

Progression to Examination Decision Document

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Lyonshall Neighbourhood Area
Parish Council	Lyonshall Parish Council
Draft Consultation period (Reg14)	25 October to 7 December 2018
Submission consultation period (Reg16)	25 January to 8 March 2019

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?	1990 61K / Schedule 1	No

	<p>3.1.5 Housing – No indication as to how many respondents these figures are based upon. We were not aware of the survey.</p> <p>3.1.7 Housing – why was there a need to extend the settlement boundary just because local landowners proposed areas for land for development.</p> <p>3.1.8 Map – why does the village development boundary need to be extended in a linear way south along the A480? Linear development has blighted many villages. Defeats the argument about needing more houses to justify the Royal George if people can't walk to it.</p> <p>3.1.9 /3.1.21 – number of respondents is not indicated. Appendix 4 suggests a 25% response rate.</p>
<p>David Oram Local resident</p>	<p>Major and fundamental misconception regarding housing needs within the parish. New housing should be sparing and well considered in style and location. Two houses per annum would seem to be appropriate.</p> <p>Many rural villages have voids between houses where the fields reach the roads. To infill them amounts to creeping urbanisation, destroys the character of the villages and hamlets.</p> <p>Land surrounding the village hall could be identified as a suitable site for a small recreational areas. This would preserve the remains of the medieval village and opportunity for further excavations.</p> <p>There is little mention of future investigation of the remains of the medieval village, particularly Lyonshall Castle. If exposed could be a tourism attraction.</p> <p>Note that nowhere in the NDP is the number of new properties ring fenced, seems like a developers charter and not a document for the benefit of the community.</p>
<p>John Quinton – Adams Local resident LATE</p>	<p>Unaware of the consultation. Typical of NDP consultations in the parish which relied on the website as the sole source of information.</p>

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

Officer appraisal

This plan has met the requirements of the regulations as set out in the table above. All the requirements of regulation 14 were undertaken by the parish council and all the required documentation was submitted under regulation 15.

The proportional growth for Lyonshall has already been met via existing built and committed planning applications. At April 2018, from the proportional growth target of 36: 25 have been built and 52 committed, which means they minimum has been exceeded by 41 units. The NDP includes settlement boundaries for Lyonshall and Holme Marsh where some additional windfall could take

place. Therefore there is no concerns regarding this NDP contributing to the Core Strategy growth requirements.

A total of 11 representations were received (and one late); 2 internal, 6 external and 3 local comments. There are some concerns from the Environment Agency regarding potential local flooding in the area.

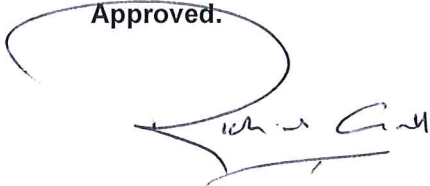
There are also some local concerns about the production of the plan itself and some of its content.

It is considered that there are no issues which should stop this plan progressing to examination.

Assistant 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.

A handwritten signature in black ink, appearing to read "Richard Gabb", is written over the word "Approved." in the text above. The signature is written in a cursive style with a large loop at the end.

Richard Gabb

Programme Director – Housing and Growth

Date: 12. 3. 19

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Lyonshall NDP Regulation 16

Date: 06/03/18

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Draft Policy LH1 Settlement Boundaries	Policy RA3; RA2; SD3; SD1; SS2; MT1; H1;	(Y)	
Draft Policy LH2 House Types and Sizes	SD1; SS2; RA5	(Y)	
Draft Policy LH3 Promoting High Quality Design	E3; SD1; SS1; LD4;	(Y)	
Draft Policy LB1 Protecting and Enhancing Local Employment Opportunities in Lyonshall	Policies SS5; RA5; RA6; E1; E2; E3; E4; MTI; SS4	(Y)	
Draft Policy LB2 Supporting Rural Diversification	Policy RA5	(Y)	
Draft Policy LB3 Large Agricultural Buildings and Extensions	Policy RA6; MTI	(Y)	
Draft Policy LB4 Local Energy Schemes	SD2	(Y)	
Draft Policy LE1 Protecting and Enhancing Local Landscape Character	Policies LD4; SD1	(Y)	

and Built Heritage			
Draft Policy LE2 Protecting and Enhancing Local Wildlife	LD2	(Y/N)	<p>'All development in Lyonshall will be required to have no detrimental impact on the Curl Brook watercourse and, where possible, aid in it achieving 'good status' by 2027.'</p> <p>This provision is unnecessary as it duplicates the requirements of CS policy SD4; SD3 and ensure that development does not undermine the achievement of water quality.</p> <p>There is no need for the NDPs to include addition mitigation covered within these policies as it is within the higher level plan (the Core Strategy).</p>
Draft Policy LC1 Memorial Hall	SC1	(Y)	
Draft Policy LC2 Open Space	OS1, OS2; OS3	(Y)	
Draft Policy LT1 Transport & Accessibility	Policies SS4; MT1	(Y)	

