **Post Code** HR4 8L

Site Address Land including and north of Tillington Business Park **Information Source** Call for sites

Site Area (ha) 1.68	Greenfield <input type="checkbox"/>	Agricultural Land Classification 2
Potential Housing Capacity 14	Brownfield <input checked="" type="checkbox"/>	

Is the site suitable for development?	Is development achievable on the site?	Is the site available?
Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>
No <input type="checkbox"/>	No <input type="checkbox"/>	No <input type="checkbox"/>
Part <input checked="" type="checkbox"/>	Part <input checked="" type="checkbox"/>	Don't Know <input type="checkbox"/>

Possible timescale for development?		
1-5 Years <input type="checkbox"/>	11-15 Years <input checked="" type="checkbox"/>	Not In Current Plan Period <input type="checkbox"/>
6-10 Years <input type="checkbox"/>	16-20 Years <input type="checkbox"/>	

Flood information

Zone 1 - Development is appropriate. A flood risk assessment will be required for sites greater than 1 Ha. Nearby ordinary watercourses and other sources of flooding such as surface water flooding should be explored for potential flood risk.

Water information

DCWW water supply infrastructure only. Current sewerage capacity not known.

Biodiversity information

UK BAP Priority Habitats (Habitats of Principal Importance)- Traditional Orchard & some Deciduous Woodland - abandoned & unmanaged with high wildlife potential especially EPS- covering north part of site.

Highways information

Comments: Access to three roads: north satisfactory, south east satisfactory, south east unsatisfactory, access to east limited by width of lane, existing access maybe satisfactory in south east corner.

Conclusion: There are some issues with this site.

Tillington SHLAA Text & Map 2015

Settlement Name Tillington

Site Ref HLAA/409/001

Post Code HR4 8L

Site Address Land including and north of Tillington
Business Park

Information Source Call for sites

Landscape and Historic Environment information

Landscape Sensitivity: North part of site= High - Moderate South part of site= Moderate - Low

Landscape Capacity: North part of site = Moderate - Low South part of site = Moderate - High

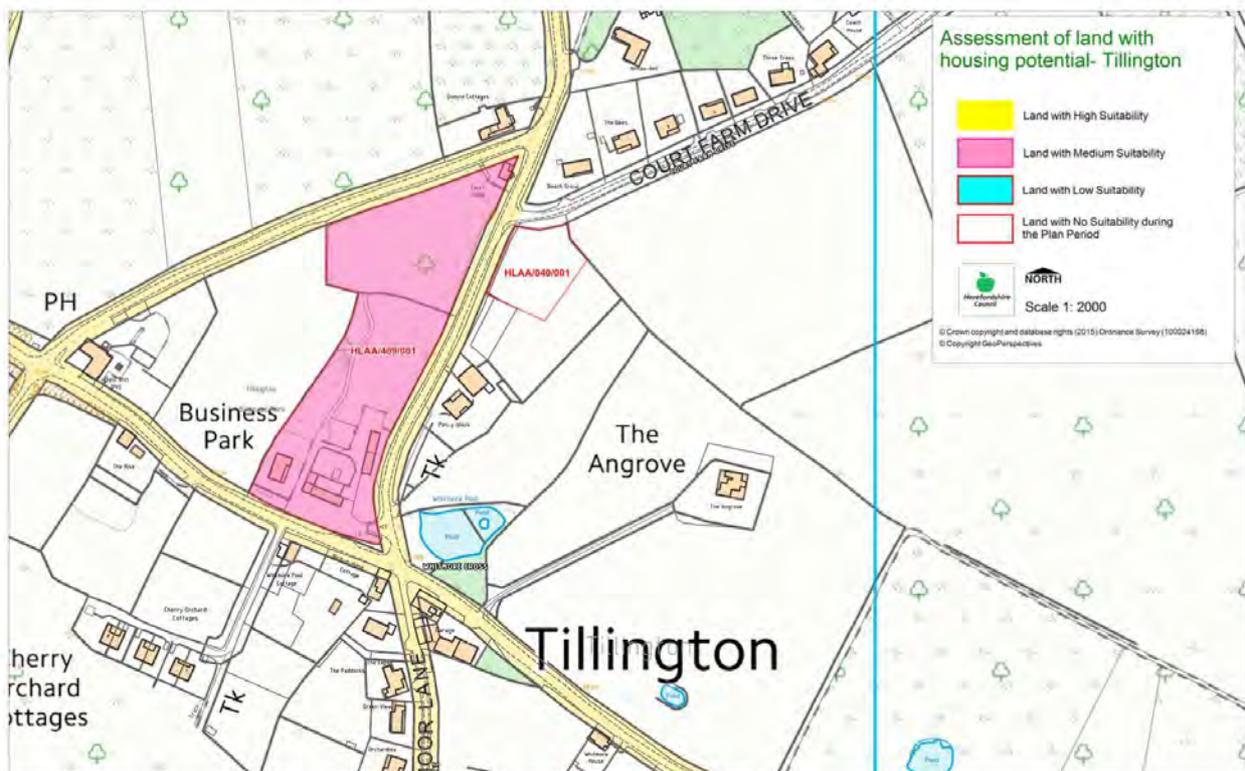
Sensitivity & Capacity Analysis: North part of site is situated on elevated land, so is therefore more visible. Development could adversely affect the character of the lane to the East, the route of Three Rivers Ride and at the edge of an Unregistered Historic Park and Garden. South part of site has potential for improvement with a new development, but with possible effects on historic character and biodiversity.

Site probability

Medium potential

Justification

Development best suited to southern part of site where existing buildings are. This is a business park and the buildings do have potential for residential conversion and access would likely be via the existing entrance in the south east area of the site. There could be possible effects on historic character and biodiversity which will require mitigation.



This site was submitted to the Rural SHLAA through the “Call for Sites” in June 2015. Page 11 of the Rural SHLAA states in Para 2.7:

2.7 There were a variety of information sources in which this study was able to collate information.

And then:

- sites promoted through the 'call for sites' October 2013. Sites submitted back in 2007 which were previously not assessed were also included. Sites were submitted by landowners, agents and parish councils. The council makes an ongoing 'call for sites' for sites that have the potential for housing development.
- sites identified through the neighbourhood planning process

The questions that one must ask are:

- how did this site come to be submitted to the Rural SHLAA? By the landowner? By an agent? By the “Parish Council”? Or “through the neighbourhood planning process”? We will never know, of course....
- It is the only Site with allocated housing in Tillington in the NDP which has ended up in the Rural SHLAA. The other 2 sites with allocated housing on them (including one which scored better than Site 10 in the September 2015 Site Assessment Report by Kirkwells but only had 4 dwellings conferred upon it) did not appear in the Rural SHLAA. Very strange.
- It is 1.68 acres....which is 4 acres! The same site as submitted originally to the NDP, but this time for the rural SHLAA it would have been submitted over a year later, in June 2015 or after.
- It states that it is brownfield!! The greenfield box is not ticked. This is all looking like *déjà vu*.....
- Unbelievably as well as apparently being “brownfield”, it includes the northern part which from earlier analysis above is demonstrably a Natural England Priority Habitat Inventory - Traditional Orchards (England) Site!! Well, at least Herefordshire Council seem to have spotted that anomaly if not the rather extreme brownfield claim.....
- And as well as that it says that it is Grade 2 agricultural land (which, for once is accurate because that is what this area mostly actually is)

11. EXCLUSION OF SITE 35 BY DEPLOYING THE GREENSPACE DESIGNATION TO PREVENT ACCESS TO IT

The NDP and the “PC Comments” in the Consultation Statement response to representations at Regulation 14 are riddled with clever little tricks, assertions and verbiage. I won’t repeat all of the objections which I made at Regulation 14 (many of which were unreasonably suppressed by the “Parish Council” together with the many attachments which graphically illustrated my points). However, I will repeat this one concerning Site 35, which is a typical example, for the benefit of Herefordshire Council and the Examiner.

Previously the green space near here (vertical green hatching) was designated by the Burghill Proposals map produced under the Unitary Development Plan by Herefordshire Council <https://www.herefordshire.gov.uk/media/5748818/Burghill.pdf>

Here is an extract of the Proposals Map in that area:

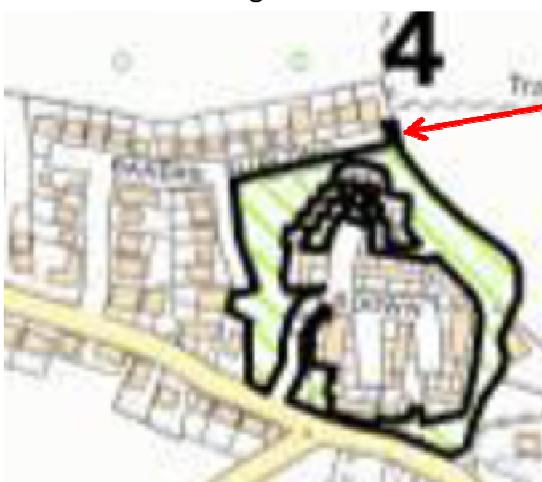


**ACCESS TO
SITE 35 NOT
BLOCKED** in
previous UDP Map

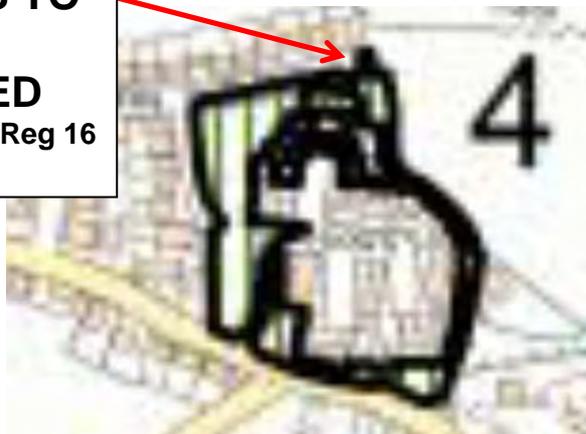
In this case, the black line is the Settlement Boundary, and quite evidently, the green space DOES NOT PROJECT NORTHWARDS TO BLOCK ACCESS TO POTENTIAL DEVELOPMENT TO THE EAST.

In the draft Neighbourhood Plan below (now the submission version), Policy B10 “protects” local Green Spaces. This includes “4. The green areas at Leasown and Bakers Furlong” and Map 6 on page 70 identifies this proposed green space.

Here is an extract from that Map 6, greatly magnified (otherwise the casual observer or the Examiner will not be able to see this). The Regulation 14 version is on the left, the Regulation 16 version is on the right:



**ACCESS TO
SITE 35
BLOCKED**
in Reg 14 & Reg 16
Maps



Note that at the northern tip of that supposed green space, there is now a projection across the eastern end of the road Bakers Furlong where currently it terminates in a cul-de sac.

The “Parish Council” response to Regulation 14 representations stated that “*Better quality maps will be produced for the submission plan.*” They have not, in fact, done this, and as demonstrated above by using extracts from both the Regulation 14 and Regulation 16 maps, **the Regulation 16**

Map quality seems to have been made worse, and the consequence is that the Examiner would have been less likely to see this undermining of national policy !!!!!

I objected to this projection at the time of Regulation 14 because quite obviously it has been contrived to block access to the Site 35 submitted by Farmcare as a possible site for housing (which is just to the east of Bakers Furlong and which would otherwise be able to use this as an access). Site 35 is an eminently sustainable development site adjacent to the main settlement of Burghill village (which unlike Tillington is connected to Mains sewage and drainage).

The Planning Practice Guidance for the National Planning Policy Framework (NPPF) is clear - **Local Green Space designation should not be used in a way that undermines the identification of development land in suitable locations.**

The response by the "Parish Council" to my Reg 14 objection was *"The Local Green Space has been extended beyond that identified in the Herefordshire UDP as Open Areas and Green Space to reflect what is actually evident on site."* This is absolutely ridiculous because "what is actually evident on site " is this scruffy, sparsely covered BROWN bank behind the turning point (where access to Site 35 would be) as evidenced by this recent photograph :



This is not in conformity with the NPPF, therefore it does not meet Basic Conditions.

It is unbelievable, and unacceptable, that this Neighbourhood Plan on the one hand seeks to **prevent** development at this sustainable site 35 in Burghill (main settlement with mains sewage & drainage) by the inappropriate use of a greenspace designation; while at the same time, it seeks to **promote** overdevelopment at Tillington (which lacks mains sewage and drainage) by elevating the status of site 10 to brownfield by ignoring a Section 52 Agreement.

12. FAILURE TO CONSULT ON SETTLEMENT BOUNDARY FOR TILLINGTON COMMON AS WELL AS FOR TILLINGTON

The Submission NDP, like the earlier one, states on page 34 para 6.1.17 *“Figure 4.14 of the Core Strategy continues to identify both Burghill and Tillington as growth areas. The PC has previously agreed that growth should be confined to Tillington and not Tillington Common which is perceived to be an unsustainable countryside location for new development, as confirmed by previous planning decisions.”*

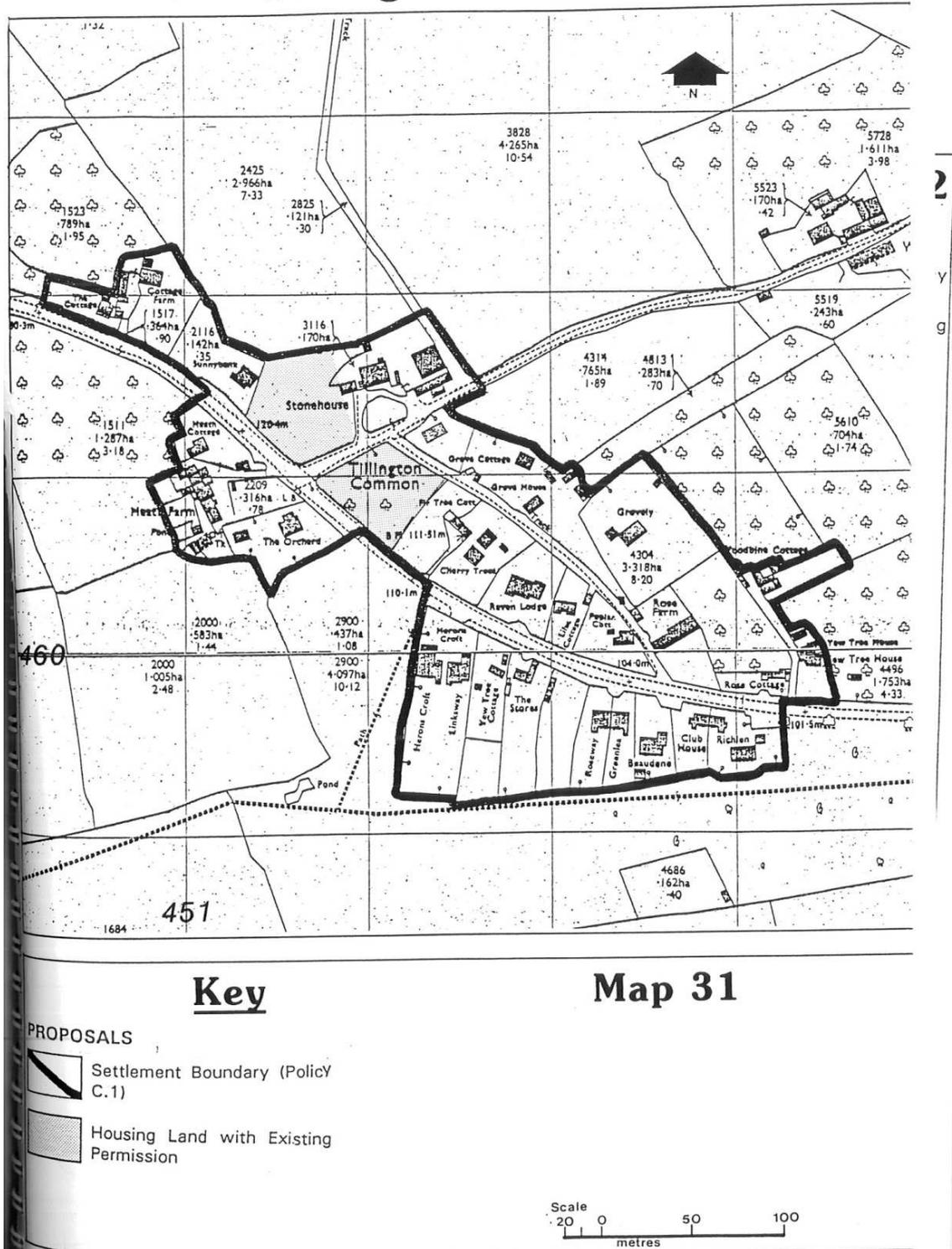
The statement that *“Tillington Common which is perceived to be an unsustainable countryside location for new development, as confirmed by previous planning decisions.”* is **completely baffling**, because it:

(1) comprises a large group of about 50 houses (more than Tillington, see pictures of **Tillington Common** below) which have access to fibre broadband and to a 6 per day bus service to Hereford so it is hardly unsustainable



(2) it had a settlement boundary drawn around it in the past (see South Herefordshire Council proposed settlement boundary below)

Tillington Common



(3) the “previous planning decisions” comment is totally misleading because all parts of this Parish apart from Burghill (main settlement) and that extreme southerly part within the Hereford Settlement Boundary were previously defined as “countryside” so **ANY** previous planning decisions anywhere (apart from Burghill and the extreme south) would have been determined on the basis that they were countryside.

Page 20 of the Submission NDP reports the Questionnaire result (from Summer 2014) that “The majority of households (71%) think a settlement boundary for Tillington Common should also be defined.”

But then unilaterally and **without any consultation** with the community “Burghill Parish Council” in early 2015 (a) decided that Tillington Common should be excluded from consideration as a settlement and (b) attempted (but failed) to get Herefordshire Council to agree with its exclusion by means of a “Common Ground Statement” **which was not consulted on, either.**

There were several site submissions from local people in Tillington Common which as a result are not now included in the NDP.

Yet again, this is another illustration of a failure to consult with the community contrary to the (obvious) national planning advice.

13. INCLUSION OF A SOLAR FARM SITE WHICH WOULD IMPACT ON THE SETTING & WEAKEN THE STATUTORY PROTECTIONS OF CONSERVATION AREAS & LISTED BUILDING

According to the advice in the Planning Practice Guidance, Basic conditions (b) and (c) that relate to listed buildings and conservation areas apply to a draft Neighbourhood Development Order, so that “making the order will not weaken the statutory protections for listed buildings and conservation areas”. The NDP includes a site for a solar farm which all sounds lovely until one realises that it is (a) on top of a hill to the north of the Burghill Conservation Area containing many listed buildings including the Grade II* listed St Mary’s Church and (b) that hilltop slopes towards the Conservation Area and Listed Buildings as well. I fear that having obtained the inclusion of the site in the NDP, the next step would be a Neighbourhood Development Order (NDO). Therefore if such a Solar Farm would not meet Basic Conditions for a NDO due to its impact on the setting of a Conservation Area and Listed Buildings, surely the inclusion of it in the NDP which would facilitate/give more credence to a subsequent NDO means that the NDP also should not be treated as meeting Basic Conditions in this respect?

14. NO MENTION OF THE IMPLICATIONS OF “PLANNING PERMISSION IN PRINCIPLE”

The Housing and Planning Act 2016 was given Royal Assent on 12 May, and it introduced PPIP for allocated sites, and for brownfield sites on a Brownfield Register. In effect it gives ***automatic*** Outline Planning Permission with only technical matters – akin to Reserved Matters – to be considered by the LPA. Yet in the Submission Burghill NDP there is no mention of it. Because of the introduction of PPIP one would hope that Examiners are now very vigilant concerning the selection of sites for allocations in NDPs.

If sites are wrongly included in NDPs, then PPIP becomes a potential nightmare because automatic planning permission may be given to planning applications on those sites which have been wrongly selected, which I am sure is not what the government intended. The Burghill NDP is an example of this because material considerations have not been taken into account in site allocations; for Site 10 a Section 52 Agreement has been ignored, and as a consequence its status has been elevated to brownfield; lack of mains sewage & drainage has been ignored; the impact of increased phosphates discharges from off-sewer development on the river catchments has been ignored; there has been no consultation on a Settlement Boundary for Tillington, it has just been imposed.

Despite all of these failings, sites in this plan could wrongly receive PPIP unless the Examiner modifies the Burghill NDP, or fails the Burghill NDP.

Just as Site 10 in its original 4 acre version mysteriously reappeared in the Rural SHLAA, wrongly defined as totally 'brownfield', one assumes that it will also only be a matter of time before it appears on Herefordshire Council's Brownfield Register as well, and may then receive automatic PPIP based on the wrong information.....!!

As demonstrated earlier, the Section 52 Agreement, the aerial images, and the BAP designation mean that the Brownfield parts of that whole site are not 4 acres. The "true" brownfield parts are the "Employment" Area of "Tillington Business Park" ≈ 0.86 acres plus the other available parts which are arguably really "brownfield" as demonstrated in my point 10 above (those parts being south of the "*land shown edged brown*" in the S52 Agreement", i.e. 0.31 and 0.05 acres) ≈ 0.36 acres approx., making it **only about 1.22 acres brownfield in total, including the "Employment Area"**. It would be wrong if further obfuscation were to confer a higher status on this site than other sites in the Neighbourhood Area.

15.NO STEERING GROUP AGENDA OR MINUTES PUBLISHED, & STEERING GROUP MEETINGS NOT ADVERTISED

IF Paragraph 47 of the NPPG, the basis for proper community engagement, states:

"A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- *is kept fully informed of what is being proposed*
- *is able to make their views known throughout the process*
- *has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order*
- *is made aware of how their views have informed the draft neighbourhood plan or Order."*

AND no Steering Group Agendas or Minutes are published,

THEN how on earth can the qualifying body be "open" and ensure that "the wider community is kept fully informed of what is being proposed". Of course it can't. This is yet another failure to meet the Basic Conditions on National Policy/Advice grounds. I have actually recently in exasperation had to make a request to the qualifying body Burghill Parish Council to provide a full set of Steering Group Agendas/Minutes under the Environmental Information Regulations 2004. This would cover the period late 2013 to August 2016. These Agendas and Minutes are not published on either the Parish council website nor the "Community website". The Consultation Statement (not surprisingly) omits to declare that.

In addition, there were (only Draft) Terms of Reference for the SG (which I was aware of because I was on the Steering Group for nearly a year). These said that:

- *"SG meetings will be open and welcoming to the public" (they were **never publicised so members of the public did not know about them so would not have attended**)*
- *"it is expected that all Steering Group members will abide by the principles and practice of the Parish Council Code of Conduct..." (the **Code of Conduct was not provided to me as an SG Member, and I doubt that any others had sight of it either** – I have now requested it under a FoI)*

There seems to have been an astonishing failure in Governance, let alone Basic Conditions if members of the public were, in effect, excluded from the SG meetings, and because the SG Agendas and Minutes are not publicly and freely available.

16.UNSATISFACTORY “PARISH COUNCIL” RESPONSES TO REGULATION 14 **COMMENTS**

Time and again the “Parish Council” responses to representations at the Regulation 14 stage were “No change”, “No change”, “No change” and the few more lengthy responses appear to me as variously patronising, supercilious, anodyne, pompous, defensive, and partial.

In addition, there has been excessive redaction of comments (and supporting information/evidence), where the “Parish Council” has deemed that comments were ‘defamatory’ or contained ‘confidential information’ (or whatever excuse was selected) to suppress entirely valid, researched comments. This is not localism by any definition, it is censorship more worthy of a banana republic.

One gets the very clear impression (widely held among people in this part of the Parish) that this Neighbourhood Plan is the Plan of one or several individuals, and the views and opinions of local people have been largely ignored, or dismissed out of hand.

I repeat: **“Consultation” where residents might actually have the opportunity to respond consisted of only 2 public meetings, a Questionnaire, and one Saturday/Sunday called ‘Options Days’ in November 2014. There was no feedback from the Options Days until the Draft Regulation 14 NDP was published as a *fait accompli* over a year later (December 2015/January 2016), and that only related to the sites that the author of the NDP had selected, and “in favour” and “neutral” had been added together! There was a more complete listing of Options Days ‘results’ in the Regulation 16 NDP (July 2016), from which it seems that an average of only 80 people were ‘voting’ on site selection, less than 7% of the electorate, by which time of course it was too late for the community to comment.**

Finally I will end this by saying how utterly disillusioned I am with the Neighbourhood Planning process in Herefordshire. It has been a failure at every level if the Burghill Neighbourhood Area is any example. Its legacy will be divided communities where smaller, more rural settlements will have excessive development foisted upon them by vested interests, and that will be legitimised with support from the nimbyistic tendencies of the larger, established settlements outvoting them in the referendums. Localism here is a pipe dream.

I have no qualms about raising (very valid) objections at this Regulation 16 stage, because the mantra that “developers will walk all over us” is rather lame at a time when Herefordshire has slipped back to only having a 4.5 year housing land supply, and is likely not to attain a five year housing land supply for some time. The developers will “walk all over us” anyway, under the umbrella of the NPPF.

Meanwhile, it is better that this Neighbourhood Area revises its NDP so that there is a plan based on full and proper community consultation (rather than the totally inadequate consultation so far); and one based on empowering the whole community, not one imposed on it by others.

Yours faithfully

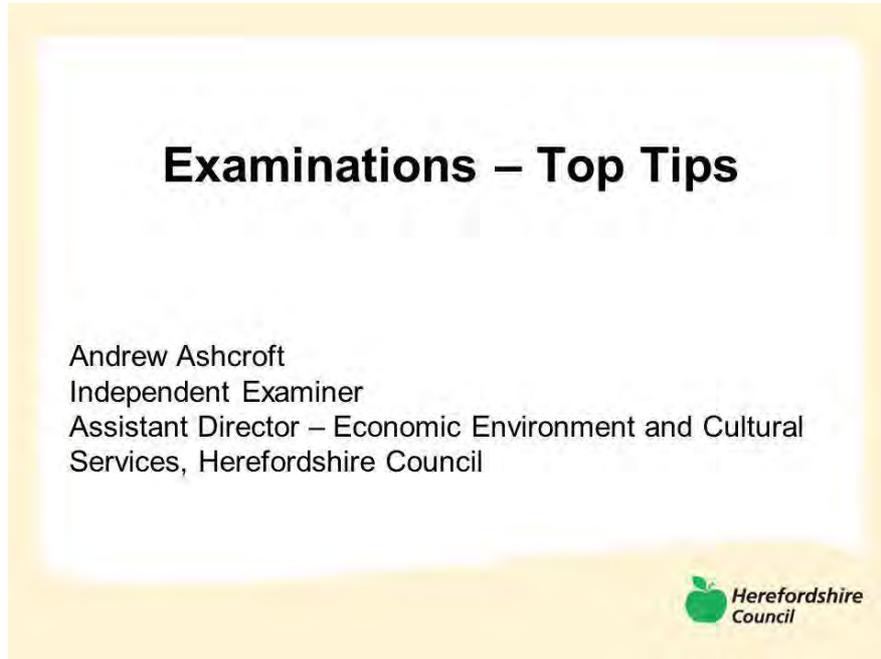
David King

David King

APPENDICES

APPENDIX A – SELECTED SLIDES (4) FROM ANDREW ASHCROFT NPIERS NEIGHBOURHOOD PLANNING PRESENTATION

(Source: http://www.slideshare.net/PAS_Team/npiers-andrew-ashcroft-neighbourhood-planning-presentation)



The Basic Conditions

- Designed to be basic
- Get these right at all costs
- Without exception examiners test Plans against these conditions
- Basic but not restrictive – your foundation for success
- Examiners have considerable flexibility to recommend modifications
- Most modifications are on clarity and conformity to NPPF



Public Engagement gives confidence

- Examiners check that engagement has been fully carried out
- They often give positive feedback
- It gives assurance that the Plan is properly owned
- It gives confidence that the Plan has been informed by public debate
- It underpins an eventual referendum



Examiners giving a helping hand

- Examiners propose modifications to ensure that Plans meet the basic conditions
- These modifications have been many and varied
- Modifications extend to deletion of policies/allocations
- And do not change content/focus – it remains your Plan
- Often comment on focus/enthusiasm/vigour of Plan
- Recognise that you are making the Localism Act a reality



APPENDIX B - SECTION 52 AGREEMENT DATED 10 MAY 1989

DATED

10th May 1989

1989

JOHN HAVELOCK COLLINGWOOD LANGLY SMITH and PHILIP CORNELL
(Trustees for David Tamplin)

- and -

SOUTH HEREFORDSHIRE DISTRICT COUNCIL

A G R E E M E N T

under Section 52 of the Town and Country Planning
Act 1971 in respect of land at Tillington in the
County of Hereford and Worcester

M.D. Poole
Solicitor
South Herefordshire
District Council
Brockington
35 Hafod Road
Hereford
HR1 1SH

THIS DEED is made the *tenth* day of *May* One thousand nine hundred and eighty nine BETWEEN JOHN HAVELOCK COLLINGWOOD LANGLY SMITH and PHILIP CORNELL being Trustees appointed to act on behalf of DAVID TAMPLIN of Bird Garage Tillington in the County of Hereford and Worcester (The Trustees) of the one part and the SOUTH HEREFORDSHIRE DISTRICT COUNCIL being the District Planning Authority within the meaning of the Town and Country Planning Act 1971 Local Government Act 1972 and the Local Government (Miscellaneous Provisions) Act 1982 (The Council) of the other part

WHEREAS

The Trustees are seised (inter alia) in fee simple free from incumbrances of land at Tillington in the County of Hereford and Worcester shown edged blue on the plan annexed and have agreed with the Council pursuant to the provisions of Section 52 of the Town and Country Planning Act 1971 that the use of the said land shall be permanently restricted as hereinafter mentioned

NOW THEREFORE THIS DEED WITNESSES AND IT IS AGREED by and between the parties hereto as follows:-

Pursuant to Section 52 of the Town and Country Planning Act 1971 the Trustees hereby covenant and agree with the Council as District Planning Authority aforesaid and with the object and intent of binding the said land into whosoever hands the same may come that on the Council granting permission for the erection of a vehicle sales showroom at Tillington under the Council's Code SH 881634PF within the area shown edged red on the plan annexed

- (i) No motor vehicles vehicle parts scrapped vehicles or other equipment may be parked or stored on the land shown edged brown on the plan annexed
- (ii) The area of land shown hatched black on the plan annexed may be used for the parking or storage of vehicles and equipment at ground level but may not be used for the stacking of scrap vehicles or vehicle parts or other equipment

IN WITNESS whereof the owners have hereunto set their hands and seals and the Common Seal of the Council was hereunto affixed the day and year first before written

SIGNED SEALED and DELIVERED)
by the said JOHN HAVELOCK)
COLLINGWOOD LANGLY SMITH in)
the presence of:)



SIGNED SEALED and DELIVERED
by the said PHILIP CORNELL
in the presence of:



THE COMMON SEAL of SOUTH)
HEREFORDSHIRE DISTRICT COUNCIL)
was hereunto affixed in the)
presence of:)

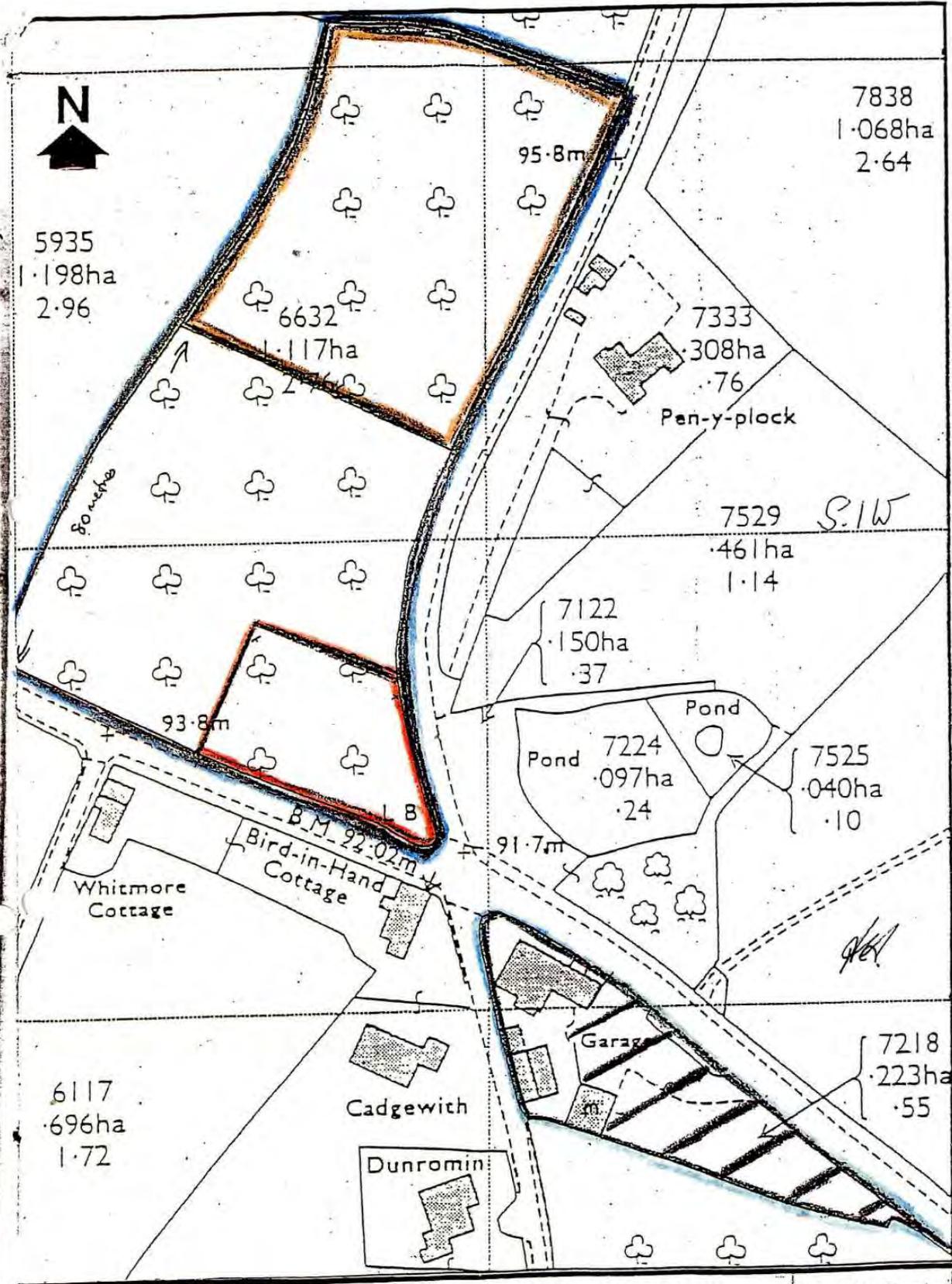


2635

Chairman

Chief Executive





SECTION 52 AGREEMENT – CODE NO. SH 881634PF Not To Scale

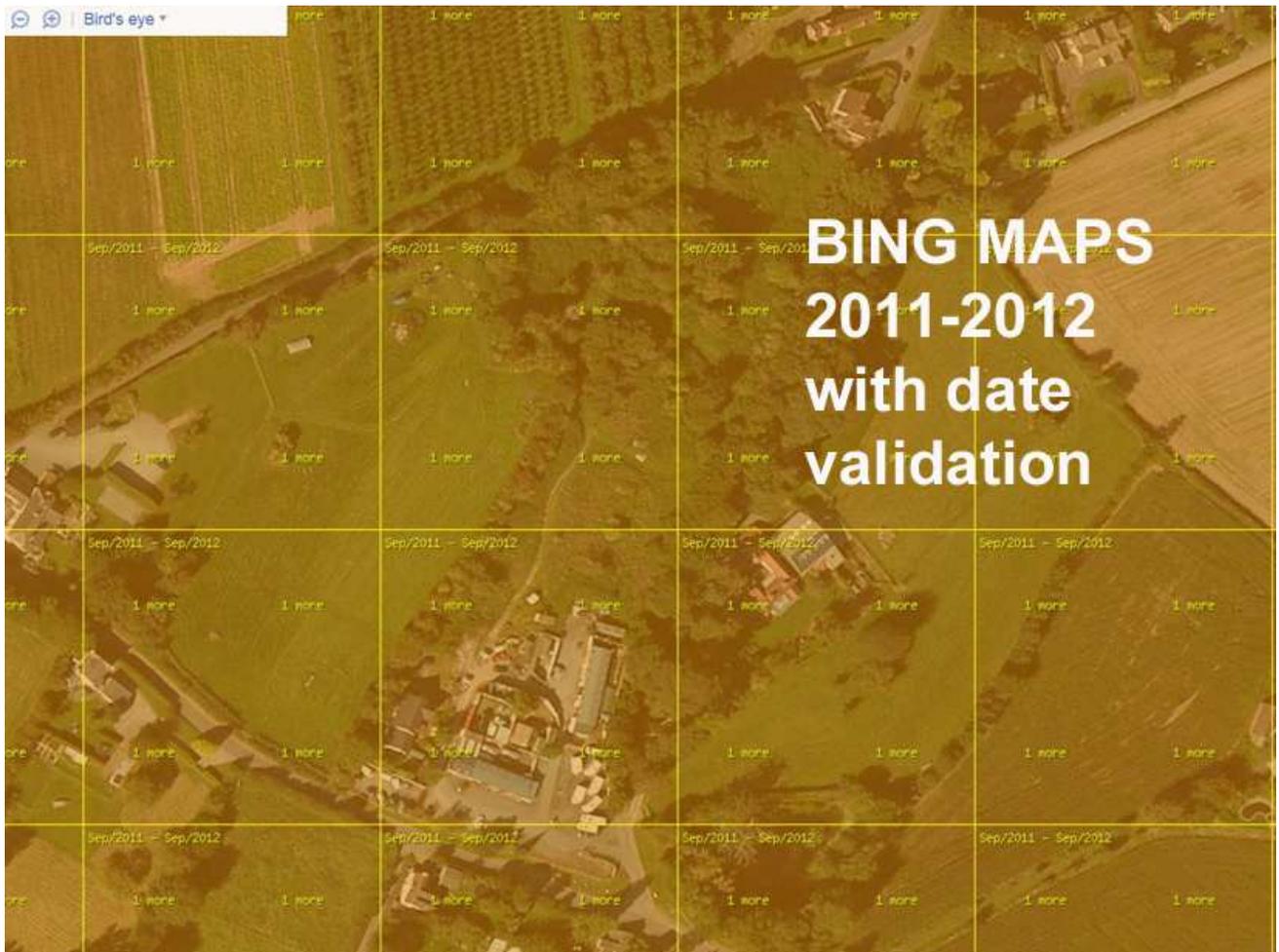
J. Loyne, Dip.T.P., M.R.T.P.I.,
 Planning Officer,
 South Herefordshire District Council,
 Brockington, 35 Hafod Road,
 Hereford, HR1 1SH

REPRODUCED FROM THE ORDNANCE SURVEY'S 1:2500 SCALE
 MAP WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S
 STATIONERY OFFICE, CROWN COPYRIGHT RESERVED, SOUTH HEREFORDSHIRE
 DISTRICT COUNCIL, BROCKINGTON, 35 HAFOD ROAD, HEREFORD.
 Date LICENCE No. L1079405

APPENDIX C – AERIAL IMAGES OF TILLINGTON BUSINESS PARK AND SITE 10







Above Bing Maps date validation 2011-2012 is from
<http://mvexel.dev.openstreetmap.org/bingimageanalyzer/?lat=52.10413639768403&lon=-2.77893644573483&zoom=18>

The Google images are from Google Earth where it is possible to examine and capture historical images as dated above.

By email to
neighbourhoodplanning@herefordshire.gov.uk

23 August 2016

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

Dear Sir/Madam

Further Objection to Burghill NDP – Regulation 16 Consultation

Further to my objections to the Burghill Neighbourhood Development Plan dated 22 August 2016, I need to make a further objection regarding the failure of the “Qualifying Body” to consult.

I objected in my point 9 to the drawing of a Settlement Boundary for Tillington without community consultation, and I objected in my point 12 to the failure to consult on a settlement boundary for Tillington Common, as well.

Mindful of the inadequate responses (“PC comments”) by the “Parish Council” to comments made at the Regulation 14 consultation, and the probability that the “Parish Council” responses to the Regulation 16 Consultation may omit to mention the complete history, it is incumbent upon me, given that the Burghill Neighbourhood Plan has degenerated into a word-twisting exercise, to point out to both Herefordshire Council and the Examiner that although the Regulation 16 NDP states:

“3.13 The majority of households (82%) think Burghill village should continue to have a settlement boundary. The majority of households (78%) think a settlement boundary for Tillington should be defined. The majority of households (71%) think a settlement boundary for Tillington Common should also be defined.”

the preamble to the actual H10 & H11 questions asked, stated:

*“The Neighbourhood Development Plan allows **US** to make Proposals Maps for these villages, with settlement boundaries, if **WE** wish”,*

and the questions which were **actually asked** in the Questionnaire (Spring 2014) were:

*“H10. Should **WE** define a settlement boundary for Tillington?”* and

*“H11. Should **WE** define a settlement boundary for Tillington Common?”*

I have highlighted the word **“WE”** because the foreword to the questionnaire stated explicitly: *“We will be able to shape the development of our community”* and *“There will be further consultation as the plan evolves.”*

The H10 & H11 questions were in the Housing section and followed on from “H3. *After consultation has taken place with the parish community, should the Neighbourhood Development Plan identify sites for housing within the parish? (Later in the year there will be a further consultation to seek people's views on proposed sites.)*”

As I pointed out in my main objection letter, the Questionnaire is now rather elusive because it is not published online anywhere, anymore.

However, unless the NDP is going to further degenerate into the ludicrous proposition that “we” meant the Royal “we” (a plural pronoun referring to a single person holding a high office) rather than the people of the local community, it seems quite clear to any reasonable person that the answers to these questions as published originally in the Report:

“The majority of households (78%) think **WE** should define a settlement boundary for Tillington”
and “The majority of households (71%) think **WE** should define a settlement boundary for Tillington Common.”

DO NOT TRANSLATE INTO the Regulation 16 statements “*The majority of households (78%) think a settlement boundary for Tillington should be defined*” (**by someone else without consultation, and then imposed**) or “*The majority of households (71%) think a settlement boundary for Tillington Common should also be defined*” (**by someone else without consultation, then ignored**).

By the omission of the word “we” in the NDP, the implication that there would be further consultation, and some sort of consensus, has been quashed. And, as we know, there was no further consultation. The November 2014 Options Days postponed the issue of a settlement boundary for Tillington and/or Tillington Common:

You also wanted a settlement boundaries drawn for Tillington & Tillington Common. We are not doing that just yet as the PC is waiting for the final version of Herefordshire Council's Core Strategy. This might declare that Tillington and Tillington Common are both in the countryside and a settlement boundary would not be necessary.

and **there was never any further “consultation”** until the Regulation 14 NDP appeared, where someone (certainly not the community) had imposed a settlement boundary without consultation.

This is a flagrant breach of the Basic Conditions requirement.

Yours faithfully

David King

David King

Latham, James

From: douglas lowe
Sent: 01 August 2016 16:36
To: Neighbourhood Planning Team
Subject: Burghill Neighbourhood Plan- "OBJECTION"

Following belated disclosure of proposals from Cabinet meeting of 14th April regarding development proposals for Burghill neighbourhood to increase the 2011-2031 targeted numbers from 120 dwellings to a potential 581 dwellings, I am writing to strongly object.

The lack of consultation with and involvement of the local community in this sudden and vast increase of proposed/potential dwellings is most underhand and immoral.

The existing proposed number of developments in the Parish of Burghill did not take into account the lack of ability to cope of the existing infrastructure and services of the village. Your new proposals of 581 dwellings, would render the ability of the three local primary schools (Burghill, Trinity, Holmer) totally unable to cope with the large increase of numbers. The capacity to develop these schools further would fall on Burghill and Holmer, as Trinity already has 600 pupils. Neither school is within walking distance of the development area, and so large increase in road traffic usage and congestion around the school entrances would ensue.

There is an inadequate bus service to the and from the village currently so the new residents will use their cars to take children to school, go to work, go shopping, go out in the evening, all adding extra volumes of traffic on our roads.

There is no shop in Burghill village, no pub and only a small village hall. There is one pub in Tillington and one shop there too. The facilities therefore are totally inadequate for such an influx of people and the huge increase in number of residents would forever change the atmosphere of this rural village into which existing residents chose to live. Either way, the current suggestion will make wholesale changes to the neighbourhood of Burghill.

The building programme would no doubt take several years of dirt, noise and disruption, but the new proposal will take FIVE times longer than the submitted plan. This would be intolerable to those of us living in close proximity to the sites.

The noise and disruption will have affects on people's health. There will be a devaluation of our properties. Our ability to sell our properties will be decreased due to the densely built neighbourhood being created.

This is not a problem for us residents in the future, it is a reality now. The house next door to me has failed to sell on four occasions in the last three years due to the proposed road development logged in planning services Now the owners have moved away and are having to rent their property whilst renting somewhere to live for themselves. This hardship has been enforced on them and other residents will see the same lack of market prospects, loss in house value and increase in personal stress whenever any of us need to move house.

I am extremely angry at this sudden and huge change to the neighbourhood and hereby lodge my objection to the new proposals.

Yours sincerely,
Douglas Lowe (Mr)

Latham, James

From: Norman Ryan <Ryan.Norman@dwrcymru.com>
Sent: 24 August 2016 11:32
To: Neighbourhood Planning Team
Cc: Evans Rhys
Subject: RE: Burghill Regulation 16 Neighbourhood Development Plan consultation

Dear Sirs,

I refer to the below consultation and would like to thank you for allowing Welsh Water the opportunity to respond.

We are pleased to note the inclusion of our recommendation from the Regulation 14 consultation, and accordingly have no further comment to add at this time.

We would appreciate being informed of the LPAs decision under Regulation 19.

If you require any further information, then 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

Have you seen Developer Services new web pages at 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](#)

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

Sent: 13 July 2016 10:37

Subject: Burghill Regulation 16 Neighbourhood Development Plan consultation

***** External Mail *****

Dear Consultee,

Burghill 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/neighbourhood-areas-and-plans/burghill>

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

The consultation runs from 13 July 2016 to 24 August 2016.

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.

Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 22 August 2016 21:43
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	FIONA
Last name	BAILEY
Which plan are you commenting on?	Burghill ND plan
Comment type	Objection
Your comments	<p>My objection is to the proposed development adjacent to Burghill and Tillington Cricket pitch. It came as somewhat of a surprise to find out purely by accident that there is a proposal to build 25 houses basically in my back garden. There has been absolutely no consultation with the residents in this area and the suggested development is totally ludicrous in such a sparsely populated rural area. The plans go completely against the results of the Burghill Development plan in which the community considered 4-7 dwellings per site as the ideal number. However this was to run alongside improved/new footways, cycle paths and linked pedestrian routes and amenity areas. The proposed development behind my house and adjacent to the cricket pitch seems to have no regard for the disposal of sewage (no mains sewage system available here), not a suitable road for such an increase in traffic as it is in a very difficult blind bend and definitely no proposed footpath or cycle path to link the development to the nearby pub/shop/garage/the rest of Burghill and the local school. We moved here 26 years ago to live in a quiet rural environment, no street lights, no noise, quiet roads, a safe and peaceful haven of country living. Whilst I appreciate that maybe some expansion is necessary in the area encompassing Burghill and Tillington I strongly object to unnecessary developments that do not consider the present residents and the local environment in any way. This development would have a huge</p>

impact on our privacy, traffic and road safety, noise and light pollution, house values and generally seriously impact on our way of life . The person proposing this development does not reside in the Parish and I feel does not have any consideration for those of us who do. We have devoted our life to preserving and renovating our 16th century house and feel very strongly about it being engulfed by a modern housing estate. There are definitely more appropriate sights within the Parish boundary that would have much less impact on the nearby residents, however none of which need to be on such a large scale. I seriously hope you look into this proposal seriously and in detail and take regard of the Neighbourhood Development Plan as this development was never even brought to light until after the plan was submitted. It all appears to have taken place behind closed doors and without any consultation with the residents.

Objection



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

15th. August 2016

Dear Team,

Proposed development Hospital Farm, Burghill.

I wish to make the strongest objection to your proposed development at Hospital Farm for the following reasons.

When Hospital Farm was being considered for the new market, the question of Covenants on the land arose and the fact that part of this land is registered as an Historic Park. What is the present position regarding these? Should you continue with your proposal I would also object to the density of the development.

I would also like your assurance that the Council have or will meet all the the legal planning requirement regarding Conflict of Interest and these rules and the action you have taken will be publicised.

I would appreciate your views on these points.





Historic England

WEST MIDLANDS OFFICE

Mr James Latham
Herefordshire Council
Neighbourhood Planning & Strategic Planning
Planning Services, PO Box 230, Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Direct Dial: 0121 625 6887

Our ref: PL00030046

16 August 2016

Dear Mr Latham

BURGHILL NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION

Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. Our comments remain substantively the same as those expressed in our earlier correspondence (19th February 2016). That is, we are supportive of the Vision and objectives set out in the Plan and of the content of the document. Historic England particularly commends the Plans comprehensive treatment of the wider historic environment including the emphasis on local distinctiveness including undesignated heritage assets and the maintenance of historic rural character. The protection of the Commons in the Parish through Local Green Space designation is also to be commended.

Overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.

Beyond those observations we have no further substantive comments to make on what Historic England considers is a good example of community led planning. I hope you find this advice helpful.

Yours sincerely,

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



Latham, James

From: Cotton, Julian
Sent: 10 August 2016 11:19
To: Neighbourhood Planning Team
Subject: Comments on Burghill Reg 16 NDP

Dear Neighbourhood Planning Team

Comments on Burghill Regulation 16 Neighbourhood Development Plan.

- In general this plan accords well with policy and best practice as regards the historic environment.
- I note the inclusion as 'late submissions' (page 73) sites '34' and '35', although clearly these are not preferred. As I advised previously, the sites are not suitable for any significant development, being too close to and likely to prejudice the locations of the church and former castle.

Regards,

Julian

Julian Cotton, Archaeological Advisor, Herefordshire Council

Latham, James

From:
Sent: 18 August 2016 16:14
To: Neighbourhood Planning Team
Subject: Burghill N D P

Dear Sirs,

The N.W boundary to our property, White Roses, shown on Lower Burlton Policies Map, is incorrect, as it shows inclusion of outbuildings in adjoining field.

Amended plan to follow, by post and should arrive by 24.08.16.

Please acknowledge receipt of this e-mail notification.

J. Fenton.

Sent from my iPad

[REDACTED]

Monday 22/8/2016

Neighbourhood Planning Team.

P.O. Box 230

HR1 2ZB

Attn Mr J. Kattam.

Ref Burgul NDP



Dear Sirs.

Please find enclosed amended local Bu lower Burton Policies Map as per Email 18/8/2016.

Please note comments re. rebate NDP by Email 21/08/2016

Yours faithfully

[REDACTED]

Jeff HENSON

Burgess ND 19



Latham, James

From:
Sent: 21 August 2016 12:11
To: Neighbourhood Planning Team
Subject: Re: Burghill N D P

Dear Sirs,

We have lived here for thirty eight years, during which time the fields adjoining both our western and southern boundaries have been submitted to Herefordshire Council for consideration of inclusion in "land for release for development". Those submissions have been consistently rejected on the grounds, we believe of access to the highway, proximity of the A4110/ A4103 crossroads, flood risk (the field to south is an historic quarry and therefore in a depression) and viability of connection to services. Notwithstanding these rejections, applications for planning have been made and refused.

At the N.D.P initial consultation stage, we pointed out these concerns. We were later advised that, because of the pressure to identify sites for so many houses in Burghill, both fields were to be included and with rumours circulating on the fate of the Council owned Hospital Farm to our northern boundary, we considered it prudent to request our property to be included.

We then found that the second draft had eliminated the western field and fully expected the quarry field would be also eliminated when considered by Herefordshire Council.

We now find that, ahead of the final stages, at which we understand amendments could be made, an application for outline planning permission has been submitted on this field and we will be contacting both Burghill Parish and Herefordshire Councils regarding this.

Given that it is now reported that Herefordshire Council intends to sell Hospital Farm for development, we question the necessity of inclusion of such an inappropriate site in the N.D.P.

Yours faithfully,
John & Alison Fenton.

Sent from my iPad

> On 19 Aug 2016, at 08:29, Neighbourhood Planning Team <neighbourhoodplanning@herefordshire.gov.uk> wrote:

>
> Dear Sir/Madam
>
> I can confirm that the Neighbourhood Planning team has received your representation regarding the Burghill Neighbourhood Development Plan.
>
> Once we receive your amended plan in the post, this will be added to your comments below.
>
> Kind regards

>
> James Latham
> Neighbourhood Planning team
> Herefordshire Council
>

> -----Original Message-----

> From
> Sent: 18 August 2016 16:14

> To: Neighbourhood Planning Team

> Subject: Burghill N D P

>

> Dear Sirs,

>

> The N.W boundary to our property, White Roses, shown on Lower Burlton Policies Map, is incorrect, as it shows inclusion of outbuildings in adjoining field.

> Amended plan to follow, by post and should arrive by 24.08.16.

> Please acknowledge receipt of this e-mail notification.

>

> J. Fenton.

>

> Sent from my iPad

> "Any opinion expressed in this e-mail or any attached files are those of the individual and not necessarily those of Herefordshire Council, Herefordshire Clinical Commissioning Group (HCCG), Wye Valley NHS Trust or 2gether NHS Foundation Trust. You should be aware that Herefordshire Council, Herefordshire Clinical Commissioning Group (HCCG), Wye Valley NHS Trust & 2gether NHS Foundation Trust monitors its email service. This e-mail and any attached files are confidential and intended solely for the use of the addressee. This communication may contain material protected by law from being passed on. If you are not the intended recipient and have received this e-mail in error, you are advised that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error please contact the sender immediately and destroy all copies of it."

Latham, James

From: Joel Hoddell
Sent: 24 August 2016 14:13
To: Neighbourhood Planning Team
Subject: Objection to Burghill NPD

Neighbourhood Planning Team

Planning Services

PO Box 230

Hereford HR1 2ZB

21st August 2016

OBJECTION TO THE BURGHILL NEIGHBOURHOOD DEVELOPMENT PLAN

Dear Sir/Madam,

When there has been no consultation, how can a plan be inclusive that represents the views and opinions of the community?

Suddenly one year after the Options Days the plan appeared when it was published in such a limited way that very few people even knew it existed. It arrived completed without one single opinion being sought from the community. The decisions at how this plan was arrived at had never been discussed beyond the inner circle of the Steering Group; no information of meetings taken, decisions made, assessment scores arrived at, why certain sites were included and others not, why many had not even been assessed at all, why settlement boundaries had been drawn. There is so much that had not been done to inform anyone within the community and include them in this process.

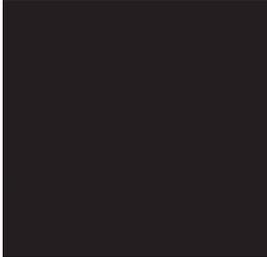
The point is no one beyond the Steering Group had any form of injection of opinion to create this plan. No one.

Who "owns" this plan? The Steering Group do – it represents no one else within this parish, least of all the people that this stupid amount of housing is being imposed on. There are only a few of us because of the bias being levered in ensuring this plan would get through a referendum by the sheer weight of numbers in one village over a smaller one. It is so wrong. There is so much wrong with this plan. But the fundamental failing is that no one has been consulted to create this plan. This is not my plan. This is the plan solely owned by the Chairman of The Steering Group and the few that surround him on that group.

I hope you will throw this plan back or tear it up so a plan that is totally inclusive can be made under new leadership.

Yours faithfully

Joel Hoddell



15th August 2016

BURGHILL NEIGHBOURHOOD DEVELOPMENT PLAN

I wish to OBJECT to the above plan.

Site 10 Tillington Business Park

The above site is already occupied by businesses including a village shop, is it the right place to build houses.

Site 2B Lower Burlton

The above site is behind the four semi detached houses on Roman Road. (One of which is occupied by my daughter and son-in-law) The site contains a septic tank for these four houses The site has been known to flood and is often waterlogged. When the septic tank is emptied the lorry has been known to get stuck in the field. I feel the site in unsuitable for building houses on as no one would want a house that is likely to flood,

Yours



Janet Turner

Neighbourhood Planning Team

Planning Services

PO BOX230

Hereford

HR1 2ZB

Herefordshire Council

Comment on a proposed neighbourhood area

If you would like to make a comment about an application to designate a neighbourhood area or to a submitted Neighbourhood Development Plan, please complete the form below, indicating which area or plan you are commenting on. Representation must be made within six weeks of the date the area or plan was first publicised.

If you would like to know if a neighbourhood area has been designated or a Neighbourhood Development Plan is in production near you, please see the [Neighbourhood areas and plans page](https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans) (<https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans>).

PLEASE NOTE: This form is solely for commenting on proposed neighbourhood areas and submitted Neighbourhood Development Plans. If you wish to comment on a planning application please visit the [planning application search section](https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications) (<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications>).

To make a comment, you must first provide a valid address.

Address *



Postcode



First name *

JANET

Last name *

TURNER

Which plan are you commenting on? *

BURGHILL NEIGHBOURHOOD DEVELOPMENT PLAN.

Comment type

OBJECTION.

Latham, James

From: Lusanna Hoddell
Sent: 21 August 2016 23:03
To: Neighbourhood Planning Team
Subject: {Spam?} OBJECTION - Burghill Neighbourhood Plan - Regulation 16

Neighbourhood Planning Team

Planning Services

PO Box 230

Hereford HR1 2ZB

21st August 2016

Dear Sir/Madam,

I object to the Burghill Neighbourhood Plan that has been submitted to Herefordshire Council at Regulation 16 as it has failed in every aspect of consulting and engaging with the community.

The National Planning Practice Guidance states: A qualifying body should be inclusive and open in the preparation of its neighbourhood plan and ensure that the wider community:

-

is kept fully informed of what is being proposed

-

is able to make their views known throughout the process

-

has opportunities to be actively involved in shaping the emerging neighbourhood plan

-

is made aware of how their views have informed the draft neighbourhood plan

None of those important criteria have been met. In fact the opposite has happened where the community has been actively excluded from the entire process since the Options' Days in October 2014. The plan you have in your possession has not been shaped through listening to the views and opinions of parishioners and is the construct of one or a very few members of the Steering Group who have sought to disregard any constructive criticisms or input at every turn in this long process.

The Burghill NDP has failed because:

1.

Steering Group minutes of how decisions – made behind closed doors –

have never been published.

2.

Steering Group meetings were never publicised nor was the community informed that these meetings were open to the public.

3.

Steering Group decisions were never discussed at Burghill Parish Council meetings and only presented to vote on with no interaction between councillors and the SG Chairman.

4.

Voiced concerns made by parishioners during the 10 minute "Public Participation" spot were sneered at, treated with contempt, actively suppressed and ultimately ignored.

5.

Voiced concerns to individual Parish Councillors were ignored, Councillors never returning calls to explain or inform the reasons, or the outcome of our concerns after consulting with the Chairman of the BPC.

6.

Emails and calls to the Parish Council were not replied to, questions left unanswered.

7.

Data from the Options' Days that was eventually published – the only data released – had been manipulated by adding neutral votes to support votes to favour particular sites.

8.

No public meetings were held or consultations with any individuals for over a year to actively shape this plan right up until the plan suddenly appeared in full form without a single input from anyone beyond the SG clique.

9.

No material planning considerations taken into account in site selection.

10.

Viable sustainable sites, the majority contained around or close to Burghill not even assessed or scored and therefore dismissed.

11.

A bias to target Tillington with disproportionate housing that in no way reflects its character or surroundings.

12.

There has been the misrepresentation of a submitted site – Site 10 – that claimed it to be "brownfield" when in fact it can easily be proved to be greenfield. That "brownfield status affording it a prominence over other more suitable sites.

13.

That misrepresentation constantly presented to the community including the Options' Days voting that influenced voting patterns in favour of the

site.

14.

A bias in the voting against sustainable sites around Burghill.

15.

A bias in the main growth village, out-voting the smaller village of Tillington.

16.

Preferential treatment being given to the owner of Site 10 who has had more consultation with the Chairman of the SG than all of us put together.

17.

A bias that permeates throughout the plan that favours Burghill.

18.

A settlement boundary drawn around Tillington even though it is "open countryside" by "someone" without a single person in Tillington or beyond being consulted on, this boundary once again a construct of one or a very few within the Steering Group.

19.

Housing densities manipulated and vastly exaggerated because of the imposition of that settlement boundary.

20.

Kirkwells' Site Assessment scoring wrongly slanted because of this fictitious settlement boundary to favour the Tilington sites.

21.

The lack of publicity and distribution of the Chairman's plan with leaflets arriving late after the start of Regulation 14 announcing its start.

22.

Precise, detailed comments at Regulation 14 by numerous parishioners, partially published, censored and ultimately ignored with not a single change to the plan beyond tiny wording rewrites.

23.

Zero consultation and community engagement throughout this process leaving a plan shaped by one or a very few on the Steering Group.

So many objections have been ignored that I couldn't begin to include here.

Herefordshire Council expects the plan to arrive to them after proper and full consultation with the community. In this case it hasn't happened and I am aware that HC doesn't have to look for them which makes this entire process flawed when a Parish Council fails to abide by the rules which is of detriment to a minority within Tillington. This plan has never been and never will be owned by the parishioners of Tillington. It has been brought about through imposition and not consultation. The Burghill NDP has failed on all counts.

Please can you acknowledge receipt of this letter.

Yours faithfully

Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 08 August 2016 18:58
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	Marion
Last name	Burns
Which plan are you commenting on?	Burghill Neighbourhood Development Plan
Comment type	Objection
Your comments	<p>I object strongly to this plan which concentrates housing development into a few small areas in the parish. In particular I object on the grounds of road safety to the concentration of development sites in Tillington between the Bell public house and Whitmore Pool. This is a very narrow part of the Tillington Road which is prone to areas of flooding following heavy rain. It is part of the main route taken by many Weobley residents on their journey to Hereford and traffic at peak times. So to have three access points to this road, one of which i.e. The proposed Cherry Orchard Development accesses the road via a very narrow single track lane with an entrance no wider than a driveway. This comes out on to the Tillington Road between the Bell public house and the Witmore Cross turning but on the other side of the road. Traffic from there heading for Hereford during the peak times will have to run the gauntlet not only of the busy traffic from Weobley and the traffic using the road from Credenhill as a rat run. Such emerging traffic will also have to cross in front of traffic heading toward Hereford and Burghill School from the housing developments proposed by the Bell. Furthermore there is a bend just beyond the Bird-in-Hand garage so it is not possible to see what is coming from</p>

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

16th August 2016

Dear Sirs,

Re: Burghill Neighbourhood Development Plan ~ **OBJECTION**

I write to you to express my objection in the strongest terms to the Burghill Neighbourhood Development Plan on the following grounds:-

1. Lack of direct consultation with residents most affected:

There has been no consultation with the households directly affected by the plan since the open days or since the plan was sanctioned. No information has been given regarding the reasons for choosing these development areas and our opinions have either not been sought or ruled out in a cursory manner. There has been no consultation as to where Settlement Boundary should be drawn and I am afraid that this may mean that further development may occur in the immediate vicinity of my property as Crowmoor Lane is immediately adjacent to one of these boundaries.

2. Concentration of development sites:

All the housing development has been allocated to two small areas and the main settlement in the Parish has had no additional housing provision allocated. In particular no provision has been made for "Affordable Housing" for local people or people working in the local. Equally, no provision has been proposed to increase the facilities for aging population of the parish.

3. Road Safety:

The proposed development of 3 sites Between The Bell public house and Whitmore Cross will create three access points to the Tillington Road within approximately 300 hundred yards. This will cause a very dangerous situation because:-

- a) The carriageway in this area is quite narrow. If the bus, a lorry or a large agricultural vehicle is travelling in one direction, there is little or no space to pass on this stretch of the Tillington Road.
- b) At peak times this road is busy with fast moving commuter traffic from Weobley District Wormesley and Tillington into Hereford . This is compounded by vehicles taking a short cut from the main Credenhill Road to the Tillington Road, turning right at The Bell and joining the stream of traffic toward Hereford. The 30 mph speed limit is often ignored and this together with the sheer volume of traffic compounds problems for the school traffic coming from Burghill village and traffic from the Hereford trying to turn right, across the flow of traffic, into the school itself. This is just a few hundred yards over the brow of a hill past Whitmore Cross toward Hereford.

If the *three* proposed housing developments are approved this will mean additional traffic trying to join the carriageway at The Bell and at Whitmore Cross where the traffic for the local shop also joins. This traffic, if heading toward Hereford will join the traffic flow to the left.

- c) If the Cherry Tree Orchard Development is approved, this will mean that between these two access points at the Bell Crossroads and Whitmore Cross, there will be a further turning from what appears presently to be a drive-way, on the other side of the road. Any traffic emerging from this very poor exit and wishing to proceed toward Hereford will have to turn right into the flow of traffic. The view of traffic emerging here will be severely restricted as the road rises just beyond Whitmore Cross to the brow of the hill by the Bird in Hand garage. Therefore it will not be possible to see more than a few yards in that direction. So traffic heading for Hereford from this development will have to turn right “blind” to join what, at peak times is a fast moving stream of traffic without knowing what is approaching from the right.
- d) To add to the problems that will be encountered in this very small stretch of road, a planning application is already in motion to approve a further 7 houses on Crowmoor Lane which also emerges at Whitmore Cross.

This will mean that a small narrow stretch of the Tillington Road, just a few hundred yards long and already a pinch point, will be expected to cope with the traffic from an additional 38 homes. (Given that these are proposed to be “family homes” that is likely to mean between 60 and 70 additional cars). An accident has recently occurred where the fence of the property at the side of this “drive-way” has been demolished by a vehicle. CLEARLY THIS WILL POTENTIALLY PROVE A SERIOUS ACCIDENT BLACK SPOT.

- e) To compound matters, there is no foot path between The Bell and Whitmore Cross where the local shop and post box are located. Given the speed and size of the vehicles (Many of which are large, slow moving agricultural vehicles) I am presently too afraid to walk to the shop. Banks rise on either side of the road and there is nowhere to move out of the way of the traffic. The hazard that this will cause to any children or less able adults trying to use the shop is frightening.
- f) The low spot by Whitmore Pool and a similar low spot on the corner by The Bell are prone to winter flooding, as is the road from Credenhill which runs down and emerges at The Bell. Crowmoor Lane is also prone to flooding in the winter. Various local “Spring Points” have emerged in the low lying spots on the surrounding roads which has the effect of seriously impeding the flow of traffic which is already excessive for these narrow country lanes.

4. Lack of provision of mains drainage and sewerage.

- a) **There is no connection to mains drainage or main sewerage provision in Tillington.** This means that all the foul water drainage and sewerage from the new housing proposed for this small area will have to be dealt with via septic tanks and soak-aways. As previously mentioned, this area already has problems with surface water flooding in the winter. The waste water from all these family sized properties (with their en-suite and family bathrooms, dishwashers, washing machines, hoses etc.) will leach into the ground water table all year round. Land, already prone to flooding, will not cope well with this additional waste water and it will naturally seek to pool in low lying spots.
- b) My particular concern is that the proposed development at the Cherry Orchard. This site is higher than the properties in Crowmoor Lane. Crowmoor Lane is presently very prone to flooding and to help alleviate this there is a large drainage ditch with passes within 1.3 metres of my back door. Last year the Welcome Foundation, who own the land behind my home, enlarged this ditch considerably. This was presumably to accommodate the expected increase in waste water which will ensue from the 7 houses they have applied for planning permission for just across the orchard from me on the other part of Crowmoor Lane.

Presently, in winter this ditch constantly contains fast running water. I am concerned that with the waste water from an additional 17 family sized properties draining into it, the water will run all year round. **I am very worried that if this ditch will be subject to wet conditions throughout the summer months, the smell and the increased insect population so close to my back door will be very unhygienic and unpleasant.** I have already been bitten by a Blandford Fly (which causes a very nasty septic infection which has to be treated with antibiotics) and it is believed that this fly emerged due to the damp conditions caused by the drainage ditch. *I am afraid that in summer the smell and the increase in the insect population attracted by this drainage ditch will make living at Victoria Park very unpleasant and I would be trapped by the problem as it would be almost impossible to sell my property.*

5. Lack of Provision of Amenities e.g. Old Peoples' Bungalows, Doctors/Dentist Surgery etc.

As with many rural villages the Parish of Burghill has an increasingly aging population. In the original consultation it was stated by many residents that they would like to see specific provision provided for older people from the parish who may need additional facilities in the villages which they now have to go to Hereford to access. However, no provision for increased services such as a doctors' surgery or dentist etc. have been included in the neighbourhood plan. Neither has any provision been made to provide accommodation for those older people, some of whom will inevitably have additional needs for perhaps "Warden Controlled" or single level accommodation. This will mean that people who may have lived in the parish all their lives will have to choose between either struggling on in unsuitable accommodation or moving away from the area they know which will be very distressing for them. This seems very short sighted and a missed opportunity to take account of the changing demographic within the parish population.

6. Proposed Massive Increase in Housing Provision at the Hospital Farm and Tow Tree Farm

Since the inception of the Burghill Neighbourhood Development Plan some years ago Herefordshire Council has approved the sale of many of its council owned farms. At the Cabinet Meeting on 14th April 2016 the Smallholdings Disposal Plan also “recognised the need to exclude from sale certain sites with development potential.”

It was proposed that the site at Hospital Farm, Burghill be deemed a site for potential housing development. This 16.6 hectare (41 acres) could be potentially developed with a density of 35 houses per hectare (as with the Holmer West urban expansion) This would result in as many as 581 new houses being built on this site which is predominantly within Burghill Parish. Additionally, there is already a planning application for 50 new houses just inside Burghill Parish, north of the Roman Road on private land opposite Hospital Houses.

The site at Tow Tree Farm, Burhill was identified in the core strategy as potentially the route of the new bypass.

The proposed sites at Hospital Farm and by the Roman Road would be far better for the parish as this would reduce the propped increase strain on the narrow rural roads and the already over-subscribed infra-structure rather than adding 30+ homes in Tillington. These properties would be closer to Hereford and main routes and would thus reduce the pollution and traffic chaos caused by all the cars which would inevitably commute to town for work and leisure from Tillington. Proper provision can be made to extend the city water, drainage and sewerage facilities for the dwellings without incurring the added expense and technical difficulty of setting up a complete new system some 4-5 miles from the urban area.

This alternative siting of additional housing would offer many advantages without disruption to the character of Burghill Parish that the present plan engenders. Any subsequent development within the main villages could be designed to fit the needs of the present population for some reasonably priced houses for those wishing to stay and work in the local and accommodation and facilities to meet the needs of the existing aging population.

The two sites at the edge of the parish could provide more than FIVE TIMES the 18% i.e.120 houses, that were originally prescribed as necessary for Burhill Parish to provide. So the parish would have far exceeded the requirement for additional housing without fundamentally changing the nature of the parish.

I THEREFORE OBJECT TO THE BURGHILL NEIGHBOURHOOD DEVELOPMENT PLAN IN THE STONGEST POSSIBLE TERMS AS IT IS UNNECESSARY IN THE LIGHT OF RECENT HEREFORDSHIRE COUNCIL PLANS AND HAZARDOUS AND DETRIMENTAL TO THE PRESENT POPULATION OF THE PARISH.

Yours faithfully,

Marion A Burns

Marjorie Byers

1st August 2016

NEIGHBOURHOOD PLANNING TEAM
PLANNING SERVICES
PO BOX 230
HEREFORD
HR1 2ZB

DEAR SIR/MADAM

RE: OBJECTION TO PROPOSED DEVELOPMENT
AT HOSPITAL FARM

I WAS SHOCKED TO SEE THE HUGE NUMBER OF POTENTIAL HOUSES PLANNED FOR HOSPITAL FARM BURGHILL - MORE THAN FIVE TIMES THE 120 HOUSES PREVIOUSLY PROPOSED.

I HAVE LIVED AT THE ABOVE ADDRESS FOR MORE THAN 14 YEARS. MY LATE HUSBAND AND I MOVED HERE BECAUSE WE LIKED BURGHILL PARISH AS IT WAS. WE BOTH APPRECIATED SOME DEVELOPMENT MIGHT IN THE FUTURE COME TO BURGHILL BUT FELT THAT A SMALL AMOUNT OF DEVELOPMENT COULD BE ACCEPTED WITHOUT THE PARISH BECOMING VERY DIFFERENT TO WHAT IT IS NOW.

THE ~~HUGE~~ NUMBER OF HOUSES NOW PROPOSED IS TOTALLY UNACCEPTABLE AND I OBJECT MOST STRONGLY. THE TRAFFIC ON TILWINGTON HAS GROWN EVERY YEAR I HAVE LIVED HERE AND THE JUNCTION WITH ROMAN ROAD IS ALREADY VERY BUSY. YOUR PROPOSED DEVELOPMENT WOULD ALTER AND NEGATE ALL THE REASONS MY HUSBAND AND I DECIDED TO SETTLE HERE IN 2002 AND PAY THE MANY THOUSANDS OF POUNDS LOCAL RATES THAT WE HAVE PAID OVER THESE YEARS.

SINCERELY

Latham, James

From: M Hoddell
Sent: 23 August 2016 11:24
To: Neighbourhood Planning Team
Subject: Objection to Burghill Neighbourhood Development Plan

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

23rd August 2016

Dear Sir/Madam,

I am writing to object to the Burghill Neighbourhood development Plan because it has been created without any of the community being involved in its creation even though what is proposed will have a terrific detrimental effect on a minority within the community at Tillington and Lower Burlton.

All through this process there has been no consultation, public meetings, the approach to individuals most affected to garner opinions while this plan has been devised and written. Truly no one around Tillington has been consulted, the majority not knowing what the plan means or stands for.

This plan has been constructed by very few people on the Steering Group with not one person representing Tillington. All decisions by the Steering Group have been taken and implemented in secret without any of those decisions being made public as to how they were arrived at. Is it any wonder then that the majority of housing has been allocated to Tillington and Lower Burlton? Burghill, the biggest village with a settlement boundary already installed, has steered development away from itself, coming out en masse to vote against sustainable sites surrounding it – the Steering Group aptly titled.

This is clear nimbyism. But more importantly it is a clear case of bias which is demonstrated right throughout this dreadful plan.

How can a plan be inclusive when no one has been consulted? How can a plan claim to be owned when all the multitude of comments at regulation 14 were rejected out of hand? No interaction why; no feedback like all of this process – nothing, only silence and secrecy and a complete arrogant disregard for democracy and following proper procedures.

I urge Herefordshire Council or the Examiner to throw out this plan so another can be created that is fully inclusive and represents all the people of Burghill, Tillington and Lower Burlton and not just a clique that only represent themselves.

Yours faithfully

Mia Hoddell

Latham, James

From: Howells, Mathew
Sent: 23 August 2016 15:22
To: Neighbourhood Planning Team
Subject: RE: Burghill Regulation 16 Neighbourhood Development Plan consultation

Good afternoon,

As long as protection is given to the Hereford relief road corridor, Herefordshire Council's transportation section has no comments.

Kind Regards
Mat

From: Neighbourhood Planning Team
Sent: 13 July 2016 10:37
Subject: Burghill Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Burghill 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/neighbourhood-areas-and-plans/burghill>

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

The consultation runs from 13 July 2016 to 24 August 2016.

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)

Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 19 August 2016 18:09
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	Matthew
Last name	Reynolds
Which plan are you commenting on?	Burghill Neighbourhood Development Plan
Comment type	Objection
Your comments	<p>I would like to object to the Burghill Neighbourhood Development Plan. I feel the plan proposed has not been an inclusive process. I'm unsure as to whether any person in Tillington has been consulted on the plan proposed - I for one certainly have not. The housing proposed is hugely disproportional to the sparse nature of the parish - in as much as the housing proposed would concentrate a high number of houses in a rural area - creating a second village or a "new" village. The creation of a settlement boundary without consultation and the subsequent misrepresentation of "Site 10" as Brownfield rather than greenfield, is also a disgraceful way to behave by the Parish council elite. Additionally, infrastructure and flooding have not been taken into consideration. The addition of 500 houses would result in a conservative estimate of an extra 1000 cars using the small roads of the parish. There are far more suitable sites across Burghill - these have not been assessed or even investigated. The fact that this plan has been created behind closed doors by a parish council - who's councillors no doubt have vested interests in delivering this plan is also highly objectionable ! I hope my objection to this plan is recorded and noted.</p>

Latham, James

From: Michael White
Sent: 21 August 2016 20:28
To: Neighbourhood Planning Team
Subject: Burghill Neighbourhood Development Plan....Regulation 16.
Attachments: Image (92).jpg; Image (93).jpg

Objections to the Burghill Neighbourhood Development Plan.

Having read the definitive N.D. plan for Burghill Parish I would like to comment unfavourably as follows:

1) We are relatively new to the parish and missed the very early part of the procedure. It was not easy to catch up on what was happening due to a lack of advertising of meetings and only minimal Parish Council minutes on the website. Important factors were not divulged leading to false impressions of progress and how the Plan was developing. You will probably have been told otherwise but that is the impression we received. As I write, there is, as far as we can tell, just one notice about the importance of the need to comment on the Development Plan (Reg 16) with the dates....and this was tucked away on the noticeboard by....Burghill Church. Even one of the dates was wrong! This is a reflection on how poorly the Parish Council and Steering Group have kept us informed. Some people will miss the deadline which is 2 days too long.

At a Parish Council meeting which we could not attend we sent a letter pertinent to the Development Plan to be read out at the meeting in the 'Open to Public Comment' slot. The chairman ignored my request, pretended the letter didn't exist and only when a member of the public insisted, was the letter read out....at 100mph....making it more or less impossible to grasp the contents. It is this type of attitude which has produced some very unpleasant and uneasy feelings throughout, with residents getting the impression that their own views were of no importance. Even a member of the Parish Council was verbally put down by the Chairman of the Steering Group because he dared propose a 'Plan B'!!

This was not mentioned in the published Parish Council minutes!!

2) It eventually became all too clear that there was an early committed desire from the Steering Group to put as much housing development as possible in Tillington.....come what may!! You will see from the comments in the Reg 14 responses that all criticisms were brushed summarily aside and "No change" written alongside from the Parish Council. The comments/objections were from people who know this area of the parish extremely well, so the comments 'held water' so to speak, yet in every case a counter comment gave the impression that the comments of the inhabitants had no foundation. This is total arrogance. It was particularly the case for Site 10 where even the Area of Special Interest (wildlife), which most of us thought would definitely be protected, was announced as a possible area for development....with all the details of how everyone's expectations of protection could be circumvented! "Potential damage can be mitigated...." Why this determination to ensure that all of site 10 could be built on? There was other evidence of this persistent determination which can clearly be seen in the Reg 14 publication....the Burghill Neighbourhood Development Plan.....draft edition.. The style of writing....with the word 'sustainable' cropping up regularly.... in these persistent 'excuses' for building on the whole of site 10 suggests a certain degree of experience in planning applications whereby all objections can be overturned by carefully chosen forms of words. In many cases we were informed that 'developers' would provide the necessary improvements in infrastructure. There's misplaced optimism for you! The question remains.....WHY this incredibly unfair skew in the housing development plan? There has to be an answer.....

3) Why this incredible skew....when, to the south of the parish, a huge swathe of land became available for housing? There's the big question, and the reasons given for ignoring this available land have been totally unacceptable or even difficult to find! No one, looking at the Parish from a totally unbiased position, would have ignored this possibility....and yet it WAS ignored! The Steering Group decided in their wisdom (!) that ALL (just about) the housing development would take place in Tillington, an area where there are distinct problems....problems of access, road safety, dangerous road layouts, poor infrastructure, poor drainage, and a total lack of thought and

compassion for the present day residents. The Steering Group talk about the 'facilities' available, and yet the most important one, the village shop, would disappear (Yes, it's on Site 10 of course!!)

4) There are some very important unanswered questions:

There seems to be no time-scale built into the sites recommended for building upon so we have no idea if any of them will be allowed in the months/years ahead.

There seems to be uncertainty about what 'brownfield' means, OFFICIALLY, and who will decide eventually on Site 10? I reckon I can guess the answer to that one!

Few if any Tillington residents were asked about the delineation of the proposed Settlement Boundary. Feedback? What feedback? Was it really necessary, such a 'boundary'? Who will benefit.....the residents? Doubtful.

What about Tillington Common? It seems to have had 100% protection and yet the eventual Development Plan was supposed to be 'proportionate'.

Was the Steering Group acting beyond their remit and beyond the oversight (if there was any) of the Parish Council? (see 5)

5) There seems to have been a vagueness about the whole development plan.....as though there has been no real control over what was being put forward by the Steering Group. Did the Parish Council ever sit down and assess each stage of the plan and really dig deep into WHY certain decisions were made? I think not; certainly not as robustly as they should have done. The result is what we have; an unsatisfactory, unfairly disproportionate and generally unacceptable development plan with few positives, and a distinctly worrying skew to boot. A Parish Council on the ball would never have allowed that to happen.

6) I have included two ATTACHMENTS which I feel are 'interesting' to say the least. I have underlined and starred certain parts and again I ask you to consider the possible implications. Back in 2013 someone, we know not who, was preparing the wedge....the thin end of the wedge....for development on Site 10 of the Development Plan. Read carefully, please, and note the phraseology.

Just about everyone will agree that a development plan was necessary and that housing was and is a priority. Most of us would have fully backed a development plan which was in tune with the aspects, characteristics and needs of our community and was seen to be absolutely fair and proportionate. Disappointingly, this DP has missed these criteria by a country mile despite the many hours of work involved.

Finally, in all fairness, I hope Herefordshire Council and the Examiner seriously consider the objections above, together with other comments submitted, and reflect at length on the implications of such a flawed Development Plan. It is so blatantly unsatisfactory and unacceptable.

Michael White.

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

Draft Core Strategy survey – Lists of comments v.1.0 May 2013

https://www.herefordshire.gov.uk/media/6773183/Draft_Core_Strategy_consultation_2013_comments.pdf

Page 254:

* "The proposed expansion of the villages of Burghill and Tillington is also very contentious and has the potential to destroy the rural characteristics of the villages. Local residents are very concerned that a large number of houses densely built on green-field sites will have a severely detrimental impact on local road safety and the general amenity of the village. There is a risk of urbanising the villages. Herefordshire is an agricultural county and needs protecting as such. Building on green belt land would also destroy historic park land at St Mary's Park Burghill."

Page 426:

"Council does not reflect the wishes of Burghill, Holmer and Lyde regarding housing strategy. Burghill, Tillington, Lyde wish to remain as RURAL VILLAGES."

Page 433:

"It is essential that any development in these rural areas should be needs led, and should be aimed at gradual and organic expansion of rural communities rather than large developments which then tend to remain self-contained and do not assimilate either aesthetically or socially. The target of 18% growth for some villages is totally disproportionate. It should be noted that Burghill and Tillington form one civil parish and community - they are not two separate villages."

Page 445:

|| "With regard to Burghill and Tillington, I can understand the need for some housing but the sites should be chosen with care. It should be Brownfield sites rather than farming land. Farming is essential not just for the present but also for the future."

Page 448:

Council does not reflect the wishes of Burghill, Holmer and Lyde regarding housing strategy. Burghill, Tillington, Lyde disagree with many of council plans for their villages.

Page 453:

The Strategy has split the parish of Burghill into Burghill and Tillington however as they are covered by Burghill Parish Council and have a current Parish Plan covering both villages they should be treated as one entity. Any development should be based on local needs and local connections not a broad brush approach by stipulating a target percentage for growth. Burghill Parish Plan included provision for pepper pot development rather than en masse, in accordance with the wishes of the local community. Agree with the policy which supports local families.

Page 469:

Development in rural areas should be in accordance with parish and/or neighbourhood plans. The Strategy has split the parish of Burghill into Burghill and Tillington however as they are covered by Burghill Parish Council and have a current Parish Plan covering both villages they should be treated as one entity. Any development should be based on local needs and local connections not a broad brush approach by stipulating a target percentage for growth. Burghill Parish Plan included provision for pepper pot development rather than en masse, in accordance with the wishes of the local community. The character and distinctiveness of the countryside must be protected agree and maintained. There is no mention of observing local parish plans and or neighbourhood plans, this need to be taken into consideration as they reflect the needs and opinions of the local community.

* and yet it is OK to build in the centre of Tillington

Draft Core Strategy survey – Lists of comments v.1.0 May 2013

https://www.herefordshire.gov.uk/media/6773183/Draft_Core_Strategy_consultation_2013_comments.pdf

Some particular comments in the HC consultation May 2013 regarding a particular site in

Tillington:

wonder why?

Page 458:

!!
00
"The areas of Tillington and Burghill should be united as they are indivisibly linked through joint services and social interaction. There is ample land at Tillington, on a brownfield site, which could accommodate up to 30 dwellings of mixed style. It is preferable to identified sites at Burghill."

Page 462:

!!
03
"These comments are to be added to my earlier comments: The areas of Tillington and Burghill should be united as they are indivisibly linked through joint services and social interaction. There is ample land at Tillington, on a brownfield site, which could accommodate up to 30 dwellings of mixed style. It is preferable to identified sites at Burghill. The suggested area for mixed residential development is on a brownfield site at the Tillington business park. This is a site that has considerable potential for sustainable development as it is previously used land that has an established use for commercial storage linked to the activities of the business park and the Bird Garage. It is a site that is close to community services comprising a shop, school, public house, golf club, garage and MOT station, village hall, PIY and leisure area, village sports facility, village hall and church. All these community facilities are within walking distance of this site. The site is on a bus route. It is a site that has few constraints in terms of land use planning and would be more favourable to the communities of Tillington and Burghill as its development would be unlikely to attract any objections from local residents. Furthermore, owing to the established use of this site its future needs to be regularised to prevent a change in ownership invigorating its commercial presence within the village."

THE VERY OPPOSITE !!

Page 467:

RUBBISH!
"With regard to the table of settlements on page 144 of the Core Strategy, I support the inclusion of the village of Tillington. This village adjoins the village of Burghill, closer to its primary school. Given the close proximity of Tillington to Burghill, and that each settlement complements each other in terms of community facilities and employment land, I would strongly recommend that the villages of Tillington and Burghill be treated as a single entity in the CS's spatial strategy. The allocation of land upon previously-developed land available for development in Tillington would be more sustainable than an alternative allocation of greenfield land adjoining Burghill and its historic environment. As regards Policy RA2 in so far as it relates to settlements listed in Table RA2, the criterion 1 of the policy should be amended. The requirement that dwellings be restricted to sites "within or adjacent to the main body of the village" should be replaced with "...within, or within reasonable access to the main body or bodies of villages where they lie within groups of existing dwellings". The purpose of this policy is to facilitate development to those with long standing family ties to the particular locality. The further restriction of this policy to sites in, or next to, the in close proximity to the main body restricts excessively the effectiveness of this policy. The addition of a new dwelling to groups of dwellings would have a modest visual impact upon settlements."

Page 649:

"My principal comments relate to: 1) A reassessment of the need for the Proposed Western Relief Road in conjunction with the Trunk Road Authority. 2) The linking of Tillington with Burghill in the HMAs. 3) The availability of brownfield land in Tillington ideally suited for residential development"

THROUGHOUT ALL THESE COMMENTS THERE IS
THE "PUSH" FOR SITE 10 ("Brownfield site")
→ which continues in -2- the NDP !!
??

I object to the proposals and statements put forward in the **Burghill Neighbourhood Development Plan**

The site at Hospital Houses has development potential for some 500 houses, well in excess of the target imposed on the parish. This site is adjacent to recently completed developments, and thus would not significantly alter the character of the area, yet it has not been considered at all.

The site North of the Roman Road has potential for 50 houses, close to half the overall target and also close to previously developed areas, yet it has been rejected from the Plan.

There are further suitable sites in Burghill village – the principal settlement in the Parish – with interested landowners, specifically Site 35 and the area to the South of the village, which appear to have been rejected out of hand. The former appears to have been blocked by the unilateral designation of a “Green Space” strip across a prospective access road at Bakers Furlong in the manner of a ransom strip; no explanation has been given.

Conversely, favour has instead been placed by the NDP on the so-called “Tillington Business Park” – in a sparsely settled area, the rural character of which would be radically altered by development. Any building on that site would be highly visible and liable to set a precedent for further future development. A “Settlement Boundary” appears to have been unilaterally declared around Tillington. No explanation or justification has been offered.

One might conclude that the NDP is highly selective in the sites that it considers suitable for development, but without offering evident justification.

There appears to have been little commitment to inform or involve residents in approval of the draft Plan; 3 weeks into the Reg. 16 Consultation period there had been no notice posted by the authors on the Village Website, in the Parish Magazine or on other noticeable media. In the earlier consultation phase the opinions of residents were invited via the village website in a questionnaire that was so flawed in design that participation was surely discouraged, and comments not specifically labeled as “object” have been disingenuously counted as “in favour”.

The NDP as currently presented appears to be a sham that ignores practical options, cares little for the involvement or the views of residents, and is not fit for purpose.

Neil Christie



18 July 2016

Dear Sir / Madam

Burghill Neighbourhood Plan Consultation SUBMISSION ON BEHALF OF NATIONAL GRID

National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Gas Distribution – Low / Medium Pressure

Whilst there is no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

Gables House
Kenilworth Road
Leamington Spa
Warwickshire CV32 6JX
United Kingdom
Tel +44 (0) 1926 439 000
amecfw.com

Amec Foster Wheeler Environment
& Infrastructure UK Limited
Registered office:
Booths Park, Chelford Road, Knutsford,
Cheshire WA16 8QZ
Registered in England.
No. 2190074



The electricity distribution operator in Herefordshire Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Robert Deanwood
Consultant Town Planner

n.grid@amecfw.com

Spencer Jefferies
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

Amec Foster Wheeler E&I UK
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours faithfully

[via email]

Robert Deanwood
Consultant Town Planner

cc. Spencer Jefferies, National Grid

Date: 17 August 2016
Our ref: 190616
Your ref: none



Mr James Latham
Herefordshire Council

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

BY EMAIL ONLY

neighbourhoodplanning@herefordshire.gov.uk

T 0300 060 3900

Dear Mr Latham,

Burghill Neighbourhood Development Plan Regulation 16 consultation

Thank you for your consultation on the above dated 13/07/2016.

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.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

Best and Most Versatile Agricultural Land

We have not checked the agricultural land classification of the proposed allocations, but we advise you ensure that any allocations on best and most versatile land are justified in line with para 112 of the National Planning Policy Framework.

For clarification of any points in this letter, please contact Tom Reynolds on 020 802 6150. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Tom Reynolds
Planning Adviser
Sustainable Development
South Mercia

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

Latham, James

From: Morgan Barbara <Barbara.Morgan@networkrail.co.uk>
Sent: 16 August 2016 13:51
To: Neighbourhood Planning Team
Subject: Burghill Regulation 16 Neighbourhood Development Plan

Dear Sir/Madam

Network Rail has been consulted by Herefordshire Council on the Burghill Regulation 16 Neighbourhood Development Plan. Thank you for providing us with this opportunity to comment on this Planning Policy document.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.

Developer Contributions

The Neighbourhood Development Plan should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure.

Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements.

Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development.

The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network.

To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following:

- A requirement for development contributions to deliver improvements to the rail network where appropriate.
- A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.
- A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.

Level Crossings

Development proposals' affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision.

As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services.

In this regard, we would request that the potential impacts from development affecting Network Rail's level crossings, is specifically addressed through planning policy as there have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing. We request that a policy is provided confirming that:

- The Council have a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway:
 - *Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010 requires that... "Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway (public footpath, public or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval".*
- Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact: and
- The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.

Planning Applications

We would appreciate the Council providing Network Rail with an opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).

We trust these comments will be considered in your preparation of the forthcoming Neighbourhood Development Plan document.

Regards,

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Latham, James

From: P M Broadgate
Sent: 24 August 2016 21:08
To: Neighbourhood Planning Team
Subject: OBJECTION to Neighbourhood Plan in current draft

I wish to register objections to the proposed amendments to the 2013 draft Neighbourhood Plan, whereby the allocation of new homes in the Parish is to be raised from the previous 120 to a potential 581 - quite a departure from the initial 45 dwellings. There seems little point in spending the time and effort in preparing such a Plan, if it ends up being comprehensively ignored. This increase in numbers for the Parish is in addition to the proposed development opposite Hospital Cottages and adds to the proposed major development of Church land to the west of the A4110 Three Elms road.

What considerations have been given to the provision of services and infrastructure? Access, transport, employment, education, electricity, gas, water, sewerage, sewage treatment, telecoms (land line and mobile and Internet capacity) health and welfare provisions all need to be considered for the future residents - in effect for the population of a modest-sized village. Matters must not proceed until these considerations have been properly addressed.

What organisation is to deal with the inevitable damage caused to the existing roads by the construction traffic? The A4110 is in a very poor condition and the A4103 is little better apart from the final mile in each direction leading to the junction with the A4110. The Tillington Road is also poorly maintained, with regular visits to carry out piecemeal - and short lived - repairs, and is in no condition to withstand heavy and high-volume traffic. With little effort put into the present maintenance of highways, it seems unwise to add to these responsibilities.

Paul Broadgate.

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

18th August 2016

Dear Sir/Madam,

I am writing to you to OBJECT to the Burghill Neighbourhood Development Plan and in increasing desperation to voice my grave concerns of how proper democratic procedures have been flagrantly ignored, the entire process being established through imposition where there has been a complete lack of consultation, transparency and engagement with the community.

I wrongly assumed that our elected representatives on Burghill Parish Council(BPC) would follow proper democratic procedures on our behalf so a fair and equitable plan would be arrived at after full and proper consultation with the community.

Unfortunately this is completely not what has happened: National Planning Policy Guidance has NOT been complied with; the plan itself contains gross misrepresentations; the plan is biased and has been created behind closed doors without the community involvement and consultation – it has been through imposition not consultation by a handful of individuals.

In response to this, there is increasing anger within Tillington with some residents threatening to take legal action. Many of us made extensive and detailed objections at Regulation 14, our only opportunity to have some input, yet not a single objection has been listened too or taken on board, all our objections completely side-lined and ignored. It is apparent that we are seen as the enemy. The BPC and Steering Group(SG) truly has not consulted with residents formulating a plan that evolves through open and transparent, repeated community interaction that everyone is happy with particularly the residents that will be most affected.

When a Parish Council seems hell-bent on following its own agenda and simply refuses to listen, it seems there are no checks and balances or routes to an independent appeal when this process goes completely awry. Therefore I am hoping Herefordshire Council will have the integrity and good sense to take control of this shameful situation and can restore some democratic principles and sanity to this process so this travesty of a plan is not imposed on us and throw out this Plan.

Please find attached more detailed representations following this letter.

Yours faithfully

Russell Hoddell

Representations to the Burghill Neighbourhood Development Plan

Russell Hoddell

THE BURGHILL NEIGHBOURHOOD PLAN HAS NOT MET BASIC CONDITIONS:

1. FIRSTLY, I AM OBJECTING BECAUSE OF A COMPLETE LACK OF CONSULTATION & ENGAGEMENT SINCE THE OPTIONS' DAYS IN OCTOBER 2014.

As the qualifying body the Burghill Parish Council(BPC) and also the Neighbourhood Steering Group(SG) have completely failed to follow Government Planning Practice Guidelines which state:

A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order
- is made aware of how their views have informed the draft neighbourhood plan or Order.

To accompany this there is also enshrined legal requirements which have been subsequently called the "Gunning principles".

In 2001 Lord Woolf reiterated a precedent set out in a judicial review of 1985. He stated: *"It is common ground that whether or not consultation of interested parties in the public is a legal requirement, if embarked upon it must be carried out properly. To be proper, consultation must be undertaken at a time when proposals were still at a formative stage; it must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response; adequate time must be given for this purpose; and the product of consultation must be conscientiously taken into account when the ultimate decision is taken."*

So there is incontestable legal precedence that should be followed.

Unfortunately my experience of this process has been diametrically opposite to what should have been followed where every attempt has been made to ignore, use misrepresentation, obfuscate,

stifle or bully any proper discourse between the community and the BPC regarding this shoddy plan and having seen others voicing their concerns dismissed in the same abysmal manner by a parish council that does not care or want to engage the community in any way, particularly those most affected.

One of the core criteria: CONSULTATION has been totally inadequate where the community has not been consulted on since OCTOBER 2014 at the Options' Days. Since then there has been NO CONSULTATION in direct contravention of Government Policy Guidance and it is simply unacceptable. There have been no Steering Group minutes published or notes available of Steering Group meetings where all the decisions for THEIR plan have been taken in isolation. In fact we have found it necessary to make an EIR request to obtain those Steering Group minutes. Also not a single Steering Group meeting that the public could attend has ever been publicised to the community.

I have personally printed information and leafleted many households in this part of Tillington and those that I have spoken to are only aware of the NDP because through me going around from house to house and explaining.

As before this Regulation period, on two occasions I have made up extensive documents informing residents and followed this up with a further leaflet to explain and encourage them to comment at Regulation 14. On my travels I have talked to the majority of households in Tillington and several households at Lower Burlton. Unanimously, they **ALL** said: **THEY HAD NOT BEEN CONSULTED, INFORMED OR KNEW ANYTHING ABOUT THE NEIGHBOURHOOD PLAN.** In fact one household who will be directly affected had never received any questionnaire or heard or knew about the Options' Days or anything about their plan.

Because I was not informed of the Options' Days the first I became aware of what was happening is when someone with a real sense of civic duty leaked the Draft Plan, a copy of which was dropped anonymously on my doorstep, because they knew what was happening behind closed doors was wrong. That one single incident is an indictment on the complete failure of the BPC and SG to engage with the community to evolve a plan that someone felt they had to leak it because all their planning was being done behind closed doors without any community involvement. That should have been an alarm call to the BPC Chairman to open this process up and consult.

But in fact the opposite happened – nothing changed and it is when I became involved. I have tried to consult with the BPC but not one member of the BPC or SG has consulted with me since the questionnaire was delivered. In fact my concerns have been treated with such disdain and indifference and often times had to face the BPC's belligerent manner that is employed deliberately to stop proper debate.

- 1) I spoke to three Parish Councillors individually and again expressed how there had been a total lack of consultation in evolving the plan and how it appeared Tillington was being targeted for disproportionate development not characteristic of it. The outcome of this is that all three completely ignored my justified concerns primarily about how proper procedures are not being followed. I noted that during these conversations all three told me: "I haven't had much to do with the plan...." by way of an excuse. Yet as I witnessed at one

BPC meeting, shortly after all the councillors had just received the plan for the first time, and without reading it, they voted to send it for the Environmental and Habitat Assessments. I am certain those three are representative of the majority on the BPC who have not engaged in the process at all where they all just nod through anything the Chairman of the SG suggests without a question asked and ignoring the terrific detrimental impact this plan as it stands will have on the Tillington community whilst also ignoring the concerns of the community. In fact none of these three councillors returned with answers or sought to consult with me.

- 2) I have tried to raise my concerns at two Burghill Parish Council meetings where there is a limited 10 minute public participation slot and similarly others have also tried on other occasions. Myself and another parishioner tried to ask questions on settlement boundaries, which in my part of the parish has just been imposed and NEVER consulted on, but the BPC swiftly and in a confrontational belligerent manner told us that the BPC would not answer our questions because the Chairman and Vice-Chairman had quickly between themselves just shifted that topic to the agenda of the next meeting and therefore it could no longer be discussed. At the following meeting that item had mysteriously vanished from the agenda.
- 3) But at this second BPC meeting, I tried to use the public participation slot to voice my deep and justified concerns of inadequate consultation, disproportionate development, settlement boundaries drawn without ever consulting the local community and more. Again the BPC showed complete disinterest and the Chairman and Vice-Chairman shouted me down in a bullying manner and told me quite categorically that: "YOU CANNOT ASK THE PARISH COUNCIL ANY QUESTIONS!" and then later the Chairman dismissively muttered: "We can't please all the people..."
- 4) Also at the initial meeting I attended when the 2nd Draft Plan had been distributed to councillors for the first time, the BPC voted to allow all developers to receive a copy of the plan immediately. When I asked if I could have a copy too, I was jumped on and told in no uncertain terms by the Chairman of the BPC, Vice Chairman and Chairman of the SG that I could not have a copy of the 2nd Draft Plan until they deemed it would be published. Without doubt, developers were being given preferential treatment over anyone within the community but it was their belligerent reaction that was astounding as though I had no right to be included in the process. Where is democracy in all this? Where is inclusion, transparency and consultation?
- 5) Emails to the Parish Clerk asking specific questions about the plan have been brazenly ignored without any reply from her or any member of the BPC.
- 6) Because of the lack of consultation, I personally have had to resort to knocking on all the doors in Tillington and trying to inform residents of what is going on and ALL the households that I have spoken to, which is the majority, have told me they have NOT been consulted at all with any of this process since the Options' Day in Nov 2014 (many not even knowing about the Options' Days), and again the majority expressing that they knew nothing about what was being imposed. Similarly, I have been in contact with several households at Lower

Burlton which have also been targeted with disproportionate development who repeated that they have not been approached or consulted with.

2. INADEQUATE CONSULTATION WITH THE COMMUNITY

- 1) ONLY 100 out of 1600 parishioners attending a public meeting in BURGHILL announcing the BPC would be doing a NDP and Questionnaire. Burghill and Tillington are two quite separate villages and Lower Burlton is 2 miles away from Burghill. No attempt was taken to hold meetings for either of these, the bias always towards Burghill.
- 2) Distribution of a questionnaire, the following report not publicised at all and secretly slipped onto and and only available from the BPC website. *A questionnaire that subsequently has been completely ignored.*
- 3) Options' Days over 2 days in November 2014 at the BURGHILL village hall with the obvious bias towards Burghill residents that could easily walk to the event where parishioners could select their preferred sites and draw 2 settlement boundaries (for Burghill and Lower Burlton and not Tillington) with no information regarding this ever published.
- 4) **THEN NOTHING FOR ONE YEAR with NO COMMUNITY CONSULTATION OR ENGAGEMENT** until the actual Draft Plan is published with sites having been selected, housing allocations made, and remarkably a third settlement boundary for Tillington being imposed with no consultation or even an option to vote on at the Options' Day even though it states in Para 3.34: "The analysis of the opinions expressed regarding Settlement Boundaries was not so comprehensive and could not be used to make an informed judgement on their appropriateness."

None of the information gathered from the Options' Days has ever been published nor have the minutes of meetings where decisions were taken for site selection etc., no criteria for site selection, assessment, scoring with only one snippet of information being released in the Regulation 16 NDP as to how they came to their "preferred sites." The community has been completely kept in the dark throughout the formulating of every draft of the plan, the decisions all being made by a small, self-appointed clique behind closed doors.

Also consider in conjunction to this that the Steering Group is entirely made up of residents from Burghill and Portway after **the only resident from Tillington resigned in protest over the over-interest in targeting Tillington who wrote a resignation to the Chairman of the BPC to that effect.** Is it hardly surprising then that only limited housing has been allocated to the Burghill, the main growth village, and none whatsoever to Portway.

3. THE BIAS AND LACK OF TRANSPARANCY AND CONSULTATION AT REGULATION 14.

Hard copies of the Reg 14 Draft Plan were not distributed to at least every household when they should have been. How can this process be called inclusive when no one received a plan and anyone without an internet connection could not view it online. An astounding £8000 was spent on Kirkwells a small proportion of which could have been used to achieve this simple but important aim.

There was inadequate advertising of the Draft Plan with only one notice in the Parish magazine announcing where and when it could be viewed for a short period of time and only on a certain mid-week day for a few hours when most people would be working before Regulation 14 was to be started? Bear in mind I heard a member of the BPC state that “no one reads the parish magazine they throw it straight in the bin.”

Yet most telling is a statistic gleaned from the questionnaire is for the CAP at Simpson Hall, one of the few places a hard copy of NDP was pathetically made available to view on a very few Wednesdays for a paltry few hours when people were working in December 2015 (and a terribly busy time for families), where a MASSIVE 74% stated they never used CAP. And combine that with the statistic that the vast majority rarely or never use the Simpson Hall is it any wonder no one knew about the plan or anything to do with it. By his own admission the Chairman of the SG stated to the BPC that a pathetic 32 people viewed the plan. They knew this and yet no effort was made to get this plan distributed properly and one has to wonder why?

Soon after and certainly not enough time to absorb the Draft plan even if you were aware of its existence, a leaflet was delivered to each household announcing the start of Regulation 14, many receiving this leaflet after the Reg. 14 period had begun. But in my experience it was only when I walked around Tillington singularly knocking on many, many doors and explained the process to my part of the targeted community that they understood and became aware that they could comment even if they had not seen the plan or knew anything about it. I also delivered extensive documents informing and warning the people at Lower Burlton who also had been left out of this entire process. This should have been done by the BPC and SG – they didn’t explain anything to anyone because they didn’t want any interference in THEIR plan. Considering the majority of the housing has been targeted at 2 specific areas with two mini estates, it would have been so easy to have consulted with the residents of these areas, especially when you consider there are so few residents living in these areas. It never happened because the SG did not want any community involvement that might derail THEIR plan.

It was towards the end of this 6 week period that Kirkwells’ Site Assessment Scoring was slipped secretly onto the BPC website without any announcement because one of the biggest landowners who had submitted countless viable sites, all of which had been rejected, many of them without even being assessed and without a reason why, had directly queried and requested to see them. It was the reason why the Reg 14 period was slightly extended. No one else in the community was advised of this.

Many of us objected in total, several of us submitting extensive and detailed objections to counter the misrepresentation, obfuscation and bias demonstrated in the process and the plan itself – objections that challenged the lack of important material considerations, consultation and community involvement, many forensic in their detail. These objections were selectively published, none in full, with large redactions, claiming defamatory comments which is simply untrue. The truth was unpalatable to them because it challenged their plan and the entire process. Once again these objections were quietly slipped into a corner of the BPC website without any announcement to the wider community. It is only because we have remained vigilant that we happened to find them and see the BPC's abysmal response, much of it generic and simply copied and pasted – a complete whitewash. No one who objected has ever been notified, their opinion sought or any explanation given or countless questions answered. The BPC were and still are intent on strong-arming THEIR plan through to its conclusion regardless of what any member of the community says. Where is the consultation and community involvement in all this? Where has Policy Guidance been followed?

And as had been done at the Options' Days where parishioners could vote their preference for or against or neutral to the submitted sites where those that expressed neutral were added to those that supported to slew the result in favour of certain sites, it was repeated at Reg. 14 where those that only commented were added to the support vote, again to slew the result in a cynical undemocratic sleight of hand to impact the vote in the BPC's favour. Even doing this, the objections far out-weighed any supporting comments. But still they have been ignored completely.

And as regards to Reg. 14 process, once again there was bias as regards the comments forms being only available at the Burghill Village Hall and Burghill Golf Club. Tillington and Burghill are two separate villages. This is totally inadequate only making the access to forms available to residents of Burghill. Why weren't comment forms made available to Lower Burlton (2 miles away), Tillington and Tillington Common? Considering so few houses are affected by the proposed disproportionate housing, again it would have been very easy to canvas all those directly affected. NO effort was made or comments forms made easily available to these areas.

Add to this, the online comment form was overcomplicated with needless required fields: page number, paragraph number, and policy number that if not filled in did not allow any body text. I would like to think it was not done deliberately as a disincentive but because of my knowledge about this entire shoddy process I do have to question why a simple comments form could not have been provided. **How many just didn't bother to comment on seeing this form?** In addition to this the leaflet delivered announcing the Regulation 14 had begun it states: *"The forms must be fully completed or they cannot be taken into consideration"*, increasing pressure and confusion on how they should fill the comments form in.

On finding this out 4 weeks into Regulation 14, I and others raised this matter with the Parish Clerk who immediately supplied a Word comments template and stated only a name and address would be required. That is an admission that there was a problem, with this option NOT made available to the vast majority within the community.

Because of this complete ineptitude at organising a simple online form that quite possibly has denied people the opportunity to comment the Regulation 14, the 6 week period should have been

re-run with comments forms delivered or made available throughout the 2 villages and Lower Burlton and an online comment form redesigned and simplified with a downloadable option. This is unacceptable and once again directly contravenes that there be proper engagement and consultation of the community.

4. LACK OF PUBLICITY AT REGULATION 16.

Even now at Regulation 16 there has been no publicity about this stage by Burghill Parish Council beyond a small note on their website. Also Herefordshire Council announcing the Reg. 16 period by posting on one noticeboard near Burghill Church which only a few people will see seems inadequate too.

The Parish is 6 square miles, with a population of 1,600 that is made up of two separate villages and Lower Burlton which is 2 miles away from this noticeboard. Holding it during a holiday period too disadvantages many families. Surely this cannot be compliant with the Regulation 16 of the Act which says "As soon as possible after receiving a plan proposal which includes each of the documents referred to in regulation 15(1), a local planning authority must (a) publicise the following on their website and in such other manner as they consider is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area." But as with Reg. 14, the majority of the population will have no idea what Reg.16 means, let alone that is in progress and what it means for them because the BPC and SG have failed to inform and consult with anyone in the community.

5. BIAS/MISREPRESENTATION

I am objecting also to the bias within the NDP. Throughout this process it appears there has been, in my opinion, a deliberate misrepresentation of facts that lends weight to the proposed development at Tillington, when what amounts to a mini housing estate has been allocated to one of the least populated areas of the parish in open countryside it does beg the question why?

Well I do know the answer to that question as there appears to have been an agenda to develop Tillington from the very start of the process.

Firstly, Paragraph 6.1.35 states: Policy B1, in addition to the site assessment process, and the allocation of sites seeks to achieve Objectives 1 and 2 identified in paragraph 6.1.1

Paragraph 6.1.1 states: "To establish criteria for new housing such as the size of developments, sustainability..."

Because these criteria were never published nor was there any community involvement, these criteria are the construct of the Steering Group only. How is that fair? And how did they arrive at their ridiculous housing allocations?

Then on page 38 of the Plan it states: "...and Options Days returns with suggested low housing densities."

That is a complete misrepresentation.

That table of housing density is not based on 25 houses per hectare or any figure. The allocations are inconsistent and vary from site to site. It appears someone on the SG has just randomly allocated what they think is acceptable to their agenda or what they can get away with. Because if you deconstruct the figures, even using their undeclared system, the allocations for Tillington are 3 times the density of the surrounding area therefore it does not reflect the character and appearance of Tillington.

Currently the housing density at Tillington is 7 dwellings per hectare and any development should align with that.

It is also evident that the allocation densities for Burghill are more in line with the densities of Burghill village itself. So why is there this disparity between Burghill and Tillington? And why is there a bias to dump a disproportionate amount of housing in one small part of Tillington?

The imposition without any consultation of a massive 24 houses at Tillington within a new settlement boundary(that "someone" has decided) of 18 houses is totally disproportionate and stands at an incredible +133% increase. Compare that to Burghill, the main growth settlement, and it stands to gain a 14% increase which is less than the required 18%. Surely this demonstrates bias.

The fact that this has been pointed out by many residents before and during Regulation 14 and has simply been ignored is telling. Why are the BPC and SG so determined to ride roughshod and ignore our genuine concerns? The only conclusion can be it would appear the BPC and SG are intent on following their agenda to develop this part of Tillington.

This is further compounded by the statement in paragraph 6.1.30: "The sites that are shown within the possible settlement boundaries at Burghill, Tillington and Lower Burlton have the potential to meet the housing requirement imposed on the Parish by the Core Strategy and demonstrate alignment with its policies. Furthermore, they have the potential to achieve this growth at a modest housing density, in line with the aspirations of parishioners and which would also reflect the character and appearance of the parish."

Again this is a complete misrepresentation because it does not reflect the character and appearance of the parish nor does it meet the aspirations of parishioners.

The BPC has completely ignored "the aspirations of parishioners" of whom over half preferred 1-7 houses where the BPC has imposed 10-12 houses without any consultation. In Tillington's case the

close proximity of 3 sites making that density 24 houses – a mini housing estate – on 3 greenfield sites parked between two isolated houses – “modest housing density”? It really is a joke!

And claiming “... in line with the aspirations of” is absurd because the community has never been asked about housing densities, the BPC and the SG deciding the random differing densities themselves without any consultation with the community.

This also does not align with Para 4.8.15 of the Core Strategy: “Within these settlements carefully considered development which is proportionate to the size of the community and its needs will be permitted.”

6. BIAS/MISREPRESENTATION 2

In the Plan it also states: “At Tillington there is a fairly compact housing group clustered near the highway cross at Whitmore, near the Bird Pool.

I suppose when there is an agenda to develop Tillington whoever writes this nonsense will stretch 3 houses to mean whatever they want so long as it fits their agenda. 3 houses in any right-minded objective analysis could never be classed as “a fairly compact housing group...” or a “cluster”. This statement is complete nonsense and erroneous. This kind of deliberate misrepresentation is further evidence of the bias towards development at Tillington contained within this Plan.

7. BIAS/MISREPRESENTATION 3

The Plan also states: “The dwellings of Tillington Common form a small group. The housing is mainly ribbon in layout and is interspersed with rural gaps and the open land of the designated Tillington Common.

In the Regulation 14 Plan it did read: “The dwellings of Tillington Common form no consolidated group.”

This second Reg. 16 Plan statement is one of only a very few concessions (only semantics) the SG deemed they could concede to. Yet even this second variation once again is simply erroneous and a complete misrepresentation of the truth and only serves to demonstrate the Plan’s authors in the use of language to serve their own agenda to develop Tillington.

Tillington is a ribbon of dwellings in open countryside that stretches for a mile when Tillington Common is reached. It is the second largest division of housing within the parish that comprises of a huge grouping of 41 houses with a second grouping of 9 houses at Tillington Common itself. Any right-minded, objective person taking a trip there would easily see that fact and I urge you to visit to

see for yourself. And you would also see there are NO “rural gaps” in the “cluster” of 41 houses. Out of anywhere in Tillington, Tillington Common is more definable as a village settlement than anywhere else; this why Herefordshire Council used it in the Rural Background Paper to be a settlement for development. Again the BIAS is self-evident and undeniable with gross misrepresentations written to deliberately mislead that is quite shocking.

8. BIAS/MISREPRESENTATION 4

The Plan states in paragraph 6.1.17: “Figure 4.14 of the Core Strategy continues to identify both Burghill and Tillington as growth areas. The PC has previously agreed that growth should be confined to Tillington and not Tillington Common which is perceived to be an unsustainable countryside location for new development, as confirmed by previous planning decisions.”

This statement is again a misrepresentation and it appears included for the deliberate targeting of only Tillington for development.

In fact, it was Tillington Common which was appraised as a settlement in the 2009/10 and the 2013 Rural Background Papers, not Tillington, and then Herefordshire Council just removed the word Common, which is why “Tillington” is in the Figure 4.14 list (previously titled 4.20), not because it has been justified to be in there.

To substantiate this, an email has been made available to me from no other than the Chairman of the SG dated September 18th 2014 who states:

“As I said at the meeting, our claim against the soundness of the Draft Core Strategy is that Burghill is the only village or settlement within our NDP zone. The remainder of the NDP zone is therefore countryside.”

So why would the same Chairman, who may I remind you is unelected, suggest that the BPC puts forward a ‘STATEMENT OF COMMON GROUND’ to Herefordshire Council - WITHOUT ANY PRIOR CONSULTATION WITH PARISHIONERS FROM TILLINGTON AND TILLINGTON COMMON?

It stated:

“If the Inspector is not minded to accept the representations made by Burghill PC on this matter then the name “Tillington” should be defined by the addition of the words in brackets of: (Not Tillington Common). The reason for this is that HC planning application decisions and Inspector decisions have always considered Tillington Common to be a countryside location.”

This is a misrepresentation of the truth because as a matter of fact HC planning application decisions have always previously considered BOTH Tillington AND Tillington Common to be countryside

locations because the prevailing policies were under the Unitary Development Plan where BOTH places were defined under "Policy H7 Housing in the countryside outside settlements".

HOW MORE BIASED CAN A STATEMENT POSSIBLY BE THAN THAT? AND WHY WOULD THE BPC AND CHAIRMAN OF THE STEERING GROUP PURSUE THIS AND FLAGGERENTLY JEOPARDISE THE FAMILIES WHO LIVE IN TILLINGTON? WHAT POSSIBLE MOTIVE HAVE THEY TO TARGET TILLINGTON IN THIS WAY?

Has the BPC or SG consulted with the residents of both Tillington and Tillington Common about this fundamental change? Well of course not because the BPC has deemed it unnecessary to consult with anyone instead blithely following the directions of the Chairman of the Steering Group without any proper oversight.

What happened next epitomises all that is wrong with this plan. Recorded in the Burghill Parish Council minutes of the 9th February 2015 state:

"...Anthony (SG CHAIRMAN) reported that he had received confirmation from HC that the Neighbourhood Development Plan can designate Tillington Common as outside the village."

That statement is incorrect, as Sally Robertson(former Ward Councillor) obtained the Common Ground Submissions from the Strategic Planning people. This was their response to "Burghill Parish Council":

"As the parish are preparing a Neighbourhood Plan they have the freedom to define the village and the areas considered to fall within the open countryside."

"The parish" has the freedom...not the Chairman of the SG nor the BPC. And as we the community have never been consulted then "the parish" has not decided.

In my opinion this single instance demonstrates COMPLETE BIAS and a gross misrepresentation of the truth to achieve their agenda of separating Tillington from Tillington Common in the purpose of developing Tillington alone. And there can be no other reason than to protect one area over another leaving Tillington exposed to development.

So then the Plan states in paragraph 6.1.32: At the time of the Examination in Public of the Herefordshire Core Strategy it was the view of Burghill Parish Council that Tillington and Tillington Common should both be classified as open countryside. However, the adopted version of the Herefordshire Core Strategy includes both Tillington and Burghill in Policy RA1 as housing growth areas. It follows that the designation of a settlement boundary for each of these areas would be appropriate."

And then in paragraph 6.1.33: "Tillington Common is not included in Policy RA1 (Tables 4.14 and 4.15) and as such remains open countryside with no defined identifiers as a village in planning terms. Moreover, as it is excluded from Policy RA1, it is considered to be an unsustainable location for new development due to lack of services and infrastructure. Therefore, development

proposals for Tillington Common and the wider parish are governed by the Core Strategy planning policy constraints for development in the countryside, outside of settlement boundaries, as set out in Herefordshire Core Strategy Policy RA3.”

These spurious statements have been included without any foundation obviously to manipulate opinion in the SG’s march to develop Tillington. But it will not change the fact: Both Tillington and Tillington Common are unsustainable locations!

Tillington Common and Tillington DO NOT HAVE MAINS SEWERAGE, NO MAINS DRAINAGE, no pavements and they are both served by the same bus service. The Bell Inn is an isolated rural pub which serves both settlements as does the shop which does not have any permanency as with the Housing and Planning Bill giving automatic permissions to housing development the shop could disappear any time after April. In fact the site owner (Site 10) who quite recently in a heated exchange with Ward Councillor Pauline Crockett threatened its closer because she would not support his application for a new access to Site 10.

Take away the random settlement boundary drawn around Tillington by “SOMEONE” without any consultation, Tillington is as it always has been: in the countryside and therefore “...development proposals for Tillington Common and the wider parish are governed by the Core Strategy planning policy constraints for development in the countryside, outside of settlement boundaries, as set out in Herefordshire Core Strategy Policy RA3.” applies.

The BPC and SG Chairman have delivered this state of affairs - “their view” - because Tillington referred to all of Tillington including Tillington Common and behind closed doors the BPC and SG Chairman sought to change this fact to the detriment of the residents in their targeted area.

Let me remind you again this has been imposed without any consultation with the community with a complete lack of transparency.

9. BIAS/MISREPRESENTATION 5

As I have already stated the “Options days’ returns from parishioners” are meaningless because the favoured sites and neutral site scores were added together in a deliberate attempt to slew the data and achieve the desired result and further the agenda to develop Tillington. It is no surprise then that 4 of the “preferred sites” reside in Tillington, 2 at Lower Burlton and only 1 close to Burghill. That site at Burghill, using the Steering Groups idiotic scoring system, scores it as one of the lowest sites and is actually set some distance from the main village of Burghill which is hardly surprising. It is our opinion that that site will never be granted planning permission because of material planning considerations. So the 12 houses allotted will never be built therefore limiting the development around Burghill – the main growth village.

And when 4 weeks after the start of Regulation 14 Kirkwells' Site Assessment Report was quietly slipped onto the Burghill Parish website without any publicity, it becomes clear how unprofessional and biased the scoring has been.

Kirkwells gave Site 10 a score of 2.75 out of 6, the lower the score the more favourable the site. To slow the scoring lower they have scored all the Tillington sites more favourably because of a "PROPOSED SETTLEMENT BOUNDARY." This is just manipulating data to effect a predetermined result. No settlement boundary exists and therefore it should be scored down as open countryside, which is what it is.

I have obtained a copy of their Site Assessment report (and not from anyone on the BPC or SG) which tables their scoring methodology.

Site 10 should objectively be scored as:

Open countryside 1
Greenfield 1
Constraints 4 or more 1
Significant distance from Bus route and services 0.5
No existing access/Landlocked 1
Suitability 1
Total = 5.5

That is just one instance of many how the scoring has been deliberately manipulated to achieve the agenda of developing Tillington and in particular Tillington Business Park (Site 10). That particular site has been scored higher because they have rated it as having an access. But in fact it doesn't. The only access services the units from a narrow lane. Site 10 is a land-locked site behind the units and even to be able to use this inappropriate access, which would not meet planning requirements for new builds, residents would have to navigate through tightly packed business units which obviously would never be allowed. It is for this reason the Site owner attempted to gain a new access directly onto the Tillington Road, the application denied by the Highways Dept. on the grounds of safety.

Also there is an important BAP occupying the rear third of this site which has not been considered and the BPC wants to allow the estate build up against it. For this site it states: "Small area to rear of business park adjacent to BAP could be appropriate." And yet Site 24 which was dismissed as viable it states: "Impact on BAP." The inconsistency is self-evident.

In addition to this, all the sites at Tillington have been "preferred" without including these important material planning considerations.

1. None of the Tillington sites have access or inadequate access with visibility issues and safety issues with terrible speeding that the planning office confirmed when as I have said, the site owner's application for an access into site 10 was rejected on the

advice the Highway's Department that visibility was totally inadequate and could not be met.

2. The higher elevation will cause surface flooding and environmental pollution of the River Lugg Catchment.
3. No mains sewerage or mains drainage. 3 million litres of waste water will have a catastrophic effect on current residents where flooding of septic tanks is already a problem and flooding of properties and roads in particular: The Bell Inn cellar often flooded, the Whitmore Cross crossroads flooding, on the north side extensive flooding to the highway, the rear of Cherry Orchard flooding.
4. No footpaths.
5. All sites are Greenfield.

And when you consider that many sites have blatantly not even been considered because of size or as late submissions, the SG using this excuse to not assess them and therefore not score them. Unsurprisingly 6 sites around the main settlement of Burghill submitted by Farmcare and the Duchy of Cornwall (the biggest landowners) have been completely ignored or not assessed at all. Those sites have access to MAINS SEWERAGE AND DRAINAGE UNLIKE TILLINGTON and are adjacent to the settlement boundary of the main growth settlement.

Of course there was no consultation with any of this. All these sites are viable where small developments of 1-7 houses could be easily placed and they score higher than any of the sites at Tillington when proper material considerations are taken into account – including Site 21 that they threw in for Burghill. But obviously they have been discounted so as not to interfere with the BPC's march to develop only Tillington.

Further to this, Policy B1 states: Scale and type of new housing in Burghill and Tillington and Lower Burlton.

But for Tillington their own policy has been completely ignored in:

1. Maintains an appropriate density in context with the immediate surrounding area and not exceeding 25 dwellings per hectare; - IGNORED
2. Ensures appropriate and safe access; - IGNORED
3. Ensures adequate access to public transport facilities; - IGNORED
4. Reflects the scale and function of the settlement; - IGNORED
5. Development in open countryside including conversion of rural buildings will be in accordance with the relevant Herefordshire planning policies. – IGNORED

10. BIAS/MISREPRESENTATION 6

THE BIAS AND PREFERENTIAL TREATMENT AS REGARDS THE TILLINGTON SITES IN PARTICULAR SITE 10 (Tillington Business Park)

I have learned that from the outset of the Neighbourhood Planning process in this parish, the "Tillington Business Park" has been used to describe areas larger than Tillington Business Park itself, and they have all been presented in summaries to the Steering Group as being brownfield.

On the Site Submission form submitted by "D.T. Tamplin" but remarkably the form filled in by the Chairman of the Steering Group it states 4 acres. But that figure not only includes the southern part made up of the units and hard standing which is 1.4 acres and is more definable as "brownfield", but that 4 acres also includes the northern part which measures 2.7 acres and is without doubt greenfield.

This misrepresentation of the site was still being propagated at the Options' Days when parishioners were asked to vote on "Tillington Business Park" Site 10 where the entire 4 acres had been marked out that included the southern actual brownfield part. Anyone voting on this site has obviously been misled into believing it is all brownfield and therefore voted accordingly in favour.

I am aware that before this Options' Day the Chair of the SG presented a reduced map of the proposed area that had removed the BAP northern part because of pressure from a now resigned member of the SG. Therefore the Chairman had been made aware but still presented the full 4 acres to the public for voting.

Then in response to Reg. objections (page 37) it says: "Site 10 does not include the Business Park, which will be retained in commercial use. Part of the land to the rear of the Business Park within Site 10 has been previously used as part of the Business Park and is considered as Previously Developed Land."

Therefore the 4 acre site including the units on the brownfield site that the public voted on has morphed and is no longer the same site being offered. Now it is almost only the central 2.5 landlocked greenfield site is being proposed for development in the Reg 16 Neighbourhood Plan. Now though attached to this greenfield site has been added the house and yard in the south west of the site presumably to obfuscate the fact that the 2.5 acres is greenfield whereas by attaching this small section which are on "previously developed land" it will be falsely claimed for the entire site as being brownfield. In fact the existing house ought to be classed as residential use even though it has a condition on it limiting occupancy to "persons employed in the associated commercial premises, or in the management of those premises, and their dependants." The vehicle yard to the south of this is the only part of the current Site 10 that might genuinely be described as brownfield and is only 0.05 acres in size.

And still the misrepresentation continues in the Reg 16 Plan paragraph 6.1.24: "Site 10 - Tillington Business Park – Brownfield

By continuing to claim this site as “brownfield” it gives it an unjustified planning advantage over other sites, that increases its scoring that ensures it becomes one of the favoured sites.

Also in paragraph 6.1.24 of the Regulation 14 Draft Plan (January) it states: “7 undeveloped sites and one previously developed site came out as the most favoured.”

Then in the Regulation 16 Draft Plan this has been changed to: “7 undeveloped sites and one part previously developed site came out as the most favoured.”

The addition of the word “part” means anyone who read the earlier Reg. 14 draft has been completely misled.

One does have to ask why this has been constantly changing and why the SG has invested so much time in developing this site and misleading the public at every stage? No other site has received this kind of attention or advantage.

This over-interest has extended to the neighbouring Site 22, the site owner having put forward his entire field. Remarkably a line has been drawn a third of the way in from the Tillington Road with an unusual triangular anomaly that attaches to Site 10. Obviously this is for an access road from the greenfield part of Site 10 that would skirt around the northern part of the house.

Now the site owner of Site 10 has NEVER been consulted about his field being dissected this way, has not drawn the line or the anomaly and never asked for 4 houses to be allocated there. In fact the owner is very irritated by all this. So again why would the SG give the owner of Site 10 all this preferential treatment in attempting to secure. It must be noted no other site owner has been afforded this attention – they have been kept in the dark like all of us.

In conjunction to this it should be noted On May 14th 2015 six months before the publication of the Reg 14. Draft Plan, and remember where no one in the community had been consulted, three independent witnesses saw the Chairman of the Steering Group and the developer of Site 10 in Tillington measuring up for a new access to Site 10 with a measuring wheel. Surely at the very least that is a conflict of interest?

Subsequently an application was received by the planning office for that access. Thankfully the application was objected to by the Highways Department on safety grounds because of the lack of visibility, the proposed access being on a dangerous bend where there is fast moving traffic. The case officer did suggest in his report that if the hedge to the West was removed then adequate visibility might be obtained.

It is unsurprisingly then when that triangular anomaly appeared in the Plan to accommodate a new access through Site 22 that would require removing the hedge to gain the required visibility. I have to ask again why the Site owner of Site 10 should be afforded this preferential attention and treatment by the Chairman of the SG when he has not consulted with any of us in Tillington or listened to any of our concerns?

And why did the BPC/SG need to respond in the Reg.14 Consultation on page 20 with: "Access to potential development sites: Throughout the site selection process no submissions were made by landowners requesting that the access to sites should come from any specific direction."

Who actually wrote that?

Then it states in paragraph 2.21: "The Tillington Business Park comprises commercial uses of a garage, a small business park with lock-up open storage, lock-up units, workshops and a shop. To the rear of the buildings there is land which is used in conjunction with the business zone for open commercial storage."

This is an obvious choice of wording to change land to the north and west to brownfield and again included to misled – it has never been used for that and is and always has been greenfield - **I have lived opposite this site for over 20 years and I will swear and affidavit that there has been no storage of vehicles or equipment or anything on the land north of the business units, so it could not conceivably be "brownfield."**

There is also evidence on Google Earth to back this up with a series of aerial shots of Site 10 dating back to 1999, the latest being shot in 2009 that all clearly show all the land north of the "true" brownfield site that contains the units is greenfield. There is also a later photograph from 2011-2012 using Bing that shows exactly the same – greenfield.

Also on this land there is It is called a "Section 52" agreement permanently in force. Section 52 of the 1971 Town & Country Planning Act states: "An agreement made under this section with any person interested in land may be enforced by the local planning authority against persons deriving title under that person in respect of that land."

The agreement applied to Site 10 specifically states that permanently: "No motor vehicles vehicle parts scrapped vehicles or other equipment may be stored on the land shown edged brown on the plan annexed".

That land edged brown on the agreement is that land north of the units which is central 1.1 acre greenfield area. **It cannot therefore be claimed to be brownfield if storage of junk on it is prohibited by the S52.**

11. BIAS/MISREPRESENTATION 7

Also consider this imposition from a Parish Council and Steering Group who mostly do not live in these places and do not care about them. It is totally unreasonable to have based all this on:

- a Questionnaire which asked general questions, and where **76%** of the 430 respondent households declared that they **lived outside Tillington and Tillington Common** where their answers have been imposed on a minority within Tillington.
- just two Options' Days in November 2014 at the village hall in a different village (Burghill), which is not going to encourage full participation from outside Burghill village

Burghill Parish is unique in having two villages and a satellite at Lower Burlton. It has been cited that the "preferred sites" have in part been decided by the voting at the Options' Days.

If you add up the totals of the 6 sites it is logical to assume that the majority were scored by the same people: 82, 74, 78, 82, 82 & 84. So out of a population of 1,600 their preferred sites have been decided by at most 84 people.

That is such a tiny sample to base any conclusion on.

Then if you only take those who voted for the sites in Tillington which were: 26 for SITE 22 & 28 for SITE 25, that tiny number has been used the SG to drive this plan. But then if those who voted against these sites are deducted: 26-24=2 for SITE 22 and 28-27=1 for SITE 25. That gives majorities of 2 & 1 respectively. Hardly a ringing endorsement and not a sample that anyone could base anything least of all them being "preferred sites."

And is it no surprise that the highest scoring: 49 for SITE 2B (Lower Burlton) & 42 for SITE 2D (Lower Burlton) would indicate the majority of those voting came from Burghill which is hardly surprising since the Options' Days were held in Burghill where the majority of parishioners live who are within walking distance of the event at the Simpson Hall. Obviously these people liked the idea of placing the housing as far away from Burghill as possible.

As for SITE 10 (Tillington Business Park): 45 voted in favour, which is hardly surprising considering the lie presented that they voted on was the entire 4 acres including the BAP and greenfield majority was all classed as brownfield. Those that voted believed they were voting on a brownfield site. Even so that was hardly an overwhelming endorsement especially when the 13 who voted against the site is deducted giving a total of just 33 with 24 neutral.

What this demonstrates is the community as a whole were not engaged by the BPC in the process and this kind of scoring is just too small to base any judgements on especially considering the catastrophic and detrimental effect it will have on a minority who would be out-voted and will be out-voted at any referendum. **It is so wrong that the residents of a neighbouring large village should decide the fate of another smaller village and a satellite of housing miles away. It is wrong that a BPC and SG should be dominated by those same residents from other places than that smaller village they are deciding upon especially when they refuse to consult or listen. In fact it is scandalous.**

12. EXCLUSION OF SITE 35 DENYING ACCESS BY GREENSPACE DESIGNATION

Paragraph Number 6.6.15 states: Paragraph 77 of the NPPF and Paragraph 6.6.15 of the Draft Plan states: “Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used...where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.”

Paragraph 76 of the NPPF states: “identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development.”

The Planning Practice Guidance for the National Planning Policy Framework (NPPF) states: “Local Green Space designation should not be used in a way that undermines the identification of development land in suitable locations.”

So once again the BPC and SG ignore this and project supposed green space across the eastern end of Bakers Furlong which has been done deliberately to block access to Site 35 (a viable sustainable development site adjacent to Burghill settlement boundary that was rejected) owned by Farmcare that they submitted for possible housing. This is in contravention of Paragraph 77 of the NPPF and once again only demonstrates the manipulation that has been used to limit development at Burghill that can then be foisted on Tillington without any consultation.

13. FAILURE TO CONSIDER ENVIRONMENTAL IMPACT FROM UNSUSTAINABLE LOCATIONS.

Paragraph 6.7.3 states: “Policy SD4 of the Herefordshire Core Strategy states that development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater.”

Then paragraph 6.7.4 continues: “In the first instance developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development.”

Allocating the huge development of 24 houses at Tillington where there is no mains drainage or sewerage WILL cause surface run-off that will “undermine the achievement of water quality targets for rivers” and WILL add “additional phosphate loading within a SAC designated river”, the treated waste-water from package treatment works and septic tanks will also have the same effect. This is inevitable using unsustainable locations.

Also on page 74 the plan states: Proposed design standards derived from questionnaire responses and Steering Group members are set out below.

The development should not:

- Materially harm the living conditions of neighbours
- Materially harm the character or appearance of its surroundings
- Cause any new hazards to pedestrians or transport systems
- Cause any new risks to wildlife or habitats
- Affect the viability of the existing infrastructure system

The irony is the BPC and SG have ignored their own design standards in allocating 24 houses to Tillington in the first four cases the fifth not applying because there is no infrastructure at Tillington.

- **It will materially harm the living conditions of neighbours.**
- **It will materially harm the character or appearance of its surroundings.**
- **It will cause new hazards to pedestrians or transport systems.**
- **It will cause new risks to wildlife or habitats.**

14. FAILURE TO CONSIDER SMALL SITES, CONVERSIONS AND PLANNING APPLICATIONS.

Paragraph 6.1.19 states: “In the parish there is the potential for about 20 dwelling sites to come forward from sites known as windfalls. These are sites which might not have been previously known, sites for single dwellings, changes in existing planning permissions or conversions to existing buildings. Some of these sites are already under discussion or planning applications have been made.”

The definition of Windfalls according to the Core Strategy (and National Planning Policy Framework) Glossary is: “Sites which have not been specifically identified as available in the Local Plan process”.

Out of the 20 “Windfalls” in the NDP 14 are already known about and do not fall into the definition according to the Core Strategy. **THEY ARE NOT WINDFALLS.** Those 14 should be identified separately as allocations and then 20 true windfalls included in the provision. The total for new housing is then reduced substantially.

Conversions/houses that have been submitted to the Neighbourhood Plan process that have been completely ignored by the BPC that could be allocated because they are clearly not windfalls as they are known about:

- 6 conversions at Hospital Farm Buildings

- 2 houses on land at rear of the Villa Burghill
- 1 conversion at Court Farm Hop Kilns
- 1 equestrian business house at Tillington
- 3 conversions at Field Farm on Credenhill Rd, Tillington
- 1 house at Rose Farm, Tillington Common
- 1 house adj Elm Cottage Tillington Common
- 1 house adj Old Chapel Tillington Common for Pauline Crockett

That is a total of 16, none of which would have an adverse effect on the parish.

Burghill Parish Council have also completely ignored all the on-going applications.

Then also there are the outstanding applications:

- Still to be determined – 2 houses at former Piggery in Badnage Lane;
- Still to be determined – 2 conversions at Fruit Farm Cold Store;
- Still to be determined – 1 conversion at Fruit Farm Office;
- Still to be determined – 10 houses behind Hospital Houses.
- Still to be determined – 50 houses at junction Tillington Road/Roman Road in Lower Burlton.

That is a total of 65.

Permissions April 2014 to date not included in the above:

- 1 house after Appeal at 24 Hospital Houses, St Mary's;
- 24 at Pyefinch,
- 2 conversions at Parks Farm

That is a total of 27.

Over and above the 2011-2014 permissions:

- 1 conversion at the Gospel Hall

There is also an impending application for 29 houses beside Tillington cricket ground that has been presented to the BPC, so is known about, which is within 200 metres of the allocated housing in the NDP at Whitmore Cross.

That is a grand total of 138 houses.

Then factor an allowance for future windfalls at 16% which is a dreadfully under-estimated figure. But using it as a minimum as a basis for future windfalls = 20 which takes the figure to 159 houses which is substantially over the 18% requirement.

15. ABSENCE OF TRANSPARENCY WITH SITE SELECTION.

Paragraph 6.1.21 states: All the sites were objectively assessed against agreed criteria formulated using the Herefordshire Neighbourhood Planning Guidance Note 21: Guide to site assessment and choosing allocation sites.

Herefordshire Council's Neighbourhood Planning Guidance Note 21 states: **"The site selection process will have to be carried out in an open and transparent way, including consultation with the community and the production of a full evidence base to support and justify the conclusions reached."**

The BPC could not have failed more than they have as regards this when absolutely nothing has been published, where the process has been totally absent of any transparency, where no evidence has been produced and where the community has NOT been consulted at all.

In addition to this, as I have stated, many late submissions were not assessed at all, nor were many larger sites and other 1-3 house size developments, that were more than viable. The Steering Group had almost one year to complete this task. Why has there been NO TRANSPARENCY and why have so many viable sites been excluded? No SG minutes have ever been published.

This is an important element in the NDP process that should have been totally transparent with full consultation.

16. FAILURE TO CONSULT OVER SETTLEMENT BOUNDARIES FOR TILLINGTON.

The bias continues with the imposition of a settlement boundary on Tillington at Whitmore Cross WITHOUT COMMUNITY CONSULTATION, and also one was not drawn for Tillington Common again WITHOUT COMMUNITY CONSULTATION.

Paragraphs 6.1.32 states: "...At the time of the Examination in Public of the Herefordshire Core Strategy it was the view of Burghill Parish Council that Tillington and Tillington Common should both be classified as open countryside.

However, the adopted version of the Herefordshire Core Strategy includes both Tillington and Burghill in Policy RA1 as housing growth areas. It follows that the designation of a settlement boundary for each of these areas would be appropriate.

6.1.33 Tillington Common is not included in Policy RA1 (Tables 4.14 and 4.15) and as such remains open countryside with no defined identifiers as a village in planning terms. Moreover, as it is excluded from Policy RA1, it is considered to be an unsustainable location for new development due

to lack of services and infrastructure. Therefore, development proposals for Tillington Common and the wider parish are governed by the Core Strategy planning policy constraints for development in the countryside, outside of settlement boundaries, as set out in Herefordshire Core Strategy Policy RA3.

6.1.34 For the above reasons it is considered that the definition of a settlement boundary for the Tillington Common area would be neither necessary nor appropriate.

So all this was decided without a single person in Tillington and Tillington Common being consulted. And as I have said before, the fact that Tillington was deliberately manipulated to have Tillington Common decoupled only adds to this bias to develop only Tillington.

Then in paragraph 3.34: "...The analysis of the opinions expressed regarding Settlement Boundaries was not so comprehensive and could not be used to make an informed judgement on their appropriateness."

So if an informed judgement could not be made, so how has a settlement boundary been imposed on Tillington? And without further proper consultation especially with the few households in Tillington, who took it upon themselves to draw one? Well no one from the BPC or the SG has ever deemed it necessary to answer this. What we do know is that "*someone*" has just been drawing lines around communities without actually consulting and engaging with them, **in contravention of the National Planning Policy Guidance**. And what can clearly be deduced is yet again there is bias through this imposition.

17. NO CONSIDERATION TO CORE STRATEGIC ISSUES.

What is completely absent in the Plan is the possibility of hundreds of houses being built on Towtree Farm and Hospital Farm. The failure by the BPC and SG to consider Herefordshire Council's publicly-stated decision to withhold the Towtree Farm and Hospital Farm site (a claimed 49 acres mostly in the Neighbourhood Area) from its smallholdings disposal, because of its potential for housing development, and for which Herefordshire Council is now seeking a 'development partner', is appalling if not negligent on their part. This site has capacity for nearly 600 houses on the periphery of Hereford, but within the Neighbourhood Area.

They also have not included the effects of the proposed bypass that is planned to cut through the parish which will obviously tie-in with Towtree Farm and Hospital Farm developments in the expansion of Hereford which undoubtedly will draw in development.

Nor have they properly considered the 50 house application for the corner of Roman/Tillington Road where as far the only constraint is Welsh Water not wanting it until after 2020 so they can upgrade the water supply.

Also there is no reference to the emerging Hereford Area Plan which is likely to have an impact on the south of the Parish.

I really think it is incumbent on Herefordshire Council to look into these details because there really is a failure in all of this and non-compliance with the strategic policies of the Core Strategy.

Latham, James

From: Roddy Padmore
Sent: 02 August 2016 16:26
To: Neighbourhood Planning Team
Subject: OBJECTION to Neighbourhood Plan in its current draft

I am appalled by the proposed amendments to the 2013 draft and would like to OBJECT IN the strongest terms.

- 1) Where will the jobs come from to support the new residents of 581 new houses mostly in Burghill Parish.
- 2) Drainage into the already heavy pollution of the relevant stretch of the river Wye would be a disaster and would cause untold health risks
- 3) Where will the money come from to fund the infrastructure for this ill thought out adventure or do the council propose to build the houses ,try to sell them to nonexistant buyers and let them worry about how to get to and from their new homes with a road system that the council cannot afford.
- 4) The Burghill Valley rightly has the reputation of love and appreciation for its beauty both within our county and elsewhere. Is the council determined to damage our thriving tourist industry.
- 5) Our county hospital is already bursting at the seams and has not the capacity to expand. The same is true for the GP service.

Rodney Padmore _____

Sent from [Mail](#) for Windows 10

19th August 2016

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

BY EMAIL to neighbourhoodplanning@herefordshire.gov.uk

Objections to Burghill NDP - Regulation 16 Consultation

Dear Sir/Madam

I object to the Burghill Submission Neighbourhood Development Plan and believe it does not meet the National Planning Practice Guidance (N.P.P.G.) Paragraph 065, Basic Condition (a) because it does not have "*regard to national policies and advice contained in guidance issued by the Secretary of State*".

The national guidance contained in paragraph 047 of the N.P.P.G. asks:

"What is the role of the wider community in neighbourhood planning?"

A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed*
- is able to make their views known throughout the process*
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order*
- is made aware of how their views have informed the draft neighbourhood plan or Order."*

Burghill Parish Council in its Basic Conditions Statement claims (Table 1 page 4) "a thorough approach to community engagement". It is mistaken if it believes this to be true and is misleading the Examiner and Herefordshire Council in making this claim – see below.

The N.P.P.G. national advice lists the above 4 instructions to ensure inclusiveness and openness in the preparation of a Neighbourhood Plan, instructions which have not been followed by Burghill Parish Council. I would like to list those four instructions separately and explain some of the reasons why I believe Burghill Parish Council has failed to follow them.

N.P.P.G. instruction 1: Ensure that the wider community is kept fully informed.

The wider community has **not** been kept fully informed because:

- Steering Group Terms of Reference were never published, so Parishioners were not made aware that Steering Group meetings were supposed to be open to the public.
- No Steering Group agendas were published, so Parishioners did not know what was going to be discussed or planned.
- No Steering Group minutes were published, so Parishioners did not know what had been discussed or planned.
- Steering Group spoken reports to the Parish Council (where meetings **are** open to the public) and written reports to the Parish magazine usually gave an optimistic outline of progress with no informative detail and were often mainly about allocations of money.
- No registers of interests of Steering Group members were made public, so Parishioners do not know whether or not members of the Steering Group have a personal interest in any part of the Plan or the submitted sites for development therein.

- Two Options Days were held in November 2014 where Parishioners had the opportunity to see where the sites submitted for housing were located, and to rate them “for”, “neutral”, or “against”. Parishioners waited patiently for over a year for the results of those Options Days to be published and for meetings or action groups to be formed to discuss how to shape the plan in the light of those results. Nothing happened. **The wider community was not informed**. Eventually some of the results appeared after 13 months in December 2015, not for discussion, but in a draft Neighbourhood Plan for Regulation 14. Only the results for the Steering Group’s chosen sites were reproduced in this plan so the results could not be compared with those for sites which had not been included in the Plan and the numbers were biased because “neutral” votes were amalgamated with “for” votes.
- Sites were assessed by the Steering Group and later also by the company Kirkwells. Those assessments are questionable as in the case of the Steering Group Material Considerations were not considered, and in the case of Kirkwells it is not clear what they considered to be ‘constraints’ on the sites and how those constraints were weighted, in fact some seem to have been counted twice! Details of the Kirkwells site assessments were only published half-way through the Regulation 14 consultation, **not to inform Parishioners, whose requests were brushed aside**, but because a major land owner in the parish complained to Herefordshire Council who then told Burghill Parish Council to publish the assessments.
- Some people who submitted sites for development have even now not been told whether or why their sites have been accepted or rejected for the Neighbourhood Plan.

N.P.P.G. instruction 2: The wider community is able to make their views known.

The wider community was **not** able to make their views known because:

- Comments and objections made at Parish Council meetings by Parishioners, by a Parish Councillor, and even by the Ward Councillor were either rebuffed by the Chairman of the Steering Group in a **demeaning** way (*“the clue’s in the name, Mrs King”, “they are not minutes, they are notes, Mrs King”*), and by using not easily understood planning language to **dominate** discussion, or were postponed by the Parish Council for future discussion which never happened.
- E-mails and telephone calls to the Parish Council often were not answered or were responded to, too late, months later.
- Views could not be made known at Steering Group meetings because Parishioners were not invited to attend them.
- At the November 2014 Options Days, a site in Tillington (Site 10) was presented as ‘brownfield’. Therefore the views of the wider community would have been influenced by that assertion, to believe that Site 10 is ‘brownfield’ and consequently a site which might be preferred for development. It is **not** all brownfield, only a very small part of it is ‘brownfield’. Therefore the feedback from the Options Days cannot be viewed as valid because it was mis-represented. There is a **section 52 agreement** in place on this land which prevents brownfield use on most of it, and anyone local can see that land north of the Business Park units is greenfield, not brownfield. Factual representations made at the Regulation 14 ‘consultation’ concerning Site 10’s land use status were **ignored**.
- Regulation 14 comments were mostly **ignored**, censored, or marked with the comment “no change”. There are only a few single words difference between the Reg.14 Draft Plan and the Reg. 16 Submitted Plan, very little has materially changed as a result of Regulation 14 comments.

- The Burghill NDP claims in its Consultation Statement paragraph 1.5 that there is a 10 minutes slot at each Parish Council meeting for parishioners to speak on a subject of their choice. I have just described above how parishioners comments were treated in a demeaning way by the Chairman of the Steering Group, without censure by the Parish Council. However, at all other times during Parish Council meetings, parishioners are supposed to remain silent, so are not able to enter discussion, or make their views known on other points which might be raised. The Steering Group NDP Report usually came after the 10 minute public slot so even if a contentious issue was raised (although the report was usually sketchy and bland) there was no opportunity for a member of the wider community to make their views known at that meeting, as they were supposed to remain silent. They had to wait until the next meeting, a whole month later for another 10 minute slot to make a further comment!
- Various residents of Tillington have raised concerns about the draft Burghill NDP during the 10 minute public session at the Parish Council meetings - their concerns were **ignored**.

Various residents of Tillington have raised concerns about the draft Burghill NDP during the Regulation 14 Consultation stage - their concerns were **ignored**.

Concerns raised, but **ignored**, included:

- Concerns about flooding, drainage, water run-off, and phosphates discharges.
- A settlement boundary drawn around Tillington apparently on a whim, with no public consultation at all.
- The imposition of development in Tillington which hugely exceeds that **indicative 18%** required in the Core Strategy
- The BNDP requires those 17 houses within the imposed, not-consulted-upon settlement boundary to be **more than doubled in number**, in fact an increase of 24, i.e. 133%.
- This 133% increase on housing numbers is all concentrated within one small area (behind, next to, and opposite the 'Business Park') totally changing forever the local environment, despite what people asked for in the Questionnaire responses.
- By placing these 3 developments at Tillington totalling (initially?) 24 houses in a cluster next to or opposite each other, ***the Burghill NDP in effect undermines its own Design Guidance in Appendix 3 of the NDP ("Housing groups within development projects shall not exceed 10 dwellings"), because it has put 24 into one group.*** (In fact 53% of the community in the questionnaire responses actually wanted 7 or fewer houses per site, but of course this has been **ignored**!!!)
- **The additional housing numbers within the NDP could have been far more equitably distributed within the Parish had the wider community been properly involved and listened to:**
 - Burghill, the main settlement in the Parish, has **only a 14% increase** to its current housing numbers in its settlement boundary in the BNDP.
 - Tillington Common, a larger settlement than Tillington, has 50 existing houses and a **0% increase** to its current housing numbers in the BNDP.
 - In Lower Burlton, there has been **a large 82% increase** on its current housing numbers in its settlement boundary.
 - **But** the area of Tillington, which has had an arbitrary, not-consulted-upon settlement boundary drawn around it, receives **a huge 133% increase** to its current housing numbers in the BNDP.

- Conversions of existing buildings, and singular new builds, which would have less impact on their surroundings than new housing 'estates', have been totally left out of the BNDP, and the owners of those existing buildings or sites have been **ignored** by the Steering Group. These were sites submitted to the NDP, they were available sites; now that the Options Days results have at last been published (only now at the Regulation 16 stage) we know that they were the most popular sites; but they have been dismissed and despite being known about, have been discounted and classified as 'windfalls'. The definition of a windfall is an unexpected, unearned, or sudden gain or advantage. These sites have been known about since Spring 2014, **they cannot be windfalls**, and **should not have been excluded** from the BNDP allocations.
- Members of the community have been **ignored** when they tried to make valid concerns known that Site 10 was not brownfield in the way it had been presented:
 - Before the Options Days (November 2014) a member of the Steering Group raised concerns in Steering Group meetings that Site 10 was not brownfield in the way that it had been presented, but his concerns were **ignored**.
 - Several members of the public raised concerns at Regulation 14 stage (January 2016) that Site 10 was not brownfield in the way that it had been presented in the NDP.
 - The owner (or the submitter) of Site 10 has not revealed the existence of a **Section 52 Agreement** on that site.
 - Burghill Parish Council and its Steering Group have abrogated their responsibilities by not bothering to find out about the Section 52 Agreement which does exist, or if they have found out about it, then they have not bothered to take any notice of what is a **legal agreement** when considering Site 10.
 - The 'PC comments' in the Regulation 14 Consultation Statement continue to assert that land to the rear of the 'Business Park' is 'brownfield' against the evidence that most of Site 10 is actually greenfield, as it must legally be, because of the Section 52 Agreement.

At the Options Days, less than 10% of the electorate 'voted' for sites, but those few people who voted for Site 10 must surely have been influenced by the assertion in the 'community consultation process on potential development sites' that it was brownfield land (the evidence of this assertion is on pages 37 and 39 of the Consultation Statement appendices).

N.P.P.G. instruction 3: The wider community has opportunities to be actively involved in shaping the emerging neighbourhood plan.

The wider community had **very few** opportunities to be actively involved because:

- After the two Options Days on one weekend in November 2014 there were no meetings where people could be actively involved in shaping the emerging neighbourhood plan. There have been NO public meetings since then (it is now 1 year and 9 months since those Options Days).
- Steering Group meetings were held **in private**. The only way that Parishioners could have attended them was to have become a member of the Steering Group. My husband was a member of the Steering Group for a while but resigned because dissension was quashed, site assessments were not properly conducted (no attention paid to material considerations, site owners not asked about their intentions, site 10 claimed to be brownfield when it is not). He said he felt as though he was " **banging his head against a brick wall**".

- The proper time for active involvement of groups of Parishioners would have been during the time in between the gathering of information (Questionnaire and Option Days November 2014) and the publication of a draft Plan (mid December 2015). Thirteen months. During those thirteen months the plan, we now know, was produced in private by the Steering Group without community consultation.
- It was a shock when the draft Plan made its sudden appearance, in full, after no public involvement, not even a meeting, in December 2015. At a time of year when no-one would have time to look at it properly. It has remained virtually unchanged since, despite supposedly only being a 'draft' plan, and despite Regulation 14 comments and objections.
- When the draft Plan appeared in December 2015, a settlement boundary had been drawn by somebody (with no public consultation about it) around Tillington but not around Tillington Common. Tillington did not have a settlement boundary before because it was always regarded as being countryside. There had been no consultation about a Tillington settlement boundary ***at all***, no discussion about why there should be one, whether there should be one, or where it should go. **A written request from the Ward Councillor to a Parish Council meeting asking about settlement boundaries was not even discussed.**
- In the Submitted Plan, decisions have been made about housing development at Tillington based on a settlement boundary drawn around Tillington, drawn by someone, we know not who, just because that person wanted to draw one there **without involving the local or wider community at all.**

N.P.P.G. instruction 4: The wider community is made aware of how their views have informed the draft neighbourhood plan.

The views of the wider community **cannot** have informed the draft plan because:

- Less than 10% of the population of Burghill Parish felt able to register an opinion about the submitted sites at the two Options Days in November 2014. I can't be the only person who **did not** register an opinion (i.e. 'voting' for or against sites) at that time, because there was inadequate information about the submitted sites. And yet it was deemed adequate by the Steering Group and the Parish Council to use those few opinions to shape the entire plan. There were no further discussions, no further meetings, and not even any publication of those very few views before the production of the complete 'draft' plan over a year later. How can the views of the wider community possibly have informed the 'draft' plan?!?
- The summary of those few Options Days results (which we had patiently awaited for over a year) was eventually only *partially* published in the 'draft' neighbourhood plan, only for the sites which had been chosen for inclusion, and with incorrect totals quoted because favourable votes and neutral votes were combined to give an incorrect 'favourable' total. It would have been equally incorrect of course to have combined neutral votes with unfavourable ones. The Options Days results have only now been published in full at the Regulation 16 examination of the plan, too late for Parishioners to have any idea whether their views have informed the draft plan or not!
- Carefully crafted Regulation 14 comments received dismissive responses or, more often, were **ignored**, censored, or marked "no change". The Chairman of the Steering Group stated at a Parish Council meeting before the Regulation 14 consultation began, that he expected to have to change nothing more than the odd single word of the draft plan as a result of the Reg.14 consultation. That is exactly what happened. **IT WAS A WASTE OF TIME MAKING ONE'S VIEWS KNOWN AT REGULATION 14 AS A MEMBER OF THE WIDER COMMUNITY IN THE HOPE OF CHANGING ANY PART OF THE DRAFT PLAN. THE CHAIRMAN OF THE STEERING GROUP NEVER HAD ANY INTENTION TO CHANGE IT.**

- At a Parish Council meeting, a Parish Councillor suggested reviewing the Draft Plan because of proposed large housing development (50 houses) in the South of the Parish near the proposed relief road. His suggestions were vehemently rebuffed by the Chairman of the Steering Group, which instantly stopped any possibility of further democratic discussion. That Parish Councillor and parishioners who might have agreed with him had **no chance of having their views 'inform the draft neighbourhood plan'**.
- Parishioners have not been consulted at all about settlement boundaries around Tillington or Tillington Common, so their views **cannot** have informed the Submitted Plan.

In Conclusion:

I have many more objections to this Submitted Burghill Parish Neighbourhood Plan which were all **ignored** at the Regulation 14 consultation and I don't want to repeat them now. But I would like to quote Andrew Ashcroft (Assistant Director of Economy, Environment and Culture at Herefordshire Council) from his NPIERS "Top Tips" Presentation for a Planning Advisory Service Neighbourhood Planning event. He says:

"Public engagement gives confidence that the plan is properly owned."

This plan has had very little public engagement, and is owned by one or two members of the Steering Group and its Chairman. It is **not** owned by the Parishioners of Burghill Parish.

Yours faithfully

Sandra King

(Mrs Sandra King)

DATED

10th May 1989

1989

JOHN HAVELOCK COLLINGWOOD LANGLY SMITH and PHILIP CORNELL
(Trustees for David Tamplin)

- and -

SOUTH HEREFORDSHIRE DISTRICT COUNCIL

A G R E E M E N T

under Section 52 of the Town and Country Planning
Act 1971 in respect of land at Tillington in the
County of Hereford and Worcester

M.D. Poole
Solicitor
South Herefordshire
District Council
Brockington
35 Hafod Road
Hereford
HR1 1SH

THIS DEED is made the *tenth* day of *May* One thousand nine hundred and eighty nine BETWEEN JOHN HAVELOCK COLLINGWOOD LANGLY SMITH and PHILIP CORNELL being Trustees appointed to act on behalf of DAVID TAMPLIN of Bird Garage Tillington in the County of Hereford and Worcester (The Trustees) of the one part and the SOUTH HEREFORDSHIRE DISTRICT COUNCIL being the District Planning Authority within the meaning of the Town and Country Planning Act 1971 Local Government Act 1972 and the Local Government (Miscellaneous Provisions) Act 1982 (The Council) of the other part

WHEREAS

The Trustees are seised (inter alia) in fee simple free from incumbrances of land at Tillington in the County of Hereford and Worcester shown edged blue on the plan annexed and have agreed with the Council pursuant to the provisions of Section 52 of the Town and Country Planning Act 1971 that the use of the said land shall be permanently restricted as hereinafter mentioned

NOW THEREFORE THIS DEED WITNESSES AND IT IS AGREED by and between the parties hereto as follows:-

Pursuant to Section 52 of the Town and Country Planning Act 1971 the Trustees hereby covenant and agree with the Council as District Planning Authority aforesaid and with the object and intent of binding the said land into whosoever hands the same may come that on the Council granting permission for the erection of a vehicle sales showroom at Tillington under the Council's Code SH 881634PF within the area shown edged red on the plan annexed

- (i) No motor vehicles vehicle parts scrapped vehicles or other equipment may be parked or stored on the land shown edged brown on the plan annexed
- (ii) The area of land shown hatched black on the plan annexed may be used for the parking or storage of vehicles and equipment at ground level but may not be used for the stacking of scrap vehicles or vehicle parts or other equipment

IN WITNESS whereof the owners have hereunto set their hands and seals and the Common Seal of the Council was hereunto affixed the day and year first before written

SIGNED SEALED and DELIVERED)
by the said JOHN HAVELOCK)
COLLINGWOOD LANGLY SMITH in)
the presence of:)



SIGNED SEALED and DELIVERED
by the said PHILIP CORNELL
in the presence of:



THE COMMON SEAL of SOUTH)
HEREFORDSHIRE DISTRICT COUNCIL)
was hereunto affixed in the)
presence of:)



2635

Chairman

Chief Executive





7838
1.068ha
2.64

5935
1.198ha
2.96

6632
1.117ha
2.76

7333
308ha
.76
Pen-y-plock

7529 S.I.W
.461ha
1.14

7122
.150ha
.37

Pond
7224
.097ha
.24

7525
.040ha
.10

Whitmore
Cottage

B.M. 22.02m
Bird-in-Hand
Cottage

91.7m

Cadgewith

Garage

7218
.223ha
.55

6117
.696ha
1.72

Dunromin

SECTION 52 AGREEMENT - CODE NO. SH 881634PF

Not To Scale

J. Loynes, Dip.T.P., M.R.T.P.I.,
Planning Officer,
South Herefordshire District Council,
Brockington, 35 Hafod Road,
Hereford, HR1 1SH

REPRODUCED FROM THE ORDNANCE SURVEY'S 1:2500 SCALE
MAP WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S
STATIONERY OFFICE. CROWN COPYRIGHT RESERVED. SOUTH HEREFORDSHIRE
DISTRICT COUNCIL, BROCKINGTON, 35 HAFOD ROAD, HEREFORD.
Dated LICENCE No. LA079405

Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 24 August 2016 00:04
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	SEAN
Last name	LASHLEY
Which plan are you commenting on?	Burghill NDP
Comment type	Objection
Your comments	<p>My objections regarding this revolve around the lack of consultation there has been regarding certain sections of the plan. There was no consultation regarding the settlement boundary for Tillington. Even looking on the parish council site there seems information available about how this decision was reached. Also with the proposed development of the Hospital Farm site why was this not included into the numbers for homes in the parish, it would mean that the houses would not have to be built in the numbers proposed for Tillington and Lower Burlton.</p>

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

Herefordshire Council Strategic Planning Team

Name of NDP: Burghill- Regulation 16 Submission version

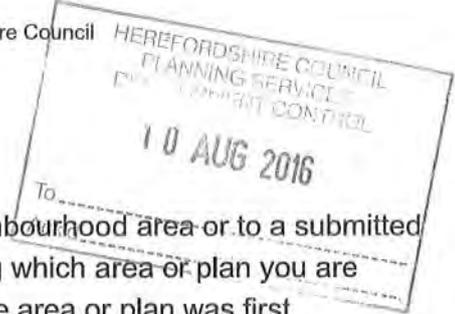
Date: 17/08/16

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N/)	Comments
B1- Scale and type of new housing in Burghill and Tillington and Lower Burlton.	RA2, H3	Y	
B2- Supporting existing small-scale local employment.	RA6, E2	Y	
B3- Supporting new small-scale local employment.	RA6, E1	Y	
B4- Rural enterprise and farm diversification.	RA5, RA6, E3	Y	
B5- Supporting development of communications infrastructure.	N/A	Y	
B6- Education	SC1	Y	
B7- Traffic management and transport improvements.	MT1	Y	
B8- Design of development in Burghill Parish.	SS6, LD1-LD4, SD1-SD4	Y	
B9- Protecting and where possible enhancing landscape character.	LD1-LD4	Y	“All development will be expected to retain the green areas between Burghill and Hereford and to maintain the distinct and separate identity of the Parish.”

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N/)	Comments
			The plan should take into account the Hereford Relief Road corridor that runs through the southern extremity of the Parish between Hereford and Burghill.
B10- Protection of green spaces.	N/A	Y	
B11- Protection of and where possible enhancement of local community facilities.	SC1	Y	Listing some particular existing community facilities in the Parish which should be given protection could supplement this policy.
B12- Community facilities and Community Infrastructure Levy.	SC1	Y	
B13- Flood risk, water management and surface water run-off.	SD3	Y	
B14- Development of renewable energy facilities in Burghill Parish.	SD2	Y	

Other comments:

The plan is in general conformity with the Herefordshire Core Strategy, and the points of clarity raised at consultation stage have been addressed.



Herefordshire Council

Comment on a proposed neighbourhood area

If you would like to make a comment about an application to designate a neighbourhood area or to a submitted Neighbourhood Development Plan, please complete the form below, indicating which area or plan you are commenting on. Representation must be made within six weeks of the date the area or plan was first publicised.

If you would like to know if a neighbourhood area has been designated or a Neighbourhood Development Plan is in production near you, please see the [Neighbourhood areas and plans page](#)

(<https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans>).

PLEASE NOTE: This form is solely for commenting on proposed neighbourhood areas and submitted Neighbourhood Development Plans. If you wish to comment on a planning application please visit the [planning application search section](#) (<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications>).

To make a comment, you must first provide a valid address.

Address *

Postcode

First name *

Last name *

Which plan are you commenting on? *

Comment type

four comments *

SEE ATTACHED LETTER

Submit

S J TURNER-JONES



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

8th August 2016

Dear Sirs

Burghill Neighbourhood Development Plan

I would like to OBJECT to the Burghill Neighbourhood Development Plan and would make the following comments in support of my objection: -

- 1) I do not feel proper consultation of the Parishioners has taken place, especially of those directly affected by the proposed sites. Much of the information available has had to be searched for and passed on by word of mouth. The on- line Parish comment form for the Plan was restricting and poorly designed, I suspect many of our older Parishioners would have found this somewhat taxing and may not have persevered and put their views forward for consideration.
- 2) The plan does NOT take into consideration other neighbouring sites both within and alongside the Parish boundary. These sites have an overall effect on the density of development in relatively small areas, for example the CBRE site and potential Hospital Farm development. These sites alone would create in excess of the Parish Development Quota.
- 3) I feel that the developments in the Lower Burlton area will result in the City Boundary effectively being extended. Whether officially or not, the area will cease to be edge of the Village/edge of the City benefitting from large open spaces with wildlife. The area will be housed to the extent that it could not realistically be considered a village setting and would certainly not be in keeping with the way the village currently looks and feels.
- 4) The developments proposed are far too large and NOT consistent with Parishioners wishes of smaller developments (1-7 houses).
- 5) Some of the developments proposed are in small linked areas effectively creating much larger overall developments.
- 6) I am very concerned about the increased volume of traffic these sites would create. Certainly the Lower Burlton sites together with other proposed local developments would vastly increase the traffic especially along Roman Road. Having lived in my property for 20 years I have experienced the detrimental

effect of improvements to this stretch of Roman Road first hand. Whilst improvement to the road was always required and was welcomed, the result has been excessively increased noise levels, rubbish at road side, and truly frightening speeds of road users (the area never seems to be Policed in order to try to restrict this). Any Development along Roman Road or adjacent areas surely needs to have a sufficient Traffic plan with calming measures in place, proposed development at Three Elms/Huntington Lane will also add to hugely increased vehicle usage on this Road.

The sites proposed at Tillington are adjacent to two historically dangerous junctions at The Bell and The Bird. Many accidents have occurred at these places in the past, the scale of the developments is such that the volume of vehicles using these junctions would be increased substantially thus increasing the likelihood of accidents without further road improvements.

- 7) Clarification of how the settlement boundaries were arrived at and who decided them would be welcomed. Local residents do not appear to have been consulted for input.
- 8) I feel the site at 2B Lower Burlton results in backyard development, something stated as being preferably avoided in the policies drawn up. My own property will certainly be surrounded if this goes ahead, I front on to Roman Road and would then be backed by a development of approximately 10 houses. All privacy at my property would be lost and noise and light pollution would then be to both the front and the back of the property.
- 9) The wealth of wildlife that will be lost by these overly large developments is very concerning. Most who have purchased property in the area did so for the reason of having wildlife on the doorstep and enjoying the experience of seeing woodpeckers, birds of prey, foxes to name but a few on a daily basis. Development to the rear of properties will erase this forever and will ultimately destroy the character of properties completely.
- 10) Drainage is a serious concern and I have yet to be convinced that full investigation has been made of development sites and the impact development would have on surrounding properties. Some sites have been known to flood in the past, and it would seem to those effected by such events that these sites really are unsuitable for building on. Even if mains sewage connections can be achieved it is unlikely to solve the issue of surface water problems. Any such connections would also need to cater for properties whose waste systems are already on the development sites and would no doubt increase annual costs for existing residents.

I have enclosed some photographs of the flooding that occurred at site 2B Lower Burlton in February 2014 as an example of the problems that would need to be addressed (please excuse poor photography skills). The end of the field below White Roses was for all intents and purposes a Lake, approximately 8 feet deep in some areas. Whilst this was exceptionally bad it is certainly not unusual for smaller areas of water to gather during wet weather.

- 11) The site at 2B Lower Burlton is identified in my house deeds as "The Quarry", which no doubt gives some indication of past usage of the land. I personally would not want to purchase a property erected on the site of a former Quarry.
- 12) I would be concerned that approval of some sites would ultimately be extended to include other previously suggested sites which would result in the effect of larger overall developments. The site at 2B Lower Burlton was previously suggested alongside an adjoining site at 2C for 35 houses. The overall effect of this along with other neighbouring sites is not in keeping with a village feel, again increasing the impression of an extended city boundary.
- 13) Any proposed increase to the properties in this Parish and therefore the population must be backed up with **evidence** that the Parish can cope with the effects of this. The roads throughout the Parish require resurfacing, the Churchyard requires extension to cope with the current population and the School needs specific assessment to determine how many additional children could be accommodated. It would be madness to undertake development schemes as large as these without convincing Parishioners the Parish can cope.
- 14) I would like more detail and clarification on how some of the development sites are to be accessed. Certainly the current access at site 2B Lower Burlton is not adequate for a development. The site only has right of way at the existing access (which is limited) and it would not be able to serve either developers at work or the number of vehicles which would arise from the residents of such a development. Should new accessways be created surely these also require approval and review.

I appreciate it may seem I have poured my heart out with my concerns above, however I am a fourth generation parishioner of this village and my concerns are only for the area that I was born and bred in. The overall feeling is that the current plans when considered with the other potential development sites are just too much. We of Burghill and Tillington like our community with green space and wildlife, with some privacy and yet still a community atmosphere. We are used to having these things, and it is the reason so many of us have purchased and remained here.

Yours Faithfully

S J TURNER-JONES



18 August 2016
16.08.11_reps_cc.fn1



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

neighbourhoodplanning@herefordshire.gov.uk

Sent by E-mail only

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T: +44 (0) 1179 100 300
savills.com

Dear Sir / Madam

**Publication Version Burghill Neighbourhood Development Plan
Representations made in Response to Regulation 16 Consultation**

These representations have been prepared by Savills on behalf of Farmcare Ltd which owns, manages and farms the Tillington Estate. The Estate comprises large amounts of agricultural land and buildings within Burghill Parish and, where possible, Farmcare wishes to work with the community to help it deliver the development needed for the Parish, as identified in the Core Strategy.

This letter is submitted in response to the current Regulation 16 consultation on the 'Publication Version' of the Burghill Neighbourhood Development Plan (BNDP), June 2016, which commenced on 13 July 2016 and ends on 24 August 2016. Representations have been submitted in response to previous consultations and, in particular, this letter should be read in conjunction with our letter dated 11 March 2016 which is enclosed for ease of reference.

In summary, our previous representations found that the draft BNDP failed to meet all of the Basic Conditions set out in TCPA 1990 because it did not seek to positively contribute to the achievement of sustainable development and was not in general conformity with the Development Plan for the area. A specific concern was raised in relation the acceptability of the Site Assessment undertaken by Kirkwells, which was not considered to provide a robust evidence base for determining which sites are most sustainable and, in turn, should be allocated.

Having reviewed the Publication Version of the BNDP together with the Consultation Statement, we maintain that a new site assessment exercise should be carried out again in order to properly evidence the BNDP and its allocations. The majority of our representations made in respect of the proposed policies remain applicable also, for the reasons outlined within the table contained within this letter.

With regard to sustainable development, we maintain that the settlement boundary should be revisited to enable a greater degree of flexibility and, in any event, it should be evidenced to demonstrate that it will not restrict growth beyond the minimum amount identified. We welcome and support the commitment to annual monitoring and full review of the BNDP if parts of it become out-of-date. This is important given the dynamic nature of planning and the need to be able to respond to changing circumstances.

On a relatively minor point, Section 3 of the Consultation Statement states that the formal consultation on the draft BNDP ran between 20 January 2016 and 2 March 2016 which is incorrect. The NDP Steering Group agreed to extend the consultation period to 11 March 2016 so it is requested this reference is amended.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Review of Previous Representations on the Basic Conditions

We previously identified National Planning Policy Framework (NPPF) guidance which encourages local communities to prepare Neighbourhood Plans to ensure that they get the right types of development for their communities. Paragraph 16 of the NPPF requires that Neighbourhood Plans *'plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.'*

Settlement Boundaries for Tillington and Burghill

The policy context was set out in our previous representations and, in summary, national planning policy guidance is clear that communities must plan positively and that all settlements can play a role in delivering sustainable development in rural areas.

Tillington and Burghill are identified in the Herefordshire Core Strategy as settlements where proportionate housing growth is considered to be appropriate. The Council's Neighbourhood Plan Guidance Note 20 states that settlement boundaries should be drawn to facilitate an appropriate level of proportional growth within the plan period and that settlement boundaries should not be crude and inflexible. It was previously raised that an analysis should be undertaken of infill and/or windfall development opportunities in the villages to inform the proposed settlement boundaries. This has not been done and the boundaries remain tightly drawn.

The BNDP Consultation Statement states that the settlement boundary for Burghill is based on the boundaries identified in the Unitary Development Plan (UDP) and allocated sites in the draft NDP and that the proposed settlement boundary for Tillington is the existing built form and allocated sites. The UDP is out-of-date, only catering for growth for the plan period up to 2011. Whilst existing built forms and allocated sites should inform settlement boundaries, a degree of flexibility should be maintained, especially given the BNDP is reliant on windfall sites (20 units) in order to achieve its minimum growth requirement.

The current settlement boundary, as drawn, is therefore contrary to the Council's Guidance Note and the provisions of the NPPF because it would not facilitate an appropriate level of growth in the villages. Thus, the BNDP cannot be said to have full and proper regard to national policies and advice so it does not pass the first Basic Condition.

Achieving Sustainable Development

It is essential for the NDP to demonstrate that the proposed site allocations are the most sustainable options in order to achieve the second Basic Condition. Previously, concerns were raised with the Site Assessment Report (SAR) (Kirkwells, September 2015), namely in terms of consistency and transparency. The Consultation Statement states that the SAR uses industry-wide criteria. It is not disputed that such criteria has been used; however, there are concerns about the interpretation and application, such as for the constraints criteria.

Our own assessment of the sites was undertaken and submitted as part of our previous representations (enclosed). This found that the eight Farmcare sites had been scored too high, particularly in relation to their 'constraints' and highlighted the errors made in Kirkwells scoring system. Overall, we concluded that the site assessment report did not provide a robust assessment and, therefore, new, clear assessment criteria should be established and, based on this, the exercise should be repeated. This has not been done.

The Consultation Statement dismissed several sites (sites 37 and 38 for example) because they are in open countryside and goes on to say that it is not appropriate to score them. Any site outside of an existing settlement boundary is, in planning policy terms, classified as open countryside, meaning the majority of the submitted sites fall within this category. Sites 37 and 38 are located on bus routes, are in walking distance of Tillington and Burghill and the facilities within, as well as being next to / opposite the School. Accordingly, they are in sustainable locations and should be appropriately considered.

In this context, reference was previously been made to the decision of Aylesbury Vale District Council in March 2016 concerning the Haddenham Neighbourhood Plan. In this case, the Developer, Lightwood Strategy Ltd, provided evidence that errors were made in the scoring system used to allocate areas for development in the neighbourhood plan and that the plan had failed to reflect Aylesbury Vale’s strategic housing requirement for the area. The same is contended with regard to the SAR.

General Conformity with the Development Plan

The Development Plan for Herefordshire includes the Herefordshire Local Plan Core Strategy 2011 – 2031 (2015) and ‘Saved Policies’ of the Herefordshire Unitary Development Plan (2007). The Core Strategy proposes broad strategic directions for growth and does not allocate sites, which will be done for rural areas through Neighbourhood Development Plans and the Rural Areas Development Plan Document.

The Core Strategy sets *minimum* housing requirements that are to be taken as *indicative* and should form *only a basis* for NDPs. The BNDP rigidly applies an 18% growth target based on the existing number of dwellings within Burghill Parish. It does not acknowledge that this is as *minimum* figure to *guide* NDPs generally.

The previous representations identified a number of the BNDP policies - B1, B4 and B10 - do not conform to national planning policy or the strategic policies contained within the Herefordshire Development Plan. Recommendations were made to overcome the issues identified and these have been considered in the Consultation Statement. The Steering Group’s response and our final conclusions are made for each identified policy in the below table.

Policy	Savills’ Recommendation (March 2016)	NDP Steering Group Response (Consultation Statement)	Savills Comments (August 2016)	
Policy B1 (Scale & type of new housing)	General	The policy be amended to include exception sites and the allocated sites should be references and included within the settlement boundary.	Chosen not to allocate rural exception sites in the NDP. Any such development will be assessed against the relevant Herefordshire Core Strategy policies (presently H2).	We are supportive of the approach with regard to exception sites.
	Criterion (a)	Amend to remove the 25dph density bearing in mind the Core Strategy Policy SS2 sets a County target net density of between 30 – 50 dph.	The density figure is included as a maximum because it is clear from Ordnance Survey maps that densities in the two settlements (Burghill and Tillington) fall far short of 25 dwellings per hectare, and future development in context with the surrounding area should reflect this.	The first part of the criterion requires new development to be in keeping with the surrounding area. This provides sufficient protection against overdevelopment and a specific density restriction is not required.
	Criterion (f)	1. Amend to reflect Core Strategy Policy H1: indicative target of 35% affordable housing provision on sites of more than 10 dwellings which have a maximum combined gross floorspace of more than 1000m2 unless it can be demonstrated to be unviable. 2. Remove requirement for ‘at least 15% of single storey dwellings’ as this is not evidenced.	1. No changes are proposed on the basis the criterion is fully in accordance with the Core Strategy. 2. The questionnaire responses [which] indicate that 55% of respondents suggested that small dwellings for older/retired people are required in the Parish.	1. The BNDP and Core Strategy policies must be consistent. 2. There is no reference to single storey dwellings and it remains unclear how the 15% target has been reached. Unless it can be robustly evidenced, this requirement should be removed.
	Criterion	The minimum space standard should be removed as it does not	The inclusion of a minimum floor space for dwellings is a necessity to	This is something that would be assessed by Herefordshire

	(i)	in accordance with planning policy and other national guidance.	ensure the dwellings that are constructed in the Parish are fit for purpose.	Council in any event as part of a planning application. Thus, it is maintained that the criterion be removed.
Policy B4 (rural enterprise & farm diversification)		<ol style="list-style-type: none"> 1. It is too prescriptive and should reflect Policy RA6 of the Core Strategy 2. The section that relates to the conversion of traditional agricultural buildings should form a separate policy taking into consideration permitted development rights. 	<ol style="list-style-type: none"> 1. The policy is fit for purpose. 2. Prior approvals for permitted development are not assessed against policy. 	<ol style="list-style-type: none"> 1. We maintain that it is too prescriptive and not consistent with the Core Strategy. It must either be removed or re-written to reflect the spirit and purpose of Core Policy RA6. 2. We agree that this is the case but the point being made was that any development management policy will need to take account of what is allowable under permitted development i.e. it should not seek to be more restrictive unless evidenced.
Policy B10 (Protection of Local Green Space)		<ol style="list-style-type: none"> 1. The policy <u>designates</u> LGS, whereas it <u>can only protect</u> LGS. 2. LSG 4 should be amended to reflect the area identified in UPD Proposals Map which includes accessible and useable public open space within a residential area, rather than privately owned land that is not accessible to the public, as well as estate roads and turning areas, boundary treatments, ditches and footpaths. 3. LSG 8 is part of a commercial farming enterprise; it is not accessible to or used by the public. Furthermore, it was submitted as part of the 'call for sites' exercise (Site reference 34) for consideration for residential uses and an extension to the graveyard. The land cannot be demonstrably special or of particular importance to the local community and it should be removed. 	<ol style="list-style-type: none"> 1. The Council has failed to acknowledge this point. 2. LSG4 has been extended beyond that identified in the Herefordshire UDP as Open Areas and Green Space to reflect what is actually evident on site. 3. Inclusion of LGS 8 is based on the fact the site was put forward by the village as a site for a possible extension to the graveyard. 	<ol style="list-style-type: none"> 1. The Policy must only protect existing LGS. It is maintained that the inclusion of LGS 4 and LGS 8 would not meet the tests of the NPPF. 2. It is maintained that LGS 4 should be amended to reflect the area identified in UPD Proposals Map. 3. It is evident LSG8 has been identified in an aspirational capacity, as a <u>possible location</u> for extension to the graveyard. For the reasons set out previously, the land cannot be said to be demonstrably special or of particular importance to the local community and it should be removed as a LGS.

Overall, it is considered that the plan is not in general conformity with the strategic policies of the Development Plan for Herefordshire, for the reasons set out in the above table. Therefore, the third Basic Condition is not satisfied.

Conclusion

These representations are submitted by Savills on behalf of Farmcare Ltd which is a major land owner within Burghill Parish.

Previous representations (enclosed) demonstrated that the draft BNDP failed to meet three of the 'Basic Conditions' required by TCPA 1990. Having reviewed the submission version of the plan, together with the Consultation Statement, it is clear that not all of the original observations / concerns have not been addressed.

We maintain that the BNDP still fails to meet the three Basic Conditions previously identified. More specifically, the settlement boundary should be reconsidered and a new site assessment is required to robustly justify site allocations. Having reviewed the responses in relation to our previous policy recommendations, we consider that the majority of these have not been sufficiently addressed and, therefore our comments still stand.

Finally, we support the commitment to annual monitoring and full review of the BNDP if parts of it become out-of-date. This is important given the dynamic nature of planning and the need to be able to respond to changing circumstances.

Yours sincerely

Chloë Clark BA (Hons) MSc MRTPI
Associate

Encl. Letter from Savills, 11 March 2016

CC: Neighbourhood Plan Steering Group, C/o Hazel Philpotts, Burghill Parish Clerk (burghillparishclerk@gmail.com)

11 March 2016
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Dear Hazel

Representations made in Response to the Draft Burghill Neighbourhood Development Plan Regulation 14 Consultation

These representations are submitted on behalf of Farmcare Ltd which owns, manages and farms the Tillington Estate which includes much agricultural land and buildings within Burghill Parish.

This letter is submitted in response to the current public consultation on the draft Burghill Neighbourhood Development Plan (BNDP) which commenced on 20 January 2016 and was due to end on 2 March 2016. As you are aware, we requested that the consultation period be extended until 16 March 2016 because the Site Assessment Report (SAR), which forms part of the evidence base for the Plan, was not made available until 22 February 2016. The SAR is referenced within the BNDP and informs the preferred list of 'candidate sites for allocation'; therefore, it is essential that we had the opportunity to consider this information fully. The Parish Council agreed to extend the consultation period to 11 March 2016 by e-mail dated 26 February 2016.

National planning policy guidance and legislation relating to neighbourhood plans requires the such documents and their policies to be in general conformity with the adopted Development Plan for the relevant local authority area. The Town and County Planning Act 1990 (TCPA 1990) and, in particular, Schedule 4B deals with the process for making neighbourhood development orders and plans. The BNDP must meet the 'Basic Conditions' as set out at paragraph 8 (2) TCPA 1990 which include:

- The Plan has regard to national policies and advice contained in guidance issued by the Secretary of State;
- The Plan contributes to the achievement of sustainable development;
- The Plan is in general conformity with the strategic policies contained in the development plan for the area; and,
- The Plan does not breach and is otherwise compatible with EU obligations.

Having considered the draft BNDP in detail, it is contended that the Plan does not meet all of the Basic Conditions, namely having regard to national policies and advice and general conformity with the strategic policies of the Development Plan for Herefordshire. This is considered below. In addition, consideration is given to the SAR, in particular the findings relating to the sites submitted by Farmcare and the proposed sites for allocation. It is not considered that this report provides a robust evidence base for determining which sites are most sustainable.



Does the BNDP have regard to National Policies and Advice?

The National Planning Policy Framework (NPPF) encourages local communities to prepare Neighbourhood Plans to ensure that they get the right types of development for their community. In applying the presumption in favour of sustainable development, paragraph 16 requires that Neighbourhood Plans *'plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.'*

Settlement Boundaries for Tillington and Burghill

The NPPF establishes a strong presumption in favour of sustainable development that has implications for how communities engage in neighbourhood planning. It requires communities to plan positively and for *'all plans to be based upon and reflect the presumption in favour of sustainable development'* (para 15, NPPF).

The Planning Practice Guidance states that local authorities should support sustainable rural communities by encouraging proportionate growth:

'Assessing housing need and allocating sites should be considered at a strategic level and through the Local Plan and/or neighbourhood plan process. However, all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.' (Paragraph 001, Reference ID: 50-001-20140306)

The adopted Herefordshire Core Strategy explicitly identifies Tillington and Burghill as settlements where proportionate housing growth is considered to be appropriate. However, the proposed settlement boundaries are drawn tightly around the existing built up area of the villages; indeed the boundary for Tillington comprises only a very small proportion of the Village. This type of approach has been found to be contrary to the provisions of the NPPF. The Examiner's Report concerning the Rolleston-on-Dove Neighbourhood Plan Examination identified that the proposed tightly drawn settlement boundary in this case failed to plan positively to support local development and, as a consequence, it was contrary to the NPPF and was recommended for deletion.

Herefordshire Council's Neighbourhood Plan Guidance Note 20 entitled 'Guide to Settlement Boundaries', states that *'settlement boundaries should be drawn to facilitate an appropriate level of proportional growth within the plan period. If land within the boundary is not formally allocated, there will be a requirement to demonstrate that there is enough available capacity within the boundary to enable development to take place.'* The Guidance Note is clear that settlement boundaries should not be crude and inflexible but instead they should seek to *'ensure a more plan-led and controlled approach to future housing growth, allowing for allocating sites within your village rather than windfalls.'* (p.3).

Burghill has an existing settlement boundary and Tillington does not. The proposed amendments to Burghill and the new boundary proposed for Tillington are tightly drawn around existing built forms. Accordingly, there is little opportunity for any windfall development. Indeed, it is not clear what analysis has been undertaken of infill and/or windfall development opportunities in either Village in order to inform the proposed settlement boundaries.

Paragraph 6.1.20 of the BNDP states that 14 windfall units are already known; however, evidence to qualify this figure is not provided. The nature of the built settlements is such that there is little development beyond the highway. In Tillington, for instance, the boundary is also unduly inflexible with its focus on small clusters of buildings along the highway; thus, limiting the potential for windfall sites through infill. There are few opportunities for development on backland or in gardens and while opportunities do exist for infilling, these would not be forthcoming as a result of the currently proposed settlement boundary.

Various development opportunities have been submitted to the Parish Council, which could deliver sensitive development, proportionate to the existing settlements. The BNDP seeks to draw a settlement boundary around Tillington; naturally, this will need to reflect the allocated sites.

In summary, the settlement boundaries, as proposed, would not facilitate an appropriate level of proportional growth in Tillington and Burghill. The BNDP states that there is potential for 20 dwellings to come forward on windfalls sites but this does not appear to be supported by an assessment of available capacity to demonstrate that this is achievable. Furthermore, it is contended in the following sections that the housing requirement is higher than indicated in the BNDP and the site assessment supporting the proposed site allocations is not robust. The settlement boundaries may, therefore, need to accommodate different sites.

For the above reasons the BNDP fails to have full and proper regard to national policies and advice contained in guidance issued by the Secretary of State and does not pass this first Basic Condition.

Contribution Towards the Achievement of Sustainable Development

In order to meet the second Basic Condition, the NDP needs to demonstrate that the proposed site allocations are the most sustainable options.

With regard to site allocations, the BNDP is supported by a SAR (September 2015) prepared by Kirkwells. This document seeks to assess the potential suitability and availability of the submitted housing sites although concerns are raised with the consistency of this assessment. In support of this, reference should be made to the recent (March 2016) decision of Aylesbury vale District Council not to contest a legal challenge made by a Developer to the Haddenham Neighbourhood Plan. In this case, the Developer, Lightwood Strategy Ltd, provided evidence that errors were made in the scoring system used to allocate areas for development in the neighbourhood plan and that the plan had failed to reflect Aylesbury Vale's strategic housing requirement for the area. The same is contended with regard to the SAR and this is explored further below.

Eight sites, numbered 34 – 41 on the Plan included on p. 69 entitled Burghill NDP Submitted Sites Burghill Parish & Neighbourhood Area Late Submissions, were submitted on behalf of Farmcare during the 'call for sites' exercise carried out by the Parish Council in May 2014. These sites, together with those proposed as residential allocations, are the focus of the representations.

Before analysing the SAR, for clarification, please note that Farmcare is aware that the purpose of a 'call for sites' exercise is to make the Parish Council aware of all land / sites that are deliverable for development i.e. suitable, available and achievable, within the neighbourhood plan area. It understands that whole or parts of submitted sites may be allocated. Accordingly, a range of sites were submitted in order to provide the Parish Council with as many options for consideration as possible. Farmcare did not anticipate and has no expectation that all of the submitted sites be allocated; it understands that the aim of the BNDP is to allocated sites to ensure that the level of growth identified by the Core Strategy will be delivered in a timely manner during the Plan period.

The SAR states that its assessment criteria is informed by Neighbourhood Planning Guidance Practice Note 21 (Guide to site assessment and choosing allocation sites), although this is not clear from the report and the assessment tables. The constraints criteria is confusing; surely this should identify constraints that prevent development and it is these more significant constraints that should then be scored. It is noted that several of the 'recommended sites' are identified as having 'significant constraints'.

Notwithstanding that, it is considered that the eight Farmcare sites have been scored too high, particularly in relation to their 'constraints'. Detailed comments have been made with regard to each of the submitted sites in the tables enclosed with this letter (Table 1 and Table 2). A summary table, overleaf, compares the scores determined by Kirkwell with the score determined by Savills for farmcare sites (white) and allocated sites (blue).

Site Ref.	Site Status	Kirkwell Score	Savills Score
Burghill Sites			
21	Allocated	3.25	3.25
34	Rejected	4.75	2.25 / 2.5
35	Rejected	4.75	3.25
36	Rejected	4.25	2.5 / 3
Tillington Sites			
10	Allocated	2.75	2.75
22	Allocated	2.25	2.5
25	Allocated	2.5	2.5
37	Rejected	6	3.75
38	Rejected	6	3.25
39	Rejected	3.5	2
40	Rejected	3.5	2
41	Rejected	3.75	2.75

As the above table indicates, the Savills Score for the Farmcare sites fall within the Kirkwell scoring range (2.25-3.25) for those sites that were identified as the ‘best sites’ and recommended to the Parish Council in Section 4 of the SAR. The tables enclosed with this letter provides a more detailed assessment of the above identified sites, in comparison to the Kirkwell assessment. This highlights the errors made in the scoring system. Indeed, evidence of the rationale behind the scores attributed to all the assessed sites in the Kirkwell report is severely lacking. For instance, two of the Farmcare sites (nos. 37 and 38) were immediately ruled out before any detailed assessment of their constraints, access and impacts. On this basis, it is our view that the site assessment report currently does not evidence a robust assessment of the submitted sites and, therefore, the current scores cannot be relied upon. As such, it is requested that new, clear assessment criteria are established and the exercise is repeated.

For the reasons set out above, the BNDP fails to contribute towards the achievement of sustainable development.

Does the BNDP Conform to the strategic policies of the Development Plan?

The Council’s Neighbourhood Planning Guidance Note 31 is concerned with conformity with the Herefordshire Core Strategy and states:

‘Housing policies and proposals (including allocations) in Neighbourhood Development Plans will need to be minded to the Policies RA1 and RA2 of the Local Plan - Core Strategy and local evidence including local needs surveys, Strategic Housing Land Reviews and environmental capacity.’

It also states that *‘Neighbourhood planning is not a tool to stop development and, or undermine or object to the strategic policies and proposals to the Local Plan - Core Strategy; it is about shaping the development of a local area in a positive manner.’*

Development Plan

The Development Plan for Herefordshire includes the Herefordshire Local Plan Core Strategy 2011 – 2031 (2015) and ‘Saved Policies’ of the Herefordshire Unitary Development Plan (2007). The Core Strategy proposes broad strategic directions for growth and does not allocate sites; instead, site allocations and more detailed policies will follow in the Hereford Area Plan, the Bromyard Development Plan and Neighbourhood Development Plans.

The Core Strategy sets a minimum housing requirement of 16,500 dwellings for Herefordshire over the plan period up to 2031 (**Policy SS2 – Delivering new homes**). This includes a minimum of 5,300 dwellings in rural areas.

Paragraph 4.8.8 states that housing development in rural areas will be delivered through Neighbourhood Development Plans, any required Rural Areas Site Allocations Development Plan Document and a combination of existing commitments and windfall development.

Policy RA1 requires 5,300 new dwellings to be delivered in rural areas, across seven Housing Market Areas (HMAs). It states that *'new dwellings will be broadly distributed across the County's rural areas on the basis of these HMAs'*. It continues that *'the indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of NDPs'*. It is important to note that the figures are indicative and form only a basis for NDPs.

The minimum target represents a level of growth as a percentage and which is proportionate to existing HMA characteristics. Tillington and Burghill are within the Hereford HMA, which will deliver approximately 18% of the indicative housing growth figure. This equates to approximately 1870 dwellings.

Policy RA2 is concerned with where new housing will be located in identified settlements outside Hereford and the market towns. It states that:

'To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned.'

'The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.'

Figure 4.14 lists the 119 settlements which have been identified across the County to be the main focus of proportionate housing development in the rural areas; 23 of these are in Hereford HMA. Within Burghill Parish, the settlements of Tillington and Burghill are identified and, therefore, the BNDP must have appropriate flexibility to apportion the minimum housing requirement between them.

Policy RA2 continues that:

'Housing proposals will be permitted where the following criteria are met:

1. *Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;*
2. *Their locations make best and full use of suitable brownfield sites wherever possible;*
3. *They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and*
4. *They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.'*

Burghill Neighbourhood Development Plan

The BNDP refers to the Core Strategy housing requirement at paragraphs 6.1.16 – 6.1.20 and explains how it applies an 18% growth target based on the existing number of dwellings within Burghill Parish. It must be recognised that the Core Strategy repeatedly states that the growth set out as minimum figures that should be used as a guide for NDPs.

There are a number of policies that do not currently conform to national policies and advice and are not in general conformity with the strategic policies contained within the Herefordshire Development Plan. Accordingly, the BNDP does not achieve the Basic Conditions required by the TCPA 1990. In particular, policies B1, B4 and B10 do not conform for the reasons discussed below. Recommendations are made in order to overcome the issues identified.

Policy B1 Scale and type of new housing in Burhill and Tillington and Low Burlton of the BNDP states:

'In order to retain the character of the Burghill parish, proposals for new housing will be only be considered on an allocated site or within the settlement boundaries identified on Map 2 (Lower Burlton), Map 3 (Burghill), and Map 4 (Tillington), in accordance with the Herefordshire Core Strategy and subject to the following criteria:

- (a) Maintains an appropriate density in context with the immediate surrounding area and not exceeding 25 dwellings per hectare;*
- (b) Ensures appropriate and safe access;*
- (c) Ensures adequate access to public transport facilities;*
- (d) Provides appropriate living conditions for existing and future occupiers (not located adjacent to noise generating agricultural, industrial or commercial activities);*
- (e) Is of high quality design and is in keeping with the immediate surroundings, environment and rural landscape and in accordance with Burghill Parish Design Guidance;*
- (f) Demonstrates a contribution to the delivery of an appropriate mix of dwelling tenures, types and sizes including at least 35% affordable housing and at least 15% of single storey dwellings, to meet the needs of all sectors of the community located throughout the site;*
- (g) Reflects the scale and function of the settlement; and*
- (h) Ensures appropriate parking is provided on site.*
- (i) Minimum living space within dwellings shall be 80 square metres*

Development in open countryside including conversion of rural buildings will be in accordance with the relevant Herefordshire planning policies.'

Core Strategy Policy H2 Rural Exception Sites supports proposals for affordable housing schemes in rural areas on land that would not normally be released for housing where it meets the criteria contained within. Accordingly, the above Policy should be amended to include exception sites as well as allocated sites and land within the settlement boundary.

With regard to the allocated sites, once found to be sound, these should be listed within the Policy for clarity and ease of reference.

A number of criteria contained within the Policy are not consistent with the Core Strategy, namely criteria (a), (f), (i). Each are dealt with in turn below.

Criterion (a) seeks to restrict the density of new development. Core Strategy Policy SS2 sets a County target net density of between 30 – 50 dph, although it may be less in sensitive areas. There is no justification offered as to why 25dph is considered a maximum density; indeed national planning policy guidance seeks to remove maximum density requirements to ensure the most efficient and effective use of land can be achieved. The first part of the criterion requires new development to be in keeping with the surrounding area and this is considered to provide sufficient protection against overdevelopment. Therefore, it is recommended that criterion is reworded to remove the 25dph restriction.

Criterion (f) is not consistent with the Core Strategy. Core Strategy Policy H1 Affordable Housing Thresholds and Targets seeks affordable housing provision on sites of more than 10 dwellings which have a maximum combined gross

floorspace of more than 1000m². On qualifying sites in the Hereford, Hereford Northern and Southern Hinterlands, and Kington and West Herefordshire housing value areas, an indicative target of 35% affordable housing provision is sought unless it can be demonstrated that this is not viable. Criterion (f) should be amended to reflect this guidance.

The second part of this Criterion requires *'at least 15% of single storey dwellings'*. This is not justified and is considered to be too prescriptive. It is recommended that this requirement is removed on the basis the remaining text seeks 'a mix of dwelling, tenures, types and sizes'.

Criterion (i) sets a minimum space standard. This is not acceptable and not in accordance with planning policy and other national guidance. National space standards exist with regard to minimum floorspace requirements for residential dwellings. There is no requirement to conform but Local Authorities can adopt national spaces standards; they may not set their own thresholds. On that basis it is recommended that criterion (i) is removed.

Policy B4 Rural Enterprise and Farm Diversification is too prescriptive and not consistent with the Core Strategy. Furthermore, it includes a section that relates to the conversion of traditional agricultural buildings. This should be for a separate policy taking into consideration permitted development rights.

National policy guidance supports and encourages diversification where it will contribute positively to the rural economy. Policy RA6 (Rural Economy) of the Core Strategy supports the following range of economic activities in this context where it would:

- *'support and strengthen local food and drink production;*
- *support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses;*
- *involve the small scale extension of existing businesses;*
- *promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;*
- *promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;*
- *support the retention of existing military sites;*
- *support the retention and/ or diversification of existing agricultural businesses'*

Policy B4 should be re-written to reflect the spirit and purpose of Policy RA6. It is important the policy encourages farm diversification and types of development that will contribute to the vitality and viability of rural economies.

Policy B10 Protection of Local Green Space claims to designate 8 Local Green Spaces (LGS) in accordance with paragraphs 76 and 77 of the National Planning Policy Framework (NPPF).

NPPF paragraphs 76 and 77 state:

'76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- *where the green space is in reasonably close proximity to the community it serves;*

- *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *where the green area concerned is local in character and is not an extensive tract of land.* (emphasis added)

In addition, the national Planning Practice Guidance (PPG) is clear that LGS designations should not be used in a way that undermines the identification of development land in suitable locations (Paragraph 007, ref. ID: 37-007-20140306)

Policy B10 seeks to both protect and allocate land. It is clear from the above policy guidance that LGS designations should seek protection only. Of particular concern is the inclusion LGS 4 'The green areas at Leasown and Bakers Furlong' and LGS 8 'Possible graveyard extension St. Mary's Church'.

Map 6 contained within the BNDP is poor quality but it appears that LGS 4 includes public open space between Bakers Furlong and Leasown housing estates, as per the UDP Proposals Map Insert 7 (Burghill). In addition, it is proposed to include privately owned land, estate roads and turning areas, boundary treatments, ditches and footpaths. It is not clear why this land has been included and it would not meet the tests of the NPPF set out above. Accordingly, it is recommended that the LGS 4 be amended to reflect the area identified in UPD Proposals Map which includes accessible and useable public open space within a residential area.

The Policy proposed that LGS 8 is a possible extension to the existing church graveyard, which is not the purpose of LGS designation. For clarification, this land cannot be considered as LGS as it is land owned and farmed by Farmcare. It is not and never has been publicly accessible. Therefore, it cannot be considered 'demonstrably special to the local community' or hold 'particular local significance' (NPPF, para. 77). Furthermore, this land was submitted as part of the 'call for sites' exercise (Site reference 34) previously referenced, for consideration for residential uses and an extension to the graveyard. It is recommended that this site be removed as a LGS designation.

Conclusion

These representations are submitted by Savills on behalf of Farmcare Ltd which is a major land owner within Burghill Parish.

It has been demonstrated that the draft BNDP fails to meet three of the 'Basic Conditions' required by TCPA 1990.

In particular, our assessment demonstrates that the settlement boundaries, as proposed, are inflexible and would not facilitate an appropriate level of proportional growth in Tillington and Burghill. In addition, the SAR prepared by Kirkwell has been analysed and it is our view that the report currently does not evidence a robust assessment of the submitted sites and the current scores cannot be relied upon. Therefore, we request that new, clear assessment criteria are established and the exercise is repeated. Overall, the BNDP in its current form fails to contribute towards the achievement of sustainable development.

We welcome the opportunity to meet with the Parish Council to discuss the points made in this representation, prior to submitting the plan to Herefordshire Council.

Yours sincerely

Chloë Clark BA (Hons) MSc MRTPI
Associate

Table 1: Recommended and Allocated Sites in Burghill and Tillington

Site		Settlement Boundary / Existing Built Form	Brownfield/ Greenfield	Constraints	Accessibility to services	Access	Impact on Settlement / Landscape	Suitability / Constraints	Total
Burghill Sites									
Site 21	Kirkwell Summary	Possible infilling / Rounding off group	Greenfield	Loss of Hedgerows & trees. Overhead electricity on site. Within buffer zone for Priority BAP	Close to bus route. Adj to village services	No existing access. Access can be provide from road to north of the site.	No significant impact. Would round off Redstone	No real impact on character of village / setting / landscape. Minor constraints.	
	Savills Comments	Agree	Agree	Agree	Agree	Agree	Agree	Agree	
	Kirkwell Score	0.25	1	0.75	0.25	0.75	0.25		3.25
	Savills Score	0.25	1	0.75	0.25	0.75	0.25		3.25
Tillington Sites									
Site 10	Kirkwell Summary	Within proposed settlement boundary / adjacent to existing built form	Part brownfield / Part Greenfield	Loss of significant trees. Part of site Priority BAP. PROW adjacent. Significant loss of employment site.	On bus route. Access to services in Tillington / Burghill	Existing access. Can be upgraded. Visibility splays can be provided.	Would extend settlement northwards to link with Court Farm Drive. No detriment. No significant impact on character	Development of whole site would result in significant loss of employment uses in rural area. Small area to rear of business park adjacent of BAP could be appropriate. Significant Constraints.	
	Savills Comments	Agree	Agree	Agree : UK BAP priority are the most threatened habitats that require conservation action under the UK Biodiversity Action Plan.	Agree	Agree	Agree	Disagree: As there is an existing employment use on the site, it cannot be considered 'available now' for development which is one of the requirements for a site to be considered 'deliverable', in line with the NPPF.	
	Kirkwell Score	0.5	0.5	1	0	0.25	0.5		2.75
	Savills Score	0.5	0.5	1	0	0.25	0.5		2.75

Site 22	Kirkwell Summary	Part within/ Part adjacent to proposed settlement boundary / Adjacent to existing built form	Greenfield	Sites rises gently northwards. Loss of trees and hedgerows. Part of site adjacent to Priority BAP.	On bus route. Access to services in Tillington/Burghill	Existing access. Can be upgraded. Visibility splays can be provided.	Would extend settlement northwards to link with Court Farm Drive. Would consolidate development in the village centre. No significant impact.	Development of whole site would consolidate built form in village centre. Minor constraints.	
	Savills Comments	Agree: The proposed settlement boundary is not relevant at this stage. Tillington does not have one and the proposed boundary will be informed partly by the allocated sites.	Agree	Agree	Agree	Agree	Agree	Disagree: The location of a BAP is a constraint that must be recognised.	
	Kirkwell Score	0.5	1	0.5	0	0.25	0		2.25
	Savills Score	0.5	1	0.5	0	0.25	0.25		2.5
Site 25	Kirkwell Summary	Within proposed settlement boundary / Adjacent to existing built form / Possible infill site	Greenfield	Flat Land. Loss of trees and hedgerows.	On bus route. Access to services in Tillington / Burghill	Existing access. Can be upgraded. Visibility splays can be provided. Adjacent access can be widened.	Would consolidate development in village centre. Infill between main road and existing built form.	Development of site could include widening of existing access to Cherry Orchard Cottages. Significant constraints.	
	Savills Comments	Agree: The proposed settlement boundary is not relevant at this stage. Tillington does not have one and the proposed boundary will be informed partly by the allocated sites.	Agree	Agree	Agree	Agree	Agree	Agree	
	Kirkwell Score	0.5	1	0.25	0	0.25	0.5		2.5
	Savills Score	0.5	1	0.25	0	0.25	0.5		2.5

Table 2: Sites in Burghill and Tillington submitted by Farmcare Ltd

Site		Settlement Boundary / Existing Built Form	Brownfield / Greenfield	Constraints	Accessibility to services	Access	Impact on Settlement / Landscape	Suitability / Constraints	Total
Burghill Sites									
Site 34	Kirkwell Summary	Adjacent existing settlement boundary	Greenfield	Orchard – possible contamination. PROW across site. Adjacent listed building. Within Conservation Area.	Close to bus route. Adj to village services	No existing access. Unsure whether access is available to site without strip in front.	Significant impact on Grade II* Church and Conservation Area	Impact on character due to location adjacent to church and within conservation area. Inappropriate development	-
	Savills Comments	Agree	Agree	Disagree: The land has most recently been used for fruit production, namely growing apples. It has been in agricultural use for a considerable period of time; therefore, potential for contamination would be very low and would not preclude residential development. Development has the potential to impact views from PROW. setting of heritage assets. Only part of the site is within the conservation area.	Disagree: On bus routes 437 & 477. Close to village services	Disagree: Land ownership extends to the main road to the south. Furthermore Farmcare owns land immediately north of this so alternative access points would be achievable. Land ownership can be demonstrated if required.	Disagree: The site is surrounded by development on three boundaries, adjacent to the settlement boundary. Development would be read within the context of existing development. No evidence to support impact on heritage assets or that the site is totally inappropriate for development. The site was submitted with recommendation for and extension to the graveyard and residential development. The proper arrangement of these uses would allow for negligible impact on both heritage assets. The constraints would be minor – significant, dependant on the proposals.	-	
	Kirkwell Score	0.5	1	1	0.25	1	1	1	4.75
	Savills Score	0.5	1	0.25	0	0.25	0.25 / 0.5	2.25 / 2.5	

Site 35	Kirkwell Summary	Adjacent existing settlement boundary	Greenfield	Loss of hedgerows and trees. PROW adjacent	Close to bus route. Adj to village services	No existing access	No impact on character of village. Access issues. Significant constraints.	No impact on character of village. Access issues. Significant constraints.	
	Savills Comments	Agree	Agree	Disagree: Minimal removal of hedgerows. Some impact on views from PROW likely.	Agree	Disagree: Access to the site is achievable via Bakers Furlong. Alternatively, Farmcare owns land that would make access possible. Land ownership can be demonstrated if required.	Disagree: No justification of significant constraints. Access is achievable and development is possible within limited impact on existing hedgerows. Minor constraints.		
	Kirkwell Score	0.5	1	0.75	0.25	1	1		4.75
	Savills Score	0.5	1	0.5	0.25	0.5	0.5		3.25
Site 36	Kirkwell Summary	Adjacent to end of settlement. Open Countryside	Greenfield	Orchard – possible contamination. Inappropriate extension to village	[no comments provided]	No existing access. Access can be provided from main road.	Impact on character through extension towards Tillington	Impact on character through extension towards Tillington. Inappropriate development.	
	Savills Comments	Disagree: The site is adjacent to the existing settlement boundary and should be score accordingly.	Agree	Disagree: The land has most recently been used for fruit production, namely growing apples. It has been in agricultural use for a considerable period of time; therefore, potential for contamination would be very low and would not preclude residential development. No justification for why the site is considered an inappropriate extension.	On bus routes 437 & 477. Village services in walkable via footway	Disagree: The site fronts onto the public highway at a suitable straight section from which an access could be taken. Notwithstanding that, there is an existing farm access immediately east of the residential property that abuts the eastern boundary of the site. Land ownership can be demonstrated if required.	Disagree: The site is located adjacent to the existing settlement boundary and remains well separated from Tillington. Development of part or all of the site would be read within the context of existing development within Burghill. Furthermore, it would reflect the linear settlement pattern of the Village which BNDP policies seeks to encourage. Development of this site would require a new access although an existing access is available. Consideration would also need to be given to landscape impact but neither of these matters are insurmountable. No constraints exist that would prevent residential development.		
	Kirkwell Score	0.75	1	0.5	0.25	0.75	1		4.25

	Savills Score	0.5	1	0.5	0	0-0.5	0.5	2.5 - 3.0	
Tillington Sites									
Site 37	Kirkwell Summary	Open Countryside	Greenfield	[no comments provided]	[no comments provided]	[no comments provided]	[no comments provided]	Would result in development moving towards merging Tillington and Burghill. Isolated dwelling in the countryside. Inappropriate development.	
	Savills Comments	Disagree: The site is opposite the existing school, in walking distance to the farmshop and in close proximity to residential dwellings. Tillington is a more dispersed settlement compared to Burghill.	Agree	Assessment does not indicate any specific constraints here	Close to village services	The highway runs along the southern boundary of the site.	Disagree: The site is opposite the existing school and remains separated from Burghill. It also reflects Tillington's more dispersed character compared to Burghill.		
	Kirkwell Score	1	1	1	1	1	1	6	
	Savills Score	1	1	1	0	0.5	0.25	3.75	
Site 38	Kirkwell Summary	Open Countryside	Greenfield	[no comments provided]	[no comments provided]	[no comments provided]	[no comments provided]	Would result in development moving towards merging Tillington and Burghill. Isolated dwelling in the countryside. Inappropriate development.	
	Savills Comments	Disagree: The site is adjacent to the	Agree	Assessment does not indicate any specific constraints here	Close to village services	The highway runs along the northern boundary of the site.	Disagree: The site is adjacent to the existing school and reflects Tillington's more dispersed character		

		existing school, in walking distance to the farmshop and in close proximity to residential dwellings. The site should not be considered 'open countryside' given the dispersed nature of Tilington.					compared to Burghill.		
	Kirkwell Score	1	1	1	1	1	1		6
	Savills Score	1	1	1	0	0	0.25		3.25
Site 39	Kirkwell Summary	Within proposed settlement boundary / adjacent to existing built form	Greenfield	Orchard. Possible Contamination. Extends into open countryside. Backland development.	Close to Bus route. Access to services in Tilington/Burghill	Access through garden. Sufficient land available.	Backland development in open countryside. Would encroach further into countryside. Significant impact.	Would result in development extending beyond existing built form in an ad hoc hap hazard form. Inappropriate development.	
	Savills Comments	Agree	Agree	Disagree: The land has most recently been used for fruit production. It has been in agricultural use for a considerable period of time; therefore, potential for contamination would be very low and would not preclude residential development. The site would result in a minor encroachment into	Agree	Agree	Disagree: The site is adjacent to the existing urban form with good accessibility to existing services. The relatively small scale of the site would not be a significant encroachment into the countryside, nor would it result in the appearance of a hap hazard built form beyond that which already exists in Tilington.		

				open countryside and this limited impact should not preclude sensitive development in this location.					
	Kirkwell Score	0.5	1	0.75	0.25	0	1		3.5
	Savills Score	0.25	1	0.5	0.25	0	0		2
Site 40	Kirkwell Summary	Within proposed settlement boundary / adjacent to existing built form	Greenfield	Orchard. Possible contamination. Extends into open countryside.	Close to Bus route. Access to services in Tillington/Burghill	Existing access will require upgrading	Development would extend significantly beyond existing built form into open countryside. Significant impact.	Would result in development extending beyond existing built form into open countryside. Inappropriate development.	
	Savills Comments	Agree	Agree	Disagree: The land has most recently been used for fruit production. It has been in agricultural use for a considerable period of time; therefore, potential for contamination would be very low and would not preclude residential development. Comment on open countryside	Agree	Agree	Disagree: The relatively small scale of the site would not be a significant enough encroachment into the countryside to preclude sensitive and appropriate development.		
	Kirkwell Score	0.5	1	0.5	0.25	0.25	1		3.5
	Savills Score	0.25	1	0	0.25	0.25	0.25		2
Site 41	Kirkwell Summary	Within proposed settlement boundary /	Greenfield	Utility building	On bus route. Access to services in Tillington/Burghill	No Access. Access and visibility can be provided.	Development would extend significantly beyond existing built form into open	Would result in development extending beyond existing built form into open	

		adjacent existing form	to built form				countryside. Significant impact.	countryside. Inappropriate development.	
Savills Comments	Agree	Agree	Disagree: Not clear why this is stated as a constraint that would preclude development coming forward. Agree that the site is unconstrained.	Agree	Agree	Disagree: While there is some encroachment into the countryside, the site reflects Tillington's more dispersed character and built form.			
Kirkwell Score	1	1	0	0.25	0.5	1			3.75
Savills Score	1	1	0	0	0.5	0.25			2.75

Martin Roberts

Objections to the Draft Burghill
Parish Neighbourhood Development
Plan.



17th August 2016

Dear Sir / Madam,

I write to make clear my objections and serious concerns regarding the Neighbourhood Development Plan for Burghill.

I was shocked, disappointed and angry to see the proposed developments for Tillington in the N.D.P.

All those directly affected, i.e. those living closest to the proposed sites, should be consulted directly. This has not happened. There has been absolutely no contact. Consultation has been non-existent and totally inadequate.

The proposed sites are in green field areas. The site behind the Tillington Business Park is green field and should never be included. Also the site on the Bell Inn field is green field and the owner was never consulted about anything to do with the proposed access.

The size of developments is totally disproportionate. The plan aims to have about an 18% build of existing number of houses per area. Tillington is a small group of houses and the percentage of new developments proposed amount to well over 120% of existing houses. This is ludicrous! The whole basis of the NDP was that it would be proportionate and Burghill itself, being the area with the highest density of housing, should take the vast majority. These proposals are incredibly disproportionate.

The proposed access on both sides of the road is extremely dangerous. I walk along the road regularly and it is a nightmare with the vast majority of drivers ignoring the 30 mph. speed limit. Any new access, with subsequent increased volume of traffic, would only make the area even more dangerous. There have already been some terrible accidents. We do not want any more!

In the scoring for each site the Burghill NDP steering group committee added neutral comments for a site to those in favour. This skewed the scores. It is totally wrong to do this. This makes a mockery of democracy and at the very least it is just plain bad mathematics. Neutral is neutral, not for a proposed site

There were never any proposed settlement boundaries for Tillington. They were not consulted on them nor subsequently. As the Parish Council itself said, "Tillington and Tillington Common are both in the countryside and a settlement boundary would not be necessary." There are several other sites which are much more suitable which need to be properly considered and included. The Duchy sites are a prime example!

There is no mains drainage and sewerage. The infrastructure doesn't exist to cope. Flooding already occurs in many areas around the sites. Any new developments will only add more problems regarding flooding and ground water contamination.

I understand that Herefordshire Council are seeking a 'development partner' for Hospital Farm, Bughill. The 16.6 hectares at Hospital Farm could potentially be developed with a density of 35 houses per hectare resulting in over 500 new houses in Bughill Parish. That is over four times the 120 houses that were targeted by Herefordshire Council for Bughill Parish between 2011 and 2031. That totally negates the need for any developments elsewhere and calls into question the need for the NDP in the first place! In all truth is there any need for any sites from the NDP?

I trust that my very valid objections and my serious concerns regarding the lack of consultation and democracy are taken into consideration.

yours faithfully,



Mr. M. C. Roberts

OBJECTIONS TO

BURGHILL NEIGHBOURHOOD DEVELOPMENT PLAN



Mrs Geraldine Roberts



17.08.2016

Dear Sir/ Madam,

I am writing to make an **objection** to the proposed Burghill Neighbourhood Development Plan.

The number of houses that have been proposed to be built in Tillington exceeds what the majority of people agreed would be acceptable for each plot. Most people opted for groups of 4-7 houses being acceptable and this I agreed with too. The proposal however is for two groups of ten and one of four.

This would change the character of the village and create difficulties of sewage, access, road safety, schooling – to name but a few.

It seems therefore that the original consultation to the parish and then our subsequent objections have been ignored.

The proposal is also disproportionate to the number of houses in Tillington at present. Tillington would be experiencing a much higher percentage of growth than Burghill.

Another fact that seems to have been overlooked is that planning has already been proposed for other plots in our village – smaller perhaps more sensible ones eg barn conversions and these have not been considered as part of the plan. Some plans may have come in since the process of consultation started but they **should at this still relatively early stage be included and considered in the numbers.**

The plan seems to have been drawn up and decided upon by just a few people – and the parish people have not been sufficiently consulted with at the point of drawing up. Also we feel our objections when presented with their plan have not been listened to or taken into account.

I would be grateful if you could take these objections into account and I hope that the plan can be carefully investigated and moderated by an objective third party.

Yours faithfully

Geraldine Roberts