

15th August 2106

Development Management Comments on Brilley Neighbourhood Development Plan – Regulation 16

Policy	Comment
BR1	Ok
BR2	No problem with the policy as such. However, the two areas that have been identified do seem to be distant from the settlement and do not seem to be under any threat from development. With this being the case, is the policy really necessary?
BR3	<p>The pre-amble to Policy BR3 is well reasoned and the suggestion that allocations will not necessarily meet the minimum proportionate growth target is evidenced by the lack of local activity in the housing market over the previous plan period.</p> <p>The three sites that have come forward as a result of the call for sites are assessed and the justification for only part of each being allocated is sensible in terms of the local context – Brilley is a small settlement and accordingly new development should be of a small scale.</p> <p>The only comment is that the settlement boundary (Figure 6) should be drawn to encompass all of the allocated sites. As currently drawn it implies that they all lie outside of the boundary.</p>
BR4	Due to the limited growth envisaged and the small scale of the allocated sites, it is unlikely that any market housing proposals will deliver any affordable housing. This policy seems to raise an expectation that affordable housing will be delivered.
BR5	<p>Generally, the policy is clear and well worded. Comments in relation to specific criteria are as follows:</p> <ul style="list-style-type: none"> a) Is there any brownfield land in the neighbourhood area? If not, is there a need for reference to it? b) The use of the word ‘exploit’ is unfortunate and should perhaps be re-considered. Should a policy promote the use of local tradespeople? h) The reference to ‘artificial alternatives’ should be removed.
BR6, 7 & 8	All ok
BR9	This policy doesn’t actually say anything that isn’t already covered by BR5.
BR10	The schemes that are likely to come forward on the allocated sites are unlikely to be of a scale to attract S106 contributions. To do so would be contrary to the national Planning Policy Guidance.
BR11	Ok

BR12	<p>The first part of the policy (a to g) which sets a criteria-based approach for the expansion of existing employment sites is clear and precise.</p> <p>The second part about re-development seems unduly onerous given the rural nature of the area and the small scale of existing employment sites. It is suggested that this part of the policy, together with criteria h and i is removed.</p>
BR13	<p>The policy is ok. Just wonder whether BR12 and 13 could have been combined.</p>
BR14	<p>I am really pleased to see that a tourism policy has been included as it is an area that has been missed by a number of other NDPs. The only criticism relates to the first criteria. How is it proposed to determine the need for accommodation? I would suggest that this is removed.</p> <p>I would also suggest the inclusion of two additional criteria. The first should make reference to the scale of any new development to make sure that it is commensurate with the area. The second should advise that any permissions for accommodation will be subject to an occupancy condition. This then ties into the second part of the policy which considers proposals to change the use of existing tourist accommodation to full residential.</p>

Other comments

- The lack of a policy to assess residential extensions and development within residential curtilages is an oversight and needs to be addressed.
- The annex to the plan lists all of the listed buildings in the neighbourhood area but there is no policy to deal specifically with proposals that affect listed buildings and other heritage assets. This should be addressed.
- In light of the rural nature of the area and the significance of agriculture, I would have expected to see a policy that deals specifically with agricultural development.

Latham, James

From: Turner, Andrew
Sent: 23 August 2016 10:13
To: Neighbourhood Planning Team
Subject: RE: Brilley Regulation 16 Neighbourhood Development Plan

Re: Brilley Regulation 16 Neighbourhood Development Plan

Dear Neighbourhood Planning Team,

I refer to the above and would make the following comments with regard to the proposed development areas identified in the NDP.

The two sites (Site 1 & 2) highlighted in light brown in the 'Brilley Village Proposals Map' appear from a review of Ordnance survey historical plans to have no previous historic potentially contaminative uses.

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 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.

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.

Finally it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe 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.

Kind regards

Andrew

Andrew Turner
Technical Officer (Air, Land and Water Protection),
Environmental Health & Trading Standards,
Economy, Communities and Corporate Directorate
Herefordshire Council, Blueschool House, PO Box 233
Hereford. HR1 2ZB.
Direct Tel: 01432 260159
email: aturner@herefordshire.gov.uk



The Coal
Authority



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Neighbourhood Planning, Strategic Planning &
Herefordshire Council

[By Email: neighbourhoodplanning@herefordshire.gov.uk]

24 August 2016

Dear Neighbourhood Planning, Strategic Planning & Conservation teams

Brilley Neighbourhood Plan - Submission

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on it.

Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.

Yours sincerely

Rachael A. Bust *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*
Chief Planner / Principal Manager
Planning and Local Authority Liaison

Latham, James

From: Norman Ryan <Ryan.Norman@dwrcymru.com>
Sent: 05 September 2016 09:21
To: Neighbourhood Planning Team
Cc: Evans Rhys
Subject: RE: Brilley Regulation 16 Neighbourhood Development Plan

Dear Sirs,

Thank you for allowing Welsh Water the opportunity to respond to the below consultation.

I can confirm that we have no further comment to make over and above our Regulation 14 consultation response.

If you have any queries or require further information, then please let us know.

Regards,



Ryan Norman

Forward Plans Officer | Developer Services | Dŵr Cymru Welsh Water

Linea | Cardiff | CF3 0LT | T: 0800 917 2652 | Ext: 40719 | www.dwrcymru.com

Have you seen Developer Services new web pages at www.dwrcymru.com? Here you will find information about the services we have available and all of our application forms and guidance notes. You can complete forms on-line and also make payments. If you have a quotation you can pay for this on-line or alternatively by telephoning 0800 917 2652 using a credit/debit card. If you want information on [What's new in Developer Services?](#) please click on this link.

If we've gone the extra mile to provide you with excellent service, let us know. You can nominate an individual or team for a Diolch award through our [website](#)

From: Neighbourhood Planning Team [<mailto:neighbourhoodplanning@herefordshire.gov.uk>]

Sent: 27 July 2016 14:06

Subject: Brilley Regulation 16 Neighbourhood Development Plan

***** External Mail *****

Dear Consultee,

Brilley Parish Council have submitted their Regulation 16 Neighbourhood Development Plan (NDP) to Herefordshire Council for consultation.

The plan can be viewed at the following link: <https://www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/neighbourhood-areas-and-plans/brilley>

Once adopted, this NDP will become a Statutory Development Plan Document the same as the Core Strategy.

The consultation runs from 27 July 2016 to 7 September 2016.

If you wish to make any comments on this Plan, please do so by e-mailing: neighbourhoodplanning@herefordshire.gov.uk, or sending representations to the address below.

If you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan, please indicate this on your representation.

Kind regards



Historic England

WEST MIDLANDS OFFICE

Mr James Latham
Herefordshire Council
Neighbourhood Planning & Strategic Planning
Planning Services, PO Box 230, Blueschool House
Blueschool Street
Hereford
HR1 2ZB

Direct Dial: 0121 625 6887

Our ref: PL00031955

22 August 2016

Dear Mr Latham

BRILLEY NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION

Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. Historic England is supportive of both the content of the document and the vision and objectives set out in it. The emphasis on the conservation of local distinctiveness and the protection of rural landscape character including archaeological remains and important views is to be applauded.

Overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.

Beyond those observations we have no further substantive comments to make on what Historic England considers is a good example of community led planning. I hope you find this advice helpful.

Yours sincerely,

Peter Boland
Historic Places Advisor
peter.boland@HistoricEngland.org.uk

cc:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment

From Herefordshire Council Strategic Planning Team

Name of NDP: Brilley

Date: 19/04/16 – (Reg 16 second version)

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
BR1/BR2	SS1, OS1, OS2, OS3	Yes	
BR3	SS2, RA1, RA2	Yes	Changes made since second reg 14 have addressed issues raised.
BR4	H1-H3	No	<p>Little change to this since previous version. BR4 – difficult to see how affordable housing will be brought forward. Allocated sites are too small to insist on an element of affordable housing therefore, the only vehicle to bring forward affordable housing would be through exception sites.</p> <p>I would suggest slight adjustment to wording to add “in accordance with policy H2 of the Herefordshire Core Strategy” between “affordable housing” and “may” in the first line of the second paragraph.</p>
BR5	SD1	Yes	Same comment as at reg 14 stage. Generally ok and not a conformity issue but applications could not be refused on the basis that the developer was not going to use local tradespeople.

Draft Neighbourhood plan policy	Equivalent CS policy(ies) (if appropriate)	In general conformity (Y/N)	Comments
BR6	LD1	Yes	
BR7	SD1	Yes	
BR8	SC1	Yes	
BR9	MT1	Yes	
BR10	MT1/ID1	Yes	It should be understood however that the scale/type of housing development proposed in the NDP may constitute <u>self-build</u> housing which does not qualify for CIL.
BR11	MT1	Yes	
BR12	SS4, E1, E2, E3,	Yes	Additional references reflect previous comments..
BR13	SS4, E1, E2, E3,	Yes	
BR14	E4	No	Changes suggested at previous stage not incorporated with regards to demonstrating “need “ for development in first criterion. Only in regards to first criterion which suggests a “need” should be demonstrated. It’s not clear how such need would/could be demonstrated and needs assessments are not required by the Core Strategy.

Other comments/conformity issues:

Latham, James

From: Howells, Mathew
Sent: 11 August 2016 14:47
To: Neighbourhood Planning Team
Subject: RE: Brilley Regulation 16 Neighbourhood Development Plan

Dear Neighbourhood planning team,

There are no comments from Herefordshire Council's transportation section.

Thanks
Mat

From: Neighbourhood Planning Team
Sent: 27 July 2016 14:06
Subject: Brilley Regulation 16 Neighbourhood Development Plan

Dear Consultee,

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If you wish to make any comments on this Plan, please do so by e-mailing: neighbourhoodplanning@herefordshire.gov.uk, or sending representations to the address below.

If you wish to be notified of the local planning authority's decision under Regulation 19 in relation to the Neighbourhood Development Plan, please indicate this on your representation.

Kind regards

James Latham
Technical Support Officer

Neighbourhood Planning, Strategic Planning & Conservation teams
Herefordshire Council
Planning Services
PO Box 230
Blueschool House
Blueschool Street
Hereford
HR1 2ZB
Tel: 01432 383617
Courier code : H31

Email: jlatham@herefordshire.gov.uk

neighbourhoodplanning@herefordshire.gov.uk (for Neighbourhood Planning enquiries)

ldf@herefordshire.gov.uk (for Strategic Planning enquiries)

Web: www.herefordshire.gov.uk/neighbourhoodplanning (Neighbourhood Planning)

Latham, James

From: Kinsey, Nadine
Sent: 02 September 2016 09:17
To: Neighbourhood Planning Team
Subject: RE: Brilley Regulation 16 Neighbourhood Development Plan

No issues with Brilley Reg 16.

Best wishes
Nadine
Economic Development.

From: Neighbourhood Planning Team
Sent: 27 July 2016 14:06
Subject: Brilley Regulation 16 Neighbourhood Development Plan

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Kind regards

James Latham

Technical Support Officer

Neighbourhood Planning, Strategic Planning & Conservation teams
Herefordshire Council
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PO Box 230
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Hereford
HR1 2ZB
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Email: jlatham@herefordshire.gov.uk
neighbourhoodplanning@herefordshire.gov.uk (for Neighbourhood Planning enquiries)
ldf@herefordshire.gov.uk (for Strategic Planning enquiries)

Web: www.herefordshire.gov.uk/neighbourhoodplanning (Neighbourhood Planning)
www.herefordshire.gov.uk/local-plan (Strategic Planning)



9 August 2016

Dear Sir / Madam

Brilley Neighbourhood Plan Consultation SUBMISSION ON BEHALF OF NATIONAL GRID

National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Gas Distribution – Low / Medium Pressure

Whilst there is no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:

<http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/>

Gables House
Kenilworth Road
Leamington Spa
Warwickshire CV32 6JX
United Kingdom
Tel +44 (0) 1926 439 000
amecfw.com

Amec Foster Wheeler Environment
& Infrastructure UK Limited
Registered office:
Booths Park, Chelford Road, Knutsford,
Cheshire WA16 8QZ
Registered in England.
No. 2190074



The electricity distribution operator in Herefordshire Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:

Robert Deanwood
Consultant Town Planner

n.grid@amecfw.com

Spencer Jefferies
Development Liaison Officer, National Grid

box.landandacquisitions@nationalgrid.com

Amec Foster Wheeler E&I UK
Gables House
Kenilworth Road
Leamington Spa
Warwickshire
CV32 6JX

National Grid House
Warwick Technology Park
Gallows Hill
Warwick
CV34 6DA

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours faithfully

[via email]

Robert Deanwood
Consultant Town Planner

cc. Spencer Jefferies, National Grid

Date: 07 September 2016
Our ref: 191881
Your ref: Brilley NDP



Neighbourhood Planning,
Strategic Planning & Conservation Teams

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Latham,

Re: Brilley Neighbourhood Development Plan – Notification under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (As Amended) and the Localism Act 2011

Thank you for your consultation on the above dated and received by Natural England on 20 January 2016.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Brilley Neighbourhood Plan

Having looked at the policies in the plan, Natural England does not consider that this plan poses any likely significant risk to internationally or nationally designated nature conservation or landscape sites and so does not wish to make and further comments on the plan.

Natural England previously commented on this matter in our letter of the 3rd of June and have no further comments to make at this stage.

The lack of more detailed comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may make comments that will help the Parish/Town Council or Neighbourhood Forum to fully take account of the natural environment in the plan-making process.

For any queries relating to the specific advice in this letter only please contact Tom Amos on 0300 060 1396. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Tom Amos
Consultations Team

**TO: DEVELOPMENT MANAGEMENT- PLANNING AND
TRANSPORTATION
FROM: ENVIRONMENTAL HEALTH AND TRADING
STANDARDS**



APPLICATION DETAILS

213629 /
Brilley Parish Neighbourhood Plan
Susannah Burrage, Environmental Health Officer

I have received the above application on which I would be grateful for your advice.
The application form and plans for the above development can be viewed on the Internet within 5-7
working days using the following link: <http://www.herefordshire.gov.uk>

I would be grateful for your advice in respect of the following specific matters: -

	Air Quality		Minerals and Waste
	Contaminated Land		Petroleum/Explosives
	Landfill		Gypsies and Travellers
	Noise		Lighting
	Other nuisances		Anti Social Behaviour
	Licensing Issues		Water Supply
	Industrial Pollution		Foul Drainage
	Refuse		

Please can you respond by ..

Comments

From a noise and nuisance perspective, our department has no further comments to make

Signed: Susannah Burrage
Date: 11 August 2016

Latham, James

From: Zoe Hughes <Zoe.Hughes@sportengland.org>
Sent: 01 August 2016 08:45
To: Neighbourhood Planning Team
Subject: Brilley Regulation 16 Neighbourhood Development Plan

Thank you for consulting Sport England on the above Neighbourhood Consultation.

Planning Policy in the **National Planning Policy Framework** identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.

It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Parts 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, '**A Sporting Future for the Playing Fields of England – Planning Policy Statement**'.

<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

Sport England provides guidance on developing policy for sport and further information can be found following the link below:

<http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/>

Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.

<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/>

If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If you need any further advice please do not hesitate to contact Sport England using the contact details below.

Yours sincerely

Planning Administration Team
Planning.central@sportengland.org

