Vowchurch and District Neighbourhood Plan Examination Questions of clarification from the Examiner to the Group Parish Council and HC

Having completed my initial review of the Neighbourhood Plan (the Plan) and the evidence submitted in support of it, I would be grateful if both Councils could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information.

Please ensure that your answers are as brief as possible and factual in nature. Please do not send or direct me to evidence that is not already publicly available.

 The Consultation Statement at Appendix 3 has a useful summary of the representations received at pre-submission (Regulation 14) stage, but is rather sparse on details. For the sake of completeness I would find it useful to have sight of these representations. Please could copies of all the pre-submission representations be provided to me electronically or in paper format whichever is easier?

This will also allow me to see whether there were any responses to Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment at this stage.

Parish Council response: Documents attached

Herefordshire Council response:

Natural England provided comments to the Draft Environmental Report and the Habitat Regulation Assessment on 29 April 2016. Copy of the letter is enclosed.

 The Environmental Report at submission stage (Regulations 15 and 16) link is dated December 2016, but the link goes to an Environmental Report dated February 2016. Is this simply a minor date error or please advise? The Environmental Report seems to be the same as at the Regulation 14 stage?

Herefordshire Council response:

This is an error of the web link mapping to the previous version. This occurred when Herefordshire Council updated to a new corporate website in March 2017, this has now been corrected.

 The SEA Scoping Report appears to have been consulted on between 27 November 2016 and 8 January 2016; is this a minor error and should it be 27 November 2014 – 8 January 2015 or please advise.

Herefordshire Council response:

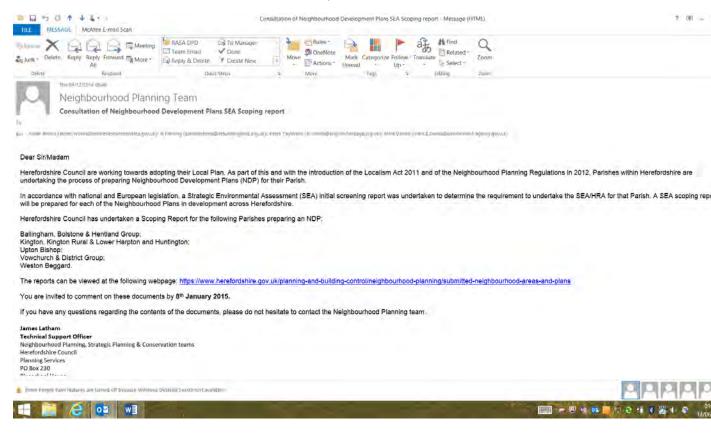
This is a typing error and the dates should read November 2014 to January 2015

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will occur as the examination progresses. Please note that this list of clarification questions is a public document and that your answers will also be in the public domain. Both my questions and your responses should be placed on the Councils' websites as appropriate.

With many thanks.

Ann Skippers 13 June 2017

Copy of the Consultation notification regarding the Vowchurch and District Scoping Report undertaken between 4 December 2014 and 8 January 2015



Comments submitted during the Regulation 14 Consultation 22 March to 2 May 2016

1. Comments from Herefordshire Council

Vowchurch and District Group Neighbourhood Plan

Regulation 14 - Draft

Herefordshire Council Service Providers responses - April 2016.

Please find attached comments from a number of Herefordshire Council service providers to the Draft Vowchurch and District Group Neighbourhood Plan. If you have any gueries regarding the comments or issues raised below, please contact the Neighbourhood Planning team in the first instance.

Planning Services .

Below are combined comments from the Planning teams, the comments related to the practicality of the policy in relation to development management usage and relation to general conformity with the Core Strategy and its requirements.

1) Planning Policy

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
Policy 1	LD1-LD4	Y	
Policy 2	N/A	Y/N	Is there any further information on any existing commitments for new dwellings in the plan period so far? Is there evidence that there are buildings that could come forward for conversion in the plan period? At present it is difficult to determine whether enough proposals are going to come forward to meet the housing target.
Palicy 3	RA3	Ŷ	This policy could be seen as superfluous, as it does not appear to supplement the equivalent Core Strategy policy in any way, rather it echoes it. It has to be questioned whether its inclusion is strictly necessary, as without it the Core Strategy policy RA3 would apply for any proposals for housing development in the countryside.
Policy 4	N/A	Y	
Policy 5	1-SD1	Ŷ	Suggested minor structural amendment to policy wording: Proposals will be subject to the following criteria: • <u>Modern suburban</u> <u>bungalows are not</u> <u>considered suitable for</u> <u>these locations</u> ;



Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if	In general conformity	Comments
	appropriate)	(Y/N)	 Building proposals should be in keeping with the existing nature of the settlements, providing gardens, with tree screening and blending with the surrounding environment; Proposals for buildings which offer a high degree of energy efficiency will be welcomed as long as they meet the above criteria. Modern suburban bungalows are not considered suitable for these locations.
Policy 6	H1	Y	Policy concerning the delivery of affordable housing is arguably covered more comprehensively in the Core Strategy by H1.
Policy 7	SD1	Y	
Policy 8	RA6	Y	The policy could act as more of a supplement to that of the Core Strategy's RA6- tailored to give it a less generic and more localised flavour. For instance, are there certain types of employment proposals that would be encouraged? Or are there any sites/redundant buildings in the Parishes that have identified potential for future employment use?
Policy 9	E4	Y	

Other comments/conformity issues:

Notwithstanding the concern surrounding the delivery of housing growth targets, there are few issues with conformity. However, whilst the policies are concurrent with that of those in the Core Strategy, the opportunity exists for them to act as more of a supplementary to the Core Strategy. The policies can conform whilst at the same time being tailored to reflect the unique needs, aspirations, characteristics, and issues facing the Parishes.

2) Development Management

The settlement boundaries look tight. Whilst there appears to be a number of large plots with a single building on which could be expanded, these buildings are ordinarily listed so development of these plots would be inappropriate. Other than for the conversion schemes, which of course are unidentified, I'm not altogether sure where new development would be located - maybe one plot at Bridge Court in the southern part of Michaelchurch.

Also, there's no boundary for Lower Maes Coed.

• Transportation and Highways

Very little reference to transportation issues within the plan. Like to suggest the tourism section refers to safeguarding a route for the Golden Valley Walking and Cycling route between Hay on Wye and Pontrilas which has support elsewhere in the valley.

Like to see the Parish commit to supporting the one day a week market day services to Michaelchurch Escley area as other Parishes have done in Fownhope and North Herefordshire. As regards Vowchurch area they are served by a Monday to Saturday service commercially operated by Stagecoach and a Sunday subsidised service partly funded by Hay Tourism, HC, Powys and contribution from other Parishes. It would be good for them to acknowledge the retention of this service is important to retain links on a Sunday. There should some text within the document, highlighting that "developments should not have a detrimental impact on the highway network"

Would also like highlighted any issues relating to transportation (Speeds, lack of footways, protection of rights of way etc)

Environmental Health (Environmental Protection – noise/air)

Suggest an amendment to Policy 7 for new housing development and entitle this 'External Lighting and Amenity' and an additional clause to the effect that 'no new housing development will be permitted if there is an undue impact on the amenity of existing residential premises nor if the proposed housing is likely to be impacted by noise or nuisance'

The reason is to protect the amenity of existing and future residential occupants.

Environmental Health (Environmental Protection – contaminated land)

Given that no specific sites have been identified in the plan, 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.

• Strategic Housing

No comments to make

- Landscape/Conservation/Archaeology
 None received
- Economic Development

No issues or comments regarding the Vowchurch Neighbourhood Plan. It appears to be compliant with the Core Strategy and happy with the approach to Policy 8 with regards to new commercial developments

- Education
 None received
- Property Service
 None received
- Parks and Countryside
 None received
- Waste

None received

If any additional comments are received before the closing date, this will be forwarded separately.

21/04/16

Comments received by email

1. Benna Waites - Michaelchurch Escley Primary School 2 May 2016

Hi Paul

Just wanted to support the plan and thank you all for the work you've done on it. We would particularly support any steps to enable families to move into the area in order to support local schools and businesses, and would welcome new building to support this.

Many thanks Benna Waites Newton St Margarets Chair of Governors, Michaelchurch Escley Primary School

2. Angela Aylett - 2017 2 May 2017

Hello Paul

Merv and I just wanted to confirm that we have read the neighbourhood plan and have the following comments:

- We most certainly support the need for housing to support local peoples needs. My sister was able to stay in the village she lives in due to affordable housing being developed whereby she owns a percentage of her property and rents the remainder. It has worked very well for her and her family and they have very much enjoyed the rural life because of this opportunity.
- 2. Controlling light pollution is a very important point to us.

Many thanks

Angela Aylett

3. Dorstone Parish Council

From: Chris Hendy [mailto:clerkdorstonepc@aol.co.uk] Sent: 07 May 2016 22:02

To:

Subject: Re: Neighbourhood Plan

Good Morning Sylvia,

Dorstone Parish Council discussed Vowchurch Neighbourhood Plan at its last meeting, Council comments are thank you for sending us a copy of your Neighbourhood Plan. DorstonePC have no specific comments to make apart from congratulating Vowchurch Council on preparing such a succinct document. Dorstone PC thought their draft Plan was brief and to the point compared with some, but you have managed to encapsulate all the salient points very well in a dozen or so pages.

kind regards

Christopher

4. Comments from Mr J Williams

Dear Mr. Mason,

Thank you for your email with attachments which I have read. I have no particular comments to make.

Thank you for the work you are doing on this.

Regards,

John

John Williams FRICS jwilliams@sidneyphillips.co.uk

www.sidneyphillips.co.uk

Tel. 01981 250333

Fax. 01981 250192

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5. Mr Waistell

From: To: parishclerk@vowchurch-gpc.org.uk Subject: Village Plan for Vowchurch Date: Mon, 21 Mar 2016 14:00:58 +0000

Good Morning Mrs Teakle and Mr Mason,

The village plan, showing the built up area within a thick black line, is incorrect. I refer to the area included within the thick black line which is to the n.e., east, and s.e. of our house

The area to the s.e of our house WAS many decades ago part of the garden of

but again many decades ago, it was reverted to farmland, and in exchange

gained the bit of land to the s.w of the house, which lies between the thick black line and the two thinner black lines at right angles to each other, and the river, as shown on the plan you are using.

As far as I am aware, and from old deeds, the area to the n.e. of our house has NEVER been anything other than agricultural land, and never was part of garden/land, nor was the thin strip between the n.e. area and the s.e. area.

You have included no other agricultural land within the thick black "boundary" so I please ask that you remove this area, being agricultural land, which I understand has also been requested by the new owners of **Section** On the other hand, you should include within the thick black edging our garden, lying within the area stated to the s.w. of the house, as that is NOT agricultural land.

Come and have a look if you like.

I look forward to your response

Yours sincerely,

Kip Waistell



 Subject:
 neighbourhood plan

 Date:
 Sun, 27 Mar 2016 13:27:47 +0100

 From:
 parishclerk@vowchurch-gpc.org.uk < parishclerk@vowchurch-gpc.org.uk>,

P.S.

Further to my e mail of 21 March, I attach a copy of the 1839-1847 map I have, showing the previous and now out of date boundary of you will see the "garden" projects out into the field. In 1976 this garden was retained by the farmer when he sold off and to replace that area, he included instead what is the present garden, lying to the south of the property. You will note that the land to the north of is NOT shown as within the property of the property of the source of the colour reference

chart for the plan I have, it is described as "arable". It is NOT therefore within the built -up area.

Regards

Kip Waistell

See Annex of additional information attached.

6. Comments from Annette Carding and Gary Whitmarsh –

- see below



28th April 2016.

REF: Neighbourhood Plan

Dear Mrs Teakle,

We are the current owners of

We therefore ask for your understanding why our comments on this subject

are delayed.

The area we are concerned about is outlined on the map in front and to the right of our property. As far as we can ascertain this area, apart from a small parcel of land that was belonging to the garden of the **state of the second se**

Our concerns are that if planners are desperate for building land within current village boundaries, this area becomes an invitation to develop. That once somebody in an office sees an easy space within which building can take place, they will develop the reasons why to develop it.

As we have already mentioned we are very, very concerned and ask that these concerns are taken into consideration so that this boundary line is moved , that we are treated as fairly as everyone else in the village and there are not any 'mistakes' left open for current or future planning/ building .

Please do not hesitate to contact us if you have any further questions.

Yours sincerely,

Annette Carding

Gary Whitmarsh

Also attached are comments as follows Comments from CPRE Natural England comments Highways England comments Historic England comments Severn Trent Water 1. Prior to 1976 was 3 cottages, having been so since mid-Victorian times. Prior to that it was a single house, and originally a Hall House with attached solar wing, being built as a whole in the 1400's.

2. In 1976 and all the adjoining farmland was owned by a

3. Prior to 1976, garden was an entirely different shape, and in an entirely different position, to what/where it is now.

4. I attach a plan of 1839-47 showing the bulk of the garden extending out into what is now a field owned by **sector at the sector at the sect**

5. On 19 August 1976 conveyed to but he retained but he retained what had been the bulk of the garden land, coloured green on Plan 2, and instead conveyed to the what is now our garden, shown coloured red on Plan 2.

6. We have recently acquired from the land hatched red on Plan 2.

7. The land coloured orange on Plan 2 has never been part of the curtilage of a state of a state of a state of the state o

(a) The orange land should never have been included within the "village boundary" (which effectively means the built up area does it not?). It has never been "attached" to a building, or used in conjunction with a building, and has always been agricultural land

(b) The area coloured green WAS within the village boundary till 40 years ago, but should not be included now., as it is no longer garden but agricultural land

(c) The area coloured red SHOULD be within the village boundary whereas it is shown as being outside it, as it is now garden, NOT agricultural land

(d) Whether you include the red hatched area within the village boundary or not is of no concern to us as it will never be built on and will be woodland..but we certainly do not object.

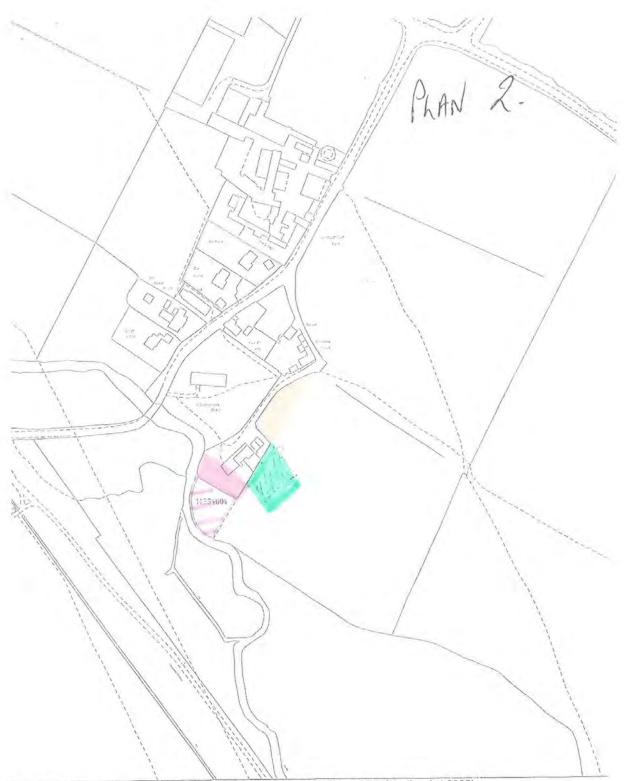
9. The plan supplied by the Council is clearly erroneous, and should not be used as the basis for the Neighbourhood Plan. It is dated 2015 but I believe that is just the date it was printed- it is clearly not the date it was drawn up as it shows the pre-1976 situation

10. The correct plan to use is the Land Registry plan, Plan 2, on which I have marked the various colours

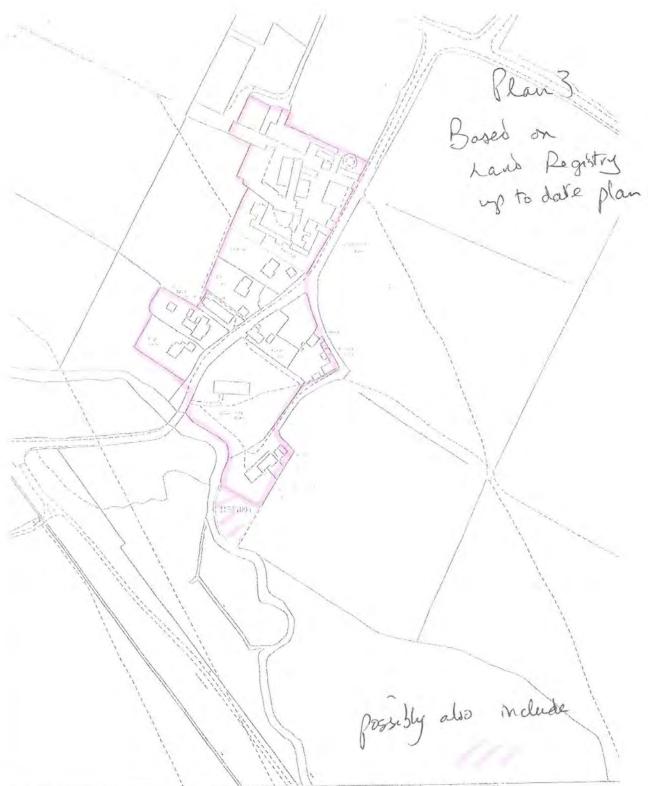
11. May I also please suggest that the buildings on the north part of the plan which for some reason are outside the dark black line on the Neighbourhood Plan, are included within it. There seems to logic to running a line through the centre of a building.

12. Plan 3. suggested convect border





It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). n scale. Measurements scaled from this plan may not match measurements between the same points on the ground.



0:19. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). Ions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.



Planning Local Area Network

Email: fordenicola@hotmail.com

Standing up for your countryside in Herefordshire

Paul Mason Escley Dore Parishes

29 April 2016

Dear Mr Mason

Draft Neighbourhood Development Plan

I have been asked to respond to Michaelchurch Escley, Newton, St Margaret's, Turnastone and Vowchurch draft Neighbourhood Development Plan on behalf of Herefordshire Campaign to Protect Rural England.

First can I congratulate all those involved in producing the Plan which is clearly the result of many hours work and demonstrates both great knowledge of, and commitment to your parishes.

We do not have your detailed knowledge of the area, nor do we feel it would be right to question local choices about the content of the Plan or indeed, detailed policy wordings. Our suggestions therefore reflect CPRE's national concern for the rural landscape as a whole.

We see Neighbourhood Plans as another way to protect all that is best in rural landscapes and would hope that every rural plan would contain where relevant, policies designed to:

- Identify and stipulate ways of protecting unique characteristics of the area eg 'dark skies', tranquility, distinctive landscapes and settlement patterns
- Protect the broad sweep of landscapes
- Encourage design which enhances local landscape and settlement character
- Protect important views and
- Address inappropriate locations for development including:
 - housing,
 - industrial scale energy generation and
 - economic activity (eg intensive livestock farming units and large scale polytunnels).

Below I have suggested some additions to your policies. These may not be relevant or you may have already considered the issues. The wording is almost certainly not right and will need amendment, however I do hope that you find them of some use.

Yours sincerely



Nicola Forde On behalf of Herefordshire CPRE



POSSIBLE ADDITIONAL SUBJECTS TO CONSIDER COVERING

1. Infrastructure Development including: renewable or low carbon energy developments (solar, heat pumps, wind and water power), high speed broadband infrastructure, mobile phone infrastructure.

Points to consider covering in policy:

- the scale of proposals (eg 90 metre wind turbines/30 acres+ of solar panels);
- impact on the open countryside or landscape;
- site and design in relation to existing buildings;
- impact on public safety and safe use of public rights of way;
- impact on neighbouring properties/activities in terms of noise, vibration, electromagnetic or other types of interference;
- who it serves (local community, groups of houses, individual properties);
- what happens to the infrastructure when it is no longer in use, for example an
 agreement can be put in place with the Local Planning Authority to return the site to
 its original state.

2. Environment and Landscape

Points to consider covering in policy:

- requirement for developers to undertake a landscape impact analysis and to demonstrate how proposals enhance local landscape character and reduce potential urbanisation.
- the protection of <u>unlisted</u> landmarks, historic assets and buildings which are valued by the community. Some neighbourhood plans list or map such heritage assets landscape or built feature including historic farmsteads and houses, signposts, boundary stones, decorative features on barns, ancient paths and boundary ditches or banks.
- local topography in particular the impact of development on horizons
- important views (can be illustrated with map and photos)
- impact of development on footpaths
- mapping the different types wildlife habitats in the parishes and how they should be protected for example: orchards, meadows, hedges, margins of agricultural fields, and unregistered parks and gardens.
- specifying plant species to use for new features in the landscape, for example using native species in hedgerows
- identifying and protecting veteran trees
- the protection of surface and sub-surface archaeology. Lack of current evidence of sub-surface archaeology is not necessarily proof of absence.
- the incorporation of sustainable urban drainage systems (suds) in new development

3. Rural economy including: large scale employment activities, industrial farming development such as intensive poultry/cattle rearing units and large scale polytunnels; large scale renewable and low carbon energy schemes

Points to consider covering in policy:

- · the impact on and limitations of the local highway network.
- impact on the landscape and historic built environment of the area,
- impact on ecology and biodiversity
- drainage and flooding issues,
- impact on residential amenity.

Sylvia Teakle

From:	Highways England <info@highwaysengland.co.uk></info@highwaysengland.co.uk>		
Sent:	10 March 2016 16:53		
To:	Sylvia Teakle		
Subject:	Important information about your email sent to Highways England - Please read		
Flag Status:	Flagged		

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If your email does relate to an issue on Highways England's network it will be passed to the relevant team within Highways England and they will respond to you within a maximum of 15 working days.

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Yours sincerely

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WEST MIDLANDS OFFICE

Ms Sylvia Teakle Vowchurch and District Group Parish Council

Direct Dial: 0121 625 6887

Our ref: PL00018130 26 April 2016

Dear Ms Teakle

VOWCHURCH AND DISTRICT NEIGHBOURHOOD PLAN REGULATION 14 CONSULTATION

Thank you for the invitation to comment on the Draft Neighbourhood Plan.

Historic England is supportive of both the Vision and objectives set out in the Plan and consider that it takes a suitably proportionate approach to the historic environment of the Parish. Beyond those observations we have no further substantive comments to make.

I hope you find this advice helpful.

Yours sincerely,

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

CC:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870 HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act. 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

Date: 29 April 2016 Our ref: 181085 Your ref: Vowchurch & District NP

Vowchurch and District Parish Council c/o Sylvia Teakle.

BY EMAIL ONLY



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

T 0300 060 3900

Dear Ms Teakle,

Vowchurch and District Draft Neighbourhood Plan.

Thank you for your consultation on the above dated 10/04/2016.

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.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For clarification of any points in this letter, please contact Tom Amos on 02080 260961. For any further consultations on your plan, please contact: <u>consultations@naturalengland.org.uk</u>.

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 Amos Consultations Team

Sylvia Teakle

From: Sent: To: Subject: Growth Development <growth.development@severntrent.co.uk> 22 March 2016 15:14 ' Sylvia Teakle' RE: Neighbourhood Plan

Dear Sylvia,

Thank you for providing Severn Trent the opportunity to comment on the Neighbourhood plan. Severn Trent do not provide water or waste water services to the Vowchurch Parish of Herefordshire and therefore we have no comments in relation to this plan

Many thanks

Helen Everitt Growth and Water Efficinecy Analyst Environmental Planning and Strategy growth.development@severntrent.co.uk

From: Sylvia Teakle [mailto:sylviateakle270@btinternet.com] Sent: 10 March 2016 16:53 To: Sylvia Teakle <<u>sylviateakle270@btinternet.com</u>> Subject: Neighbourhood Plan

Vowchurch and District Group Parish Council

In line with the statutory requirements, our draft Neighbourhood Plan is now available for comment. It has been assessed as being consistent with local and national planning guidelines.

We have agreed a number of policies to be used in assessing future planning applications in our five parishes and these are set out in the draft plan.

We would like to invite neighbouring Parish Councils and other organisations with a potential interest to comment on the draft plan and the policies it contains.

The plan, together with the Environmental Report and a Habitats Regulation Assessment carried out by Herefordshire Council, can be viewed on the Parish Council website at:http://www.5escleydore.org.uk

May we please have your comments by Monday 2nd May, 2016 to parishclerk@vowchurch-gpc.org.uk

1

Sylvia Teakle, Clerk to Vowchurch & District Group Parish Council