

Allensmore Draft Neighbourhood Development Plan

Regulation 14 Public Consultation - 27th May 2019 to 12th July 2019

Table 1 Herefordshire Council's Consultation Responses

Consultee Name Address Ref. No.	Page No.	Para. No.	Vision/ Objective / Policy No.	Support / Object / Comment	Comments received	Parish Councils' Consideration	Amendments to NP
1.1	All			Comment	<p>Allensmore Parish Neighbourhood Plan</p> <p>Regulation 14 – Comments received 27 May to 12 July 2019</p> <p>Please find attached additional comments from a number of Herefordshire Council service providers to the Draft Allensmore Parish Neighbourhood Plan. If you have any queries regarding the comments or issues raised below, please contact the Neighbourhood Planning team in the first instance. Herefordshire Council Internal Consultees</p>	Noted.	No change.

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1.2 Neighbourhood Planning	All			Comment / Support	General comments Overall the plan is a well written and well researched plan. It is clear to see that the policies have taken into account the views of the local community and have carried out various consultations. It is clear that the plan takes a positive approach towards identifying settlement boundaries and allocation of housing in line with the Core Strategy.	Noted.	No change.
1.3 Development Management				N/A	No comments received	Noted.	No change.
1.4 Strategic Planning Core Strategy Conformity Assessment From Herefordshire			Draft Policy A1 – Protecting and Enhancing Local Landscape Character	Y	Policy LD1 –Landscape and townscape, Policy LD3 – Green infrastructure, Policy LD2 – Biodiversity and geodiversity, Policy SS6 - Environmental quality and local distinctiveness,	Noted.	No change.

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Council Strategic Planning Team (Y = conformity)							
			Draft Policy A2 – Protecting and Enhancing Local Wildlife	Y	Policy LD3 – Green infrastructure, Policy SS6 - Environmental quality and local distinctiveness, Policy LD1 –Landscape and townscape, Policy LD2 – Biodiversity and geodiversity	Noted.	No change.
			Draft Policy A3 – Proposed Site Allocations	Y	SS1 - Presumption in favour of sustainable development SS2 – Delivering new homes SD1 – Sustainable design and energy efficiency RA1 – Rural housing distribution RA2 – Herefordshire’s villages H3 – Ensuring an appropriate range and mix of housing MT1 – Traffic management, highway safety and promoting active travel	Noted.	No change.

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					Policy SD3 – Sustainable water management and water resources, Policy LD2 – Biodiversity and geodiversity		
			Draft Policy A4 – Criteria for Development in Settlement Boundaries	Y	SS1 - Presumption in favour of sustainable development, RA1 – Rural housing distribution Policy E3 – Homeworking SS2 – Delivering new homes SD1 – Sustainable design and energy efficiency RA2 – Herefordshire’s villages H3 – Ensuring an appropriate range and mix of housing MT1 – Traffic management, highway safety and promoting active travel Policy SD3 – Sustainable water management and water resources, Policy LD1 –Landscape and townscape, Policy LD4 – Historic environment and heritage assets, Policy	Noted.	No change.

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			Draft Policy A5 – Housing Mix	Y	H3 – Ensuring an appropriate range and mix of housing	Noted.	No change.
			Draft Policy A6 - Conversion of Former Agricultural Buildings	Y	Policy RA6 - Rural economy Policy RA5 – Re-use of rural buildings	Noted.	No change.
			Draft Policy A7 – Drainage, Flooding and Sewage	Y	<p>Policy SD3 – Sustainable water management and water resources,</p> <p>The policy is generic and tends to add little to the CS equivalent. It broadly echoes the same criteria without any attempt at tailoring, to fit the localised context or address local issues.</p> <p>This is not a conformity issue but Inclusion of this policy seems superfluous, when the issues are already addressed in the same manner in the CS policy.</p>	<p>Noted.</p> <p>Drainage and localised flooding are significant issues in the NDP area and the Parish Council would prefer to retain the policy in the NDP at this stage to reassure local residents.</p> <p>The examination of the NDP will consider matters such as duplication and may result in some policies being amended or even deleted.</p>	<p>Environment Agency Flood Risk maps have been added to the NDP to highlight the areas where surface water collects. These maps closely correspond to local knowledge.</p>

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			Draft Policy A8 – Protecting the Church and Village Hall and Supporting Investment in Improved Facilities	Y	Policy OS2 – Meeting open space, sports and recreation needs, Policy SC1 – Social and community facilities Housing numbers may need to be revised to meet some of the aspirations; over dependency on a few sites to rise contribution may jeopardise viability of developments and hinder the deliverability of affordable housing. This is not a conformity issue	Noted. The proposed housing sites have been determined through a technical site assessment process and widespread local community consultation. The preference locally is for a number of smaller sites. Hopefully the facilities will continue to be used and invested in to serve the local population and to contribute to a sustainable and viable community.	No change.
1.5 Landscape / Archaeology/ conservation				N/A	We would not have any comments on this NDP	Noted.	No change.
1.6 Strategic Housing				N/A	No comments received	Noted.	No change.
1.7 Economic Development				N/A	No comments received	Noted.	No change.

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1.8 Natural England Strategic Environmental Assessment Screening				N/A	<p>We welcome the production of this Environmental Report. Natural England notes and concurs with the screening outcome i.e. that the Plan 'will not have an adverse impact on the baseline characteristics or immediate environmental impacts'.</p> <p>Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance. Habitats Regulations Assessment</p> <p>Natural England notes the screening process applied to this Neighbourhood plan. We agree with the conclusion of the report of no likely significant effect upon the named European designated site:</p>	Noted.	No change.

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					<ul style="list-style-type: none"> • River Wye Special Area of Conservation (SAC) - located approximately 2km away 		
1.9 Historic England				N/A	No comments received	Noted.	No change.
1.10 Environmental Health	All			Comment	Our comments are with reference to the potential impact on the amenity – in terms of noise, dust, odours or general nuisance to residential occupants that might arise as a result of any new residential development or any new commercial or industrial development. Please note that we have no observations with regard to this Neighbourhood Plan	Noted.	No change.
1.11 Environment Agency					No comments received	Noted.	No change.
1.12 Air, land and water protection	All			Comment	It is my understanding that you do not require comment on Core Strategy proposals as part of this consultation or comment on sites which are	Noted.	No change.

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					awaiting or have already been granted planning approval.		
			A3	Comment	Having reviewed records readily available, I would advise the following regarding draft policy A3 and the seven proposed sites identified as 'Preferred Options for new housing development', outlined in red on maps 2, 3 4.and 5 and draft Policy A6 - Conversion of Former Agricultural Buildings: Draft Policy A3 – Proposed Site Allocations	Noted.	No change.
			A3 Site 4	Comment	Site 4, Willoughby Cottage Garden, Winnal A review of Ordnance survey historical plans indicate the site has historically been used as an orchard. By way of general advice I would mention that orchards can be subject to agricultural spraying	Noted. These are detailed matters that would be considered as part of the development management process and validation. It would not be appropriate to address this through a site allocation or planning policy.	No change.

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					practices which may, in some circumstances, lead to a legacy of contamination and any development should consider this.		
			A3 Site 6		Site 6, Church Road, Allensmore A review of Ordnance survey historical plans indicate the site has historically been used as an orchard and the close proximity of the land to the adjacent farm indicates the land may have been used in other agricultural practices. By way of general advice I would mention that orchards can be subject to agricultural spraying practices which may, in some circumstances, lead to a legacy of contamination. Agricultural practices such as uncontrolled burial of wastes or excessive pesticide or herbicide application may be thought of as potentially contaminative. Any	Noted. These are detailed matters that would be considered as part of the development management process and validation. It would not be appropriate to address this through a site allocation or planning policy.	No change.

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					development should consider both the above former uses.		
			A3 Site 14	Comment	<p>Site 14, South of Winnal Farm, Winnal</p> <p>A review of Ordnance survey historical plans indicate an area of ground which has been classed as Unknown filled ground (pond, marsh, river stream dock) immediately adjacent the proposed site.</p> <p>Sites identified as unknown filled ground can be associated with contaminative fill material. In practice, many sites identified through the historical mapping process as unknown filled ground are instances where hollows have been made level with natural material, have remained as unfilled 'hollows' or have filled through natural processes. However, there are some instances where the nature of</p>	<p>Noted.</p> <p>These are detailed matters that would be considered as part of the development management process and validation. It would not be appropriate to address this through a site allocation or planning policy.</p>	No change.

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					<p>the fill is not inert and would require further investigation. Without any additional information it is not possible to comment further on this site. Any additional information you may be able to obtain will help in determining the exact nature of the site.</p> <p>The site's close proximity to the above mentioned historic potentially contaminative use, will require consideration prior to any development.</p> <p>Any future redevelopment of the site would be considered by the Planning Services Division of the Council however, if consulted it is likely this division would recommend any application that is submitted should include, as a minimum, a 'desk top study' considering risk from contamination in accordance with</p>		

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					<p>BS10175:2011 so that the proposal can be fully considered. With adequate information it is likely a condition would be recommended such as that included below:</p> <p>1. No development shall take place until the following has been submitted to and approved in writing by the local planning authority:</p> <p>a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice</p> <p>b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise</p>		

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					<p>fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors</p> <p>c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed. The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the local</p>		

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					<p>planning authority for written approval.</p> <p>Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.</p> <p>2. The Remediation Scheme, as approved pursuant to condition no. (1) above, shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning</p>		

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					<p>Authority in advance of works being undertaken.</p> <p>Reason: In the interests of human health and to ensure that the proposed development will not cause pollution to controlled waters or the wider environment.</p> <p>3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.</p>		

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			A3 Site 16	Comment	<p>Site 16, Court Plocks -Barn Conversion</p> <p>Some farm buildings may be used for the storage of potentially contaminative substances (oils, herbicides, pesticides) or for the maintenance and repair of vehicles and machinery. As such it is possible that unforeseen contamination may be present on the site. Consideration should be given to the possibility of encountering contamination on the site as a result of its former uses and specialist advice be sought should any be encountered during the development.</p>		
			A6	Comment	<p>Draft Policy A6 -Conversion of Former Agricultural Buildings</p> <p>I would again mention; some farm buildings may be used for the storage of potentially contaminative substances</p>	<p>Noted.</p> <p>These are detailed matters that would be considered as part of the development management process and validation. It would not be</p>	No change.

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					(oils, herbicides, pesticides) or for the maintenance and repair of vehicles and machinery. As such it is possible that unforeseen contamination may be present on the site. Consideration should be given to the possibility of encountering contamination on the site as a result of its former uses and specialist advice be sought should any be encountered during the development.	appropriate to address this through a site allocation or planning policy.	
	All			Comment	General comments: Developments such as hospitals, homes and schools may be considered 'sensitive' and as such consideration should be given to risk from contamination notwithstanding any comments. Please note that the above does not constitute a detailed investigation or desk study to consider risk from contamination. Should	Noted. These are detailed matters that would be considered as part of the development management process and validation. However the Steering Group agreed a further criterion should be added to Policies A4 and A6.	The Steering Group agreed to add the following statement to policies A4 (Criteria for development) and A6 (conversion of former agricultural buildings): " Consideration should be given to the possibility of encountering contamination on sites as a result of former uses and specialist advice be sought should any be encountered ".

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					<p>any information about the former uses of the proposed development areas be available I would recommend they be submitted for consideration as they may change the comments provided.</p> <p>It should be recognised that contamination is a material planning consideration and is referred to within the NPPF. I would recommend applicants and those involved in the parish plan refer to the pertinent parts of the NPPF and be familiar with the requirements and meanings given when considering risk from contamination during development.</p> <p>Finally it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe</p>		

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					development where a site is affected by contamination. These comments are provided on the basis that any other developments would be subject to application through the normal planning process.		
Parks and Countryside				N/A	No comments received	Noted.	No change.
Education				N/A	No comments received	Noted.	No change.
Transportation and Highways				N/A	No comments received	Noted.	No change.
Waste				N/A	No comments have been received	Noted.	No change.
Welsh Water				N/A	No comments have been received	Noted.	No change.