

21st March 2106

Comments on Whitbourne Neighbourhood Development Plan – Regulation 16

Policy	Comment
LU1	<ul style="list-style-type: none"> • The policy itself is well worded and sufficiently precise. However, the second paragraph of the supporting statement is unnecessary and pre-judges the parish council’s views on any future development that might be proposed that falls outside of the settlement boundary. • The plan on page 8 is not clear enough. The settlement boundary does appear to include the permission for 20 dwellings referred to previously, which is a positive approach, but is the boundary otherwise drawn sufficiently widely to accommodate minimum growth targets?
LU2	<ul style="list-style-type: none"> • Would the policy be better titled ‘Conversion of Redundant Rural Buildings’? • The policy itself is well worded, sufficiently precise and compliant with the Core Strategy and NPPF. • The last sentence about demolition and re-construction is unnecessary and could be removed, particularly if the policy is re-titled as suggested.
LU3	<ul style="list-style-type: none"> • Ok
LU4	<ul style="list-style-type: none"> • Pleased that the site for 20 dwellings is included in the strategy. The policy is positively worded and the criteria-based approach is clear. • With the inclusion of the permission for 20, does it mean that only 19 dwellings would need to be permitted over the plan period to meet the minimum growth target? • Whilst the policy says that housing requirements will be met through windfalls, I would question whether the settlement boundary is drawn sufficiently widely as,; with the exception of the permitted site for 20 dwellings, it simply seems to replicate the old UDP settlement boundary.
LU5	<ul style="list-style-type: none"> • Ok, but does it need to say something about development being permitted outside of, but adjacent to the settlement boundary where a need is identified? With no identified housing sites it is unlikely that any affordable housing will actually be delivered unless the policy allows the delivery of exceptions sites.
LU6	<ul style="list-style-type: none"> • Is this policy necessary? Policy LU1 provides details of a settlement boundary, LU2 deals with exceptions through conversion and, if re-worked, LU10 is a policy for the delivery of homes for rural workers.
LU7	<ul style="list-style-type: none"> • The policy is fine but the plan is of insufficient quality.
LU8	<ul style="list-style-type: none"> • The policy is fine but the supporting statement pre-judges potential applications for large-scale solar development. What special landscape designations exist within the Neighbourhood Development Area that would preclude this sort of development as a matter of principle? •
LU9	<ul style="list-style-type: none"> • Ok

LU10	<ul style="list-style-type: none"> • Planning permission is not required to fell trees and so the first sentence is unnecessary. • The emphasis of the policy actually seems to be the provision of forestry workers dwellings. Would suggest that its remit is broadened to encompass rural workers – at present there is no policy that would positively promote agricultural workers dwellings where there is a functional need. • This policy needs to be re-worked and re-titled
LU11	<ul style="list-style-type: none"> • Ok
LU12	<ul style="list-style-type: none"> • This policy lacks any real detail. It could take a criteria based approach to refer to matters such as local character, residential amenity, sustainable design, etc. • The plan lacks a policy to consider residential extensions against. This type of policy could be worded in such a fashion to cover both extensions and new residential development.
LU13	<ul style="list-style-type: none"> • The policy takes a broad, criteria-based approach towards the design of new dwellings and their environmental impacts.
LU14	<ul style="list-style-type: none"> • This policy does not appear to be compliant with the Core Strategy or NPPF as it removes the opportunity to employ the ‘planning balance’ to schemes that might propose development on agricultural land. • By way of an example, how would the policy work for a proposal to develop a caravan site on agricultural land? The policy promotes tourism but such a scheme would reduce available agricultural land. • Will proposals be supported unconditionally? The policy seems to suggest so. • The final sentence is contrary to landowners ability to develop agricultural buildings for residential purposes under Class Q of the General Permitted Development Order. • The policy tries to cover too much in far too broad terms. Separate policies for agriculture and forestry, tourism, farm diversification and home based working would be better
LU15	<ul style="list-style-type: none"> • A policy to deal with highway requirements in relation to new development and the promotion of sustainable transport modes is a good idea. The emphasis of this policy needs to be broadened considerably to have a functional purpose.

Other Comments

- The lack of a policy to assess residential extensions and development within residential curtilages is an oversight and needs to be addressed.
- The employment policy makes a fleeting reference to tourism. Has a specific tourism policy been considered?
- Surprised that there is no policy about the protection / improvement of community facilities, particularly given that such a pro-active approach has been taken about Whitbourne village shop in the past.
- Policy to refer to developer contributions to mitigate the impacts of development?

Latham, James

From: Myrtle Kneen
Sent: 29 April 2016 10:53
To: Neighbourhood Planning Team
Subject: whitbourne ndp

Follow Up Flag: Follow up
Flag Status: Completed

Andrew Kneen

Object
WHITBOURNE NEIGHBOURHOOD DEVELOPMENT PLAN

The supporting statement to LU 1 makes it clear that, from its inception, the purpose of this plan was to prevent a particular development, the new estate adjacent to Acreage. The first main feature, keeping the existing settlement boundary, was designed to exclude it. The second, meeting housing needs through infill and conversion alone, was designed to suggest an alternative. However the NDP was still at an early stage, when the application to build the new estate was submitted.

At the Planning Committee meeting to consider the application for the new estate, the Chair of Whitbourne Parish Council argued that the application should be refused because the draft NDP contained sufficient sites to meet the target of 29 dwellings. This argument was not accepted and planning permission was given.

(It is misleading to say that the application was opposed by 53 persons. That opposition was to an earlier plan with access through the existing estate at Acreage, which was withdrawn as a result and access from the entrance to the village substituted.)

At that stage the NDP had to provide 29 dwellings. There is no way that it could have been expanded to the present target of 50, without the twenty on the new estate.

Having failed to prevent the new estate, the purpose of the plan has now become to *“oppose any development or scheme outside the Settlement Boundary, in particular any proposal for housing on the open grassland adjacent to the site.”* Though the objective has changed, the means remain the same.

The land on either side of the access road to the new estate is no longer open grassland. Services are in place. There is room to meet housing requirements up to 2031.

The plan states: *“such a scheme cannot be justified by our housing strategy as detailed in Section LU 4.”*

Further developments in this area could in fact satisfy all the requirements listed in LU 4 i to v.

Some of the proposed “windfall” sites cannot.

The NDP states *“Any further development on land adjacent to this site is likely to be even more strongly opposed by Whitbourne residents.”*

No evidence is produced for this assertion, so it should not have been included. The evidence points the other way. The residents of Acreage who opposed the new estate have lost their views. More building will not affect them further. Existing residents of Whitbourne have bought dwellings on their new estate off plan, which indicates support not opposition.

LU 6 continues: *“After due consideration it also seems appropriate to extend the Settlement Boundary behind Whiteacres property.”*

The NDP does not say what the consideration was, nor why it is appropriate to reverse the decisions of a Planning Authority and a Government Inspector. When the settlement boundary was drawn, this garden was excluded because an application to build on it had been refused by the then local authority, Malvern Hills District Council. The refusal was upheld on appeal. The lack of explanation suggests that there is no valid planning justification for the reversal.

When examined in detail the infill and conversion sites do not add up to a viable plan.

As they were assembled to provide a theoretical alternative to the new estate, their actual viability as sites for dwellings did not matter
Committed units

1. Lower Tedney 6 dwellings.

This building is a range of 19th century cowsheds of no architectural merit, right on the lane, as the photograph in the plan shows.

In 2006, the first application to convert these buildings was refused. A revised application, incorporating stricter protection for the existing structures and appearance, was approved in 2007. Nine years later they have not been sold. They are now advertised with the possibility of conversion to fewer dwellings.

However, at his meeting with the Chair of the Working Party on 12/02/2013 the owner stated that he *“plans the conversion of a redundant barn into six small dwellings for renting to farm workers,”*

so the status of these conversions is unclear.

Lower Tedney is down a kilometre of single track lane, in a poor state of repair, at the edge of the Parish, far from the village centre.

If no developer has shown interest after nine years, it is doubtful if these conversions will ever happen.

2. Old Rectory. 4 dwellings.

Four holiday lets converted from the outbuildings or the Old Rectory have been changed to residential use. Three have been sold. One of these is used as a week-end cottage, for which it is adequate. None of them is suitable for a family home. Their contribution to Whitbourne’s housing stock is marginal.

Windfall units.

It is surprising that Herefordshire Council has authorised a NDP that relies on windfall, as windfall is a separate category in the Core Strategy and so does not contribute to the District allocations.

As a result other villages in the Bromyard District will have to provide more dwellings to make up the total for the district. I suggest that the Inspector should ascertain that they have been provided before approving this uncertain supply.

The character and local standing of landowners should not have been taken into account. It is regrettable that the Parish Council did not confine itself to planning criteria in selecting properties for development.

.The Croft.

In her history of Whitbourne Phyllis Williams describes the Croft.

“This is basically a timber-framed house of the 16th century and rebuilt about 1650. Enlarged and improved over the years, part was rebuilt about 1750. The imposing high stone garden wall is also of the Georgian period.”

The word Croft itself means an enclosure attached to a medieval farmhouse, demonstrating that the small paddock behind it is an integral part of the property.

The Croft with its barn and paddock is one of the best-preserved small farmhouses in Whitbourne. It is part of a group with the later listed cottages on either side, and Poplands Farm that retains the historic character of Meadow Green, despite the new estates nearby.

The small paddock attached to it was selected because it is the only vacant area left within the current settlement boundary, not because it is suitable for development.

There is no existing access, so the 18th Century stone wall in front of the Croft would have to be demolished and most of the garden and ancient yew tree sacrificed to put in an access road.

Objective 2 of the NDP Page 5 is

Protect and promote the built and environmental assets of the community.

This development would harm them.

Objectives in LU 4 are

1. *Be in keeping with the character of their surroundings*
 3. *Not adversely affect the amenity and privacy of adjoining properties*
 4. *Ensure suitable and safe access to the highway*
 - 5 *Not result in inappropriate development in residential gardens*
- Development behind the Croft would contravene all these objectives.

The guidance notes for N.D.P.s state:

1. *“However, it should be noted that any land which has been included within the boundary line does not have a guarantee of approval of planning permission, as there will be other planning policies which will need to be adhered to also, for example; the protection of the character of a settlement.”*
- 2.*The character of properties and the village, could be altered if development is allowed within the gardens of these houses within a settlement boundary.”*

This guidance has been ignored.

The NDP states *“Natural England expressed concern that this site might not be viable for housing because its map the are marked the Croft as traditional orchard. No such orchard is to be found at the Croft, and the owners, who are longstanding, recall no such feature during their tenure.”*

An aerial view and photograph (attached) show at least four surviving fruit trees in uncultivated grassland, a neglected traditional orchard, which Natural England would wish to see conserved and restored.

In LU 6 Land Protection the NDP itself rules out any development

In the past Whitbourne parish featured many cherry and damson orchards that made it unique within Herefordshire and this special distinctive character must be preserved.

The area of the plot is 0.89 of an acre. *No indication has been given of how thirteen houses with road and parking could be fitted into it.*

2. Tiblands Farm 2 units

Tiblands is even further from the village centre than Lower Tedney along a lane with steep hills and blind corners. The redundant barns are so close to the farm buildings in use that a new set of buildings would be required to achieve the legal separation of livestock from non-agricultural dwellings. This extra cost is likely to make conversion uneconomic.

3. Virginia Cottage. 1 unit.

This is within the Conservation Area.

Any development here would contradict the objectives in LU 3 and the supporting statement.

The original pattern of the Conservation Area was a scatter of houses and cottages separated by gardens and small enclosures. This has been partly degraded by infill. Any further building in one of the remaining open areas would damage it further.

This site is in an area at risk of flooding, contrary to Policy LU 9.

LU 9 Flooding

Periodic flooding by surface water in the Parish is an issue that needs to be addressed by the relevant authorities. Moreover, any new building should be so planned as not to increase the flood risk. Areas particularly prone to flooding are shown on the map

The NDP map does not correspond with the Environment Agency map, which classifies this site as Level 3.

While it may not have been flooded itself, houses on either side and the lane in front have been in the last twenty years. The brook at its edge rises very rapidly after heavy rain and, if the River Teme beyond is full, water cannot be discharged. With climate change extreme events are going to be increasingly frequent. It would be irresponsible to build a new dwelling here.

It would not be possible to build a dwelling on piles above any future flood level and conform to the objectives LU 3 i and ii.

Other windfall (estimated) 10.

It is a fallacy to argue that, because a number of windfall sites have become available in the past, a similar supply will occur in the future. Each development further reduces the total of possible sites. Apart from the plot behind the Croft, there is no vacant site within the settlement boundary. Farm amalgamations within the parish have been completed, as holdings have reached an economic size, so there is unlikely to be a further supply of redundant farm buildings, with one exception, Finchers Farm, which might provided two extra dwellings. However, Policy LU 14 is concerned to protect the prospect of employment for a small-scale farmer, so is opposed to further consolidation. Finchers Farm is therefore ruled out.

There will no doubt be a few further windfall sites in the next twenty years. While the number can be estimated for the whole county, they cannot be relied on in an individual parish. They cannot therefore form a vital part of an NDP.

There is no popular demand for this plan. The first questionnaire had 113 replies from 584 voters, 19%, even when residents hoped that it might stop the new estate behind Acreage. The drop-in session the following May attracted 52 people.

The final vote at the Parish Council was five in favour, four of whom were members of the Working Party and one abstention. Three members did not attend.

This NDP is not fit for purpose. I urge the Inspector to reject it.

Latham, James

From: Turner, Andrew
Sent: 04 May 2016 10:14
To: Neighbourhood Planning Team
Subject: RE: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Follow Up Flag: Follow up
Flag Status: Completed

RE: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Dear Neighbourhood Planning Team,

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

My understanding is that no specific sites have been identified in this plan and as such I would advise:

- Given that no specific sites have been identified in the plan I am unable to provide comment with regard to potential contamination.

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

From: Neighbourhood Planning Team
Sent: 21 March 2016 10:26
Subject: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Whitbourne 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: <https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/whitbourne>



The Coal
Authority



200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Mr J Latham
Herefordshire Council

[By Email: neighbourhoodplanning@herefordshire.gov.uk]

20 April 2016

Dear Mr J Latham

Whitbourne Neighbourhood Development Plan

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

Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*
Chief Planner / Principal Manager
Planning and Local Authority Liaison



15th April 2016

The Examiner
Whitbourne Neighbourhood Development Plan
Neighbourhood Planning Unit
Herefordshire Council
Blueschool House
Hereford
HR1 2SB



Dear Sir or Madam,

Re-“Whitbourne Neighbourhood Development Plan”

Both my mother and myself wish to support this plan.
We have both lived in the village for 46yrs and we both care deeply about the future of our parish!!

The plan has been developed by residents of our parish who have regularly consulted their fellow-parishioners.

In my opinion it encourages the sustained development of the parish and meets the needs of the parish as a whole.

Mrs D.V.Haddock

and

Lawrence .R.Haddock



Latham, James

From: Doreen Baseley
Sent: 05 April 2016 12:10
To: Neighbourhood Planning Team
Subject: Whitbourne Neighbourhood Plan

Follow Up Flag: Follow up
Flag Status: Completed

I fully support the above plan, in particular:

the opposition to any development or scheme outside the Settlement Boundary.

any proposal for housing on the open grassland adjacent to the 20 dwellings on a site adjacent to the Acreage.

Public transport is far from adequate and pressure needs to be maintained to improve it.

However, I notice that Figure 8 settlement boundary includes the new access road leading to the recent development adjacent to Acreage.

Does this road need to be included in the settlement boundary? It should be made clear that this area currently used as an access road is not available for housing development.

I note the statement: 'It seems clear that there will be an opening for a volunteer-run minibus service.' but this should be a last resort.

Doreen Baseley

Latham, James

From: Forward Plans <Forward.Plans@dwrcymru.com>
Sent: 03 May 2016 09:59
To: Neighbourhood Planning Team
Cc: Evans Rhys
Subject: RE: Whitbourne Regulation 16 Neighbourhood Development Plan consultation
Attachments: DCWW consultation response - Whitbourne NP - Jan 2016.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

Thank you for allowing Welsh Water the opportunity to respond to the Regulation 16 consultation.

I can confirm that we have no further comment to add over and above our Regulation 14 consultation response in January 2016.

Please find attached a copy of our Regulation 14 consultation for your information. Please let me know if you have any queries or require further information.

Regards,



Ryan Norman

Forward Plans Officer | Developer Services | Dŵr Cymru Welsh Water

Linea | Cardiff | CF3 0LT | T: 0800 917 2652 | Ext: 40719 | www.dwrcymru.com

Have you seen Developer Services new web pages at www.dwrcymru.com? Here you will find information about the services we have available and all of our application forms and guidance notes. You can complete forms on-line and also make payments. If you have a quotation you can pay for this on-line or alternatively by telephoning 0800 917 2652 using a credit/debit card. If you want information on [What's new in Developer Services?](#) please click on this link.

If we've gone the extra mile to provide you with excellent service, let us know. You can nominate an individual or team for a Diolch award through our [website](#)

From: Neighbourhood Planning Team [<mailto:neighbourhoodplanning@herefordshire.gov.uk>]

Sent: 21 March 2016 10:26

Subject: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

***** External Mail *****

Dear Consultee,

Whitbourne Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

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

The consultation runs from 21 March 2016 to 3 May 2016.

If you wish to make any comments on this Plan, please do so by e-mailing:

neighbourhoodplanning@herefordshire.gov.uk, or sending representations to the address below.



Developer Services
PO Box 3146
Cardiff
CF30 0EH

Tel: +44 (0)800 917 2652
Fax: +44 (0)2920 740472
E.mail: developer.services@dwrcymru.com

Gwasanaethau Datblygu
Blwch Post 3146
Caerdydd
CF30 0EH

Ffôn: +44 (0)800 917 2652
Ffacs: +44 (0)2920 740472
E.bost: developer.services@dwrcymru.com

The Parish Clerk
Whitbourne Parish Council
84 Old Road
Bromyard
Herefordshire
HR7 4BQ

Enquiries: Rhys Evans/Ryan Norman
0800 917 2652

6th January 2016

Dear Sir/Madam,

REGULATION 14 PUBLIC CONSULTATION – WHITBOURNE DRAFT NEIGHBOURHOOD DEVELOPMENT PLAN

I refer to your emails dated the 30th November 2015 regarding the above consultation. Dŵr Cymru Welsh Water (DCWW) appreciates the opportunity to respond and we offer the following representation:

Whilst DCWW provide a supply of clean water to Whitbourne, the DCWW operational area for public sewerage and sewage treatment does not extend to the Parish Council area.

Given that the Whitbourne Draft Neighbourhood Development Plan has been prepared in accordance with the Adopted Herefordshire Local Plan Core Strategy, DCWW are supportive of the aims, objectives and policies set out.

With specific regard to the anticipated housing provision up to 2031, we understand from 'Appendix A: Housing Needs' that there are 30 committed units, with an expected windfall of 26 units. Whilst we do not envisage there being any issues in providing a clean water supply to the 26 units we will provide further comment should it be required when consulted at the planning application stage by Herefordshire Council.

We hope that the above information will assist you as you continue to progress the Neighbourhood Plan. In the meantime, should you require any further information please do not hesitate to contact us at Forward.Plans@dwrcymru.com or via telephone on 0800 917 2652.

Yours sincerely,

Ryan Norman
Forward Plans Officer
Developer Services



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no. 2366777. Registered office: Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol
Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

Latham, James

From: Irwin, Graeme <graeme.irwin@environment-agency.gov.uk>
Sent: 03 May 2016 11:23
To: Neighbourhood Planning Team
Subject: RE: Whitbourne Regulation 16 Neighbourhood Development Plan consultation
Attachments: january 2016_whitbourne response.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi James.

I would have no further comments to provide on this consultation. I have attached a copy of my Reg 14 response for information.

Regards.

Graeme Irwin

Senior Planning Officer - Sustainable Places

Shropshire, Herefordshire, Worcestershire and Gloucestershire
Environment Agency
Direct Dial: 02030 251624
Direct email: graeme.irwin@environment-agency.gov.uk

IMPORTANT: Updated Flood Risk Climate Change allowances for Planning Matters are at... www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances



The climate is changing. Are you?

A support service led by the Environment Agency
www.gov.uk/government/policies/adapting-to-climate-change

From: Neighbourhood Planning Team [mailto:neighbourhoodplanning@herefordshire.gov.uk]
Sent: 21 March 2016 10:26
Subject: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

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The plan can be viewed at the following link: <https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/whitbourne>

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

The consultation runs from 21 March 2016 to 3 May 2016.

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

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

Our ref: SV/2010/103979/AP-
30/IS1-L01

Your ref:

Date: 12 January 2016

F.A.O: Mr. J Latham

Dear Sir

WHITBOURNE DRAFT NEIGHBOURHOOD DEVELOPMENT PLAN

I refer to your email of the 1 December 2015 in relation to the above Neighbourhood Plan (NP) consultation. We have reviewed the submitted document and would offer the following comments at this time.

As part of the recently adopted Herefordshire Council Core Strategy updates were made to both the Strategic Flood Risk Assessment (SFRA) and Water Cycle Strategy (WCS). This evidence base ensured that the proposed development in Hereford City, and other strategic sites (Market Towns), was viable and achievable. The updated evidence base did not extend to Rural Parishes at the NP level so it is important that these subsequent plans offer robust confirmation that development is not impacted by flooding and that there is sufficient waste water infrastructure in place to accommodate growth for the duration of the plan period.

With reference to Policy LU1 it is noted that the Settlement Boundary is located wholly within Flood Zone 1, the low risk zone. Parts of the wider Whitbourne Parish are impacted by flooding, primarily from the River Teme. With reference to the Sequential Approach all windfall development within the Parish should be located at areas of the lowest flood risk.

On the basis of the, above and as there are no sites specific sites proposed within areas at risk of flooding, we would offer no bespoke comments at this time. You are advised to utilise the attached Environment Agency guidance and pro-forma which should assist you moving forward with your Plan.

I trust the above is of assistance at this time. Please can you also copy in any future correspondence to my team email address at SHWGPlanning@environment-agency.gov.uk

Environment Agency
Hafren House, Welshpool Road, Shelton, Shropshire, Shrewsbury, SY3 8BB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

Yours faithfully

Mr. Graeme Irwin

Senior Planning Advisor

Direct dial: 02030 251624

Direct e-mail: graeme.irwin@environment-agency.gov.uk

End

2



Historic England

WEST MIDLANDS OFFICE

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: PL00016627

26 April 2016

Dear Mr Latham

**WHITBOURNE NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION
DRAFT**

Thank you for the invitation to comment on the draft Neighbourhood Plan. Our comments remain substantively the same as those expressed in our earlier correspondence (22 December 2015) viz:

“Historic England is generally supportive of the content of the document and we consider it takes a suitably proportionate approach to the historic environment of the Parish.

Overall the plan reads as a well-considered, concise document that is responsive to the concerns of those living in the Parish. Beyond those observations we have no further substantive comments to make”.

Yours sincerely,

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk





10 April 2016

Neighbourhood Planning Team,
Planning Services,
PO Box 230,
Hereford. HR1 2ZB

Dear Sirs,

Whitbourne Neighbourhood Development Plan
Regulation 16 Pre Draft Plan.

Having studied this document and attended many of the parish council meetings where earlier drafts were discussed and amended, I believe that this final version admirably expresses the view of a majority of Whitbourne residents for the future development planning of our village. The Plan effectively identifies all the main issues that concern our community for its environment, whilst stating future development needs and preservation measures. In this regard, the emphasis that favours 'infill' housing development in preference to 'estate' type development (Ref. Part 1-Land Use) is an important issue for the protection of Whitbourne's unique character and its outstanding rural landscape.

All of the issues, identified in Part 2 – Other Concerns, are fully supported and in particular the rejection of commercial solar panel installations.

The prospect of solar panels covering the fields surrounding Whitbourne would be as damaging and intrusive as housing estates and make worse this areas flooding liability.

To all members of our Parish Council who have given so much time and effort to bring this document to its final stages, we owe a vote of thanks and appreciation.

I trust that the NDP will now be able to progress towards formal approval and acceptance by the relevant Planning Authorities.

Yours faithfully



(J.D. Ransley)

Dr Katherine Lack

2nd May, 2016

The Whitbourne Neighbourhood Development Plan

Dear Sir or Madam,

I write to you as a Whitbourne resident who has made repeated efforts to be involved with the development of the NDP. I have contributed what were intended to be constructive comments at every stage of the process when I was aware that public comment was requested, and I think I am 'Resident D' as defined in the Consultation document's various appendices. I have to say, for the record, that I have not always felt that my contributions have been welcomed by the Chair of the Working Party: indeed I have on two occasions received rather interesting replies from her. I have kept copies of most of my correspondence about the NDP over the last few years.

My concerns with the successive drafts have always been of two types: specific details that I thought were inaccurate, misleading or unhelpful (and, conversely, things that should have been in but were not), and more general issues. I would like to concentrate on these latter problems now, under two headings:-

- 1. The Paucity of Public Consultation.**
- 2. The Purpose and Changing Focus of the Plan.**

1. The Paucity of Public Consultation.

a. How to Consult?

I have repeatedly urged that the evolution of the NDP should have taken place more in the public domain and I do so with more sadness now. I did not, however, say (as reported in the Consultation Document) in my letter of 11th January 2016 that consultation has been 'grossly inadequate'!

The Working Party has always replied that they were working publicly enough, and this is their claim in the submitted document, but this seems to have largely relied on the bi-monthly PC meetings, which have a peculiar dynamic in our parish which means that genuine public discussion (even among Councillors, sometimes) is difficult. To illustrate my point, I alerted them in my letter of 11th January 2016 to the fact that of five residents who I had seen two days earlier, all involved with village shop, fete committee and other key groups, not one of these people knew of the consultation period which was then coming to an end, and even more alarmingly one had not even heard of the NDP! Similarly, the house opposite us has been occupied since August 2015 by a gentleman who was senior manager of Birmingham housing department – he, too, was utterly ignorant of the existence of the Whitbourne NDP when I asked him two months ago, and expressed regret that he had not had an opportunity to be involved.

That none of the six people above, with their various skills and commitments, knew of the progress of the NDP, suggests to me that the process has not been adequately advertised, promoted or organised. How many other residents are being deprived of their opportunity to comment on and shape what should surely be 'their' NDP, I am unable to say; however I fear that these six will be by no means alone. There is I suggest a mis-match between the beliefs of the Working Party and the reality on the ground. It is, incidentally, interesting that 'Resident E', who has written in praise of the NDP, seems to be alone in knowing exactly what the majority of the inhabitants want. The Working Party has never produced any reliable evidence that they themselves know.

A large part of the blame for this situation must be due to continued and dogged reliance on the Parish Magazine. It is delivered to barely half of households, once a month, with a lead time of up to three weeks, and the January 2016 (last?) consultation period was only noted by means of a formal notice on a sheet of paper inserted in it; one of the six people I questioned said that while they did read the Magazine, this was

only second hand, and by then presumably the slip of paper was lost – it was no longer there to be read. I do not believe that this method of communication has been adequate.

Conversely, although there is a well-used and very visible place near the Village Hall where large boards advertising everything from Carol Concerts to the Fete are conventionally displayed, the Working Party has not availed itself of this public opportunity since the earliest stages of the process. Even the 'Drop-In' held on 15th May 2013 was not advertised with boards outside the Hall, no posters around the village, no leaflets or poster at the Shop (the main community hub, with over 500 customer visits per week and with a dedicated notice board). Moreover, there was no record kept of who attended, as far as I could see (but see Appendix 6).

The advertising for the May 'Drop-In' was in fact so sketchy that it was only when I was there that I discovered that at that time, that day was to be 'the last opportunity for input' before the Plan was written. Fortunately, as we now know, that turned out not to be the case, but how many people will have failed to attend because the significance of the event was not made clear? By contrast, the planning for our new Community Shop, with which I was closely involved, took four years, four major public meetings in the village (one chaired by an external and independent facilitator), multiple door-to-door leaflet drops and repeated data-collection on public opinion and perceived needs.

Relying on a very few printed copies of the Plan (3 or 4), with covers that have been virtually if not entirely indistinguishable from each other (I am not sure) has not been helpful. The alternative has been a trust that residents will 'find' it on the Parish Council website (which as is the case with most public websites has itself often been considerably out of date during the NDP process).

The only time that a copy of the NDP has been distributed to every household was in December 2013. On that occasion, it had clearly printed on the cover 'Please come to a public consultation at Whitbourne Village Hall on Wednesday 22nd January 2014 at 7.30 pm. This will be the last public consultation before submission of the final draft plan to Herefordshire Council.' This is manifestly not true now, and has not been for over two years, but that is the last the residents as a whole heard of it. I am not aware of any attempts to explain the changed situation to all our residents or to (re-)engage all of them in the on-going process.

b. Who to Consult?

There has also I believe been a difficulty over differential consultation.

Firstly, some obvious groups within the parish do not seem to have been consulted at all. Parents of young children, teenagers (and their parents), the village shop committee or its volunteers (over 40 of them), the publicans, the village school (still functioning when the NDP process began), non-drivers and users of the bus service . . . I was very impressed with the vision in one parish conducting a NDP consultation, where they put on a free disco and allowed in any teenager who filled in a questionnaire. Nothing remotely approaching that has been attempted here. If the NDP aspires to keep a village alive, surely this must be a major plank of the endeavour?

Secondly, there has been a general, and at times very pronounced, bias in the promotion of the NDP drafts. I first raised this with the Working Party on 22nd May 2013, but have had no satisfactory answer.

Before the May 2013 Drop-In, a Parish Councillor went door-to-door round Acreage urging people to come and 'support the Plan' but no similar advertising took place elsewhere in the parish as far as I am aware. This was, it is widely supposed (and reported to me by friends who live in Acreage and received such a visit) in order that the NDP might be passed and that a then-current planning application (for land adjacent to Acreage, owned by the Evans family of Whitbourne Estate) might be turned down. In the same vein, a member of the Working Party was clearly heard at the Drop-In discussing the likely effect of the NDP on preventing 'the Evans' plan'.

This brings me to my second main heading:-

2. The Purpose and Changing Focus of the Plan.

It has seemed from the start to some residents, myself included, that the main purpose of the NDP was to achieve a document that would prevent the Whitbourne Estate from building affordable and starter homes

(with a mix of some market properties) on the land opposite the new village shop and adjacent to Acreage. This development, which is now nearing completion, was several years in the planning, beginning in 2011, with several public meetings; there was thus ample opportunity to seek tools to oppose it. After a major public meeting in the Village Hall on 12th June 2013, the new manager of the estate, Joe Evans, published a summary of his aims in the Parish Magazine¹: this I think went beyond the line of duty in the interests of community information, and it is noteworthy that what he said then has so far stood the test of time.

The Working Party has tended to deny that the NDP arose from personal opposition to this particular planning proposal. However three things tend to suggest otherwise:-

Firstly, the shaping of the published responses from the 'consultation event' on pages 20 and 21 of the July 2013 Parish Magazine. These were presented in the form of bar charts, under four headings: Comments about the Settlement Boundary (see further, below), Type of development needed in the village, Comments against development on a site next to Acreage and Old Forge, Other development related comments. These make it clear that the NDP was already being developed in relation to a planning proposal.

Secondly, when the application to build adjacent to Acreage was submitted, the vice-chair of the Parish Council (now the Chair), who is also the Chair of the Working Party, wrote in person to the planners to oppose the application. I quote: 'I write as vice-chairman of the Whitbourne Parish Council. On 4th February [2014] . . . the public that attended were all horrified at the above plan and without exception asked the PC to reject. . . . The PC has nearly completed a Neighbourhood Plan and this has shown overwhelmingly that this development is not required . . .' And so on.

Thirdly, the same person wrote to me in reply to a letter I sent her, and following the hearing on this application at the County Planning Committee in October 2014: ' . . . Until the NDP reaches the stage required by the NPPF it is likely to prove no more persuasive than on 29th October . . . the manager of Whitbourne Estates evinces no sign of a change of heart . . . so we can no longer afford the luxury of fine tuning . . . with whatever minor flaws, the NDP represents the clear view of most Whitbourne people . . .'

Although the above mentioned development of 20 houses has gone ahead and is nearing completion, the tenor of the NDP and consultation document remains hostile to it and to its originator – even though it now represents part of the solution to the problem of provision of additional defined housing needs. It delivers at a stroke nearly half of the shortfall of housing units required in the life-time of the NDP. It is also the only development that is likely to offer a supply of affordable housing in the foreseeable future. Surely, only by engaging constructively with the Whitbourne Estate can an NDP really shape the future for this parish.

I will mention briefly one further example of the changing focus of this NDP – which has apparently taken place entirely within the confines of Working Party meetings and with no public comment or consultation. Namely the vexed question of the Settlement Boundary. I simply do not understand why the Working Party has chosen to make incremental changes in this way, over so many drafts, without attempting to hold any meetings (free from the constraints imposed by formal PC meetings) to discover people's views as time went on. There have been significant changes in the parish in this time, including to the school, shop, pubs and the new development opposite the shop, but successive NDP drafts have emerged without any transparent process of open and public discussion. I do not wish to labour this point, but I think it is epitomised by the issue of the Settlement Boundary.

From the beginning, even before public consultation began, maintaining the Settlement Boundary unchanged seems to have been a core goal of the Working Party, as spelled out in its earliest documents and repeated many times since. The PC seemed to support this goal when in November 2013 it voted down a request to extend the Boundary to include the garden of Whiteacres: this was properly shown on page 7 of the February 2014 NDP draft. Yet at some time between then and January 2015 (draft 12), this land adjacent to The Croft was apparently included in the Boundary. If this is indeed the case, and the map on page 13 of draft 12 was not at fault, I think the community is owed an explanation as to why such an important change was made, in defiance of the over-riding ambition to preserve this Settlement Boundary at all costs. The Boundary has had to be altered to take in the 20 new houses opposite the village shop, now nearing completion, but any additional changes must surely be contrary to your vision and ambition, unless supported by clear and overwhelming public preference? Once this change was made, and the land by The Croft and Whiteacres was suddenly available for a significant number of houses, the clause requiring the Boundary to be fixed was once again stressed. At the same time, however, the NDP has called for two (and

¹ See Whitbourne Parish Magazine for July 2013, page 9, at www.whitbourne.org.uk/files/OldMags.shtml

latterly one) additional house to be built within the Conservation Area, which is contrary to the Settlement Boundary aspiration and also contrary to the wording of the Conservation area document. I wonder how many residents are even aware that these substantive proposals are now enshrined in 'our' NDP?

I could go on, but I hope that I have shown adequately why I believe that, for all the efforts of the Working Party, this NDP draft remains a deeply flawed document. It has I believe arisen not from consultation and a seeking out of the wishes of the community, but from an attempt to splice the wishes of one portion of a parish population onto a convenient vehicle, in pursuit of a specific goal. I hope you will either return it to the Working Party for radical further research, or reject it in its present form.

Yours sincerely,

Katherine Lack (Dr).

Latham, James

From:
Sent: 01 May 2016 16:09
To: Neighbourhood Planning Team
Subject: Whitbourne NDP

Follow Up Flag: Follow up
Flag Status: Completed

F.a.o. The Neighbourhood Planning Inspector

WHITBOURNE PARISH COUNCIL - NEIGHBOURHOOD DEVELOPMENT PLAN

Dear Sir,

I wish to write in support of the above proposed document.

The plan deals sympathetically with the needs and requirements of the future of the Village. It is clear that the Parish Council have listened to the views of its parishioners and dealt with future housing needs without spoiling the tradition and embodiment of village life.

The plan also deals with the less en vogue matters such as flooding, the environment, forestry and renewable energy.

Providing Whitbourne with the opportunity to participate in their future is important and I trust the document will be adopted in due course.

Yours faithfully,

Martin Ashcroft

Latham, James

From: Howells, Mathew
Sent: 03 May 2016 14:35
To: Neighbourhood Planning Team
Subject: RE: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Follow Up Flag: Follow up
Flag Status: Completed

Dear Neighbourhood Planning Team,

Herefordshire Council's Transportation has no comments to make regarding the NDP.

Kind Regards
Mathew Howells

From: Neighbourhood Planning Team
Sent: 21 March 2016 10:26
Subject: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Whitbourne 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: <https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/whitbourne>

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

The consultation runs from 21 March 2016 to 3 May 2016.

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

If you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan, please indicate this on your representation.

Kind regards

James Latham

Technical Support Officer

Neighbourhood Planning, Strategic Planning & Conservation teams
Herefordshire Council

Planning Services

PO Box 230

Blueschool House

Blueschool Street

Hereford

HR1 2ZB

Tel: 01432 383617

Courier code : H31

Email: jlatham@herefordshire.gov.uk

neighbourhoodplanning@herefordshire.gov.uk (for Neighbourhood Planning enquiries)

Latham, James

From: Howells, Mathew
Sent: 05 May 2016 10:55
To: Neighbourhood Planning Team
Subject: FW: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Follow Up Flag: Follow up
Flag Status: Completed

Good morning,

Could you please see e-mail below with regards to the Whitbourne NDP. I am aware that it is past the deadline for consultation, however I would be grateful if you forward the e-mail below to Whitbourne for information.

Thanks
Mat

From: Liaison, Herefordshire [mailto:herefordshireliaison@bblivingplaces.com]
Sent: 05 May 2016 10:06
To: Howells, Mathew
Subject: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Good morning,

Thank you for your email.

I would like to apologise for the delay in replying.

Please see the below response from our Asset Management Team:

Our asset management tool Horizons isn't showing any resurfacing/surface dressing work (with the available budgets) for Whitbourne in the near future. Since Balfour Beatty have been Herefordshire's contractor works have been completed on the following roads in and around the Whitbourne area:

*C1066 Whitbourne Village - Resurfacing
U65025 Whitbourne Village - Resurfacing
U65036 Old Forge, Whitbourne - Resurfacing
U65018 Norton Lane, B4203 to A44 - Resurfacing
U65030 Tedstone to Whitbourne Road - Surface Dressing*

All of these works were completed after the letter dated 20th March 2013 that has been highlighted in the planning proposal Policy LU15.

If you have any further queries, please do not hesitate to contact us on 01432 261800.

Kind regards,

Samantha Williams

Customer Resolution Assistant | Balfour Beatty | Services | Living Places

T: +44 (0)1432 261800 | E: herefordshireliaison@bblivingplaces.com

Balfour Beatty Living Places, Unit 3, Thorn Business Park, Rotherwas, Hereford, HR2 6JT

Balfour Beatty

Build to Last
Lean. Expert. Trusted. Safe.

From: Howells, Mathew [<mailto:mathew.howells@herefordshire.gov.uk>]
Sent: 21 April 2016 09:48
To: Berkeley, Catherine
Subject: FW: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Good Morning Cathy,

We have in our section a neighbourhood development plan for Whitbourne, within the plan they highlight the poor state of roads. I have extracted the relevant piece of information below. I was wondering if you had any relevant comment to make on the plan?

“Policy LU15 -Road Surfaces

With any new development proposal the volume of traffic and access to the proposal should ensure that it is not to the detriment of other road users and pedestrians.

Supporting Statements

Whatever the future pattern of employment in Whitbourne, it is clear that the roads of the parish are under increasing stress. A letter dated 20th March 2013 from a parishioner of long standing, spoke of the “inability of Whitbourne’s decaying road system to support the ever increasing traffic”. Since then that comment has become increasingly justified, and often repeated by other parishioners.

The sustainable development of Whitbourne is prejudiced by the condition of the roads and pavements, coupled with the inadequate provision of public transport. These matters lie outside the direct jurisdiction of the Parish Council, but it will continue to make representation in the relevant quarters.”

If this is not within the area you cover, I would be grateful if you could please forward over to the relevant person.

Kind Regards
Mathew Howells
Senior Transport Planning Officer
Transportation - Planning
Herefordshire Council
P.O. Box 236
Plough Lane,
Hereford
HR4 0WZ
Tel: 01432 383143
E-mai: Mathew.howells@herefordshire.gov.uk

From: Neighbourhood Planning Team
Sent: 21 March 2016 10:26
Subject: Whitbourne Regulation 16 Neighbourhood Development Plan consultation

Dear Consultee,

Whitbourne Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

Latham, James

From: Noel Knight
Sent: 02 May 2016 08:37
To: Neighbourhood Planning Team
Subject: Reg.16 comment: Whitbourne Neighbourhood Development Plan

Follow Up Flag: Follow up
Flag Status: Completed

Whitbourne Neighbourhood Development Plan.
Regulation 16 comment.

Though supporting the principle of an NDP, I wish to make various personal comments and observations relating to the above document and its preparation.

Firstly may I state my position. In May 2015 I was elected to Whitbourne Parish Council. In November 2012 I was briefly a lay member of the NDP Working Party but stood down due to ill health. This created a vacancy within the Working Party to which a Parish Councillor was appointed.

Clause 1. of the Terms of Reference (T of R) approved 3rd Sept. 2012 states, "The Working Party (WP) shall consist of four Parish Councillors and up to three residents of Whitbourne Parish". The appointment of a councillor to the vacancy created an imbalance with five of the nine councillors now being members of the WP. This imbalance remained from early 2013 until May 2015 when a WP councillor retired. Throughout this period approval of an amendment to this clause in the T of R was never sought.

Publicity throughout has been limited to brief updates in the Parish Magazine (which also quoted the web-site address). Of the 330 households in the Parish only 160 (51.5%) receive the publication. Other than a single A4 sized notice referring to the Reg.14 consultation, there has been no open publicity by way of posters or notices around the village, as compared with the many Reg.16 Notices placed at strategic points around the Parish by Herefordshire Council. Four copies of each draft NDP were distributed around the village - the church, public house, village shop and village hall. None of these locations are especially conducive to the level of scrutiny and study that the document deserved.

Clause 3. of the T of R states: "The WP.... shall ascertain, as fully as practical, the views of the residents of the parish..... This clause does not appear to have been met effectively.

The Regulation 14 consultation (of the 19th draft) produced 13 responses all of which were circulated to the 9 Parish Councillors. Any observations on the responses were to be submitted in writing to the combined PC/WP chairman. The 20th draft of the plan was made available to Councillors on Feb 27th 2016 in advance of a PC meeting on March 3rd 2016 (Agenda item 25/16 - To receive an update on the NDP). The PC were presented with the finished document, and asked to adopt the Plan which contained about 20 changes from the 19th draft. In the interests of openness and transparency, the PC should, I feel, have been given the opportunity to discuss or debate openly both the changes to this final draft and the 13 responses received. This lack of consultation would also appear to be contrary to Clause 3 of the T of R ..."The WP on behalf of the PC, and recognising the PC as the relevant body responsible for producing the Plan, shall ascertain as fully as practicable, the views of the residents of the Parish as a whole upon all salient matters contained in the Plan".

In my opinion there has been a failure to meet fully the approved Terms of Reference for the preparation of the Whitbourne Neighbourhood Development Plan.

Noel Knight

PS. Kindly acknowledge the receipt of this communication.

Parish Clerk
Whitbourne Parish Council
84 Old Road
Bromyard
HR7 4BQ

Robert Deanwood
Consultant Town Planner

Tel: 01926 439078
n.grid@amecfw.com

Sent by email to:
whitbournepccclerk@gmail.com

29 March 2016

Dear Sir / Madam

**Whitbourne Neighbourhood Plan Consultation
SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Gas Distribution – Low / Medium Pressure

Whilst there is no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

Gables House
Kenilworth Road
Leamington Spa
Warwickshire CV32 6JX
United Kingdom
Tel +44 (0) 1926 439 000
amecfw.com

Amec Foster Wheeler Environment
& Infrastructure UK Limited
Registered office:
Booths Park, Chelford Road, Knutsford,
Cheshire WA16 8QZ
Registered in England.
No. 2190074



The electricity distribution operator in Herefordshire Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Robert Deanwood
Consultant Town Planner

n.grid@amecfw.com

Spencer Jeffries
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

Amec Foster Wheeler E&I UK
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

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

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours faithfully

[via email]

Robert Deanwood
Consultant Town Planner

cc. Spencer Jeffries, National Grid

Date: 03 May 2016
Our ref: 181695
Your ref: None



James Latham
Technical Support Officer
Neighbourhood Planning, Strategic Planning & Conservation teams
Herefordshire Council

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

neighbourhoodplanning@herefordshire.gov.uk

Dear Mr Latham

Whitbourne Regulation 16 Neighbourhood Development Plan

Thank you for your consultation on the above dated 22 March 2016 which was received by Natural England on 22 March 2016.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Whitbourne Neighbourhood Development Plan

We are pleased to see that much of our previous advice has been taken into consideration and have **no further comments** to make on this neighbourhood plan.

Habitats Regulations Assessment (HRA) Report

We confirm that having read the Habitats Regulations Assessment (HRA) Screening Report we agree with the conclusion that the Whitbourne Neighbourhood Plan will not require a full HRA.

Environment Report

Natural England welcomes the production of an Environmental Report. Having reviewed the report Natural England confirms that it meets the requirements of the Strategic Environmental Assessment (SEA) European Directive and national regulations, and that we concur with its conclusions.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Tom Reynolds on 020 802 61050. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Tom Reynolds
Planning Adviser



5:4:2016

Dear Herefordshire Neighbourhood Planning,

Whitbourne Neighbourhood Development Plan.

I am writing with regard to the above despite my personal view that the whole principal of local development plans is flawed, simply because they are expected to conform to a number of outside influences (almost certainly working to a different agenda, especially in the matter of housing), which they have to take into account.

That said I write in support of the Whitbourne Neighbourhood Development Plan. I know from conversations with a number of residents that within the parameters laid down it does effectively represent their views. This is particularly the case with regard to housing development, the preservation of the existing landscape, and land use for agriculture and forestry. On the basis of the last forty years the total of 50 houses during the life of the plan is more than enough for the pace of growth within the village. Given that twenty are already well on stream and the plan indicates a further 10 committed units, some of which already exist or have planning permission, I would support the aim to prevent any further large scale development. As the plan indicates only recently two further potential windfall sites have become available, namely the former school and the Wheatsheaf public house. The local infrastructure in the loss of the school, an infrequent bus service under review and an inability to maintain the roads we have in good order, all argue against further development.

Despite what the politicians and those with commercial interests would wish to inflict upon us there are plenty of Whitbourne residents who are very much in favour of preserving the village in its present state.

Yours Sincerely,

P. J. Baseley.

Paul Lack

2 May 2016

Re: Whitbourne Neighbourhood Development Plan

Dear Sir,

I am writing as a resident of Whitbourne, who has been following the development of this plan throughout, to urge you to reject it or refer it back to the parish for a complete overhaul. This is for two main reasons:

- I believe the consultation to have been flawed at all its stages, and
- I believe that the plan as it is presented would not achieve its avowed aims.

The Consultation

From the start the consultation process has been flawed.

Very early on in the process two parishioners wrote to, and then attended, a Parish Council meeting, to express their concerns about the Neighbourhood Development Plan's processes in Whitbourne. At the meeting, rather than being listened to, they were verbally savaged in a prepared speech, the overall message being "How dare you question the workings of this working party?" And outside the meeting they were physically intimidated by a family member of a councillor, who also objected to their temerity in questioning the working party, to such an extent that a member of the public who was passing by came over to offer assistance. Though that latter behaviour was not necessarily under the control of the chair of the council, is it any wonder that no other parishioners dared to approach the Parish Council direct? It certainly deterred me.

This seems to have set the tone for much of the consultation process. It has been characterised for much of the time by a lack of transparency; and subsequent letters, questions and contributions to the working party have often been met with outright, and sometimes rude, rejection. Several people have commented that they do not wish to be involved any further, one "fearing the vitriol that usually accompanies it".

Indeed, the working party itself seems to have been somewhat confused as to its own aims and powers. In the section 14 consultation draft of November 2015 they declare: "we have no powers to allocate new land for housing . . ." (page 30), which they now acknowledge to be untrue. This misinformation, whether deliberate or due to accident or ignorance, does not help the consultation process. It also means that they have not followed the procedure set out in the Neighbourhood Planning Guidance note 21.

There appears to have been no attempt to consult with young people or organisations for the young in the parish. For example, I was a governor of Whitbourne Primary School during the early consultation phase of the plan (until summer 2013), and recall no approach, either formal or informal, from the working party. The offer in the draft to move the goal posts (literally – see page 31) is no compensation for this: quite apart from anything else, that is the responsibility of the playing fields committee, not a neighbourhood planning document.

The manager of the Whitbourne Estate, by far the largest employer and landowner in the parish, has put it on record that he regrets that the working party could not find a way of working with Whitbourne Estate on shaping ideas about current and future developments, although on his own initiative he engaged in a very thorough public consultation before the application went in for the estate now being built. Indeed, from the start the impression has been that the working party was actively antagonistic to the Whitbourne Estate: a subsidiary question about the land behind Acreage in a very early questionnaire certainly gave this impression. And at one stage the chair of the working party even proposed a Parish Council motion, subsequently passed, that they would have no further dealings with the proposed developer of this site.

There has been very little transparency over what the working party intended to do: at the public meeting in February 2014, when questioned on where new housing could go, all that they would reply was that “there was a large hole” within the settlement boundary, that could be developed – without revealing where this hole was. Only in draft 12, and without any additional flagging up, was it revealed that it is the garden of the Croft and the land behind Whiteacres – which until then was outside the settlement boundary. This, one of the most significant contributions the plan makes to the future of the village, has therefore been slid in at a very late stage, with no specific consultation, and I would think the vast majority of people in the village are completely unaware of it. (The only mention of Whiteacres garden in the run up to that plan was a 2013 resolution of the Parish Council *not* to include it in the settlement boundary. Apparently it was discussed again in the Parish Council meeting in January this year, but the minutes of that meeting are not yet (at 2.5.16) available on the website.) This is not transparency.

The consultation that did take place was also flawed: some of the figures on which the main planks of the plan are based are almost vanishingly small. According to appendix 6 of the consultation statement, only 8 people gave a specific opinion on whether the settlement boundary should be retained or not, voting 5 to 3 in favour of retaining it. So only 5 people, out of a parish of 800, fewer than 1%, have voted for this central policy – and yet the draft plan claims it is the wish of the “great majority” of the parish. It may be – but the flaws in the consultation process mean that we cannot be sure.

The latter stages of the plan have included radical substantive changes to its main platforms – with very little fanfare or explanation. In particular, the detail of, and mutability of, the settlement boundary has been changed radically in the last few drafts, without any specific consultation. Until draft 10, the settlement boundary was sacrosanct. Then suddenly, in draft 11, without any explanation or signalling of the change, the plan introduced provision to change the boundary when necessary. But then in draft 12, again with hardly any explanation or signalling, this clause was removed again, but the boundary that the plan showed had changed – to go round the new development behind Acreage and to include the Whiteacres garden. One would have had to be an alert reader of the various drafts to spot these changes: there were no articles in the parish magazine about them, no comments on the website, no introduction to the various drafts explaining the changes – but they go to the heart of what the plan aims to achieve.

The only draft of the plan that was ever circulated widely in the parish was a very early one. Since then there have only been four printed copies of each draft available (complete with ‘Do not Remove’ notices, inhibiting people from studying them carefully at home), sometimes a note in the

church parish magazine (taken by only half of the households of the parish), and a posting on the Parish Council website – hardly the preferred destination for most ordinary people, and which habitually goes for several months between updates.

At the public meeting in February 2014 a member of the working party publicly admitted that they had heard things ‘forcefully expressed’ that evening that they had not heard before. It is indicative of the working party’s attitude that, rather than then go back and readdress fundamental questions, from that stage on consultations were less open and less public.

All of these factors indicate that the consultation has been deeply flawed from start to finish. The plan may represent what a lot of residents want, or merely what the members of the working party want. We have no way of knowing.

The Content of the Plan

Even if the plan does represent the desires of the people of Whitbourne, I fear that it would not achieve them, because of its loose phrasing, lack of ‘smart’ targets, and errors and omissions, which might prevent a planning officer from requiring things, or enable a developer to challenge the plan and argue an opposing position. Indeed, in places the plan reads more like an embattled minority trying to justify itself, and set its manifesto for the future, than a planning document guiding decisions for the next 20 years.

For example: if the County decides to increase the allocation of houses to rural parishes (clearly identified so far as a minimum), or if the present or subsequent owners of the proposed windfall and infill sites decide not to make their properties available for development, then the settlement boundary would have to be breached. But this plan makes no provision for where further houses might go or how decisions on them might be made – it would effectively be open house.

The size of the plots at the Croft and Whiteacres are such that to achieve the number of houses needed it would be necessary to build at a much higher density than the norm for the parish – directly against policies LU4 and LU12. So the plan cannot, as it stands, achieve its aims – and so is vulnerable to challenge.

Windfall sites: as I have said to the working party in previous submissions, land is a finite resource. The fact that there has been building on windfall sites in the past is no guarantee that there will be more sites coming available – in fact rather the reverse. Especially with the protection afforded to residential gardens in policy LU4. One cannot base an entire plan on such an unknown quantity, so again it opens itself to challenge.

On sustainability standards: the plan states that all building must be of the “highest standard” – but without stating what standard. I very much doubt that any planning officer would impose Sustainability Code 6 on this basis – but they would have no basis to impose any other code either.

The plot in the Conservation area: it is extraordinary to suggest, as on page 35, that planning constraints should be relaxed on the basis of the lineage of the landowner – especially one who is known to sell land for development rather than develop it himself. There is no mention of the Conservation Area’s foundation document which includes the “presence of open spaces” within it as an important feature to be preserved.

The paragraph on flooding still omits, whether by accident or design (it has been pointed out to them on more than one occasion), the one area of the village where flooding is most significant, in

that it floods actual houses, most recently flooding three houses in 2000 and 2007. This flood-risk area, incidentally, includes the questionable development site within the Conservation Area.

Periodic Review

I understand from the planning officer ascribed to this plan that the legislation allows for a periodic review to be built into the plan, and I note that other published plans include this. However, the chair of the working party informed me in December 2014 that “there is no mechanism for this.” There is now in the draft a provision for periodic report to the Parish Council, but not for any amendment or adjustment as time goes on. In a world changing as fast as ours is, and in a village where we have seen very significant changes in the last three years (closure of the school, approval of new development etc), it seems to me that this is vital. I would be pleased if you could clarify the position on this – and even more pleased if you would recommend its inclusion in any future plan.

Conclusion

All of these points have been raised with the working party by myself and others over the last three years, and while some minor points have been adjusted, my fundamental objections to the plan remain intact.

The combination of loose drafting, with the deeply flawed nature of the consultation, such that we really have no idea if this draft plan reflects the wishes of the people of Whitbourne or not, means that the plan does not just need rewriting, but that the whole process needs to be started again from the beginning.

Yours faithfully

Paul Lack

Paul Lack

Latham, James

From: donotreply@herefordshire.gov.uk
Sent: 23 April 2016 23:58
To: Neighbourhood Planning Team
Subject: A comment on a proposed Neighbourhood Area was submitted

Follow Up Flag: Follow up
Flag Status: Completed

Comment on a proposed neighbourhood plan form submitted fields	
Caption	Value
Address	
Postcode	
First name	peter
Last name	styles
Which plan are you commenting on?	whitbourne neighbourhood plan
Comment type	Comment
Your comments	<p>With regard to the plan providing a minimum of 39 dwellings and wishing development to be sustainable the possible rrb's suggested as housing are not in sustainable locations , no public transport or likely hood of and to far to walk or cycle to services provided in Whitbourne . The best sustainable sites available in the direct locality of Whitbourne would appear to be the school and the Wheatsheaf inn . The neighbourhood plan shows figures of how the housing needs will be met with rrb sites proposed and 10 more windfall sites. Surely you can not count proposed rrb's and then add 10 windfall sites , they do not have planning , you have no way of knowing if they will ever come forward or be deliverable , you may as well say we propose that there will be 39 windfall sites . I believe that you should actually nominate or allocate housing at the former school and closed pub the Wheatsheaf , both sites could be considered previously developed land which is obviously to be encouraged over the open countryside. Both sites are close to the village heart easily accessible by walking or cycling and both have access to existing bus routes.</p>



Neighbourhood Planning Team
Planning Services
Herefordshire Council

Sent by email only: neighbourhoodplanning@herefordshire.gov.uk

3rd May 2016

Dear Sirs,

Whitbourne Neighbourhood Development Plan – Regulation 16 Consultation

We write to comment on the latest draft of the Whitbourne Neighbourhood Development Plan published for Regulation 16 Consultation on 21st March 2016 (“the Draft Plan”).

We are aware that a lot of time and energy has been gone into the preparation of the Draft Plan, and we would like to take this opportunity to thank the Whitbourne Parish Council NDP Working Party (“the Working Party”) for their time and efforts to date.

Unfortunately, however, we remain disappointed with the Draft Plan and are concerned that a number of the points we have raised in previous representations do not appear to have been given due consideration.

We feel that the Draft Plan does not address all of what we consider to be the pressing issues for the future sustainability of Whitbourne, and that this is a missed opportunity for the parish. Unfortunately in its current form the Draft Plan is not something that we could endorse if it went to referendum.

We have set out our detailed comments below.

Public Engagement and the Consultation Statement dated March 2016

As residents of Whitbourne we have attempted to engage with the Neighbourhood Development Plan process since receipt of the initial questionnaire in October 2012.

To date we have:

- Responded to the initial questionnaire in December 2012;
- Attended the ‘drop-in’ meeting in May 2013, and submitted written comments in May 2013 following this meeting;
- Submitted comments in response to the first Regulation 14 Consultation in March 2015, and subsequently exchanged letters with the Chair of the Parish Council in April 2015; and
- Submitted comments in response to the second Regulation 14 Consultation in January 2016.

In our written response in May 2013, now three years ago, we raised concerns about the quality of the consultation carried out. The one and only questionnaire sent to parishioners in late 2012 contained no explanation of the planning policy requirements for the parish to grow to meet housing need, nor the opportunities which could be embraced by the adoption of a Neighbourhood Development Plan. The questions in the questionnaire seemed to be worded in a way which encouraged a particular outcome, and all the questions related to new development, rather than opportunities to enhance or protect other parts of the village. Additionally, there were no open-ended questions to allow residents to add their own thoughts or suggestions as to their priorities for the future of Whitbourne.

It appears, however, that the Working Party has based the main policies and structure of the Draft Plan on the basis of the responses to this single questionnaire which comprises just one side of paper. This is confirmed by the comments in Appendix 4 of the Consultation Statement submitted with the Draft Plan.

The Consultation Statement also contains a table at Appendix 4 showing the responses to one of the questions in the initial questionnaire in table form. The question was: *'What types of residential development would you prefer to take place?'*, and the table appears to show that every person who responded to the questionnaire would prefer development consisting of detached houses to buy only.

This seems an unlikely result, however it is also factually incorrect. A copy of our own questionnaire response is attached to this letter, which shows that we had favoured developments of small 1-2 bed starter homes to rent, 2-3 bed semi-detached houses to buy, and social housing to rent or part buy, in line with the latest Herefordshire Council Local Housing Need Study at that time. This is, no doubt, an administrative error, however it leaves little faith that all responses have been duly considered, as claimed.

In our various correspondence since May 2013 we have raised the need for further consultation to establish the needs and wishes of the residents of the parish. The objectives in the Draft Plan to, for example, preserve green space, promote home-employment, and encourage renewable energy, may be desirable, but they are not founded in public consultation and so may well not represent the priorities of the residents of the parish.

In fact we believe that it is extremely likely that the Draft Plan is not, as a whole, representative of the views and priorities of the village. An example of this can be seen from the public meeting which was held last year in relation to the future of the village school buildings, and which was attended by a large number of residents who were all keen to engage, and all had suggestions for positive uses for the buildings.

In the Draft Plan, however, there is but a single paragraph stating that the empty school is a "sight of daily regret" at Page 30. We feel this is not only a missed opportunity to help guide the school into a positive use, perhaps by protecting the unlisted school buildings which are on a prominent site at the heart of the village, but that this is also not representative of the views of residents. The opportunity to use the Draft Plan to safeguard the school buildings from demolition or to guide future uses of the buildings has never been the subject of consultation by the Neighbourhood Plan Working Party.

We have also raised concern that there was no formal 'Call for Sites' to enable all landowners within the parish to put forward potential sites for development, and for these sites to be considered and assessed by the parish. This is discussed in further detail under the heading 'Allocation of Sites' below.

Our final comments with regard to the consultation carried out by the Working Party are that we would like it to be noted that we did receive lengthy responses to some of our consultation submissions, which rejected a number of our representations, and was also aggressive, patronising and extraordinarily rude. As you will appreciate, it is not common for public bodies to respond to consultation responses, other than perhaps for requests for clarification.

An example of the tone of the three-page response we received to our initial Regulation 14 submissions is as follows:

"We reject totally your contention that this Plan needs substantial re-drafting. As we also rebut your repeated allegation of inadequate consultation. Identification of the practicable is a first principle of planning. To canvass alternatives that had not the remotest chance of acceptance by the people of Whitbourne would be mere self-indulgence calculated to appeal only to those more impressed by bulk than content. In fact the steps taken to encourage public participation are in the public domain ...The Parish Council has required the Working Party to report to the Parish Council at each meeting ... We are sorry you have been unable to avail yourself of this facility, but that that is no reason to deny that it has been available to others."

Given this type of wholly inappropriate and unprovoked response to a consultation response to a draft planning policy document, it is unsurprising that public engagement in the preparation of the Draft Plan has been limited.

We are aware that we are not the only recipients of such responses. We are also aware that responses such as the one above were sent by individuals within the Working Party, and we do not believe this approach to be representative of the view of the wider Working Party nor Parish Council.

Allocation of sites for housing

We appreciate that the delivery of a minimum of an additional 19 houses (excluding the 20 houses currently under construction adjacent to Acreage) within the Parish by 2031 is probably the most contentious topic which the Draft Plan must address.

We are in favour of sites being allocated for housing, but feel strongly that the only way that individual sites can be recommended for housing development validly in the Draft Plan is by following an appropriate and transparent selection process, combined with public consultation on the options.

This is the process advocated by Herefordshire Council in its guidance note 'Neighbourhood Planning Guidance Note 21: Guide to site assessment and choosing allocation sites'.

Guidance Note 21 states that: *"the site selection process will have to be carried out in an **open and transparent way**, including consultation with the community and the production of a full evidence base to **support and justify the conclusions reached**"* (emphasis added).

Instead the site selection process in the Draft Plan was apparently by way of a series of closed conversations with those persons who the Neighbourhood Plan Working Party considered appropriate, as is recorded in Appendix 5 of the Consultation Statement.

We note the Working Party's comments in Appendix 17 of the Consultation Statement that it was felt unnecessary to carry out a 'Call for Sites' as "Whitbourne is a small and tight-knit community", however we object strongly to this – planning should seek to engage all, rather than the chosen few in the Working Party's preferred circle of contacts.

Although the Draft Plan claims at Policy LU4 on Page 14 that no sites have been allocated for development within the Draft Plan, the table on Page 34 lists three sites where the Working Party expects to see brought forward as "windfall sites" within the plan period, and where the Working Party have also listed the density of development deemed to be appropriate.

This appears to be the allocation of sites through the back door, and is a far cry from the open and transparent site selection process which should be reasonably expected.

The sites we are referring to are:

- **The Land behind The Croft** – the Settlement Boundary has been extended to include this in Policy LU1 and the plan at Page 8 of the Draft Plan, and the table on Page 34 is advocating the delivery of 13 houses on this site;
- **Tiblands Farm** – The table on Page 34 lists this site as suitable for 2 houses. We presume that the comment on Page 10 of the Draft Plan notes that buildings 'are intended' to provide two dwellings also refers to this site;
- **Virginia Cottage** – Page 34 of the Draft Plan says that a site adjacent to Virginia Cottage 'has been set aside for development', with the table on the same page suggesting that this site is allocated for the provision of one dwelling.

No consultation whatsoever has been carried out as regards the appropriateness of The Croft, Tiblands Farm, or the site adjacent to Virginia Cottage for development, other than the repeated inclusion of these sites within various drafts of the Neighbourhood Development Plan without explanation. The Draft Plan also increases the settlement boundary to include The Croft, again, without any express public consultation on this extremely contentious matter.

It is also concerning that the comments at Page 34 of the Draft Plan relating to The Croft being owned by "*senior and respected members of the community*", together with the comments at Page 35 relating to the site adjacent to Virginia Cottage being owned by "*a distinguished landowner whose family ties with the parish go back more than a century*" and "*given his character and antecedents, it is inconceivable that he would permit any development in the Conservation Area that did not respect its special nature*" remain in the Draft Plan at Regulation 16 stage, despite several representations that these types of personal comments are not appropriate to planning policy.

Although we do not disagree with the sentiment of the personal references to the current landowners, we object strongly to their inclusion in the Draft Plan. Planning policy site allocations are affixed to the land, and will benefit any person who owns the site in future equally. The virtues of the persons involved are not relevant, and in any case, we think it unlikely that the current owners would intend to carry out a housing development personally, and as such, would not have control over the specifics of any development proposed.

The recent quashing of the housing policies in the Haddenham Neighbourhood Development Plan due to the serious errors in the selection process for the allocation of housing sites, serves to illustrate the importance of impartiality on the part of the Working Party when promoting sites for development.

Unfortunately the required transparent and open approach has not been adopted in the preparation of the Draft Plan, and so we do not understand how the Working Party has been able to legitimately identify individual sites in the Draft Plan.

Future Planning Applications

We have set out below our comments made in our last letter of representation in January 2016 to the second Regulation 14 consultation. The purpose of repeating these representations is twofold: firstly to highlight our concerns about the way the drafting of the Draft Plan could be interpreted, and secondly to show the way in which our comments have been addressed in the subsequent draft.

“As you are aware, the Draft Plan, if formally made following a successful referendum would become part of the adopted planning policy which determines the outcome of future planning applications.

It would hold considerably more weight than the Parish Council’s comments in relation to any individual application, and so it is crucial that the wording is clear and cannot be interpreted in a way which is not intended.

We have therefore considered a number of scenarios for future planning applications, and how the Draft Plan would require them to be determined.

A) *Application for demolition of School and development of site for modern brick terraced housing for sale on the open market*

- **Policy LU1:** *Site is within the Settlement Boundary and “attention” has been paid to the scale, style and materials used (i.e. the houses are proposed to be the usual modern brick which is cost effective to builders). This policy supports the scheme;*
- **Policy LU4:** *Site is not a residential garden, and the houses proposed are modern brick like the properties in Ashpool, and terraced, like the properties nearby in Bannercroft. The houses are therefore in keeping with the character of the surroundings. This policy supports the scheme;*
- **Policy LU12:** *Proposed buildings respect the density patterns of the Parish by replicating the density at Bannercroft. This policy supports the scheme;*
- **Policy LU13:** *Housing is being provided on an infill site. This policy supports the scheme;*
- **Part Two, paragraph 1:** *As the community would have the opportunity to comment on any planning application, the requirements of this paragraph have been satisfied. This policy supports the scheme.*

We feel strongly that this outcome would be a great shame. Although housing may be the best use of the School site, it would be a tragedy to lose the current stone buildings on such a prominent site at the heart of the village. The Draft Plan could also list the School building as a building of architectural and social interest, worthy of protection which would help to safeguard it.

[NB Part Two, paragraph 1 of the Draft Plan has been amended from the Regulation 14 draft plan to state that the retention of the nineteenth century school building is considered important, however we do not feel this goes far enough to achieve the objective]

B) Application for demolition of the Live and Let Live public house and development of the site for housing

- ***Policy LU1:** Site is within the Settlement Boundary. This policy supports the scheme;*
- ***Policy LU4:** Site is not a residential garden. This policy supports the scheme;*
- ***Policy LU12:** Proposed buildings could respect the density patterns of the Parish. This policy supports the scheme;*
- ***Policy LU13:** Housing is being provided on an infill site. This policy supports the scheme;*
- ***Policy LU14:** The scheme will result in the loss of employment, however as this policy supports the increase of employment, rather than expressly seeking to prevent the loss of employment, the development proposal is not contrary to this policy;*
- ***Part Two, paragraph 7:** There is nothing in this paragraph which indicates a preference for keeping the Live and Let Live as a pub. The development proposal is not contrary to this policy.*

We feel the loss of the Live and Let Live as a pub would be a huge loss for the village. Although the pub is currently thriving, the Draft Plan has to consider all possibilities over the next 15 year period. If we look back over the last 15 years, the prospects of the Live and Let Live have changed dramatically, although it is thankfully now prospering. We do not feel that the Draft Plan represents the views of the majority of residents in relation to the loss of the pub, who fought hard to ensure a similar scheme was withdrawn in early 2014.

C) Application for a commercial poultry farm on agricultural land and creation of wildlife habitat

- ***Policy LU13:** Proposals respect the environment. This policy supports this development;*
- ***Policy LU14:** As an agricultural use, this development is supported by this policy;*

- **Objective 10:** *This proposal creates employment, and so is supported by this objective.*

We query whether this is what the Draft Plan is intending to achieve.

In relation to this last scenario, a new paragraph 8 has been inserted into Part Two of the Draft Plan stating expressly that commercial poultry and pig farms are not supported. We feel this misses the point of our representations – the Draft Plan cannot cater for all possible different types of application, but should be drafted in a way which identifies the undesirable outcomes which should be avoided in any application, rather than singling out specific types of development and remaining silent on others.

General observations

We have a few further comments to make, as follows:

- **Page 5:** Objective 2 states it is to protect the built assets in the community, however there is no further reference to built heritage in the remainder of the Draft Plan, other than Policy LU3, which presumably relates to the conservation area only. We would like to see prominent unlisted buildings protected, such as the School and both pubs, and other development to have special regard to its setting and relationship with any nearby listed buildings.
- **Page 7:** The requirement for all housing development to take place within the Settlement Boundary (other than barn conversions) contradicts the allocation of the land adjacent to Virginia Cottage for one house. We also object to the inclusion of the land adjacent to The Croft within the Settlement Boundary without full consultation as to the options for delivery of housing.
- **Page 8:** We do not think the requirement to pay “attention” to the scale, style and materials in any planning application is very clear. What is the outcome being sought?
- **Page 9:** There is a distinction between buildings being not being “appropriate” for agricultural use, and being “redundant”. A building not being appropriate for any type of agricultural use is a high threshold, whereas a building being redundant, is quite a different test. As mentioned in previous correspondence, it should be clarified whether “redundant” does mean redundant for that holding only, or redundant for any agricultural holding in the parish, and whether it means the building is redundant currently, or whether there is no realistic prospect of the building being used for agricultural purposes within the next five years.

It is also worth noting that access for use of a building for agricultural purposes is quite different to access for use for residential purposes. The installation of a more substantial access can be unsightly and should not be dismissed in the Draft Plan as “an access problem should not arise”.

- **Page 12:** We think that avoiding all developments which may result in an increase in traffic movements is overly restrictive.

- **Page 14:** This policy puts a lot of pressure on the School site and the Live and Let Live to be lost to housing. As garden land is excluded from housing development, and the village green and playing fields are rightly protected in policy LU7, there are no other sites within the Settlement Boundary, other than the land adjacent to The Croft.
- **Page 18:** We are pleased to see this has been expanded to include the allotments by the Village Shop, however the Village Policies Plan submitted for Regulation 16 consultation with the Draft Plan protects the shop and car park, rather than the allotments.

We also feel that the pub gardens should be similarly protected.

- **Page 20:** The list of matters on which there should not be an undue adverse impact could be extended to include wildlife and ecology.
- **Page 23:** We are unclear whether this policy relates to housing only or to all types of development in a forest or woodland. It should be clarified to make clear that development is only permitted where there is a functional need for development in that location justified by the forestry operations.
- **Page 24:** As we have said previously, the 'best practice in construction and sustainability' is not a clear standard, however in any case it is likely that this would not be achievable for the majority of schemes without enormous additional expenditure. For many properties, such as barn conversions, a high standard of sustainability may simply be unachievable.
- **Page 31:** Public Houses – we object to the statement that any scheme to develop The Wheatsheaf pub would be “examined with close attention”. The Plan should guide future uses in line with the views of residents.

Thank you for your consideration of our comments. We hope that these representations are constructive and helpful in ensuring the Whitbourne Neighbourhood Development Plan can guide the future development of the parish successfully.

Yours sincerely



Stuart and Rosalind Andrews

Encl.

WHITBOURNE NEIGHBOURHOOD DEVELOPMENT PLAN

Parliament has decided that we in Whitbourne should have a chance to plan how Whitbourne develops in the next fifteen to twenty years. The "neighbourhood" is Whitbourne Parish.

The Parish Council has set up a working party, firstly to find out your views and secondly to construct a proposed neighbourhood development plan. The working party members are John Archer, Martin Ashcroft, Gordon Cupper, Ron James, Noel Knight and Maureen Williams.

As a first step, so that your views can be taken into account, we invite you to fill in the questionnaire below and then return it before 14th December 2012 to one of the working party members or to the Village Shop.

Further public consultation will take place as the neighbourhood planning process continues.

*In which parts of the Parish of Whitbourne do you think any future development should take place?
Please state your preferences in order below:*

It depends on the type of development proposed.
- there are different considerations for an industrial unit to allotments!

What type and scale of development do you think would be best suited to the Parish?

Please tick your preference:

This depends on the type of development needed.

	Yes	No
One large site for all future development		
Small infill sites of 1 to 3 dwellings	}	
Small clusters of 3 to 10 dwellings		
Do you agree that some development may take place on high grade agricultural land		

It depends on need, and the nature of the site

Do you agree that redundant farm buildings should be developed in one or more of the following options?
↳ Not if there are other more sustainable options which do not h
the conservation area, attractiveness of the village and so on.

	Yes	No
Residential only	✓	
Commercial/office	✓	
Mixed residential/commercial	✓	
Social/community use	✓	
Some new units included where it may be appropriate	✓	

↳ potentially

What types of residential development would you prefer to take place?

Please indicate your preferences as 1 to 5, with 1 being the highest:

	Rent	Buy
Detached houses		
Small starter homes with 1 to 2 bedrooms	✓	
Traditional semi-detached houses with 2 to 3 bedrooms		✓
Retirement homes (bungalows)		
Social Housing to rent or part buy	✓	PartBuy ✓

This respo based on Herefordshire Local Housi Study Man paragraphs 1 - 4.91

Should social housing be restricted to people with a local connection?

Is this not required to comply with Herefordshire Council's Unitary Development Plan in any case?

Yes	No
✓	

Thank you for completing this questionnaire which will help to shape the future of Whitbourne Parish. Individual responses will not be made public - only a general synopsis of the results. If you have any further comments please state these overleaf.

Name/s.....Address.....

Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Whitbourne Regulation 16 draft

Date: 22/03/16

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
LU1- Settlement Boundary	N/A	Y	
LU2- Redundant Rural Buildings	RA5	Y	
LU3- Conservation Area	LD1, LD4	Y	
LU4- Housing Strategy	SS2, RA2	Y	
LU5- Affordable Housing	H1	Y	See "Other comments/conformity issues"
LU6- Land Protection	RA3	Y	See "Other comments/conformity issues"
LU7- Open Space and Amenity Areas	N/A	Y	
LU8- Renewable Energy	SD2	Y	See "Other comments/conformity issues"
LU9- Flooding	SD3	Y	
LU10- Forestry	RA4	Y	See "Other comments/conformity issues"
LU11- Local Green Spaces	OS3, LD3	N	The Local Green Space designation may not be appropriate or necessary for 2 of these sites. NPPF paragraph 77 states that the designation should only be used where the site is reasonably close to the community it serves, local in nature and not an extensive tract

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
			of land. Arguably, Badley Wood and Bringsty Common are extensive tracts of land, located away from the settlement of Whitbourne in open countryside.
LU12- Building Standards	SD1	Y	See "Other comments/conformity issues"
LU13- Environmental Considerations	LD1-LD4	Y	See "Other comments/conformity issues"
LU14- Employment	E1-E3, RA6	Y	
LU15- Road Surfaces	MT1	Y	

Other comments/conformity issues:

The plan generally conforms well with the Herefordshire Core Strategy. However, there are a few instances where policies could perhaps be made to act as more of a supplement to the Core Strategy policies, rather than just reflecting them. Neighbourhood Planning provides an opportunity to tailor local planning policy to the unique characteristics, needs and aspirations of the area. Without exploiting this, policies could be seen as superfluous, and in some cases the issues covered more comprehensively by the equivalent Core Strategy policies.