

HEREFORDSHIRE COUNCIL LOCAL PLAN CORE STRATEGY (DRAFT) QUESTIONNAIRE



LDF ref 343

Campaign to Protect Rural England, Herefordshire Branch (CPRE)

The Hollies

Victoria Rd

Kington

HR5 3BX

SPATIAL STRATEGY SECTION

- 1.a Policy SS1: Presumption in favour of sustainable development. Agree**
- 2.a Policy SS2: Delivering new homes. Partly agree**
 - 2.b The policy should summarise the windfall allowance described on p46 and indicate how it will be distributed between Hereford, the market towns, and rural areas.
- 3.a Policy SS3: Releasing land for residential development. Partly agree**
 - 3.b See comments at 37 on Policy LD1.
- 4.a Policy SS4: Movement and transportation. Partly agree**
 - 4.b CPRE welcomes most of this policy, but disagrees with the inclusion of the Hereford Relief Road - see comments at 8b on policy HD2.
- 5.a Policy SS5: Employment provision. Agree**
- 6.a Policy SS6: Addressing climate change. Agree**

PLACE SHAPING POLICIES

- 7.a Policy HD1: Hereford city centre. Disagree**
 - 7.b The Council has not properly considered the alternative of the potential of the city centre to absorb more housing instead of urban extensions. In particular more housing could be included in the 'urban village' and the Racecourse could be re-developed for housing, but the Council has assiduously ignored the latter despite its availability as Council-owned land and its enormous potential.
- 8.a Policy HD2; Hereford movement. Disagree**
 - 8.b We remain opposed to the inclusion of the Hereford western relief road because we do not think the case for it has been made. The case has not advanced since the last Core Strategy consultation in November 2011 and our comments now remain much as they were then:

- The viability of funding for it has not been established - see comments at 37 on Policy LD1. The relief road will be the major recipient of funding via the Community Infrastructure Levy. There needs to be a much more robust case for expenditure of £100+ million on this single project as against other much needed infrastructure improvements in the county.
- In combination with increased housing in and around Hereford and the traffic this will generate, the relief road will not significantly reduce congestion on the city's roads.
- Improvements to public transport should be attempted first, including measures such as bus lanes on the A49, if necessary going over the Highways Agency's head to secure these.
- The route has a serious adverse impact on the historic parkland and the setting of listed buildings at Belmont. The corridor defined by the Core Strategy (Fig 4.4) does not provide the latitude to avoid these, so this is not a matter that can be devolved to the Hereford Area Plan to resolve.

A further factor is the indirect impact that the road may have by facilitating windfall development between the route and the current city boundary. Much of this land, such as the Wye valley, is high-quality countryside that provides a valuable amenity for the city population. This impact could be mitigated if the Council were to identify a landscape protection zone around the route to protect it from the inevitable development pressure.

9.a Policy HD3. Northern urban expansion. Agree

10.a Policy HD4. Western urban expansion. Disagree

10.b This is predominantly Grade 1 farmland, so its development should not be contemplated.

11.a Policy HD5. Southern urban expansion. Disagree

11.b Although the land in question has limited landscape value, its development would still be undesirable because of its poor relationship with the rest of the city. First, it would breach the railway line which represents a robust and obvious physical boundary to the city in this direction. Second, even if a second river crossing were built, the river Wye would still be a significant constraint on movement within the city and further major expansion on the south side of the river, separated by the Wye from most of the city's retail, leisure and employment facilities, would not be sensible.

12.a Policy HD6: Hereford employment provision. Agree

13.a Policy BY1: Development in Bromyard. Disagree

13.b As shown by the Urban Fringe Sensitivity Analysis, Bromyard is entirely hemmed in by flood zones and by High Sensitivity Landscape. Much of the proposed development would be on High Sensitivity Land. Therefore there should be no strategic allocation of housing land in the Core Strategy and it should be left to the Bromyard neighbourhood plan to identify smaller and less sensitive non-strategic allocations within and around the town.

14.a Policy BY2: Land at Hardwick Bank and south of the A44 Leominster Road.

Disagree

14.b See 13.b.

15.a Policy KG1: Development in Kington. Disagree

15.b We do not believe that Kington has the physical capacity to absorb 200 new homes or the employment opportunities for their potential occupants.

16.a Policy LB1: Development in Ledbury. Agree

17.a Policy LB2: Land north of the viaduct. Agree

18.a Policy LO1: Development in Leominster. Disagree

18.b There is some scope for a south-western extension of Leominster, but, on the basis of the SHLAA, we do not consider that a figure of 1,500 homes can be achieved. (1) On the unconstrained sites with Low/Medium or Medium landscape sensitivity the SHLAA indicates that about 1,200 homes could be achieved. Any development beyond these sites for housing or roads would be a major intrusion into the landscape. (2) There is an extensive area of Grade 1 farmland to the south of Cockcroft Hill which should not be developed in any event. (3) The line of the Southern Link Road Corridor shown at Fig 4.14 has never been tested or justified and is therefore an unsound basis for strategic planning. For example, a route closer to the town centre may be less damaging to the landscape and provide better cost-benefit. (4) The capacity of the Wye SAC to absorb the additional sewage discharges without adverse effect remains highly questionable. (6) We also question the likelihood of identifying 800 further dwellings elsewhere in the town.

19.a Policy LO2. Leominster urban expansion. Disagree

19.b See 18.b above.

20.a Policy RW1: Development in Ross-on-Wye. Agree

21.a Policy RW2: Land at Hildersley. Agree

RURAL AREAS

22.a Policy RA1: Rural housing strategy Partly agree

22.b Windfalls. The Council's willingness to identify and argue for a windfall allowance is welcome, but the figure of 1,000 in the rural areas is far too low given the historic levels of 290 pa in the last fifteen years. It is true that many of these were on greenfield sites, but the NPPF states only that windfalls are "normally" brownfield land - which allows for the possibility that in appropriate circumstances they may be greenfield. Those circumstances certainly apply in a predominantly rural county with a track record of many greenfield windfalls. Very few past or future windfalls are on sites of 5 or more picked up by the SHLAA and very few are in residential gardens, so neither of these points is a reason to reduce the windfall assumption.

The only argument that we can see is that, with their local focus, neighbourhood plans may well identify and allocate many of the sites that would previously have been categorised as windfalls. However, it is highly unlikely that they will pick up 80% of the historic level of windfalls. It may be reasonable to expect them to pick up most brownfield windfalls and some of the greenfield windfalls close to the main villages, but many of the greenfield windfalls are farm building conversions, agricultural worker dwellings etc which neighbourhood plans are unlikely to pick up. Even if neighbourhood plans pick up 75% of brownfield windfalls and 25% of greenfield ones, then, using historic levels, that still leaves to 140 pa, or about 2,000 over the Plan period. We believe

prudence requires the adoption of this figure and the adjustment of the net requirement for sites to be identified through neighbourhood plans or DPDs to 2,576. Also, the HMA percentage growth targets are to be used to set the levels of housing to be enabled through neighbourhood plans. The table on p137 makes clear that these levels are net of windfalls, so the targets should be recalculated after deduction of a proportion of the rural windfall allowance for each HMA.

Page 138, para 2. Add to the end of the second sentence "... (which are given in Appendix 2 of the Rural Housing Background Paper March 2013)."

We believe it would be valuable to add this clarification because this text will be used as a reference document by everyone working on planning in rural areas, including those working on neighbourhood plans who may not be familiar with all the documentation.

23.a Policy RA2: Herefordshire's Villages. Partly agree

23.b Tables RA1 and RA2. With the extension of housing targets to all villages over a certain size and form in the rural areas, rather than just centres with a good range of services, the threshold that defines these villages becomes critical. The Council's definition of a compact settlement of 20 or more dwellings is too vague and may result in the inclusion of unsustainable settlements, or indeed vice-versa. To be robust the evidence base needs to set out the justification for this definition and the methodology for its application. "Compact settlement" is a measure of concentration of dwellings rather than number, so how was this defined? Why were 20 dwellings, rather than say 10 or 30, deemed to be the minimum that made a village? And were total dwellings or occupied dwellings counted?

The only difference between Table RA1 and Table RA2 villages is that new housing in the latter is restricted to local needs housing as defined in Policy RA2. The criterion for distinguishing between the two should therefore relate to this difference. The statistical criterion of median position on a table of villages listed by dwelling numbers is irrelevant and potentially capricious in its effect on individual communities. In first place it is affected by the number of villages included which is itself will vary depending on the definition of village - see above: if, say, the definition meant that two fewer villages were included at the bottom of the list, then the median threshold would move up and one more village would drop down into the Table RA2 category, even though its circumstances were unchanged. Also, the median takes no account of the distribution of dwelling numbers and is almost random for these purposes - thus villages above and below the threshold may differ by as little as one or two dwellings, yet end up being treated very differently.

A more appropriate policy would be to retain the criteria of good facilities and public transport accessibility used in earlier iterations of this policy, albeit relaxed slightly to accommodate villages with lesser but potentially improvable facilities. This would at least be relevant to whether a village should be the focus for open market housing. It would make no difference to numbers because both Table RA1 and Table RA2 villages are subject to the proportionate housing targets.

Page 142, para 2. Add after the first sentence "Parish boundaries are not relevant for these purposes: land within a parish beyond the main village(s) will be considered countryside and subject to Policy RA3."

We believe this clarification is worth adding because most neighbourhood plans in Herefordshire will be based on administrative parishes and their boundaries, rather than on villages, and the distinction could otherwise be a source of uncertainty.

Space standards. The suggested space standards comply with RSL floorspace allowances but in our view should be slightly higher to comply with Royal Institute of British Architects recommended standards (see The Case for Space RIBA 2011). Our reasoning is that the RSL standard is linked to funding allowances whereas the RIBA standard is based on the occupants' health and well being and the standards introduced by the Mayor of London in 2006. It will also contribute to Strategic Objective 3.

24.a Policy RA3: Herefordshire's countryside. Partly agree

24.b Delete point 5: rural exception housing in countryside away from the villages would contradict requirement 3 (access to services and facilities) of Policy H2.

25.a Policy RA4: Agricultural, forestry and rural enterprise dwellings. Agree

26.a Policy RA5: Re-use of rural buildings. Agree

27.a Policy RA6: Rural economy. Agree

GENERAL POLICIES

28. Housing policies

H1. Agree

H2. Agree

H3. Agree

H4. Agree

29. Social and Community facilities

SC1. Agree

30. Open space, sport and recreation

OS1. Agree

OS2. Agree

OS3. Agree.

31. Traffic management

MT1. Agree

32. Employment policies, tourism and retail.

E1. Agree

E2. Agree

E3. Agree

E4. Partly agree.

Add to end of first sentence of E4 "...and that recognise the intrinsic character and beauty of the countryside." This reflects NPPF para 17 and underlines the importance of landscape to tourism in the county.

E5. Agree

E6. Agree

33. Local distinctiveness

LD1. Partly agree

Designated sites. The NPPF para 113 requires criteria-based policies for the assessment of proposals affecting designated sites with distinctions between the hierarchy of

international, national and local designations. There are no such criteria-based policies in the LD policies. As for hierarchy, the only references are actually confusing: AONBs are described in LD1 as "exemplars of local distinctiveness" and on p200 as a county-tier "green infrastructure asset", but nowhere is it made clear that they are in fact a national landscape designation. They are not even mentioned in the landscape policy LD2 or its associated text. SSSIs get only one brief mention on p200 as a county-level asset and no mention at all in biodiversity policy LD3 or its text.

Definition. The scope of local distinctiveness is not defined anywhere in the Core Strategy. This is vital because it is not a concept defined in the NPPF. If bullet points in LD1 are intended to be a list of all the categories covered by local distinctiveness, then it should state this explicitly.

Value of the countryside. The NPPF para 17 recognises "..the intrinsic character and beauty of the countryside.." A Core Strategy for a rural county like Herefordshire should do no less. We propose the addition to the end of the first sentence of Policy LD1: "..and that respect the intrinsic character and beauty of the countryside."

LD2. Partly agree

Landscape quality. LD2 deals effectively with landscape character using the LCA methodology, but it does not address relative landscape quality as a criterion for judging development proposals. The latter is normally addressed through a hierarchy of designations. Much of Herefordshire is of national landscape quality, but for historical reasons very little of it is designated as an AONB. CPRE has produced a report "A New AONB in the Marches" (attached) explaining this and identifying the areas of West Herefordshire that were originally recognised as of national quality and earmarked for designation. In view of this Herefordshire Council has every justification for introducing an interim local designation to protect this area pending full consideration of AONB designation by Natural England. In support of this we would point out the following:

- The NPPF acknowledges the existence of "locally designated sites" in para 113 dealing with "protected wildlife or geodiversity sites or landscape areas". In para 115, by according AONBs "the highest status of protection in relation to landscape and scenic beauty", the NPPF effectively recognises that lower statuses of protection may exist. In para 109 the NPPF also refers to "..protecting and enhancing valued landscapes.."
- The National Parks Commission's 1950 earmarking maps provided the starting point for all the early national park and AONB designations and can be considered authoritative. They, and Circular 84/50 that underpinned them, have never been rescinded. The maps could therefore provide a sound evidence base for a local landscape designation of the West Herefordshire hills.
- The draft Core Strategy already states on p196 that "Non-statutory designations are equally important to Herefordshire's local distinctiveness." The absence of local landscape designation is an anomaly alongside the recognition the Core Strategy gives to local biodiversity sites and heritage assets.

The Council has already recognised that landscape quality matters in its recognition on p22 that "..the area along the western boundary of the Brecon Beacons National Park is of the highest quality..". Whether or not the Council adopts a local designation policy, to

be consistent it should at the very least include quality as an explicit factor in its policy. For example we would propose the following additional bullet point in Policy LD2: "give appropriate weight to the protection and enhancement of AONBs and other high quality and locally valued landscapes."

Protecting landscape character. The criterion of demonstrating that proposals have been positively influenced by landscape character (bullet point 1 of LD2) is too weak a test. We propose deleting "positively influenced" and substituting "been adequately protected and enhanced through a positive approach to".

Tranquillity. The Core Strategy contains no reference to tranquillity despite the clear requirement in the NPPF para 123 "...to identify and protect areas of tranquillity.". While there are policies in relation to noise management in new developments, the Core Strategy should also be identifying tranquil areas. This is especially important in Herefordshire as earlier mapping work by CPRE suggests it contains some of the most extensive tracts of tranquil countryside in England (see CPRE Intrusion Map West Midlands 2007 - attached). Tranquillity is therefore a key asset for the county.

The Northumberland National Park Authority Core Strategy (March 2009) Policy 19 is an example of an adopted policy that could be adapted by Herefordshire:

"Development proposals which conserve or enhance the tranquillity of the National Park will be supported. In order to determine the extent to which tranquillity is affected there will be an assessment of the impact:

- a. of the level of noise, traffic and light generated as a result of the development;
- b. on the sense of openness of the National Park; and
- c. on the quiet enjoyment of the landscape"

Clearly this would require Herefordshire to adopt some form of tranquillity mapping. CPRE has led the way in tranquillity mapping and our report with Northumbria University is available at <http://www.cpre.org.uk/what-wedo/countryside/tranquil-places/>. We would be happy to discuss how this methodology could be adapted.

LD3. Agree

LD4. Partly agree

The green infrastructure concept, as defined in this policy, text and diagram, overlaps with local distinctiveness and with designations and is potentially confusing. Its distinct function should therefore be clarified. The role of Fig 5.3 for development control purposes in particular needs to be clarified. The functions of some of the "district strategic corridors" that connect the towns are questionable - are they for the benefit of wildlife or for people and either way why are they privileged over the extensive green spaces that lie either side of them?

LD5. Agree

34. Sustainable Design

SD1. Partly agree

Agricultural land. This policy should include a bullet point safeguarding the best and most versatile agricultural land with the caveat that grade 1, 2 or 3a land should be considered for development only where it can be demonstrated that the use of a lower grade of land is not feasible. This reflects policy SS6 and NPPF para 117. The Council

should also make its detailed Herefordshire Agricultural Land Classification maps available as part of the Local Plan evidence base.

Noise and Light. We welcome the reference in SD1 to safeguarding residential amenity against noise, light, etc, pollution, but the NPPF paras 123 and 125 consider light and noise in a wider context. The adoption of a tranquillity policy (see comment on LD2) would address some of these issues. The Core Strategy should also specifically address the impact of light on 'intrinsically dark landscapes and nature conservation'. The impact of the recently designated international dark sky reserve in the neighbouring Brecon Beacons National Park should also be taken into account. CPRE's 'night blight' maps show that West Herefordshire, adjoining the National Park, still benefits from some of the least polluted skies in the country (see CPRE Light Pollution Map West Midlands - attached). Reference to residential amenity on its own will not address light or noise pollution in sparsely populated areas. We propose adding after "amenity" in bullet point 2 "...areas of tranquillity, or intrinsically dark landscapes.."

Cumulative impacts. At the end of bullet point 1 add "taking account not only of individual impact but also cumulative and visual impacts:". This reflects NPPF para 97 regarding renewable energy, but it will also be relevant to other types of development.

SD2. Partly agree.

Landscape. In point 2 delete "quality of the landscape character" and substitute "quality and character of the landscape". Clearer wording.

SD3. Agree

SD4. Partly agree.

Bullet point 5 of Policy SD4 as currently worded could permit a development that would increase phosphate levels of stretches of the SAC where condition is already poor without regard for the degree of certainty or the timescale of compensating reductions in phosphate levels. Therefore as worded the policy could be unlawful. The Council's expert advice from David Tyldesley Associates itself states (para 44) that "the timing, location and extent of such anticipated 'improvements' will only become apparent once the NMP is implemented." In other words at this stage there is an element of uncertainty as a result of which the policy could be unlawful without suitable qualification. Therefore CPRE believes the words "...with reasonable certainty and within a reasonable timescale." should be added to the end of bullet point 5.

35. Natural Resources: minerals

M1. No opinion

M2. No opinion

M3. Partly agree

At the end of point 4.iv add: "...and other high-quality and locally valued landscapes."

M4. Agree

M5. Agree

M6. No opinion

36. Waste

W1. No opinion

W2. No opinion

W3. No opinion

W4. No opinion

W5. No opinion

37. Infrastructure Delivery

LD1. Disagree.

The Infrastructure Delivery Plan does not give an accurate picture of overall funding needs, or the relative importance of the various infrastructure, or the timing and risks of delivery. There is a lack of information on the relationship between specific infrastructure and housing and policies. Policies LD1 or SS3 need to provide a more specific and robust phasing mechanism. CPRE has prepared a report (attached) which offers the following recommendations:

- The IDP should provide costs and assumed funding sources and calculations, even if provisional, for the total infrastructure provision and for all individual items where it is not commercially confidential.
- The IDP should give priority categories (fundamental, critical, important, desirable) for all items and explain the practical implications of these terms.
- There should be an estimate of how much CIL and S106 will raise, taking into account the losses of 25% of CIL to parishes that adopt neighbourhood plans.
- The Council should state its intentions regarding the use of the New Homes Bonus and its estimate of money from that source for infrastructure.
- Cash Flow: there should be a summary of the timing of infrastructure expenditure against the income streams that will pay for it and an explanation of how any cashflow deficits will be funded.
- There should be a more explicit phasing policy to make clear that developments will be permitted only when it is reasonably certain that critical associated infrastructure can be funded and the infrastructure should be completed when it is needed.
- There should be more consideration of phasing and infrastructure issues for individual towns.
- In particular, since the expansion of Hereford will have to be phased, the phases should be broadly defined and related to the critical infrastructure, particularly road construction, that will be needed to support each of them. Because there will be uncertainty about whether and when each subsequent phase will be completed, it will be essential that the infrastructure for each phase is sufficient to make that phase viable indefinitely.
- The IDP report and delivery table need to be internally consistent.