

# Bridstow Neighbourhood Development Plan

## Response to Examiner's Questions by the Qualifying Body (QB – Bridstow Parish Council)

### Examiner's Question

1. Issues and Objectives - In response to the HC Environmental Health representation on noise, I am proposing to recommend adding the following to objective 4c): "Avoiding noise sensitive development on sites with unacceptable levels of traffic noise close to the trunk roads." Would the HC and QB comment on whether an additional paragraph in the Issues section would be helpful to set out the context for the consideration of the impact of road noise on housing development? If so, would they provide me with suitable text.

### QB Comment:

The bifurcation of the Parish by both the A40 and A49 Trunk Roads creates significant problems of noise on some potential development sites. This was a major issue in recent planning decisions in relation to a proposed housing development on Wilton Lane and it was the basis of objections by Herefordshire Council Environmental Health officers to two sites which were put forward in earlier drafts of the NDP (Wilton Cottages and Whitecross).

This addition would be helpful.

### LPA Comment:

To include the additional paragraph above, setting out the context would be helpful.

### Examiner's Question

2. Objective 2b) "significant danger resulting from contact with vehicles" is an unusual form of wording. Can the LPA / QB suggest a suitable alternative that can be more easily measured.

### QB Comment:

Would the Examiner be happy to replace this with:

*'Avoiding development where this would result in significant potential danger through conflicts between vehicles and pedestrians.'*

There are locations where this may be an issue, especially close to Bridstow Primary school.

### LPA Comment:

The amended text is acceptable. Maybe remove the word potential, so it reads *significant danger*.

### Examiner's Question

3. Objectives 3b) and 3c) - there do not appear to be policies in the plan that relate to these objectives.

**QB Comment:**

The objectives were set through community consultation at the commencement of work upon the NDP. However, the Examiner is essentially correct. None of the potential development sites offers any opportunities to address the issues involved, either directly or through generating funding through S106 or CIL financial contributions.

Objective 3c) was added at the request of Herefordshire Council's Transportation section (see Schedule of Representations under S1). Herefordshire Council's Transportation section referred to this in relation to paragraph 3.20.

**Examiner's Question**

4. Policy BR1 – There is a degree of overlap between this and subsequent policies. To avoid various forms of wording on the definition of major development in the AONB, I am proposing to delete the second sentence of point a) "Major development ...satisfactory degree." Would the QB confirm that this is satisfactory.

**QB Comment:**

In line with the clear findings from the public consultation the PC is opposed to any potential major development.

**Examiner's Question**

5. Policy BR2 – Why are different terms used in different villages for settlement boundary and development boundary?

**QB Comment:**

The intention was to reflect the differing settlement forms with Bridstow comprising a number of clusters rather than one settlement area, whereas Wilton comprises one built-up area. However, it is agreed this may not be of significance to the local community and hence is unnecessary. The use of settlement boundary in both instances is preferred.

**LPA Comment:**

It is standard practice in Herefordshire to use the term Settlement Boundary in NDPs.

**Examiner's Question**

6. Policy BR4 – Would the PC provide me with the evidence to support the definition of the Strategic Green Gap between Bridstow and Wilton. Unless the evidence to justify this designation is convincing, I am proposing to recommend that point d) is deleted. In any case I am not convinced that it is strategic in nature.

**QB Comment:**

Avoiding the effective coalescence of Bridstow and Wilton was an objective set by the original Working Group, following the matter being highlighted in a public consultation, and endorsed by the PC. The possibility of housing development within the field separating the two settlements arose through the submission of this land to Herefordshire Council under its 'Call for sites' when preparing its Strategic Housing Land Availability Assessment. Any suggestion that the presumption against such a development is being weakened would cause considerable public concern.

The gap is visible from 'The Prospect', Ross-on-Wye, a nationally recognised garden and viewpoint over the River Wye created by John Kyrle and associated with the John

KyrleWalk. (see [http://www.ross-on-wye.com/index.php?page=ross\\_060-The\\_Prospect&pg=1](http://www.ross-on-wye.com/index.php?page=ross_060-The_Prospect&pg=1) ). The gap is an essential component of this historical perspective with Wilton Castle in its foreground. The Castle and its landscape setting, are important elements within the historic Wye Tour (1782) identified in the 'Romantic period' (<https://www.eupublishing.com/doi/abs/10.3366/rom.2013.0125?journalCode=rom> ). The tour started at Ross-on-Wye and finished at Chepstow (see <https://romantic-circles.org/gallery/exhibit/a-visual-revolution-on-the-wye-tour> ) and reputedly is the start of tourism within the region. Hence its heritage value is significant. Not only does the gap separate the settlements of Wilton and Bridstow but it also forms the setting to Wilton Castle and to the Old Vicarage, an imposing Listed Building that overlooks the River Wye.



Strategic Gap between Wilton/Ross-on-Wye and Bridstow, viewed from The Prospect – This forms the setting for Wilton Castle centrally within its foreground surrounded by trees, the Old Vicarage standing on top of the crest on its northern edge. The A40 is largely hidden by trees. View from The Prospect.

Its importance is greater than local. The landscape's 'natural beauty' is protected by the AONB designation. However, its significant cultural and heritage value as explained above needs to be acknowledged and recognised as a historic landscape. Given this significant cultural and heritage value, the Examiner's advice upon whether, as an alternative, the area is of sufficient size to qualify as Local Green Space (Policy BR21) would be welcome.

The designation and use of 'strategic gap' within an NDP has been utilised elsewhere – locally in the adopted Cradley Parish NDP, Policy CNDP8 - see [https://www.herefordshire.gov.uk/downloads/file/11048/neighbourhood\\_development\\_plan\\_may\\_2017](https://www.herefordshire.gov.uk/downloads/file/11048/neighbourhood_development_plan_may_2017)

### **Examiner's Question**

7. Policy BR5 – Are Moraston House and Ashe Ingen Court the only unregistered parks and gardens in the parish? If so, they should be named in the policy and shown on the Policies Map. Is it intended that they should be considered as local heritage assets? Have the owners been consulted on the policy and designation?

**QB Comment:**

They are not new designations but notified to the Parish Council by Herefordshire Council in its Environmental Scoping Report.

[https://www.herefordshire.gov.uk/downloads/file/9348/sea\\_scoping\\_report\\_june\\_2015/](https://www.herefordshire.gov.uk/downloads/file/9348/sea_scoping_report_june_2015/).

Others listed in that document lie outside of the Parish close to its border.

They were designated by Herefordshire Council in around 2001 following work in association with Herefordshire and Worcestershire Gardens Trust (see 'A Survey of Historic Parks and Gardens in Herefordshire' published by that Trust). They are also highlighted as landscape parks on Herefordshire Council's Historic Environment Record (Moraston House – SMR 24553; Ashe Ingen Court SMR31693). They are both listed in Herefordshire Core Strategy Appendix 8d and previously in Herefordshire Unitary Development Plan. Herefordshire Council will need to advise upon designation and its policy references.

They are not shown on the Core Strategy Policies Map and hence the suggestion that they be shown on the NDP policies map is useful. It is understood that NPPF section 16 in particular paragraphs 189, 190, 192 and 197 and Core Strategy policy LD4 are relevant.

**LPA Comment**

HC do not include Unregistered Parks & Garden's onto NDP Policies Maps. This is to keep them in line with the Core Strategy Policies Maps (Where only Registered Parks & Garden's are shown) this is also to keep them in uniformity with the 82 adopted NDP's in the County. If the Examiner feels that they need to be shown in some way that the Parish should insert maps into the NDP in the relevant section to show the boundaries of the Unregistered Parks & Garden's. To ensure the maps are in uniformity with our adopted NDP's.

**Examiner's Question**

8. Policy BR5 - I am proposing the following modifications to the wording of this policy. Would QB and LPA comment on them.

- a. Revise the first paragraph to read: "...should protect, conserve and where possible enhance."
- b. Revise point a) to read: "Developments that may result in substantial harm or loss of the Scheduled Ancient Monuments and Grade I and II\* Listed Buildings at Wilton Castle and house attached, Wilton Bridge and Sundial, Churchyard Cross at St Bridget's Church, St Bridget's Church and their settings should be wholly exceptional and will require clear and convincing justification."
- c. Delete points b), c) and g) to avoid unnecessary repetition of national and strategic policies.
- d. Revise point d) to read "conserves or enhances...."
- e. Revise point f) to read: "...within the unregistered parks and gardens at Moraston House and Ashe Ingen Court to proceed ....."
- f. To avoid the use of "may be permitted", revise the second sentence of point h) to read: ".....New development associated with historic farmsteads should respect the historic form of the farmstead as demonstrated through thorough research of historic documents to secure a design of exceptional quality."

**QB Comment:**

a) Change acknowledged as appropriate.

b) The Examiner's advice upon the inclusion of Grade 1 and 2\* listed buildings in this criterion and not Grade 2 would be welcome given it is understood that although there are differences in terms of the level of interest within the grades, the degree of protection does

not vary between grades. By excluding Grade 2 Listed Buildings, the change suggests that it does. That is why the NDP proposes a separate provision relating to development that might affect features and setting of Listed Buildings. It is recognised that not all Listed Buildings could be listed in a policy but provided at Appendix 1. An alternative might be to list the Scheduled Ancient Monuments and then refer either to Listed Buildings or 'other designated heritage assets'

c) In relation to criterion b), it is understood this was recommended by a Herefordshire Council planning officer and its archaeological adviser in other NDPs; criterion c) national policy is acknowledged although refer to b) above; criterion g) national guidance (NPPF paragraph 194) asks for the significance of a heritage asset affected by development to be described, or for desk-based assessments/field evaluations to identify what might be present. We are not aware that it requires heritage impact assessments which would look at how development would affect such assets. We are aware that Historic England has published advice upon when these are required and how they should be carried out.

d) Change acknowledged as appropriate.

e) Change acknowledged as appropriate and adds positively to the policy.

f) Change acknowledged as appropriate.

**HC Comment:**

Examiner's recommended changes to points A,B,C,D,E,F accepted.

**Examiner's Question**

9. Policy BR6 - will the QB supply a map of the ecological corridors referred to under Policy BR6.

**QB Comment:**

Appendix A below shows the Ecological Corridors within the Parish. These have been extrapolated from Herefordshire Council's Ecological Network Map ([https://www.herefordshire.gov.uk/downloads/file/1594/ecological\\_network\\_map.pdf](https://www.herefordshire.gov.uk/downloads/file/1594/ecological_network_map.pdf)) utilising additional information from the Environmental Scoping Report and Google Earth.

**Examiner's Question**

10. Policy BR7 – this policy adds nothing to national and strategic policies. I am proposing to recommend that the policy is deleted and paragraph 6.8 is retained to describe local conditions.

**QB Comment:**

Flood risk, especially from storm/surface water flooding, is a significant local concern and its inclusion in the NDP has given reassurance to residents. It is understood this approach has been used in other NDFPs and its provisions found to meet the Basic Condition. The Environment Agency has highlighted the fact that work upon the Water Cycle Study for Herefordshire Local Plan Core Strategy does not cover drainage for its rural communities. Hence this is an issue that needs to be highlighted wherever possible even should it mean there is duplication.

Should the Examiner still wish to delete the policy, it is hoped that the last provision to encourage SUDs with biodiversity benefits could be retained, possibly in another policy such as BR9. In this regard its current form could be inserted as another criterion.

**Examiner's Question**

11. Policy BR8 – Is this policy necessary given the comments by Welsh Water that the reinforcement scheme at Lower Cleave WwTW has been completed? I am proposing to retain paragraph 6.9 to be amended as proposed by the QB.

**QB Comment:**

There remains the need for a precautionary approach given that there is both point source and diffuse pollution, particularly phosphates, along the River Wye SAC and evidence that its condition is deteriorating. Many forms of development in the Lugg sub-catchment cannot proceed and this is now becoming a greater problem in the Upper Wye Sub-catchment. This may subsequently translate to problems in the Lower Wye Sub-catchment. We understand that a Nutrient Management Plan is being reviewed in the light of a legal case. Whether this will result in the Environment Agency reviewing its drainage consents in terms of phosphate levels from WwTWs outflows is unknown, but we believe Welsh Water is reviewing its programme to deliver improvements. Hence this is considered an important precautionary measure.

**Examiner's Question**

12. Policy BR9 – would the QB and LPA comment on the following:

- a. Point c) is this deliverable given the location of housing allocations at some distance from community facilities?
- b. Point d) second part – enabling a sustainable drainage system - what does this relate to?
- c. Point g) does “reducing waste” refer to construction waste? Would HC confirm whether or not this is deliverable - can minimising construction traffic and waste be addressed through planning conditions?
- d. Point h) To reduce repetition. I am proposing to amalgamate this with point b) of Policy BR10 to read: “they should be of a high quality and fit sensitively within the street scene and landscape and reflect locally distinctive features to maintain the area’s cohesive character.”
- e. HC Environmental Health made a representation on noise to Policy BR13 and the inclusion of 2 sites in the settlement boundaries which have been considered unsuitable as housing allocations. In view of my proposed recommendation to amalgamate Policies BR13 and 14, I am proposing to recommend adding a new criterion to Policy BR9 to apply to all housing development as follows: “Locating noise sensitive development, including housing, in locations that are not subject to unacceptable levels of noise from highways and ensuring effective measures are taken to ensure that ambient noise levels both indoors and outdoors are acceptable.”

**QB Comment:**

- a. It is accepted that the removal of the site opposite Wilton Cottages as a housing allocation significantly limits the ability to achieve all of the elements within this particular criterion. Perhaps ‘should’ might be altered to ‘could’ in the second sentence of the introductory paragraph before ‘include’ as an acknowledgement that the ability to meet all of criterion a) is limited.
- b. As referred to under Q10, storm water drainage is an important local issue and hence there is concern that new development may exacerbate storm water flooding. It is understood that the Lead Local Flood Authority is increasingly seeking storm water drainage strategies in association with development proposals in areas where there is potential for storm water flooding. Herefordshire Council is also looking at promoting

wetlands as one of the measures aimed at addressing the phosphate problem associated with the River Wye SAC contributing to measures for development to be nutrient neutral. Consequently, where drainage and potential pollution is a problem, solutions to benefit existing as well as new properties may be available through combined arrangements. We are aware that this approach has been sought in other NDPs that have been adopted.

c. It does refer to construction waste. Again, we are aware that this approach has been used in other NDPs that have been adopted.

d. Noted

e. This suggestion is supported.

**LPA Comment:**

A. Point C- To point A wording suggestions by the QB, acceptable-this will give policy greater flexibility.

C. It is possible to restrict construction times through planning conditions. There are conditions to manage construction and site waste.

D. Accepted.

E. Accepted.

**Examiner's Question**

13. Policy BR10 - delete point b) as this is proposed to be incorporated in Policy BR9h).

**QB Comment:**

Noted and accepted but can BR9h) also include landscape – i.e. ‘..... *street scene and landscape as appropriate and incorporate* .....’

**Examiner's Question**

14. Policy BR11 – this is a Community Action and not a planning policy. I am proposing to recommend that it be placed in a separate section of the Plan titled Community Actions.

**QB Comment:**

Noted and accepted. The actions are a response to Herefordshire Local Plan Core Strategy policy SS4 (4<sup>th</sup> section) which indicates it will work with local communities.

**Examiner's Question**

15. Policy BR12 - I have concerns about the deliverability of criterion b) as a development proposal cannot be required to avoid on street parking or address existing on street parking problems. I am proposing to recommend that it be revised to “Adequate provision of off-street parking for residents and visitors.”

**QB Comment:**

Noted and accepted. It had been hoped that the inclusion of ‘if possible’ in relation to this criterion would have addressed any concerns. This is understood to be a solution advocated in other NDPs.

**Examiner's Question**

16. Policy BR12 - The implementation of criteria c) and d) will involve matters of judgment and they should be worded as “should”.

**QB Comment:**

Noted

**Examiner's Question**

17. Policies BR13 and 14 – the criteria in these policies largely repeat those in other policies in the NDP. I am proposing to recommend that the policies should be amalgamated and that the decisions on development proposals should be made in accordance with other policies to avoid repetition. Unless there is clear justification, the terminology to describe the boundaries should be the same for all settlements. Would the QB and LPA comment on the following proposed wording to combine them: “Development boundaries have been defined for Bannutree, Buckcastle Hill, Claytons and Wilton on the Policies Maps. Housing development on sites allocated under Policy BR15 and sensitive infilling will be supported within the development boundaries that satisfy other policies in the development plan.”

**QB Comment:**

Agreed but prefer ‘settlement boundaries’

**LPA Comment:**

Accepted, the amalgamating of the policies will provide clarity and make the policy more concise. It is standard practice in Herefordshire NDP's to refer to this as settlement boundaries, so would recommend using this term instead of development boundaries.

**Examiner's Question**

18. Policy BR15 – would the QB and / LPA comment on the following:

- Has an assessment of the cumulative impact of the committed and proposed allocations in Buckcastle Hill been undertaken on highway safety?
- Have assessments been undertaken that demonstrate that access to each site is feasible? Are the LPA and QB satisfied that all the sites are deliverable?
- Paragraph 8.19 – the site is outside the area of special character. Is the fifth bullet point appropriate? The 2nd bullet refers to TPOs being used. Planning conditions are usually applied to new development to protect trees.
- Paragraph 8.20, sixth bullet point (“Measures may be required...”) What is this referring to and what is envisaged?
- Paragraph 8.21 – 4 th bullet - what is the justification for a signature building reflecting a gatehouse for this development?
- Paragraph 8.21 – 9 th bullet – there is no dwelling to the west of the site. What is this referring to?
- What is the reason that site W2 at Wilton has not been allocated when it ranked no 6 in Table 1 of the Housing sites assessment report? Was it following objections on the grounds of noise from Environmental Health? If so, the Sites Assessment Report should be updated to reflect the objections to and rejection of sites on noise grounds.

**QB Comment:**

a. No specific assessment has been undertaken. Advice upon this has been sought from Herefordshire Council as Highway Authority on a number of occasions without success. This is why policy BR12 includes the last paragraph requiring highway assessments at the time of planning applications so that Herefordshire Council would assess the effects of development on the highway network (this would also cover issues arising from proposals with access onto trunk roads which are controlled by Highways England). There remains uncertainty that sites can be delivered which

is reflected in policy BR15 - development can only proceed should policy BR12 be met. Contingency arrangements have been included in the plan through the agreement with Ross-on-Wye Town Council and timing of and arrangements for a review of the NDP should highway capacity prove to be a constraint before the required level of housing growth has been met.

There were no highway comments from Herefordshire Council at the Regulation 16 consultation stage and the Parish Council subsequently wrote to Herefordshire Council to ask for its view upon the capacity of the Hoarwithy Road at Buckcastle Hill to accommodate housing development. The response received (dated 21<sup>st</sup> April 2021) was:

*The Highways Development Management Team have reviewed the draft NDP and would make the following comments on its content. These relate to the operation of the local highway network. It is recognised that the A49 and A40 in the vicinity of the parish are under the control of Highways England and they are best placed to comment on aspects that impact upon the national strategic road network.*

*The previous comments have been reviewed and the content of the updated regulation 16 plan updated to reflect the comments made, these are primarily focused on the need to deliver sites following robust assessment of the transport implications of the site (along with mitigation to reduce impacts and encourage modal shift to active modes wherever possible). This approach is supported and accords with wider HC policies. In addition, the plan consistently applies a requirement to deliver compliance with Herefordshire Council's Highways Design Guide for New Developments.*

*It is noted that the specific sections of the network that were highlighted by the team previously have been included appropriately for developers to consider prior to developing schemes on the sites identified. An example of this is the likely need for traffic management provisions near Rock Cottage.*

*The proposed regulation 16 draft is considered appropriate for delivering the transport requirements for the developments put forward by the NDP and the Highways Development Management Team have no further comment to make at this time.*

*Sorry for the delay.*

*Kind regards*

b. The Parish Council considered whether sight-lines were available in accordance with Herefordshire Council's Highways Design Guide for New Developments and the assessment is set out in the Meeting Housing Needs and Site Assessment report. The Parish Council is aware, however, that the guidelines have not always been met yet development permitted.

c. That appears to be a drafting error. It was included in the Area of Special Character in the Regulation 14 draft and no alteration was proposed. It would appear that confusion has arisen as a consequence of it also being an allocated site with overlapping colours. If the area cannot now be included within policy BR16, then the reference will need to be amended to: *'care will be needed to ensure the location within, landscaping and building design reflects the built and landscape character of this part of the settlement in accordance with policy BR10 a) and b).'* It is acknowledged that trees can be protected by condition, but it is also a legal requirement under the Planning Act *'to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.'* The provision in paragraph 8.19 indicates this should be used *'where appropriate'*.

d. This arises from the dismissed appeal upon this site. That appeal covered the area on both sites of the access track to Foxdale (See planning application code P142930/O, December 2014) which identified, among others, that the impact of development on the landscape of the AONB was a significant constraint. Notwithstanding this provision, it is unlikely that additional development beyond that indicated in the plan would be permitted because of limited sight-lines.

e. Herefordshire Council, in determining an application for 8 dwellings on the opposite side of the road at Littlefields (Code P181237 November 2018) identified that the wider landscape in this vicinity had a parkland appearance. The Examiner may wish to consider whether such a development form is appropriate in this instance.

- f. This is an error – the dwellings is ‘The Nook’ on the south-west edge of the site.
- g. The Site Assessment Report has already been published. To be transparent, would it be more appropriate to publish an addendum to explain that the PC has accepted the advice of HC’s Environmental Health Section in relation to this site (and also the site along the A49).

**LPA Comment:**

A/B. A transport assessment would be required with any planning application and that our Highway section consider the Reg16 draft appropriate to ensuring this is considered prior to permission being granted. They have not directly suggested that any sites are not deliverable on transport terms.

**Examiner’s Question**

19. Policy BR16 –

- a. The road network serving this area is extremely poor. How will development proposals be assessed against criterion f)?
- b. What is the anticipated windfall allowance for this area?
- c. To avoid the use of the term ‘will be permitted’ I am proposing to recommend that the second sentence of the first paragraph of the policy should be revised to: “Within this area, very low density housing development will be supported where it retains or enhances the character of the area and where it meets the following requirements:” A definition of “very low density” may be included in the Glossary to increase the clarity of the policy requirement.
- d. A planning policy cannot stipulate that TPOs should be made. I am proposing to recommend that “including through the use of Tree Preservation Orders in relation to trees” from criterion
- e) should be deleted.

**QB Comment:**

- a. A transport assessment under criterion f) would be considered by Herefordshire Council, as local highway authority who appear to support this approach - see Q18 above.
- b. No specific allowance has been estimated but given the indication that sites should not be smaller than 0.1 hectare it might accommodate around 6 to 8 dwellings in addition to the five upon the proposed site adjacent to Oaklands and outstanding planning permission north of The Woodlands (shown on the Buckcastle Hill Policies Map). However, the ‘Call for Sites’ only resulted in one submission suggests that currently the interest is small. T site at Oaklands was actually solicited by a PC approach rather than coming from a proposal by the landowner through the ‘Call for Sites’
- c. Noted
- d. Given that the policy indicates trees and hedgerows should be retained, presumably this can be achieved through a number of means so this is noted.

20. Policy BR17 –

- a. I am proposing to revise criterion d) to read “.....and should avoid the loss of best and most versatile agricultural land, where possible.” to better reflect the wording of the NPPF.
- b. I am proposing to revise criterion h) to read “.....enterprise can be fully mitigated.” The final part is unnecessary and should be deleted (and where they cannot, permission will be refused.)

**QB Comment:**

- a) Noted
- b) Noted

**Examiner's Question**

21. Policy BR18 – a. Would the QB provide me with the definition of large and medium scale renewable or low carbon energy developments to be used in the interpretation of this policy. b. To avoid repeating the definition of major development in the AONB, I am proposing to revise the last paragraph of the policy to read: “.....will not be supported except in exceptional circumstances as set out in the NPPF and Policy BR3.”

**QB Comment:**

- a. The following addition in italics is suggested:

*'Herefordshire Council's Renewable Energy Study indicates that the Parish falls outside of the resource area for large and medium scale wind energy although it indicates that the Wye Valley AONB may not be suitable for wind turbines, it could still benefit from other technologies. That study defines large and medium sized wind turbines although for the purposes of this policy these would be turbines larger than 100kw. Turbines at or below this figure would normally be those used by individual homeowners or farmers for on-site electricity consumption. Of the other technologies, there may be potential for biomass and solar energy production. In determining whether the scale of buildings and infrastructure associated with these would amount to major development, proposals would need to be comply with Wye Valley AONB Management Plan policy WV-U1 and criteria listed in NDP policies BR3 and BR17. There is no scope for hydro-electricity within the parish. Heat pumps are generally at the individual property scale.'*

- b. Noted

**Examiner's Question**

22. Policy BR19 – Is polytunnel development in the AONB considered to be acceptable under the provisions of the Council's planning guide on polytunnels? Does criterion a) accord with the Council's policies?

**QB Comment:**

There are a number of locations where polytunnels have been permitted within the Wye valley AONB. This includes in the neighbouring parish of Walford. Herefordshire Council has not objected to the policy and the criterion in question has been found to meet the Basic Condition in Peterstow NDP, a neighbouring parish (see [https://www.herefordshire.gov.uk/downloads/file/16231/neighbourhood\\_development\\_plan\\_october\\_2018.pdf](https://www.herefordshire.gov.uk/downloads/file/16231/neighbourhood_development_plan_october_2018.pdf) )

**LPA Comment:**

In general Policy BR19 is aligned with the guidance set out in the HC 2018 Polytunnels Policy Guidance. The guidance suggests often large scale development, sheer coverage and scale of it has a harmful impact to landscape character. It is recommended for applicants to consider the cumulative impact on polytunnel coverage and recommends polytunnel development in the AONB, to limit size of polytunnel blocks to break up total mass or other mitigation measure to ensure impact of landscape is mitigated. [polytunnels planning advice guide \(herefordshire.gov.uk\)](https://www.herefordshire.gov.uk/downloads/file/16231/neighbourhood_development_plan_october_2018.pdf)

**Examiner's Question**

23. Policy BR20 – I am going to recommend that the community facilities and their curtilages should be shown on the Policies Map.

**QB Comment:**

Noted and these can be added to the Bannuttree Policies Map.

**LPA Comment:** Accepted.

**Examiner's Question**

24. Policy BR21 – does the registration of the area of village green give it effective protection? What additional benefit will be gained by designating it as a Local Green Space?

**QB Comment:**

The designation acknowledges this area to be an important component within the settlement contributing to its sense of 'place'. The Parish Council believes the area concerned meets the provisions of NPPF paragraph 102, viz;

- It is in reasonably close proximity to the community it serves.
- It is 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;
- It is local in character and is not an extensive tract of land.'

It is recognised that the designations are similar and confer similar protections. However, there are provisions that allow for the removal of village green designation just as a review of the NDP might result in a change. The qualifying criteria for Local Green Space are such that its designation is likely to endure beyond the plan period.

**Examiner's Question**

25. Policy BR22 – it is considered that this does not add any locally specific policy requirements to CS Policy ID1 and I am proposing to recommend that it should be deleted; the justification may be retained.

**QB Comment:**

Noted – especially as the levels of development anticipated are unlikely to result in any income and Herefordshire Council shows no sign of bringing forward a CIL scheme. It is though noted that in promoting NDPs to parish councils, Herefordshire Council emphasised the potential benefits that these would bring to local communities in terms of enhanced payments they would receive through CIL.

**Examiner's Question**

26. Paragraphs 11.2 and 11.4 include actions by the Parish Council. I am proposing to recommend that those in para 11.2 are deleted and those in para 11.4 are placed in the section on Community Actions

**QB Comment:**

Noted

**Other matters:**

1. We are aware that HC planning officers are now asking that NDPs contain a list of policies for ease of use. This can be included should the Examiner wish.
2. Since the NDP was drafted, a new NPPF has been published and paragraph references need to be updated. The following are referred to in the NDP:  
Currently in the NDP:- paragraphs 79e), 118, 170, 172, 174, 175, 189.  
New numbers to replace these, respectively:- paragraphs 80e), 120, 174, 176, 179, 180, 194.

**Appendix 1: Diagram of the Ecological Corridors**

