

Bosbury Neighbourhood Plan

Consultation Statement – November 2016

Introduction

This Consultation Statement supports the Neighbourhood Plan Submission in accordance with Regulation 14 of the Neighbourhood Planning (General) regulations 2012. It contains the following:

- a) Details of people and organisations consulted about the proposed Neighbourhood Plan
- b) Details of how they were consulted
- c) A summary of the main issues and concerns raised through the consultation process
- d) Descriptions of how these issues and concerns have been considered and addressed in the proposed Neighbourhood Plan.

The Neighbourhood Planning (General) Regulations 2012 (Localism Act 2011) require a Consultation Statement to set out the consultations undertaken for the Neighbourhood Plan. In accordance with these Regulations and the local planning authority's guidance on consultation, the preparation of the Bosbury Neighbourhood Plan has involved residents, and other organisations with an interest in the parish in the preparatory stages for the Neighbourhood Plan.

Recent guidance from Department for Communities and Local Government (10 Sept 2013) states that:

'the consultation statement submitted with the draft Neighbourhood Plan should reveal the quality and effectiveness of the consultation that has informed the Plan proposals.'

This Statement sets out details of events and consultations. It lists the activities in which the local community has been involved and the ongoing work of volunteers. The aim of the consultations in Bosbury have been to ensure that there is as widespread as possible understanding of the reasons for and content of the Neighbourhood Plan.

This Statement demonstrates that there has been extensive community engagement which has informed the community of the progress and content of the Bosbury Neighbourhood Plan. Also the Neighbourhood Plan has been included as an agenda item at monthly Parish Council meetings and minutes of these are publicly available on the village website.

Initiating Neighbourhood Planning

Neighbourhood Planning has been led by Bosbury Parish Council with decision making powers delegated to its Neighbourhood Plan Committee. The Plan Committee is a working group formed to act as a key means of compiling the evidence base, engaging with the local community and testing the suitability and acceptability of its emerging policies and proposals; then drafting and submitting the Plan.

This working group consists of volunteers from the Parish Council and they also engaged with an independent planning consultant to help with the preparation of policies and the plan overall, the whole process was supported significantly by Herefordshire Council Neighbourhood Planning Team.

Throughout the summer of 2014 this working group met formally on a weekly basis to progress the Plan activities, discuss issues, and liaise with the Council Support officer who attended some of the meetings.

The Plan preparation process

The process of preparing and seeking final adoption of the Neighbourhood Plan is in accordance with the Neighbourhood Plan (General) Regulations 2012 and has been agreed by Bosbury Parish Council. The intention of the Parish Council is to submit the Neighbourhood Plan in late 2016 with a view to the Plan being determined as being in general conformity with current legislation in force and therefore ready for Examination in 2017.

The process up to Submission has comprised a number of stages:

Formation of the Neighbourhood Plan Committee.

Committee formed in June 2014 with decision making powers devolved from Bosbury Parish Council.

Definition of the Neighbourhood Plan area

The Parish Council made an application for the Designation of the Neighbourhood Plan area on 9th June 2014. The application contained a map which identified the area to which the area application related, a statement explaining why this area was considered appropriate to be designated as a neighbourhood plan area and a statement that the organisation making the application was a relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act.

Designation of the Plan area was approved by Herefordshire Council on 1st August 2014, application and letter of confirmation attached at **Appendix 1**

Creation of extra communications

A New village noticeboard was placed centrally in Bosbury village, a dedicated email address and a twitter feed were also created and used to advertise meetings and provide relevant information.

Posters were placed on every village noticeboard advertising all activities, and A5 flyers distributed through every letterbox in the Village and surrounding area. A5 flyers were also put into the circulation of the parish magazine (Network 5) plus corresponding press entries in the Ledbury Reporter village section.

Collection of initial baseline opinion on sustainable development and evidence-base

Fortnightly public workshops and meetings held throughout June, July and August 2014 in Bosbury Village Hall. Workshops were timed to run from before the school pickup times and into the evening so that maximum attendance could be achieved from people who were not in the village in the day. People were free to discuss the whole concept of sustainable development in Bosbury with members of the working group and all relevant opinions were captured and considered. Conversation tended to focus around large A0 size maps of the village and surrounding area that the working group had printed and displayed.

Refinement of opinion and consideration of key areas of importance by questionnaires

Two separate questionnaires were distributed, one focussing on sustainable development sites, one focussing on policy matters. The answers to these were fed into the plan (as listed in the evidence base) and also used to define the scale of individual development applications permissible as detailed in the Plan.

Refinement of opinion and consideration by “planning for real” style events

Villagers were invited to pin flags into large A0 size printed maps of the village to identify pro’s and con’s of different areas for sustainable development within the village.

Open voting within the village for a proposed new settlement boundary

Four new boundary options were presented at an open meeting in the Village Hall to all-comers for them to vote on which option they preferred. A clear majority favoured one layout which is the one chosen within the Plan.

Initial Drafting of the Neighbourhood Plan based on findings

In September 2014 a full initial draft plan was put together based on all the opinion and feedback given during the summer. This was published on the parish website www.bosburyandcoddington.co.uk

Plan Circulation One

Posters advertising the plan's availability were placed throughout the village and put on Twitter.

A press entry in the Ledbury Reporter Parish section advertised the Plan including details of the website and how to respond.

A full postal circulation of the printed draft plan was made to every household on the Parish Electoral role (circa 270 households) inviting a 6 week initial consultation period.

The Draft Plan also sent to the following persons/organisations by post or email:

- Bill Wiggin MP
- Ward Councillors: Cllr Atwood and Cllr Johnson
- Herefordshire Council Neighbourhood Planning Team
- Herefordshire Council Planning Team
- The Church Commissioners for England
- Welsh Water
- Severn Trent Water
- Highways Agency
- English Heritage
- Natural England
- Environment Agency

Refinement Period One

In November/December 2014 a final draft plan was put together based on the information given as feedback, in particular there was significant help given by our allocated Neighbourhood Planning Officer who also provided SEA and HRA reports. This was again published on the parish website www.bosburyandcoddington.co.uk

Plan Circulation Two - 8 week consultation period. (Regulation 14)

The Final Draft Plan as well as HRA and SEA reports were sent to Herefordshire Council on 18th December to initiate the regulation 14 consultation period. 8 weeks was allocated rather than 6 due to the Christmas period.

A letter and links to the Final Draft plan were also sent to:

- Welsh Water
- Severn Trent Water
- Highways Agency
- English Heritage
- Natural England
- Environment Agency

Posters were placed throughout the village, and Twitter updates posted to advertise the new consultation period and the availability of the final Draft plan, also entries were put in the following newspapers and on their websites to advertise the Plan and its consultation period: Malvern Gazette, Ledbury Reporter, Cotswold Journal, Evesham Journal, Tewkesbury Admag, Worcester News

Herefordshire Council also circulated the Plan to relevant stakeholders.

Refinement Period Two

Feedback was received from Herefordshire Council, English Heritage and The Church Commissioners for England. This has been given significant consideration as detailed below and the Final Plan for Regulation 15 submission has been created, of which this is the accompanying consultation statement.

Refinement Period Three

Some months after successful regulation 15 submission and after the review of the neighbourhood plan general conformity via regulation 16 there were several policy changes proposed within the emerging Herefordshire core strategy. One of these changes had direct impact on potential housing volumes so the neighbourhood plan was held

at regulation 16 and not put forward for examination. Once the Core strategy was finalised and adopted the resulting policies were analysed and the Bosbury Neighbourhood plan reviewed.

It became apparent that all the local policy work within the Neighbourhood plan was still valid and intact, but there needed to be supporting narrative changes plus some justification provided to align the proposed housing volumes in the neighbourhood plan with the core strategy and be in general conformity once more.

Following significant conversation with Herefordshire Council Neighbourhood Planning team it was confirmed that the Neighbourhood Plan could be refined without further regulation 14 consultation as no local policies were affected, and that “local and environmental factors” could be used to demonstrate an appropriate level of housing for the village in line with the original plan version and wishes of the village. This whole process took over a year and the final revision of the Neighbourhood plan was agreed for submission to Herefordshire Council by Bosbury and Coddington Parish council at their monthly meeting in October 2016. (Minutes of meeting available at www.bosburyandcoddington.co.uk)

Working with other Bodies

Herefordshire County Council

The extensive support and advice provided by Herefordshire Council Neighbourhood Planning team has been instrumental in bringing our plan to fruition. Meetings have been held with our assigned planning officer (Karla Johnson) and she has offered guidance and support throughout.

Karla also kindly co-ordinated the preparation of our SEA Environmental Reports and HRA Screening Report as supplied under separate disclosure.

Co-operation with neighbouring parishes

A good working relationship was established with our ward councillors who attend every monthly Parish council meeting. They were also included in circulation of the draft plan so that they could inform other parishes within the Ward on updates and progress. The Plan Area boundary only briefly contacts one neighbouring parish boundary and is mostly well contained within the Bosbury Parish. There are some miles of protected “green belt” farmland between the Bosbury settlement boundary and that parish boundary, so there is no impact on any neighbouring parishes from this Neighbourhood Plan.

Summary of Reg 14 Consultation Responses and Consideration /Action

The table below sets out the responses submitted to the Draft Neighbourhood Plan, together with information about how these responses have been considered by the Plan Committee and have informed the amendments to the Submission Neighbourhood Plan. It should be noted there were no general public responses to this final circulation, doubtless because we had already carried out a six week consultation late last year to the whole parish.

Responses to Official Consultation Period December 18th 2014 to February 12th 2015

Consultee	Comment	Committee Consideration	Amendment
Severn Trent Water	No comment received		No Amendment

Natural England	<p>4/2/2015 Dear Sir/Madam,</p> <p>Re: Bosbury Neighbourhood Development Plan.</p> <p>Many thanks for the above consultation. 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.</p> <p>Having looked at the policies in the plan, Natural England does not consider that this plan poses any likely significant risk to internationally or nationally designated nature conservation or landscape sites and so does not wish to make specific comments on the plan.</p> <p>The lack of more detailed comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may make comments that will help the Parish/Town Council or Neighbourhood Forum to fully take account of the natural environment in the planmaking process.</p> <p>For any correspondence or queries relating to this consultation only, please contact Charles Routh on 07990 773630. For any new consultations or issues, please contact consultations@naturalengland.org.uk.</p>		No Amendment
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<p>English Heritage</p>	<p>09/02/2015</p> <p>Dear Mr Hosking BOSBURY DRAFT NEIGHBOURHOOD PLAN – CONSULTATION</p> <p>Thank you for the invitation to comment on the draft Neighbourhood Plan. We are supportive of the content of the document, particularly its’ emphasis on local distinctiveness and the protection of local rural landscape character and overall consider it to be a well-considered, concise and fit for purpose document.</p> <p>We note and are appreciative of the fact that our comments upon an earlier draft have been accepted and that they are now incorporated within the current Neighbourhood Plan.</p> <p>Beyond those observations we have no substantive further comments to make on what English Heritage considers is a very good example of community led planning.</p> <p>I hope you find this advice helpful. If you have any queries please do not hesitate to contact me.</p> <p>Yours faithfully</p> <p>Pete Boland</p> <p>Historic Places Adviser E-mail: peter.boland@english-heritage.org.uk</p> <p>07 November 2014</p> <p>Dear Mr Hosking BOSBURY DRAFT NEIGHBOURHOOD PLAN – CONSULTATION</p> <p>Thank you for the invitation to comment on the draft Neighbourhood Plan. We are supportive of the content of the document, particularly its’ emphasis on local distinctiveness and overall consider it to be a well-considered, concise and fit for purpose document.</p> <p>We have a few minor suggestions only that may add strength to the Plan. We suggest adding the words “and conserve the” into Policy 2A viz:</p> <p>“Respect the local character and conserve the historic and natural assets.....”</p>	<p>Committee agrees with and appreciates the comments from English Heritage. All amendments/additions were actioned within the draft Plan prior to Reg14 circulation.</p>	<p>No Amendment</p>
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	<p>The intention behind this is to provide a measure of protection for important assets and to guard against any unnecessary loss or damaging change.</p> <p>Given the evident importance of the historic landscape setting of Bosbury as highlighted through the recent development proposal we think it would also be prudent to strengthen Policy 2B thus:</p> <p>“Respect rural character and local landscape quality particularly the open landscape beyond the boundary of the conservation area that currently strongly contributes to its’ character and which underpins its’ special interest and ensure positive views and vistas particularly those into and out of the conservation area are maintained.”</p> <p>This also serves to provide an extra level of justification and a context for Policy 6A.</p> <p>We also suggest a new Policy 2G(?) in recognition of the obvious archaeological significance of Bosbury (eg. Knights Templars Preceptory and Bishops Palace etc.) as follows:</p> <p>“2G. New development must take account of known surface and sub-surface archaeology, and ensure unknown and potentially significant deposits are identified and appropriately considered during development. Lack of current evidence of sub-surface archaeology must not be taken as proof of absence” .</p> <p>Finally, whilst we support the conversion to beneficial uses, including employment uses, of redundant historic buildings we are concerned to ensure that this is done in a sensitive manner. Therefore we suggest the inclusion of the following as part of Policy 3 (The Local Economy) of the Neighbourhood Plan:</p> <p>“Redevelopment, alteration or extension of historic farmsteads and agricultural buildings within the Parish should be sensitive to their distinctive character, materials and form. Due reference and consideration should be made to the Herefordshire Farmsteads Characterisation Project” .</p> <p>Both of these policies are directly based on Chaddesley Corbett Neighbourhood Plan that has</p>		
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	<p>been successfully examined and was recently “made” by Wyre Forest District Council in Worcestershire.</p> <p>I hope you find this advice helpful. If you have any queries please do not hesitate to contact me.</p> <p>Yours faithfully</p> <p>Pete Boland</p> <p>Historic Places Adviser E-mail: peter.boland@english-heritage.org.uk</p>		
The Environment Agency	No comment received		No Amendment

DwrCymru / Welsh Water	<p>Dear Matt,</p> <p>I can confirm that DCWW has no further comment to add following my previous correspondence of 27th October, but many thanks for including us in the consultation.</p> <p>If you require any further information, please do not hesitate to contact me.</p> <p>Regards,</p> <p>Ryan</p> <p>27th October:</p> <p>Dear Matt,</p> <p>Apologies for only now getting back to you but I only received this consultation this morning.</p> <p>I can confirm that Dŵr Cymru Welsh Water (DCWW) only provide a supply of water to the parishes of Bosbury and Coddington. I would advise that you consult Severn Trent with regard to the sewerage network and foul treatment, though it may be that there are private sewerage facilities in the parishes.</p> <p>With regard to our water supply network, we are not aware of any issues within the parishes of Bosbury and Coddington at present, but would welcome any further consultation on the Neighbourhood Plan process.</p> <p>Please could I ask that any further consultation is sent either to myself, or the forward.plans@dwrcymru.com email address.</p> <p>If you have any queries on the above, please do not hesitate to contact me.</p> <p>Regards, Ryan</p>		No Amendment
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Highways Agency	No comment received		No Amendment
Herefordshire Council Development Management	No response		No Amendment
Herefordshire Council Planning Policy	No response		No Amendment
Herefordshire Council Landscape / Archaeology/ Conservation	No response		

<p>Herefordshire Council Strategic Housing</p>	<p>The requirement for affordable under the Core Strategy for Ledbury HMA will be 40% and not 35%.</p> <p>Affordable housing will no longer be sought on schemes less than 10 if the combined floor space does not exceed 1000 sqm. Therefore the proposals of 4 or more dwellings will need to be reviewed.</p> <p>As you are probably aware building regs change this year. At the moment we ask for certain standards for the affordable housing when Herefordshire adopt the new building regs we will only be asking for minimum HQI sizes for the affordable. The parish council might wish to bear this in mind otherwise there maybe issues with RSL's taking them on.</p>	<p>The Strategic Housing comments are of significant value and policy has changed in recent months. The Neighbourhood Plan policy:</p> <p><i>Furthermore all proposals of 4 or more dwellings should: 1E - Provide a mix of homes taking into account objectively identified housing needs, and include an element of affordable housing as recommended in regional planning guidance and/or specified in the Local Plan. The affordable housing will be secured by way of a S106 Legal Agreement, or planning condition, ensuring that it remains an affordable dwelling in perpetuity.</i></p> <p>Will be changed to state:</p> <p><i>1E - Provide a mix of homes taking into account objectively identified housing needs, and include an element of affordable housing as recommended in national planning guidance and/or specified in the Local Plan. Should a level of affordable housing be mandated by national guidance it will be secured by way of a S106 Legal Agreement, or planning condition, ensuring that it remains an affordable dwelling in perpetuity.</i></p> <p>Ancillary contextual wording will be revised also.</p> <p>Currently there is no requirement for affordable housing identified by Herefordshire Homepoint within Bosbury, so we are not immediately concerned the requirement for Affordable Housing in proposals of less than 10 houses (where total development floor space does not exceed 1000 sqm) has been removed.</p>	<p>Policy 1E Amendment and contextual narrative.</p>
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<p>Herefordshire Council Economic Development</p>	<p>No response</p>		<p>No Amendment No Amendment</p>
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Herefordshire Council Environmental Health	No response		No Amendment
Herefordshire Council Parks and Countryside	No response		No Amendment
Herefordshire Council Transportation and Highways	No response		No Amendment
Herefordshire Council Waste	<p>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.</p> <p>Finally it should be recognised that contamination is a material planning consideration and is referred to within the NPPF. I would recommend applicants and those involved in the parish plan refer to the pertinent parts of the NPPF and be familiar with the requirements and meanings given when considering risk from contamination during development. These comments are provided on the basis that any other developments would be subject to application through the normal planning process.</p>	Waste comments are appreciated, no action or amendment needed as they seem to be at a very general level and not attributable directly to the Neighbourhood Plan policies	No Amendment
Carter Jonas on Behalf of the Church Commissioners for England	<p>10 February 2015</p> <p>Dear Sir/Madam,</p> <p>RESPONSE TO DRAFT BOSBURY NEIGHBOURHOOD PLAN (DECEMBER 2014)</p> <p>The following representations are made on behalf of The Church Commissioners for England (the Commissioners) in the context of their land holdings known as Land West of Upper Court Road, Bosbury. This representation will address the draft Bosbury Neighbourhood Plan (NP) and its conformity with the requirements for preparation of Neighbourhood Plans (the Basic Conditions set out in paragraph 8(s) of Schedule 4B to the Town and Country Planning Act (1990), as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act (2004)).</p> <p>The Basic Conditions state that Neighbourhood Plans should:</p> <p>a) have regard to national policies and advice contained in guidance issued by the Secretary of State d) contribute to the achievement of sustainable development.</p>	<p>Comments of Carter Jonas on behalf of the Church Commissioners were very useful to see, and we have updated our plan narrative where necessary.</p> <p>Sadly, their response is slanted towards bolstering a planning appeal that they are pursuing rather than giving balanced reply to a community project so the following considerations were given:</p> <p>Opening Statements: Paragraph 4 Consultation – this has been dealt with by correspondence. The Church Commissioners were formally invited into our Neighbourhood Plan process back in June 2014 and have been well aware of the Neighbourhood Plan development process through their Planning Application P141550 for 46 houses to the South of Bosbury Village, as well as being included in</p>	Minor amendment to narrative and clarification in Note 1. No policy changes other than 1E.

	<p>e) be in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</p> <p>f) not breach, and is otherwise compatible with, EU obligations.</p> <p>g) ensure that prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).</p> <p>(Parts b) and c) of the Basic Conditions are not applicable in this instance and have therefore not been included).</p> <p>Before we comment on the content of the draft NP we would note that we cannot find record of being notified of the Plan's preparation, as a landowner within and affected by the draft NP's proposals. Such notification should be undertaken in accordance with Regulation 14a) of the Act, and within the requirements of National Planning Practice Guidance (NPPG) (paragraph 048) this is an important procedural point that we make, and invite your response to.</p> <p>With regard to the draft NP we have the following comments to make, arranged under subject headings for clarity.</p> <p>Settlement Boundary</p> <p>The definition of the settlement boundary is closely linked to the requirements in the NPPF to meet the Objectively Assessed Needs of the District for market and affordable housing (NPPF paragraph 47). The NPPF further requires that a supply of specific deliverable sites is identified to provide five years worth of housing when measured against the District's requirements (NPPF para 47). Herefordshire Council cannot demonstrate a five year supply, indeed their latest Annual Monitoring Report (December 2014) acknowledges that Herefordshire has just 2.74 years' supply. In this context, the NP's approach of requiring development solely within the settlement boundary is contrary to the requirements of paragraphs 47 and 49 of the NPPF. The draft NP therefore fails Basic Condition a) of the Act.</p> <p>In parallel with this, the Core Strategy is emerging and is currently submitted to the Secretary of State for examination. The hearing documents demonstrate that there are unresolved matters in respect of the level of the District's housing requirement and Objectively Assessed Needs. These matters must be examined and resolved before any significant weight can be attributed to the Core Strategy in accordance with paragraph 216 of the NPPF. Therefore at this stage, the Neighbourhood Plan cannot be judged to be in general conformity with the strategic policies contained within the development plan for the area and therefore fails Basic Condition e) as set out in the Act.</p> <p>Under the sub-heading 'Landscape and Environment', the third paragraph under Justification and Evidence discusses the use of the field to the south of the village. It states that the field is used for recreational</p>	<p>the draft plan circulation in September.</p> <p>Settlement Boundary: Despite assertion to the contrary, the Neighbourhood Plan is in line with the NPPF and supports the currently proposed volume of housing to meet the five year supply in the new emerging core strategy. The Ledbury MHA district requirements have been documented, and the Plan identifies sites that can support the numbers apportioned to the Village of Bosbury, therefore we do not agree that basic condition A is not met.</p> <p>Paragraph 2 - the respondent is incorrect in their selection of planning policy. The Neighbourhood Plan has to conform with the adopted UDP to meet the basic requirement, not the emerging plan (see national planning guidance). Therefore does not fail basic condition E.</p> <p>Paragraph 3 - we appreciate the respondent confirming that their land has an identified secondary use for a variety of recreational purposes.</p> <p>Paragraph 4 – Any minor benefits do not outweigh the significant harm that would be caused to the area as evidenced by the Council Conservation Officer and English Heritage in the refusal of the respondents planning application P141550. It would be inappropriate to include a site within a Neighbourhood Plan that has already been recently refused by Herefordshire Council for housing development.</p> <p>Paragraph 5 - The existing settlement boundary (ref: 2007 UDP) already includes the Flood zone three areas the respondent describes. The proposed barn conversion within the Neighbourhood plan is in Flood zone 2, not 3 and an "area benefiting from flood defence". Also much of the additional field area to the north is not in a flood zone at all and flood risk mapping shows "very low" risk.</p> <p>To the further point raised, the Neighbourhood plan seeks sympathetic conversion of the barns at the Farm not new development, so the impact to heritage assets should be minimal. English heritage wholly support this Neighbourhood plan and there has been no adverse comment from the Council Conservation Team either, so we do not agree with the respondents' assessment.</p>	
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	<p>purposes such as dog walking, exercise and access to other parts of the village. Whilst the village utilises the right of way which falls within the Commissioners land for various purposes, the field's primary function is for agricultural use and not for recreational use.</p> <p>Policy 6A within this section seeks to protect the rural landscape and the undeveloped areas outside the new Settlement Boundary. These areas are to be excluded from any new housing development unless wholly in accordance with policy 3C (policy 3C provides an exception for new build development of 1 or 1.5 storey accommodation that may be considered with an agricultural tie occupancy condition). This approach has no regard to development that positively reinforces the nature of the settlement and preserves the setting of the nearby heritage assets. Equally, whilst the justification acknowledges the recreational benefits that the southern field provides it ignores the prospect of improving the right of way on the edge of the site, and the recreational enhancements that a new development could provide for the village in the form of a play area. This short sighted and unfounded view removes the opportunities that could derive from sensitive, appropriate development here.</p> <p>The Bosbury Settlement Boundary plan proposes an extension of the settlement boundary around Old Court Farm. The notes on the plan and the Environment Agency flood maps show that this site is located within Flood Zone 3. This area has a high probability of river flooding. In the absence of any development proposal for the site, there can be no assurances that this small area of land will be able to accommodate the growth required within the village or that it will be a viable redevelopment opportunity for the future developer given the flood mitigation that will be required to redevelop this site. Furthermore, the proposed site included within the extension to the settlement boundary around Old Court Farm is situated within and adjacent to the curtilage of a Grade 1 Listed building, and is in close proximity to a Scheduled Ancient Monument. The site is thus more sensitive in heritage terms than the land recently proposed by the Commissioners for housing to the south of the village.</p> <p>Underlining the Commissioners' concerns in relation to the proposed settlement boundary and development beyond is the Council's Interim Protocol which was discussed and agreed at Cabinet on 12 July 2012. The Interim Protocol states that in the absence of a demonstrable five year housing supply the Council would permit proposals of an acceptable scale and design on the basis that they:</p> <ul style="list-style-type: none"> • Fall at locations that currently have settlement status within the UDP; • Are located adjacent to the existing settlement boundary; • In terms of site of 5 or more units, they should be sites that have been assessed through the SHLAA as having low or minor constraints. <p>The Commissioners' site to the south of the village falls at a location that has settlement status within the UDP and is located adjacent to the existing settlement</p>	<p>Paragraph 6-8 - The respondent has confirmed that the interim cabinet statement would potentially permit proposals where "In terms of site of 5 or more units, they should be sites that have been assessed through the SHLAA as having low or minor constraints." (Point three) The respondents' site has already been assessed through the SHLAA and deemed to have "significant constraints" therefore falls well outside this definition. The assertion that the "'Commissioners' site now fully meets the requirements of the Council's Interim Protocol." is false as it still fails point three as above, it is not identified in the SHLAA as having low or minor constraints.</p> <p>Paragraph 9-10 - The Neighbourhood Plan is not contrary to national policy and guidance, is not contrary to the Emerging Core strategy with regards to housing numbers (it accommodates the proposed 14% increase and more) and is not contrary to the interim protocol either as there is no SHLAA site next to the proposed boundary that has already been assessed as having low or minor constraints. Accordingly the plan does NOT fail basic Conditions a), d) and e).</p> <p>Housing: Evidence for the number of houses needed was included within the Plan, accordingly the statement "<i>We see no evidence for this calculation</i>" is false. The Rural Housing Needs background paper to the Core Strategy suggested existence of 143 dwellings in the "main village" however this was formally challenged within the public evaluation process in 2014 and is incorrect. It is believed that the number of 143 included properties in either nearby Catley or Coddington and it was confirmed by Herefordshire Council that it was simply derived from a database. The figure of 100 can be counted from the 2007 UDP settlement boundary map included within the Neighbourhood Plan.</p> <p>Accordingly as the Neighbourhood plan can demonstrate the delivery of 14% growth then it does not fail either Basic Condition a) or e).</p> <p>Affordable Housing: We appreciate the respondent pointing out that there has been a change of Policy on 28 November 2014, as indeed other reviewers</p>	
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	<p>boundary satisfying the first two bullets. In relation to the final bullet the entire field was considered and discounted as a development site in the 2009 SHLAA. The following provides an overview of the concerns that the Council raised in relation to the site and how the undetermined appeal scheme addresses these matters.</p> <ul style="list-style-type: none"> • It was too large if developed in totality. The appeal proposals provide only partial development of the field. • Would be contrary to the existing settlement pattern. It is the Commissioners' view that the proposals positively reinforce the settlement pattern of the village. • There is only limited capacity that can be achieved from Forge Bank. The appeal proposals demonstrate that access can be achieved and highways impacts are acceptable. This position has been reinforced by the Transport Manager at Herefordshire District Council who raised no objection to the access and highways impacts as part of the application submission. <p>The Commissioners' site now fully meets the requirements of the Council's Interim Protocol. This is further confirmed by the positive recommendation put forward by officers at the application stage, and for the avoidance of doubt, the development can be acceptably located within the Commissioners' land without any undue impact on the conservation area or listed buildings.</p> <p>The NP's consistent message that development to the south of the village is inappropriate is contrary to the requirements of national policy and guidance, the out of date position in terms of housing numbers in the emerging Core Strategy and is contrary to the Council's own interim protocol for considering development adjacent to settlement boundaries.</p> <p>In this regard, the approach to settlement boundaries and any development beyond fails Basic Conditions a), d) and e).</p> <p>Housing</p> <p>The Strategy section of the draft NP states that the housing requirement of Bosbury over the period to 2031 is 14 dwellings. We see no evidence for this calculation. Indeed, the Scoping Report for the SEA of the draft NP (Herefordshire Council, August 2014) and the Rural Housing Needs background paper to the Core Strategy identifies the presence of 143 dwellings in the parish. Therefore the NP should disclose and justify the evidential basis for inclusion of a figure of a minimum of 20 homes over the period to 2031. We therefore object to this limit on the growth of the village which is not in accordance with Basic Condition a) or e) of the Act.</p> <p>Affordable Housing</p> <p>Policy 1A) – Housing Growth confirms that proposals of up to eight homes will normally be acceptable. Part 1E) goes on to require proposals of four or more dwellings to take into account the objectively</p>	<p>have done. We will amend the Plan within this area. As discussed by the Herefordshire Planning Committee in November (when considering the respondents planning application) there is actually no current need for any affordable housing identified by Herefordshire Homepoint within Bosbury, so we are not immediately concerned the requirement for Affordable Housing in proposals of less than 10 houses has been removed. We can re-assess this in later iterations of the Neighbourhood Plan as needed.</p> <p>General Points:</p> <p>Whilst the respondent is keen to pick holes in the wording simply describing the village, the village description and assessment was taken from the Herefordshire Council Conservation Officer's response to the respondents planning application P141550.</p> <p>Whilst the respondent is keen to suggest that development to the south of Main Street is beneficial, it has already been assessed in detail by a Council Conservation Officer, English Heritage and a formal Planning Committee. The land the respondent is desperate to promote has significant constraints as a SHLAA and has already been refused recently by Herefordshire Council for development, therefore we are right in excluding it from our plan.</p> <p>The suggested contradiction with further development north of Old Court Farm is false as the proposal at the Farm is simply for existing Barn conversion within the grounds to the north, and potentially 6-8 units of housing further north again, beyond Dowdings Brook. This in no way can be considered of similar impact to heritage assets as the 46 property housing estate proposed by the respondent in the field to the south of the village Main Street.</p> <p>The closing statement that <i>"Overall, it can be clearly concluded that the Bosbury Neighbourhood Plan cannot be considered to be positively prepared and for the reasons detailed above fails the Basic Conditions as set out in the Act."</i> is a sad closing slur on a Community Project run and funded by a small rural village in an inclusive and positive manner.</p> <p>For the reasons given above; the process of delivering the plan and</p>	
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	<p>identified housing need, and include an “element of affordable housing as recommended in regional planning guidance and/or specified in the Local Plan.”</p> <p>Regional Planning Guidance is no longer applicable in this instance, having been revoked some years ago. Furthermore, on 28 November 2014 changes were published to the NPPG which sets a new national threshold for affordable housing (paragraph 12). In circumstances where Bosbury is not within a designated rural area (as described under Section 157(1) of the Housing Act 1985) the NPPG states that affordable housing provision should not be sought for developments of 10 units or less.</p> <p>The changes to the NPPG supersede any local requirement set out within the Local Plan and emerging planning policy will need to be amended to reflect this. As such, the NP as currently drafted does not make provision for any affordable housing within the parish as it does not support sustainable development proposals above 10 units. The result is that the Neighbourhood Plan cannot provide a range of housing to meet the identified local need.</p> <p>On these bases, the draft NP does not support the ambitions of sustainable development (to support strong vibrant and healthy communities) and the policy position cannot be judged to be in conformity with National Planning Policy and Guidance. In this regard, Policy 1 does not align with Basic Condition a), d) and e).</p> <p>Indeed, the draft NP on its terms would make no provision for affordable housing whatsoever during the plan period. This, it is considered, is a fundamental flaw to the draft Plan and the strategy underlying it.</p> <p>General Points</p> <p>Under the sub-heading ‘Character and Situation’ there is an inaccurate description of the village as follows:</p> <p>“At present it is clear when travelling through the village that the built development to either side is one property deep. This is due to the views between the buildings which give glimpses of the fields beyond.”</p> <p>This assertion is plainly false, as it is clear that there are properties behind those on the frontage in many places along Main Street, with the most relevant being Morton Cottages. In fact, relatively little of the village is one property deep illustrated by the settlement map in the NP document.</p> <p>This is an important point which leads the draft NP to then make an unjustified claim about the potential impact of more development to the south of the village. The Neighbourhood Plan asserts that if the building line of the village were to be extended to the south, in a similar way to Forge Bank, then the legibility of the historic setting will be lost. This assertion is not demonstrated by evidence and it remains the case that the impacts of any development proposal on heritage assets and/or the setting of the</p>	<p>also through the absence of any other objections received from any other reviewers, we firmly believe that our plan passes the Basic Conditions and is positively prepared. This letter of response simply seems to be attempting to better the respondent’s position at planning appeal for Application P141550, by attempting to ruin a Community Project rather than giving a balanced and considered reply.</p>	
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	<p>village must be considered as and when it is submitted to the District Council as LPA.</p> <p>It is the Commissioners' view that sensitive development to the south of Main Street has the opportunity to reinforce the linear nature of the village, which would result in minimal impact on the legibility of the historic setting of the nearby listed buildings. With this matter being one of the principal issues to be discussed at the impending appeal, asserting otherwise in the draft NP is untested.</p> <p>This statement is also contradictory as the same concern could presumably apply to the NP's proposal for further development north of Old Court Farm. This statement cannot be justified and should be deleted from the draft NP.</p> <p>Overall, it can be clearly concluded that the Bosbury Neighbourhood Plan cannot be considered to be positively prepared and for the reasons detailed above fails the Basic Conditions as set out in the Act.</p> <p>Yours faithfully,</p> <p>Ben Simpson</p> <p>Partner E: Ben.simpson@carterjonas.co.uk T: 020 7016 0732 M: 07827 851807</p>		
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Example Material Distributed throughout the Neighbourhood Planning Process.

Bosbury and Catley Neighbourhood Plan

Neighbourhood Plans are not the same as the Parish Plan which was produced in 2010. The housing and planning elements of the Parish Plan have sadly become a piece of history that is now obsolete.

A Neighbourhood Plan is a new piece of formal legal legislation that is a key part of the new core planning strategy of the country.

The Plan gives us as a community the opportunity to choose where we want new homes, shops and workplaces to be built, decide what new buildings and homes should look like, grant planning permission for the new buildings we want to see go ahead.

If we don't have a plan, we don't have a say.

Bosbury must have a Plan to ensure we, as a community, have a say in how the village develops and that its not left to the developers and a national planning policy.

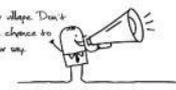
Forget this process going, there are four workshops scheduled over the next six weeks so that everyone can give their input and have their say as the Neighbourhood Plan develops.

These meetings are all to be held in Bosbury Village Hall and are on:

Thursday 19th June
Thursday 3rd July
Thursday 17th July
Thursday 31st July

Each meeting is a drop-in workshop from 4.30pm to 6.30pm so come when you can. It only needs to take a few minutes to get an update on the Plan so far and give your opinion but every opinion matters and will help shape the village.

Contact us at bosburynp@gmail.com and follow us on twitter @bosburynp




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THURSDAY 19th JUNE
Bosbury Parish Hall
from 4:30pm to 6:30pm

THIS WEEK

Workshop One - Define
Identification of Key areas within the Neighbourhood

Any time between 4:30pm and 6:30pm

Please drop by for a few minutes and give us your thoughts.

For more information or to get involved please email us at: bosburynp@gmail.com

follow us on twitter - @BosburyNP






Appendix 1 – Neighbourhood Area definition

Rec'd
9/6/14



County of Herefordshire District Council
 Planning Services
 PO Box 230
 Blueschool House
 Blueschool Street
 Hereford
 HR1 2ZB

Application to designate a Neighbourhood Area Town and Country Planning Act 1990 Neighbourhood Planning (General) Regulations 2012

Publication of applications on the Herefordshire Council website

Please note that the information provided on this application form may be published on the Authority's website. If you require any further clarification, please contact the planning department.

Please complete using block capitals and black ink

1. Parish Clerk details

Title: First Name:

Last Name:

Unit: House Number: House Suffix:

House Name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode:

email:

2. Additional contact details (if different from parish clerk)

Title: First Name:

Last Name:

Unit: House Number: House Suffix:

House Name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode:

email:

3. Relevant body:

Please confirm that you are the relevant body to undertake neighbourhood planning in your area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations

Yes: No:

Name of Parish Council:

4. Name of Neighbourhood Area:

Please give a name which your neighbourhood area will be formally known.

Bosbury and Catley Neighbourhood Area

5. Extent of the area:

Please indicate below and attach an OS plan showing the intended extent of the area.

Whole parish boundary area:

Part of the parish:

Joint with neighbouring parish:

(Please complete details in section 7 below if applying as joint parishes)

Please describe below why you considered the extent of the neighbourhood area is appropriate.

The boundary extent has been defined to focus on the more populated and accessible areas of the Bosbury parish in consideration of their future strategic development potential or protection whilst avoiding the remote areas of the parish that are unsuitable for such proposals. Coddington has been specifically excluded, with the support of its councillors in the joint parish council as it does not fall within the list of villages selected to accept development within the incoming Core Strategy Rural Ledbury HMA, and also could form another neighbourhood area at a later date as appropriate

6. Intention of neighbourhood area:

Please indicate which of the following you intend to undertake within your neighbourhood area.

Neighbourhood Development Plan:

Neighbourhood Development Order:

Community Right to Build Order:

7. Additional joint parish details:

If you are applying with an adjoining parish or parishes please give the clerk's details for each parish.

8. Declaration:

I/we hereby apply to designate a neighbourhood area as described on this form and the accompanying plan.

In the case of joint parish applications, names from each parish would be required.

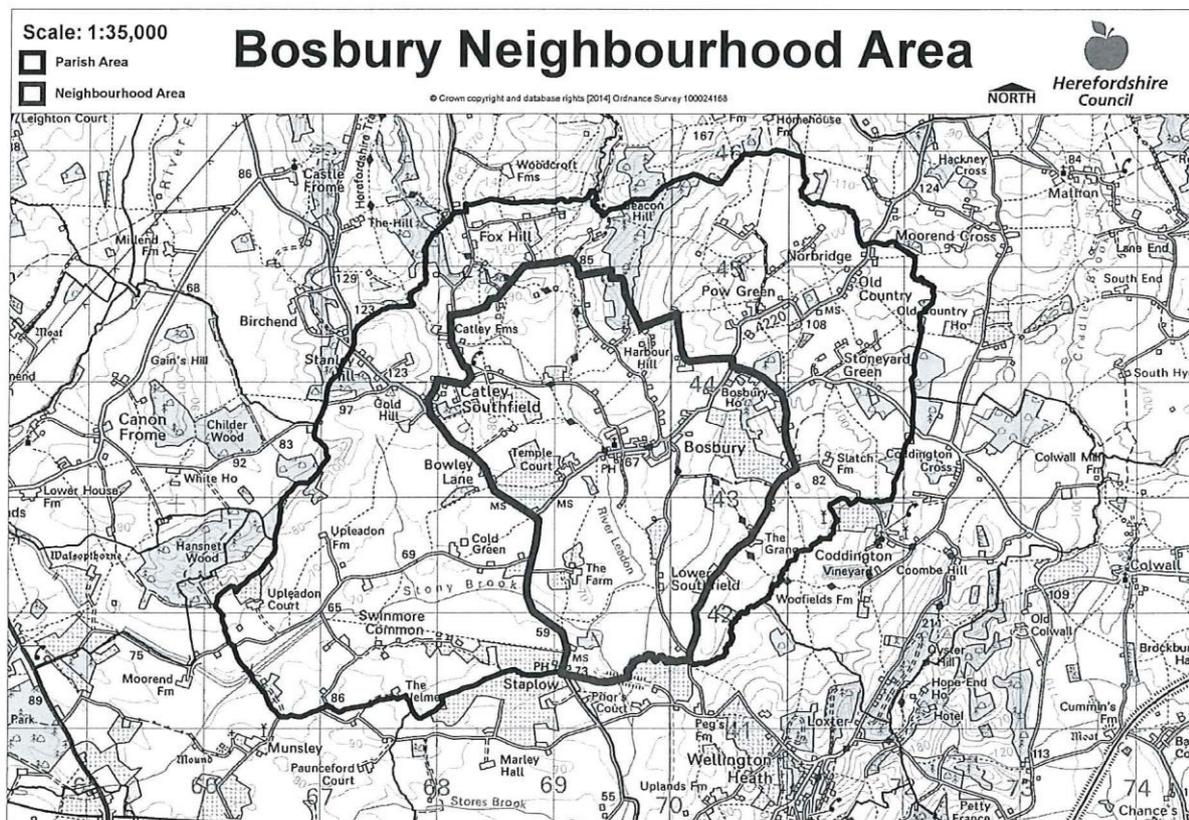
Names(s) Date (dd/mm/yy)
 Date (dd/mm/yy)

Neighbourhood Area Decision Document



Neighbourhood Planning (General) Regulations 2012

Name of neighbourhood area	Bosbury & Catley Neighbourhood Area
Parish Council	Bosbury & Coddington Group Parish Council
Consultation period	19/06/2014 – 31/07/2014



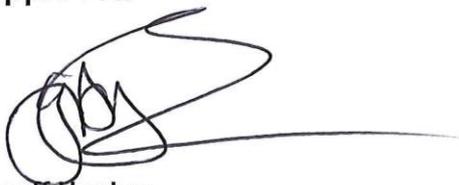
Determination

Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act	Yes	
Is the neighbourhood area considered appropriate? (Section 61G (4))	Yes	
Does the area overlap another designated area? (Section 61G (7))	No	
For joint area application, are all relevant bodies included? (Section 61G (2))	N/A	N/A
Were any comments received during the consultation period?		No
Summary of comments received	None received	
Response to comments received	N/A	
Ward member comments	None received	
Are any modifications required to this or any adjoining neighbourhood area? (Section 61G (6))	No	
Any special circumstances to be taken into account	No	

Decision under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012.

The application for the designation of Bosbury & Catley Neighbourhood Area is

Approved



Geoff Hughes

Director for Economy, Communities and Corporate Services

Date: 01/08/2014