

Pembridge Neighbourhood Development Plan

Schedule 2: Changes made in response to comments received upon the Regulation 14 Draft Plan and matters arising since the commencement of the consultation period,

January 2018

Pembridge Neighbourhood Development Plan Changes to Draft Plan Following Regulation 14

Change Ref No	Draft Plan Section/reference	Proposed Change	Reason
1	Plan Title page	Amend to read ' PEMBRIDGE Neighbourhood Development Plan 2011 - 2031 Submission Draft – February 2018 '	To indicate the period covered by the plan
2	Footer	Amend to read: ' <u>Pembridge Neighbourhood Development Plan 2011 - 2031 Submission Draft – February 2018</u> '	To reflect the updated version
3	Reg 14 notice	Delete Reg 14 Notice	That stage has passed
4	Contents page	Insert ' Policy PEM19: Protecting Heritage Assets ' Delete reference to Appendix 3	To correct an omission. The appendix is no longer required.
5	Paragraph 2.5	Amend the penultimate two sentences to read: 'Numbers on roll fluctuate between 80 and 95. Children have many secondary schools to choose from including those at Kington and Weobley with Hereford Cathedral and Lucton schools as popular fee-paying choices.'	To take into account advice from a relevant stakeholder.
6	Paragraph 2.13	Amend 'Figure 1' to read 'Figure 3'	To correct an error
7	Paragraph 2.14	Delete 'There are a few small pockets of Grade 1 land (Excellent)'.	It has been confirmed that there are no areas of grade 1 agricultural land
8	Paragraph 2.17	In first sentence delete 'deteriorating'.	To correct an error
9	Paragraph 2.19	Amend second sentence to read: 'Its condition is <u>now</u> considered to be <u>favourable</u> .' Indicate there are 11 SWSW's not 12.	NE has reviewed the condition of the SSSI. To correct an error.
10	Paragraph 3.17	Revise second, third and fourth sentences to read: 'The village primary school has a fluctuating roll but with spare capacity. Attracting more pupils from within the village will enable the school to	To take into account advice

		withstand financial constraints when numbers on roll are small. Enabling the further development of daily pre-school facilities, wrap-around care and holiday club provision will enrich the lives of current families and those who wish to have the opportunity of living here.'	from a relevant stakeholder.
11	Paragraph 3.21	Redraft final sentence to read: 'The River Lugg is in an unfavourable condition and measures to ensure its improvement <u>will</u> be affected by water quality within the River Arrow.'	To take into account advice from a relevant stakeholder.
12	Paragraph 3.22	Revise first sentence in paragraph to read: 'More generally the ecological network throughout the Parish comprises <u>Mosely Common SSSI</u> ; a range of locally important sites, <u>including Special Wildlife Sites, Ancient Woodland Sites</u> ; features comprising corridors and stepping stones, including hedgerows, water courses, tree-lines; and traditional land use areas including old-growth meadows, commons and ponds.'	To take into account advice from a relevant stakeholder.
13	Paragraph 3.24	At end of last sentence delete: 'although this does not appear to have presented any problems in terms of pollution'	To take into account advice from a relevant stakeholder.
14	Paragraph 3.29	Amend third sentence to read: ' <u>Herefordshire Council also promotes</u> working in partnership with schools to develop <u>through its Sustainable Modes of Travel to School Strategy</u> <u>which encourages</u> more walking and cycling to school and <u>seeks a reduction in the number</u> of short distance car journeys.'	To take into account advice from a relevant stakeholder.
15	Paragraph 4.3 Objective 10	Redraft Objective to read: ' <i>To give a high priority to the retention and support of businesses/<u>organisations</u> that provide important community services such public houses, shops, catering establishments <u>and the village primary school.</u></i>	To take into account advice from a relevant stakeholder.
16	Paragraph 4.3 Objective	Redraft Objective to read: ' <i>To seek improved access to services and facilities <u>for all age groups within the community, particularly child care, health and social care provision.</u></i>	To take into account advice from a relevant stakeholder.
17	Policy PEM1	Redraft point c) to read: ' Measures to retain community facilities and services will be supported, and new development should incorporate measures to strengthen community cohesion and improve health, <u>education and wellbeing both for new and existing residents</u> .'	To take into account advice from a relevant stakeholder.

18	Paragraph 5.8	Redraft first sentence to read: <u>'This site comprises several small barns set back behind existing development.'</u>	To remove reference to 'brownfield site' which may not be the case for the site.
19	Paragraph 5.13	Add to end of paragraph: <u>'Developers should note that housing sites ii), iii), v), vi) and vii) are within 250m of a known closed landfill site which is a use that may be considered potentially contaminative. Policy PEM23 (f) is especially relevant to these sites.'</u>	To take into account advice from Herefordshire Council
20	Paragraph 5.20	Amend 4 th sentence to read: <u>The burgage plots include the land at the rear of the Surgery although the character has been eroded through recent development on this site, including the provision of a car park.</u>	To take into account advice from a relevant stakeholder.
21	Policy PEM5	In relation to criterion (a) delete: 'both detached and semi-detached'	To take into account advice from Herefordshire Council
22	Policy PEM6	Amend criterion g) to read: <u>g) Not adversely affect the amenity of adjacent residential properties nor be adversely impacted by existing agricultural or commercial activities;</u>	To respond to advice from Herefordshire Council
23	Policy PEM7	Amend criterion (b) to read: <u>'Those currently not living in the Parish but who had done so within the past 10 years.'</u>	To add clarity to the criterion
24	Policy PEM11	Amend policy to read: 'Proposals for intensive livestock units and associated structures should be sited where: a) They do not intrude <u>unacceptably</u> into the landscape or adversely affect important views or landscape character more generally. Proposals seeking to utilise tree screening and choice of materials to reduce the environmental effects should only be permitted where these can achieve full mitigation.	To improve the policy, ensure it relates to amenity considerations, and meets the provisions of Herefordshire Council's Minerals Policies

		<p>b) Any traffic generated can be accommodated safely upon the local highway network; should not adversely affect residential amenity; and avoid adverse effects upon the historic environment.</p> <p>c) Proposals, including associated earth walled storage compounds or lagoons, should be sited no closer than 600 metres from Pembridge village. Elsewhere, such development should be no closer than 400m from a residential property <u>not associated with the operation.</u></p> <p>d) There are no other potentially polluting effects upon local amenity, including from outside lighting.</p> <p>e) <u>Where the disposal of manure waste is proposed within any operational holding through spreading on land then sufficient suitable land should be available for this which is under an applicant's own control in a location where this will not adversely affect residential amenity.</u> The installation and use of an effective purification system will be taken into account when assessing the suitability of available land. <u>Should manure waste disposal be through spreading on land within another ownership or through another means then this should be agreed with the local planning authority whose area is to receive the waste.</u></p> <p>f) Proposals or their related slurry or manure <u>waste</u> spreading areas, <u>should not be sited where they would have a significant adverse effect on the River Lugg SSSI or River Wye Special Area of Conservation, including tributary streams. The 'in combination effect' of such operations in terms of aerial emissions and deposition, including acid and nitrogen will be a consideration.</u></p> <p><u>In all these respects, the cumulative effect of such units upon the environment within the Parish should be taken into account, especially the potential polluting effects on residential amenity and biodiversity.</u></p>	
25	Paragraph 6.8	<p>Amend to read:</p> <p>'Support for the retention of agricultural businesses where these meet a range of criteria is provided through Herefordshire Local Plan Core Strategy policy RA6. This policy does not seek to restrict such development, but to ensure that it <u>protects</u> the environment and local amenity. Scale is considered to be important, but additional criteria are also mentioned such as traffic generation, maintaining water quality, and effect on residential amenity. This policy clarifies, more specifically,</p>	<p>To improve the clarity in terms of the justification for the preceding policy, ensure it relates to amenity considerations,</p>

		<p>related concerns. The importance of the area’s landscape character and appearance must be recognised in terms of its wider economic benefits, especially for tourism and this should be given significant weight. In addition to design and location being important, potentially polluting effects need to be considered, such as noise, smell, dust and lighting. A working method statement setting out provisions and appropriate agreements is necessary to ensure the provisions of NPPF 120-124 are taken into account and this should cover all forms of pollution including noise, emissions to air and light pollution. In addition, it may be necessary to restrict hours when certain activities are undertaken to ensure residential amenity is protected. Protection zones for units, storage and spreading areas also need to ensure that acceptable levels of residential amenity are maintained and 600m has commonly been used as an appropriate buffer area in relation to settlement areas¹. Normally a protective distance of 400m should be maintained as the protective distance around isolated dwellings. These considerations affect not only general amenity, but also human health, the natural environment and the potential sensitivity of the area (NPPF paragraph 120). <u>A distinction needs to be drawn between the requirements of the planning system to protect amenity and that of the environmental regulatory regimes which are to remove a statutory nuisance or provide permits. The systems and tests are different and DEFRA guidance indicates that potential problems should be addressed at the planning stage because those that arise later may not be fully addressed in terms of effect on amenity. When determining effect on amenity regard should be had to the sensitivity of the local population². Regard has been had to Herefordshire Local Plan Core Strategy policy SD1 and saved minerals policies S10, W1, W3 and W3 from Herefordshire Unitary Development Plan which support the provisions to protect amenity from odour and commercial manure waste.</u> Special regard is given to the need to protect local watercourses, all of which flow into the <u>River Lugg SSSI and subsequently the River Wye, which is a Special Area of Conservation. This nationally important river already suffers from high levels of phosphates to the extent that it is in unfavourable condition and a Nutrient Management Plan is being prepared to address this concern. The River Lugg is currently failing its water quality standards.</u> This policy will contribute towards measures aimed at ensuring agriculture does not add further to the current phosphate and other nutrient loads. <u>Proposals for managing waste through biomass boilers or anaerobic digestion should be determined in accordance with policy PEM14.</u> ‘</p>	<p>and meets the provisions of Herefordshire Council’s Minerals Policies.</p>
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¹ See https://www.eastriding.gov.uk/planning/pdf/beverley_final/beverley/written_state/section10.html

² See document at (para 6), <http://www.ciwem.org/wp-content/uploads/2016/04/Control-of-odour.pdf>

26	Footnote at bottom of page relating to policy PEM11	Add footnote: 'See document at (para 6), http://www.ciwem.org/wp-content/uploads/2016/04/Control-of-odour.pdf '	To provide a useful reference
27	Paragraph 6.11	Amend first sentence to read: 'The continued use of premises within the Airfield, including expansion and enabling economic growth at the Kingspan site, is supported but it needs to reflect the scale of the area and also residential and local amenity that may be affected by increased noise, <u>obtrusive lighting</u> or excessively high levels of traffic, including beyond Pembridge Parish.'	To take into account advice from a relevant stakeholder.
28	Paragraph 6.13	Amend second sentence to read: 'In terms of local opinion, it is considered unlikely that medium or large-scale wind turbine proposals <u>would</u> receive a positive response.'	To take into account advice from a relevant stakeholder.
29	Paragraph 7.1	Amend second sentence to read: 'These include its Primary School, <u>St Mary's Church</u> , pubs, the village hall, play areas, local walks and the village shops.' Add new sentence at end of paragraph: ' <u>There is also a significant need for a purpose-built pre-school building to be situated at the village school to enable increased daily use by families who would seek to live in the intended housing.</u> '	To take into account advice from a relevant stakeholder.
30	Paragraph 7.3	Add after second sentence: ' <u>The valued community facilities to be protected include Pembridge Primary School, St Mary's Church, the two village public houses, the village hall, village play areas and especially the Millennium Meadow, local walks and the village shops. Appendix 2 lists a number of parish projects where the enhancement of community facilities will be sought.</u> '	To respond to advice from Herefordshire Council
31	Policy PEM18	Amend criterion d) to read (includes deletions): ' Ensure the integrity of the Moseley Common SSSI <u>and its favourable status is maintained;</u> '	To take into account advice from a relevant stakeholder.
32	Policy PEM18	Amend criterion e) to read:	To add clarity

		'In addition, the biodiversity value of local <u>wildlife sites</u> and green infrastructure within the parish, and in particular around and within Pembridge village, should be protected, particularly from the adverse effects of development. New development should also seek to add to the green infrastructure network where possible;'	
33	Paragraph 8.2	Amend final sentence to read: 'Statements providing supporting ecological information and analysis should show how important an area, <u>in particular, local wildlife sites (Special Wildlife Sites)</u> , might be and what measures are necessary to enhance the local ecological network.'	To add clarity
34	Policy PEM19	Amend first part of policy to read: 'The significance of heritage assets and their settings within the Parish <u>should be assessed and where appropriate this will be conserved and enhanced in particular through:</u>	To add clarity
35	Policy PEM20	Amend point 3 to read: 'New development should contribute positively and <u>sensitively</u> to the village and Conservation Area:'	To add clarity
36	Policy PEM20	Add after '..... character of the village.' In the supporting statement to point 3: <u>'The use of fake or false design features and artificial materials such as mock-timber framing and upvc replacement for timber elements are rarely successful in achieving the quality necessary to preserve or enhance the character and appearance of the Conservation Area. They should be avoided, especially for development in the most sensitive parts of the village.'</u>	To take into account advice from a relevant stakeholder.
37	Policy PEM22	Change title of policy to read: 'Sewage and Sewerage Infrastructure' Replace policy with: 'Development that may result in the capacity of the public sewerage network and/or the Pembridge wastewater treatment works (WwTW) becoming overloaded will not be permitted. In either of these instances, development will need to be phased or delayed until capacity becomes available, either through DCWW regulatory investment or, in advance of this through the developer funding the improvements themselves via the provisions of the Water Industry Act (1991) and/or section 106 of the Town and Country Planning Act (1990).'	To reflect advice from Dwr Cymru/Welsh Water
38	Paragraph 9.2	Amend the first sentence and add another sentence of this as follows: 'Highway <u>problems</u> associated with the A44 route through Pembridge have been acknowledged for some considerable time and a By-pass was even included in an initial <u>County Council transport schemes</u> programme a number of years ago. <u>The need for a bypass remains and growth, not only within the parish but elsewhere along its route, will increase the adverse effects of traffic on the village's residents and its environment thereby adding to its necessity.'</u>	To reflect added concerns about the need for a by-pass.

39	Appendix 2 – Enabling associated matters	Add: j) <u>Identify the need for and opportunities to provide a new or extended burial ground.</u>	To add a facility that may be sought through Policy PEM15
40	Appendix 2 – Parish Projects	Add: • <u>A new or extended burial ground.</u>	To add a facility that may be sought through Policy PEM15
41	Appendix 3	Delete Appendix 3	The site assessment showing options considered is no longer required.