



Dormington and Mordiford Group NDP Examination

Delegated Decision Statement

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	Dormington and Mordiford Group Neighbourhood Area
Parish Council	Dormington and Mordiford Group Parish Council
Submission consultation	6 February to 20 March 2025
Examination date	11 April 2025
Examiner's Report Received	26 August 2025

1 Introduction

- 1.1 The Town and Country Planning Act 1990 (as amended), states that the Council has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans and to take the plans through the review.
- 1.2 The Localism Act 2011 (Part 6 chapter 3) details the Local Planning Authority's responsibilities under Neighbourhood planning.
- 1.3 This Decision Statement confirms that the modifications proposed by the examiner's report have been accepted, the Dormington and Mordiford Group Neighbourhood Plan has been amended taking into account the modifications, and that the plan may proceed to referendum.

2 Background

- 2.1 The Neighbourhood Area of Dormington and Mordiford Group was designated on 13 May 2014. The Neighbourhood Area follows the boundary of Dormington and Mordiford parish boundary. The Dormington and Mordiford Group NDP has been prepared by Dormington and Mordiford Parish Council. Work on the production of the plan has been undertaken by members of the local community through a Neighbourhood Plan Steering Group since 2021.
- 2.2 The Plan was submitted to Herefordshire Council on 3 February 2025, and the consultation under Regulation 16 took place 6 February to 20 March 2025, where the Plan was publicised and representations invited.
- 2.3 The modifications suggested to the Neighbourhood Plan included rewording of policies, removal of references and criteria in policies and amendment to Map 3 Key Views, to ensure conformity with local and national policies.
- 2.4 On 23 May 2025, John Slater MRTPI was appointed by Herefordshire Council, with the consent of the Parish Council, to undertake the examination of the Dormington and Mordiford Group NDP and to prepare a report of the independent examination.
- 2.5 The Examiner's report concludes that subject to making the modifications recommended by the examiner, the reviewed plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.
- 2.6 Having considered each of the recommendations made within the Examiner's report and the reasons for them, Herefordshire Council (in accordance with the 1990 Act Schedule 4B paragraph 12) has decided to make the modifications to the made plan referred to in Section 3 below to ensure that the revised plan meets the basic conditions set out in legislation.

3 Recommendations by the examiner

- 3.1 The table 1 below details the recommendations made by the examiner within their report along with the justification:

Policy	Modification Recommended	Justification
Modification 1 DM1: Conserving and Enhancing Local Landscape	In the first paragraph delete " <i>: and where appropriate the landscape and scenic beauty of the Wye Valley AONB</i> "	To align with Core Strategy and avoid unnecessary differentiation of landscape areas within this policy

Modification 2 DM1: Conserving and Enhancing Local Landscape	Delete the final sentence of 1	Removal of contradictory information
Modification 3 DM1: Conserving and Enhancing Local Landscape	Move the first two sentences of 2. to the supporting text	In the interest of clarity and policy intent and improve readability
Modification 4 DM1: Conserving and Enhancing Local Landscape	"In the third sentence of 2. after "Key View" insert "(described in Table 1)"	In the interest of clarity and policy intent
Modification 5 DM1: Conserving and Enhancing Local Landscape	In the final sentence of 2, delete "Exceptional"	Correct drafting error
Modification 6 DM1: Conserving and Enhancing Local Landscape	"On Map 3 relocate the arrow on View 3 to the correct position (<i>n/b as shown in diagram in main report</i>)"	Improve mapping accuracy
Modification 7 DM1: Conserving and Enhancing Local Landscape	Change the direction of arrow 5 to face the west	Improve mapping accuracy
Modification 8 DM1: Conserving and Enhancing Local Landscape	Delete views 10 and 11	Removal of typical views that are not specific viewpoints, in line with NPPF
Modification 9 DM1: Conserving and Enhancing Local Landscape	"In 3. replace "follow" with "have regard, where relevant to the development to"	In the interest of clarity and policy intent
Modification 10 DM1: Conserving and Enhancing Local Landscape	Delete Table 17 of the Design Guide	Removal of table with 17 inconsistent with NDP policies and to avoid confusion

Modification 11 DM1: Conserving and Enhancing Local Landscape	In 6. after “Dome” insert “as described in paragraphs 3.33 and 3.34”	In the interest of clarity and policy intent
Modification 12 DM1: Conserving and Enhancing Local Landscape	"At the start of 7. insert “In addition to the previous requirements set out above”	To conform with national policy and guidance
Modification 13 DM2: Local Green Spaces	Insert at the end “Proposals for managing development within the Local Green Spaces shall be consistent with the national policy for Green Belts as set out in the NPPF”	To conform with NPPF
Modification 14 DM3: Biodiversity	Replace the first paragraph with “In terms of meeting the statutory net biodiversity gain provisions, as set out in legislation, applicants are encouraged to have regard to the following local expectations for biodiversity enhancement”	To conform with NPPF and national guidance
Modification 15 DM5: Responding to Local Character	Replace in the first paragraph, “All development proposals” with “Proposals for new buildings “	In the interest of clarity and avoid conflict with permitted development rights in line with NPPF
Modification 16 DM5: Responding to Local Character	In the final paragraph, insert at the start “If planning permission is required” and after “new” insert “ancillary or incidental”	In the interest of clarity and avoid conflict with permitted development rights in line with NPPF
Modification 17 DM5: Responding to Local Character	Replace the final sentence with “proposals that would lead to the creation of a new independent dwelling or a new planning unit will not be supported”	In the interest of clarity and avoid conflict with permitted development rights in line with NPPF
Modification 18 DM6: Sustainable Design	In the first paragraph, replace “expected” with “encouraged”	In the interest of clarity and deliverability
Modification 19 DM6: Sustainable Design	In the second paragraph, replace “required” with “encouraged”	In the interest of clarity and deliverability
Modification 20 DM7: Housing	In the third paragraph, delete all the text up to “dwelling and” and insert “where planning permission is required the”	In the interest of clarity and avoid conflict with

		permitted development rights in line with NPPF
Modification 21 DM7: Housing	Delete the final two paragraphs of the policy, from “ In areas” to”75%”.	Lack of evidence, viability testing to justify affordable housing threshold
Modification 22 DM8/1: Site Allocations for Market Housing Site DM8/1 - Sufton Cottage, Mordiford	In the paragraph after the map replace “up to” with “at least”	Removal of inappropriate requirements on quantum of dwellings
Modification 23 Site DM8/1 - Sufton Cottage, Mordiford	Delete requirement B and renumber	Removal of inaccurate information, route is not a public footpath
Modification 24 Site DM8/1 - Sufton Cottage, Mordiford	Delete the final paragraph and also E and F	Removal of unjustified reference on settlement pattern
Modification 25 Site DM8/2 - Fort House, Dormington	Replace “1 single storey eco – dwelling” with “a single dwelling”	Removal of contradictory wording and to conform with national policy and guidance
Modification 26 Site DM8/2 - Fort House, Dormington	Delete D.	Avoid overly prescriptive criteria
Modification 27 DM9: Site Allocation for Rural Exception Housing	At the end of the first paragraph, insert “An element of market housing will be supported if it is demonstrated, by way of a financial viability appraisal, that is necessary to deliver the affordable housing on the site.”	To ensure deliverability in regard to viability
Modification 28	”In 4 after “high quality and” insert “it is encouraged to incorporate” and delete “incorporates”	To ensure proportionality in line

DM10: New Community Hall, Mordiford School		with NPPF and National Guidance
Modification 29 DM11: Sustainable and Active Travel	In the first sentence, delete “sufficient flexible space and” and insert “the necessary infrastructure including ducting to facilitate”	Removal of contradictory requirements and to conform with NPPF and National Guidance
Modification 30 DM11: Sustainable and Active Travel	In the second paragraph after “should” insert “as far as is practical” and delete “horse riding” and replace “promote and support green connectivity in line with” with “demonstrate it has regard to the” and at the end of the final sentence of the paragraph after “ In particular development should” , insert “as far as is practical”	Removal of unjustified and impractical requirements, in line with NPPF
Modification 31 DM11: Sustainable and Active Travel	in 2. insert “and” between “pedestrian” and “cycling” and delete “and horse riding”	Removal of unjustified and impractical requirement, in line with NPPF
Modification 32 DM11: Sustainable and Active Travel	Delete 3 and 4 and the final paragraph.	Remove of unjustified requirement, unrelated to policy area.
Modification 33 DM12: Local Infrastructure and Developer Contributions	"In the first paragraph, delete all text after “through” and replace with “Policy ID1 of the Herefordshire Core Strategy	To conform with Community Infrastructure Levy Regulations 2010, NPPF and Local Plan
Modification 34 DM12: Local Infrastructure and Developer Contributions	"At the start of the second paragraph, after “improvements” insert “within the Parish” and after “ for example” insert “where it is shown that a planning obligation meets the tests of being directly related to the development, is necessary to make a development acceptable and is fairly and reasonably related in scale and kind to the development.”	To adhere to the Community Infrastructure Levy Regulations 2010 and NPPF
Modification 35 DM13: Flooding, Wastewater, Sewerage and Water Supply	In the first paragraph of 1. after “neighbourhood areas”, insert “which is at risk of flooding including those within Flood Zones 2 and 3 as shown in Figure 6” and remove “and climate”.	In the interest of clarity and to avoid unnecessary broad scope of policy application

Modification 36 DM13: Flooding, Wastewater, Sewerage and Water Supply	In the last sentence of the second paragraph of 1. Replace “should” with “could” and delete “and” at the end of C. and delete D	Impractical, will not address hydrogeological issues
Modification 37 DM13: Flooding, Wastewater, Sewerage and Water Supply	In the first paragraph of 2. Replace all text after “in line with “by the National Standards for Sustainable Drainage Systems”	To comply most up-to-date guidance superseding Parish’s Design Guide on Sustainable Drainage Systems
Modification 38 DM 14: Rural Enterprise	In 1. replace “traditional agricultural” with “existing”	To conform with NPPF
Modification 39 DM 14: Rural Enterprise	Delete 2	To adhere to requirements set in Building Regulations
Modification 40 DM 14: Rural Enterprise	In 4 insert “severe” before “detrimental”	To conform with NPPF

4 Post Adoption SEA and HRA


- 4.1 The modifications made, as a result of the Examiner’s report, as outlined above in Section 3 of this document, have been considered in terms of any resultant changes to the Strategic Environmental Assessment and Habitat Regulations Assessment (Appropriate Assessment). None of the changes are considered to have a significant effect on the overall appraisals. The updated SEA and HRA (AA) are available to accompany the final plan.

5 Decision

- 5.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations that the examiner made in the report under paragraph 10 of Schedule 4A to the 1990 act (as applied by Section 38A of the 2004 Act) in relation to a Neighbourhood Development Plan. Herefordshire Council have considered each of the recommendations made in the examiner’s report and the reasons for them and have decided to accept the modifications to the draft plan.

- 5.2 The draft plan will be altered in line with Table 1 above in line with paragraph 12 (6) of Schedule 4B to the 1990 Act.
- 5.3 Following the modifications made, the Dormington and Mordiford Group Neighbourhood Plan will meet the basic conditions:
- Having regard to national policies and advice contained in guidance issues by the Secretary of State, it is appropriate to make the plan
 - The making of the neighbourhood plan contributes to the achievement of sustainable development
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the Herefordshire Local Plan – Core Strategy
 - The making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations and
 - The making of the neighbourhood plan is not likely to have a significant effect on a European site either alone or in combination with other plans and projects.
- 5.4 It is recommended that the Dormington and Mordiford Group NDP progresses to referendum. Consideration has been given as to whether the area should be extended beyond that of the neighbourhood area. Herefordshire Council concur with the examiner that nothing has been suggested which would require an extension of the area beyond the designated on 13 May 2014.

Signed



Service Director – Economy and Growth

Dated: 16 September 2025