

Brampton Abbotts and Foy Neighbourhood Development Plan – Regulation 14 Responses, Summary and Recommended Action (March 2019)

Reference Number	Respondent	Policy and Para Number (where stated)	Summary of Main Points in Response	Recommended Action
1	Nigel Powell		What are the implications of having land as part of an “unregistered park and garden”?	PC to request explanation from Herefordshire Council. This to be sent on to respondent.
2	Alastair Farquhar		Supporting comment.	Supporting comment noted.
3	Angela and Clive Newey	BAF1, paras. 6.1 and 6.2	Development within settlement boundary supported. Priority should be given to development within the settlement boundary. There should be greater protection for the landscape. Para 6.1 should last bullet point refer to Highfield as this appears to be in settlement boundary for Old House and other properties.	Support noted. BAF1 does seek to direct development to within settlement boundaries, then outside those boundaries, with a greater degree of restriction on development in the AONB. No change to BAF1. BAF4 seeks to protect the local landscape. No change to BAF1.
4	Angela and Clive Newey	Paragraph 6.21	Paragraph to be updated to take account of latest position on restoration and proposed use of Church.	Group to provide update and suggested text.
5	Angela and Clive Newey	BAF8	Reference possible Traffic Regulation Order (TRO) at the Oak House Junction. Plan should include reference to potential to cycle and walk.	Group to provide update and suggested text for TRO. Add reference to potential to walk and cycle.

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6	Walsingham Planning		<ol style="list-style-type: none"> 1. The plan fails to promote sufficient development in BAF1. 2. The plan should promote more development than in the Core Strategy. 3. The plan should allocate sites. 4. The Table at paragraph 6.4 should include details of sites. 5. The plan should include the criteria on which settlement boundaries have been defined. 6. No assessment has been made of additional sites in accordance with para. 69 of NPPF. 7. The settlement boundary has not been drawn in a way to facilitate an appropriate level of proportionate growth within the plan period. The policy is not consistent with Core Strategy Policy RA2. 8. Land south of Church Road should be included in the settlement boundary. 9. Policy BAF1 does not provide clarity. 	<ol style="list-style-type: none"> 1. The Plan identifies (as of April 2018) commitments to meet 17 of the indicative, minimum 19 target set by Herefordshire Council. This figure will be revised to April 2019 ahead of submission of a revised plan to Herefordshire Council and given all of the 17 commitments it is expected that, subject to restrictions imposed on development through the AONB, that further windfalls will be forthcoming in the plan period to exceed the Herefordshire Council target. 2. Paragraph 29 of NPPF states that "Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies". The neighbourhood plan does not undermine strategic

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				<p>policy this seeks to ensure that Plans “demonstrate delivery to provide levels of housing to meet the various targets”. The neighbourhood plan identifies 17 commitment (as of April 2018) to meet the Herefordshire Council target of 19 and by defining settlement boundaries and providing for development outside of these in limited circumstances demonstrates how the neighbourhood plan will support Core Strategy policy.</p> <p>3. There is no requirement for a neighbourhood plan to allocates sites. This option was considered by the Parish Council and rejected.</p> <p>4. Group to consider inclusion of site details at paragraph 6.4. Table to be revised to April 2019.</p>

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				<p>5. Settlement boundaries were drawn up using the Herefordshire Council advice note – include reference in paragraph 6.1.</p> <p>6. There is no requirement to assess sites. This option has already been rejected by the Parish Council. NPPF paragraph 69 supports this approach: Neighbourhood planning bodies should only “consider the opportunities for allocating small and medium-sized sites” it is not a requirement.</p> <p>7. See point 1 above. Herefordshire Council’s response to the Regulation 14 consultation states that Policy BAF1 is in general conformity with the Core Strategy and policy RA2.</p> <p>8. See points above on Herefordshire Council target and site allocations. Site is not to be allocated.</p>

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				9. Add headings to Policy BAF1 to clarify which areas policy refers to: e.g. "Within the Settlement Boundary", "Outside the Settlement Boundary and within the AONB", "Outside the Settlement Boundary and not Within the AONB."
7	Dwr Cymru/Welsh Water		Given plan prepared in accordance with Core Strategy supportive of aims. Objectives and policies. Inclusion of Policy BAF9 welcomed.	Support noted.
8	Herefordshire Council	All policies	All policies are assessed as being in general conformity with the Core Strategy. No other comments received.	Herefordshire Council assessment noted and welcomed.
9	Environment Agency		The Strategic Flood Risk Assessment and Water Cycle Strategy did not cover the rural parishes. The neighbourhood plan should confirm development is not impacted by flooding and sufficient waste water infrastructure is in place to accommodate growth. Surface water flooding should be discussed with Herefordshire Council.	Policy BAF9 deals with waste water infrastructure. Dwr Cymru/Welsh Water have confirmed in their response that once works completed on Lower Cleeve WwTW that there will be no issues in relation to the foul-only flows from the indicative minimum growth target of 19 dwellings. The plan

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				does not allocate sites, flooding impacts (fluvial and surface) will be considered at the planning applications stage.
10	David D		Comments on grammar and wording	Revise where necessary.
11	Tompkin Thomas		Supports inclusion of land at Highfield within settlement boundary and highlights that this site will be the subject of a future planning application. The bulk of the response is devoted to an assessment of this potential planning application in relation to the Regulation 14 Draft NDP.	Support noted. This recommendation is given without any prejudice to future comments the Parish Council may make on any future planning application in relation to this site.
12	Natural England		No specific comments on the plan. A previously circulated guidance note is included. This has informed the preparation of the plan.	Noted. No change.
13	National Grid		No specific comments on plan.	Noted. No change.
14	The Coal Authority		No specific comments on plan.	Noted. No change.
15	Historic England		Supportive of vision, objectives and content of the plan.	Support noted. No change.

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16	AONB Office	Para. 4.1	Add additional sentence to end of 4.1 'Almost the entire area falls within the Wye Valley Area of Outstanding Natural Beauty (AONB).'	Amend as suggested.
17	AONB Office	Para. 4.4	Replace "the Dark Ages" with 'the early medieval period'	Amend as suggested.
18	AONB Office	Para 4.7	2nd sentence does not read well; "meant" should read 'means'	Amend as suggested
19	AONB Office	Para. 4.14	Add additional sentence to end of paragraph: 'The Wye Valley AONB Management Plan is also a material consideration for all development proposals within the AONB and those in the setting of the AONB that may have an impact on it.'	Amend as suggested
20	AONB Office	Para 4.15	Insert new 2nd sentence: 'These include 4.5 miles of the 136-mile-long Wye Valley Walk and 3.75 miles of the 150 mile circular Herefordshire Trail'.	Amend as suggested
21	AONB Office	Para. 4.16	Insert new sentence at the end of the paragraph: 'The whole of the River Wye is a Site of Special Scientific Interest	Amend as suggested

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			(SSSI) and a Special Conservation Area (SAC).'	
22	AONB Office	Para 6.6	<p>Amend reference in 1st sentence to read "(NPPF para. 11, footnote 6 and para. 172)</p> <p>Amend 3rd sentence to read "The NPPF places great weight on conserving and enhancing landscape and scenic beauty in the AONB."</p>	Amend as suggested
23	AONB Office	Para 6.7	Add additional sentence to end of paragraph: 'The Wye Valley AONB Management Plan is also a material consideration for all development proposals within the AONB and those in the setting of the AONB that may have an impact on it.'	Amend as suggested
24	AONB Office	Para. 6.15	Amend 2nd sentence to read "Where development is proposed, it will be assessed for its impact on this valued landscape and wildlife and where it cannot demonstrate that it conserves and enhances the rural beauty and	Amend as suggested

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			wildlife of the area it will not be supported.”	
25	AONB Office	Para 6.16	Amend 1st sentence to read “The Neighbourhood Development Plan area is made up of the small dispersed settlements of Brampton Abbots, Foy East (including Hall in the Wall) and Foy West, Hill of Eaton, Netherton and parts Old Gore, Phocle Green and Rudhall, the latter two not within the AONB.” Add additional sentence to end of paragraph “The Wye Valley AONB Management Plan is also a material consideration for all development proposals within the AONB and those in the setting of the AONB that may have an impact on it.”	Amend as suggested
26	AONB Office	Para. 6.19	Amend 1st sentence to read “Other business activities in the Neighbourhood Development Plan area are tourism, country sports, equine, a children’s home, the PGL activity centre and a private nursery school.”	Amend as suggested

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27	AONB Office	Para. 6.23	Amend to read “Small-scale hydro-electricity generation proposals on the River Wye may also be supported when in accordance with Herefordshire Local Plan Core Strategy Policy SD2 “Renewable and low carbon energy generation”. This policy includes criterion 1 that such development should “not adversely impact upon international or national designated natural... assets” such as the Wye Valley AONB or the River Wye Site of Special Scientific Interest (SSSI) and Special Conservation Area (SAC)”.	Amend as suggested
28	AONB Office	Para 6.24	Amend 3rd sentence to read ‘National planning policy states that in such areas “great weight should be given to conserving and enhancing landscape and scenic beauty.... The scale and extent of development within these designated areas should be limited” (NPPF, para. 172).’	Amend as suggested
29	AONB Office	Para 6.26	‘The roads within the Neighbourhood Development Plan area, excepting the stretches of the A449 to the south and	Amend as suggested

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			the B4224 to the east, are narrow, often single lane and often historic sunken lanes with steep banks and high hedges.'	
30	AONB Office	Policy BAF1	Criterion b. amend to read 'It conserves and enhances the landscape and scenic beauty of the Wye Valley Area of Outstanding Natural Beauty (AONB)' 3rd paragraph, delete "area of" to read: 'In the AONB,...'	Amend as suggested
31	AONB Office	Policy BAF3	Amend to read "Development proposals should conserve and enhance local non-designated heritage assets and their setting in a manner appropriate to the identified asset's significance."	Amend as suggested
32	AONB Office	Policy BAF4	Amend 1st sentence to read "Within the Neighbourhood Development Plan area, but particularly within the area of the Wye Valley AONB development must conserve and enhance the area's landscape scenic beauty and wildlife." Amend criterion a) to read "Within the settlements and countryside of the	

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			<p>AONB their ability to conserve and enhance the scenic and natural beauty of the area...”</p> <p>Criterion b) final sentence: amend to read “Where a negative impact is identified, suitable mitigation should be acceptable but only in circumstances where it reduces the impact to a minimal level and enhances landscape features”.</p>	