

## Latham, James

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**From:** Banks, Samantha  
**Sent:** 14 May 2020 11:43  
**To:** Latham, James  
**Subject:** FW: Examination of the BANP

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**From:** Banks, Samantha  
**Sent:** 14 May 2020 11:32  
**To:** 'Liz Beth'  
**Cc:** bramptonfoypc@gmail.com  
**Subject:** RE: Examination of the BANP

Dear Liz,

Please find attached responses to your queries as requested.

- 1) There is no specific issue with reference to appendix 1 in Policy BAF3
- 2) The 2008 SPD has been replaced by a guidance note in 2018 - [https://www.herefordshire.gov.uk/directory\\_record/5602/polytunnels\\_planning\\_guide\\_2018](https://www.herefordshire.gov.uk/directory_record/5602/polytunnels_planning_guide_2018)  
The guidance note has limited weight attached as it has not been through a formal SPD process.
- 3) Para 4.5.23 of the Core Strategy indicated that settlement boundaries will be defined within NDPs. That in the period leading up to these settlement boundaries being designated, development will be within or adjacent to the built form. Therefore the intention of a settlement boundary should be to define the built form and by consequence the area subject to RA3.
- 4) Policy LD1 is used within the planning balance for applications within the AONB.

I have enclosed below the comments from the parish council with regards to the late representation to ensure that these have been received

*Issue 1 - the pond is as shown on the Ordnance Survey base - I note this is the same as that currently on the HC web site - screen shot below.*

*Issue 2a - Has Mr Marshall recently altered the pond? Either way our boundary looks as though it should be drawn further south - I think it better for HC to resolve this, particularly if the planning approval does not include any of the pond as shown on the map base.*

*Issue 2b - note we did take this into account - but the settlement boundary includes residential properties - not the use described - continued agricultural use associated with the local nursery school. Given that these uses are not incompatible with open countryside there is no need for this land to be included in the settlement boundary.*

*Issue 2c - you know the recent history of this site - and the appeal being determined (4/2/20) after the submission consultation closed on 20/1/20. We could not have considered this. No doubt the examiner will want a view on this - but given commitments are included elsewhere - I see nowhere for us or HC to go other than to accept and amendment to the settlement boundary.*

If you have any additional queries, then please let me know and look forward to receiving your report shortly.

Kind regards

*Sam*

# Herefordshire.gov.uk

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**From:** Liz Beth  
**Sent:** 12 May 2020 10:18  
**To:** Banks, Samantha <[Samantha.Banks2@herefordshire.gov.uk](mailto:Samantha.Banks2@herefordshire.gov.uk)>; [bramptonfoypc@gmail.com](mailto:bramptonfoypc@gmail.com)  
**Subject:** Examination of the BANP

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I am about to send a draft report through to you, but before finalising it I want to clear a couple of questions please.

Firstly, Policy BAF3 refers to Local Non-Designated Heritage Assets, but not to Appendix 1 where they are listed. The policy does need to specify what assets are actually covered by the policy, so I am proposing to include reference to Appendix 1 to do that. Is there any problem with this?

I have been referred to LPA guidance on polytunnel development, and have found an SPD dating to 2008 that deals with the issue. Is this the most up to date guidance, and what is its current planning status please?

Finally, I have to admit to problems dealing with sections 2 and 3 of policy BAF1. Protection of the AONB and regard to national policy in the NPPF in my view does not allow the encouragement of development outside the settlement boundary proposed by section 2. I am mindful that stating that any development outside the boundary is subject to Policy RA3 of the Core Strategy could conflict with Policy RA2 with regard to development proximate to the boundary. Do you have any comments to make on how particularly the Core Strategy Policies RA3 and RA2 are to interact with regard to development proximate to a settlement? Also, as neighbourhood plans were encouraged to define settlement boundaries, was the intention that land not within the boundary would be subject to policy RA3? You may also care to comment on how the general presumptions of the LPA play out in an AONB, and whether different policy considerations and weighting need to be used in this situation.

Thanks and best wishes

Liz

Examiner BANP

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