

# **Consultation Statement**

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## 1. INTRODUCTION

1.1 This Consultation Statement has been prepared to accompany the submission of the Madley Neighbourhood Development Plan (NDP) to Herefordshire Council (HC), the local planning authority, and to ensure that the relevant statutory requirements are met.<sup>1</sup> The Statement:

- Contains details of the persons and bodies who were consulted about the proposed Plan;
- Explains how they were consulted;
- Summarises the main issues and concerns raised by those consulted; and
- Describes how these issues and concerns have been considered and, where relevant, addressed in the proposed Plan.

### Format of the Consultation Statement

1.2 The Statement covers the following stages of work on the NDP, arranged in chronological order:

- Designation of the Neighbourhood Area and establishment of the steering group (section 2).
- Initial community engagement to explore and identify issues and options (section 3).
- Assessing potential land for housing, including a Call for Sites and consultation on site and settlement boundary options (section 4).
- A community workshop held by The Prince's Foundation at the request of the Duchy of Cornwall (section 5).
- Consultation on the draft NDP under Regulation 14 (section 6).
- The issues and concerns raised in response to the Regulation 14 consultation, and how these were addressed (section 7).

1.3 Each section of the Statement describes the activity undertaken at that stage. Documents referred to may be seen on the Madley Parish Council website and are referenced by web address.

1.4 The following consultation approaches were used:

- Posting of material online via an NDP tab on the Madley Parish Council website at <https://madleyparishcouncil.org/madley-neighbourhood-development-plan/>.
- Regular steering group meetings open to the public at the village Primary School.
- Including occasional items in "Tracking the News", a locally-produced monthly community newsletter which includes the parish, and in the Hereford Times (Community Times section).
- Posting of material on the parish noticeboards.

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<sup>1</sup> Neighbourhood Planning (General) Regulations 2012, Regulation 15 (2)

- Daytime and evening public consultation drop-in events held at key stages in the process in the Parish Hall. These events were publicised by household flyers and by the occasional use of Tracking the News and the Hereford Times.
- A Community Workshop, arranged in conjunction with the Duchy of Cornwall and The Prince's Foundation.
- For the Regulation 14 consultation on the draft NDP, distribution of flyers to households and businesses in the Neighbourhood Area together with consultation by email or post to consultation bodies and other consultees. Printed copies of the draft NDP were available to view on the Parish Council website, at five locations in the Neighbourhood Area, and in Hereford, and were supplied free of charge on request from the Parish Clerk.

## 2. ESTABLISHING THE NEIGHBOURHOOD AREA AND STEERING GROUP

2.1 The following steps and actions were undertaken in terms of initiating work on the NDP:

- Initial consideration by Madley Parish Council as to whether to undertake the NDP.
- The application to designate a Neighbourhood Area for the parish of Madley was made to Herefordshire Council on 9 March 2015. Consultation by Herefordshire Council on the proposed Madley Neighbourhood Area ran from 16 March 2015 to 13 April 2015. No comments were received, and the application for the designation of the Neighbourhood Area was approved on 14 April 2015.
- A Steering Group of interested local residents and Parish Councillors was established to oversee work on the NDP in March 2016. This followed a decision being reached to proceed with an NDP at the Annual Parish Meeting on 10 March 2016. The first meeting of the Steering Group to launch work on the NDP took place on 19 April 2016. Notes of this and subsequent meetings of the Steering Group can be seen at <https://madleyparishcouncil.org/madley-neighbourhood-development-plan/>.

2.2 The issues and concerns raised in this initial stage of the plan-making process comprised in summary:

- Whether to proceed in principle with an NDP.
- The scope and likely content of the NDP.
- The process to be followed.
- Funding and grant availability.
- The need for professional support.

2.3 These issues and concerns centre on delivering greater local control over development by making effective and informed use of the powers available under the Localism Act 2011. They were considered and addressed by:

- The Parish Council decision to undertake an NDP.
- Successful application for Neighbourhood Area designation.
- The creation of a Steering Group including parish councillors and other community representatives.
- Seeking expert guidance. This included a presentation by an HC planning officer to the Steering Group in May 2016 and the appointment of a planning consultant, Kirkwells, in June 2016.

### **3. EXPLORING THE ISSUES AND OPTIONS**

- 3.1 Following a discussion about the scope of the NDP and community consultation at the Steering Group in July 2016, it was decided to undertake a public consultation on issues and options.
- 3.2 A consultation document was drawn up in order to identify the key local planning issues and various policy options to address them. A total of 20 option areas were canvassed for discussion covering a wide range of planning matters. These included whether the NDP should include a settlement boundary for Madley and whether a Call for Sites should be carried out to identify sites to allocate for housing. The consultation document took into account the results of a questionnaire survey of households which had been undertaken in 2012 for the Madley Parish Plan. This survey covered many local planning issues, including housing and environmental matters, and achieved a 52% response rate.
- 3.3 The Issues and Option consultation document can be seen at:  
<https://madleyparishcouncil.org/wp-content/uploads/2018/02/madley-issues-and-options-v5-21-oct-2016.pdf>
- 3.4 The work undertaken for the Madley Parish Plan can be seen at:  
Questionnaire report: <https://madleyparishcouncil.org/wp-content/uploads/2018/02/Madley-Community-led-Plan.pdf>  
Full list of comments made: <https://madleyparishcouncil.org/wp-content/uploads/2018/02/MADLEY-COMMUNITY-LED-PLAN-QUESTIONNAIRE.pdf>  
Parish Plan: <https://madleyparishcouncil.org/wp-content/uploads/2018/02/madley-community-plan-landscape-31-july-2013.pdf>
- 3.5 A public consultation on the Issues and Options document was held from 1 to 30 November 2016. The consultation was promoted via the website, Tracking the News, Hereford Times, flyers to all households and businesses and posters and leaflets. The consultation document and a response form were posted to the Parish Council website. A drop-in event was held on 12 November 2016 at Madley Parish Hall between 2 pm and 5 pm. It was attended by 35 residents. Printed copies of the consultation document were available.
- 3.6 The response form could be returned by email or post to the Parish Clerk, or dropped off at a collection point at the village shop. A total of 22 response forms were completed and returned. These were collated and published on the website at:  
<https://madleyparishcouncil.org/wp-content/uploads/2018/02/Madley-Issues-and-Options-1st---30th-November-2016.pdf>
- 3.7 The Issues and Options consultation provided an opportunity for public views to be gathered on the many planning issues identified, together with how these could best be tackled in preparing the NDP. In deciding how to proceed, the Steering Group decided in January 2017

to undertake a Call for Sites as the majority of responses to the consultation had supported this course of action. This formed the next phase of work. Feedback on specific planning issues was considered and addressed by taking them into account in drawing up the draft NDP, where they are referred to as appropriate.

#### **4. ASSESSING LAND FOR HOUSING**

4.1 The process of identifying and assessing land for housing began with a Call for Sites. To publicise this process, notices were put in the Hereford Times and in Tracking the News; on the Parish Council website; on the parish notice board, and in the local shop. The site submission form was available as a download from the website and on request from the Parish Clerk. The closing date for submissions was 3 March 2017.

4.2 The Call for Sites resulted in ten sites being put forward. These were professionally assessed. This led to five sites being discounted largely because of their poor relationship with the built form of the village. For the five remaining sites, it was recommended that their boundaries and capacities (i.e. how many dwellings could be delivered on each) should be considered in discussion with the landowner (the Duchy of Cornwall). It was also recommended that consultation on the agreed sites should be undertaken with the local community, to inform a decision on which should be included as allocations in the NDP. The Assessment Report can be seen at:

<https://madleyparishcouncil.org/wp-content/uploads/2018/02/madley-call-for-sites-assessment-report-march-2017.pdf>

4.3 Further work was then undertaken on the five sites. As a first step, the Steering Group reviewed the five sites at its meeting on 19 June 2018 and gathered feedback on boundaries, favoured options and the implications for the Madley village settlement boundary.

4.4 Further professional support (DJN Planning Ltd.) was then commissioned to guide housing site selection, with a report produced in October 2018. This recommended four options for housing site release in the NDP, as a basis for further consultation. The implications for a village settlement boundary were also considered. The Housing Site Selection Report can be seen at:

<https://madleyparishcouncil.org/wp-content/uploads/2018/10/Housing-Site-Selection-Report-October-2018.pdf>

4.5 As recommended, public consultation on the four options and the accompanying settlement boundaries for the village was undertaken. A presentation on the work undertaken was given to an NDP open meeting on 25 September 2018. Following this, a drop-in event was held at Madley Parish Hall on Saturday 20 October 2018 between 11 am and 2 pm. It was advertised by a flyer posted to households in the Neighbourhood Area, and on the Parish Council website and notice board. A display was prepared to show the housing requirement and other background information; the four options, A to D, with accompanying settlement boundaries; and an explanation of the process being followed. Those attending were welcomed and given a short comment form to enable them to provide feedback via multiple choice questions and open comments. The event was well-attended and 107 completed or partially-completed comment forms were returned. Full details of the event, including the flyer, display boards, comment form and responses, can be seen in the subsequent Preferred Housing Option report at:

<https://madleyparishcouncil.org/wp-content/uploads/2018/11/Madley-Preferred-Housing-Option-November-2018.pdf>

4.6 The principal issues and concerns raised in the consultation may be summarised as follows. Of the four site options on which opinion was canvassed, the expressed preference was for option D. Responses to the multiple-choice questions and comments show that this option was favoured over the others because:

- It would deliver the lowest number of dwellings whilst still allowing the overall strategic housing requirement to be met.
- It was seen to minimise impacts on local issues of concern, such as loss of farmland (the top priority in responses to one of the multiple-choice questions asked on the comment form), traffic generation, and the capacity of public services.
- It was located south of the B4352, which was preferred to development to the north.
- By taking direct access to/from the B4352 it would avoid adding traffic onto existing residential roads or Brampton Road.
- It would enable good footpath links to the village using existing footways. A number of comments pointed to such connectivity being seen as important in serving to link new development to the village.

4.7 A wide range of other matters were raised:

- Other locations for new housing.
- Type and size of new housing.
- Services and infrastructure to support new housing.
- Traffic matters.

4.8 These issues and concerns were addressed by:

- Progressing the allocation of option D as a site for new housing in the NDP (it is the subject of policy MH2, Land west of Archenfield, Madley).
- Supporting the further consideration of the principles underpinning the development of the site at a Community Workshop (see section 5 of this Statement).
- Ensuring that the site allocation policy addressed the expressed community concerns as far as possible.

## 5. COMMUNITY WORKSHOP

- 5.1 Following the conclusion of the work on housing site selection, discussions with the Duchy of Cornwall as owner of the preferred site led to further work being undertaken to understand the community's views on development generally, and how these may inform positive development of the site. The Duchy asked The Prince's Foundation, who have extensive experience in community engagement, to hold a workshop on this basis.
- 5.2 The Prince's Foundation has developed a toolkit for communities to use when considering development in their area. It is called BIMBY - standing for 'beauty in my back yard'. Exercises from the BIMBY toolkit, tailored to Madley's position in the neighbourhood development plan process, were used for the Workshop.
- 5.3 The Workshop was facilitated by The Prince's Foundation and their consultancy team; the Duchy of Cornwall; and members of the Steering Group and their planning consultant. The Workshop took place in January 2019 as follows:
- A public meeting on the evening of 18 January 2019, attended by 48 community members; and
  - A full day Workshop on 19 January 2019, attended by 30 community members.
- 5.4 The output from the Workshop has been written up by The Prince's Foundation as the Madley Design Manual, in two parts. Part 1 sets out the proceedings and findings from the Workshop, and can be seen at:
- <https://madleyparishcouncil.org/wp-content/uploads/2019/05/Madley-Housing-Manual-2019-Part-1-of-2.pdf>
- 5.5 Part 2 provides a BIMBY design manual, drawing on the community engagement undertaken to provide design guidance relevant to Madley. This can be seen at:
- <https://madleyparishcouncil.org/wp-content/uploads/2019/05/Madley-Housing-Manual-2019-Part-2-of-2.pdf>
- 5.6 The Madley Housing Manual was presented to the NDP Steering Group at an open meeting attended by 20 residents on 2 May 2019.
- 5.7 The Workshop covered a wide range of issues and concerns. Full details can be seen in Appendices I and II to the Design Manual:
- Essential qualities of Madley as a place
  - House types and materials
  - Principles of good placemaking
  - Applying the principles to the preferred option site, covering issues such as the extent of the southern boundary of the allocation, green spaces, vehicular access and connectivity to the village (foot/cycle), building design, housing types, and landscaping.
- 5.8 These have been addressed in the draft NDP in two policies:

- Policy MH2, the site allocation policy, which confirms the boundaries of the site allocation as those of the original option D; includes a cross-reference to the Design Manual, requiring its principles to be applied in the design of the development; and responds to specific matters of concern, such as connectivity to the wider village, in policy criteria.
- Policy ME2 on Building Design, which also refers to the Design Manual, requiring its principles to be followed both for village development and (as relevant to the scheme) in the wider rural area.

## 6. CONSULTATION ON THE DRAFT PLAN

### The consultation process

- 6.1 Consultation on the draft NDP was carried out in accordance with the requirements of Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The consultation ran for eight weeks from 15 July 2019 to 9 September 2019. This extended period was to allow for the holiday season.
- 6.2 The Environmental Report and Habitats Regulations Assessment, which had been carried out by HC in July 2019, were also published for consultation.
- 6.3 The draft NDP included a pre-submission consultation and publicity notice, setting out the requisite details of the consultation. The draft NDP, the consultation and publicity notice, a comments form, the Environmental Report and the Habitats Regulations Assessment were all posted on the Parish Council website.
- 6.4 At the start of the consultation period a flyer was distributed to households and businesses throughout the Neighbourhood Area by post. This explained how and where the draft NDP could be viewed and invited comments. A poster was also prepared to advertise the consultation and placed on the parish noticeboard. Printed copies of the draft NDP were deposited for inspection at the Red Lion and Comet public houses, Brampton Golf Course, Madley Plants, Parish Church and at Hereford Customer Services, Blueschool House, Blueschool Street, Hereford. Copies were also available on request from the Parish Clerk.
- 6.5 Comments could be made by hand, post or email to the Parish Clerk, or at a drop-in session at Madley Parish Hall on 20 July 2019 between 10 am and 2 pm.
- 6.6 A list of consultees was compiled by the Steering Group, starting with the statutory consultees identified in guidance produced by HC.<sup>2</sup> Other consultees were then added to the list, having regard to the consultation bodies specified in paragraph 1 of Schedule 1 of the 2012 Regulations. The final list is at Table 1. Consultation was by email or letter, sent by the Parish Clerk at the start of the consultation period and explaining where the Plan could be viewed and how and by when to make comments.
- 6.7 The drop-in event on 20 July was designed to give an opportunity for local residents and businesses to seek further details on any aspect of the NDP, and to make comments. The event was publicised in the NDP Regulation 14 publicity material. For the day, a set of display boards were prepared and copies of the draft NDP and comment forms were available. The sessions were staffed by members of the Steering Group and the planning consultant. Refreshments were provided. The event was attended by 23 residents and the HC ward councillor.

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<sup>2</sup> [https://www.herefordshire.gov.uk/downloads/file/3704/guidance\\_note\\_13\\_statutory\\_consultees](https://www.herefordshire.gov.uk/downloads/file/3704/guidance_note_13_statutory_consultees)

**Table 1: draft NDP consultees**

National organisations	
Environment Agency	Highways England
Natural England	Herefordshire Primary Care Trust
Historic England	National Grid
Coal Authority	RWE Npower Renewables Ltd.
Homes and Communities Agency	Western Power Distribution
English Heritage	Dwr Cymru Welsh Water
National Trust	Network Rail
Forestry Commission England	
Local organisations	
Herefordshire Council (HC)	Herefordshire Wildlife Trust
Cllr D. Hitchiner, HC	National Farmers Union Herefordshire
CPRE Herefordshire	Head of Planning, Duchy of Cornwall
H & W Chamber of Commerce	Madley Primary School
Woodland Trust	Parochial Church Council
Madley Charities	Scouts
Craft Club	
Adjoining parish councils	
Bishopstone PC	Vowchurch and District Group PC
Eaton Bishop PC	Wyeside Group PC
Kingstone and Thruxton PC	
Local businesses	
Red Lion public house	Madley Communications Centre
The Comet public house	Allensmore Nurseries
Brampton Golf and Leisure	Madley Plants
Outback BBQs	SD Commercials
AW Trailers	CertainlyWood
Brightwells	ETL
Madley Tennis Club	British Telecom

## **7. RESPONSES TO THE CONSULTATION**

### **Issues and concerns raised**

- 7.1 Consultation body responses were received from Herefordshire Council and six other organisations. Further comments were received from the Duchy of Cornwall, the Hereford Diocesan Board of Finance, two agents on behalf of landowners, fifteen residents and one business. All the comments are shown in the Response Log in the Appendix, where a response is provided to each comment and any necessary amendments to the draft NDP are set out.
- 7.2 The comments form asked whether respondents supported the broad aims of the draft NDP. There were 14 replies to this question: 12 (86%) indicated yes, 2 (14%) no.
- 7.3 The principal issues and concerns which were raised in the consultation may be summarised as follows:
- HC raised concerns that three of the draft NDP policies were wholly or partly not in general conformity with strategic policies, and that three draft NDP policies were superfluous, the issues having already been addressed in the Local Plan Core Strategy. More detailed comments were received from other HC service providers (Transportation and Environmental Health).
  - The Duchy of Cornwall indicated full support for the NDP.
  - Support from residents for the draft Plan including the approach taken to identifying land for housing, and to the settlement boundary.
  - Concerns from residents over village expansion, traffic, infrastructure and the future provision of public services.
  - Comments in respect of the proposed site allocation for housing, including site-specific matters and suggestion of an alternative.
  - Suggestion that additional land and properties to the south be included in the Madley settlement boundary.
  - Suggestion that land adjacent to Town House, Madley should be included as a site allocation for housing.
  - No mention of a significant local business (Brightwells).
  - Concerns with respect to some of the proposed Local Green Space designations.

### **Considering and addressing issues and concerns**

- 7.4 All comments were passed to the planning consultant for review and to provide a recommended response, including amendments to the draft NDP. The detailed responses and NDP amendments were then considered at a meeting of the Parish Council. Table 2 provides a summary of the amendments to the draft NDP in plan order. Full details may be found in the Response Log.

**Table 2: Schedule summarising the changes made to the draft NDP following consultation**

Ref	Consultee	Change to be made
Paras. 2.10 and 6.1	Brightwells	Addition of references to auction venue.
Para. 4.11	Dŵr Cymru Welsh Water	Record the position that there should be no issue with the supply of clean water or with the capacity of the sewerage network and Wastewater treatment works in respect of the site allocation on land west of Archenfield, Madley.
NDP	Historic England	Addition of hyperlink to Madley Housing Manual.
Paras. 4.19 and 7.9, Community Action CA4	Herefordshire Council (Transportation and Highways)	Amendments to clarify points made re transport requirements.
Policies MH5 and ME3	Herefordshire Council (Strategic Planning)	Amendments to policy wording to address points made.
Policy ME2	Public comment	Addition of requirement for new housing to achieve the highest standards of energy conservation, being ideally carbon neutral whilst as a minimum complying with Building Regulations.
Policy MB1	Herefordshire Council (Air, land and water protection)	Addition of requirements re contaminated land to policy and supporting text.
Table 3, The Glebe Field, Madley.	Hereford Diocesan Board of Finance	Amendment to “Demonstrably special and of local significance” column re the Glebe Field, Madley, to remove reference to community use.
Community Actions	Public comment	Addition of new Community Action on local health care provision.

## **APPENDIX**

### Regulation 14 consultation Response Log

## Response log

LPCS: Local Plan Core Strategy

HC: Herefordshire Council

NDP: Neighbourhood Development Plan

NPPF: National Planning Policy Framework

### Comments from consultation bodies

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP			
Herefordshire Council (HC) (Neighbourhood Planning)	NDP	<p>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.</p> <p>[NB no comments received from HC Development Management, Strategic Housing, Economic Development, Parks and countryside, Education, and Waste. Landscape/archaeology/conservation and Environmental Health (noise and nuisance) had no comments to make].</p>	This recognition of the work undertaken to establish an evidence base and in carrying out consultations during the preparation of the NDP is welcomed, as is the acknowledgement that a positive approach has been taken towards settlement boundaries and housing delivery.	No change.			
Herefordshire Council (HC) (Strategic Planning)		Neighbourhood Development Plan (NDP) – Core Strategy Conformity Assessment					
		<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policies (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>	Policy MH4, Type and size of housing: only a limited amount of residential development is expected to come forward in the Neighbourhood Area over the plan period. In this context it is felt all the more important that such schemes do show that they make a contribution to housing needs. The Issues and Options consultation points to a requirement for smaller homes which are affordable to families, and this is echoed by data quoted in NDP Table 2 from the Local Housing Market Assessment. It is appropriate that policy	Policy MH4: no change.
		M1	SS1	Y			
		MH1	SS2; RA2	Y			
		MH2	SS2; RA2	Y			
		MH3	SS2; RA2	Y			
MH4	SS2; H1; H2; H3	Y/N	It is recommended by the Local Housing Market Assessment that planning policies are not overly prescriptive with regard to requiring a specific mix of housing sites. Realistically, this is more likely to be achievable on larger developments. To require it in <i>all</i> cases of residential proposals (such				

## Response log

Consultee	NDP ref	Comment received			Response	Amendments to Madley draft NDP	
					as single dwellings) may not be realistically enforceable.		
		MH5	RA3	Y/N	<p>Criterion 2- The council will assess residential applications on their relationship to built form or settlement boundary when concerned with settlements listed in Figures 4.14 or 4.15 of the Core Strategy.</p> <p>To assess countryside residential proposals against the relationship with any existing built form seems contradictory, and this is not an approach required by policy RA3.</p>	<p>provision for this is made in order to highlight the nature of local housing needs, to be addressed wherever possible.</p> <p>Policy MH5, Housing in the wider countryside: it is agreed the criterion referred to is superfluous.</p> <p>Policies ME1 Landscape character and wildlife, MSC2 Open space and recreation and MSC4 Design for flood resilience and resistance: These policies address issues of local concern as shown by community responses on these topics to the Issues and Options consultation. The policies also develop themes set out in the vision, objectives and policy M1. Their continued inclusion will ensure that the NDP is a locally relevant and coherent document.</p>	<p>Policy MH5: delete criterion 2.</p> <p>Policies ME1 Landscape character and wildlife, MSC2 Open space and recreation and MSC4 Design for flood resilience and resistance: no change.</p>
		ME1	SS6; LD1; LD2; LD3; SD3; SD4	Y	The policy repeats much of that contained within the equivalent policies in the Core Strategy, which calls into question whether its inclusion is strictly necessary.		
		ME2	SS1; SS6; SS7; MT1; LD1; LD2; SD1; SD2; SD3	Y			
		ME3	SS6; LD4	N	<p>Criterion 1 of this policy suggests a conflicting approach to that taken in policy LD4 of the Core Strategy. This states that protection, conservation and enhancement should be done so in a manner "appropriate to their significance". Whereas, ME3 as currently worded suggests that great weight should be given to protecting heritage assets regardless of their significance or scale of loss.</p>	<p>Policy ME3, Historic environment: criterion 1 reflects the terms of NPPF para. 193 which in this form post-dates the adoption of the LPCS in October 2015. Unlike policy LD4, policy ME3 reflects the current NPPF in distinguishing between designated and non-designated heritage assets in criteria 1 and 2, where it is clear that heritage assets are to be conserved in a manner appropriate to their significance. However, an amendment is made to address the</p>	<p>Policy ME3: amend criterion 1 to read:</p> <p>Giving great weight to conserving designated heritage assets including listed buildings and scheduled ancient monuments in a manner appropriate to their significance, regardless of the scale of harm or loss of significance; and</p>
		MB1	SS5; E1; E2; RA6	Y			

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP																												
		<table border="1"> <tr> <td>MB2</td> <td>SS5; E4; RA6</td> <td>Y</td> <td></td> </tr> <tr> <td>MB3</td> <td>SS5; RA5</td> <td>Y</td> <td></td> </tr> <tr> <td>MB4</td> <td>RA6</td> <td>Y</td> <td></td> </tr> <tr> <td>MSC1</td> <td>SC1</td> <td>Y</td> <td></td> </tr> <tr> <td>MSC2</td> <td>SS6; OS1; OS2; OS3</td> <td>Y</td> <td>This policy essentially echoes criteria already covered within the equivalent Core Strategy policy OS3, and does little to supplement it in a localised context. This would call into question the necessity of its inclusion in the plan.</td> </tr> <tr> <td>MSC3</td> <td>OS3</td> <td>Y</td> <td>It is questionable as to whether the Local Green Space designation is strictly necessary for the Kettle Ponds or Madley Moat. There are clear existing physical constraints on the areas that have been selected which make development proposals here unlikely in any case.</td> </tr> <tr> <td>MSC4</td> <td>SD3</td> <td>Y</td> <td>Similarly to MSC2, the issues this policy seeks to address are covered more comprehensively by the equivalent Core Strategy policy, SD3.</td> </tr> </table>	MB2	SS5; E4; RA6	Y		MB3	SS5; RA5	Y		MB4	RA6	Y		MSC1	SC1	Y		MSC2	SS6; OS1; OS2; OS3	Y	This policy essentially echoes criteria already covered within the equivalent Core Strategy policy OS3, and does little to supplement it in a localised context. This would call into question the necessity of its inclusion in the plan.	MSC3	OS3	Y	It is questionable as to whether the Local Green Space designation is strictly necessary for the Kettle Ponds or Madley Moat. There are clear existing physical constraints on the areas that have been selected which make development proposals here unlikely in any case.	MSC4	SD3	Y	Similarly to MSC2, the issues this policy seeks to address are covered more comprehensively by the equivalent Core Strategy policy, SD3.	<p>concern regarding general conformity.</p> <p>Policy MSC3, Local Green Space: it is true these areas are situated in the countryside but they are close to Madley village and have been identified by the community as having particular local significance, for the reasons explained in the NDP Table 3. Their designation does not raise any issues of general conformity and they meet the NPPF criteria for Local Green Space.</p>	Policy MSC3: no change.
MB2	SS5; E4; RA6	Y																														
MB3	SS5; RA5	Y																														
MB4	RA6	Y																														
MSC1	SC1	Y																														
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MSC4	SD3	Y	Similarly to MSC2, the issues this policy seeks to address are covered more comprehensively by the equivalent Core Strategy policy, SD3.																													
Herefordshire Council (Transportation and Highways)	Policy M1	This should include upgrade bus stops, shelters with real time bus information and Kastle kerbs.	These detailed aspects are inappropriate for inclusion in the relatively high-level policy M1, but could be incorporated in Community Action CA4.	Community Action CA4: include reference to bus stops upgrades, shelters with real time bus information and Kastle kerbs.																												
	Para. 4.15	HC would not seek to adopt footways behind hedges as there have been issues with maintenance of the footways.	The proposal to route a new footpath behind the existing roadside hedge to the B4352 arose from the Community Workshop and has some obvious benefits to pedestrian amenity. It is not a specific policy requirement. It should be retained in the NDP so	No change.																												

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
			that its merits and any disbenefits/practical issues can be further explored in detailed scheme design and the planning application stage.	
	Para. 4.19	Transport Assessment/Statement depending on size of development.	Agreed.	Para. 4.19, amend bullet 4 to refer to Transport Assessment/Statement.
	Policy ME3, criterion 3	Cycling storage should be provided at each dwelling. It should be secured covered and individual to the property. Garage should meet manual for streets 2 size guidance of 6x3m single and 6x6m double. Therefore, accommodating cycle storage.	Noted. These requirements would be advised to applicants by Development Management and other HC officers in pre-application discussions and during the consideration of planning applications, and do not need to be referred to in the NDP.	No change.
	Para. 6.6	A full 7-day speed and volume survey should be undertaken during term time and all the data sent to HC as part of any application. It should be supplied with any development which looks to increase the number of vehicles on the highway.		
	Policy MB1, criterion 1	Transport statement/Assessment required depending on the level of development.		
	Policy MB1, criterion 2	Cycle storage should be provided on site. It should be covered and secure. To promote cycling changing rooms and showers should also be provided as part of any business.		
	Policy MB2, criterion 3	See HC design guide for current parking standards.		
	Policy MB3, criterion 4	A full 7 day speed and volume survey should be undertaken during term time and all the data sent to HC as part of any application.		
	Para. 6.16			
	Policy MB4, criterion 4	See HC updated guidance on agricultural developments and the information required for developer to submit.		
	Para. 7.7, second bullet	This may be addressed by the school reviewing and updating their school travel plan.	This is outside the scope of the NDP, but could be taken up as part of Community Action CA3.	No change.
	Para. 7.9	Also include Core Strategy policy SS4.	Agreed.	Para. 7.9: include reference to LPCS policy SS4 <i>Movement and Transportation</i> .
Herefordshire Council (HC) (Air, land and water protection)	Policy MH2	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 awaiting or have already been granted planning approval. Having reviewed records readily available, I would advise the following: <u>Policy MH2L Land west of Archenfield, Madley</u> A review of Ordnance survey historical plans indicate the proposed site allocated for	Noted.	No change.

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		development; Land west of Archenfield, appears to have had no previous historic potentially contaminative uses.		
	Policy MH5	<ul style="list-style-type: none"> <li>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.</li> <li>Regarding sites with a historic agricultural use, I would mention that agricultural practices such as uncontrolled burial of wastes or excessive pesticide or herbicide application may be thought of as potentially contaminative and any development should consider this.</li> </ul>	Contamination is a material planning consideration and is addressed within the NPPF and LPCS policy SD1. The comments made on policies MH5 and MB3 are noted. Proposals coming forward as planning applications under these criteria-based policies will be considered under the existing planning policy framework. No further reference is needed in the NDP.	No change.
	Policy MB3	<ul style="list-style-type: none"> <li>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.</li> </ul>		
	Policy MB1	<ul style="list-style-type: none"> <li>The Airfield's potentially contaminative use would require consideration prior to any development.</li> </ul> <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 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> <ol style="list-style-type: none"> <li>No development shall take place until the following has been submitted to and approved in writing by the local planning authority: <ol style="list-style-type: none"> <li>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</li> <li>if the risk assessment in (a) confirms the possibility of a significant pollutant</li> </ol> </li> </ol>		
			Reference to this factor should be included in policy MB1 for the benefit of future applicants and to give clarity as to the planning requirements.	<p>Add new para. 6.8:</p> <p>The Airfield has been identified by Herefordshire Council as having had a potentially contaminative use. The implications of this will need to be addressed by development proposals. As a minimum a desk-top study to the current British Standard should be undertaken by a suitably competent person and submitted with any planning application, so that the risk from contamination can be fully considered.</p> <p>Policy MB1: insert new criterion 4:</p>

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Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		<p>linkage(s), a site investigation should be undertaken to characterise 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 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 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> <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><u>Technical notes about the condition</u></p> <p>1. I would also mention that the assessment is required to be undertaken in accordance with good practice guidance and needs to be carried out by a suitably</p>		<p>The risk from any previous contaminative uses has been shown to be acceptable or as otherwise being capable of satisfactory remediation; and</p>

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		<p>competent person as defined within the National Planning Policy Framework 2012.</p> <p>2. And as a final technical point, we require all investigations of potentially contaminated sites to undertake asbestos sampling and analysis as a matter of routine and this should be included with any submission.</p>		
	General comment	<p>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.</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 development where a site is affected by contamination.</p> <p>These comments are provided on the basis that any other developments would be subject to application through the normal planning process.</p>	See above re policies MH5 and MB3.	No change.
Coal Authority	NDP	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.	Noted.	No change.
Dŵr Cymru Welsh Water		<p>I refer to the above consultation that is currently underway. Welsh Water appreciates the opportunity to comment and we offer the following representation:</p> <p>Given that the Neighbourhood Development Plan (NDP) has been prepared in accordance with the Adopted Herefordshire Local Plan Core Strategy we are supportive of the aims, objectives and policies set out. We particularly welcome the inclusion of the supporting text at paragraph 5.4 with regard to wastewater treatment and river water quality – furthermore we are aware that Policy SD4 of the Core Strategy is the policy mechanism for ensuring the protection of river water quality, and as such the capacity of the public sewerage system. As we understand it, the total housing delivery within the Neighbourhood Plan area over the plan period is 94 units, including 56 units already completed or with extant planning consent. The remaining 38 units consists of a</p>	The support for the vision, objectives and policies of the NDP and for para. 5.4 is welcomed. Confirmation with regard to the site allocation (land west of Archenfield) that there are not expected to be any issues re supply of drinking water, sewerage network and waste water treatment is also welcomed.	Record the position re supply of clean water, sewerage network and waste water treatment as advised by Dwr Cymru Welsh Water to the supporting text to policy MH2.

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		<p>windfall allowance of 16 units and an allocated site of 22 units at 'land west of Archenfield'. With regard to the allocated site, we can advise:</p> <p><b>Water supply</b> There should be no issues in providing this site with a supply of clean water, though some level of off-site mains will be required.</p> <p><b>Sewerage</b> There should be no issues in the public sewerage network accommodating the foul only flows from this site, though some level of off-site sewers will be required.</p> <p><b>Wastewater treatment</b> Madley is served by our Kingstone and Madley Wastewater Treatment Works (WwTW). There was a recent Capital Investment Scheme at this WwTW and as such there should be no issues in accommodating the foul-only flows from this site. We hope that the above information will assist you as you continue to progress the NDP.</p>		
Environment Agency	NDP	<p>I refer to your email of the 15 July 2019 in relation to the above Neighbourhood Plan (NP) consultation. We have reviewed the submitted document and would offer the following comments at this time. As part of the adopted Herefordshire Council Core Strategy updates were made to both the Strategic Flood Risk Assessment (SFRA) and Water Cycle Strategy (WCS). This evidence base ensured that the proposed development in Hereford City, and other strategic sites (Market Towns), was viable and achievable. The updated evidence base did not extend to Rural Parishes at the NP level so it is important that these subsequent plans offer robust confirmation that development is not impacted by flooding and that there is sufficient waste water infrastructure in place to accommodate growth for the duration of the plan period. We would not, in the absence of specific sites allocated within areas of fluvial flooding, offer a bespoke comment at this time. We note that you have utilised our guidance and pro-forma which should assist you moving forward with your Plan. However, it should be noted that the Flood Map provides an indication of 'fluvial' flood risk only. You are advised to discuss matters relating to surface water (pluvial) flooding with your drainage team as the Lead Local Flood Authority (LLFA). I trust the above is of assistance at this time.</p>	Noted.	No change.
Historic England		<p>Thank you for the invitation to comment on the above Neighbourhood Plan. Historic England is supportive of both the content of the document and the vision and objectives set out in it. We also commend the extremely sound evidence base for the Plan that includes reference to the Herefordshire Council Historic Environment Record and County Landscape Character Assessment. The emphasis on the conservation of local distinctiveness through good building design that respects local character and on the protection of historic buildings, farmsteads and</p>	<p>The support for the vision and objectives of the NDP, its evidence base and the proportionate approach taken is welcomed.</p> <p>Reference will be added as suggested to the Madley Housing</p>	<p>Include reference by hyperlink to the Madley Housing Manual where this is referred to at policies MH2, MH3 and ME2.</p>

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		<p>landscape character including locally significant green space is to be applauded. The Madley Housing Manual, derived from in depth community consultation, will no doubt prove invaluable in providing a detailed context for developers when designing their proposals. We would suggest that this important document could with benefit be more clearly referenced within the Neighbourhood Plan itself, perhaps by hyperlink to its current location on the Parish Councils website.</p> <p>In conclusion, the plan reads overall as a well-considered, concise and fit for purpose document that Historic England considers takes a suitably proportionate approach to the historic environment of the Parish. Also, particularly in relation to local distinctiveness, we consider that the Plan constitutes a very good example of well-focused community led planning. I hope you find these comments and advice helpful.</p>	Manual.	
National Grid	NDP	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. National Grid has identified that it has <b>no record</b> of such apparatus within the Neighbourhood Plan area.	Noted.	No change.
Natural England		Natural England does not have any specific comments on this draft neighbourhood plan.	Noted.	No change.
	Strategic Environmental Assessment screening	<p>Natural England notes and concurs with the Strategic Environmental Assessment Screening outcome i.e. that the plan 'will not, therefore, have an adverse impact on the baseline characteristics or immediate environmental impacts'. We noted that on page 23 of 24 of Appendix A2 – 'Baseline information for Madley', reference is made to the Water Directive Framework status of the River Teme, we presume this is an error? 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.</p> <p><b>Habitats Regulations Assessment Screening</b></p> <p>Natural England welcomes the consideration given to the Habitats Regulations. We agree with the conclusion of the report of no likely significant effect upon the named European designated site:</p> <p><input type="checkbox"/> River Wye Special Area of Conservation (SAC)</p>	Noted. The Environmental Report and Habitats Regulations Assessment screening report have been produced for the Parish Council by HC.	No change.

## Response log

### Community and other comments

Comments received are reported in full in the table below. Longer comments are summarised in the table and reported in full in the Appendix.

Parishioner comments may be made as individuals or jointly.

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
Parishioner 1	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	Para. 3.4	The Issues and Options consultation listed a range of economic, social and environmental matters. These are the matters that are appropriate to the residents of Madley.	Noted. These matters have been taken into account in preparing the NDP and are reflected in policy M1 and elsewhere.	No change.
	Policy M1	“the following objectives will be sought and balanced, as relevant to the proposal”. Items 1 and 2 should be taken into account when considering planning applications.	Policy M1 will ensure this is the case.	No change.
	Table 1	Sufficient housing to meet the Local Plan Core Strategy has been identified. Additional planning applications should be opposed as consultation showed there was no wish for additional housing.	The LPCS requirement is expressed as a minimum as a matter of policy, so it is not feasible to oppose further suitable development on this basis alone. Community consultation has been taken into account in drawing up the draft NDP. The weight that can be given to the Plan by the local planning authority when considering planning applications is limited by its early stage of preparation and the fact that there are unresolved objections to relevant policies.	No change.
	Policy MH3	Although still at draft stage the NDP has been developed in consultation with Madley residents and their opinions should be taken into account when considering planning applications.		
General comment	With the NDP at this stage I think the Parish Council should oppose any significant planning applications for development outside the proposed settlement boundary at the edge of the village such as P192672.			
Parishioner 2	Support for broad aims?	No.	Collated responses to this question are reported in the Consultation Statement.	-
	General comment	The village is becoming far too large. Brampton Road extremely busy and in poor condition. More houses will add problems with traffic to Hereford with large housing projects in Kingstone and Clehonger as well. One possible building site behind houses in Church Croft does <u>flood</u> with heavy persistent rain. Always used for the last 50 years for grazing and hay making. Proposed access dangerous. Doctor’s surgery full. Much traffic to school. Public transport just coping.	Madley is already identified as a main focus for proportionate housing development in the LPCS. There are no proposed site allocations at Brampton Road in the NDP and land adjacent to	Add an additional Community Action to NDP table 4:  CA6: Madley Parish Council will work with Kingstone Surgery and the Herefordshire Clinical Commissioning

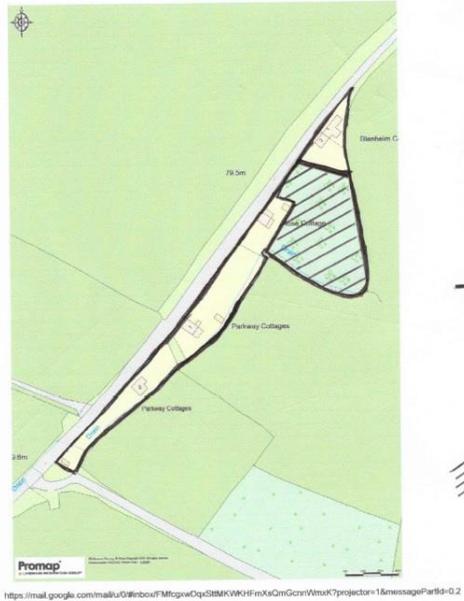
## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
			Church Croft is outside the settlement boundary. Highway and other transport issues outside the scope of the NDP are addressed in Community Actions. A further Community Action is proposed in respect of the Kingstone Surgery.	Group to ensure continued provision of local health services for residents of the Neighbourhood Area which are equivalent to at least current levels, taking into account population change in the catchment.
Brightwells	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	Page 31, Plan 5.	No mention of Brightwells operation over 16 acres has been made in the text. We are the second largest employer in the District and have an international client base bringing in £1m to the local economy. We ask that our 35 acres of land be included in the plan.	The land referred to is north of Madley airfield and is an auction venue for the sale of plant and machinery. Whilst the Neighbourhood Area is home to many businesses who are not individually referred to, reference could be included to the auction venue in chapters 2 and 6. Any future planning application to expand the use onto adjacent land would be assessed against LPCS policy RA6, which is supportive of proposals to diversify the rural economy, and other development plan policies.	Include reference to the auction venue in NDP chapter 2 (para. 2.10) and chapter 6 (supporting text to policy MB1).
	General comment	The Plan overall looks good and is extensive. Where in Brightwells opinion it needs more input is in Business and employment. The loss of young people to this area through lack of opportunity is a disgrace.	The Neighbourhood Area is rural in nature and the policies of the NDP on business and the local economy reflect this. LPCS policy RA6 on the rural economy provides support for new and expanding rural businesses and does not need to be repeated in the NDP.	No change.
Parishioner 3	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	Para. 2.5	Bus not late enough for people to return from work in Hereford, so people will continue	The last 449 service Hereford-	No change.

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Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		to drive.	Madley departs Hereford at 1805 six days a week.	
	Para. 4.15	No pavement in Brampton Road.	There is no reference to a pavement in Brampton Road.	No change.
	Para. 7.6	Should be Sycamore Croft <u>not</u> Close.	Noted and agreed.	Amend para. 7.6 as indicated.
CR Planning Solutions for Parishioner 4	Policies MH1, MH3 and Plan 4	<p>An extension to the settlement boundary of Madley is sought, as shown on submitted Plans 1 and 2, to include properties between Blenheim Cottages and Parkway Cottages which form part of the settlement of Madley. Mr and Mrs Meyrick own a small plot of land adjacent to Blenheim Cottages and Rose Cottage. The land is surplus to their requirements and forms an ideal infill plot for a residential dwelling.</p> 	<p>This proposed extension to the settlement boundary is in fact a stand-alone parcel of land some 240 m south of the furthest extent of the boundary as presently proposed in the NDP, with intervening countryside. It comprises several wayside dwellings and land between Blenheim Cottages and Rose Cottages. It is clearly separate from Madley and does not relate to its built form, which is nucleated in nature. The settlement boundary as currently proposed in the NDP appropriately reflects the built form of the settlement.</p>	No change.

# Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		<p>06/09/2019 Meyrick Madley Close-up Plan.jpg</p>  <p>PLAN 2</p> <p>Extension to the proposed settlement boundary for Madley</p> <p>Site owned by Mr &amp; Mrs Meyrick</p>		
Duchy of Cornwall estate	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	General comment	This is a very well prepared and written Draft Neighbourhood Development Plan and it has our full support.	Noted. This full support for the NDP is welcomed.	No change.
Parishioner 5	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	General comment	It worries me that further developments are being proposed without any thought as to provision of "safe" footpaths on existing roads. If they cannot be provided a blanket speed limit of as little as 15 mph should be applied before further developments are approved.	Policy MH2 which allocates land west of Archenfield for residential development includes a requirement that the scheme be provided with pedestrian routes which connect to the existing network. Further, off-site	No change.

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
			improvements would be considered under Community Action CA5. As indicated at NDP para. 8.5 developer contributions may be sought to deliver or support the delivery of such improvements.	
Parishioner 6	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
Parishioner 7	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	General comment	I support this plan, which I believe has taken account of those issues which are important to residents of Madley. It is a plan which is respectful of the nature of the village, community, rural life and the ebb and flow of different generations.	Noted. This support for the NDP and the attention given to local issues as evidenced in local consultations is welcomed.	No change.
Hereford Diocesan Board of Finance	Policy MSC2	<p>Summary of comment (for full text see Response Log Appendix):</p> <p>The Board requests that the Glebe Field is deleted from paragraph 7.5 and Policy MSC2: Local Green Space. The Field is outside the settlement boundary and to include it is a misuse of the National Planning Policy Framework. The Board much regrets that, before publicising the Field as Local Green Space, Madley Parish Council did not consult the Board in accordance with NPPF Guidance. The Plan at page 40 in the table at 7.6 under the heading 'Demonstrably special and of local significance' contains material misconceptions and/or errors of fact and law. Local Green Space use is limited to land within a settlement boundary. It logically follows that as the Field is OUTSIDE the settlement boundary Policy MSC2 cannot be applied. The Field and 'iconic view' are adequately protected from development or change of use from agriculture by the need to apply for planning permission and other existing planning policies. The Board, for the above reasons, requests that the Glebe Field is deleted from Policy MSC2: 'Local Green Space' of the draft Madley Neighbourhood Development Plan.</p>	Local Green Space designation is not restricted to land within a settlement boundary (as a Herefordshire example, see Lea NDP). It can be applied to any land which meets the NPPF criteria. The designation is without prejudice to the continued agricultural use of the field. Consultation has shown the Glebe Field to be special to the community. The community uses referred to in NDP Table 3 are disputed and these are to be deleted, but the field continues to hold a particular local significance because of its landscape beauty and its designation as Local Green Space is justified.	Delete references to community uses of the Glebe Field from Table 3.
Parishioner 8	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-

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Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
	Policy M1	This supports objections to any planning applications that relate to sites outside the settlement boundary.	Policy M1 rather emphasises the need to take a balanced approach to social, economic and environmental matters in delivering sustainable development at the Neighbourhood Area level.	No change.
	Para. 4.2	This acknowledges the importance of settlement boundaries in an NDP to prevent any development in the open countryside, in line with the local Plan Core strategy requirements.	Noted. There are specific circumstances whereby development in the open countryside is permitted by LPCS policy RA3.	No change.
	Policy MH3, para. 4.22	We support that the demarcation formed by the settlement boundary is not just arbitrary but has been drawn having regard to criteria in Herefordshire Council guidance. Therefore, it follows physical features etc.	Noted.	No change.
	Policy MH3, para. 4.23	We agree that housing delivery inside the settlement boundary is supported but any planning application for houses outside the boundary put forward now, and up until 2031, should be inadmissible.	Noted. As noted above, there are specific circumstances whereby development in the open countryside is permitted by LPCS policy RA3.	No change.
	Policy MH3, para. 4.24	This clarifies the definition of land and sites adjacent to and abutting the boundaries as being countryside and therefore not suitable for housing development.	Noted.	No change.
	Para. 5.1	We are in agreement with the wider community who valued the importance of landscape character and wildlife. Any new development needs to address these aspects of Madley.		
	Para. 5.6	We agree that the evidence base which Herefordshire Council's Ecological Network Map represents is taken into account in planning decisions. This includes consideration of connectivity in an environment that is becoming increasingly fragmented from a wildlife point of view.		
	Policy ME1	We support this important policy that development proposals should protect, conserve and where possible enhance the natural environment particularly with regard to Herefordshire Local Plan Core Strategy policies SD3, SD4, LDI, LD2 and LD3.		
	Para. 5.16	We agree that proposals to open up closed landscape setting and causing loss of roadside vegetation which cannot be satisfactorily mitigated against should not be supported.		
	Policy ME3	We support the notion that great weight should be given to conserving heritage assets including listed buildings.		
Hook Mason	Policy MH3/	Summary of comment (for full text see Response Log Appendix):	This site has not hitherto featured	No change.

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
Consulting	omission housing site	Land adjacent to Town House, Madley is both suitable and available for residential development and should be included within the settlement boundary as a site allocation.	in the NDP process and is currently the subject of a planning application (P192672/F, proposed residential development of 10 dwellings) which the Parish Council has conditionally supported. If approved, these units will contribute to the NDP's windfall allowance.	
Parishioner 9	NDP	I am pleased to see sustainability featured in the development plans but feel this element could be strengthened. Why not have a commitment to carbon neutral housing, or as close as is practicable? Best practice could be consulted around the country, including in the provision of affordable homes.	The NDP's policy ME2 on building design includes a range of requirements in respect of sustainable construction. It does not require carbon neutral housing (i.e. net zero carbon). This would be contrary to national Planning Practice Guidance. However, reference could be made to carbon neutral housing as an aspiration (whilst clarifying that the minimum requirements for energy efficiency would be as per Buildings Regulations).	Policy ME2, add to end of criterion 2:  All new housing should achieve the highest standards of energy conservation, being ideally carbon neutral whilst as a minimum complying with Building Regulations;
Parishioner 10	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	NDP	More of the houses should be at affordable rents. More houses available to rent are very much needed.	The proposed site allocation on land west of Archenfield will include an element of affordable housing, the make-up of which will be determined at the time of the application in consultation with HC's Strategic Housing service. This could include an element of affordable housing for rent, depending on needs at the time.	No change.
Parishioner 11	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation	-

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
			Statement.	
	NDP	Because the Government quota has been met in Madley, it would be <u>VERY</u> wrong to allow any more development applications to go ahead. As regards Madley village, any more developments would spoil Madley as it is which is well balanced across all ages and lifestyles, i.e. <u>BALANCED</u> .	Madley is identified as a main focus for proportionate housing development in the LPCS. The LPCS housing requirement is expressed as a minimum, so it is not feasible to oppose further suitable development on this basis alone. NDP policy MH4 on the type and size of housing will help ensure new dwellings are provided which local requirements, and so help to maintain a balanced community.	No change.
Parishioner 12	Support for broad aims?	No.	Collated responses to this question are reported in the Consultation Statement.	-
	Policy MH2	This site is arable farm land, the black line for the boundary was extended to suit parish councils to stop building on other sites put forward. We would like you to consider Church Croft site. We strongly object to the extension to the village. The field put forward is the highest piece of ground in the village. We are concerned about large executive houses being built on site 2, overpowering our bungalow and blocking out light especially in winter as the field is almost due south from us. Also the roofs of any two storey houses built behind us would break the horizon line which at present is made up of trees. Access along the main is a problem and much worse when start and end of school, with parked cars on the main road most of the day. The drainage is a big problem the brook frequently floods over the footpath.	The proposed allocation of land west of Archenfield made by policy MH2 has been reached on the basis of a Call for Sites, site assessments and public consultation. Land at Church Croft was considered through this process (as site 5) and not proceeded with at that time due to community concerns about further traffic on Brampton Road, pedestrian connectivity, and the feasibility of further access.  In respect of the site allocation made by policy MH2, design, access and drainage will all be considered at planning application stage, having regard to development plan policies (including those in the NDP).	No change.
	General comment	The spur road off Church Croft was left with a wide splay with footpaths on each side leading to obvious access to the above site by a temporary fence. Obviously this was	See above.	No change.

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		left for access to a second phase of a housing development some 20 to 30 years ago. So why has this site been condemned by the consultant.		
Parishioner 13	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	NDP	With all the houses being built in villages around and future development in Madley I am concerned about roads, i.e. traffic congestion and speed near schools. At the moment Kingstone Surgery is giving excellent service but will they be able to cope in the future. Madley needs a car park. We must look after countryside and footpaths.	These matters are outside the scope of the NDP but are generally addressed in the Community Actions (NDP, table 4). For Kingstone Surgery, see response above to Parishioner 2.	No change.
Parishioner 14	Support for broad aims?	Yes.	Collated responses to this question are reported in the Consultation Statement.	-
	General comment	It looks like a lot of hard work. The Parish Council will need time and energy, support and encouragement. I agree with all Ian Rollason's comments about the possible removal of bollards in Rosemary Lane and think about Brampton Road first!	Noted. Highway maintenance and traffic management are outside the scope of the NDP but are addressed as Community Actions (NDP, table 4).	No change.
Parishioner 15	NDP	We have recently requested pre-planning advice our land from the council. The result of this was to decline the request on the Dutch barn near to our house down Woodyatts Lane HR2 9NN. We would still like to develop this barn as a house in the future and would like to be included as a windfall site in the plan. This would be a single eco, barn style dwellings with access onto Woodyatts lane and would be only visible to a few houses because we have planted 500 trees in my field nearby. The house would also be for family initially. I would happy to discuss this and talk through this request with you or the committee.	Windfall sites are by definition not individually identified in the Plan but come forward as planning applications. An allowance for such dwellings has been made (NDP, table 1), to which this scheme would, if approved, contribute.	No change.
Parishioner 16		Summary of comments (for full text see Response Log Appendix):		
	General comment	The NDP does not take account the fact that Madley residents make use of services and facilities outside the Neighbourhood Area, which will be placed under pressure with forthcoming housing developments in Kingstone and Clehonger.	Madley is a small rural parish and it is unavoidable that its residents will need to travel further afield to access various services. The NDP cannot influence such service provision. However, for Kingstone Surgery, see response above to Parishioner 2.	No change.
	Policy MH3	The settlement boundary should be re-drawn to better reflect the aspirations expressed	The proposed settlement boundary	No change.

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
		in para. 4.20 of the NDP.	describes the built form of the village including planning commitments and the site allocation on land west of Archenfield. The statement quoted from para. 4.20 is not intended as an aspiration, as suggested.	
	Policy MSC2	Reference to the Annual Classic Car Show should be amended or deleted.	See response to Hereford Diocesan Board of Finance.	
	Chapter 2, policy MH2	Forty Farm Road is unsuitable to provide access to the site allocated for housing under policy MH2. Para. 2.12 refers to the River Wye Special Area of Conservation whilst para. 2.13 states Madley has no conservation areas.	<p>Arrangements for vehicular access to the land west of Archenfield are to be determined through scheme design. This is envisaged to be taken via Forty Farm Road, to avoid creating another access point onto the B road, and an illustrative sketch included in the NDP indicates a possible arrangement. No adverse comment on this has been made by HC Highways and Transportation.</p> <p>The reference to conservation areas at para. 2.13 is to those established under the Planning (Listed Buildings and Conservation Areas) act 1990, as opposed to those with a similar name under other legislation.</p>	No change.
	Chapter 4, policy MH1	The housing delivery calculation places undue reliance on existing commitments and windfalls.	The outline permissions referred to in this comment are subject to reserved matters applications and so represent planning commitments. Planning application P192672/F (for full planning permission for 10 dwellings) will, if approved, contribute towards the NDP's windfall allowance. The local	No change.

## Response log

Consultee	NDP ref	Comment received	Response	Amendments to Madley draft NDP
			planning authority has commented that the NDP takes a positive approach to housing matters in line with the LPCS.	
	Policy MH2	The viability of the site should be tested by a planning application before the NDP referendum to give assurance that the scheme will be completed and occupied by 2031.	There is no requirement for the Parish Council to submit, or to require the landowner to submit, a planning application for the proposed development of the allocated site at any time. How and when the site is brought forward is for the landowner to determine. The local planning authority has commented that the NDP takes a positive approach to housing matters, including to the allocation of housing in line with the LPCS.	No change.
	Policy MSC1	Observations on social and community facilities.	Noted.	No change.
	Policy MH2	Photograph of combine harvester.	Noted.	No change.
	Policy ME2	There should be no street lighting along the B4352.	Noted. Street lighting is not in scope of the NDP.	No change.
	Policy MH2	A proposed housing development on Duchy of Cornwall land at St. Weonards has not proceeded – do we want the same for Madley?	Noted. The Duchy of Cornwall has actively and positively supported the Madley NDP process, including by holding the Community Workshop and in response to the consultation on the draft Plan.	No change.

Response log

## **RESPONSE LOG APPENDIX**

**Comments by:**

- **Hereford Diocesan Board of Finance**
- **Hook Mason Consulting**
- **Parishioner 16**

## Response log

### Comment by Hereford Diocesan Board of Finance

Response of the Hereford Diocesan Board of Finance ('the Board')

1 The Board is the freehold owner of the Glebe Field ('the Field') referred to in the 'Consultation draft' on page 39 'Local Green Space' at 7.5 for inclusion in the Plan as Local Green Space.

2 The Board notes that, on page 40 in the table at 7.6 under the heading 'Demonstrably special and of local significance', it is stated, "*It [The Field] is significant to the landscape setting of Madley as a whole and of the Church in particular. Seen on the principal approach to the village from the east on the B4352, the prospect across the Field of the tower and apsidal eastern end of the Church surrounded by trees is an iconic view.*": illustrated by a relevant photograph.

3 The Board can see the reasoning in this statement. Obviously this is why the Field is NOT included within the settlement boundary: thus any change of use from agriculture needs planning permission. Blocking the 'iconic view' could be a possible ground for an objection to such a planning application.

4 **However, the Board requests that the Field is deleted from paragraph 7.5 and Policy MSC2: Local Green Space.** The Field is outside the settlement boundary and to include it is a misuse of the National Planning Policy Framework ('NPPF') paragraph 100 – see the reasons set out below.

5 The Board much regrets that, before publicising the Field as Local Green Space, Madley Parish Council did not consult the Board in accordance with NPPF Guidance (underlining & italic added):

#### **Does land need to be in public ownership?**

A Local Green Space does not need to be in public ownership. However, the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) **should** contact landowners at **an early stage** about proposals to designate any part of their land as Local Green Space.

Landowners will have opportunities to make representations in respect of proposals in a draft plan.

Paragraph: 019 Reference ID: 37-019-20140306

Revision date: 06 03 2014

This would have meant the following misconceptions, criticisms and misapplication of NPPF could have been discussed other than in the public arena.

6 The Board also notes that, on page 40 in the table at 7.6 under the heading 'Demonstrably special and of local significance', it states, "*Responses to the Issues and Options consultation identified the Glebe Field as having a particular local significance stemming from its ... community use... The Field is a venue for the annual Church Fete. Since 2006 this has included a successful static classic car show, which from 2017 has developed into the Madley Miglia, a touring event for classic cars and motorcycles. These events provide funds for Church maintenance.*" The Board respectfully submits that this statement contains material misconceptions and/or errors of fact and law.

8 The Field is let to an agricultural tenant. The tenancy agreement unequivocally states, '*the holding should not be used for parking vehicles or caravans for the purpose of fairs festival motor cycle or other vehicle coursing contents rallies or any form of public gathering*'. This does not prevent a tenant from asking the Board for permission to allow a specific event. The table at 7.6 states, '*These events provide funds for Church maintenance.*'. The Board is very grateful that the tenant permits the event for this purpose: so long as no permanent damage to the Field or any insurance liability arises. However, an activity organised only with the permission of both the tenant and landowner does not legally amount to any established right or precedent whatsoever for community use of the Field.

9 The Board accepts the definition of Local Green Space set out in the NPPF (underlining added):

100. The Local Green Space designation should only be used where the green space is:

(a) in reasonably close proximity to the community it serves;

(b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

(c) local in character and is not an extensive tract of land.

It is respectfully submitted that on its true construction and meaning the definition means that all the relevant criteria in (a), (b) and (c) must apply. The phrase 'community it serves' clearly means the community, or part of it, have a right to enjoy the land itself: not just a view over it.

10 The true construction and meaning shows paragraph 100 relates to land inside a settlement boundary. Evidence for this may be found in the relevant **NPPF paragraphs 96-101 which are headed 'Open space and recreation.'** e.g.

## Response log

96 ... Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision.

97 Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: ...

98 Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, ...

99 ... Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. ...

11 Further evidence for Local Green Space use being limited to land within a settlement boundary may be found in NPPF Guidance (underlining added):

### **What is Local Green Space designation?**

Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities.

Paragraph: 005 Reference ID: 37-005-20140306

Revision date: 06 03 2014

### **What is Local Green Space designation?**

Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities.

Paragraph: 005 Reference ID: 37-005-20140306

Revision date: 06 03 2014

### **What types of green area can be identified as Local Green Space?**

The green area will need to meet the criteria set out in paragraph 100 of the National Planning Policy Framework. Whether to designate land is a matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.

Paragraph: 013 Reference ID: 37-013-20140306 Revision date: 06 03 2014

12 The Board respectfully submits that without the provision of NPPF paragraph 100, and the guidance, it would be impossible to protect green spaces within a settlement boundary from planning applications for development: or at least create a presumption against development.

13 The key definition question is, "What is a settlement boundary?". No legal definition has been found. A clear and unequivocal answer is given in Herefordshire Council's Neighbourhood Planning Guidance Note 20 'Guide to settlement boundaries' (underlining added):

A settlement boundary is a line that is drawn on a plan around a village, which reflects its built form, this is also known historically as a 'village envelope'. The settlement boundary is used as a policy tool reflecting the area where a set of plan policies are to be applied, this could include policies within your Neighbourhood Development Plan. The settlement boundary does not necessarily have to cover the full extent of the village nor be limited to its built form. In general, there is a presumption in favour of development within the settlement boundary. Any land and buildings outside of the boundary line are usually considered to be open countryside where development would be regulated with stricter planning policies.

14 This definition is consistent and four square with the above submissions that NPPF paragraph 100 applies to Local Green Spaces INSIDE a settlement boundary. It logically follows that as the Field is OUTSIDE the settlement boundary Policy MSC2 cannot be applied. The Field and 'iconic view' are adequately protected from development or change of use from agriculture by the need to apply for planning permission and other existing planning policies.

15 NPPF paragraph 101: Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

16 It can be cogently argued that a settlement boundary serves very similar purposes to a Green Belt as defined in the NPPF ([settlements] added)

134. Green Belt serves 5 purposes:

- (a) to check the unrestricted sprawl of [settlements] large built-up areas;
- (b) to prevent neighbouring [settlements] towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of [settlements] historic towns; and
- (e) to assist in [settlements] urban regeneration, by encouraging the recycling of derelict and other urban land.

17 Whilst the present tenant of the Field is willing to permit the locally valued activities on the land a future tenant might not. Such reasons might including the wish to graze livestock on the land or take a hay

## Response log

crop or plant other crops. To curtail the right of a tenant to do this by imposing Policy MSC2 (even if it is a valid use of the policy) would be to contravene both the Board's and the tenant's rights under the Human Rights Act 1999 Protocol 1, Article 1: Protection of Property:

*Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.*

*The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.*

It is to be noted that 'the use of property in accordance with the general interest' is already controlled by it being outside the settlement boundary and therefore any change of use needs planning permission.

**18 The Board, for the above reasons, requests that the Field is deleted from Policy MSC2: 'Local Green Space' of the draft Madley Neighbourhood Development Plan.**

## Comment by Hook Mason Consulting

**Text of representation:**

**Land adjacent Town House, B4352, Madley Herefordshire HR2 9DP**

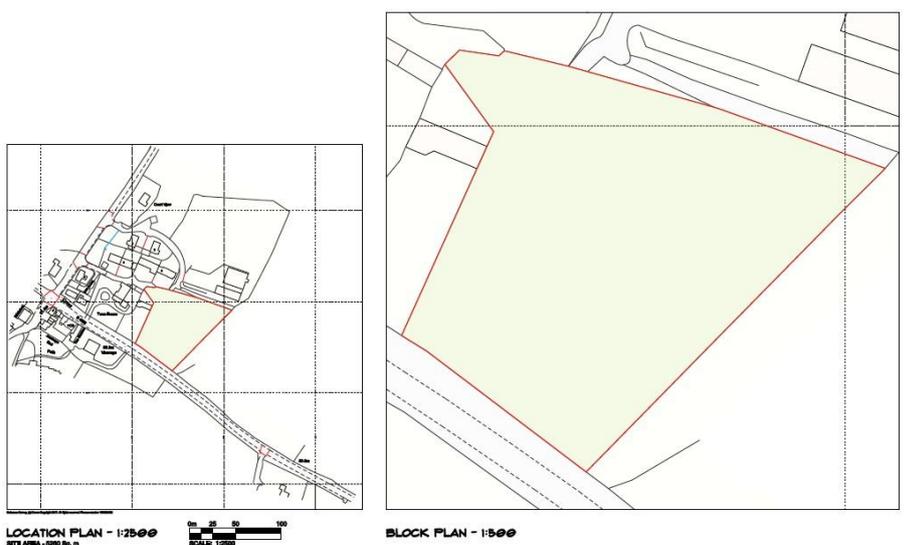
**Proposed site for residential development allocation**

As the NDP steering group will be aware from previous pre application consultation with the Parish Council, the principle of residential development on this land has been supported by Herefordshire Council during the extensive pre application consultation process undertaken in conjunction with them. The land was highlighted in the 2015 SHLAA as land with medium suitability for residential development, being close to the centre of the village and with good connectivity to the village centre and all of the various services and facilities within the village, however notwithstanding that fact somewhat inexplicably the NDP steering group subsequently disregarded this site in preference for others further from the centre of the village & with resulting less connectivity to the village centre. It should be highlighted that the Core Strategy requirement for 89 dwellings in Madley within the plan period to 2031 is a minimum not maximum and therefore does not preclude inclusion of other sites.

The design of the proposed development which is the subject of the current planning application acknowledges its location close to the village centre and the various designated heritage assets & the proposed design is a response to this location and neighbouring buildings, drawing from the local vernacular, adjacent converted former agricultural buildings together with farmstead design typology. The development is of modest size, comprising ten units in total and will integrate sensitively within this edge of settlement location with several designated heritage assets in relative proximity. Similar design principles are exemplified within the Madley housing design manual documents.

All of the various technical constraints to development have been demonstrably addressed as part of the current planning application and the land is available immediately for development. The mix of housing proposed mirrors the stated requirements detailed within Herefordshire's Housing Market assessment document (2013), and as such provides an appropriate range of house types necessary to meet the current requirements of the Madley local community as detailed within both Herefordshire's Core Strategy policy H3 and Madley NDP policy MH4.

The landowners would therefore request that the proposed settlement boundary is adjusted accordingly to accommodate this site for inclusion as an allocated residential site within the emerging draft Madley NDP, as it evolves towards its Regulation 16 draft.



DATE: APRIL 17  
DRAWN BY: CE  
SCALE @ A1: 1:2500, 1:5000  
CHECKED BY:  
DO NOT SCALE FROM THIS DRAWING  
DRAWING NO.: 6210-1-01B  
REVISION: B - 23-07-2015 - BLOCK PLAN UPDATED - CE



MR N POWELL  
LAND ADJACENT TO TOWN HOUSE  
MADLEY, HEREFORDSHIRE HR2 9DP  
LOCATION AND BLOCK PLAN



# Response log

## **Text of covering email:**

Please find attached herewith consultation feedback in respect of the Reg 14 draft NDP, forwarded on behalf of our clients, together with a location plan detailing land close to the centre of Madley, which is the subject of a current planning application submission for residential development.

As you will be aware from previous pre application consultation with the Parish Council, the principle of residential development on this land has been supported by Herefordshire Council during the extensive pre application consultation process undertaken in conjunction with them. The land was highlighted in the 2015 SHLAA as land with medium suitability for residential development, being close to the centre of the village and with good connectivity to the village centre and all of the various services and facilities within the village, however notwithstanding that fact somewhat inexplicably the NDP steering group subsequently disregarded this site in preference for others, further from the centre of the village & with resulting less connectivity to the village centre. It should be highlighted that the Core Strategy requirement for 89 dwellings in Madley within the plan period to 2031 is a minimum not maximum and therefore does not preclude inclusion of other sites.

The design of the proposed development which is the subject of the current planning application acknowledges its location close to the village centre and the various designated heritage assets & the proposed design is a response to this location and neighbouring buildings, drawing from the local vernacular, adjacent converted former agricultural buildings together with farmstead design typology. The development is of modest size, comprising ten units in total and will integrate sensitively within this edge of settlement location with several designated heritage assets in relative proximity. Similar design principles are exemplified within the Madley housing design manual documents. In comparison the current allocated site for 22 units in total is located some considerable distance from the village centre on the western extremity of the settlement.

All of the various technical constraints to development have been demonstrably addressed as part of the current planning application and the land is available immediately for development. The mix of housing proposed mirrors the stated requirements detailed within Herefordshire's Housing Market assessment document (2013), and as such provides an appropriate range of house types necessary to meet the current requirements of the Madley local community as detailed within both Herefordshire's Core Strategy policy H3 and Madley NDP policy MH4.

Our clients would therefore request that the proposed settlement boundary is adjusted accordingly to accommodate this site for inclusion as an allocated residential site within the emerging draft Madley NDP, it evolves towards the Regulation 16 draft.

## Response log

### Comments by Parishioner 16

#### General comment

Joan & I intend to make several responses to the DRAFT plan now out for public consultation.

##### Herewith the first:

Overall we regard the Madley draft NDP as a flawed concept. Madley is a small parish which, despite some limited facilities, is sadly lacking in many ways. Our parishioners are very dependent on services provided by neighbouring parishes, especially Kingstone. In particular, medical treatment, secondary education, quality employment & vehicle servicing are non-existent in Madley, so our "Neighbourhood" is actually much more extensive than just Madley Parish.

Given that our draft plan fails to address this wider concept & that therefore we have no input or influence over plans & developments in our neighbouring villages, Madley residents needs cannot be taken for granted.

This is now an even bigger problem when housing developments in Kingstone & Clehonger are fully into the building stage - some 450 - 500 new dwellings - with Herefordshire Council pressing for more in Kingstone. This is way above the original local housing allocations & ignores Kingstone's completed NDP. No concern for the ability to absorb 1500 - 2000 occupiers into the existing infrastructure & no evident plans to upgrade said infrastructure. In the circumstances Madley residents will be on the end of some very long queues.

So what remedy does the Madley draft suggest? Absolutely none!

Please add this to the public consultation.

#### Policy MH3

Please find our second of a series of consultation comments.

##### Proposed Settlement Boundary for Madley.

Reference item 4.20 "Madley has developed over time around the church & the crossroads & along the principal routes into the Village"

Even a glance at the relevant maps will show this to be wholly erroneous. Some 90% of the Madley built area is to the West of magnetic North taking Madley Cross as the reference point. Grid North is virtually the same. Lesser development is to the SW (Brampton Rd.)

The principal route into the Village is the B 4352 from East to West - ie from Hereford, & on this route development is negligible.

This situation has arisen in that the "vested interests" as usual have opined that "we don't mind what you build so long as it's not near us"!

This is still being promulgated as I write, with coordinated objections to planning application 192672 beside Town House coming onto the LPA website daily. This despite a very well-reasoned & researched application giving potential residents of the ten dwellings easy access on foot to all the centralised facilities in Madley & no loss of prime agricultural land

The net result of these machinations has been to push the built area further to the West on the B.4352 into open countryside onto prime agricultural land which we can ill afford to lose. Any whiff of "affordable (social?) housing" enhances the "not near me" ethos so a 22 dwelling site with 35% affordable is the principal reason for a further push to the West on B. 4352 & clearly not giving easy access to the Village facilities on foot or bicycle. Newly generated traffic from the remote site, whether private, commercial or local authority will mostly be driving back & forth through the present built up areas to access Hereford or Kingstone or even, given the distance, to access the Madley facilities. Think walking in winter conditions on unlit (dark skies area) roads/footpaths if you are elderly, accompanying children to school, or disabled & possibly carrying the

## Response log

shopping. Totally impractical, so into the car, if available, causing further congestion whilst seeking the minimal available parking in the village.

The proposed "envelope" seeks to maintain the unsustainable lack of thoughtful planning & even seeks to downgrade land only recently classed as "land with high suitability for housing development" viz HLA/435/002 now outside the proposed arbitrary & restrictive "black line." No explanation has been given, so we must assume that a site with excellent connectivity to the village has fallen to the preferences of a planning consultant with input from the Duchy of Cornwall.

The draft "Settlement Boundary" should now be re-drawn to fully meet the aspirations clearly expressed in item 4.20 but, so far, found wanting!

## Policy MSC2

Reference 7.6 draft - Glebe Field.

The reference to the Annual Classic Car Show should be amended and/or deleted.

Joan, myself & Colin Barratt ran the very successful static show from 2012 (in conjunction with the Diamond Jubilee celebrations) up to, & including, 2014.

Colin then introduced the "Madley Miglia" which we could not support as part of the organising team because, with more than 12 participating vehicles on the public highway, such an event is illegal under the 1969 Motor Vehicles (Competitions & Trials) Regulations but can, in some circumstances & payment of a fee!, be authorised by Motorsport UK which is part of the Royal Automobile Club acting for the Minister of Transport.

Without this authorisation, participants motor insurance will be invalid.

We are fully aware of the regulation since Joan was for many years Senior Librarian & Archivist at the RAC Headquarters in Pall Mall & both of us have been involved in motor sport as competitors & officials for over 50 years!

It would probably be prudent not to link the church with illegal activities.

## Chapter 2, policy MH2

2.4 Quote "A network of rural lanes, generally narrow, often single track & not through routes but giving access to individual farmsteads or woodland"

A near perfect description of Forty Farm Rd. which, in connection with the 22 dwelling land allocation on prime agricultural land extending west of Madley, is seen as the preferred access to the new development. This in addition to providing access to Forty Farm, Madley Plants Nursery, definitive PROW's MY 42, MY 52, & MY 53 & much arable farmland to the south. Bearing in mind that this will involve private, commercial, local authority & agricultural vehicles up to the size of combine harvesters, refuse & re-cycling lorries, removal pantechnicons, we should be told how this is possible & how a major upgrade (straightened, greatly widened & with a turning area at the end to facilitate two way traffic) will be financed?

At present, major agricultural equipment moves from north of the B 4352 directly across that road via large (probably unauthorised!) gaps in the two hedges & thence, via the field now allocated for the housing development, to the further prime agricultural land surrounding Madley Moat.

Forty Farm Rd./ B 4352 junction is home to a mature Ash tree which precludes the necessary visibility splay for safe access. The track itself includes a near right angle bend at the Forty Farm/ Madley Plants access. It is lined by several telegraph poles & a watercourse leading to, and beyond, the MY 52 PROW which is frequently waterlogged in winter due to the slope of the land now proposed for 22 dwellings. Surface water dispersal will not be improved by the proposed development &, given that this watercourse drains to the Tingle Brook,

## Response log

thence to the Bage Mill stream, & ultimately to the R. Wye at Field's Place, the potential for further damage to the health of this river is obvious.

The foregoing helps to explain why, with the abundant and somewhat whimsical studies of the Duchy/ Prince's Trust, there has been no willingness to test the viability of the site by submitting a planning application. Too much effort has been expended on esoteric design details when access, foul & surface water dispersal in the R. Wye SAC, & wildlife concerns suggest easy grounds for **refusal by Herefordshire Planning Authority**. In this case, & with no alternative plan, this highly expensive drain on the resources of local taxpayers falls flat with huge embarrassment to Madley Parish Council & members of the NDP Steering Group who should surely all put their names to the draft proposals?

2.12 Describes the R. Wye SSSI & European Special Area for Conservation.

2.13 Then in the following paragraph, the draft report states that Madley has no conservation areas!

Some conflicting evidence here needs explanation.

## Policy MH1

We have already drawn attention to the many negative aspects of the proposed 22 dwelling development west of Archenfield, especially the very poor access, which will require substantial upgrading well before any building work is possible. What contingency plans are in place to allow Forty Farm, Madley Plants, & farmers of the adjacent arable land, to go about their routine business activities during a lengthy road closure or, at best, major obstruction?

Substantial emphasis (4.5) is placed on "dwellings with planning permission" as part of the Madley commitment. The Faraday House site, which should now be referred to as "Beechwood", & comprises planning applications 152036 (27 houses) & 150897 (10 bungalows), a total of 37 for which outline approval was sought dated July 2015, were approved (in outline only) in Aug. 2016 for the former & July 2015 for the latter. Neither has yet received approval of "Reserved matters" &, indeed, 152036 has only just put in the required application. The application for the bungalows (181921) has been regularly delayed seeking solutions to access & surface water dispersal matters & to date, no approval can be given by Herefordshire Planning Authority.

The access problem, shared by both applications, arises because the original requests were based on the demolition of Faraday House which would, at least, have provided a partial solution. It could be argued that, since "Beechwood" has been renovated & extended, & presumably not in danger of demolition, then the two planning applications are no longer valid due to a substantial change as described.

Thus the 37 dwellings cannot be any more confidently described than "possibles".

Windfall Allowance (4.5). Quote "No allowance is made for the last year of the plan ....." Given the timescale of recent planning matters in Madley (as above) a one year buffer is ludicrous. Experience suggests a timescale of 5 to 7 years from planning application to "build out" is to be expected.

On this same subject, we note that a potential "windfall" of 10 dwellings has already applied for outline planning permission (192672) on land assessed as "medium suitability for housing" (HLAA/253/001) - same classification as the proposed 22 dwelling development (HLAA/435/001).

Although "windfalls" are a significant part of the Madley commitment in this draft, at least 3 of the prominent members of the NDP Steering Group are vigorously opposing the application! Does this again tell us that the whole ethos of this NDP is based on the self interests of a vocal few & not, as it should be, on the benefit to the community? HLAA/253/001 has much greater credentials for approval than the NDP site.

We conclude that the Madley housing commitment is on very shaky ground & the complete failure to countenance a "Plan B" is wholly unprofessional.

# Response log

## Policy MH2

Duchy of Cornwall.

The Madley NDP housing commitment to be completed, & preferably fully occupied by new owners by 2031, relies heavily on the land offered by the DoC adjacent to Forty Farm (22 dwellings).

Development of prime agricultural land is highly unpopular with the general population & no less so amongst Madley residents. More particularly, the whole conservation ethos of the DoC runs counter to this seemingly new commercial policy.

The two housing manuals cover a wealth of detail but are more interested in the fine details of architecture than the serious basic matters of access, drainage, etc required for planning approval. Access we have covered before, but it should be noted that the area of the proposed site is currently served only by septic tank/cess pit foul water drainage & the slope of the land to the south east can only exacerbate the regular surface water logging of MY 52 & surroundings.

Foul water is currently moved in an easterly direction by pumping stations at Tinglebrook, Archenfield, Upper Frogmore, & Seabourne Gardens. Will these be overloaded by effluent from the higher level site?

Failure to test the viability of the proposed site with a planning application before the NDP is determined by referendum could lead to the collapse of the whole Madley housing commitment.

Given the doubts expressed as to the viability of the DoC "modus operandi," we are fortunate to have been able to study a very similar scheme in the County at St. Weonards. A 24 dwelling development on agricultural land in the centre of this small village (widely opposed by residents) has achieved planning approval (171527) in favour of the DoC but with no subsequent progression to the construction stage. The most recent correspondence by the Parish Clerk quotes "We must assume the site will be built on at some stage in the future." Local residents thus have ongoing concerns for the value/saleability of their properties.

Back to Madley, does the Parish Council have any legal contract/memo of understanding with the DoC that the 22 dwellings will be completed, with all relevant infrastructure, by 2031? Given that the Faraday House/Beechwood site has been under planning investigations since 2007, & still ongoing, a guaranteed shorter timescale is essential for the new site to attain full planning approval.

There must be some concern that the DoC (or elements within!) are only interested in markedly increasing values of their extensive land holdings by converting from agricultural to development land with planning approval. Not so different to the "land banks" of the major construction companies!

Madley Beware!

## Policy MSC1

Please find attached our further observations on the NDP [draft.to](#) go with the previous six. Maybe the last but don't hold your breath!

We have been unable to locate any representations, ours or others, said to be published in the public domain, please advise.

Whilst preparing these contributions, we note that prominent members of the NDP Steering Group, in submitting objections to planning application 192672 (Town House adjacent) are using features of the **DRAFT** to bolster their arguments. Can they please be told (at the Sept. PC Meeting perhaps?) that this is completely out of order during the consultation & examination processes?

Otherwise, why are we wasting our time in diligently analysing the proposals if they think the draft is the last word & cannot be challenged?.

# Response log

Maybe the Jane Hearst resignation is an acknowledgement of this malpractice? As it becomes clear that members of the Steering Group regard the NDP as primarily serving their self interests, rather than those of the Madley Community, its purpose is seriously undermined & it becomes an expensive mistake.

## **(7) Social and Community Infrastructure**

### **Community Facilities**

#### **Madley Parish Hall**

This does as about well as can be expected for such an old building, but compares unfavourably with other local halls such as Moccas, Weobley, Stretton Sugwas, and Clehonger, all of which have been upgraded in recent years. Minimal parking facilities are a problem at Madley generally.

#### **Madley Parish Church**

This is interesting architecturally with a long history, but a short future. It is now far too big for the village and thus bankrupt financially, though it must be said that the finances of the Church of England are always somewhat obscure. Its core message is bankrupt too since the unbelievable dogma installed at birth has suffered from the widespread access to education. Thus a reducing and aged congregation cannot sustain the building and new uses should be sought to reflect interests other than religious belief. Peterchurch provides such an example of diversification.

Church House alongside is a listed building, best known recently for commercial cannabis growing! Despite its status, it is in an advanced state of dereliction which does nothing for the village appearance nor that of the church alongside.

#### **The Stables Café**

This is an excellent facility but dependent on too few volunteers.

#### **Methodist Chapel**

This is about the right size for a Madley congregation, but seems to have minimal usage.

#### **Red Lion and Comet Public Houses**

The Red Lion is a tied house (Marstons) and has suffered from poor short term management for about the last 12 years. This centrally located pub will only become an asset when it becomes a free house. The Parish Council should push for this.

The Comet is a free house and is well run, but is situated at the other end of the Parish and suffers from the incessant pushing of the village built area towards the west. It is virtually inaccessible on foot especially in winter. A re-think of extending the village to the east is long overdue.

#### **Madley Primary School and Pre-School**

This is a well-run school, but in the wrong place, causing continuous problems of congestion and parking. It is also too small and exists partly on the addition of small sheds and shipping containers. It is architecturally totally out of keeping with its surroundings - Duchy of Cornwall would not approve! In view of the major housing development locally, demand will increase and an urgent re-location of the building away from the main road and incorporating better parking facilities and playing fields should be a priority- our children deserve it! The land freed up should be used for a car park, public toilets, GP Surgery etc.

#### **Village Shop and Post Office**

This is a well-run facility but, being in the centre of the village, the lack of interest in maintaining an attractive external ambience detracts visually from the street scene. The parking facilities are inadequate and the boundary a permanent eyesore.

# Response log

## Policy MH2

[Reply by Parishioner 16]:

Thank you for this. Despite the somewhat convoluted process we will attempt to be patient but you should know that we have an extensive local mailing list compiled, with permissions, during the regime of the previous Parish Council before they "crashed & burned" on a £13,000.00 "inducement" to overturn a planning application. If we become aware of any attempt to hinder the public consultation process ("all comments in the public domain"), especially if the compilation is only available at an NDP Steering Group Meeting, with the usual minimal attendance, we may resurrect that monthly newsletter.

Village communications have a record best described as "woeful".

Whilst on email, please find attached yesterday's photo of the combine harvester at work. How do you suppose new residents of the NDP Housing Development would like to meet this on the single track Forty Farm Rd.?

Naturally the machinery was using the traditional route via gaps in the hedge at Archenfield directly across the B. 4352, then across the proposed development field to the arable land at Madley Moat. We are aware that the wider cutter blades are removable, but the main machine is still huge.

You may wish to add this email to our previous consultation responses.



[Response by Madley Parish Clerk]:

Thank you for allowing me the opportunity to confirm that your comments, along with other submissions, will form part of a "verbatim" response log. The comments will be placed in the log as submitted without any amendment/weeding by the Planning Consultant. The response log then comes into the public domain when it is considered at a NDP Steering Group meeting, sometime after the 9<sup>th</sup> September 2019, at which point interested parties will have the opportunity of looking at the responses made during the consultation phase.

[Reply by Parishioner 16]:

Thank you for this, but this latest intention conflicts with the unequivocal statement on the Public Consultation Comments Form that "All comments will be publicly available"

Your (?) interpretation leaves scope for selection/weeding out of comments such that no one (of the public) will know to what extent all submissions have been given consideration.

What stops Madley PC/ NDP Steering Group from being completely transparent in progressing the NDP in the name of Madley residents?

[Acknowledgement email by Madley Parish Clerk]:

I am writing to acknowledge receipt of seven separate submission in response to the request for comments under the auspices of the Regulation 14 process.

## Response log

Alongside comments received from other residents and consultees your submissions will be forwarded to David Nicholson immediately after the consultation period ends on the 9<sup>th</sup> September 2019.

Using all the comments received, David will prepare a "consultation statement" for submission to Herefordshire Council along with the NDP. I understand that this statement will include details of those who were consulted and will major on the main issues and concerns raised by those consulted and will describe how these have been addressed. There is no intention (or requirement to do so) to publish individual comments but all verbatim submissions will form a "response log" which will come into the public domain when it is considered at the next Steering Group meeting.

### Policy ME2

Further reading leads us to believe that the Environmental Study & the Housing Manual (1) place far too little emphasis on the "Dark Skies Policy."

Indeed, the latter on page 34 (GP 3) alludes to lighting along the B 4352.

There is currently no such lighting & any attempt to deviate from this situation should be strongly resisted.

Please add this observation to the response file.

### Policy MH2

After a day in the hills yesterday, Joan & I took in a visit to St. Weonards on our way home to further research the Duchy of Cornwall 24 dwelling proposed development under planning no. 171527 applied for nearly three years ago.

Despite obtaining full planning approval, in the face of much opposition, we found by observing from Mount Way, that the proposed site, in contrast to its former good quality arable status, is now a scene of dereliction doing nothing for the appearance of a well maintained village. Faded planning notices are still attached to trees, but absolutely no sign of any intention to proceed with the development.

**Of course, the derelict site is now worth about eight times more than it was before planning approval!!**

Local residents are now left with concern & uncertainty as to the saleability of their properties & there is the only to be expected rancour between villagers on both sides of the planning consultation arguments, Villages do not need such divisions.

To the best of our knowledge, neither the Madley NDP Steering Group nor the Parish Council have made any effort to contact their opposite numbers in St. Weonards to compare the experience of dealings with the Duchy of Cornwall. If true, this is irresponsible neglect of an opportunity for consultation on a similar development to that proposed for Madley. The St. Weonards project has stalled with no plausible explanation - do we want the same for Madley?

Please acknowledge & add to the public consultation.