

Dormington and Mordiford Group Neighbourhood Development Plan 2025 – 2031

Dormington and Mordiford Group Parish Council Responses to the Initial Comments of the Independent Examiner

1.0 Introduction

- 1.1 The Parish Council would like to thank the Examiner for forwarding his initial comments as set out in the document, '***Dormington and Mordiford Group Neighbourhood Development Plan 2025-2031 Initial Comments of the Independent Examiner Prepared by JOHN SLATER BA(Hons), DMS, MRTPI, FRGS John Slater Planning Ltd 23rd June 2025***'. The Initial Comments document has been published in the Examination folder of the neighbourhood plan page of the Parish Council's website.
- 1.2 The Parish Council (advised by the Neighbourhood Plan Steering Group) sets out its responses to the Examiner's Initial Comments in the Table below. Responses from Herefordshire Council are provided separately.
- 1.3 The Parish Council's responses were approved by the Parish Council at the meeting on 16th July 2025.

2.0 Table of Responses

Examiner's Comments	Parish Council Response
Regulation 16 Comments	
5. I appreciate that the Parish Council has already been invited to comment on the representations that were submitted to the latest submission version of this neighbourhood plan, during the Regulation 16 consultation. I would request the Parish Council to offer any comments that it wishes to respond to, in its response to this note.	Completed and sent to HC for sending onto examiner. JC to add the PC responses to the Initial comments from the examiner, to PC website.
6. I would specifically highlight the recent letter from Natural England dated 20th June 2025 which was forwarded to me and which I am accepting as a late Regulation 16 representation. If the Parish Council wishes to comment on that letter, then that	The PC does not have any specific comments to make on the letter from NE. The PC raised some concerns with Herefordshire Council following consideration of NE's comments submitted

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would be appropriate. I would ask both the Parish Council and Herefordshire Council to publish the from Natural England on the respective websites.	in response to the Regulation 16 consultation and is content with the potential acceptable scenario/solution for a Neighbourhood Plan to come forward ahead of the new Local Plan being adopted in 2028, as set out in NE's letter. NE's letter is published in the Examination folder of the neighbourhood plan page of the Parish Council's website.
Neighbourhood Plan Policies Policy DM1: Conserving and Enhancing Local Landscape Character	
7. Is it necessary for the policy to differentiate between the need "to conserve and enhance local landscape character" across the plan area and separately "to conserve and enhance the landscape and scenic beauty of the Wye Valley AONB" as the requirements for the AONB are set out in the last sentence of the first element of the policy?	Additional text referring to the WVAONB was added to the policy and supporting text following detailed comments submitted by the AONB at the Reg 14 consultation stage. A large part but not all of the Parish is within the AONB and it is appropriate to differentiate between the need to protect the special landscape characteristics of the AONB and the landscape character of the rural area to the north of the Parish outside the AONB's boundary. However, if the examiner considers that the landscape character across the whole of the parish should be given similar recognition and protection the PC would support this as a change to the policy.
8. I know the seventh part relates specifically to the AONB, does that duplicate the requirements set out in paragraph one of the policy?	The final sentence of Part 1 requires proposals <u>to not harm</u> certain elements and Part 7 requires proposals to <u>fully consider and assess</u> factors that contribute to the natural beauty (and lists these in greater detail). The PC would support deletion of the final sentence of Part 1 and retaining Part 7 in its entirety and adding 'important views'.
9. In the second element of the policy, reference is made to "Exceptional Key Views". Are these different to the identified Key Views?	Yes. Delete 'Exceptional' – this is an error.
10. Can Herefordshire Council clarify what its requirements are for the submission of a Landscape and Visual Impact Assessment as set out in its local validation list?	N/A – HC to respond.

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11. I would ask the Parish Council to check the orientation of the arrow in respect of viewpoint 3 which I believe should be in the direction NNW, across the road from the parking area and also viewpoint 5 which is shown as looking to the east when the view is towards the sunset to the west?	Disagree - Orientation of VP3: arrow on Map 3 is correct, looking due west towards Priors Frome. Agree - Orientation of VP5: arrow on Map 3 is incorrect by 180 degrees.
12. Can I also check the viewpoint 10 with reference to the position of the arrow as the photo shows a view down the river - Is that a specific vista and can it be shown in greater detail for the purpose of a future landscape assessment or is it intended to be a typical river view in which case it is not covered by the AONB landscape protection. Similarly is viewpoint 11 a specific viewpoint or is it intended to be a more typical view of a country lane in this part of the parish?	VP 10 – is a typical river view. VP 11 – is a typical country lane view.
13. Can Herefordshire Council clarify the status of the Position Statements referred to in the last part of the policy? Are they part of the development plan or the evidence base for the Local Plan and have they been subject to public consultation? Please send me a link to the statements.	To note, on 24 th June 2024, the PC steering group met with HC and Wye Valley National Landscape Team (Josh Bailey), to discuss the draft plan which resulted in revised settlement boundaries for Mordiford and Priors Frome, as per email of 2 nd July 2024. See Reg 14 PC webpage: https://dormingtonmordifordgroup-pc.gov.uk/ndp-regulation-14-consultation-results-july-2024/
<p>Policy DM2: Local Green Space</p> <p>14. On my site visit, I noted that much of the pond area identified as Lime Kiln Pond area is heavily overgrown and I would question what its recreational value is or indeed, in what respect it is important to the richness of wildlife to warrant protection as local green space. I would welcome the Parish Council's views about whether the area of that particular local green space should be restricted to the area around the fenced off kilns, which I accept is of historical and cultural value.</p>	<p>The PC values this pond for its historic use and also wishes to restore it so that it is an asset to <u>for</u> local people who once used it as their water source - and an attractive amenity for visitors walking on the Mordiford Dragon Trail. <u>The PC therefore would not wish to restrict the area and the pond, whilst heavily overgrown at present, should be included.</u></p> <p>Note that Scutterdine Quarry located a few hundred metres distant across the road is a pond and an SSSI, whilst this pond has not yet been subject to an ecological survey,</p>
Policy DM3: Biodiversity	N/A – HC to respond.

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15. I would welcome the views of Herefordshire Council as to how it believes this policy sits along the new statutory biodiversity net gain requirements which have now been implemented which envisages that these matters are to be dealt with as a post permission matter.	
<p>Policy DM4: River Wye Special Area of Conservation (SAC)</p> <p>16. I would question whether this policy adds any local dimensions to the existing policy which is set out in the Core Strategy, and which already covers the parish. Essentially, it is a policy requiring an applicant comply with existing policy and it could be argued is unnecessary duplication contrary to the requirements of paragraph 16 f) of the NPPF. Can the Parish Council elaborate on what extra value the policy delivers.</p>	<p>Please could HC respond to this as well.</p> <p>The Policy is a standard policy and is recommended by HC for use in all NDPs in Herefordshire.</p>
Policy DM6: Sustainable Design	
<p>17. The Planning Practise Guidance states that a policy “should be drafted with sufficient clarity that a decision maker can apply consistently and with confidence when determining planning applications”. I am concerned that a decision maker would not necessarily know whether development proposal was using “the most up-to-date, effective and efficient design and technologies to ensure principles of sustainability are incorporated at all stages of a building's lifetime”. Is the Parish Council expectation that planning applications should seek to go beyond the requirements of the building regulations and what aspects of the design is the policy seeking information on ?</p>	<p>The detail is in the relevant design codes and the decision maker is guided to those in the Policy.</p> <p>However, the PC suggest <u>would prefer</u> that applicants <u>should strive to</u> meet or exceed HC's policies.</p>
<p>18. I have reviewed the Design Guidelines 13-16 and the aspirations are expressed as new development “should aim to ...” Is the expectation that these matters are ones that the neighbourhood plan is encouraging, rather than requiring schemes to incorporate as part of the decision-making process?</p>	<p>The PC agrees encouragement rather than requirement as whilst these are desirable and technical requirements, they are likely to change over time.</p>
Policy DM7: Housing	

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19. Does the Parish Council support the conversion of existing buildings which lie outside of settlement boundaries to housing as advocated by paragraph 84 of the NPPF?	Yes - provided that they are of suitable design and scale as set out in the Design Guide and related NDP policies.
20. Is the expectation that the requirement to meeting local needs only relates to the part of the parish falling within the AONB?	No. This should apply to all areas within the Parish and neighbourhood plan boundary.
21. Is the intention that the expectation to deliver premises suitable for older residents to downsize to, should be subject to restrictions on occupation to these age groups, or is there in need to evidence a connection to the local community or is the intention merely to promote the supply of housing that meets these local housing needs?	The intention is to promote the supply of housing that meets local housing needs.
22. Can Herefordshire Council confirm whether the amalgamation of two properties into a single property actually constitutes development which requires planning permission?	N/A – HC to respond.
23. Is the figure of a maximum of 25% of market houses to be accommodated on rural exception sites, fixed or should it be subject to financial appraisal as suggested in paragraph 5.3.42.	Outside the AONB, H2 applies to Rural Exception sites. There are different rules which apply within the AONB (see 24 below).
24. Can the Parish Council clarify whether the requirement set out in the final requirement does or does not apply to rural exception sites outside the AONB?	Please could HC confirm this? The PC's understanding is that this does not apply to rural exception sites outside the AONB. But would follow HC Policy H2. It does apply within the AONB (see AONB feedback (Reg 14 consultation Table 1 – 6.3, and Table 2, items 10.18/10.19). See Reg 14 PC webpage: https://dormingtonmordifordgroup-pc.gov.uk/ndp-regulation-14-consultation-results-july-2024/
Policy DM8: Site Allocations	
25. What is the justification for advocating a lower density on the Site DM8/1 Sufton Cottage than on the adjoining Sufton Rise site. Why is that site not considered suitable for affordable housing as per Policy DM7.	The lower density is necessary to help ensure new development is sensitive to the location within the AONB and the scattered settlement pattern of Woolhope Dome as explained in the Policy. One of the key aims of the NDP is to ensure future development is as sensitive as possible to its beautiful landscape setting.

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	Opportunities should be taken to ensure a high quality of design is delivered, and development does not simply replicate existing modern / recent developments.
26. In terms of the Fort house site, I assume that the principle of its development is already established by policy DM 7 as it is a site within the settlement boundary. In that case, why is it only acceptable for a new house if it meets Passivhaus standards?	In their response to the call for sites, the site owner proposed that a single eco dwelling only would be built on the site and the site allocation was supported by the parish council only on this basis. It was a requirement of HC (see Reg 14 consultation Table 1 – 3.1) that this should a known standard (such as Passivhaus).
Policy DM9: Site Allocation for Rural Exception Housing	
27. I was some somewhat surprised the Lime Kiln site is allocated for affordable housing in view the distance from the village amenities such as the local primary school, without access to footpaths. Would the Parish Council comment on whether this would be a suitable location for properties which may not have access to a private car during the day?	The Parish Council is concerned that there is a lack of affordable housing in the Group Parish and significant local housing need. Therefore, there is a strong desire for the NDP to plan positively for more affordable housing. This site was subject to technical assessment and the findings are set out in the Site Options and Assessment Report which is published on the website. P59 of the report advises that the site is 400m (5 mins walk) from a bus stop and 400-1200m (5 to 15 mins walk) from the primary school. Herefordshire is a very rural area and these distances from local facilities are not unusual and in fact bus stops and primary schools are often further away from houses even with towns and cities. Therefore while not ideal, the site would still be suitable for some households without access to cars during the day.
Policy DM11: Sustainable and Active Travel	
28. Can the Parish Council elaborate on what its expectations are in terms of new homes providing sufficient flexible space to enable occupiers to work from home. Is it a spare bedroom that is envisaged could be used as a workspace or some other solution?	It could be either such as a spare room or external / garden room. However we don't wish to promote the creation of unnecessary "garages" which could then be converted to Air B&B accommodation, to the detriment of local housing needs.
29. Can the Parish Council confirm whether the three allocation sites are	Refer to the Site Options and Assessment Report:

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located close to bus stops and do they meet the requirements of the policy	DM8/1 Sufton Cottage 400-800m (5-10 mins walk) DM8/2 Fort House >800m (10 mins walk) DM9 Lime Kilns 400m (5 mins walk)
30. Can Herefordshire Council confirm whether electric car charging points are now covered by Part S of the Building Regulations?	N/A – HC to respond. However, S1, Part S of the 2010 Building Regs, states this is a requirement for new developments with car parking space(s). https://assets.publishing.service.gov.uk/media/6218c5d38fa8f54911e22263/AD_S.pdf
Policy DM 12: Local Infrastructure and Developer Contributions	
31. Can Herefordshire Council outline what its current position is regarding CIL or on what basis does it seek Section 106 payments?	N/A – HC to respond.
32. Is the Parish Council suggesting in the policy's priorities will be met from the 25% of the parish component of any future CIL payments? Decisions on what CIL receipts are spent on is a budgetary matter rather than a matter that is considered when a planning application is determined	CIL is under consideration with HC.
Policy DM13: Flooding, Waste Water, Sewerage and Water Supply	
33. Is it the Parish Council's intention that properties which do not lie in areas liable to flood should still be required incorporate flood resilience measures or does it only apply to development falling within flood zones 2 and 3?	Flood resilience – should apply to developments with zones 2 and 3, although outside of these, if localised flooding is becoming frequent, consideration should also be given. Surface Water/Climate resilience – apart from DM13, and Design guide 13, further information is provided by the Town & Country Planning Association in its “healthy homes principles”, to which we could provide a link. https://www.tcpa.org.uk/resources/healthy-homes-principles/
34. It does occur to me that a policy that assesses proposals on a case by case basis, is not actually a planning policy.	At present because of the phosphate moratorium, the lack of capacity in the three parish WwTWs, and the fact that many households are on septic tanks or biodiscs, HC assesses wastewater and sewerage requirements for new

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	developments on a case by case basis, so we think it makes sense to say the same.
Policy DM 14: Local Enterprise	
35. The NPPF (para 88) encourages the expansion of establishment of all types of business in rural areas. Can the Parish Council provide a justification for restricting the policy to only small scale flexible business accommodation?	<p>This is a highly sensitive area, and some business types would clearly be inappropriate. We could provide examples e.g:</p> <ul style="list-style-type: none"> • Poor access with unacceptable levels of traffic generated on small lanes, particularly those used for amenity purposes. Damage to amenity routes on lanes, bridle ways and footpaths, could affect the income generated for a large number of local enterprises. • Creation of a new site damages existing landscape, ecology, hedgerows with no net environmental benefit. • Impact on dark skies/noise generated • Impact on visual and amenity landscape. • Impact on water supply / drainage/water courses • Inadequate sewerage /phosphate emissions. • Waste and emissions impact on air and water quality, and carbon footprint.
Concluding Remarks	
36. I am sending this note direct to Dormington and Mordiford Group Parish Council and Herefordshire Council. I would request that responses to my questions should be sent to me by 5 pm on 14th July 2025 and be copied to the other party.	The PC's next meeting is on July 18 th , so an extension has been granted to 21 st July.
37. I would also request that copies of this note and the respective responses are placed on the Parish Council's and Herefordshire Council's websites.	This has been actioned
ADDITIONAL PC COMMENT We would value the Examiner's comments on Policy DM7 where the wording at present says the "..... <i>neighbourhood plan area and provide one or more of the following house types and sizes</i> " and omits the word and "only" provide. The intention was to limit new builds or conversions exceeding 150m2 gross internal area. Is this error something that could be considered as part of the Examination process?	