

Almeley Neighbourhood Development Plan

Schedule 1: Representations in response to Draft Plan, April 2018

Schedule 1: Community Representations and Response

Respondent Identification Number	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Suggested Changes Parish Council Consideration (In blue)	Proposed Change Y/N
C.1 R Harris	Whole Plan	Support	Like most of the residents of Almeley I would rather not see any further housing development sites. But needs must and having read the Neighbourhood plan I can see a lot of thought and consideration has been applied and am willing to support the draft plan. Noted with thanks	No change proposed
C.2 P. A Atkinson	Whole Plan	Support	A clear plan to accommodate the housing needs of all ages in the village to ensure its health and survival. Noted with thanks	No change proposed
C.3 D Hope	Whole Plan	Support	A considerable amount of thought and attention to detail is evident in this plan and I believe it represents a positive and realistic conclusion of how rural development of the parish should proceed in the planned timescale. Noted with thanks	No change proposed
C.4 R S Rogers	Whole Plan	Support	A lot of hard work has gone into the preparation of the Almeley Neighbourhood Development Plan and I fully support all the policies that it contains. Noted with thanks	No change proposed
	ALM3	Support	The policy which aims to maintain and protect landscapes and features, character and natural environments with in the parish is much needed and a welcome inclusion in policy document Noted with thanks	No change proposed
	ALM9	Support	Good to see inclusion of this particular policy which will help to control obtrusive agricultural buildings which appear with ever increasing regularity as well as large intensive chicken rearing sites and manure spreading etc. Noted with thanks	No change proposed
C.5 B Watts	Whole Plan	Comment and support	From an environmental viewpoint, the plan will retain the rural aspects of Almeley. One minor environmental point is that all the local streams are polluted and devoid of underwater life and have been for over forty years. The plan is comprehensive and all the aims in the document. Noted with thanks. Grateful for the information about the condition of the streams flowing through the Parish. An Environmental report has been prepared for Parish which it is hoped will form the basis for further action. The NDP will have limited scope to take action that does not involve development. However, the Parish Council will receive this advice and consider how it might respond positively to promote the improvement of both water quality and biodiversity associated with the streams.	No change proposed
C.6 R Watts	Whole Plan	Comment and support	With regard to new property in Almeley, it is difficult to make new private housing affordable, but it essential to ensure that all new public housing is affordable relating to local incomes. Overall the Almeley Neighbourhood Plan is comprehensive and all the aims in the document remain important for the future of Almeley. Noted with thanks. The sites granted planning permission and allocated for development within the NDP are below the threshold to require affordable housing. This is felt to reflect the views of the local community for small scale developments. Herefordshire Local Plan Core Strategy policy H2 allows sites for affordable housing and this approach is advocated for the Parish as set out in para 8.10. To pursue this approach requires up-to-date information to be available	No change proposed

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			to indicate a need.	
C.7 J Izbicki	Policy ALM9	Support	Important item on waste management Noted with thanks	No change proposed
	Whole Plan	Support	Well done to all involved and thanks for all your effort on behalf of the parish. After reading this through I agree that the two sites approved by APC to be the most appropriate, I commend them to Hereford Council. Noted with thanks	No change proposed
C.8 E Izbicki	Policy ALM9	Support	Agree with all proposed restrictions in this section. Noted with thanks	No change proposed
	Whole Plan/Housing allocations	Support	I congratulate all those involved with producing this plan. It sensitively balances the need for housing with conserving the rural and historic areas of the parish. I consider the 2 sites identified and approved by Almeley Parish Council to be ideal. Noted with thanks	No change proposed
C.9 C Hazell	Whole Plan/Housing allocations	Support	I have read the Almeley Parish Neighbourhood Development Plan, Consultation draft, November 2017 and agree that the small developments proposed are the best option for the village. Noted with thanks	No change proposed
C.10 R Hazell	Whole Plan/Housing allocations	Support	I support the Almeley Parish Neighbourhood Development Plan, Consultation draft November 2017. It is a well thought out and comprehensive document. Noted with thanks	No change proposed
C.11 C Campbell	Para 3.7	Comment	If reflecting the parish's wishes, any future development should take particular note of this paragraph The importance of these matters are covered through Policies AKLM3 and ALM4 in particular.	No change proposed
	Para 3.10	Comment	Again, the plan outlines clearly that new business ventures are to be welcomed but they should be small-scale and reflect the nature and character of the rural area. The NDP makes references to relying upon Herefordshire Local Plan Core Strategy policies for most forms of economic development within the rural area, which place emphasis upon this being of appropriate scale. NDP policies ALM8 and ALM9 refer to scale and in particular the need to protect the landscape.	No change proposed
	Policy ALM7	Comment and support	Of particular note is (6) where any future planning is considered re: reducing waste and construction traffic and any additional traffic as a result of proposed development. (g) very important too. Noted with thanks	No change proposed
	Whole Plan	Support	The draft Almeley development plan is comprehensive, wide-ranging and has taken into account resident's wishes. If this were in place, I feel confident that any future planning permission would be granted sympathetic to the plan. Noted with thanks	No change proposed
C.12 A Whybrow	Whole Plan	Support	I am very impressed by the Parish Plan which has carefully been drawn up to protect Almeley village and parish both in terms of its landscape and natural beauty and the wellbeing and community spirit of the area. I have been becoming more and more concerned with the threat of industrial style farming units including large pig farms and chicken farms. The plan seems to protect parishioners from all that follows from the establishment of these farming methods – the smells, the pollution, increased heavy transport. I am all in favour of increasing housing stock within the parish as long as transport and amenities are increased to accommodate such growth.	No change proposed

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			Noted with thanks	
C.13 I Whybrow	Policy ALM3	Support	We are delighted to support the Parish Council's determination to sustain the present beauty and integrity of the parish with its unique landscape and lovely natural features. This, it should be stressed, is as important as permitting only a moderate increase in the housing stock with a population that does not overwhelm amenities or swamp the communal spirit of the place. Noted with thanks	No change proposed
	Policy ALM9	Support	We are particularly opposed to the development of anymore industrial-style farming within our community. The more stress that the plan can lay on keeping out intensive chicken farms and pig-units the better. The threat that muck-spreading, offensive odours and the increase of heavy transport on our narrow lanes cannot be over-emphasised. Noted with thanks	No change proposed
	Whole Plan	Support	A remarkably comprehensive and detailed plan, evidently the result of a hard-working, co-ordinated effort by a dedicated team, that is far-sighted and ambitious for the parish whilst seeking to underpin its integrity and to support the interests of the local community. Noted with thanks	No change proposed
C.14 I Campbell	Policy ALM9	Support	I fully agree that intensive livestock units should be evaluated with great care and awareness of this environmental impact. Noted with thanks	No change proposed
	Housing allocations	Support	I fully agree with the aim of building a small amount of additional housing in a manner that complements the character of the villages. Noted with thanks	No change proposed
C.15 C A Hall	Whole Plan	Support	A sensible plan for development of a number of houses forced on this neighbourhood by the government. Lack of work opportunities is not considered in the number of homes suggested but I am willing to support the NDP plan. Noted with thanks	No change proposed
C.16 M Madden	Whole Plan	Support	Generally, I feel that the NDP is well constructed and has the best interests of the Almeley area at heart. It is very positive in championing the rural qualities/ characteristics of this charming village and surrounds. Noted with thanks	No change proposed
	Option 6 p18		Acquisition of site 8a (p.66) and the possible future acquisition of the rest of site(s) 8/9 will no doubt involve compulsory purchase of land. How rigorous is the recompense to landowners? The plan does not propose that any housing land will be compulsorily purchased but that the chosen sites will be brought forward by the landowners for development. The sites were identified through a 'call for sites' where landowners submitted land for consideration and the basis for this is that they are willing to make it available.	No change proposed
	Objective 5(e) p.20		The alternate means of transport may have been encouraged, but not necessarily provided. This may need to be urgently reconsidered depending on who buys the new houses. This is an objective, advocated by Herefordshire Council, which is responsible for transportation matters. The NDP has very limited scope to suggest forms of development that might contribute towards this but in setting out the objective, there is recognition that small changes, such as through Policy ALM7, may contribute towards accumulated benefits in terms of reducing carbon in association with actions elsewhere.	No change proposed
	Policy ALM6		All points (a) – (f) are sound. How far is the Parish Council able to insist on these points with the planning department?	No change

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			Should the plan be adopted then its policies must be given significant weight where relevant to any decisions on planning applications.	proposed
C.17 T Meldrum	Whole Plan	Support	A very well researched and written document Noted with thanks	No change proposed
	Whole Plan	Comment	<p>We feel sympathy for the position Almeley Parish Council find itself in. Hereford Council has a woeful history of ineptitude in panning matters and the core strategy is no exception. For no fault of its own the PC has been black-mailed into accepting and improved (albeit quite small) need for further development under threat of spectacular-led building on a big scale as an alternative. The unitary authority has employed a “scatter-gun” approach to new building often at odds with its own professional aspirations on social and environmental matters. Hereford Council has failed to draw up an adequate “joined-up” strategy for the county, which would have better protected local councils from planning permissions granted on appeal. It would have directed development to more suitable sites with regard to employment, infrastructure and environment. H.C. has, in effect, compromised local council’s ability to decide their destinies, despite the Localism Act and other empty gestures towards local democracy.</p> <p>What is more, despite the good work put in by communities, there is no certainty that the adoption of an NDP will safeguard the area from inappropriate building in future. Indeed recent cases show that parishes with NDP’s have recently had development imposed upon them by Hereford Planners. Development without a stated need tends to go against the aims expressed in ALM3. The rural nature of the parish will be eroded incrementally by the creation of relatively expensive housing designed to maximise the profits of builders and likely only to attract aspirational migrants from elsewhere. The same is true of business development (ALM8) especially it requires a specialist workforce commuting to the village on already inadequate roads.</p> <p>In conclusion, Hereford Council’s development quotas are deeply flawed because they do not address the particular necessities and limitations of the areas in question. The road system alone should be reason enough to reject them given that Almeley has experienced a doubling of traffic in two and a half years, which must be partly due to delivery vehicles, farming movements and the increased school traffic from other villages.</p> <p>Comment Noted. The Parish Council has worked within the parameters set for it and tried to make the NDP as strong as possible to reflect the views of the community through policies that are specific, having learned from other NDPs where this may not have been the case. Not to have prepared a plan would have left the two named settlements without any defined settlement boundaries until Herefordshire Council itself produced a plan for them which may not have reflected the community’s wishes to the same extent. If this had been the case, then the two settlements might have had to accommodate even greater levels of development.</p>	No change proposed
	Policy ALM9	Comment	Notwithstanding the above, it is modern farming that poses, potentially, the single greatest threat to the environment and amenity of Almeley. Indulged for decades because of wartime food shortages the industry enjoys economic and planning benefits not available to others. The gradual move towards more industrial and intensive farming is already leading to huge pressures on the natural world which is demonstrated in the catastrophic decline in bio-diversity, as recorded in many recent studies of rural areas. Farming employs few, pays relatively low wages, and does not provide the economic	No change proposed

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			<p>benefits it once did to the immediate community. Tourism is in fact a greater earner, but that depends on unspoilt and wildlife-rich countryside. Ironically, intensive farming might be undermining not only the natural life-support systems and amenity, but also the sustainability of agriculture in the future. It is good to see Almeley PC put great importance on the beauty and ecological health of the parish.</p> <p>We would urge no further development of the farms in the area, and particularly resist the establishment of intensive livestock units, which are not diversification but industrial enterprises. Most people would agree that the roads in the area are in a terrible state, mostly due to heavy vehicles. However, any new development will exacerbate this and should be taken into account. Noise pollution is not mentioned in the NDP but it is an important consideration in any planning application. The psychological effects of noise from traffic and industry is serious and considered as important as other forms of pollution in many countries.</p> <p>Policy ALM9 seeks to address those issues that it feels can be covered through planning policy for intensive livestock units based on work undertaken to see what other have done. Noise is mentioned in criterion (d) of the policy. It is not considered possible to have a policy explicitly resisting any further such units.</p>	
C.18 E Meldrum	Whole Plan	comment	<p>We feel sympathy for the position Almeley Parish Council find itself in. Hereford Council has a woeful history of ineptitude in planning matters and the core strategy is no exception. For no fault of its own the PC has been black-mailed into accepting and improved (albeit quite small) need for further development under threat of spectacular-led building on a big scale as an alternative. The unitary authority has employed a “scatter-gun” approach to new building often at odds with its own professional aspirations on social and environmental matters. Hereford Council has failed to draw up an adequate “joined-up” strategy for the county, which would have better protected local councils from planning permissions granted on appeal. It would have directed development to more suitable sites with regard to employment, infrastructure and environment. H.C. has, in effect, compromised local council’s ability to decide their destinies, despite the Localism Act and other empty gestures towards local democracy.</p> <p>What is more, despite the good work put in by communities, there is no certainty that the adoption of an NDP will safeguard the area from inappropriate building in future. Indeed recent cases show that parishes with NDP’s have recently had development imposed upon them by Hereford Planners. Development without a stated need tends to go against the aims expressed in ALM3. The rural nature of the parish will be eroded incrementally by the creation of relatively expensive housing designed to maximise the profits of builders and likely only to attract aspirational migrants from elsewhere. The same is true of business development (ALM8) especially it requires a specialist workforce commuting to the village on already inadequate roads.</p> <p>In conclusion, Hereford Council’s development quotas are deeply flawed because they do not address the particular necessities and limitations of the areas in question. The road system alone should be reason enough to reject them given that Almeley has experienced a doubling of traffic in two and a half years, which must be partly due to delivery vehicles, farming movements and the increased school traffic from other villages.</p> <p>Comment Noted. The Parish Council has worked within the parameters set for it and tried to make the NDP as strong as</p>	No change proposed

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			possible to reflect the views of the community through policies that are specific, having learned from other NDPs where this may not have been the case. Not to have prepared a plan would have left the two named settlements without any defined settlement boundaries until Herefordshire Council itself produced a plan for them which may not have reflected the community's wishes to the same extent. If this had been the case, then the two settlements might have had to accommodate even greater levels of development.	
	Policy ALM9	Comment	<p>Notwithstanding the above, it is modern farming that poses, potentially, the single greatest threat to the environment and amenity of Almeley. Indulged for decades because of wartime food shortages the industry enjoys economic and planning benefits not available to others. The gradual move towards more industrial and intensive farming is already leading to huge pressures on the natural world which is demonstrated in the catastrophic decline in bio-diversity, as recorded in many recent studies of rural areas. Farming employs few, pays relatively low wages, and does not provide the economic benefits it once did to the immediate community. Tourism is in fact a greater earner, but that depends on unspoilt and wildlife-rich countryside. Ironically, intensive farming might be undermining not only the natural life-support systems and amenity, but also the sustainability of agriculture in the future. It is good to see Almeley PC put great importance on the beauty and ecological health of the parish.</p> <p>We would urge no further development of the farms in the area, and particularly resist the establishment of intensive livestock units, which are not diversification but industrial enterprises. Most people would agree that the roads in the area are in a terrible state, mostly due to heavy vehicles. However, any new development will exacerbate this and should be taken into account. Noise pollution is not mentioned in the NDP but it is an important consideration in any planning application. The psychological effects of noise from traffic and industry is serious and considered as important as other forms of pollution in many countries.</p> <p>Policy ALM9 seeks to address those issues that it feels can be covered through planning policy for intensive livestock units based on work undertaken to see what other have done. Noise is mentioned in criterion (d) of the policy. It is not considered possible to have a policy explicitly resisting any further such units.</p>	No change proposed
C.19 F St Clair	Whole Plan	Comment	<p>I applaud the conscientious efforts and attention to detail by those who created the NDP and hope that their excellent work will preserve the best of the village, while accommodating Council directives.</p> <p>Noted with thanks</p>	No change proposed
	Policy ALM11, paras 8.1 and 8.2	Object	<p>I feel that using the site 8A for 5 houses outside the village boundary is an unnecessary carving up of the countryside, for a few properties which would not benefit the village, especially bearing in mind the comments in 8/1, that the elderly demographic in Almeley, will lead to empty properties in the village itself.</p> <p>I would on reflection make a stronger protest against the extension to the Almeley Village Settlement Boundary as,</p> <ul style="list-style-type: none"> A) The committee did not listen to the response of the village to Option 2 (rather than option 6) B) The relatively small number of houses needed to make up the numbers will be met by windfall and other building. C) The proposed development north of West View, will only benefit the landowner, and will certainly be the thin edge of the wedge leading to much greater and unnecessary development. 	See change No 3

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			<p>The NDP needs to show both Herefordshire Council and the External Examiner of the NDP that it has planned positively for development through showing a high level of certainty that the required level of development will be met. The NDP Steering Group/Parish Council recognise that there are no ideal sites for development and only a few were brought forward by landowners through the local 'call for sites'. With limited choice it feels that the NDP provides the best that can be achieved bearing in mind the wishes of the community.</p> <p>The Parish Questionnaire upon the NDP was undertaken during 2014. Herefordshire Local Plan Core Strategy was adopted in October 2015 after a Public Examination. The Core Strategy changed as a consequence of that Examination and this had a significant impact upon what NDPs should and were able to do. The amount of development that had to be accommodated increased. In addition, with the adoption of the Core Strategy, all previously defined settlement boundaries disappeared opening up the potential for development around the edges of both settlements defined in the Core Strategy within Almeley Parish. The Examination Inspector emphasised that the housing requirement was a minimum and no maximum is defined. Herefordshire Council defines the extent of the built-up areas of the two settlements very broadly and this presents many opportunities for further housing development. In addition, because Herefordshire Council does not have a 5-year housing land supply, many of the factors that the community consider important are given little if any weight. The only way to ensure the wishes of the community are given greater weight is to define a settlement boundary, either within an NDP or by relying Herefordshire Council to do this. In addition, the NDP is stronger if it includes a housing allocation. The NDP Steering Group/Parish Council has looked at the way other communities have prepared their plans and what Examiners have said to try to learn lessons of what might and might not be done and to come up with what it considers best serves the needs of the whole community bearing in mind the basic conditions required by Herefordshire Council. Bearing in mind what was learned from this, it was highly likely that Option 2 would not represent the level of certainty required by Herefordshire Council and an External Examiner that the housing requirement would be delivered. Decisions in relation to the housing allocations require some compromise and on balance the benefits of having the certainty through defining settlement boundaries and having the small housing allocations outweigh the disadvantages of relying on The Core Strategy policy for rural settlements. A slight change is proposed to para 4.4 in order to explain why Option 6 was considered necessary. See change No 3</p>	
C.20 G Beresford		Objects	<p>I am writing on behalf of several Almeley Parish residents about the undated information leaflet on proposals for the Neighbour Development Plan (NDP) to which resident have been invited to respond by 9 April 2018. The leaflet has not been widely distributed; only one resident in this area received a copy, thrown over her garden fence 4 days ago, when it was raining. Questioning residents elsewhere in the Parish revealed that only one had received a copy, again thrown over her garden fence and others were unaware that the leaflet had been distributed but only to some residents. They were unaware of the short-time span allocated for a response, which must be in writing by 9 April 2018. As so many residents have been excluded from the opportunity to comment, the consultation process cannot be valid. The leaflet should have been delivered personally or sent by post to everyone on the electoral roll and the time-scale lengthened to enable everyone who wishes time to submit a considered response.</p>	No change proposed

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			<p>The decision of the NDP Committee to override the initial questionnaire results, a copy of which was circulated to every adult resident, is unacceptable. The results of that questionnaire were evaluated and presented to residents at a public meeting and formed the basis of the draft NDP. The Committee has no remit to override the recorded wishes of residents. Its responsibilities are to obtain the wishes of residents, formulate a draft questionnaire based on those results, submit the NDP to the Parish Council and finally to an external assessor and the District Council for approval.</p> <p>The leaflet refers to a proposal by the Committee to extend Almeley Village boundary, to include several acres of new green development and to the north of West View. Quote "On the amusing suggestion that the land owners might restrain themselves to a maximum of 5 houses". This is patronising and unacceptable. Planning applications are scrutinised by the Parish Council and then to District Council Planning Department for a decision.</p> <p>Finally, the leaflet states that paper copies of the NDP may be viewed at the private house of a resident. This is unacceptable, copies should be placed in public areas, such as The Bells, the Village Hall, and St Mary's church. To do otherwise removes the opportunity for residents to submit comments, especially, as the consultation period is so short.</p> <p>The leaflet also provides an e-mail address from which copies of the Plan may be requested. You may not be aware that many people in the Parish do not have access to the internet, and this includes members of the Parish council.</p> <p>The impression in the leaflet is that decisions have been made by the Committee, and that the opinions of residents are not important. Residents believe that it is obligatory for the Committee to ensure that every adult in the Parish has access to a copy of the draft Plan, with adequate opportunity for response.</p> <p>A copy of this letter has been sent to Mr Anthony Bush, Parish Liaison Officer, Hereford District Council.</p> <p>The leaflet referred to was not one circulated by either the Parish Council or the NDP Steering Group. It was circulated by an individual with no connection to the Parish Council or NDP Steering Group. The appropriate Public Notice about the consultation was placed on Parish Noticeboards and publicity about the consultation circulated within the Parish. Leaflets providing updates on the preparation of the NDP were circulated to households in November 2017 and February 2018. The latter included dates of the formal consultation period under Regulation 14. Making available loan copies through representatives of the NDP Steering group has been used elsewhere and we have been advised not unusual in rural areas where facilities are limited. It was considered this was the best way to make them available. Telephone numbers were provided for people to contact the relevant Steering Group members in the event of difficulties in obtaining direct access. This facility would not be available at the locations suggested.</p> <p>The Parish Questionnaire upon the NDP was undertaken during 2014. Herefordshire Local Plan Core Strategy was adopted in October 2015 after a Public Examination. The Core Strategy changed as a consequence of that Examination and this had a significant impact upon what NDPs should and were able to do. The amount of development that had to be accommodated increased. In addition, with the adoption of the Core Strategy, all previously defined settlement</p>	

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			boundaries disappeared opening up the potential for development around the edges of both settlements defined in the Core Strategy within Almeley Parish. The Examination Inspector emphasised that the housing requirement was a minimum and no maximum is defined. Herefordshire Council defines the extent of the built-up areas of the two settlements very broadly and this presents many opportunities for further housing development. In addition, because Herefordshire Council does not have a 5-year housing land supply, many of the factors that the community consider important are given little if any weight. The only way to ensure the wishes of the community are given greater weight is to define a settlement boundary, either within an NDP or by relying Herefordshire Council to do this. In addition, the NDP is stronger if it includes a housing allocation. The NDP Steering Group/Parish Council has looked at the way other communities have prepared their plans and what Examiners have said to try to learn lessons of what might and might not be done and to come up with what it considers best serves the needs of the whole community bearing in mind the basic conditions required by Herefordshire Council. It has required some compromises.	
C.21 A Gentle	Para 4.4	Object	<p>I disagree with the conclusion of the committee and I feel that the option to extend the boundary as described is in contrast to much of the vision throughout the plan to the sensitivity of the rural & local character and preservation of agricultural land. There seems to be plenty of concrete interest in developing enough housing through existing windfall and individual sites, and these should be considered as a primary option rather than the destruction of greenfield land and the character of the village. The boundary extension proposal does not seem to fit the character of the village in terms of it's size, or location along with it's proximity to the conservation area.</p> <p>The Parish Council has been advised that it cannot rely totally upon windfall development because this would not provide the level of certainty required by Herefordshire Council that the housing requirement will be met and to enable the plan to meet its requirements and the Basic Conditions. Currently there is no settlement boundary for either of the Parish's settlements and it is felt that to have such defined is essential to ensuring their character is retained. This can only be achieved through showing we are able to meet HC's requirements. In addition, the inclusion of a housing allocation strengthens the plan in terms of adding greater protection because of Government's requirement for Herefordshire Council to have a 5-year housing land supply at any one time. Currently this means that for NDP areas without housing allocations, it can be overridden because of this shortage in housing land supply. If we have an adopted plan with a housing allocation, the fact that Herefordshire Council can show it has a three-year land supply gives the NDP greater weight.</p>	No change proposed
	Para 8.3	Object	<p>The sites 8/8a as suggested are not in my humble opinion appropriate to develop due to in part by road infrastructure constraints with increase of traffic. Access from all approaches are restricted by a single width road and 'pinch points' without pedestrian support and are not sufficient to handle further traffic due to the low priority of the routes extending through to the main roads. Increasing traffic in that location will impact much of the village as well as the farming and agricultural enterprises especially with field-access in the immediate proximity - when there seem to be more suitable locations to the east and south of the village on more primary routes. Furthermore, in growing the housing stock to the north west, I feel that the views from the public rights of ways would be impacted along with the character of the location, damaging the economic advantages of the extensions of the Kington and Black-and-white trail walking routes and discourage Almeley tourist traffic.</p> <p>Herefordshire Council, as highway authority, has not objected to the principle of developing this site in terms of</p>	No change proposed

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			providing adequate access or effects on the highway network. Sites have to be available for development if they are to be included in the NDP and no sites in the locations suggested have been submitted for consideration. The NDP Policy ALM16 provides protection to the PROW network and development of the site will need to comply with this.	
		Object	I have to ask for all the points above that the Almeley boundary extension proposal is reversed and that the rural character and farming heart of the village is maintained as per the wishes of the residents. For the reasons above, it is considered that defining boundaries for the two settlements with housing allocations represents the best way to protect the parish's rural character.	No change proposed
C.22 M Hosanee	Para 4.4	Object	I disagree with the conclusion of the committee and I feel that the option to extend the boundary as described is in contrast to much of the vision throughout the plan to the sensitivity of the rural & local character and preservation of agricultural land. There seems to be plenty of concrete interest in developing enough housing through existing windfall and individual sites, and these should be considered as a primary option rather than the destruction of greenfield land and the character of the village. The boundary extension proposal does not seem to fit the character of the village in terms of it's size, or location along with it's proximity to the conservation area. The Parish Council has been advised that it cannot rely totally upon windfall development because this would not provide the level of certainty required by Herefordshire Council that the housing requirement will be met and to enable the plan to meet its requirements and the Basic Conditions. Currently there is no settlement boundary for either of the Parish's settlements and it is felt that to have such defined is essential to ensuring their character is retained. This can only be achieved through showing we are able to meet HC's requirements. In addition, the inclusion of a housing allocation strengthens the plan in terms of adding greater protection because of Government's requirement for Herefordshire Council to have a 5-year housing land supply at any one time. Currently this means that for NDP areas without housing allocations, it can be overridden because of this shortage in housing land supply. If we have an adopted plan with a housing allocation, the fact that Herefordshire Council can show it has a three-year land supply gives the NDP greater weight.	No change proposed
	Para 8.3	Object	The sites 8/8a as suggested are not in my humble opinion appropriate to develop due to in part by road infrastructure constraints with increase of traffic. Access from all approaches are restricted by a single width road and 'pinch points' without pedestrian support and are not sufficient to handle further traffic due to the low priority of the routes extending through to the main roads. Increasing traffic in that location will impact much of the village as well as the farming and agricultural enterprises especially with field-access in the immediate proximity - when there seem to be more suitable locations to the east and south of the village on more primary routes. Furthermore in growing the housing stock to the north west, I feel that the views from the public rights of ways would be impacted along with the character of the location, damaging the economic advantages of the extensions of the Kington and Black-and-white trail walking routes and discourage Almeley tourist traffic. Herefordshire Council, as highway authority, has not objected to the principle of developing this site in terms of providing adequate access or effects on the highway network. Sites have to be available for development if they are to be included in the NDP and no sites in the locations suggested have been submitted for consideration. The NDP Policy ALM16 provides protection to the PROW network and development of the site will need to comply with this.	No change proposed
		Object	I have to ask for all the points above that the Almeley boundary extension proposal is reversed and that the rural character	No change

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			and farming heart of the village is maintained as per the wishes of the residents. For the reasons above, it is considered that defining boundaries for the two settlements with housing allocations represents the best way to protect the parish's rural character.	proposed
C.23 M Morgan		Object	I wish to object to the fact that the Parish Council has ignored the wishes of the residents in not opting for number 2 and to follow option 6 instead which would include several acres of new Greenfield development land north of West View. I thought the Parish Council were there to carry out the wishes of the residents, it does not seem very democratic to me. I hope these views can be reverted to what the village wants. Option 2 would not represent the level of certainty required by Herefordshire Council and an External Examiner that the housing requirement would be delivered. Decisions in relation to the housing allocations require some compromise and on balance the benefits of having the certainty through defining settlement boundaries and having the small housing allocations outweigh the disadvantages of relying on The Core Strategy policy for rural settlements. A slight change is proposed to para 4.4 in order to explain why Option 6 was considered necessary.	See change No 3
C.24 Name and address withheld	Para 3.14	Object	The minimum outstanding requirement to have an additional 15 dwellings has already been met so no longer a justified figure. There is currently still an outstanding requirement in order to meet the requirements of Herefordshire Council. It is necessary to provide a greater level of certainty to Herefordshire Council that the housing requirement will be met and to enable the plan to meet its the Basic Conditions. Currently there is no settlement boundary for either of the Parish's settlements and it is felt that to have such defined is essential to ensuring their character is retained. This can only be achieved through showing we are able to meet HC's requirements. In addition, the inclusion of a housing allocation strengthens the plan in terms of adding greater protection because of Government's requirement for Herefordshire Council to have a 5-year housing land supply at any one time. Currently this means that for NDP areas without housing allocations, it can be overridden because of this shortage in housing land supply. If we have an adopted plan with a housing allocation, the fact that Herefordshire Council can show it has a three-year land supply gives the NDP greater weight.	No change proposed
	Para 3.15	Object	Trends in relation to Almeley Parish indicate a modest total of around 12 dwellings might be expected to be supplied by natural course of events, which would mean the DRAFT NDP is providing 80% more houses than the Council would suggest The 12 dwellings windfall allowance has been taken into account within the figures presented (See NDP Table 1). Of the 12 expected over the plan period, 4 have already been granted planning permission. That table shows that through the housing allocations and the estimated windfall allowance, there will be around 9% more housing (as opposed to the 11% indicated in that table) than the minimum requirement. This will show Herefordshire Council and any Examiner that we have planned positively for growth in accordance with Government's requirements set out in the National Planning Policy Framework (NPPF). The NDP must comply with the provisions of the NPPF. The comment has however identified that the number of dwellings shown in Table 1 is 9% over target and not 11%.	See change No 8
	Para 3.16	Object	This windfall target is considered to be highly likely to materialise during the period up to 2031 so why would Almeley be wishing to suggest any further housing rather than the target or the predicted windfall/local need/agricultural need? As indicated above the 12 dwellings windfall allowance has been taken into account within the figures presented (See	No change proposed

Respondent Identification Number	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Suggested Changes Parish Council Consideration (In blue)	Proposed Change Y/N
			NDP Table 1). Of the 12 expected over the plan period, 4 have already been granted planning permission.	
	Para 3.17	Object	An entirely outdated and incorrect statement as the Council smallholdings in the parish, have been largely bought by parties who are more than likely going to develop the ex-farm yards for housing. At present it seems likely four of the ex-council owned Almeley farm yards will have in the region of five residential units per site built in the next few years, say 20 or more houses. This is a misinterpretation of the paragraph. The paragraph points to there being a potential need for housing to accommodate current occupants of the Council small holdings who may need to find other accommodation because of the sale, and should they wish to remain within the Parish, this would add to local housing need.	No change proposed
	Para 4.3	Object	Although the Questionnaire results are no longer available on the internet it seems he residents of Almeley favoured Option 2 of the 6 proposed options with option 2 being to retain current settlement boundary for Almeley village, restrict development in Woonton and rely on Parish windfall, however it seems the committee has totally ignored the Questionnaire results The Parish Questionnaire upon the NDP was undertaken during 2014. Herefordshire Local Plan Core Strategy was adopted in October 2015 after a Public Examination. The Core Strategy changed as a consequence of that Examination and this had a significant impact upon what NDPs should and were able to do. The amount of development that had to be accommodated increased. In addition, with the adoption of the Core Strategy, all previously defined settlement boundaries disappeared opening up the potential for development around the edges of both settlements defined in the Core Strategy within Almeley Parish. The Examination Inspector emphasised that the housing requirement was a minimum and no maximum is defined. Herefordshire Council defines the extent of the built-up areas of the two settlements very broadly and this presents many opportunities for further housing development. In addition, because Herefordshire Council does not have a 5-year housing land supply, many of the factors that the community consider important are given little if any weight. The only way to ensure the wishes of the community are given greater weight is to define a settlement boundary, either within an NDP or by relying Herefordshire Council to do this. In addition, the NDP is stronger if it includes a housing allocation. The NDP Steering Group/Parish Council has looked at the way other communities have prepared their plans and what Examiners have said to try to learn lessons of what might and might not be done and to come up with what it considers best serves the needs of the whole community bearing in mind the basic conditions required by Herefordshire Council. It has required some compromises. A slight change is proposed to para 4.4 in order to explain why Option 6 was considered necessary.	See change No 3
	Para 4.4	Object	Option 2 was the outright favourite option thus should be followed. If not there was little to no point in involving the community in any way. There is no reason to override the Questionnaire results as the number of recent approved developments has already guaranteed the certainty required by Herefordshire Council that the growth required would be met, option 6 was considered the most practicable while respecting community wishes. Choosing option 6 without support is not respectful to the community. Democracy should be followed, else where will it end? The Parish Questionnaire upon the NDP was undertaken during 2014. Herefordshire Local Plan Core Strategy was adopted in October 2015 after a Public Examination. The Core Strategy changed as a consequence of that Examination and this had a significant impact upon what NDPs should and were able to do. The amount of development that had to be accommodated increased. In addition, with the adoption of the Core Strategy, all previously defined settlement	See change No 3

Respondent Identification Number	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Suggested Changes Parish Council Consideration (In blue)	Proposed Change Y/N
			boundaries disappeared opening up the potential for development around the edges of both settlements defined in the Core Strategy within Almeley Parish. The Examination Inspector emphasised that the housing requirement was a minimum and no maximum is defined. Herefordshire Council defines the extent of the built-up areas of the two settlements very broadly and this presents many opportunities for further housing development. In addition, because Herefordshire Council does not have a 5-year housing land supply, many of the factors that the community consider important are given little if any weight. The only way to ensure the wishes of the community are given greater weight is to define a settlement boundary, either within an NDP or by relying Herefordshire Council to do this. In addition, the NDP is stronger if it includes a housing allocation. The NDP Steering Group/Parish Council has looked at the way other communities have prepared their plans and what Examiners have said to try to learn lessons of what might and might not be done and to come up with what it considers best serves the needs of the whole community bearing in mind the basic conditions required by Herefordshire Council. It has required some compromises. A slight change is proposed to para 4.4 in order to explain why Option 6 was considered necessary.	
	Para 5.1	Object	<p>The vision of " In 2031, Almeley Parish will remain an unspoilt, rural and scenic part of Herefordshire, providing homes for its families and elderly residents, supporting local businesses, such as small family farms, and an increase in home working through a fast-broadband network." cannot be met via the imposed option 6 and can only be met by adopting the supported Option 2.</p> <p>The NDP Steering Group/Parish Council has looked at the way other communities have prepared their plans and what Examiners have said to try to learn lessons of what might and might not be done and to come up with what it considers best serves the needs of the whole community bearing in mind the Basic Conditions required by Herefordshire Council. Bearing in mind what was learned from this, it was highly likely that Option 2 would not represent the level of certainty required by Herefordshire Council and an External Examiner that the housing requirement would be delivered. Decisions in relation to the housing allocations require some compromise and on balance the benefits of having the certainty through defining settlement boundaries and having the small housing allocations outweigh the disadvantages of relying on The Core Strategy policy for rural settlements. A slight change is proposed to para 4.4 in order to explain why Option 6 was considered necessary.</p>	See change No 3
	Para 5.2 Obj. 1	Object	<p>a) New green field development or several or more houses cannot protect Landscape character b) The Historic and Conservation Area already have their own protection c) The Commons already have their own powerful protection under the Commons Registration Act d) The contribution made by agriculture to the community and local environment has NOT in any way been recognised and is supported.</p> <p>This does not invalidate the objective, which has been supported by the community but, in fact, strengthens it. The requirement for new housing in the Parish has been set by Herefordshire Council and effect upon the landscape was a consideration used in the choice of sites which are required to meet the Basic Condition for an NDP.</p>	No change proposed
	Para 5.2 Obj. 2	Object	<p>b) Option 6 cannot protect the rural nature of the parish e) High quality agricultural land will not be protected by option 2 Within the strictures set by the need to deliver a certain amount of housing, it is felt the sites chosen from those</p>	No change proposed

Respondent Identification Number	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Suggested Changes Parish Council Consideration (In blue)	Proposed Change Y/N
			available contribute to the first issue in the most appropriate way. Both Almeley and Woonton are surrounded by grade 2 agricultural land so the NPPF consideration to choose land of a lower quality is not relevant.	
	Para 5.2 Obj. 4	Object	<p>None of these statements can be met with Option 6</p> <p>It is recognised that that not all of the points will have been met through the proposals in the NDP, although a number are through its policies in terms of meeting the required level of housing growth; choosing the most suitable site from those available and setting design policies. The two most unlikely to be achieved are to provide a mix of housing types, including for older people, and affordable housing. These would require large sites of 11 or more dwellings in order to achieve an element of affordable housing in accordance with Government provisions. However, reference is made in paragraph 8.10 to Core Strategy policy H2 which allows for affordable housing on 'exception sites' should a need be identified. This can include provision for older persons housing should this be part of the identified need. A slight change is proposed to para 4.4 in order to explain why Option 6 was considered necessary.</p>	See change No 3
	Para A.31	Object	<p>There is no longer a need for 15 dwellings to be found and only local need, local connection, windfall, agricultural or windfall sites are needed to be considered as and when they occur.</p> <p>Although there remains a small outstanding need, a greater level of certainty is required beyond that indicated by trend data on windfalls. In addition, there are benefits in terms of including land allocations which are explained above.</p>	No change proposed
		Object	<p>Option 2 MUST be followed.</p> <p><input checked="" type="checkbox"/> I do not support the extension of the development boundary</p> <p><input checked="" type="checkbox"/> The Draft NDP document should be made public i.e. laminated and fixed to a post rather than making residents feel uncomfortable by visiting a house of a committee member or requesting by post or email. Public should be without restriction.</p> <p><input checked="" type="checkbox"/> As a born and bred Almeley resident I am disappointed that the NDP committee would not follow democracy and support the chosen Option 2 and I do not understand how the committee feels it has the power to override the decision of the residents and treat the residents as if they were simple minded and need guidance</p> <p><input checked="" type="checkbox"/> Other than the original Questionnaire and one follow up document we have NOT received any further correspondence or update from the NDP committee. When raising this issue to the clerk I was informed that only properties with letterboxes were chosen to be updated. This is ridiculous. In the modern age of Internet, Email, Social media, Royal Mail flyer services etc. etc. I believe the NDP has purposely had very limited advertisement, especially to those that it effects greatest. This is not democracy.</p> <p><input checked="" type="checkbox"/> Our house has a letterbox, we receive mail but conveniently we have NOT received any updates?</p> <p><input checked="" type="checkbox"/> What percentage of houses within the village have letterboxes and thus what percentage of residents have not been involved in the process?</p> <p><input checked="" type="checkbox"/> From my recent reading it seems that the supposed target of 15 houses may have already been met prior to the start of the consultation period so what need is there to offer any housing other than local need, agricultural and windfall sites?</p> <p><input checked="" type="checkbox"/> The NDP committee is in a wonderful position to support agriculture, which whether liked or disliked by more recent residents is the parish's main industry and main employer. The NDP is in the position to support the fast-evolving Agriculture industry and offer the chance of windfall housing for parties connected to agriculture or other local</p>	No change proposed except in relation top bullet 3 – See change No 3

Respondent Identification Number	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Suggested Changes Parish Council Consideration (In blue)	Proposed Change Y/N
			<p>employment rather than offering green field site development for housing that can be ill afforded by locals such as those born in the parish.</p> <p>☑ The village population is fast ageing and it seems the only youth of the village are those involved in some way with family farms whether full or part time so why not SEIZE the moment and try and support either the local youth or locals with young families and offer the chance of them self-building or having windfall planning permission like in counties such as Powys? Anyone who is employed within 20 miles of a Powys village and has local family connection or association to that village can obtain residential planning for themselves on the basis they can only sell the property to someone who fulfils these criteria. This is the way that the Schools, Shops, Pubs and organisations survive, and the Village has a mixed and balanced existence. Almeley village is in risk of becoming a dormitory village.</p> <p>☑ Why do the NDP committee believe they have the power to expand the development boundary before investigating the possibilities of infill and windfall sites within the settlement boundaries?</p> <p>☑ Why is there not an analysis of who it is that is of local need or local connection that would like or require housing within the area and then asking them their suggestion as to where they would consider living? i.e. say a farmer's son is happy to self-build a modest house on either his own family land or a site that can only achieve planning for his criteria why should he not be in preference to a new greenfield residential unit on the open market which is of no benefit? Why should a Almeley born and bred person who has been forced to take work away or commute from the village not have priority over a greenfield development site for open market development which has no restriction upon price or purchaser?</p> <p>☑ At the end of the day Almeley is a not main road village and as a community it is fast dying simply because there is no support for local/young/family people. Time and time again young locals leave as they have to find a better job so to afford too expensive of a house and then the ever-increasing house costs mean they eventually give up on the hope of a house and move away from their farm or local job and the only loser is Almeley village. To add insult to injury if any affordable housing is built people from away fit criteria better so the local person is again lost.</p> <p>☑ The localism act was as it said for localism.</p> <p>In relation to the points raised:</p> <ul style="list-style-type: none"> • There is no village boundary at the moment for either settlement and either the NDP or Herefordshire Council's Rural Areas DPD offer the opportunity to provide one. The latter may include further areas for development. The NDP allows the local community a greater say in the form of the boundary provided the housing requirement set by the Core Strategy is provided for with sufficient certainty it will be delivered. • The draft NDP was made available in a number of ways and advice was taken upon how other groups have done this and the approach taken was the same as many. • The reasons for including allocations is explained above a number of times. The approach required at the time the residents' survey was undertaken has changed and the Parish Council has had to weigh up a number of issues and requirements. A slight change is proposed to para 4.4 in order to explain why Option 6 was considered necessary. The minutes of meetings of the Parish Council and NDP Steering Group are available on the PC's website and reports have been included in the Parish magazine on a number of occasions. • The minutes of meetings of the Parish Council and NDP Steering Group are available on the PC's website and 	

Respondent Identification Number	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Suggested Changes Parish Council Consideration (In blue)	Proposed Change Y/N
			<p>reports have been included in the Parish magazine on a number of occasions.</p> <ul style="list-style-type: none"> • The minutes of meetings of the Parish Council and NDP Steering Group are available on the PC's website and reports have been included in the Parish magazine on a number of occasions. Residents have had the opportunity to respond to the draft NDP consultation which was advertised on the website, through notices on the parish notice boards and within the parish magazine. Leaflets providing updates on the preparation of the NDP were circulated to households in November 2017 and February 2018. The latter included dates of the formal consultation period under Regulation 14. Further opportunities will be available at Regulation 16 and through the referendum. • There remains a small outstanding need and also benefits through having the two small land allocations as highlighted above. • The NDP cannot change policy for new housing development outside of the settlements as this is set by the Core Strategy. It has sought as much flexibility as it can through Policies Alm8 and ALM14 . • No satisfactory sites have been brought forward through the call for sites within what would have been Almeley settlement boundary. • The NDP cannot change policy for new housing development outside of the settlements as this is set by the Core Strategy. It has sought as much flexibility as it can through Policies Alm8 and ALM14 . • The provision of affordable housing for local people would require a far larger site to be made available in order to achieve the level set by Government. • The Steering Group and Parish Council have done their best to retain the rural nature of the Parish within the constraints set. With regard to housing it can only set policies for the settlements of Almeley and Woonton. The alternatives to excluding any land allocations would increase the possibility of greater levels of development around the two settlements. It has little flexibility to promote housing development within the wider countryside. 	

Schedule 2: Stakeholder Representations and Response

Stakeholder	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Comment Parish Council Consideration (in blue)	Proposed Change Y/N
S.1 Herefordshire Council (Statutory Consultee)	Whole Plan	Comment	Overall the plan is well written and 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 allocating housing sites. Noted	No change proposed
	Objective 5	Request change	Point e - Walking and cycling could be included in this objective, especially as you have noted an issue with no footpaths within the parish. The Plan's objectives were consulted upon and this is not an issue raised by the community.	No change proposed
	Policy ALM1	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM2	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM3	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM4	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM5		The Batch" may not considered appropriate for the Local Green Space designation. Given its scale, it could be considered as an extensive tract of land, which would fail to comply with the criteria of paragraph 77 in the NPPF. It is noted that the site already benefits from designation as a Local Wildlife Site and part of the Conservation Area. It is also clearly in an open countryside location, divorced from the main settlement of Almeley. With these considered, development in any case would be highly unlikely to be permitted here, and therefore the overall necessity of affording it the Local Green Space designation is questionable. The Parish Council considers the area is demonstrably special to the whole of the community, is close to the community it serves (within 1.25miles) and is local in character. Its enclosed, wooded and historic nature is one that does not represent an extensive area but a linear feature that is unique. Notwithstanding its designation as a Local Wildlife Site the designation as Local Green Space is recognition that it is 'Accessible Natural Greenspace' within the definition set by Natural England, meeting its standard. (http://webarchive.nationalarchives.gov.uk/20140605111422/http://www.naturalengland.org.uk/regions/east_of_england/ourwork/gi/accessiblenaturalgreenspacestandardangst.aspx) In this regard its serves the whole community providing benefits in term of physical and mental health and education.	See change No 5

Stakeholder	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Comment Parish Council Consideration (in blue)	Proposed Change Y/N
			This may be made clearer in the justification for its designation.	
	Policy ALM6	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM7	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM8		In general conformity with Core Strategy. Points D and E- In accordance with RA5, any ancillary buildings proposed on the development should not, individually or taken together, adversely impact the character or appearance of the converted building or have a detrimental impact on its surroundings and landscape setting. Employment uses within the countryside must be considered within the context of Core Strategy policies RA5, RA6 and E1. NDP policy ALM8 points (d) and (e) give effect to the requirement by being more specific in terms of requiring them to reflect the scale of the landscape and, with regard to historic farmsteads, be informed by an analysis of the complex's historic form.	No change proposed
	Policy ALM9		In general conformity with Core Strategy. Is there a basis for the set distance thresholds for enforcing criteria in point C? Any proposal for such development that could affect nearby residential properties not associated with the site should demonstrate how there will be no unacceptable adverse impacts on their amenity. In preparing the NDP, a considerable amount of research was undertaken into this issue, including identifying policies used by other local planning authorities. The issues covered have been used in other Plans, and the matter of distance thresholds was found in a Local Plan which was found to be satisfactory and adopted. A summary of the evidence used to support this policy is provided in Appendix 1 to this report. The distance thresholds are the same as those used within that Local Plan which is for an area where similar issues appear to have arisen in terms of environmental effects of intensive livestock units. However, in considering this representation, the need to refer specifically to waste from intensive livestock units has been identified and a change made. In addition, the need to identify Almeley Primary School as a location requiring special protection has been identified.	See Changes Nos 6 and 7
	Policy ALM10		In general conformity with Core Strategy. Where possible, developments should tie into the walking and cycling network. The requirement for housing development to make provision to link with the footpath and cycle network is covered by Policy ALM7(c).	No change proposed
	Policy ALM11		In general conformity with Core Strategy. It should be noted that the 2012 SHLAA considered the allocated site to be highly constrained due to its sloping nature. The site has no previous historic potentially contaminative uses. The land increases in gradient to the north and west while the Plan includes that part to the south and east which appears to reflect the gradient of the land upon which the existing adjacent housing is built.	No change proposed
	Policy ALM12	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM13		In general conformity with Core Strategy. This site appears to have been used as orchards. By way of general advice, I would mention that orchards can be subject to agricultural spraying practices which may, in some circumstances, lead to a legacy of contamination and any development should consider this.	No change proposed

Stakeholder	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	<p align="center">Comment Parish Council Consideration (in blue)</p>	Proposed Change Y/N
			<p>Some farm buildings may be used for the storage of potentially contaminative substances (oils, herbicides, pesticides) or for the maintenance and repair of vehicles and machinery. As such it is possible that unforeseen contamination may be present on the site. Consideration should be given to the possibility of encountering contamination on the site as a result of its former uses and specialist advice be sought should any be encountered during the development. And regarding sites with a historic agricultural use, I would also 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.</p> <p>The general cautionary advice is noted although this is an issue that would not normally be a significant constraint. Policy ALM7(g) addresses this matter from the perspective of planning policy within the NDP.</p>	
	Policy ALM14		<p>It is not clear whether this policy is inclusive of encouraging the conversion of existing redundant farmstead buildings. If this is the case, the buildings in question must be demonstrably capable of conversion through a structural survey (in accordance with RA5). It must also be capable of accommodating the proposed uses without the need for substantial alteration, extension, ancillary buildings, areas of hard standing or other development which would have adverse impacts. Affordable housing provision through rural exception sites is usually brought forward through housing associations. Generally, these would be proposed on a larger scale in order to be viable. To accord with policy H2, these must also be located in reasonable proximity to an existing settlement. Key worker accommodation would need to accord with the requirements of Core Strategy policy RA4.</p> <p>Some farm buildings may be used for the storage of potentially contaminative substances (oils, herbicides, pesticides) or for the maintenance and repair of vehicles and machinery. As such it is possible that unforeseen contamination may be present on the site. Consideration should be given to the possibility of encountering contamination on the site as a result of its former uses and specialist advice be sought should any be encountered during the development. And regarding sites with a historic agricultural use, I would also 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.</p> <p>No reference can be found in Core Strategy Policy RA5 to the requirement for a structural survey. Core Strategy does not restrict the developments indicated (substantial alterations, extension, etc) but only those that would have an adverse impact. The policy (ALM14) requires sensitively designed developments and for them to respect the historic character of the complex and this would include the natural and historic landscape. Core Strategy Policy H2 does not refer to the need for rural exception sites to be brought forward by housing associations. There are few facilities and services within much of Herefordshire’s rural area whereas there may be a local need for affordable housing in association with rural enterprises. In this regard the policy (ALM14) draws together a range of exceptions set out in the NPPF that would support both the heritage of the Parish and its local economy.</p> <p>With regard to the second point the general cautionary advice is noted although this is an issue that would not normally be a significant constraint. Policy ALM7(g) addresses this matter from the perspective of planning policy</p>	No change proposed

Stakeholder	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Comment Parish Council Consideration (in blue)	Proposed Change Y/N
			within the NDP.	
	Policy ALM15	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM16		In general conformity with Core Strategy. There should be some encouragement to active travel in this policy. The encouragement/promotion of active travel through development is covered in Policy ALM7(c).	No change proposed
	Policy ALM17	No Objection	In general conformity with Core Strategy Noted	No change proposed
	Policy ALM18		Uncertainty indicated but no comment about why. The policy seeks to address flood risk from the streams flowing through the Parish and also for storm water flooding, for which local knowledge suggests this is an issue, especially in the vicinity of Woonton. The policy refers to the 'sequential' and 'exception' tests set out in the NPPF and its associated Technical Supplement. No representations have been received from the Environment Agency that the policy conflicts with its requirements.	No change proposed
	Policy ALM19		In general conformity with Core Strategy. Core Strategy policy SC1 adds an additional caveat for development resulting in the loss of community facilities: "...will be retained unless it can be demonstrated that an appropriate alternative facility is available or can be provided to meet the needs of the community affected." It would also add strength and some local context to this policy to identify any existing facilities in the plan area to be afforded protection by the policy This advice is helpful in suggesting improvements to the policy and its supporting statement.	See changes Nos 9 and 10
	Policy ALM20	No Objection	In general conformity with Core Strategy Noted	No change proposed
	General comment	Comment	Developments such as hospitals, homes and schools may be considered 'sensitive' and as such consideration should be given to risk from contamination notwithstanding any comments. Please note that the above does not constitute a detailed investigation or desk study to consider risk from contamination. Should any information about the former uses of the proposed development areas be available I would recommend they be submitted for consideration as they may change the comments provided. It should be recognised that contamination is a material planning consideration and is referred to within the NPPF. I would recommend applicants and those involved in the parish plan refer to the pertinent parts of the NPPF and be familiar with the requirements and meanings given when considering risk from contamination during development. Finally, it is also worth bearing in mind that the NPPF makes clear that the developer and/or landowner is responsible for securing safe development where a site is affected by contamination. These comments are provided on the basis that any other developments would be subject to application through the normal planning process. The general cautionary advice is noted. Policy ALM7(g) addresses this matter from the perspective of planning policy within the NDP.	No change proposed

Stakeholder	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Comment Parish Council Consideration (in blue)	Proposed Change Y/N
S2 Welsh Water Dwr Cymru (Statutory Consultee)	Whole plan	Support	DCWW are supportive of the aims, objectives and policies set out. Noted	No change proposed
	Paragraph 9.3	Comment	Any development outside of the settlement of Almeley, sewage will need to be treated by way of private treatment as outlined in the Plan and in line with Policy SD4 of the Core Strategy. Paragraph 9.3 points out that this is the case.	No change proposed
	Policies ALM11 and ALM13	Comment	There are no issues in providing either site with a supply of water, and for the site within Almeley there would appear to be no issues with the public sewerage network or WwTW accommodating the foul-only flows from the development. Noted	No change proposed
	Policy ALM17	Support	We are pleased to see the inclusion to see of Policy ALM17; this policy ensures that should there be any capacity issues with the Eardisley WwTW over the lifetime of the Plan, that development in Almeley will be delayed until reinforcement works are undertaken, either via Welsh Water's regulatory investment or via developer contributions under section 106 of the Town and Country Planning Act (1990). Noted	No change proposed
S3 (Sports England)	Unspecific but Policy ALM19 relevant	Comment	The NDP should comply with national planning policy for sport as set out in the NPPF with particular reference to Paras 73 and 74. The is a presumption against the loss of playing field land. Although no specific needs for sporting facilities have been identified the NDP does enable provision of such community facilities should a future demand arise. There are no proposals that would lead to the loss of any playing fields.	No change proposed
	Unspecific but Policy ALM19 relevant	Comment	Local authority Local Plan should be underpinned by robust and up to date evidence in line with Par 74 of the NPPF, in the form of assessments of need and strategies for indoor and outdoor sports facilities . It is important that a neighbourhood plan reflects the recommendations and actions set out in playing pitch strategy or other indoor/outdoor sports facility strategy, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery. If there is no evidence then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area in consultation with the local sporting and wider community to provide key recommendations and deliverable actions. These should ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies Spearmarsh Common provides a cricket pitch, sports field and general recreation area. Herefordshire Council has not expressed the need for any additional indoor or outdoor sports facilities within the Parish. The need for further such facilities was not identified in the community consultation although improvements to certain facilities that might benefit a healthy lifestyle were suggested.	No change proposed
	Unspecific but Policy ALM19 relevant	Comment	If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose. No specific facilities are proposed but the sentiment is noted.	No change proposed
	Unspecific but	Comment	New housing will generate additional demand for sport in addition to any other assessed needs and planning policies	No change proposed

Stakeholder	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Comment Parish Council Consideration (in blue)	Proposed Change Y/N
	Policy ALM19 relevant		<p>should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered where required. New development should provide opportunities for people to lead healthy lifestyles and create healthy communities. Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.</p> <p>Noted although no need for land to be made available for additional sports facilities within the Parish has been identified. Resources will be sought through planning obligations to support the expansion/enhanced use of community facilities which should benefit health and wellbeing and indirectly support active lifestyles.</p>	
S4 Historic England (Statutory Consultee)	Whole Plan	Support	<p>Supports both the content of the document and the vision and objectives set out in it. The emphasis on the conservation of local distinctiveness and variations in local character through good design and the protection of locally significant green spaces, buildings, historic farmsteads and landscape character including key views and archaeological remains is to be applauded. Overall the plan reads as a very comprehensive, well written and well-considered document which is eminently fit for purpose. Considers that the Plan takes an exemplary approach to the historic environment of the Parish and that it constitutes a very good example of community led planning. Those involved in the production of the Plan should be congratulated.</p> <p>Noted with thanks</p>	No change proposed
S5 Natural England (Statutory Consultee)	SEA	Comment	<p>Welcomes the production of the SEA report, and notes and concurs with the outcome i.e. that no SEA is required.</p> <p>Noted</p>	No change proposed
	HRA	Comment	<p>Agree with the conclusion of no likely significant effect upon River Wye Special Area of Protection (SAC)</p> <p>Noted</p>	No change proposed
	Whole Plan	Comment	<p>No specific comments to make but attach a standard statement of issues and opportunities to consider when preparing Neighbourhood Plans</p> <p>Noted</p>	No change proposed
S.6 Environment Agency (Statutory Consultee)	Whole Plan	Comment	<p>It is important that these 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. You are advised to utilise the attached Environment Agency guidance and pro-forma which should assist you moving forward with your Plan. 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).</p> <p>Comments Noted. Herefordshire Council, who is understood to be the LLFA, was consulted on the draft NDP, and has not commented on this matter.</p>	No change proposed
S.7 Highways Agency (Statutory Consultee)	Whole Plan	Comment	<p>Indicated no comments to make</p> <p>Noted</p>	No change proposed
S.8	Whole Plan	Comment	No comments at this time but wish good luck.	No change proposed

Stakeholder	Section/ Policy Number	Support/ Object/ Comment/Recommend change/etc.	Comment Parish Council Consideration (in blue)	Proposed Change Y/N
Lyonshall Parish Council			Noted with thanks	
S.9 Coal Authority	Whole Plan	Comment	No specific comments to make	No change proposed
			Noted with thanks	

Appendix 1 to Schedule of Representations

Evidence Policy in support of Policy ALM9 Intensive Livestock Units

Purpose of the report

To provide background information upon Policy ALM9 included in draft Almeley Neighbourhood Plan (ANP) in relation to its approach to intensive livestock units.

1. Background

- 1.1 There is much community concerns about the extent and location of development comprising intensive livestock units to the extent that it has been suggested Draft ANP should consider including a policy covering this form of development.
- 1.2 Issues such as effect upon the landscape and the ability to accommodate such development within the limited capacity of the local highway network are accepted as material considerations. There is also the issue of effect on local and residential amenity which are matters that the community especially consider have not been given sufficient regard. It is understood Herefordshire Council has concerns that an approach based upon defining distance of units from properties is one that is questionable and may be open to legal challenge as is one including detail regarding manure spreading, suggesting these are matters dealt with through environmental health and Environment Agency enforcement rather than something that can be mitigated through planning policy.
- 1.3 In drafting ANP, the following matters are considered relevant for inclusion in any policy:
 1. Effect upon the landscape.
 2. Effect of traffic on the local highway network and of traffic on amenity.
 3. General effect on residential amenity.
 4. Effects of disposal of waste to avoid pollution and adverse effects on biodiversity.

For each of these aspects, it is important to recognise that the amount of development involving intensive livestock units within the Parish and those parishes surrounding it has been significant and the cumulative effect that needs to be taken into account.

2. Effect on the Landscape

- 2.1 Parts of the Parish are identified as Principal wooded hills, Wet pasture Meadows and Wooded estate lands.
- 2.2 Principal wooded hills - These are upstanding, densely wooded, hilly landscapes with a steeply sloping topography. They have of large irregularly shaped ancient

woodlands and wooded streamlines which interlink with the surrounding hedged fields. The significant cover of ancient semi-natural woodland typically occurs in extensive, linked belts. Where clearance has taken place in the past, the presence of strong hedge lines with a good representation of hedgerow tree cover contributes to the visual integration of the landscape. The ancient semi-natural status of many of these woodlands confirms their high nature conservation value. These landscapes are sparsely settled by farmsteads and wayside cottages. These are highly visible landscapes, framing long distance views and therefore their visual integrity is of paramount importance in the rural landscape. It is suggested that only occasional development can be assimilated where this is at an extremely low density.

- 2.3 Wet Pasture Meadows are flat, low-lying and largely uninhabited landscapes. They are generally unsettled landscapes. Riverside Meadows are linear riverine landscapes associated with a flat, generally well defined, alluvial floodplain, and in places framed by steeply rising ground. Settlement is typically absent, and the landscape accommodates a degree of annual flooding. Where built development has been undertaken, the resulting risk of flooding has often been overcome by the construction of uncharacteristic structures such as bunds, flood walls or flood relief channels. Built development within them is to be discouraged.
- 2.4 Wooded Estatelands - These are wooded agricultural landscapes of isolated farmsteads, clusters of wayside dwellings and occasional small estate villages. Mixed farming is the dominant land use, with woodland comprising about 30-40% of the land cover. This Landscape Type relies heavily upon its woodland component as the critical element in defining its character. Ornamental grounds and parkland associated with large estates can be a noticeable feature in these landscapes. Estate villages may also be associated with these areas, and these invariably possess a strong character as a result of their style, layout and detailing. The introduction of small scale elements into the landscape can do as much harm to its character as the loss of the inherent features. It is suggested that new development must be carefully sited in order to protect visual integrity, especially of its villages.
- 2.5 These descriptions from Herefordshire Council's Landscape Character Assessment suggest that the landscape within the Parish is very sensitive. Consequently, the effect of relatively large-scale development, such as that comprising intensive livestock units, upon all the landscape types will have major effects and where this is adverse it should be given significant weight.
- 2.6 In addition that long distance views across the Wye valley to the Brecon Beacons National Park are exceptional and a characteristic that needs to be preserved.
- 2.7 The inclusion of a criterion to ensure the protection of landscape character and views within any policy covering the landscape effects of intensive livestock units and the need to encourage tree screening is therefore important.

3. Effect of traffic on the local highway network

- 3.1 The ability of the highway network to accommodate traffic safely and within its capacity are material considerations for many forms of development for which planning permission is required and specialist highway advice is received where appropriate. However, the advice from Highway Engineers relates to effects on the highway network and not the effects of traffic on residential amenity. The community

wishes to be assured that this latter aspect, which is a matter for planning advice as opposed to highway advice, is not disregarded, and hence should be referred to specifically in the policy. Similarly, the effects of traffic on the historic environment is a material consideration of significant importance to Almeley Conservation Area and the various heritage assets within the parish, including its historic farmsteads. Again this is not a matter that should be judged by highway engineers but those qualified to consider the need to preserve such assets, their features and settings from the effects of traffic.

4. General Effect on Residential Amenity.

4.1 Other more general effects on residential amenity are most likely to arise from pollution, in particular emission of odour. The NPPF guidance sets out at paragraph 17 that *"Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking"*. The guidance then lists 12 bullet points setting out these principles, and in relation to protecting amenity says that the planning system should:

"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;"

In terms of the potential for odour and other potential pollution arising from development to impact on neighbours, paragraph 109 of the NPPF states that:

"The planning system should contribute to and enhance the natural and local environment by: preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability..."

4.2 Paragraph 122 of the NPPF sets out that planning authorities should focus on whether the development itself is an acceptable use of the land rather than the control of emissions or processes where these are subject to existing environmental controls:

"..... local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively".

4.3 With respect to odour and aerial emissions, although pollution control regimes are complimentary to the requirement to protect amenity it is noted that for the former air or odour pollution might occur at higher levels than required to adversely affect amenity, because levels approaching equivalence with nuisance is a more demanding test than protecting amenity. The tests are not the same. In relation to odour emissions development that is consented and constructed may be regulated by the Environment Agency as an "installation" under the Environmental Permitting Regulations (EPR). Should it not fall under the EPR any future odour impact of the development would be regulated by the local authority, through the 1990 Environmental Protection Act nuisance legislation.

4.4 Herefordshire Council as local planning authority should be primarily concerned with whether or not the proposed development can be a compatible land use alongside the existing developments and land uses in the area if the proposed activity is assumed to be effectively regulated by the Environment Agency or its role within

Environmental Health. In this regard it should not simply assume that if there are no objections from either of these bodies, that the planning requirements in relation to NPPF paragraphs 17, 119 and 122 have been met, i.e. local planning authorities should not assume that an EPR permitted installation is a suitable use of land simply because it is a permitted regulated activity. The local planning authority has to be mindful that effective on-going regulation of a permitted activity does not equate to an absence of all environmental impacts and does not in itself provide protection of amenity.

- 4.5 Defra guidance advises that the use of the statutory regulatory regime may not fully address amenity issues and it is important to understand that in practice this does not necessarily equate either to removing an odour, or even an absence of impact on amenity. In this regard it should be noted that for off-site odours from permitted installations such as intensive livestock installations, the Environment Agency adopts more or less the following standard permit condition

"Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour"

The effect of this is that even if there is annoyance, provided the operator is using Best Available Techniques or 'appropriate measures' to minimise the odour then the Environment Agency will accept that residual off-site odours will not be a permit breach. In such instances where there are adverse impacts on local amenity as a result of odours, then local residents would simply have to tolerate these odours. There is no requirement with the Environment Agency standard odour permit condition to prevent all odour annoyance, nuisance or complaints, or indeed all adverse impacts on amenity. An Environmental Permit by the Environment Agency does not provide any guarantee that the amenity of local residents will be protected. Only limited weight should be given to the fact that any proposed development has been granted an environmental permit when considering if such development is an appropriate land use for a particular location with respect to the potential for adverse impacts on local amenity.

- 4.6 It is therefore far more effective, and in fact essential to protect residents from any significant adverse impact on amenity from odours at the planning application stage than to seek to abate a statutory nuisance from odours retrospectively. Defra published local authority guidance (2010) on odour to assist local authorities address odour matters which promotes proactively preventing odours impacting on amenity at the planning stage. Post-development regulation should not be relied upon when determining the appropriateness of proposed land uses.

- 4.7 Relevant local planning policy is currently set out in Herefordshire Local Plan Core Strategy policy SD1 (Sustainable design and energy efficiency) which states:

"Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements (inter alia):

•safeguard residential amenity for existing and proposed residents;

- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;
- where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective;”

This is a very general policy and does not address the specific potential effects of intensive livestock units upon amenity.

4.8 In this regard, examples of policies utilised elsewhere were sought to inform a policy for ANP and it was found that one often quoted is that in the former county of Humberside for which specific policy guidance was drafted in 1984 and minor revisions were made in 1992 (Beverly Local Plan – East riding of Yorkshire – See Appendix 1). A key element of this policy plan was that intensive livestock units should not be established within 400m of dwellings, or in some case 800m of protected settlements, although it suggests the latter may be unduly restrictive. The planning policy recognised the risks of adverse odour impacts arising from intensive livestock installations at quite considerable distances from the farm buildings. The policy approach has been used without legal challenge. There is no similar policy for Herefordshire Council’s area yet given the significant level of such developments and their concentrations within surrounding parishes the implication is that particular attention should be paid to the potential for adverse odour impacts where intensive livestock units are situated within 400m of rural residential developments/receptors. Notwithstanding advice upon the use of dispersion modelling of odorous emissions the Chartered Institute of Water and Environmental Management¹ advises that “in the absence of conclusive UK based research, the selection of the most appropriate odour impact criterion should be determined upon depending on both the objective of the assessment, the nature of the odour under assessment and the sensitivity of the affected local population, where relevant.”

4.9 Given that the planning system must consider amenity not statutory nuisance or Environmental Permitting Regulatory requirements in relation to the potential odour emissions from intensive livestock units within Almeley Parish, a policy may be considered that represents what the local population consider to be an appropriate odour impact criterion and based upon that which has been used for planning purposes elsewhere. Almeley, Woonton and other hamlets within the parish should be considered protected settlements in this regard because of their levels of habitation, and most particularly Almeley primary school on its outskirts where amenity considerations should be given a high priority.

5. Effects of the disposal of waste to avoid pollution and adverse effects on biodiversity

5.1 An appropriate policy might also address the issue of waste disposal arising from any intensive livestock operation, in so far as the effect this may have on amenity and biodiversity. Herefordshire Council has yet to prepare its Minerals and Waste Development Plan Document so the saved policies from its Unitary Development Plan (UDP) are still relevant. An objective within the UDP is to ensure that waste management is considered in all development proposals. Another relevant objective is to protect the environment from the adverse impact of waste development and

¹ <http://www.ciwem.org/wp-content/uploads/2016/04/Control-of-odour.pdf>

where possible improve environmental quality. In respect of these objectives UDP Policy S10 states:

“The sustainable and efficient management of waste will be sought by:

- 2. ensuring that the impact of proposals for the collection, storage, handling, treatment, disposal and transportation of waste can be mitigated to an acceptable extent, with particular attention paid to the impact on human health and the environment;*
- 5. ensuring that all development proposals give due consideration to the waste they will generate, in accordance with the above principles.”*

5.2 More detailed waste policies that are relevant to infrastructure associated with intensive livestock units that contain matters that might affect amenity include (relevant extracts):

Policy W1: New waste management facilities

“Planning applications for new waste management facilities which do not fall into Class B1 and B2 will only be permitted where the site is not affected by one or more primary constraints or two or more secondary constraints except where:

- a. in the case of sites affected only by two or more secondary constraints, such constraints can be satisfactorily mitigated; or*

Primary Constraints

- 2. Sites and species of international and national importance to nature conservation;*
- 3. Scheduled Ancient Monuments and other sites of national or regional archaeological importance;*

Secondary Constraints

- 1. sites and species of local importance to nature conservation; ;*
- 3. land within or abutting a conservation area;*
- 4. archaeological sites of lesser Regional or Local Importance;*
- 5. where the site does not have direct access to an 'A' or 'B' class road;*
- 6. any adverse visual impact the development would have upon the landscape character of the area;*
- 7. best and most versatile agricultural land;*
- 8. ancient semi-natural woodland.*

Where a proposal satisfies the above constraints, applicants will also be required to submit evidence to demonstrate the extent to which the development impacts on:

- people and local communities;*
- natural and cultural assets;*
- the highway network and other public rights of way;*
- public open space; and*
- air, soil and water resources.*

Unless such impacts can be satisfactorily mitigated, planning permission will be refused.”

Policy W3 Waste transportation and handling

"Development that is likely to give rise to the transportation and handling of waste materials will only be permitted where appropriate measures to protect the public and the environment can be implemented and enforced."

W5 Waste management licensing

Where development is not covered by the Waste Management Licensing process, or where it would be granted an exemption from the process, conditions will be imposed on any planning permission granted, in the interests of the protection of amenity and matters of acknowledged interest.

- 5.2 Intensive livestock units generally give rise to potentially offensive waste. In view of these policies and the absence of any Waste Local Plan/DPD it is considered right and proper for a planning policy to be included to cover waste arising from any intensive livestock units so that the matter is dealt with comprehensively. The policy might usefully cover:
- a) Storage compounds and lagoons; and
 - b) The method of handling and disposal of manure waste.
- 5.3 In relation to the latter it may be important to consult another local authority through the duty to co-operate, and for this purpose it is necessary to know where any manure waste is to be transported to.
- 5.4 The spreading of manure waste may result in odour pollution and this is relevant for reasons explained in the previous section. Provisions in any policy may be all the more important because of the problems encountered within the County in relation to water quality, pollution of rivers, their special international SAC designation, and the provisions within the Nutrient Management Plan to address diffuse pollution, the preparation and implementation of which played such a significant part in Herefordshire Council's evidence supporting housing growth.
- 5.5 Although there are Environmental Permitting Regulations that cover these items, they are again matters that are also addressed through any planning application in terms of effect of waste disposal and associated matters. Consequently, the approach applying to protection of amenity from odour covered under the previous section apply and it is also relevant to the protection of biodiversity. It is likely that in some instances Herefordshire Council will have to undertake appropriate assessments in association with then Environment Agency to determine whether proposals will have a significant effect in the River Wye SAC under the Habitats Regulations.
- 5.6 Manure waste from intensive animal husbandry within these livestock units is a form of commercial waste and its spreading is an operation of handling and disposal. As a consequence, it is considered relevant to suggest a planning policy to cover those issues addressed through Herefordshire UDP as

commercial waste within its relevant waste policies and for this to be as comprehensive as possible.

6. Conclusion

- 6.1 The issues identified above are all relevant and required to ensure that Herefordshire Council draws a distinction between its planning purposes, which includes the protection of amenity, and other environmental regulatory duties of both itself, in relation to environmental health, and the Environment Agency. The policy should, especially, seek to address the issue of ensuring all amenity considerations are taken fully into account in order to avoid the necessity of more significant action later which it is clear may not be able to rectify any odour or other adverse effects completely, as advised by DEFRA. The development management process needs to be clear upon the issue of responsibilities in relation to the effects of development comprising intensive livestock units. A relevant policy should ensure that all relevant matters required to protect amenity and biodiversity are considered.

Appendix 1

Extract from Beverley Borough Local Plan – East Riding of Yorkshire (1992)²

10.0 INTENSIVE LIVESTOCK UNITS (ILU)

BACKGROUND

10.1 The plan area is popular for rearing livestock in confined conditions. These livestock units have given rise in the past to public complaint mainly about the unacceptable smells which arise from the storage and spreading of manure. The Council will apply the following policies to ensure that the well-being of the community is safeguarded while maintaining an efficient and viable farming industry. These policies are based on the former Humberside County Council's Intensive Livestock Units Local Plan, which was first adopted in 1984 and subsequently amended in 1992. That Plan is now superseded by the policies in this Plan (see paragraph 1.26). The policies below set out clear criteria regarding the development of Intensive Livestock Units and of occupied buildings near to them, so planning applications can be judged accordingly.

10.2 For the purposes of this Plan:

i) an 'Intensive Livestock Unit' will be defined as buildings and associated works (for which specific planning permission is required on application) for the permanent indoor housing of pigs, poultry or cattle and also those for housing such livestock indoors for only part of the time if a slurry" system is to be adopted.

ii) 'Occupied Buildings' will be defined as any permanent building or caravan site normally occupied by people, or intended for occupation by people, except a building or caravan within the same agricultural unit as the livestock unit.

Siting of Existing Units

10.3 Little can be done to rectify the poor siting of existing units and any opportunity for obtaining an overall improvement in environmental conditions through development affecting the Unit's continued operation needs to be taken.

Policy ILU1

Development proposals at an intensive Livestock Unit which will result in an overall improvement of existing conditions from an amenity point of view will be approved.

10.4 Conflict arises where new development takes place close to an existing intensive livestock unit. People moving into such development often subsequently complain about the unit itself and/or the manure spreading. The avoidance of such conflicts is considered preferable to trying to deal with them after they arise.

² https://www.eastriding.gov.uk/planning/pdf/beverley_final/beverley/written_state/section10.html

NB – This link was available until recently and used in formulating Policy ALM9 during the preparation of this NDP and since checking it appears to have been deleted recently, probably as work upon East Riding of Yorkshire Core Strategy has progressed. Reference to these as Saved Policies (prefixed ILU) can be seen at: <file:///C:/Users/User/Downloads/Beverley%20-%20Saved%20Policies.pdf>

10.5 The precise amount of separation that is appropriate depends to some extent on the nature and duration of the activities involved. Housing and developments such as caravan sites, hotels, restaurants, schools and hospitals seem to be most sensitive and need to be kept furthest away. In other cases, including developments which involve the adaptation of disused farm buildings, some relaxation of the policy may be appropriate.

10.6 Where there is already an Intensive Livestock Unit in a settlement it would not be possible to adhere to this policy and an exception has had to be made.

' Manure: Animal faeces and/or urine in any form, including slurry, traditional farmyard manure and other materials with straw, wood shavings, sawdust, etc.

"Slurry: Animal faeces and urine that contains little or no added water (undiluted slurry) or with water (diluted slurry).

Policy ILU2

Proposals for new Occupied Buildings which are located within a distance of 400 metres from an existing Intensive Livestock Unit or Manure storage areas will not be approved with the exception of those units or storage areas which are already situated within development limits.

10.7 Most planning applications are for development at existing units and it is necessary that amenity be safeguarded. Applications will be determined on their individual merits but where a unit is not currently being operated satisfactorily, further development will be allowed only if some overall improvement will result, in accordance with Policy ILU 1. Reference to a recognised professional advisor is recommended when preparing a submission.

Policy ILU3

Proposals for further development of existing intensive livestock units, for which specific planning permission is required, will be approved only where it can be demonstrated that the enterprise is being and will continue to be operated satisfactorily from an amenity point of view or where an overall improvement in existing conditions from an amenity point of view will result (see Policy ILU1).

Development of New Units

10.8 In order to minimise future conflict between the public and intensive animal units it is considered that there should be a protective distance between occupied property and new livestock units. However, to maintain viable livestock production, it is necessary to accept reduced protection in the more rural parts of the Plan Area and apply more restrictive standards only in the vicinity of the Hull Urban Area, Urban Centres and Selected Settlements. For the purposes of this Plan, land falling within the relevant protective distance will be referred to as 'protected areas'.

10.9 All protective distances should normally be measured from the edge of the curtilage of the Unit buildings and should be subject to modification in detail to allow account to be taken of local factors such as climate, particularly prevailing wind, and topography and of individual circumstances, for example, the size and operating hours of the unit. The distances should be related to field boundaries or some clear physical feature wherever practicable.

10.10 In the case of the Hull Urban Area, the Urban Centres and Selected Settlements within the Plan Area, a protective distance of 800 metres should normally be maintained from the development limits as set out in the Proposals Map.

10.11 In the case of Non-Selected Settlements and in the open countryside where agriculture is predominant, the rigid application of an 800 metres protective distance would be unduly restrictive. It would, therefore, be preferable for applications to be dealt with on their merits depending on local circumstances such as the size of the settlement. Normally a protective distance of 400 metres should be maintained, though the protective distance around isolated dwellings would not be as great. A minimum distance of 100m will only be acceptable in exceptional cases and whilst it may be appropriate in some circumstances for the siting of livestock buildings themselves, for slurry spreading and for some associated works such as slurry storage installations, a minimum of 200m will be required unless an effective treatment system which reduces smell is to be used. Where possible, manure storage areas should be sited away from public roads, footpaths and bridleways.

10.12 In addition, the National Rivers Authority (NRA) may require restrictions on the siting and design of units near to sources of water supply and watercourses.

Policy ILU4

Development proposals for new Intensive Livestock Units and associated structures including earth walled storage compounds or lagoons will be approved only if sited a distance of 600 metres or more from the development limits of the Hull Urban Area, the Urban Centres or the Selected Settlements and a distance of normally 400 metres from the development limits of the Non-Selected Settlements.

10.13 Recent government advice and other policies in this Plan (principally Policies E14-E18) recognise the importance of protecting sites of nature conservation value. Only a small proportion of the Plan Area is covered by SSSI's and they should therefore deserve to be given some priority but many other areas deserve protection. Intensive Livestock Units could damage such sites in a number of ways, e.g. transfer of diseases, nutrient enrichment of habitats or loss of amenity for visitors. It will seldom be possible to accurately quantify such risks but, when looking at particular cases special consideration should be given to the relative importance of certain sites, particularly the Humber Estuary, which has considerable international significance.

Policy ILU5

New Intensive Livestock Units and associated structures will not be allowed where they, or their related slurry or manure spreading areas, would have significant adverse effect on Sites of Special Scientific Interest or other statutorily designated nature conservation sites or would significantly affect other sites of nature conservation importance (see Policies E14 to E18).

10.14 Other policies in this Plan are designed to limit any adverse environmental effects of Intensive Livestock Units to an acceptable level. It is recognised that this does not mean that such effects will be completely prevented. Therefore, there remains a danger that a number of units around a particular locality will jointly cause effects that are unreasonable. In considering a planning application for the expansion of an existing unit or the establishment of a new unit the Council will consider the adverse effects already being experienced and whether they are likely to be made significantly worse by the development of further units.

10.15 In addition, Policy ILU2 of this Plan limits development near Intensive Livestock Units. In exceptional circumstances, for example where several units would surround a settlement, this may lead to a situation where otherwise appropriate or necessary development is unreasonably restricted.

Policy ILU6

If, in any locality, the existence of a number of Intensive Livestock Units means that any further units would cause an increase in adverse environmental effects to an unacceptable degree and/or seriously restrict reasonable expectations of further

development of a settlement in accord with the provisions of the development plan, then such further units will not be allowed.

Availability of Land for Spreading Liquid or Solid Manure

10.16 In view of the possible loss of amenity from the manure associated with a high density of livestock in any one area, it is essential that sufficient and suitable land is available for spreading. Where it is necessary to transport manure from units to spreading areas special care should be taken to ensure that this is done in an acceptable manner from an amenity point of view. Wherever possible, transport through residential areas should be avoided.

10.17 'Sufficient land' is regarded as that which is recommended in current MAFF advice. This may be determined on the basis of the available nutrients produced by a given number of livestock and the nutrient requirements of the crops grown. Broad guidelines are given in Appendix 9. Subject to the prior agreement of the Council, the amount of land required for spreading may be reduced if a suitable agreement to dispose of manure in some other acceptable manner can be reached. If this involves transportation away from the unit care should be taken to ensure that suitable means of transport will be used to avoid environmental problems.

10.18 'Suitable land' is that which is outside the 'protected areas'. Regard must also be given to any additional restrictions required by the NRA. Where an effective purification system that will significantly reduce smell is to be used consideration can be given to allowing the use of land which would not otherwise be regarded as suitable.

10.19 Where land not under an applicant's own control is to be used, steps should be taken to ensure that agreements with other landowners are adequate and binding and that the land in question will be used for manure spreading so that the total manure load does not exceed that recommended in current MAFF advice. Where required, agreements should normally be in place before construction is allowed to proceed. Consideration should also be given to the alternative arrangements to be made in the event of such an agreement being terminated.

10.20 The following matters will also be relevant when the Council is considering planning applications for expansion of existing or establishment of new livestock units:

- i) pollution of water supplies and possible contamination of water courses; ii) geology and soil types;
- iii) soil analysis and cropping programme; iv) type of effluent system to be adopted; v) amenity aspects of the development;
- vi) need to transport slurry or manure through residential areas; vii) the effects on sites of nature conservation importance.

Recognised professional advice can be obtained on items ii) to iv). English Nature can advise on item vii).

Policy ILU7

Proposals for new, or for the further development of existing, intensive livestock units, for which specific planning permission is required, will be approved providing sufficient suitable land is available for spreading manure either under an applicant's own control or by agreement with another farmer. The installation and use of an effective purification system will be taken into account when assessing the suitability of available land.

Manure Handling - Slurry Systems

10.21 In order to avoid too much slurry being spread on a given area of land which could give rise to smell and hydrological problems, it is necessary to define a maximum amount of slurry which should be applied in some situations and it is therefore proposed that this should form the basis of planning conditions in appropriate cases. An extract from the Code of Good Agricultural Practice is reproduced at the end of this Plan (see Appendix 9).

10.22 Reduction of the frequency of slurry applications is important in minimising nuisance caused. Efforts should also be made to spread most slurry during the growing season and as little as possible at other times.

10.23 Amenity preservation, maintenance of unpolluted water supplies and other considerations such as soil types and rainfall may require modification of the recommended application rates.

10.24 Early consultation between developers, recognised professional advisors and the Council will assist in agreement upon suitable rates in particular circumstances. The Council favour methods of disposal which reduce the dispersal of odours to the atmosphere.

10.25 Means of spreading that involve spraying slurry into the air, such as rain guns, should be avoided, and spreading should not be done when wind is blowing towards housing or when it is likely to cause nuisance. Spreading should also be avoided at week-ends and bank holidays whenever possible. Arable land should be cultivated as soon as possible after slurry has been applied to help reduce smell nuisance.

10.26 Slurry spreading is the cause of most complaints and to safeguard amenity it is best kept away from housing. It would not be reasonable, however, to impose the same restrictions on all classes of settlement and as with policies for expansions of existing and new units above, a distinction has been made.

10.27 Reference should be made to the appropriate region of the NRA for further detailed information, when spreading and storage of slurry, diluted or otherwise, are proposed. A Guide on Policy and Practice for the Protection of Groundwater is available from the NRA.

Policy ILU8

Proposals for new, or for the further development of existing, intensive livestock units for which specific planning permission is required, will be approved providing that:

a) the spreading of slurry will be restricted to land outside the protected areas unless it is proposed to use some method of treatment or application capable of significantly reducing smell nuisance.

b) the maximum quantity of slurry to be spread will be controlled in accordance with the MAFF Code of Good Agricultural Practice, taking into account the time of year, the crop and the type of soil.

10.28 Problems can arise when slurry is spread frequently on the same area of land or when spreading takes place under adverse weather or ground conditions and it is therefore important that operators are able to avoid these circumstances arising. Normally four months storage capacity will be adequate to protect amenity, and in many instances a smaller capacity might be acceptable. If an operator is prepared to install a suitable treatment plant this will be taken into account when assessing storage capacity requirements.

10.29 The onus for ensuring that storage is adequate and that the unit is managed properly to avoid environmental problems rests firmly with the operator. It is necessary to separate normal surface

water run-off from that of contaminated areas. References should be made to the NRA for further information and assistance.

10.30 Problems have occurred in the past with lagoons used for storing slurry from several independent units. Such 'communal' lagoons can cause problems arising in particular from the need to transport manure, the volume of slurry stored and the increased frequency in spreading. Proposals for communal lagoons will only be approved in exceptional circumstances, for instance where it can be demonstrated to the satisfaction of the Council that there will be an overall improvement of existing conditions from an amenity point of view

10.31 It is recommended that informal preliminary discussions with all relevant interested bodies should take place so that any problems may be sorted out in the early stages of the development.

Policy ILU9

Proposals for new, or for the further development of existing, intensive livestock units, for which specific planning permission is required will be approved providing that enough storage capacity will be provided to avoid too frequent spreading or the need to spread in unsuitable circumstances. The design of the storage arrangements should be such that the chance of spillage or seepage is reduced to a minimum. In the case of above ground storage, further precautions may be required to prevent any accidental spillage or seepage causing pollution.

Proposals for 'communal' storage lagoons will only be approved where there will be an overall improvement of existing conditions from an amenity point of view.

Poultry Manure

10.32 The spreading of poultry manure has generally given rise to less problems than slurry. Nevertheless, it can cause offence and needs to be restricted close to occupied buildings. It also seems undesirable to site manure heaps close to areas of public access if it can be avoided. Under normal circumstances, it can be expected that manure from litter-based poultry units will be less offensive than other forms, if suitable litter material, such as wood shavings, sawdust or chopped straw is used. In these cases it may not be necessary to insist upon the full protective distance.

Policy ILU10

Proposals for new, or for the further development of existing, intensive livestock units will be approved providing that poultry manure will not be stored or spread on land within 400 metres of occupied buildings in the Hull Urban Area, Urban Centres and Selected Settlements or 200 metres elsewhere, unless it can be demonstrated that no offence will be caused to occupied buildings within that protective distance. Where possible, manure storage areas should also be sited away from public roads, footpaths and bridleways. Provision should also be made for the collection and disposal of disinfectant and wash water without causing pollution.

Other Manure

10.33 As straw manure does not have the noxious smell that is associated with slurry and some poultry manure and is more acceptable to members of the public, there seems to be no reason why restrictions should apply to spreading areas if it is applied in suitable quantities.

10.34 When a straw system is to be installed, careful attention must be given to permanent areas for dung storage within the farmstead to prevent seepage and pollution. Specifications or

recommendations for a suitable base on which to store the dung, along with the other requirements, can be obtained from a recognised professional advisor.

Policy ILU11

Proposals for new, or for the further development of existing, intensive livestock units, (or which specific planning permission is required will be approved providing that any spreading of manure other than slurry or poultry manure in protected areas is done in accordance with the amounts recommended in the MAFF code of practice.

Use of General Purpose Buildings

10.35 It is appreciated that farmers must occasionally use such buildings in emergencies or for short periods, but housing of livestock in buildings not designed for them can lead to unsatisfactory conditions and smell nuisance.

Policy ILU12

Development proposals to use existing general purpose buildings for the permanent housing of livestock will not be approved where such an enterprise will be based upon a slurry system; conditions to this effect will therefore be included in future permissions for general purpose buildings for which specific planning applications and permissions are required.

Appearance

10.36 In the interests of visual amenity unobtrusive siting and landscaping of new agricultural buildings in the countryside are desirable in view of the size and materials now common with such buildings. The planning authorities will consider the details and at the same time take into account any special circumstances.

Policy ILU13

Units and associated structures should be so sited that they do not intrude into the landscape. Where necessary, tree screening should be included as an integral part of the planning application and/or covered by conditions of planning approval. Materials of construction need to be chosen carefully so that the resulting development fits sympathetically into its rural setting.