

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Pixley and District Group Neighbourhood Area
Parish Council	Pixley and District Group Parish Council
Draft Consultation period (Reg14)	4 December 2017 to 29 January 2018
Submission consultation period (Reg16)	28 June 2018 to 23 August 2018

Determination

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

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

Summary of comments received during submission consultation

Please note below are summaries of the response received during the submission consultation. Full copies of the representations will be sent to the examiner in due course.

Herefordshire Council - Strategic Planning	All of the policies considered to be in general conformity with the Core Strategy. Policy PIX3 is marked as Y/N some flexibility would need to be allowed for the possibility of some market housing being required to subsidise a proportion of the affordable housing provision. This would, however, require evidence to justify. Full details within Appendix 1
Herefordshire Council - Environmental Health (Air/Waste)	Given that no specific sites have been identified in the plan, therefore unable to provide comment with regard to potential contamination.
Herefordshire Council – Environmental Health (Noise and Nuisance)	From a noise and nuisance perspective, no comments to make with regards to this proposed NDP
Herefordshire Council - Conservation	No comments to make

Coal Authority	No specific comments to make on the plan.
Welsh Water	As you may be aware we were consulted by the Group Parish Council as part of the Regulation 14 stage of Neighbourhood Plan process, and as such have no further comment to make at this stage.
Environment Agency	We would not, in the absence of specific sites allocated within areas of fluvial flooding, offer a bespoke comment at this time.

Gladman	Concerned that the plan in its current form does not comply with basic conditions (a) and (e). The plan does not conform to national policy and guidance and in its current form does not contribute to the achievement of sustainable development. Concerned that policy PIX3 doesn't conform to the Core Strategy and the policy should be more flexible. They have also objected to policies PIX7, PIX8 and PIX9.
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Officer's Appraisal

This plan has met the requirements of the regulations as set out in the table above.

No concern has been raised from internal consultees with regards to the ability of the plan to meet the required minimum proportional growth contributing towards the deliverability of the Core Strategy.

The plan does not include settlement boundaries or allocate sites. There are no identified settlements for proportionate growth highlighted within the Core Strategy. Therefore, there is no requirement to meet any housing target as development will be limited in line with Core Strategy policy RA3. There are no site allocations proposed for Pixley and District Group. The plan allows for windfalls and limited growth in Pixley and District group.

Overall, 8 responses have been received; 4 internal service providers and 4 from statutory and external consultees. There have been no comments from residents or consultants on behalf of residents. One objection has been received from Gladmans, raising issue with the plans conformity for the plan to meet the basic conditions a and e. Most of the comments provided were general in nature provided further advice and technical commentary.

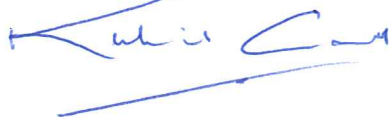
Strategic Planning raised no objections and confirm that the policies within the plan are in general conformity with the Core Strategy. External responses from technical bodies such as Environmental Agency, Welsh Water and Coal Authority have raised no objection to the regulation 16 draft plan. It is considered that there are no fundamental issues relating to this plan which would prevents its progress to examination.

Programme Director's comments

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

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

Approved



Richard Gabb

Programme Director – Housing and Growth

Date: 4th September 2018

Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Pixley- Regulation 16 submission draft

Date: 13/07/18

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
PIX1- Sustainable Development	SS1	Y	
PIX2- Housing in Pixley and District	SS2; RA3; RA4	Y	In the main, (aside from Rural exception sites) housing development in the countryside will be very small scale, i.e. individual plots. These will most likely be designed to individual specifications. It therefore may not be very easy to enforce each proposal to demonstrate how their size/type contributes to the wider local mix of types and tenures.
PIX3- Rural Exception Housing	SS6; RA4	Y/N	To fully accord with the equivalent Core Strategy policy (H2), some flexibility would need to be allowed for the possibility of some market housing being required to subsidise a proportion of the affordable housing provision. This would, however, require evidence to justify.
PIX4- Economic Development in Pixley and District	SS5; RA5; RA6; E3	Y	
PIX5- Polytunnels	N/A	Y	
PIX6- Communications and Broadband	E3	Y	
PIX7- Natural Environment	SS6; LD1; LD2; LD3	Y	
PIX8- Historic Environment	SS6; LD4	Y	
PIX9- Design and Access	SS1; SS4; SS6;	Y	

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
	SD1; SD2; SD3; SD4		
PIX10- Renewable Energy	SS7; SD2	Y	
PIX11- Community Facilities	SC1	Y	

