

BURGHILL NEIGHBOURHOOD PLAN

Submission Draft Version

Burghill Neighbourhood Plan Examiner's Questions by Independent Examiner, Rosemary Kidd

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Following my initial assessment of the Neighbourhood Plan and representations, I would appreciate clarification and further evidence on the following matters from the Qualifying Body and/or the Local Planning Authority. In order to ensure openness and transparency of the examination process, these questions and the responses should be published on the Council's website.

1. What is the "private low intensity leisure use" shown on Map 4. Which Policy does it relate to?
2. What is the evidence to support the requirement in Policy B1 for at least 15% of the development to be single storey dwellings?
3. Are the three sites shown in yellow on Maps 2 and 3 as Planning Commitments sites that have planning permission for housing? If so would the QB supply me with the names of the sites and the number of dwellings approved so that these can be cross referenced from the justification text.
4. How are the business parks listed under Policy B2 rated in the Employment Land Study 2012? Are the sites safeguarded under Core Strategy Policy E2?
5. The first part of Policy B2 is vague and imprecise. It does not explain what types of "employment uses" will be acceptable and refers in vague terms to sites "throughout the parish". The second part of Policy B2 is considered to be vague and imprecise; it does not specify what the future acceptable uses are. In any case a neighbourhood plan policy cannot state that change of use or redevelopment "will be permitted". Any future uses on the business park would have to be limited to those that would be acceptable in a residential area in view of the proposed housing allocation adjacent. In the circumstances I shall be recommending that the policy be deleted.
6. I consider that there is a degree of conflict between Policies B3 and B4. Policy B3 would encourage the conversion of an existing building without any limitations on its type or location whereas Policy B4 is restricted to traditional agricultural buildings that form part of an existing group of buildings subject to the building being structurally sound etc. Would the QB explain what type of buildings are intended by the term "traditional agricultural buildings". Is Policy B4 more relevant to historic farmsteads? Would the LPA and QB consider whether Policy B4 is unduly restrictive as Policy B3 could be used to agree to the conversion of modern agricultural buildings for employment uses. Would the LPA and QB comment on the following proposed revisions to combine the wording of these 2 policies.

"New employment development will be encouraged on the Tillington Business Park, Burlton Court Farm Business Zone, through the re-use of a suitable brownfield site or the conversion of a suitable existing building, including an agricultural building, provided that: criteria c) to f) of Policy B3.

"Where the development proposal involves the conversion of an agricultural building that forms part of an historic farmstead, the development should meet the following: criteria b) to h) of Policy B4."

7. Are the transport improvements set out in Policy B7 required to deliver the development set out in the BNP? If so would the QB provide the evidence that these schemes are necessary to deliver the development proposed and that they are deliverable. If not, would they confirm that these measures are to remedy existing transport issues in the parish and should be regarded as aspirations of the Parish Council or as community projects?
8. What is the status of the Design Guidance set out in Appendix 3 of the BNP? Has it been adopted by Herefordshire Council? It includes a number of prescriptive requirements which go beyond design guidance particularly on the size of a development (no more than 10 dwellings) and the mix of house sizes and types which are not addressed in the Plan's policies. Would the QB provide me with the evidence to justify the maximum site size and the size and mix of housing. This should be based on a Housing Needs Assessment and not solely on the opinions expressed in responses to the NP questionnaires. Would the LPA comment on whether any aspects of the "Design Guidance" are unreasonable given the circumstances of the Plan area.
9. Policy B9 is titled Landscape Character however it includes policies on historic buildings and settlement patterns in criteria b) and e). Would the QB comment on the proposed revisions to the first paragraph of the policy.

“Development proposals should protect, conserve and enhance the local landscape character including the historic settlement pattern, historic buildings and their settings and traditional farmsteads.”

Does the QB have any evidence to justify criterion a) of Policy B9 which is considered to be restrictive and could affect sustainable development on the edge of Hereford and proposals for a relief road.

10. Has any assessment of the proposed local green spaces been carried out apart from that in Table 3 of the Plan? What evidence does the QB have that the green areas are demonstrably special to the local community and hold a particular local significance as required by NPPF paragraph 77? Is there public access to the common land or use for recreational purposes? Does its ownership by the Parish Council and legal status as common land afford it adequate protection? Is site 6 the land at St Marys Park safeguarded through a planning condition or any other protection? Site 8 is part of a fruit farm and not green space; at what stage are the proposals to extend the graveyard?
11. Policy B11 gives examples of the village hall and educational facilities. Would it be possible to add a list of all the community facilities that Policy B11 will apply to?
12. Policy B13 criterion c) requires the waste water treatment for all schemes to be constructed to a standard capable of adoption. The latter part of the criterion refers to dwellings. Is it intended that this should only be applied to residential development or would it apply to any form of development requiring waste water management schemes? In this requirement feasible and deliverable in this rural parish where many existing properties are served by private treatment plants? Can the requirements of criterion h) be applied? |Would the LPA comment on whether the requirements of these two criteria are standard requirements?

13. The Environmental Health Officer has advised that if necessary a Remediation Scheme will be required for the development of the solar farm at Winstow Pit. Would the QB and LPA agree that this should be included as a requirement in the policy wording of Policy B14.

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