

BISHOPSTONE GROUP NEIGHBOURHOOD DEVELOPMENT PLAN

Submission Draft Version

**A report to Herefordshire Council
into the examination of the
Bishopstone Group Neighbourhood
Development Plan
by Independent Examiner, Rosemary Kidd**

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1.0 Summary

- 1.1 The Bishopstone Group Neighbourhood Plan has been prepared to set out the community's wishes for this parish so that it can be a pleasant place for people of all ages to live with amenities that allow it to be a thriving and distinct community. The parish contains the villages of Bishopstone and Byford with the hamlets of Bridge Sollars, Kenchester and Mansell Gamage and surrounding countryside.
- 1.2 The Plan sets out policies that support and complement those in the Core Strategy. I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
 - The deletion of Policies G5 and G6
 - Clarification of the wording of policies and the supporting text; and
 - Improvements to the mapping of policies.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Bishopstone Group Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

2.0 Introduction

Background Context

- 2.1 This report sets out the findings of the examination into the Bishopstone Group Neighbourhood Development Plan (referred to as the BGNDP throughout this report).
- 2.2 The Bishopstone Group of parishes lie between 4 and 8 miles to the west of Hereford within the boundary of Herefordshire Council. It is a group of 5 small rural parishes covered by one Parish Council. There are two small villages of Bishopstone and Byford and outlying hamlets of Bridge Sollars, Kenchester and Mansell Gamage. At 2011 there were 456 people living in Bishopstone Group in 198 households.

Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Bishopstone Group Neighbourhood Development Plan by Herefordshire Council with the consent of the Bishopstone Group Parish Council in August 2018. I do not have any interest in any land that may be affected by the BGNDP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies. My appointment was facilitated through the Neighbourhood Planning Independent Examiner Referral Service.

Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
 - The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area); and

- The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.

2.5 An Independent Examiner must consider whether a neighbourhood plan meets the “Basic Conditions”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans:
 - Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2.6 Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:

- That the plan should proceed to referendum on the basis that it meets all the legal requirements;
- That the plan should proceed to referendum if modified; or
- That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.

2.7 If recommending that the Neighbourhood Plan is submitted to referendum my report must also recommend whether the area for the referendum should extend beyond the neighbourhood area to which the Neighbourhood Plan relates, and if to be extended, the nature of that extension.

- 2.8 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.
- 2.9 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

The Examination Process

- 2.10 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.
- 2.11 I have sought clarification on a number of factual matters from the qualifying body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.
- 2.12 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the Bishopstone Group Neighbourhood Plan May 2018.
- 2.13 I have considered the Basic Conditions Statement and the Consultation Statement as well as the screening report for the Habitats Regulation Assessment and the Strategic Environmental Assessment Environmental Report. In my assessment of each policy I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.
- 2.14 I have undertaken an unaccompanied visit to the Plan area and viewed the sites referred to under the policies in the plan.

Legislative Requirements

Qualifying Body

- 2.15 The neighbourhood plan making process has been led by Bishopstone Group Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process. The Plan was prepared by the Neighbourhood Plan Steering Group.

- 2.16 I am satisfied that the requirements set out in the Localism Act (2011) and in Section 61F(1) and (2) of the Town and Country Planning Act (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act) have been met.

The Plan Area

- 2.17 The Neighbourhood Plan area is co-terminus with the Bishopstone Group of parishes. The area was designated by Herefordshire Council on 18 March 2013 as a Neighbourhood Area. The Qualifying Body has confirmed that there are no other neighbourhood plans relating to that area.
- 2.18 This satisfies the requirements of preparing a Neighbourhood Development Plan under section 61G (1) (2) and (3) of the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004) and regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations 2012.

Plan Period

- 2.19 A neighbourhood plan must specify the period during which it is to have effect. Paragraph 1.3 of the Basic Conditions Statement states that the lifespan of the Neighbourhood Plan is 2016 – 2031. The introduction to the BGNDP on page 3 states that the plan will guide development up to 2031. This timescale mirrors that of the adopted Core Strategy. It would be helpful to plan users if the plan period were shown on the front cover.

Recommendation 1: Include the date of the Plan period on the front cover “2019 – 2031”.

Excluded Development

- 2.20 The Basic Conditions Statement confirms that the Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.

Development and use of land

- 2.21 The Neighbourhood Development Plan should only contain policies relating to development and use of land. Subject to the modifications proposed, the BGNDP would be compliant with this requirement of Section 38B of the Planning and Compulsory Purchase Act 2004 as amended.
- 2.22 I am satisfied therefore that the Bishopstone Group Neighbourhood Plan satisfies all the legal requirements set out in paragraph 2.4 above.

The Basic Conditions

Basic Condition 1 – Has regard to National Policy

- 2.23 The first Basic Condition is for the neighbourhood plan “to have regard to national policies and advice contained in guidance issued by the Secretary of State”. The requirement to determine whether it is appropriate that the plan is made includes the words “having regard to”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “consistent with national policy”.
- 2.24 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “must not constrain the delivery of important national policy objectives.”
- 2.25 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.26 In order to ensure that a neighbourhood plan can be an effective tool for the decision maker, the PPG advises that:
- “A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*
- 2.27 The NPPF of 2012 is referred to in this examination. Paragraph 214 of Appendix 1 of the February 2019 NPPF states that the policies of the 2012 NPPF will apply for the purpose of examining plans where those plans are submitted on or before 24 January 2019. The footnote to this paragraph confirms that this applies to neighbourhood plans.
- 2.28 NPPF paragraph 183 states that parishes can use neighbourhood planning to set planning policies through neighbourhood plans to determine decisions on planning applications. The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the strategic development needs set out in the Local Plan*” and further states that “*the neighbourhood plan must address the development and use of land by setting out planning policies to be used in determining planning applications because once the plan is made it will become part of the statutory development plan*”.

- 2.29 Paragraph 16 of the National Planning Policy Framework is clear that those producing neighbourhood plans should support the strategic development needs set out in local plans, including policies for housing and economic development. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan. PPG guidance under Rural Housing states that “*all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless they can be supported by robust evidence*”.
- 2.30 The Basic Conditions Statement includes Table 1 under paragraph 3.3 that summarises the sections of the NPPF relevant to each policy. It demonstrates how the Plan has had regard to the NPPF and to delivering sustainable development.
- 2.31 I consider the extent to which the policies of the plan meet this Basic Condition No 1 in Section 3 below.

Basic Condition 2 - Contributes to sustainable development

- 2.32 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.33 There is no legal requirement for a formal Sustainability Appraisal to be carried out in respect of neighbourhood plans. However good practice suggests that where neighbourhood plans are allocating land for development an appraisal should be carried out.
- 2.34 The Basic Conditions Statement has not given consideration to how the BGNP contributes to the delivery of sustainable development with regards to economic, social and environmental aspects. I have asked the Qualifying Body for their comments on the subject. They have responded to say that the BGNP aims to support community services and facilities to help maintain the village as a sustainable community. It also seeks to provide for appropriate level of housing and employment opportunities and encourages the use of public transport and walking and cycling.
- 2.35 I consider that the BGNP does contribute to the delivery of sustainable development. It is recommended that the Basic Conditions Statement is revised to include a section on the subject.

Basic Condition 3 – is in general conformity with strategic policies in the development plan

- 2.36 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for

the area. The adopted strategic policies covering the Neighbourhood Plan area are contained in the Herefordshire Local Plan Core Strategy which was adopted in 2015.

- 2.37 Table 2 of the Basic Conditions Statement sets out the way that the Neighbourhood Development Plan conforms to the relevant strategic policies from the adopted Core Strategy for Herefordshire. The Neighbourhood Plan has addressed the aims of the Development Plan through identifying a scale of development appropriate to the character and scale of the villages and to meet the sustainable needs of the villages within the Plan area. Outside the new development limits, provision is made for rural exceptions.
- 2.38 The Council raised no concern over general conformity with the strategic policies of the development plan. I consider in further detail in Section 3 below the matter of general conformity with the strategic policies of the plan.

Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.39 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.40 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination from the responsible authority (Herefordshire Council) that the plan is not likely to have “significant effects.”
- 2.41 A screening opinion was carried out on the BGNP and it concluded that due to the range of environmental designations in and around the parish, there may be significant environmental effects and consequently a SEA would be required. The environmental appraisal of the BGNP was undertaken in line with the Environmental Assessment of Plan and Programmes Regulations 2004. The Environmental Report assessed the objectives, policies and options and includes a rescreening of revised policies. The Environmental Report was published in February 2018. Consultations were carried out with the statutory environmental bodies.
- 2.42 The conclusion of the SEA Environmental Report was that the BGNP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). Therefore, no further changes were recommended as a result of the SEA.
- 2.43 I have concerns that the February 2018 Environmental Report considered a number of options for the Plan in general terms only (such as “identify

settlement boundary at Bishopstone”) and did not include an assessment of the site options as required by national guidance. Alternative site options were considered during the preparation of the plan but the findings were not documented in a site assessment report.

- 2.44 I have raised this matter during the examination and as a consequence of my concerns a site assessment report has been prepared which formally sets out the factors considered in assessing the sites. The SEA Environmental Report was also reviewed and updated to include consideration of the site options. Further consultation was carried out on the revised report.
- 2.45 The SEA Environmental Report concluded that the site allocation (site 7) was found to have a neutral/positive impact on the SEA baseline.
- 2.46 Habitat Regulations Assessment (HRA) screening has been carried out as the Parish falls within the catchment for the River Wye. The River Wye is a European site, a Special Area of Conservation (SAC). The HRA assesses the potential effects of the BGNDP on the River Wye SAC. The initial HRA report was prepared in June 2016 as part of the Environmental Report on the pre-submission draft plan. It was updated in February 2018 on the submission draft plan and published as the HRA Addendum Report.
- 2.47 The HRA on the Reg 14 draft BGNDP concluded that “*the Bishopstone Group NDP will not have a likely significant effect on the River Wye SAC*”. The Addendum Report considered the effect of changes to Policies H1 and H2 and concluded that they add greater certainty to deliver the housing within Bishopstone Group and within the identified settlement boundaries. The findings of the previous HRA report were considered to remain valid and the changes would strengthen the likelihood of there being no adverse impacts. It was also concluded that the BGNDP will be unlikely to have any in-combination effect with any plans from neighbouring parishes.
- 2.48 The HRA was updated in January 2019 to give consideration to the site options. The conclusions of the HRA screening of the site options was that none of the sites, including allocated site 7, were found to have a likely significant effect on the SAC.
- 2.49 Herefordshire Counsel’s advice on the judgement of People over Wind and Peter Sweetman v Coillte, was that as all neighbourhood plans need to be in conformity with the Core Strategy and the policies of the development plan read as a whole, there is no need for the neighbourhood plans to include addition mitigation covered within these policies as it is within the higher level plan (the Core Strategy).
- 2.50 The advice gives a clear conclusion that the examinations could be concluded, where either there is an adequate sewerage treatment capacity; or where there is not, Core Strategy Policy SD4 will apply.
- 2.51 The statutory environmental bodies: Historic England, Natural England and the Environment Agency were consulted on the SEA Scoping Report in

October 2014 and the Environmental Report in October 2016. Consultation on the HRA screening report took place in October 2014. Further consultation was carried out on in June 2016 at Regulation 14 stage, in February 2018 at the Regulation 16 stage and on the revised Environmental Report and HRA screening assessment in January 2019.

- 2.52 Natural England had no specific comments to make on the BGNDP Regulation 14 SEA, (December 2016). In response to the plan they have raised the potential issue that the Bishon Farm site has the potential to impact on a priority habitat, in the form of traditional orchards. Natural England recommended that alternative sites should be considered, particularly if the existing traditional orchard habitat cannot be retained through mitigation.
- 2.53 In response to the consultation on the updated SEA and HRA screening assessment in January 2019, Natural England confirmed that they met the requirements of the SEA European Directive and national regulations, and that they concurred with its conclusions. Natural England welcomed the updated Policy H1 and the proposal of the Orchard Management Plan that aims to mitigate potential impacts on the priority habitat.
- 2.54 The Basic Conditions statement has not given consideration to whether the BGNDP has taken account of the requirements on Human Rights. I have asked the Qualifying Body to provide me with an assessment on the subject. They have replied to say that the Plan has been prepared having regard to the requirements on the matter. The Plan has been prepared in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or stakeholders over and above the existing strategic policies at national or district level.
- 2.55 From the evidence provided in this assessment and the Consultation Statement, I am satisfied that the plan makers have sought to consult the whole community and have taken their views in consideration in preparing the BGNDP. I am satisfied that the Plan has met the requirements of the Human Rights Act. It is recommended that the Human Rights Assessment provided by the Qualifying Body should be included in the Basic Conditions Statement.
- 2.56 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the BGNDP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

Recommendation 2: Revise the Basic Conditions Statement to demonstrate how the BGNDP contributes to Sustainable Development and the Assessment on Human Rights.

Consultation on the Neighbourhood Plan

- 2.57 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.58 The Consultation Statement sets out an overview of the various stages of consultation that have been carried out during the preparation of the BGNP. It highlights the aims of the consultation and summarises the consultation process undertaken during the preparation of the plan. Feedback from the Regulation 14 consultations is recorded in the Appendices of the evidence report.
- 2.59 The preparation of the Neighbourhood Plan commenced in October 2012 with a presentation at the parish council meeting. This was followed by:
- An Open Evening was held in the Community Centre on 23 October 2013 to launch the consultation process; to explain the purpose of the Neighbourhood Plan and to identify issues to be addressed in the Plan. 43 people attended. The meeting was advertised by posters displayed in all the five parishes, an article in the September issue of the parish newsletter, and by flyers hand delivered to every household.
 - Questionnaire packs including a housing survey were delivered to every household in the Group during April 2014. The packs were delivered and collected by hand to ensure that each person over 16 in the household received their own form to complete. 85% of households returned questionnaires including 10 young people under 16.
 - The Questionnaire responses were analysed and reports prepared for each parish and for the Group as a whole. Copies of the reports were put on the parish website, displayed at the Community Centre and in each parish church and publicised on parish notice boards, in the parish newsletter and in the local newspaper.
 - A Drop-in Open Day was held at the Community Centre on 6 September 2014 when the questionnaire results were available.
 - A leaflet explaining the Options for policies for the draft BGNP was delivered to every household during December 2014.
 - A Drop – In session was held at the community centre on 13 December 2014 to enable residents to discuss the policy proposals. This was advertised on the Policies leaflet itself, on the website and in the local newspaper.
 - The Regulation 14 consultation on the draft Plan ran from 17 October to 17 December 2016. A copy of the Draft BGNP was hand delivered to every household in the five parishes together with a letter which explained the process. The Draft BGNP and supporting documents were emailed to statutory consultees, neighbouring parish councils and to landowners living outside the parish.
 - An Open Evening was held in the Community Centre on 20 October 2016 to enable residents to discuss the draft plan.

- The Regulation 16 consultation ran from 24 May to 5 July 2018. 32 responses were received, the majority of which supported the proposals of the plan or made no comments.

2.60 This report is the outcome of my examination of the Submission Draft Version of the Bishopstone Group Neighbourhood Development Plan May 2018. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions. My report makes recommendations based on my findings on whether the Plan meets the Basic Conditions and provided the Plan is modified as recommended, I am satisfied that it is appropriate for the Neighbourhood Plan to be made. If the plan receives the support of over 50% of those voting, then the Plan will be made following approval by Herefordshire Council.

3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The Plan is well presented with policies relating to housing, flooding, business, transport, tourism and the environment.
- 3.5 The Plan includes a map of the Parish area (Figure 1) which shows the boundary of each parish in the group bounded in red with the heading that the Plan area is bounded in red. This is inaccurate and confusing. This figure should show boundary of the Plan area only. The boundaries of the constituent parishes are shown on Figure 2.
- 3.6 Policies Maps are included for Bishopstone and Byford showing the housing site allocation and other designated areas. These are clear and well presented with sites cross referenced to relevant policy in the key. The key to the maps should be amended to show the housing site as an allocation. The safeguarded mineral reserves should be deleted as they are not relevant to the policies of the BGNP. (The recommendations to these modifications are included under Policy H1.) Some maps are headed with a figure number, others are not. I have been supplied with a Policies Map for the whole of the Plan area; however, this is not included in the Neighbourhood Plan document.

Recommendation 3: Revise Figure 1 to only show the boundary of the Neighbourhood Plan area. Include the Policies Map for the whole Plan area in the document at an appropriate scale so that it is legible. Add figure numbers to all maps.

- 3.7 The SEA has considered 39 options for growth in the plan area, although these did not include any specific site options. The options ranged from deciding on a settlement boundary to developing organically. Page 15 of the BGNP refers to a question in the 2014 asking residents to identify any particular sites they thought suitable for housing. 36 suggestions were put

forward by the community; 26 of which were for Bishon Farm. Other comments related to infill sites within the settlement boundary or areas of open countryside on the edge of the Bishopstone. However, a site assessment report was not prepared to accompany the submission draft Plan as required by national guidance. In response to my question on the subject, the Qualifying Body and Herefordshire Council have prepared a formal site assessment report which considered 8 site options. The alternative sites have also been considered through a revised Environmental Report and a revised screening of the HRA has been undertaken.

3.8 As part of the preparation for the Local Plan, Herefordshire Council undertook a call for sites. The 2015 Strategic Housing Land Availability Assessment includes three sites at Bishopstone:

- Land adjacent to and east of Pleck Cottage;
- Land along the roadside frontage of Bishon Farm (part of the site proposed in the Neighbourhood Plan); and
- Land to the south (and rear of) of the Almshouses.

3.9 The report considered flooding, waste water treatment, biodiversity and highways and concluded that there were no or only minor issues with the development of the Bishon Farm site. However the Sensitivity & Capacity Analysis stated that *“The Orchard, of which the site is part, forms an integral element of the village character & setting, and that of the listed building to the North. The Orchard is an excellent example, and likely to have high potential for European Protected Species. The site is visible from the road (Three Rivers Ride) forming an important gap, but has a limited visual envelope. There is a high potential for development to have adverse effects on land, villagescape & biodiversity. Development would be inappropriate in this location.”*

3.10 In response to these comments the landowner has commissioned a survey and management plan for the Bishon Orchard site which is included in Appendix 10 of the Consultation Statement. This identifies an area to be retained as a managed orchard, an area for housing development where there are few fruit trees remaining and an area for a community orchard near the roadside. The sketch drawing is shown on page 16 of the BGNDP. Policy H1 allocates land to the west of the drive and around the farmhouse and farm buildings for housing with the remaining area shown on the Policies Map as a community orchard. I make further comments on the wording of Policy H1 below.

3.11 It is considered that Policy H1 part 5 and G4 part 2 are not planning policies as they set out aspirations to prepare a management plan for the new community orchard and measures to improve traffic conditions in the village. It is recommended that they be included in a new section of the Plan on Community Projects which should be headed with text to explain that it does not form part of the BGNDP. Recommended modifications are included under each policy.

- 3.12 A number of policies include the phrase “we or the parish council will support”. As the policies are to be used by Herefordshire Council in determining planning applications they should be written in the third person and worded to set out the type of development that will be supported or considered acceptable subject to satisfying the conditions set out. The text in the justification to policies should be similarly revised.

Recommendation 4: Rewrite Policies and justification in the third person to remove reference to the parish council supporting certain types of development.

The Neighbourhood Plan - Policies

Introduction

- 3.13 The Introductory sections of the Plan set out a succinct summary of the purpose of the Plan, the process of preparing the Plan and background information on the plan area.

Vision and Objectives

- 3.14 The vision and four objectives provide a clear, succinct framework for the Plan. The Vision and Objectives were developed through community discussions and consultation. The Vision seeks to ensure that each settlement achieves a level of growth suited to its needs to enable it to flourish as a strong viable community. The section also includes the key issues that have been identified through the consultations.

Housing

- 3.15 Core Strategy Policy RA2 identifies Bishopstone as a settlement suitable to be the main focus of proportionate housing development and Byford as a lower tier settlement suitable for proportionate sustainable housing growth. The other communities of Bridge Sollars, Kenchester and Mansell Gamage as classed as being in open countryside. The Core Strategy indicative housing growth target for the Hereford Housing Market Area of 18% has been used as the minimum growth target for the BGNP.
- 3.16 The Plan is proposing to accommodate 18% growth based on the housing numbers only in Bishopstone and Byford. HC has confirmed that the approach is acceptable that is to base the growth figure on the number of households in those settlements within the group of parishes that have been identified as suitable for proportionate growth. This equates to a growth target of 25 dwellings for the period 2011 – 2031.
- 3.17 I have asked Herefordshire Council to provide me with an update on completions and commitments. Between 2011 and 2018, 4 dwellings were completed and there are 2 with planning permission at 1 April 2018. This means that there is a requirement to provide for an additional minimum of 19

dwellings during the plan period. Policy H1 gives support for a development of between 12 and 16 dwellings on the Bishon Farm site which my recommendation revises to about 20. In addition there is scope for the conversion of the redundant farm buildings at Bishon Farm with 7 dwellings approved in 2006 (now lapsed). The Plan recognises that there is scope for windfall housing development to come forward either within the settlement boundaries or through exceptional development in the countryside. It is considered that this an appropriate level of provision in this rural area with small villages.

Policy H1 Housing in Bishopstone

- 3.18 The policy identifies Bishopstone as the main focus for housing development, allocates the site at Bishon Farm and sets out the requirements for housing development on the allocated site and any other windfall sites in the parish.
- 3.19 I make recommendations to revise the wording of the policy to ensure that it is written in a suitable form of wording to be used as a planning policy to ensure that it is clear and unambiguous so that it can be used consistently by decision makers in determining planning applications.
- 3.20 The policy states that the development should comprise of between 12 and 16 dwellings of a mix of house sizes. I have not been supplied with a plan of an indicative layout nor has any reason been given for setting the maximum number to 16. The text in the BGNP states that planning permission was granted for the conversion of the farm buildings to 7 dwellings and an indicative scheme for 12 has been prepared for the remainder of the allocation. A restriction to a maximum of 16 dwellings is likely to result in a development of large detached dwellings and not a mix of house sizes and tenures including affordable housing being sought by the plan makers.
- 3.21 Care will be needed to ensure that the layout of the development is designed to safeguard the remaining orchard and other trees as highlighted in the site survey and management plan. However no justification has been provided to limit the site to a maximum of 16 dwellings. Further to my question on the matter, the Qualifying Body has suggested that the figure should be revised to “around 20”. As it is not clear how many dwellings can be accommodated on the orchard site and through the conversion of the farm buildings, it is recommended that the indicative housing number is deleted from the policy and new text is added to the justification to emphasise the important factors to be taken into account in the design and laid out of the development as set out in the policy: preserving the orchard and the heritage of the buildings, delivering the mix of dwellings etc. It may be noted that the development would be expected to deliver about 20 dwellings.
- 3.22 Natural England has commented that the policy does not refer to the need to protect the priority habitat of traditional orchards. They recommend adding wording to Policy H1 to ensure that existing priority habitats and green

infrastructure (for example, orchards, hedgerows and trees) are preserved and incorporated as part of any future development.

- 3.23 The explanatory text in part 2 of the policy describes the process of defining the settlement boundary; it is not policy and should be placed in the justification. Parts 3, 5, 6 and 8 should be written in the third person as a policy and not as the wishes of the parish council. Part 3 should be reworded to allocate the site at Bishon Farm for housing development. Parts 4 and 5 should be revised to make it clear that they relate to the allocated housing site.
- 3.24 The proposal for the parish council to support the landowner in creating a management plan for the remainder of the orchard is not a planning policy and should be deleted from the policy and included in a separate section of the plan as a Community Project. Some parts of the policy refer to the settlement boundary others refer to settlement area. A modification is recommended to refer to it consistently as the “settlement boundary”.
- 3.25 A modification to part 6 of the policy is recommended to make it clear that the conversion of the redundant buildings at Bishon Farm to housing will be supported.
- 3.26 Part 8 of Policy H1, part 4 of Policy H2 and Policy H3 are worded the same. To avoid unnecessary repetition, it is suggested that Policy H3 should be revised to relate to development in the hamlets and countryside outside settlement boundaries. Part 8 of Policy H1 should then be deleted.
- 3.27 The text after the Bishopstone Policies Map repeats text in the earlier background section. The justification text should explain how the policy is to be interpreted or applied.
- 3.28 Herefordshire Council has commented that there are concerns that the southern section of the Bishon Farm site would require improved visibility at the access and the site is sensitive to change in landscape terms. I have recommended a modification to the wording of the policy to address these concerns.
- 3.29 A representation has highlighted some confusion arising from the description of a site adjoining Pleck Cottage in the third paragraph on page 17 where it is described as “the Pleck site”. Pleck Cottage is within the settlement boundary, whereas the site adjoining is outside. To improve the clarity of the text, the references in the third paragraph on page 17 should be revised to “land adjoining Pleck Cottage”.

Recommendation 5: Revise Policy H1 as follows:

Revise part 1 to read: “...in the NDP area *within the settlement boundary shown on the Bishopstone Policies Map.*”

Delete part 2 and place in the justification to the policy to read “The settlement boundary for Bishopstone *has been* extended to includehousing development.”

Revise part 3 to read: “*Land at Bishon Farm shown on the Bishopstone Policies Map is allocated for housing development. The development shall comprise a mixture of 2, 3 and 4 bedroom houses and bungalows and including a proportion of affordable housing for local people in accordance with.....village. The layout and design of the development shall be sensitive to the natural environment particularly the priority traditional orchard habitat of the site and its village setting close to the listed farmhouse. Access to the site shall be improved to the satisfaction of the Highways Authority.*”

Combine parts 4 and 5 to read: “*Proposals for housing development on the allocated site at Bishon Farm must take account of Policy G1 and must include.....area. The area to the east of the access road shown on the Bishopstone Policies Map is designated as a community orchard and shall be safeguarded / retained in accordance with the Management Plan with public access and information displays about the history and ecology of the orchard. The community orchard shall include a community open space with a seat near the Millennium Tree.*”

The proposal for the Parish Council to work with the landowner to create a management plan for the conservation of the remainder of the orchard should be deleted from part 5 of the policy and included in a separate section of the plan as a community project.

Revise part 6 to read: “Within the settlement *boundary*, the conversion of redundant buildings, including those at Bishon Farm, to housing will be supported provided that:”

Revise part 7 to read: “...within the settlement *boundary* ...providing that the *proposals* are in keeping with Policy G1 and there is no *unacceptable detrimental impact to the amenities* of adjacent properties.”

Delete part 8.

Revise the key of the Bishopstone Policies Map to “Housing Allocation (Policy H1)” and “Designated Community Orchard (Policy H1)”. Delete “Safeguarding Mineral Reserve”.

Delete repeated text in the justification section.

Revise the third paragraph on page 17 to refer to “land adjoining Pleck Cottage” instead of “the Pleck site”.

Add a new paragraph to the justification to explain the important factors that should be taken into account in the design and layout of the

development. Suggest an indicative number of about 20 dwellings for the site as a whole.

Policy H2 Housing in Byford

- 3.30 Settlement boundaries have been defined at Lower Byford and Byford Common. Policy H2 sets out the requirements for new dwellings in the settlement boundaries and elsewhere in the parish.
- 3.31 Part 8 of Policy H1, part 4 of Policy H2 and Policy H3 are worded the same. To avoid unnecessary repetition, it is suggested that Policy H3 should be revised to relate to development in the hamlets and countryside outside settlement boundaries.
- 3.32 I make recommendations to revise the wording of the policy to ensure that it is written in a suitable form of wording to be used as a planning policy to ensure that it is clear and unambiguous so that it can be used consistently by decision makers in determining planning applications. The policy should be written in the third person as a policy and not as the wishes of the parish council. Some parts of the policy refer to the settlement boundary others refer to settlement area. A modification is recommended to refer to it consistently as the “settlement boundary”.
- 3.33 Part 2 (a) of the policy places a maximum limit on development of six dwellings on a site. No evidence has been provided to justify this restriction. The rest of this policy sets out the requirement for the scale of a development to be in keeping with the settlement and location. It is recommended that this restriction to a maximum of 6 dwellings should be deleted.
- 3.34 A representation has been made to revise the settlement boundary at Byford. I have asked the Qualifying Body for their views on this request. They have discussed it with the landowners who are opposed to the proposed revision. As the settlement boundary has been subject to statutory consultation procedures, I make no proposals to revise it in response to this representation.

Recommendation 6: Revise Policy H2 as follows:

Amalgamate parts 1 and 2 to read: “Within the settlement *boundaries* at Lower Byford and Byford Common *shown on the Byford Villages Policies Map*, new housing development will be supported provided that:”

Delete “with between one and six houses on a site” from part 2(a).

Revise part 3 to read “Within the settlement *boundaries* at Lower Byford and Byford Common, the conversion of redundant....to housing will be supported provided that:”

Delete part 4.

Policy H3 Housing in Bridge Sollars, Kenchester and Mansell Gamage

- 3.35 The policy refers to development in the hamlets of Bridge Sollars, Kenchester and Mansell Gamage. However it relates to housing development in the countryside throughout the plan area outside the settlement boundaries and states that housing development will be considered against the Core Strategy Policies. To avoid repetition of the policy in Policies H1 and H2, it is suggested that Policy H3 should be revised to relate to development in the hamlets and countryside outside settlement boundaries.
- 3.36 The final sentence of Policy H3 is vague and unnecessary in policy terms as it does not explain the circumstances when conversion of redundant buildings will be acceptable. In any case this is adequately addressed in other policies.

Recommendation 7: Revise the title of Policy H3 to: “Housing in *the countryside including Bridge Sollars, Kenchester and Mansell Gamage*”.

Revise the policy to read: “Housing development *outside the settlement boundaries* will be supported.....Policies G1 and G2.” Delete the final sentence.

Revise the justification to explain that the policy relates to the plan area outside the settlement boundaries.

Policy G1 Housing development sites and design

- 3.37 The policy sets out principles for the layout and design of new housing development throughout the plan area. It adds very little in terms of local design principles to those set out in the Core Strategy policies on design, open space and biodiversity. It is suggested that the policy should be cross referenced to relevant Core Strategy Policies (SD1, OS2, LD2 and LD3)
- 3.38 Part 1 sets a restriction of a maximum size of a development of six dwellings. This matter has already been addressed under Policy H2. No evidence has been provided to justify this restriction. The appropriate number of dwellings on a site should be determined size of the site and its relationship with nearby properties as set out in part 2 of the policy. It is recommended that this restriction should be deleted.
- 3.39 Part 2 point f) refers to the “impact on existing natural horizons”. I have asked the Qualifying Body what is intended by this phrase which is not a commonly used planning term. They have responded to say that “*it was added to address residents’ concerns that development should be low impact and not intrusive in the historic landscape*”. They have proposed revisions to include

“rooflines” in part 2a) and “environmental features and landscape” in part 2f) which I have adapted.

- 3.40 Part 2(g) should be clarified to refer to the residential amenity of nearby dwellings. To improve the clarity of part 2 to ensure that all points are taken into account, there should be an “and” at the end of the penultimate point (i).
- 3.41 Part 3 is considered to be vague and imprecise as it is not clear how having “due regard” to the importance of creating and retaining open space is to be interpreted or what are the appropriate measures for protecting priority habitat. Examples of enhancements should be set out in the justification not the policy. It is recommended that part 2 should be deleted and a section added to the justification to explain how the requirements of relevant Core Strategy policies (OS2, LD2 and LD3) are to be applied in the parish. This should explain what the priority habitats are, with a map if this is available.
- 3.42 A representation has been made highlighting the need to consider potential contamination during the development at Bishon Farm. To address this, the Qualifying Body has suggested that Policy G1.4 be amended to read “environmental or contamination issues”. I agree that this suggestion would help to highlight the need to consider such matters.

Recommendation 8: Revise Policy G1 as follows:

Delete part 1.

Revise part 2a) to read “...massing, *rooflines*, materials....design.”

Revise part 2f) to read “Impact on the existing *environmental features and wider landscape*.”

Revise part 2(g) to read “Impact on the residential amenity of *nearby dwellings*”

Add “and” at the end of the penultimate criterion.

Delete part 3 and add an explanation in the justification of how the requirements of relevant Core Strategy Policies (OS2, LD2 and LD3) are to be applied in the plan area. This should explain what the priority habitats are, with a map if this is available.

Revise part 4 to read “...any environmental or *contamination issues*....”

Policy G2 Flooding

- 3.43 This policy on flooding adds little in the way of local detail to the Core Strategy Policy SD3. However the policy has been included to highlight the need to consider flood risk as part of development proposals. The justification explains that the area is liable to flooding particularly from run off from fields. It would be helpful to users to include a cross reference in the policy or

justification to the need to also take account of the requirements of Core Strategy Policy SD3.

- 3.44 The term “development” includes “changes of use” and it is not therefore necessary to state this in parts 1, 2 and 3.

Recommendation 9: Revise Policy G2 as follows:

Delete “or change of use” from parts 1, 2 and 3.

Include a reference to Core Strategy Policy SD3 in the justification and an explanation of the requirements of both Policies SD3 and G2 to avoid flood risk and manage surface water.

Policy G3 Business development and home working

- 3.45 Parts 1 and 2 of the policy support proposals for small scale business development especially for agriculture and tourism and for proposals to facilitate home working. The policy does not contain any additional local policy requirements to that set out in Core Strategy Policy RA6. Parts 1 and 2 are therefore unnecessary and it is recommended that they be deleted. In any case planning policies cannot limit developments to those giving employment to local residents or require a worker to continue to live in a home that has been adapted for homeworking.
- 3.46 Part 3 should be worded in the third person as explained previously.

Recommendation 10: Delete parts 1 and 2 of Policy G3.

Revise part 3 of Policy G3 to read: “Improvements to broadband speed and mobile phone reception *will be supported* provided that....landscape.”

Revise the title of Policy G3 to reflect the change to the policy: “*Improvements to Broadband and Mobile Phone Reception*”.

Revise the justification to the business section to state that support will be given to new small scale business development, especially those connected to agriculture and tourism in accordance with Policy RA6. Incorporate material from the justification to Policy G5.

Policy G4 Traffic and Transport

- 3.47 Part 1 of the policy sets out a requirement for developments to include measures to mitigate any adverse impact on traffic or road safety. Examples are given of such measures including traffic calming or alternative routes to encourage walking or cycling.

- 3.48 NPPF paragraph 204 sets out the three tests for assessing the suitability of planning obligations and states that they should be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related to the scale and kind of the development. Traffic improvement measures can only be required from development proposals to address the impact of traffic from the proposal. They should not be required to remedy existing problems.
- 3.49 No evidence has been provided to demonstrate that potential development proposals will be of a scale and kind that will be deliver the measures proposed. The PPG states that policies in neighbourhood plans should be deliverable. It is therefore recommended that the second sentence of part 1 should be deleted.
- 3.50 Part 2 of the Policy is a Community Project for the promotion of road safety. It may be included in a separate section of the Plan as a Community Project.

Recommendation 11: Revise Policy G4 as follows:

Delete the second sentence of part 1.

Delete part 2 and place in a separate section of the Plan as a Community Project along the lines of “*The Parish Council will work with the Highways Authority to encourage initiatives to improve road safety.....*”

Policy G5 Tourism

- 3.51 The policy supports the development of new and improved tourist facilities. The policy does not contain any additional local policy requirements to that set out in Core Strategy Policy RA6. The policy is considered to be unnecessary and it is recommended that it is deleted.

Recommendation 12: Delete Policy G5. Move the justification to an introductory section on business.

Policy G6 Historic Landscape and Green Infrastructure

- 3.52 Parts 1 and 2 of the policy on historic landscape, green infrastructure and improvements to the rights of way network add no locally specific details to Core Strategy Policy LD3 and LD4. They are unnecessary and it is recommended that they are deleted.
- 3.53 Part 3 of the policy is a Community Project and should be included in a separate section of the Plan as a Community Project.

Recommendation 13: Delete Policy G6. Include part 3 in a separate section of the Plan as a Community Project.

Monitoring and Review

This section states that the BGNDP will be delivered by the Parish Council. This should be revised to refer to the Plan becoming part of the Development Plan once it has been made by Herefordshire Council and then being used in the consideration of development proposals.

Recommendation 14: Revise the first paragraph of the Monitoring and Review section to read: “The Bishopstone Group Neighbourhood Development Plan will be made by Herefordshire Council and will be used.....”

Typographical Errors

3.54 Page 11 first paragraph amend to “The population of the group in 2011 was 456....”

4.0 Referendum

4.1 The Bishopstone Group Neighbourhood Development Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.

4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies contained in the Development Plan for the area;
- does not breach, and is otherwise compatible with, EU obligations and human rights requirements

4.3 **I am pleased to recommend to Herefordshire Council that the Bishopstone Group Neighbourhood Development Plan should, subject to the modifications I have put forward, proceed to referendum.**

4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Development Plan should proceed to a referendum based on the neighbourhood area designated by the Herefordshire Council on 18 March 2013.

5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Bishopstone Group Neighbourhood Plan Submission Draft Version dated May 2018;
- Bishopstone Group Neighbourhood Plan Basic Conditions Statement;
- Bishopstone Group Neighbourhood Plan SEA Environmental Report February 2018; updated January 2019;
- Bishopstone Group Neighbourhood Plan HRA Addendum Report February 2018; updated January 2019;
- Bishopstone Group Site Assessment Report January 2019;
- Bishopstone Group Neighbourhood Plan Consultation Statement;
- National Planning Policy Framework March 2012 and February 2019;
- Planning Practice Guidance March 2014 (as amended);
- The Town and Country Planning Act 1990 (as amended);
- The Localism Act 2011;
- The Neighbourhood Planning (General) Regulations 2012;
- Herefordshire Local Development Framework Core Strategy (2011-2031) 2015.

6.0 Summary of Recommendations

Recommendation 1: Include the date of the Plan period on the front cover “2019 – 2031”.

Recommendation 2: Revise the Basic Conditions Statement to demonstrate how the BGNP contributes to Sustainable Development and the Assessment on Human Rights.

Recommendation 3: Revise Figure 1 to only show the boundary of the Neighbourhood Plan area. Include the Policies Map for the whole Plan area in the document at an appropriate scale so that it is legible. Add figure numbers to all maps.

Recommendation 4: Rewrite Policies and justification in the third person to remove reference to the parish council supporting certain types of development.

Recommendation 5: Revise Policy H1 as follows:

Revise part 1 to read: “...in the NDP area *within the settlement boundary shown on the Bishopstone Policies Map.*”

Delete part 2 and place in the justification to the policy to read “The settlement boundary for Bishopstone *has been* extended to includehousing development.”

Revise part 3 to read: “*Land at Bishon Farm shown on the Bishopstone Policies Map is allocated for housing development. The development shall comprise a mixture of 2, 3 and 4 bedroom houses and bungalows and including a proportion of affordable housing for local people in accordance with.....village. The layout and design of the development shall be sensitive to the natural environment particularly the priority traditional orchard habitat of the site and its village setting close to the listed farmhouse. Access to the site shall be improved to the satisfaction of the Highways Authority.*”

Combine parts 4 and 5 to read: “*Proposals for housing development on the allocated site at Bishon Farm must take account of Policy G1 and must include.....area. The area to the east of the access road shown on the Bishopstone Policies Map is designated as a community orchard and shall be safeguarded / retained in accordance with the Management Plan with public access and information displays about the history and ecology of the orchard. The community orchard shall include a community open space with a seat near the Millennium Tree.*”

The proposal for the Parish Council to work with the landowner to create a management plan for the conservation of the remainder of the

orchard should be deleted from part 5 of the policy and included in a separate section of the plan as a community project.

Revise part 6 to read: “Within the settlement *boundary*, the conversion of redundant buildings, including those at Bishon Farm, to housing will be supported provided that:”

Revise part 7 to read: “...within the settlement *boundary* ...providing that the *proposals* are in keeping with Policy G1 and there is no *unacceptable detrimental impact to the amenities* of adjacent properties.”

Delete part 8.

Revise the key of the Bishopstone Policies Map to “Housing Allocation (Policy H1)” and “Designated Community Orchard (Policy H1)”. Delete “Safeguarding Mineral Reserve”.

Delete repeated text in the justification section.

Revise the third paragraph on page 17 to refer to “land adjoining Pleck Cottage” instead of “the Pleck site”.

Add a new paragraph to the justification to explain the important factors that should be taken into account in the design and layout of the development. Suggest an indicative number of about 20 dwellings for the site as a whole.

Recommendation 6: Revise Policy H2 as follows:

Amalgamate parts 1 and 2 to read: “Within the settlement *boundaries* at Lower Byford and Byford Common *shown on the Byford Villages Policies Map*, new housing development will be supported provided that:”

Delete “with between one and six houses on a site” from part 2(a).

Revise part 3 to read “Within the settlement *boundaries* at Lower Byford and Byford Common, the conversion of redundant....to housing will be supported provided that:”

Delete part 4.

Recommendation 7: Revise the title of Policy H3 to: “Housing in *the countryside including* Bridge Sollars, Kenchester and Mansell Gamage”.

Revise the policy to read: “Housing development *outside the settlement boundaries* will be supported.....Policies G1 and G2.” Delete the final sentence.

Revise the justification to explain that the policy relates to the plan area outside the settlement boundaries.

Recommendation 8: Revise Policy G1 as follows:

Delete part 1.

Revise part 2a) to read "...massing, *rooflines*, materials....design."

Revise part 2f) to read "Impact on the existing *environmental features and wider landscape*."

Revise part 2(g) to read "Impact on the residential amenity of *nearby dwellings*"

Add "and" at the end of the penultimate criterion.

Delete part 3 and add an explanation in the justification of how the requirements of relevant Core Strategy Policies (OS2, LD2 and LD3) are to be applied in the plan area. This should explain what the priority habitats are, with a map if this is available.

Revise part 4 to read "...any environmental or *contamination* issues...."

Recommendation 9: Revise Policy G2 as follows:

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Recommendation 10: Delete parts 1 and 2 of Policy G3.

Revise part 3 of Policy G3 to read: "Improvements to broadband speed and mobile phone reception *will be supported* provided that....landscape."

Revise the title of Policy G3 to reflect the change to the policy: "*Improvements to Broadband and Mobile Phone Reception*".

Revise the justification to the business section to state that support will be given to new small scale business development, especially those connected to agriculture and tourism in accordance with Policy RA6. Incorporate material from the justification to Policy G5.

Recommendation 11: Revise Policy G4 as follows:

Delete the second sentence of part 1.

Delete part 2 and place in a separate section of the Plan as a Community Project along the lines of "*The Parish Council will work with the Highways Authority to encourage initiatives to improve road safety.....*"

Recommendation 12: Delete Policy G5. Move the justification to an introductory section on business.

Recommendation 13: Delete Policy G6. Include part 3 in a separate section of the Plan as a Community Project.

Recommendation 14: Revise the first paragraph of the Monitoring and Review section to read: “The Bishopstone Group Neighbourhood Development *Plan will be made by Herefordshire Council and will be used.....*”