

**Latham, James**

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**From:** Anthony Hall  
**Sent:** 15 February 2020 13:30  
**To:** Neighbourhood Planning Team  
**Subject:** Garway NDP Regulation 16

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam,

**Garway NDP Regulation 16 stage consultation**

I am writing in support of the Regulation 16 stage Garway NDP, especially the proposal to establish settlement boundaries for both Garway and Broad Oak. Both Garway village and the hamlet of Broad Oak have been the subject of significant speculative housing development since 2011 and have already accommodated the “*proportional housing growth*” envisaged by the adopted Core Strategy for the Plan period (i.e. until 2031).

Whilst Garway has a Primary School, a public house and a Church, Broad Oak only has a petrol filling station with a kiosk (it is not a convenience store). Both Garway and Broad Oak are on heavy clay and both your drainage adviser (Joel Hockenfull) and ecologist (James Bisset) are fully aware of the inherent problems of creating sustainable drainage solutions in this locality.

Yours faithfully,

Anthony Hall

## **Latham, James**

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**From:** Turner, Andrew  
**Sent:** 19 February 2020 11:35  
**To:** Neighbourhood Planning Team  
**Subject:** RE: Garway Regulation 16 submission neighbourhood development plan consultation

### **RE: Garway Regulation 16 submission neighbourhood development plan**

Dear Neighbourhood Planning Team,

I refer to the above and would make the following comments with regard to the above proposed development plan.

It is my understanding that the '*existing commitment sites (houses completed, houses under construction and planning permission for new homes)*' referred to as '*Housing Commitment*' sites and outlined in brown in maps 1 and 2 in the '*Garway Regulation 16 submission Neighbourhood Development Plan*' have been granted planning permission. Therefore on this basis I have not commented on the "Housing Commitment" sites on the understanding these sites have been subjected to comments during the planning process.

It is also my understanding that you do not require comment on Core Strategy proposals as part of this consultation or comment on sites which are awaiting or have already been granted planning approval.

Having reviewed Ordnance survey historical plans, I would advise the following regarding the proposed housing sites allocations (Policy GAR1) as outlined in brown on Maps; 1 and 2:

#### **Land at little Newlands**

- A review of Ordnance survey historical plans indicate the site has historically been used as an orchard. The adjacent land which has historically been used for farming indicates the site may have also been used in other agricultural practices.

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. Agricultural practices such as uncontrolled burial of wastes or excessive pesticide or herbicide application may be thought of as potentially contaminative. Any development should consider both the above former uses.

#### **Land adjacent to Old School**

- A review of Ordnance survey historical plans indicate the proposed site appears to have had no previous historic potentially contaminative uses.

Please note it would make it easier to reference and identify sites in the next Garway NDP if the allocated housing sites are labelled on the plans.

#### **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

## Herefordshire.gov.uk

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Andrew Turner  
Technical Officer (Air, Land & Water Protection)  
Economy and Place Directorate,  
Herefordshire Council  
8 St Owens Street,  
Hereford.  
HR1 2PJ

Direct Tel: 01432 260159

Email: [aturner@herefordshire.gov.uk](mailto:aturner@herefordshire.gov.uk)



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The Coal  
Authority



200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Web: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the Attention of: Neighbourhood Planning  
Herefordshire Council

**[By Email: [neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk) ]**

27 March 2020

Dear Neighbourhood Planning

**Garway 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

**Christopher Telford BSc(Hons) DipTP MRTPI**  
**Principal Development Manager**

## Latham, James

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**From:** Norman Ryan <Ryan.Norman@dwrcymru.com>  
**Sent:** 10 March 2020 14:41  
**To:** Neighbourhood Planning Team  
**Subject:** {Disarmed} RE: Garway Regulation 16 submission neighbourhood development plan consultation

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

I refer to the below consultation and would like to thank you for consulting Welsh Water.

We have no issues to raise with regard to the content of the Neighbourhood Development and are particularly pleased to note the inclusion of Policy GAR3 – Flooding and Drainage. As you may be aware, the only part of the Parish Council area where there is public sewerage provision is the settlement of Garway. Dependant on the exact location of development within the settlement, some level of offsite sewers may be required in order to connect to the existing network. For development outside of the settlement of Garway, private means of sewage treatment will be required.

If you require any further information, please let me know.

Kind regards,



**Ryan Norman**

Lead Forward Plans Officer | Developer Services |  
Dŵr Cymru Welsh Water

T: 0800 917 2652 | E: 40719

A: PO Box 3146, Cardiff, CF30 0EH



W: [dwrcymru.com](http://dwrcymru.com)

E: [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

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**From:** Neighbourhood Planning Team <[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)>  
**Sent:** 14 February 2020 10:59  
**Subject:** Garway Regulation 16 submission neighbourhood development plan consultation

\*\*\*\*\* External Mail \*\*\*\*\*

Dear Consultee,

Garway 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: **[MailScanner has detected a possible fraud attempt from "eur03.safelinks.protection.outlook.com" claiming to be](https://www.herefordshire.gov.uk/directory_record/3059/garway_neighbourhood_development_plan)**  
[https://www.herefordshire.gov.uk/directory\\_record/3059/garway\\_neighbourhood\\_development\\_plan](https://www.herefordshire.gov.uk/directory_record/3059/garway_neighbourhood_development_plan)

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

The consultation runs from 14 February 2020 to 27 March 2020.

If you wish to make any comments on this Plan, please do so by e-mailing:  
[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk), or sending representations to the address below.



Our ref: SHARE/81997714  
Your ref: Garway Neighbourhood Development Plan

James Latham  
Technical Support Officer  
Neighbourhood Planning and Strategic Planning teams  
Herefordshire Council  
Plough Lane  
Hereford  
HR4 0LE

Priya Sansoy  
Assistant Spatial Planner  
Highways England  
The Cube  
199 Wharfside Street  
Birmingham B1 1RN

Direct Line: 0300 470 8130

25 March 2020

via Email:

[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)

Dear James,

## **CONSULTATION ON THE SUBMISSION VERSION OF THE GARWAY NEIGHBOURHOOD PLAN**

Highways England welcomes the opportunity to comment on the submission version of the Garway Neighbourhood Plan which covers the period 2018 to 2031 and has been produced for public consultation. We note that the document provides a vision for the future of the area and sets out a number of key objectives and planning policies which will be used to help determine planning applications.

Highways England has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Garway Neighbourhood Plan, our principal concern is safeguarding the operation of the A49 Trunk Road, approximately 4.5 miles east of the parish.

We understand that a Neighbourhood Plan is required to be in conformity with relevant national and Borough-wide planning policies. Accordingly, the Neighbourhood Plan for Garway is required to be in conformity with the current Herefordshire Local Plan (2011-2031) and this is acknowledged within the document.

It is understood that a total allocation of 25 new dwellings has been assigned to Garway Parish for the period up to 2031. It is noted that all these have been already completed or are part of committed developments. An additional eight dwellings near Ivy Cottage have also already been approved by Herefordshire Council.

Due to the low level of development proposed for the area and the distance of the parish from the SRN, it is not expected that the policies set out in the Garway Neighbourhood Development



Plan will have any impact on the operation of the SRN. As such, Highways England have no objections to the arrangements proposed.

We have no further comments to provide and trust that the above is useful in the progression of the Garway Neighbourhood Plan.

Yours Sincerely,

Priya Sansoy  
Spatial Planning & Economic Development Team  
Email: [Priya.Sansoy@highwaysengland.co.uk](mailto:Priya.Sansoy@highwaysengland.co.uk)



Historic England

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: PL00539555

13 March 2020

Dear Mr Latham

**GARWAY NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION**

Thank you for the invitation to comment on the Submission Neighbourhood Plan.  
Our previous comments on the Regulation 14 Plan remain entirely relevant that is:  
*"Historic England is supportive of both the content of the document and the vision and objectives set out in it.*

*The emphasis on the conservation of local distinctiveness and variations in local character through good design and the protection of landscape character is commendable.*

*Overall the plan reads as a well-considered 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 a community led plan.

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 1TF

Telephone 0121 625 6888  
HistoricEngland.org.uk





**Latham, James**

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**From:** donotreply@herefordshire.gov.uk  
**Sent:** 27 March 2020 21:53  
**To:** Neighbourhood Planning Team  
**Subject:** A comment on a proposed Neighbourhood Area was submitted

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	Jeremy
Last name	Harris
Which plan are you commenting on?	Garway Neighbourhood Development Plan
Comment type	Support
Your comments	The parish council have produced a thoughtful and sensitive plan. It's a shame that the Herefordshire Council have recently allowed so many developments in the parish that run contrary to it.

Herefordshire Council Planning Services,  
PO Box 230,  
Blueschool House,  
Blueschool Street,  
Hereford HR1 2ZB

27<sup>th</sup> March 2020

**Garway and Broad Oak Neighbourhood Plan Consultation**

Dear Sir/Madam,

We would like to comment on the Garway and Broad Oak Neighbourhood plan.

The numbers of planning applications which are either approved or currently in progress with Herefordshire Council, has increased significantly since the document submitted for consultation was written..

In Broad Oak the situation seems to be:

P180061 4 dwellings Status Approved  
P182729/F 1 dwelling Status Approved  
P182394/O 1 dwelling Status Approved  
P191958/F 2 dwellings Status Valid  
P183951/F 2 dwellings Status Approved  
192577/F 2 dwellings Status Valid  
P194052/O 3 dwellings Status Valid

The situation has probably changed in Garway too.

In the submission version of the Garway Neighbourhood Development plan dated November 2019 section 3.3 of the document should be updated to show the latest situation.

With respect to section 3.8, 3.9 and 3.10 the numbers of dwellings already approved should be included in the figures for Garway, as planning permission has already been granted for these 8 dwellings, and although they are outside of the proposed settlement boundary, they do contribute to the number of new dwellings proposed for Garway. They should count towards the additional 14% (25 dwellings) referred to in section 3.2, as the number of additional dwellings required up until 2031.

Yours faithfully

Mr & Mrs C. Cripwell

Our Ref: MV/15B901605

T: +44 (0)191 261 2361  
F: +44 (0)191 269 0076

20 March 2020

[avisonyoung.co.uk](http://avisonyoung.co.uk)

Herefordshire Council  
Garway Parish Council  
Via email only

Dear Sir / Madam

**Garway Regulation 16 Neighbourhood Plan Consultation  
February – March 2020  
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network, so it can reach homes and businesses.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

**Proposed development sites crossed by or in close proximity to National Grid Assets**

Following a review of the above document we have identified the following National Grid assets as falling within the Neighbourhood area boundary:

**Gas Transmission**

Asset Description
Gas Transmission Pipeline, route: TREADDOW TO GILWERN
Gas Transmission Pipeline, route: TREADDOW TO DOWLAIS

A plan showing details of National Grid's assets is attached to this letter. Please note that this plan is illustrative only.

Avison Young is the trading name of GVA Grimley Limited registered in England and Wales number 6382509. Registered office, 3 Brindleyplace, Birmingham B1 2JB

Regulated by RICS

National Grid also provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)

Please see attached information outlining guidance on development close to National Grid infrastructure.

#### **Distribution Networks**

Information regarding the electricity distribution network is available at the website below:

[www.energynetworks.org.uk](http://www.energynetworks.org.uk)

Information regarding the gas distribution network is available by contacting:

[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

#### **Further Advice**

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

**Matt Verlander, Director**

[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

**Spencer Jefferies, Town Planner**

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

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

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

**Matt Verlander MRTPI**

**Director**

**0191 269 0094**

**[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)**

**For and on behalf of Avison Young**

## Guidance on development near National Grid assets

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

### Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's '*Guidelines for Development near pylons and high voltage overhead power lines*' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their '*Guidelines when working near National Grid Electricity Transmission assets*', which can be downloaded here: [www.nationalgridet.com/network-and-assets/working-near-our-assets](http://www.nationalgridet.com/network-and-assets/working-near-our-assets)

### Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's '*Guidelines when working near National Grid Gas assets*' can be downloaded here: [www.nationalgridgas.com/land-and-assets/working-near-our-assets](http://www.nationalgridgas.com/land-and-assets/working-near-our-assets)

### How to contact National Grid

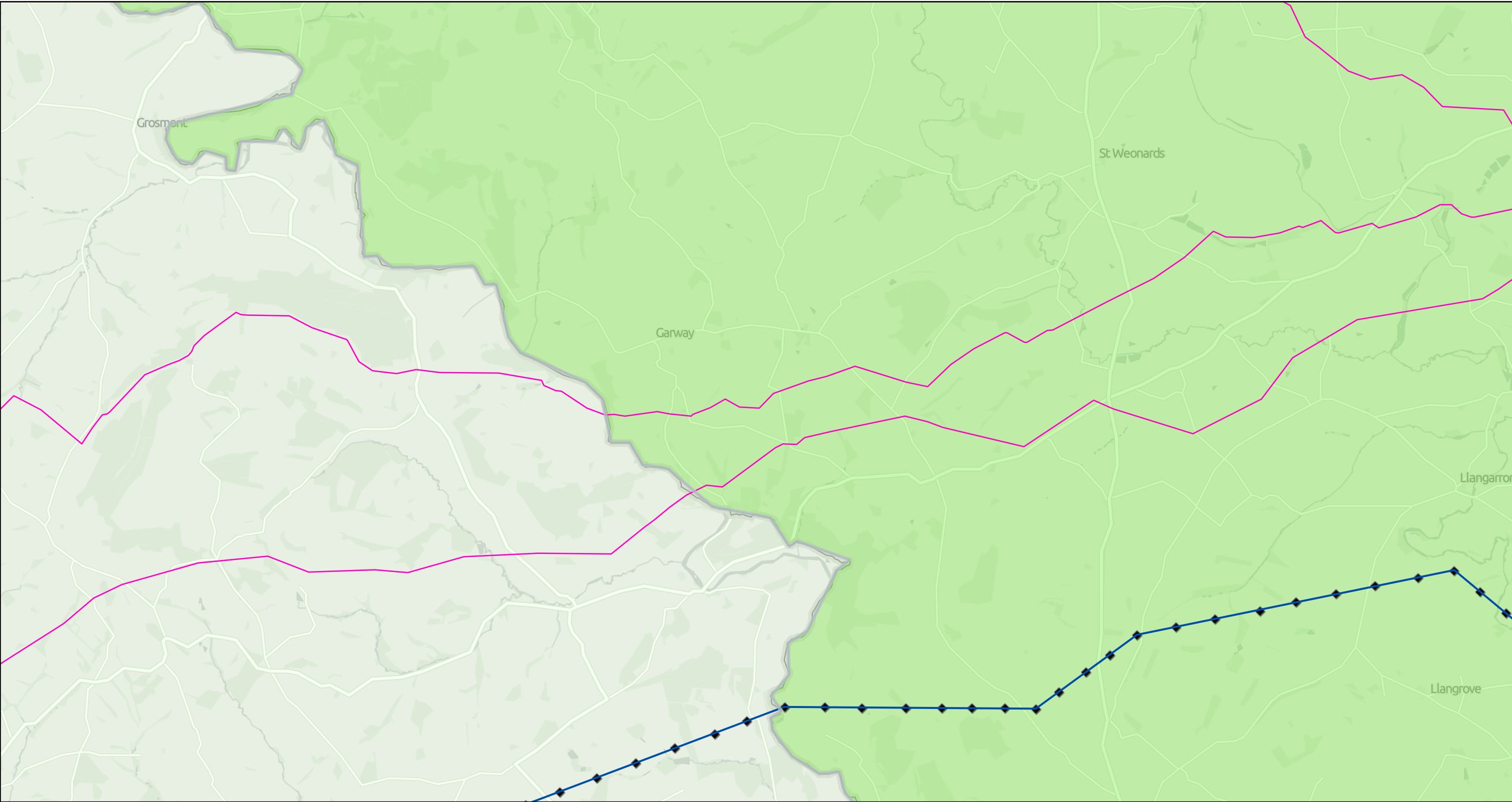
If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:

- National Grid's Plant Protection team: [plantprotection@nationalgrid.com](mailto:plantprotection@nationalgrid.com)

Cadent Plant Protection Team  
Block 1  
Brick Kiln Street  
Hinckley  
LE10 0NA  
0800 688 588

or visit the website: <https://www.beforeyoudig.cadentgas.com/login.aspx>

# Garway Regulation 16 Neighbourhood Plan Consultation



13/03/2020, 14:03:04

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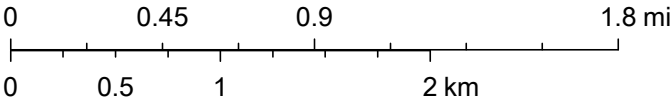
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Gas\_Assets\_6495

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Development\_Plan\_Monitoring\_v2\_977

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Neighbourhood Planning Team,  
Planning Services,  
PO Box 4,  
Hereford HR1 2ZB

Your ref:  
Our ref:  
Email: Sarah.faulkner@nfu.org.uk  
Direct line: 01952 400500  
Date: 23/03/2020

Dear Sir,

### **Garway Neighbourhood Development Plan Consultation – NFU Response**

The West Midlands NFU welcomes the opportunity to comment on the Garway Neighbourhood Development Plan. The West Midlands NFU represents approximately 5400 Farmers and Growers across the West Midlands region and over 50,000 farmers and growers nationally. In Herefordshire we represent over 1000 farmers and landowners. Our response is given below along with some key priorities.

As you will be aware the farming community continues to face formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at new ways of developing their businesses so that they can grow and remain competitive. This might include the need for modern agricultural buildings either to meet regulations or to change the use of existing buildings in order to respond to changing market demand.

Our members in Garway are no exception and given that the area is largely rural it is clear that any form of Neighbourhood Plan must adequately the issues and opportunities of farming. Our vision for the area is:

*Garway is a sustainable rural community that is underpinned by an innovative rural economy, and thriving farming and food industry, which is profitable and supports viable livelihoods, underpins sustainable and healthier communities and enhances the environmental assets that are vital to the counties prosperity.*

For the farming community this vision is to be achieved by the following themes



1. Strengthening our farming businesses to help them build profitability and respond to new opportunities
2. To create thriving localities that meet the needs of their communities, businesses and their environment.
3. Realising the value of the region's environmental assets

In addition we would see some of the key priorities for farms to include (not in order of priority):

1. The ability for the next generation to take on management of farms and to support this through the provision of affordable housing to allow succession.
2. Develop farming enterprises that can meet the challenges of food security through modernising and becoming more efficient
3. Diversifying farming enterprises to meet new opportunities such as, *inter alia*, business units or tourism.
4. Developing renewable energy which meets the needs of the farm and are appropriate to the location and renewable resources available.
5. Access to high speed broadband and mobile phone coverage.

Food production is a key priority for economic growth both nationally but also importantly in a rural area such as Garway. In the Government white paper '*Local Growth: realising every place's potential*' the Coalition Government makes clear that the first priority "*is to return the nation's economy to health*". This includes creating, "*the conditions that will help business and gets the economy growing*" and this includes the support for farming enterprises so vital to the rural economy and enabling them to remain viable through diversified enterprises. We would expect that any proposals for developing farms will take this into account.

Diversification is in line with National Planning Policy Framework (NPPF) that provides that local authorities should support development that enables farmers to become more competitive and sustainable and diversify into new opportunities. A key message within the NPPF is the need for economic growth. "*A positive planning system is essential, because without growth, a sustainable future cannot be achieved. Therefore, significant weight should be placed on the need to support economic growth through the planning system...the default answer to development proposals is yes.*" Garway neighbourhood plan has the opportunity to help support

farms diversify and create new employment and income opportunities for the area. These will range from the provision of business units through to farm shops.

In the NPPF the government makes a number of very important statements related to this the development of renewable energy. Paragraphs 95 to 98 make a number key points including: *'local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources'* (para 97); *'have a positive strategy to promote energy from renewable and low carbon sources'* which *'maximise renewable and low carbon energy sources'*. Renewable energy represents an important opportunity for farms to reduce their energy bills and also to create revenue that can help support farming activity. We understand that this can be a contentious issue within communities as has been highlighted by the government with the policy it has introduced for requiring areas to be identified for wind development in local or neighbourhood plans such as yours. Some of our members will be looking to erect wind turbines for electricity to be used on farm at a very small scale. We ask that you consider the issue of scale and how you can support our farmers.

Succession within farming businesses is often critical to their ongoing sustainability. This will often require the need for additional housing to enable the next generation to take over the farming enterprise and to allow the current generation to take a less involved role. We ask that the neighbourhood plan supports farms to build new housing.

To help guide any work we have developed some principles which we believe will help Garway shape any activity in the area. These are:

- Food security is a crucial issue for now and the future and any actions must ensure that we do not compromise our ability to feed ourselves
- We should look to increase farm productivity and decrease impact on the environment.
- The achievement of sustainable development in rural areas through the integration of environmental, social and economic objectives.
- Meet the needs of a diverse rural population and ensure equality of opportunity.
- Maintain and enhance the areas natural asset base.
- Farmers and landowners should always be consulted and listened to with regard to developing the area.
- Support sustainable growth in the rural economy.

- Sustainable farming will support the wider community.
- Not one system of farming is the answer and all should be supported for maximum benefit to society and the environment
- Encourage links between rural areas and urban centres.

We are supportive of policy GAR3 which covers flooding and drainage. This is because additional development and hard standing has the potential to put additional strain on rural drainage and watercourse systems which are often managed and funded by farmers. Where drainage problems do occur they can cause considerable operational difficulties for farmers and affect areas of land that are used for food production.

Many thanks for the opportunity to respond to this consultation and we hope that these comments are helpful and will be taken into account.

Yours faithfully

Sarah Faulkner

**Regional Environment Adviser**

**TO: DEVELOPMENT MANAGEMENT- PLANNING AND  
TRANSPORTATION  
FROM: ENVIRONMENTAL HEALTH AND TRADING  
STANDARDS**



**APPLICATION DETAILS**

301334 /  
Garway Parish  
Susannah Burrage, Environmental Health Officer

I have received the above application on which I would be grateful for your advice.

The application form and plans for the above development can be viewed on the Internet within 5-7 working days using the following link: <http://www.herefordshire.gov.uk>

I would be grateful for your advice in respect of the following specific matters: -

	Air Quality		Minerals and Waste
	Contaminated Land		Petroleum/Explosives
	Landfill		Gypsies and Travellers
	Noise		Lighting
	Other nuisances		Anti Social Behaviour
	Licensing Issues		Water Supply
	Industrial Pollution		Foul Drainage
	Refuse		

Please can you respond by ..

**Comments**

From a noise and nuisance perspective our department has no further comments to make with regard to this development plan

Signed: Susannah Burrage  
Date: 25 February 2020

## Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Garway- Regulation 16 submission draft

Date: 17<sup>th</sup> February 2020

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
<i>GAR1- New Housing Development in Garway Village and Broad Oak</i>	SS2; RA5; MT1; SC1; OS3; E2; SD1	Y	Criterion K- With a low remaining residual growth target, and the size of the proposed allocations, it would not appear likely that developments would be of a scale that could seek affordable housing contributions under H1 of the Core Strategy.
<i>GAR2- Design in Garway Parish</i>	SS4; SS7; LD1; LD4; SD1	Y	
<i>Policy GAR3- Flooding and Drainage</i>	SD3	Y	
<i>Policy GAR4- Protecting Local Landscape Character</i>	SS6; RA2; LD1; LD3; LD2; LD4	Y	
<i>Policy GAR5- Dark Skies</i>	SD1	Y	
<i>Policy GAR6- Rural Environment and Tranquillity</i>	SS6; RA6; E3; SD1	Y	
<i>Policy GAR7- Protecting and Improving Community Facilities</i>	OS2; OS3; SC1	Y	
<i>Policy GAR8– Tourism in Garway Parish</i>	MT1; LD1	Y	

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
<i>Policy GAR9– Rural Businesses and Homeworking</i>	RA4; RA5; RA6; E3	Y	
<i>Policy GAR10– Highways and Transport</i>	SS4; MT1	Y	<p>Suggested amendment to wording of Criterion C for clarity:</p> <p><i>“Off-road car parking that avoids the use of large areas of hardstandings, particularly <u>those that use</u> <del>using</del> materials more appropriate to urban locations. All car parking should be appropriately sited and screened within the landscape”</i></p>

**Latham, James**

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**From:** Withers, Simon  
**Sent:** 23 February 2020 20:02  
**To:** Neighbourhood Planning Team  
**Subject:** : Garway Regulation 14 draft Neighbourhood Development Plan  
**Attachments:** Garway\_Env\_Report\_Nov18.pdf; Garway\_HRA\_Report\_Nov18.pdf; Garway\_Reg14\_NDP\_Jan19.pdf

Please see my previous comments below

Recent permissions at both Garway and Broad Oak are not reflected in the settlement boundaries

I reiterate that having a list of polices at the front of the NDP would be hugely beneficial for officers

Thanks

**Herefordshire.gov.uk**

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## Simon Withers

Development Manager | Development Management  
Economy and Place

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**Mail** Development Management, Herefordshire Council, Plough Lane Offices, Plough Lane, Hereford, HR4 0LE

**From:** Withers, Simon  
**Sent:** 23 January 2019 16:08  
**To:** Neighbourhood Planning Team <[neighbourhoodplanning@herefordshire.gov.uk](mailto:neighbourhoodplanning@herefordshire.gov.uk)>  
**Subject:** FW: Garway Regulation 14 draft Neighbourhood Development Plan

Dear Team,

I am very aware of the controversy associated with recent permissions and current applications at Garway and Broad Oak. It is noticeable that the approved sites which total 13 new dwellings at Garway to my knowledge and 4 at Broad Oak are immediately adjacent to the identified boundaries (Applications 173224, 173957 & 180061) and I simply make the observation that including these within the settlement boundaries would seem logical.

There are a number of other current applications that should be monitored and included if approved. These include a further 2 dwellings at Garway and 2 at Broad Oak.

I might also point out that the proposed allocation to the east of the village does suffer with a lack of connectivity and is relatively prominent at an important approach to the village. I have no wish to formally object to this

allocation, only to point out that there appear to be sites that have a better relationship to the village and the services and facilities it provides.

In other respects I find the draft plan very clear and concise.





# **Garway Neighbourhood Development Plan**

**Submission Version**

**November 2019**

- 3.10 Garway village has a linear east to west character and form. For the purposes of the Neighbourhood Development Plan, whilst this site will be included on the policies map as a commitment, it is not included in the figures towards the target in the Neighbourhood Development Plan, nor will the settlement boundary be extended around the site.

### **Call for Sites and Site Allocation**

- 3.11 As part of the NDP preparation the Parish Council Steering Group looked at the allocation of land for residential development A “Call for Sites” exercise was carried out between November 2017 and January 2018.
- 3.12 In total 19 sites were either submitted to, or identified by, the Neighbourhood Development Plan Steering Group. The sites were assessed independently, and the Site Assessment Report is available on the Parish Council website.
- 3.13 The Parish Council considered that a local weighting should be applied to the scoring mechanism and the resultant spreadsheet is also available on the Parish Council website.
- 3.14 A further consultation was carried out with the community in July 2018 in relation to the sites proposed for allocation in the Neighbourhood Development Plan which supported the allocation of the proposed sites.
- 3.15 There are two site allocations located in Garway village as follows:

Land at little Newlands	5 - 6 dwellings
Land adjacent to Old School, Garway	2 dwellings

- 3.16 In addition there is the potential for the conversion of the old school, which has previously had permission for conversion to three dwellings.
- 3.17 The following policy is proposed for any future housing development in the plan period.

### **Policy GAR1: New Housing Development in Garway Village and Broad Oak**

**Within the defined settlement boundaries of Garway Village (Map 1) and Broad Oak (Map 2) or on a site allocated for residential development in this Neighbourhood Development Plan, new housing development proposals will be supported when they:**

- a. Re-use previously developed land, where possible;**
- b. Are an appropriate conversion of an existing building;**
- c. Are appropriate to the size, role and function of the village;**
- d. Provide a range and mix of house sizes, types and tenures;**

- e. Enhance the rural character of the area, by being in accordance with the design policy in this plan;**
- f. Do not increase traffic congestion, encourage on-street parking, or jeopardise road safety;**
- g. Are not likely to be adversely affected by existing agricultural or commercial activity'**
- h. Do not lead to the loss, damage or detriment of existing community facilities, Local Green Space, Special Wildlife Sites or assets on the National Heritage List for England and Herefordshire Council's Monuments Record;**
- i. Do not lead to the loss of local employment opportunities, including tourism;**
- j. Are not at significant risk of flooding and they can demonstrate they will not increase the risk of flooding elsewhere;**
- k. Where applicable, provide appropriate affordable housing when assessed against Herefordshire Core Strategy Policy H1:**
- l. Comply with, in Garway Village, the linear character of the layout of the village; and**

## 4.0 Built environment - design of future development

- 4.1 Garway parish has a wealth of listed buildings and scheduled monuments within its parish boundary. These consist of two Grade I, one Grade II\*, twenty-eight Grade II listed buildings and two scheduled monuments.
- 4.2 Today, with regard to the style of properties, the parish is a mix of older and more recent, modern properties. Traditional materials include Herefordshire red sandstone and slate roofs with red brick being introduced more recently.
- 4.3 The Garway Neighbourhood Development Plan seeks to encourage all new development to be of high quality design.
- 4.4 Paragraph 125 of the revised National Planning Policy Framework states:  
*“Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood development plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.”*
- 4.5 Policy GAR2 has been developed to set out the quality of development we expect and is based on a thorough understanding and evaluation of the area’s defining characteristics. This policy will be used in the assessment of all planning proposals and will help secure high-quality development in the future. This approach is in line with the aims of national planning policy to promote good design.

### **Policy GAR2: Design in Garway Parish**

**All new development in the area will be expected to be of high quality design. Proposals will be assessed against the following criteria:**

- a. Contribution to improving and enhancing the built heritage and natural environment of the site and its surroundings;**
- b. The overall design of the proposal in terms of siting, scale, height, proportions, massing, orientation, mix of uses, detailing, and materials;**
- c. The design does not adversely impact on existing natural horizons, and has appropriate regard to existing roof lines;**
- d. The design does not adversely impact on the residential amenity of existing and future residents;**
- e. Sustainable construction and design is used to minimise the use of resources and emissions and use recycled materials, renewable energy and the natural treatment of wastewater and the re-use of grey water, wherever possible;**

- f. The use of locally-sourced or recycled natural slate tiles for roofing and local stone for walling is encouraged;**
- g. Use of suitable native species in any planting and inclusion of bird nest boxes and roosting opportunities for bats; and**
- h. Access and highway safety, including the provision of new and improved pedestrian footpaths and footways, permissive pedestrian rights of way and cyclepaths, and provision of safe pedestrian road crossings where required and feasible.**

- 4.6 Whilst the majority of the parish is located in Flood Zone 1, the areas around the River Monnow are located in Flood Zone 3. There are a number of tributaries that suffer from surface water flooding.
- 4.7 In line with the National Planning Policy Framework, inappropriate development in areas at risk of flooding will be avoided by directing development away from the areas at highest risk. Where development is necessary in such areas, measures should be included to make it safe without increasing flood risk elsewhere.
- 4.8 This policy is included in order that new development is designed to incorporate surface water drainage systems.

### **Policy GAR3 – Flooding and Drainage**

**All new development is required to include adequate surface water drainage measures (including Sustainable Drainage Systems) to protect existing and new development from flooding.**

**Development should be designed to reduce the consequences of flooding and to facilitate recovery from the effects of flooding.**

**All development of existing properties (including alterations) must demonstrate that surface water is diverted into suitable and adequate drainage systems and not sewers.**

## 5.0 Natural environment - protecting landscape character

- 5.1 The rural nature of the parish is evident from whichever way it is approached. Garway Village itself sits well within the landscape and does not dominate it in any way. Any future development should aim to preserve this and avoid large uniform housing estates on the edge of the village. Any development in Broad Oak should also be in scale and in sympathy with the existing housing stock and should also take into account the natural habitat and have a minimal impact on it.
- 5.2 There are 21 kilometres of public footpaths in the parish along with numerous public rights of way in the villages and throughout this rural parish. These footpaths are heavily used by locals and visitors alike and the Parish Plan 2009 report noted the importance of the network to local people. It is important that these are maintained and protected, as the footpaths are an asset to the local economy by attracting walkers to the area. The footpaths also facilitate dog walking and encourage healthy exercise in an ageing population. Development that would compromise the open aspect of these rural footpaths should be avoided as far as possible.
- 5.3 The landscape is one of the parish's strongest assets. This policy identifies those aspects that make the landscape so important. In developing this policy regard has been had to Natural England's National Character Area (NCA) Profiles. The north of the Neighbourhood Development Plan Area is situated within NCA104 "South Herefordshire and Over Severn".

### **POLICY GAR4 - Protecting Local Landscape Character**

**To protect and enhance the valued landscape of the parish development proposals will have to demonstrate that:**

- a. The character of the parish landscape has influenced the design, scale, form and siting of the development proposed;**
- b. They protect and enhance the range of differing settings of the various settlements in the parish;**
- c. They protect and enhance any designated areas such as wildlife sites, listed buildings, and ancient monuments;**
- d. They retain and enhance non-designated assets such as stone walls, ancient and veteran trees, wildlife sites and commons;**
- e. They protect and enhance the natural environment, heritage and scenic beauty of the parish;**
- f. They incorporate appropriate landscaping schemes and future on-going management of such schemes to ensure the proposal integrates into the surrounding landscape;**
- g. They maintain and extend native tree species, hedgerows, and other important vegetation;**



- h. They will not have an adverse impact on the environmental quality of the area's priority habitats and ancient woodlands; and**
- i. Proposals should conserve watercourses and riverside habitats. Where necessary, this should include management and mitigation measures for the improvement and enhancement of water quality and habitat.**

- 5.4 Obtrusive lighting installations can have a devastating impact in a community, causing nuisance to neighbours, and obscuring views of the night sky, as well as wasting energy. Well-designed lighting installations reduce the risk of crime and improve public safety.
- 5.5 The neighbourhood area's rural environment means it benefits from "dark skies". This means when skies are clear, people can see the stars constellations in all their glory. To ensure that this will be the same in the future, the following policy will be used to assess the light generated from development proposals. Light pollution from the ground is one of the reasons many areas do not enjoy the type of "dark skies" found in this parish. In limiting or reducing light pollution there may also be benefits to the owners and users of developments through reduced energy bills as a result of lower energy consumption. Reducing light pollution also reduces the impact on species affected by inappropriate lighting such as bats.

### **Policy GAR5 - Dark Skies**

**To minimise light pollution in the parish and to improve the views of our night-time skies, planning proposals that include external lighting and significant openings that would allow internal lighting to be seen externally, will have to demonstrate the following:**

- a. They have undertaken an appropriate assessment and can demonstrate the need for the lighting proposed;**
- b. That care has been taken to provide appropriate lighting, using systems designed to prevent obtrusive lighting nuisance, minimise light pollution and reduce energy consumption.**

- 5.7 Key characteristics of the area are the rural environment and its tranquillity. Policy GAR6 aims to protect these characteristics by seeking to ensure that development is appropriate in terms of its use, scale and type of activity suitable to a tranquil, rural environment.

## 6.0 Protecting local community facilities

- 6.1 There are many excellent community facilities in Garway which serve the parish itself, and other surrounding rural villages.
- 6.2 Community facilities are essential to village life and help maintain the rural character.



### **Policy GAR7- Protecting and Improving Community Facilities**

**The following local recreational facilities are protected:**

- Garway Community Centre
- Garway Moon Inn
- Garway School
- Churches

**There will be a presumption in favour of the re-use of such facilities for recreational, health, community type uses. The change of use of existing facilities to other uses will not be permitted unless the following can be demonstrated:**

- a. **The proposal includes alternative provision, on a site within the locality, of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or**
- b. **it can be satisfactorily demonstrated that the facility is no longer required or is no longer viable.**

**Development which contributes towards the improvement of existing, or provision of, new recreational, community and educational facilities will be encouraged.**



## **7.0 Rural employment and tourism**

- 7.1 Employment opportunities such as homeworking and tourism are key to the rural areas of Herefordshire. The following policies have been developed for Garway Parish which promote tourism opportunities and rural businesses and homeworking.

### **Policy GAR8 – Tourism in Garway Parish**

Proposals for new tourism development or to improve and enhance existing tourism facilities will be supported when:

- a. They are appropriate within the local landscape setting;
- b. They do not have a significant adverse impact on the landscape, tranquility or views within the wider parish;
- c. They do not result in a detrimental impact on road safety, traffic congestion or car parking problems; and
- d. They do not have a significant adverse impact on residential amenity.

### **Policy GAR9 – Rural Businesses and Homeworking**

Proposals for new rural businesses and homeworking will be supported where they meet all of the following criteria:

- a. They do not have a significant adverse impact on residential amenity;
- b. They do not have an adverse impact on the landscape, tranquillity or Green Infrastructure network of the parish; and
- c. They include suitable access and car parking.

## 8.0 Highways and infrastructure

- 8.1 The Parish Plan 2009 identified issues with speeding traffic and repair and maintenance of roads. However, these issues are not planning issues to be dealt with through a Neighbourhood Development Plan.
- 8.2 The following policy has been developed for Garway Parish which promote a better highway infrastructure

### **Policy GAR10– Highways and Transport**

**All new development proposals should include appropriate measures to minimise their impact on the Neighbourhood Development Plan Area by providing:**

- a. Safe and suitable access by focusing development on the main road that forms the spine of the linear Garway Village
- b. Any necessary and appropriate traffic management measures;
- c. Off-road car parking that avoids the use of large areas of hardstandings, particularly using materials more appropriate to urban locations. All car parking should be appropriately sited and screened within the landscape; and
- d. Access to public transport including the creation of permissive footpaths to bus stops, where appropriate.