Wellington Heath Parish Council NEIGHBOURHOOD DEVELOPMENT PLAN 2020 REVIEW Modification Statement

Summary of the review process

The Wellington Heath Neighbourhood Development Plan (NDP) was adopted (made) by Herefordshire Council to be part of planning policy on 18 October 2018. Since then the NDP has been used by Herefordshire Council Planning Department to determine planning applications in the parish. It has been generally successful in ensuring that any new development is in conformity with the NDP.

In March 2020 Herefordshire Council suggested that parishes should consider reviewing their NDPs because they would start to lose full status as they aged. In June 2020 Wellington Heath Parish Council asked the NDP Working Group to review their NDP. The Working Group established that Herefordshire Council has also started a review of its Local Plan, the Core Strategy, although this is unlikely to be completed until 2023 at the earliest, a further review of the NDP will therefore be required but not for some time. It was decided by the Working Group and endorsed by the Parish Council that the 2020 review should be completed because:-

- the National Planning Policy Framework was updated in 2019
- Herefordshire Council suggested some minor revisions specific to Wellington Heath NDP
- there has been progress on all the allocated development sites
- the NDP made the commitment to parishioners that it would be reviewed
- the NDP would lose weight as it aged, especially since Herefordshire Council cannot demonstrate a 5 year supply of developable housing sites

Review Headlines

The NDP has been revised in a number of areas, however Herefordshire Council has confirmed that the revisions are "non-material". There are no revisions to the Vision or Objectives (except for terminology as described below), nor to the Policy Map, nor any material changes to policies. The changes can be usefully summarised under the following headings.

<u>Housing</u> The proportional growth required by Herefordshire Council is an allocation of 28 dwellings which we can now be confident will be achieved because of the number of approved plans for windfall sites and housing starts, together with the allocated development sites which all have planning permission with some under construction. The build charts in the NDP are updated with current planning approval reference numbers up to 31 December 2020 where there is a change in the number of dwellings. One for one replacements are not shown as there is no increase in overall numbers.

<u>Effectiveness</u> It is considered that the plan has been generally very effective. A less satisfactory aspect has been that some development proposals have been for larger and less affordable dwellings than envisaged. These were approved prior to formal adoption of the NDP. However this

was extensively debated when the NDP was created and after further consideration at this review and discussion with Herefordshire Council Neighbourhood Planning Team it was decided that there is no reasonable policy change which would reverse this trend, especially since plans have mostly been approved for nearly all the allocated sites.

<u>NPPF</u> The NPPF changed significantly in 2019. The NDP makes numerous references to the NPPF, all referenced paragraph numbers have been updated. The entire NPPF has been read and the implications for the NDP considered. The most significant change relevant to this NDP is the reduced use of the term "Local distinctiveness", however there are many new NPPF paragraphs concerned with "local character". All quotations from the NPPF have been checked and updated. The definition of "affordable" housing has been completely updated in the NPPF and the NDP has been updated accordingly.

Herefordshire Council requested that policy WH17 Highways, should be reviewed for consistency with the Herefordshire Highway Design Guide. Minor changes have been made to NDP policy WH17 to better reflect the Herefordshire Highways Design Guide whilst maintaining consistency with the Malvern Hills Area of Outstanding Natural Beauty guidance. The minor amendment to WH11 Community Assets, proposed by Herefordshire Council has been implemented. It was felt that the comment suggesting splitting WH6 into more separate policies would not improve the document. The references to Malvern Hills AONB Guidance have been brought up to date and references to two relevant new guides have been added for the convenience of users of the NDP, no changes to descriptive text or policy wording of the NDP are necessary in respect of these new guides.

<u>Terminology</u> Some terminology has evolved and required updating. For example Herefordshire Council increasingly refer to their Core Strategy as the Local Plan which reflects NPPF terminology. In order to avoid confusion for people unfamiliar with planning the term "Herefordshire Local Plan Core Strategy" has been used throughout.

<u>Time</u> The passage of time from 2017 to 2020 and the progression of the NDP to its first review is reflected in changes in the use of tense, wording and description of the process for creation of the NDP and subsequent review.

<u>Grammar</u> In a few instances the wording of the NDP has been changed to correct grammar and improve clarity.

Review Details

The following pages reproduce the revised sections of the NDP in full and show all amendments in red text with deleted wording shown in struck through red text except in some parts of tables where deleted entries may be omitted for ease of understanding. Some reasons for amendment of the NDP are described by reference to the above underlined headings, more details are shown where appropriate.

Amended text and paragraph title and number	NDP line number and reason for amendment
Introduction for Parishioners To start at the beginning: Parliament passed the Localism Act 2011. Its aim is to give local people a greater say in planning matters which affect them locally. In broad terms, there is a set of national policies which are written in the National Planning Policy Framework (NPPF). At the next level down, there is a set of Herefordshire policies which	L 19
are written in the Herefordshire Local Plan Core Strategy. At the third level is a collection of NDPs which say what local planning policies each parish wants. Herefordshire Council see it as important that each its parishes each has an NDP. This NDP is for Wellington Heath.	Terminology Grammar
Note: the NDP is solely about development and land-use planning.	
An NDP doesn't just happen; it is written by volunteers in the parish. However, they can't simply write a set of policies that they would like, they have to consult the parish to discover what the people of Wellington Heath would like. This has been done using questionnaires, public meetings, newsletters, and information on a web site between 2016 and 2018 over two years. This has been followed by a draft NDP and formal consultation. That is to say, it is read by Herefordshire Council planners, various other organisations, and by you. Their and your comments have been taken into account and a new draft published.	Time
In the final stage the NDP is checked by Herefordshire Council and by an independent examiner whom they appoint. Any comment the examiner makes is again taken into account and a final version published. This was will be voted on by the parish, and if a majority voted in favour, it was therefore subsequently will be adopted by Herefordshire Council. That means it has will become a planning policy document and is will be taken into account when planning applications are determined by Herefordshire Council.	Time
Introduction for Parishioners As part of the Herefordshire Council planning process, the settlement (i.e.: the village) of Wellington Heath has been identified for the building of at least 28 dwellings in the parish between 2011 and 2031. Quite a lot of that 28 will be covered by what has already been built and by barn conversions and so on, so we had to find sites for about 15 additional dwellings within the Settlement Boundary.	Outdated detail from 2017 about how the housing target may be
During an earlier consultation, the people of the parish were asked to say where they would most like to see development take place within	met is overtaken by approved plans and

the village. The results of a professional landscape assessment construction assisted them with this task. Various sites were selected (being those that were most preferred); they are called **Allocated Sites** and there are specific policies for each. All the highlighted land-use features (in **bold** above) are shown on a map of Wellington Heath, known as the Policies Map. page 22 of the Incorrect page number. NDP. Policies maps can be located through the Table of Contents list and are Many people in the parish would like it to retain its rural character. That is to say, although the parish will change, people want it to retain separately available on Herefordshire Council the better aspects of the parish as it is and to avoid some of the worse web site as shown in the aspects of new development. To do that, we have to say what is References locally distinctive about the parish. "Locally distinctive" means the things which make the parish different and emphasise its character. If you read the NDP in detail, you will find that quite a lot of effort and quite a lot of paper too - has gone into trying to say what is locally distinctive about Wellington Heath. There are 18 policies in the NDP; they address all aspects of development planning. They are recognisable by their yellow background. You can find them by using the Table of Contents. The effectiveness of this plan will be monitored by Wellington Heath Summarises the reasons Parish Council. The plan may also need to respond to changes in for review and the National Planning Policy and other planning polices such as process, to inform Herefordshire's Local Plan Core Strategy. Parishioners will be kept Parishioners. informed, and there will be consultations if there are significant changes proposed. **Document Structure and Volumes** The whole NDP is listed in the table of contents and comprises over L 90 100-90+ pages. To make it easier to use, it has been divided into two Pages in volume 1 Volumes (.pdf format files): Volume 1 is 64 pages is the background, deleted because this is policies and descriptive text; Volume 2 comprises the Appendices. unimportant, may change and is prone to error

Core Strategy The Herefordshire Local Plan Core Strategy 2011-2031

Glossary

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Glossary	L 93
Local Green Space An area of land on which development will not generally be allowed. See paragraph 99 to 101 77 of the National Planning Policy Framework	NPPF changed
1.2 <u>The Settlements of Wellington Heath</u> The Oak Inn, on the opposite side of the B4214 in Bosbury parish. Also, it has The Warren Oak Scouts' campsite which is a very well patronised centre for outdoor pursuits which extend into the surrounding area.	L 131 Full name, avoids confusion
At the north east corner of the parish are Loxter and Hope End. These are scattered communities largely within the Malvern Hills AONB; they comprise only 11 dwellings. They are within 15 minutes walk of the centre of Wellington Heath village.	Terminology
Farms and houses are sparsely scattered along Hollow Lane and Burtons Lane (Withers Lane) in the west of the parish.	
Wellington Heath village, at the south east of the parish is the main centre of population with about 150 dwellings, a church (Christ Church), a pub with a restaurant (The Farmers Arms), and a village hall (The Memorial Hall). Wellington Heath village is the only settlement in the parish prescribed for proportionate housing growth in the Herefordshire Local Plan Core Strategy.	Terminology
2.1 <u>Planning Hierarchy</u> Neighbourhood Development Plans (NDPs) are a new level of statutory planning policy document that was introduced by the Localism Act 2011. They are intended to be researched and drafted by the local community under the auspices of a parish or town council.	L 157 Time
There are three levels of planning policy that determine how land use planning applications are decided. It is a hierarchy of policy where each level must conform to those above it:	
National Planning Policy Framework (NPPF) – the highest level of land- use planning policy for England, as set by the Government;	
Herefordshire Local Plan Core Strategy and supporting policy documents	L164 Terminology
2.2 <u>Neighbourhood Development Planning Process</u> Herefordshire Council's <u>Local Plan</u> Core Strategy	L 184 Terminology

2.4 Monitoring and Review during the life of the plan

The National Planning Policy Framework (NPPF) indicates that the Herefordshire Local Plan Core Strategy requires a review to be undertaken at least every five years in order to determine whether its policies and strategy are in need of updating. The Herefordshire Local Plan Core Strategy was adopted in October 2015. The NPPF has been amended and updated since the Herefordshire Local Plan Core Strategy was adopted, therefore a review is required.

There is no similar requirement for NDPs to be reviewed on a regular basis apart from Wellington Heath Parish Council's own commitment in section 15 of this plan. There are circumstances advised by Herefordshire Council that may prompt a review:

- Change in local circumstances;
- Monitoring of the plan reveals an issue with policy wording;
- Plan being made/adopted for over two years causing the housing policies to be deemed 'out of date';
- Update of the Herefordshire Local Plan Core Strategy, national planning policy or Ministerial Statement.

The first step to any review is to monitor the plan and assess whether it is still providing the planning policy outcomes intended when it was first produced.

3 <u>National and Local Planning Policy</u> Herefordshire <u>Local Plan</u> Core Strategy

3.2 Local Distinctiveness and Character

The NPPF makes several references to maintaining the character or distinctiveness of a local area. Examples are as follows.

Paragraph 60 of the NPPF strikes a balance between freedom of architectural style and local distinctiveness: "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness".

Paragraphs 126 185 and 131 192 of the NPPF emphasise the importance of local distinctiveness; the latter states: "In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets

L 198

Clarification of review requirements closely based on Herefordshire Council wording. Shown primarily to inform parishioners

L 215 Terminology

L 223

The revised NPPF makes less use of the term Local Distinctiveness and places more emphasis on Local Character. Title of para 3.2 is updated accordingly and outdated quotation from the NPPF is removed. Referenced paragraph numbers updated as per revised NPPF

- can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness."

The Herefordshire Local Plan Core Strategy Policies SS6 and LD1 are particularly important for a rural area like Wellington Heath with its main settlement within the Malvern Hills AONB. These policies can enable Wellington Heath to maintain its local distinctiveness.

Terminology

3.3 Housing Design

The NPPF (paragraph 58) states that housing design should "respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation".

The NPPF (paragraph 126) states "To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified." Appendix 3 of this NDP presents "A Photographic Guide to Wellington Heath village" and supports Policy WH5.

The NPPF also links good design and sustainable development.

Paragraph 76 states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people".

L 240

NPPF paras 58 and 76 deleted, they do not appear in the same form in the 2019 NPPF. The subject is now more clearly addressed in NPPF para 126 which is shown in the revised NDP. Appendix 3 of the NDP is then referenced since it directly addresses para 126 in the 2019 NPPF.

3.4 Areas of Outstanding Natural Beauty

The east of the parish and almost the whole of Wellington Heath village, where development is most likely to occur, lie within the Malvern Hills AONB. An AONB is recognised in the *NPPF* as being an area where the landscape must be protected.

Paragraph 115 of the NPPF states "Great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas...".

Paragraph 172 of the NPPF states "Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas "

L 259

Para 3.4 referred to para 115 of the NPPF. In the 2019 NPPF it is para 172. The wording is different, especially with new mention of enhancement of landscape and scenic beauty. The revised wording is shown in the NDP.

The Herefordshire *Local Plan Core Strategy* calls for "*Joint working via the AONB Partnerships and implementation of the AONB Management Plans*".

Terminology

3.5 Local Green Space

The NPPF paragraphs 99 to 101 state:

"99. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

100. The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land.

101. Policies for managing development within a Local Green Space should be consistent with those for Green Belts."

The NPPF[1] paragraph 76 states: "Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period."

L 274

Para 3.5 referred to para 76 in the NPPF. The 2019 NPPF now addresses Local Green Space in paras 99 to 101 with different wording. NPPF paras 99 to 101 replace the previous wording in the NDP.

Herefordshire Local Plan Core Strategy para 1.2.8 and footnote to para 4.8.17 reference to Malvern Hills AONB Guidance on Building Design Error.

Reference source not found]

4.1 Windfall Development

Windfall sites are those that have not been specifically allocated in the NDP process; they normally comprise previously developed sites that have unexpectedly become available. Examples are the conversion of redundant buildings or the sub-division of large gardens.

Paragraphs 3.44 to 3.47 of the Herefordshire Local Plan Core Strategy address windfall housing developments and the contribution that windfalls make to the achievement of housing growth requirements. Windfalls may arise outside the Settlement Boundary where they comply with Core Strategy Policies RA3, RA4, and RA5.

Between 1999 and 2011, windfall developments in Wellington Heath have averaged almost one a year. Since 2011, the number of windfall developments within the parish that are complete, or have planning approvals, are shown in the table below.

The following table has been updated by reference to approved planning applications and construction activity, to reflect the latest information about new dwelling numbers from 2011 to 31 December 2020. Approved planning applications which do not result in a change to the number of dwellings have not been included.

Planning application	Extra dwellings	sites	status	inside Settlement Boundary	outside Settlement Boundary
DCN073490/ F	1	Berrington, Floyds Lane	completed	yes	
N111274/F	1	At Elm Tree Cottages, Ledbury Road	Part completed	yes	
180227/F	1	Priors Court, conversion of upper floor of shed to accommodation	completed		yes
143758/F	1	Priors Court, conversion of outbuilding	planning approved completed		yes
102401/F	1	Squatters Cottage	completed		yes
152217/F	1	Adjacent to Farmers Arms	completed	yes	
P172988/F	1	Ochre Hill Land on south end of ridge	planning approved under construction	yes	
153788/O 180177/F	2 1	The Becks, The Common. New house in garden – Aspen Barn	outline approved revised plan, for only 1 house, completed	yes	
152289/90/ F 170566	4	Pegs Farm, barns	under construction Conversions part completed		yes
160541/0	1	Adjacent The Gables, Ochre Hill (Woodmill Cottage)	under construction completed		yes
163588/F	1	House in garden of Cardiff Cottage (Eden)	under construction completed	yes	
172015/0	1	Opposite The Gables (Hazel House)	outline approved completed		yes
P172441/F	1	Earth sheltered 3 bedroom dwelling below Myrtle Cottage	Planning approved, plot for sale		yes
	19 16			11 6	8 10

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Terminology

New houses have been built and plans approved since the NDP was made. This table has been completely updated by reference to planning applications (reference numbers are shown) and build status observed on the ground up to 31 December 2020

4.2 Required Allocated Sites to Achieve the Housing Target

More windfall developments are likely to be approved in the future, however some of those already approved may not be built. To reach a total of at least 28 new houses by 2031, it was considered in 2015 that there may need to be allocated development sites for approximately 15 new houses. The allocated sites subsequently selected made make provision for between 16 and 18 new dwellings as set out in section 9.5.

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Time

The status of planning applications and construction of the allocated sites at December 2020 is shown in the following table.

Allocated Sites in the Parish of Wellington Heath			
Planning applicati on	Extra dwellin gs	sites	status
P/20068 1/F	3	Allocated Site 19a. North Adj to The Croft	Planning approved. Construction started
P/16199 6/F	2	Allocated Site 21. Adj to Farmers Arms	Planning Approved Construction started
P184105 /O	5	Allocated Site 19a. South (Access only) Rock Field	Access and outline for 5 houses approved. Site sold to developer. Full planning application awaited
P202043 /O	5	Allocated Site 23. The Becks Field	Outline Planning Approved
	15		

Status of Allocated sites information has been comprehensively updated at 31 December 2020

Completions, construction under way and plans now total 31 new dwellings and in addition further windfall sites are likely to come forward based on historical trends, hence the target of 28 new dwellings is likely to be exceeded.

Clarification that required number of dwelling is very likely to be exceeded

5.2 The Objectives

2. To support small-scale, sustainable, high-quality, housing development, on allocated sites within the Wellington Heath village Settlement Boundary and in conformity with the Herefordshire Local Plan Core Strategy.

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6.1 Landscape Capacity Plan

A reduced-size reproduction of the *Landscape Capacity Plan* is shown on page 20 below. A larger version can be found at Figure 5 of the *Landscape Sensitivity and Capacity Assessment Report* which is separately available on the NDP website. This has been adopted by the Parish Council and is also published on the Parish Council web site.

L 355

The dedicated NDP web site was relevant to the creation of the NDP and consultations but has not subsequently been

The results of the Landscape Sensitivity and Capacity Assessment,

showing the capacity of various parcels of land to accommodate housing development, were presented to parishioners at an event in The Memorial Hall on 19 March 2016. The results of the community questionnaire (see <i>December 2015 Questionnaire Summary Report</i>) were presented also. The parishioners were then invited to rank sites for housing development in their preferred order by marking on maps and writing comments. The analysis of these responses (see <i>March 2016 Consultation Report</i>) has informed the choice of the allocated development sites and the Settlement Boundary. A further consultation event was held in December 2016; this confirmed the selected Allocated Sites and the Settlement Boundary (see <i>December 2016 Consultation Report</i>). These documents are available from Wellington Heath Parish Council.	maintained and has been removed. Section 16 References shows where documents can now be found Supporting documents and archives can be obtained from the Parish Council by request
8.1 <u>Local Green Space</u> So, they can be identified as Local Green Spaces as per paragraphs 99 to 101 77 of the National Planning Policy Framework and should be retained as part of the County's Green Infrastructure in accordance with Core Strategy Policy LD3.	L 405 NPPF revised, paragraph numbers updated
Policy WH2 – <u>Protected Local Green Spaces</u> Within the designated Local Green Spaces identified on Map 4 – Wellington Heath Village Policies Map development shall not be permitted unless it is designed or required to meet the objectives of the site as Green Infrastructure in accordance with Herefordshire Local Plan Core Strategy Policy LD3	L 418 Terminology
8.2 Separation from Ledbury Major new housing and employment development is due to take place to the north of the Ledbury railway viaduct on the strategic site allocated in the Core Strategy. The site is bounded by the Bromyard Road. The traffic flows generated by occupation of the site are likely to have a significant impact on the parish of Wellington Heath and its network of rural lanes. Development of this site marks a major expansion of the built area of the town of Ledbury northwards towards Wellington Heath. Ribbon development has occurred along the Beggars Ash Lane which goes south from Wellington Heath village towards Ledbury (C1172) and connects to the Bromyard Road, recently there has been infill development along this road in Ledbury parish.	L 423 L427 Clarification of the signed name of the lane
Land to the east of the C1172 falls within the Malvern Hills AONB - a national designation that recognises the high quality and value of the landscape.	
The Herefordshire Local Plan Core Strategy shows a Green Infrastructure Enhancement Zone extending towards this area [see Herefordshire Local Plan Core Strategy page 85 Figure 4.8 Ledbury Key	Terminology Terminology

Diagram in ref 2.	
In order to preserve the distinctive rural landscape character of the area, a Settlement Green Gap between the Wellington Heath village Settlement Boundary and the boundary of the parish will be maintained (as shown on Map 3 Wellington Heath Parish Policies Map) in which development will not be permitted except for a safe cycleway and footpath to Ledbury as envisaged in Policy WH16 - Footpaths and that reasonably required for agriculture and forestry or to mitigate flood risk.	
Community consultation for the NDP has strongly supported the maintenance of a clear gap between the urban environs of Ledbury and the village of Wellington Heath. In the December 2016 consultation, there was unanimous support for the Settlement Green Gap; 38% of respondents would prefer it to be larger.	
The landscape character type in the this area including the Settlement Green Gap is categorised as Settled Farmlands on River Terrace and extends across the parish boundary into Ledbury (see Map 6 page 39). The Parish Council will liaise with Ledbury Town Council to seek similar protection for that part of the Settlement Green Gap that falls within the Ledbury Town administrative area.	Clarification of exact area
The policy will preserve the openness of the significant gap between Ledbury and Wellington Heath and the rural character of the village and the setting of the AONB.	
Policy WH3 – <u>Settlement Green Gap</u> 2 Within the Settlement Green Gap development that would visually diminish the openness of the Gap when viewed from publicly accessible locations will not be supported, except for a safe cycleway and footpath to Ledbury as envisaged in <u>Policy WH16</u> - <u>Footpaths</u> and	L 458 Insertion of missing
that reasonably required for agriculture and forestry or to mitigate flood risk. Vegetation should not be used to screen or hide development or land use which would otherwise be unacceptable.	reference
9.1 <u>Local Distinctiveness</u> The National Planning Policy Framework ($\mathit{NPPF}^{[1]}$) and the	L 461

Herefordshire Local Plan Core Strategy Policies SS6 and LD1 emphasise | Terminology

the importance of local distinctiveness, especially in Areas of

be defined in the NDP to make these policies effective.

Outstanding Natural Beauty (AONB). This local distinctiveness has to

9.1.1 AONB Guidance The Malvern Hills AONB Partnership has published guides on L 466 protecting the character of the AONB. These include Building Design Guide, Highway Design Guide, Keeping Horses Guide, Landscape Newly published AONB Strategy, and AONB Colour Guide. Subsequently in 2019 Malvern Hills guides reviewed and AONB also published Guidance on how Development can Respect added since they are Landscape in Views and Guidance on Lighting. relevant 9.2.2 Housing Need Consultation and Evidence The Local Housing Market Assessment for the Ledbury area, that forms | L 533 an element of the evidence base for the Herefordshire Local Plan Core Terminology Strategy, contains recommendations for the proportion of market housing required by number of bedrooms. The Assessment specifically addresses the need in the rural part of the Ledbury Local Housing Market Area. The following extract of table 83 is of direct relevance. 9.2.4 Affordability Paragraph 5.1.17 of the Herefordshire Local Plan Core Strategy makes L 569 Terminology clear the need to provide for balanced and sustainable communities in Herefordshire: "Housing affordability issues in the county are compounded by the housing offer, with a high proportion of detached housing and properties in higher council tax bands. The supply of properties which younger households might be able to afford to buy is limited; only 13.5% of housing is in social sector ownership (affordable) compared to 19.5% across the West Midlands". The Local Housing Requirements Study states: "As a general observation, we can see that across all areas the affordability of property has worsened quite markedly over the past 15 years. Affordability pressures have continued to be more acute in Herefordshire and Shropshire relative to the West Midlands and England. The high cost of housing relative to earnings is likely to influence both household formation and trends in home ownership". For Herefordshire the 2016 entry level (lower quartile) house price was 8.6 times the earnings of those on lower quartile incomes, compared to 8.1 in Shropshire; and 6.5 for the West Midlands region. Herefordshire had the worst affordability ratio out of the 14 West Midlands county or unitary areas and neighbouring English authorities. There is clearly an issue of affordability. There is often confusion over what is meant by 'affordable housing'. For planning purposes it is specifically defined in the NPPF Annex 2 as:

"Affordable housing: housing for sale or rent, for those whose needs

are not met by the market (including housing that provides a

subsidised route to home ownership and/or is for essential local

When the NDP was

created it was clear that

the meaning of the term

workers); and which complies with one or more of the following definitions:

a) Affordable housing for rent: meets all of the following conditions:
(a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

"Affordable housing" was widely misunderstood. It is therefore important that the term is precisely described. This revised wording from the NPPF is therefore quoted in full replacing the previous paragraph.

- b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
- c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement."

"Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.

Eligibility is determined with regard to local incomes and local house

prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision". Homes that do not meet the above definition, such as "low-cost market" housing, may not be considered as affordable housing for planning purposes.

In responses to the NDP Regulation 14 consultation a number of representations raise concern at a lack of affordable housing. Given the context of these representations, and previous consultation results, these concerns have been interpreted to refer to homes provided at lower cost for market sale. The need for such homes is expanded upon below.

Within the parish house sales since January 2015 indicate that one small bungalow was sold for £155,000 (Sept 2015) and a semi-detached house sold for £192,000 (Sept 2015). No other sales below £200,000 have been achieved since July 2012. Sales figures since January 2015 show a clear trend of higher valued homes being sold, the average price has been £360,000 in the period 2016 to 2020 with only 30% sold at under £300,000.

Price range	Number of house sales 2016 to 2020
£500,000 and over	3
£350,000 to £499,000	7
£200,000 to £349,000	7
Under £200,000	2

Herefordshire's Local Plan Core Strategy Policy H1 (Affordable housing – thresholds and targets) states that in the housing market area that includes Wellington Heath, there is an indicative target for 40% of the dwellings constructed to be affordable, and to remain so in perpetuity, on sites of 10 or more etc. In order to maintain the low density of development which is an element of local distinctiveness, and the rural character of Wellington Heath village, it is unlikely that sites of more than 10 dwellings will be developed but the figure of 40% indicates the level of need for affordable dwellings in the area. Given the need to balance the type of housing available it is desirable that some lower-cost dwellings will be built whilst maintaining the low density and rural character of Wellington Heath.

More house sales have occurred since 2018 and hence more up to date information is now presented

Terminology

9.4 <u>Development Outside the Settlement Boundary</u> The land outside the village Settlement Boundary is regarded as open countryside. The National Planning Policy Framework recognises the importance of the countryside and as a core principle it states that plan-making and decision-taking should include:recognising the	L 733
intrinsic character and beauty of the countrysideandcontribute to conserving and enhancing the natural environment	Revised to reflect the 2019 NPPF
National guidance emphasises the importance of avoiding unsustainable patterns of development in rural areas and not building new isolated dwellings. Core Strategy Policies RA3, RA4 and RA5 limit housing development outside Wellington Heath village to proposals that	
 support rural enterprise; support agricultural, horticultural or farm diversification needs; are replacement dwellings; 	
 are conversions of redundant or disused buildings; or are of exceptional quality and innovative design satisfying the design criteria set out in Paragraph 55 of the NPPF^[1]. 	NPPF now considers design in a number of paragraphs
Policy WH6 - <u>Development Outside the Settlement Boundary – and in</u>	L 792
the Countryside 1 Where development is acceptable in principle (Herefordshire Local Plan Core Strategy RA3, RA4, RA5, RA6), development must be of high design quality and make a positive contribution to local distinctiveness.	Terminology
12 Temporary accommodation required for agricultural, horticultural, or forestry workers is subject to Herefordshire Local Plan Core Strategy policy RA4 and must not compromise heritage assets, listed buildings, key views, or landscape. Siting must ensure that there is no detriment to nearby properties arising from overlooking, potential nuisance, or loss of amenity or	Terminology
enjoyment. 13 New permanent accommodation for key agricultural workers may be considered where it is shown to be essential for a well-established business in accordance with Herefordshire Local Plan Core Strategy Policy RA4. Such development is to be of small scale, of simple plan, form, and design, and of high quality.	Terminology
9.5 <u>Housing Numbers and Location</u> Following consultation with land owners in 2017, the expected number of units to be developed on Allocated Sites is shown in the table below. Details of Allocated Sites for Housing Development	L 794 Clarification of when consultation occurred

Allocated Site within Wellington Heath village Settlement Boundary	number and type of new units of housing
19a south - Land off Ledbury Road	5 x 4-bed or 7 x 3-bed houses or bungalows
opposite Twinkelow	
19a north - Land off Ledbury Road at	3 x 3-bed bungalows
Callow Pitch	
21 - Land off Pub Lane	2 x 3-bed houses
23 - Land off The Common opposite	4 x 3 bed and 2 x 2-bed houses
Ochre Hill	
total	16 to 18

At the time this NDP was prepared in 2017 the anticipated number of new dwellings, if all the known windfall sites and all the Allocated Sites were developed, there would be 37 dwellings built in the plan period. Whilst this is above the figure preferred by the community, it was seemed appropriate for the purposes of the NDP as windfall delivery is not guaranteed. This position will may alter over time with changes of ownership, but it was is the best assessment that could can be made in 2017 currently.

There have been ongoing discussions with the owners of the Allocated Sites to investigate their intentions. If agreement can be achieved, then housing development should be ensured and at 31 December 2020 all allocated sites have full or outline approved plans, the total number of dwellings proposed being 15.

Negotiations have taken account of the need for a mix of new housing to be provided in the village with smaller 2- and 3-bedroomed dwellings targeted on sites 19a north, 21, and 23. Site 19a south is considered to be more suited to development of larger houses on large plots because large plots are characteristic of the western slopes of the village and take account of the recommendations of the Landscape Sensitivity and Capacity Assessment. Planning applications have generally tested and frequently exceeded the upper size limits, defined by numbers of bedrooms in the NDP, hence challenging the desire for more affordable houses expressed in this NDP.

Section 4 of this NDP shows the status of planning permission and construction for all allocated sites and those windfall sites where an increase in dwelling numbers arises.

The following development brief policies (i.e. a policy specific to a site) are in addition to other policies and are mainly based on the Landscape Sensitivity and Capacity Assessment. They are intended to guide development on the four Allocated Sites in the village of Wellington Heath.

Amended to make it clear that the paragraph discusses the number of houses expected on allocated sites when the plan was prepared in 2017. The current position is shown in section 4 of the NDP where status of planning permission and construction is recorded.

The only aspect where the NDP was considered to be not very effective is described in this new text

Policy WH10 - Employment 3 Home extensions, alterations or conversions to facilitate home working will be supported providing that their use and operation is compatible with their location, in accordance with the Herefordshire Local Plan Core Strategy Policy E3.	L 993 Terminology
Policy WH11 - Improvement and Retention of Community Facilities and Open Spaces 1 New developments where appropriate will be expected to support the enhancement of community infrastructure and facilities by sharing resources such as green space or other land or equipment. Financial benefits to the Parish Council derived from a Community Infrastructure Levy or other financial any contributions arising from the planning process will be used to maintain, provide and improve community facilities and infrastructure. 2 Development that fails to adequately protect or that seeks to change the use of an existing community facility will not be acceptable unless it can be demonstrated that it is no longer required or viable, and has been marketed for a period of at least 12 months for community use without success. The community facilities covered by this policy include:- 1 The Farmers Arms public house; 2 Wellington Heath Memorial Hall; 3 Christ Church;	The Community Infrastructure Levy is delayed WH11.2 Added a 12 months marketing period as suggested by Herefordshire Council.
12.1 <u>Pollution, Water, Waste and Light Management</u> There is no street lighting in the parish and this contributes to the rural character and habitat for wildlife. Further guidance is set out in the Malvern Hills AONB Guidance on Lighting.	L 1050 This guide was newly published in 2019 and is relevant
12.4.3 <u>Ridgelines</u> Ridgelines are particularly prominent and distinctive in the folded landscape of the parish, especially in and around the village of Wellington Heath. The ridgelines are especially important in long distance views from the numerous Exceptional Viewpoints on the summits of the Malvern Hills and from the Exceptional Viewpoint on Marcle Ridge looking north-west towards the Malvern Hills AONB. The ridgelines are also particularly prominent in many local views identified in Map 7.	L1123
The Landscape Sensitivity and Capacity Assessment Report makes frequent reference to ridgelines such as "Fortunately so far development does not breach the ridge line itself in views from the west" and "The trees on the village's upstanding ridges are an integral part of the setting of the AONB".	

Planning permission has been granted on two sites on the Ochre Hillridge. However both of these are exceptional:

- 151917 Eco-dwelling of exceptional architectural meritcompliant with policies applicable in open countryside.
 Permission was refused (140811) for an earlier proposalthat did not have exceptional merit.
- 160541 Erection of a small 3-bedroom dwelling east of Ochre Hill on the site of a former sawmill using an existing concrete base and foundations. In November 2017 this build is nearing completion.

In November 2017 outline planning permission 172015 was granted on Ochre Hill ridge immediately outside the settlement boundary shown on Map 4 Wellington Heath Village Policies Map

All the Allocated Sites adjoin ridgelines, however development can be accommodated by sensitive positioning and design of these developments as recommended in the *Landscape Sensitivity and Capacity Assessment Report* and detailed in the specific sections for each Allocated Site in this plan.

that the settlement boundary is well established these developments do not need to be mentioned in the NDP, which avoids further explanation of issues since 2017

Time has passed and now

Policy WH17 - Vehicle Parking and Access Arrangements

- 1 Within the Malvern Hills AONB consideration of the AONB Highway Design Guide will need to be demonstrated. Outside the AONB boundary, the AONB Highway Design Guide still offers advice considered to be relevant to the landscape setting. Public highways and those roads intended to be adopted must follow the Herefordshire Council Highways Design Guide For New Developments, July2006, and guidance promoted by the Department of Transport, namely Manual for Streets 1, 2007, and Manual for Streets 2, 2010, and any subsequent updates of all such guidance
- All developments must have safe and suitable access for pedestrians and vehicles with adequate sight lines to the highway. For safety reasons, given the narrow and winding nature of the local lanes, adequate space must be provided within a site to allow vehicles to manoeuvre such that they can join the highway in a forwards direction.
- 3 The nature of the rural lanes with their associated hedges and verges is a most important aspect of local distinctiveness. In order to respect this, new access driveways, tracks or roads should apply these principles:
 - The informal and rural nature of the local lanes is to be reflected in new access driveways roads which should be no wider than necessary consistent with safety and

L 1255

Minor revisions of wording, clauses 1, 3.1, 5 at the request of Herefordshire Council to ensure consistency with national, Herefordshire and AONB policy and guidance.

practicality.

- The impact of access arrangements must be minimised to hedges, trees, verges, heritage assets, and the landscape setting.
- 3 Roadside boundaries must reflect the rural setting; hedges of locally characteristic native species are preferred.
- 4 Signs and their supports should be unobtrusive and integrate with the local landscape.
- Driveways Road and parking surfaces should, where practicable, allow the percolation of surface water and blend with the landscape and reflect the rural context; well constructed and easily maintained loose stone surfaces are preferred where slopes and light traffic allow. There must be no surface water run off to the highway or adjacent land.
- 6 Footways must be surfaced suitably to permit safe and convenient passage by pedestrians, should reflect the rural character of the area, and must avoid delineation by kerbs.
- At least two car parking or garaging spaces must be provided in addition to turning space, for each dwelling. Parking provision should be increased according to the size of dwelling such that it is adequate to meet the needs of occupiers with additional space for visitors and deliveries so that overspill to the highway will not arise.
- 8 Secure storage for motorcycles and bicycles, and provision of recharging points for electric vehicles is encouraged.
- Adequate parking spaces for cars and commercial vehicles must be provided for all non-residential development including space for loading, unloading and manoeuvring to join the highway forwards in a forwards direction. Parking areas must not dominate the landscape or the street scene and should be adequately screened by trees or landscaping.

Wording clarified in clause 9.

14 Policy for Phone and Broadband services

The parish of Wellington Heath is not well-served by telephone-landlines, high speed broadband, or reliable mobile telephone signal. The number of lines for data and telephone services is limited, and Internet speed is unacceptably slow in many areas. The nearest fibre-enabled connection cabinet to the parish is at the junction of Bromyard Road at Beggars Ash and consequently Wellington Heath has very poor broadband speeds. This has a detrimental impact on both

L 1257

Section 14 extensively updated to reflect recent progress with improvements to broadband services.

local businesses and home users.	
Herefordshire's "Fastershire" website confirms that Wellington Heath parish will be included in the second phase of planned improvements of fibre broadband services. Developers will be expected to anticipate future fibre to the property services by installing appropriate underground ducting to the boundary of new premises. The community consultation exercise revealed that people would be prepared to accept a discretely designed and located mobile telephone mast to significantly improve the coverage of good strength mobile telephone signals. Telecommunication services in Wellington Heath have improved since 2018.	L 1257
A fibre broadband network installed by Gigaclear Ltd. is being gradually extended and is currently available for activation in approximately two thirds of homes and businesses within the parish.	
At present there is no evidence of any restriction of landline availability. Alternatives now include V.o.I.P. (Voice Over Internet Protocol) calling with selected providers.	
Mobile phone coverage remains patchy within Wellington Heath.	
15 <u>Monitoring and Review</u> Wellington Heath Parish Council will review progress towards achievement of the policy objectives set out in the NDP and report to parishioners at the Annual Parish Council Meeting.	L 1270
In August 2020 the Government announced a planning white paper entitled "Planning for the Future". Herefordshire Council is currently reviewing the Local Plan Core Strategy. When these are approved a further review of this NDP will be necessary.	L 1272 Describes the potential need for a future review of the NDP
The capacity of the Wellington Heath village sewage pumping station may be a constraint on further development and should be reviewed if more than 30 additional dwellings are connected.	
16 <u>References and Evidence Base</u> 1 NPPF; <i>National Planning Policy Framework;</i> 2019 <u>March 2012</u> ; Department for Communities and Local Government; url:	L 1277 Date of most recent NPPF now shown
16 References and Evidence Base housing market studies supporting the Herefordshire Local Plan Core Strategy	L 1277 Terminology
16 <u>References and Evidence Base</u> 13 Malvern Hills AONB Management Plan; <i>Malvern Hills AONB</i>	L 1277

Management Plan 2014- 2019-2024; url: http://www.malvernhillsaonb.org.uk/wp-content/uploads/2015/02/FinalLowResManPlan2014-19.pdf http://www.malvernhillsaonb.org.uk/wp-content/uploads/2019/04/64217-Malvern-Hills-AONB-Management-Plan-2019-24-v06.pdf	Most recent document now referenced
16 References and Evidence Base 17a AONB Guidance on how Development can Respect Landscape in Views (Aug 2019); url: http://www.malvernhillsaonb.org.uk/wp-content/uploads/2019/08/64339-MHAONB-Guidance-on-Respecting-Landscape-in-Views-v09.pdf	L 1277 Added new Malvern Hills AONB document of relevance to the NDP
16 References and Evidence Base 18a AONB Guidance on Lighting (Nov 2019) url: https://www.malvernhillsaonb.org.uk/wp- content/uploads/2019/11/MHAONB-Guidance-on-Lighting-final.pdf	L 1277 Added new Malvern Hills AONB document of relevance to the NDP
16 References and Evidence Base 23 Options for a Safe Walking Route Between Ledbury and Wellington Heath v02 WHNDP WG Transport Sub-Group. Available from Wellington Heath Parish Council on request	L 1277 Clarification of how this reference can be viewed
16 <u>References and Evidence Base</u> 24 WHNDP, Working Paper on Services, v05; 8 November 2016; C F Rozelaar. Available from Wellington Heath Parish Council on request	L 1277 Clarification of how this reference can be viewed
16 References and Evidence Base 26 Landscape Capacity Plan; WHNDP Figure 5 of the Landscape Sensitivity and Capacity Assessment Report; June 2016; url: Available from Wellington Heath Parish Council on request 27 December 2015 Questionnaire Summary Report; Wellington Heath Neighbourhood Planning Working Group, Neighbourhood Planning Questionnaires, Key Findings; undated; url:, (on the NDP web site) Available from Wellington Heath Parish Council on request 28 March 2016 Consultation Report; WHNDP: 19th March 2016 Consultation, Response Analysis, draft 2; 19 March 2016; Gordon Kirk; url: (on the NDP web site) Available from Wellington Heath Parish	L 1277 Clarification of how this reference can be viewed The dedicated NDP web site no longer exists. Alternative web sites or means of accessing archived documents are
Council on request 29 Wellington Heath Settlement Boundary Options V4.03 November 2016 Available from Wellington Heath Parish Council on request 30 Proposed Local Green Spaces in Wellington Heath V5.3 November 2016 Available from Wellington Heath Parish Council on request 31 December 2016 Consultation Report; 10 th December 2016 Consultation, Response Analysis, version 4; date 2 February 2017; Gordon Kirk; Available from Wellington Heath Parish Council on request	now shown. Clarification of how this reference can be viewed Clarification of how this reference can be viewed

32 WHNDP Consultation and Communication Statement; Wellington Heath Neighbourhood Development Plan Consultation and Communication Statement; url: https://www.herefordshire.gov.uk/downloads/file/13241/consultation_statement 33 Parish Policies Map A3; url: https://www.herefordshire.gov.uk/downloads/file/13242/wellington_heath_village_policies_map	Web address where these documents are available
16 References and Evidence Base [short title;] Full Title; date (as day month year or month year or year) or version (as version nn) or both); author (person or organisation); [url: www.etc]	L 1277 Formatting template for references removed