

Marden Neighbourhood Development Plan To 2031

Independent Examiner's Report

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Summary

I have been appointed as the independent examiner of the Marden Neighbourhood Development Plan.

The Plan is generally presented well and has a clearly articulated vision with seven underlying objectives for this Parish. As well as designating settlement boundaries for four of the settlements in the Parish, it also allocates two sites for development. The Plan focuses its attention on achieving high quality development that will meet the needs of the local community including through the designation of local green spaces. It encourages employment opportunities. Overall it provides a balance between encouraging development and ensuring that the key attributes and constraints of the Parish are recognised.

Further to consideration of the policies in the Plan I have recommended a number of modifications that are intended to ensure that the basic conditions are met satisfactorily and that the Plan is clear and consistent enabling it to provide a practical framework for decision-making.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore delighted to recommend that the Marden Neighbourhood Development Plan go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
15 June 2016



1.0 Introduction

This is the report of the independent examiner into the Marden Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

Marden is one of the largest parishes in Herefordshire. The village of Marden is about a mile east of the main A49 Hereford-Leominster road and some six miles north of Hereford. It contains a range of services. A number of hamlets are scattered throughout the Parish. As a relatively highly populated Parish compared to others in the County, the Parish has a population of some 1302 according to the 2011 Census. Amongst a variety of businesses, the Parish is home to a large soft fruit and vegetable enterprise. The River Lugg runs along part of the western boundary of the Parish area and is said to be home to a mythical mermaid as well as the more commonly sighted kingfisher, heron, sandpiper and sand martin.

2.0 Appointment of the independent examiner

I have been appointed by Herefordshire Council (HC) with the agreement of Marden Parish Council, to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over twenty-five years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

3.0 The role of the independent examiner

The examiner is required to check¹ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body

¹ Set out in paragraph 8 (1) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions² are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out a further basic condition in addition to those set out in primary legislation and referred to in the paragraph above of relevance to this examination. This is:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site³ or a European offshore marine site⁴ either alone or in combination with other plans or projects.

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

² Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

³ As defined in the Conservation of Habitats and Species Regulations 2012

⁴ As defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case Herefordshire Council. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

4.0 Compliance with matters other than the basic conditions

I now check the various matters set out above in section 3.0 of this report.

Qualifying body

Marden Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This is confirmed in the Basic Conditions Statement. This requirement is met.

Plan area

The Plan area is coterminous with the Marden Parish administrative boundary. Herefordshire Council approved the designation of the area on 14 October 2013. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The area is shown clearly on page 7 of the Plan.

Plan period

The Plan and the Basic Conditions Statement confirm that the period it covers is 2015 to 2031. Whilst this does not align with the Core Strategy as the Basic Conditions Statement indicates, the time period is clearly stated and so this requirement is satisfactorily met. It should however be noted that the housing figures which underline the Plan are based at April 2011.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. Where I consider a policy or proposal to fall within this category, I have recommended it be moved to a clearly differentiated and separate section or annex of the Plan or contained in a separate document. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.⁵ Subject to any such recommendations, this requirement can be satisfactorily met.

5.0 The examination process

It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶ PPG confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷

The general rule of thumb is that the examination will take the form of written representations.⁸ However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case.

After careful consideration of the documentation and all the representations, I decided it was not necessary to hold a hearing.

A late representation was received from Harrison Clark Rickerbys. I am not in the habit of accepting late representations unless there has been a material change in circumstances since the submission six-week consultation period has ended. In this instance I felt it was important to accept the letter. The letter urged me to hold a hearing and this formed part of my own assessment in any case. However, the letter also raised other points of a serious nature raising concerns about, amongst other things, improper behaviour, abuse of office and conflicts of interest. I referred these matters to HC as I consider they go beyond my remit. HC have investigated accordingly and have concluded that the Parish Council process was not sufficiently flawed.

⁵ PPG para 004 ref id 41-004-20140306

⁶ *Ibid* para 055 ref id 41-055-20140306

⁷ *Ibid*

⁸ Schedule 4B (9) of the Town and Country Planning Act 1990

I would like to record my thanks for the exemplary support that I received from the officers at HC during the course of this examination.

I undertook an unaccompanied site visit to the neighbourhood plan area on 30 March 2016.

6.0 Consultation

A Consultation Statement has been submitted which provides details of who was consulted and how, together with the outcome of that engagement process.

An initial scoping exercise undertaken in March 2014 resulted in a rather disappointing response rate despite every household being contacted. A second questionnaire was undertaken in September 2014 and specifically related to potential changes to the Marden settlement boundary. Although this again resulted in a low response rate, the consensus was to retain the boundary as was. However, it was realised that this was not a possibility and a 'call for sites' was issued in November 2014. This brought forward 21 possible sites for development. During this period, further consultation about the level of potential growth occurred with forms being sent to all properties and an article in the Parish magazine to raise awareness.

A consultation event was held in January 2015 to seek community views about the allocation of sites. I discuss site assessment and selection later in this report.

Pre-submission (Regulation 14) consultation took place between 5 February and 19 March 2015 and was advertised in a variety of ways with both electronic and hard copies available and options for the receipt of responses. The Consultation Statement contains a useful table⁹ detailing the responses and the action taken.

During the course of the Regulation 14 consultation period, the Consultation Statement explains that the examination into the Core Strategy took place and as a result housing numbers altered. In addition the Parish Council decided to define settlement boundaries for three hamlets of Burmarsh, Litmarsh and The Vault. A two day consultation event was held in July 2015 and focused on the changes to the draft plan following Regulation 14, the impact of changes to the Core Strategy, the three new settlement boundaries proposed and site allocations in Burmarsh and Litmarsh.

A second period of Regulation 14 consultation took place between 3 September and 16 October 2015 and was advertised in a variety of ways with both electronic and hard copies available and options for the receipt of responses. Again the Consultation Statement contains a helpful and easily digestible table¹⁰ detailing the responses and how they were considered.

⁹ Consultation Statement page 8 onwards

¹⁰ *Ibid* page 55 onwards

Submission (Regulation 16) consultation was carried out between 24 November 2015 and 12 January 2016. This attracted a number of representations which I have taken into account in preparing this report.

The Consultation Statement shows that the Plan has emerged as a result of seeking, and taking into account, the views of the community and other bodies.

7.0 The basic conditions

National policy and advice

The main document that sets out national planning policy is the National Planning Policy Framework (NPPF) published in 2012. In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the strategic development needs set out in Local Plans, plan positively to support local development, shaping and directing development that is outside the strategic elements of the Local Plan and identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with the neighbourhood plan to proceed.¹¹

The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. They cannot promote less development than that set out in the Local Plan or undermine its strategic policies.¹²

On 6 March 2014, the Government published a suite of planning guidance. This is an online resource available at www.planningguidance.planningportal.gov.uk. The planning guidance contains a wealth of information relating to neighbourhood planning and I have had regard to this in preparing this report. This is referred to in my report as Planning Practice Guidance (PPG).

The NPPF indicates that plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.¹³

PPG indicates that a policy should be clear and unambiguous¹⁴ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.

¹¹ NPPF paras 14, 16

¹² *Ibid* para 184

¹³ *Ibid* para 17

¹⁴ PPG para 041 ref id 41-041-20140306

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.¹⁵ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.¹⁶

The Basic Conditions Statement (BCS) sets out how the Plan has responded to national policy and guidance, particularly focusing on the NPPF's twelve core planning principles. It does so in a simple, but clear and effective way in Table 1 of the BCS. There does however appear to be a few errors in the BCS including a reference to a southern link road. Despite this, the commentary demonstrates that the way in which the Plan as a whole has had regard to this basic condition has been considered.

Sustainable development

A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole¹⁷ constitutes the Government's view of what sustainable development means in practice for planning. The Framework explains that there are three dimensions to sustainable development: economic, social and environmental.¹⁸ Tables 1 and 2 of the BCS help to outline how the Plan contributes to the achievement of sustainable development.

The development plan

The development plan consists of the Core Strategy 2011 – 2031 (CS) which was adopted on 16 October 2015 and various other documents including the saved policies of the UDP (found in Appendix 1 of the CS). The most relevant document to this examination is the CS and I have taken all its policies to be 'strategic'.

The BCS contains Table 3 that is simply a list of each of Plan policies and a list of the CS policies regarded as being of relevance. It is up to the reader to then decide how these relate and I would have welcomed a short commentary similar to that found in earlier tables to assist me. The table also refers to the Submission Draft of the CS although in response to a query the Parish Council have confirmed that this heading in the table is incorrect and the policies in column two are the adopted CS policies.

The Plan taken as a whole will support the vision, objectives and policies of the CS.

European Union obligations

A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant.

¹⁵ PPG para 040 ref id 41-040-20160211

¹⁶ *Ibid*

¹⁷ NPPF para 6 which indicates paras 18 – 219 of the Framework constitute the Government's view of what sustainable development means in practice

¹⁸ *Ibid* para 7

Strategic Environmental Assessment

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.

An Environmental Report dated November 2015 has been prepared as an earlier screening opinion dated 29 August 2013 concluded that due to the range of environmental designations in and around the Parish there may be significant environmental effects. The River Lugg runs partway along the western border of the Parish and forms part of the River Wye Special Area of Conservation (SAC), a European site and seven Special Wildlife Sites and three Sites of Scientific Interest lie within or border the Parish together with a host of heritage assets.

The Environmental Report confirms a Scoping Report was prepared and sent to the statutory consultee bodies from 15 August to 19 September 2014. Responses from Natural England and Historic England have been incorporated into the document at Appendix 3.

As mentioned earlier, the Plan has undergone two periods of Regulation 14 consultation; the first between 5 February and 19 March 2015 and the second between 3 September and 16 October 2015. As explained in section 6.0 above, this resulted from changes to the then emerging CS and the Parish Council's response to that earlier consultation. This meant the SEA process has assessed the Plan and its policies in January 2015, then assessed changes in August 2015 and then again in October 2015.

I have to confess that I needed to read the Environmental Report a number of times before concluding that it took a common sense and proportionate approach to the evolution of the Plan and its policies. In brief, the initial assessments of the Plan's objectives, options and the original thirteen policies as at January 2015 can be found in Appendix 7. Appendix 5 deals with the policies which altered between the first and second rounds of Regulation 14 consultation (namely M1, M2, M3, M4, M10 and M12) and is dated August 2015. Appendix 9 deals with the policies which were amended subsequently and before Regulation 16 (namely M1, M2, M7, M8, M10, M12 and M13) and is dated October 2015. Unfortunately I was not helped by one or two easily made incorrect references to appendix numbers and so on, but I am nevertheless grateful to HC for setting me on the right track in this regard.

A draft Environmental Report dated August 2015 was subject to a six-week consultation period from 3 September to 16 October 2015 alongside the pre-submission version of the Plan. The Environmental Report dated November 2015 was published for consultation alongside the submission version of the Plan.

PPG states “The strategic environmental assessment should only focus on what is needed to assess the likely significant effects of the neighbourhood plan proposal. It should focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan.”¹⁹

HC will monitor the outcomes from the Plan’s policies.

Natural England²⁰ confirms the Environmental Report meets the requirements of the SEA Directive and Regulations and that they concur with its conclusions.

In my view, the Environmental Report deals with the likely significant effects appropriately and meets the requirements of the Regulations.

Habitats Regulations Assessment

Directive 92/43/EEC on the conservation of natural habitats, commonly referred to as the Habitats Directive, is also of relevance to this examination. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects.²¹ The assessment determines whether significant effects on a European site can be ruled out on the basis of objective information.

Screening was carried out as the Parish falls within the catchment for the River Lugg, which forms part of the River Wye Special Area of Conservation (SAC). The screening assessment of 29 August 2013 concluded that a HRA would be required.

A HRA was prepared in January 2015. An Addendum dated August 2015 that dealt with changes to six policies. A second HRA Addendum dated October 2015 has been submitted (this document helpfully includes the two earlier HRAs as appendices). This latter HRA considered whether the conclusions of the earlier reports were affected by changing circumstances and the revision of seven policies during the evolution of the Plan. The document concludes, in line with the two earlier assessments, that the Plan will not have a likely significant effect on the River Wye SAC and that the amendments to the policies strengthen them by adding criteria referencing the avoidance of impacts on the River Wye SAC.

Natural England²² confirm their agreement that the Plan will not have a likely significant effect on the River Wye SAC.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out a further basic condition in addition to those set out in primary legislation as

¹⁹ PPG para 030 ref id 11-030-20150209

²⁰ Natural England letter of 12 January 2016

²¹ PPG para 047 ref id 11-047-20150209

²² Natural England letter of 12 January 2016

detailed in section 3.0 of this report. In my view, requirements relating to Habitats Regulations Assessment have been met and the Plan complies with this basic condition.

European Convention on Human Rights (ECHR)

The BSC contains a statement about fundamental rights and freedoms guaranteed under the ECHR and confirms the Plan complies with the Human Rights Act 1998. There is nothing in the Plan that leads me to conclude there is any breach of the Convention or that the Plan is otherwise incompatible with it.

Other Directives and conclusions on EU obligations

I am not aware of any other European Directives which apply directly to this particular neighbourhood plan (other than those which have been referred to in the Environmental Report) and in the absence of any substantive evidence to the contrary, I am satisfied that the Plan is compatible with EU obligations.

PPG indicates that it is the responsibility of local planning authorities to ensure that the Plan is compatible with EU obligations (including obligations under the SEA Directive) when it takes the decision on a) whether the Plan should proceed to referendum and b) whether or not to make the Plan.²³

8.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is generally presented well with policies which are clearly differentiated from supporting text. There is a useful contents page at the start of the Plan.

1 The Vision for Marden in 2031

The vision addresses planning issues and is clearly articulated.

2 Introduction and Background

This is a useful, well-written and interesting section that sets out information about the Parish.

²³ PPG para 031 ref id 11-031-20150209

3 Why are we preparing a Neighbourhood Development Plan for Marden?

This is a helpful section which includes a clear map of the Plan area. It is likely to need some updating of course as the Plan progresses towards adoption.

4 Process of preparing the Plan

This is a helpful section that will require updating as the Plan progresses.

5 National and county planning policy issues

An informative and succinct section. Relevant policies from the Core Strategy are included as Appendix 2; it is not necessary for these to be appended, but this is not a change I need to make in the interests of meeting the basic conditions.

6 Key Issues for Marden

This section sets the scene for the Plan and details its progress in relation to the definition of settlement boundaries, site allocations and housing numbers amongst other things.

7 Objectives

Seven objectives underpin the vision. All are clear and well written and relate to the development and use of land.

8 Marden Neighbourhood Development Plan Policies

The strategy for the rural areas in the CS²⁴ is positive growth. The strategy is based on seven housing market areas (HMA) and the Parish falls within the Hereford HMA which has an indicative housing growth target of 18% according to CS Policy RA1. The CS explains that this proportional growth target in CS Policy RA1 will form the basis for the minimum level of new housing to be accommodated in each neighbourhood plan across the County.

The main focus for development is within or adjacent to existing settlements listed in two figures, 4.14 and 4.15. CS Policy RA2 translates this into policy. Marden is identified in Figure 4.14 as a settlement which will be the main focus of proportionate housing development. Burmarsh, Litmarsh and The Vault are identified in Figure 4.15 as settlements where proportionate housing is appropriate. The CS explains that in

²⁴ Core Strategy Section 4.8

Parishes which have more than one settlement listed in Figures 4.14 and 4.15 as in this case, the relevant neighbourhood plan has appropriate flexibility to apportion the housing requirement between the settlements concerned.

Given that the Plan indicates the Parish has 580 dwellings, the indicative housing growth target of 18% equates to the provision of a minimum of some 105 new dwellings. The Plan indicates that taking existing commitments into account as of January 2015, this leaves a figure of “at least 60 dwellings”.²⁵

As time has passed, permission has been granted for some 90 dwellings on one of the proposed allocations in this Plan. In response to a query, I am informed that Rose Villa has planning permission for four houses²⁶ and nine houses,²⁷ but the proposed allocation site at Rose Villa has not been subject of a planning application at the time of writing.

As mentioned in section 6.0, a ‘call for sites’ was issued in November 2014 resulting in twenty-one sites coming forward.

All of these sites were independently assessed by the Parish Council’s planning consultants. Fourteen sites then appear to have been rejected in principle as unsuitable to be allocated by the Steering Group because of their location in the countryside. Of the remaining seven sites in or adjacent to the settlement boundary, one was considered to have too small a capacity to allocate and one was the school playing field and as a result considered unacceptable for development by the Steering Group.

Whilst these decisions by the Steering Group discounted some sites that had scored well by the consultants, the five sites considered suitable for development were simply brought forward. The consultant ranking of these five remaining sites was then, in order of preference, sites 13, 15, 11, 16 and 17. The five sites were also assessed by the Steering Group against the Plan’s objectives.

A consultation event was held in January 2015 to seek community views on these five sites. Concern has been expressed in representations about the site assessment and selection process including about the information displayed at this event. There are a number of different ways site assessment and selection can be achieved. I consider the consultants assessment to be loosely based on HC’s site assessment guidance note and whilst arguably this type of assessment can always go into more detail, it has been carried out consistently and fairly. Key decisions from the Steering Group to remove the playing field and not to allocate sites with smaller yields seemed to me to be not without basis.

From the evidence before me pertaining to the January 2015 event, it would seem that each of the five sites were identified on a map, information from the planning consultants assessment was displayed including a summary of the criteria used by the

²⁵ See page 13 of the Plan

²⁶ P1402901

²⁷ P143782/O

consultants (Appendix 1) and mimicking the language from their report together with the assessment from the Steering Group which judged their view on how well each site performed against the Plan's objectives.

A request to reassess site 17 on a different site basis was also made and undertaken.

In both 'rankings' (after the discounting by the Steering Group of some sites as explained above), site 13 (Rose Villa) was first or second choice. In the consultants ranking, site 15 (Campsite by the Volunteer) came second but came third in the community ranking. Site 11 (land by New House Farm) was third in the consultant ranking, but second in the community ranking. In both rankings sites 16 and 17 scored the lowest. Whilst site 15 came second in the consultant ranking, it was scored considerably less well than site 11 by the community. Sites 11 and 13 were therefore put forward as site allocations and the settlement boundary for Marden amended to reflect this. Information about the site assessments, the Open Event and the subsequent deliberations of the Steering Group is available in a variety of appendices and other documents.

In July 2015, a further consultation period was held to consider modifications to the then emerging Core Strategy and specifically asked about the proposed settlement boundaries for, and further site allocations in, Burmarsh, Litmarsh and The Vault. The Plan details the outcome of this consultation and the rationale behind the Plan. The Steering Group concluded that settlement boundaries for these three settlements would be included in the Plan, but that it was not appropriate to allocate sites.

Overall I consider the general approach taken to defining four settlement boundaries with allocations only in the largest village is in general conformity with the CS. I note that HC are of the view that this is also the position and have not raised any concern about the overall housing numbers provision made in the Plan, the definition of settlement boundaries or the proposed allocations.

There is one minor inaccuracy in this section of the Plan relating to the date of the NPPF which should be corrected.

- **Correct date of the NPPF in paragraph 8.8 from "2011" to "2012"**

Policy M1 Scale and Type of New Housing Development in Marden village

This policy relates only to Marden village and permits new housing development within the settlement boundary or on two allocated sites discussed in the previous section; I consider that the settlement boundary has been drawn in a logical way with one proviso and that the two allocated sites are appropriate. The proviso is that the revised settlement boundary for Marden does not include a site to the rear of Rose Villa notated on the Policies Map as a commitment site. Given that this site has the benefit of planning permission, in line with other changes to the boundary, the whole of this

site should be included in the boundary. To do so would not prejudice anyone given it already has permission.²⁸

With the passage of time, land adjacent to New House Farm, the larger of the two allocations, has now got the benefit of outline planning permission for up to 90 dwellings, a community building and associated open space.²⁹ This then significantly boosts housing supply and makes a substantial contribution to the housing numbers required by the Parish to meet the proportional growth target. However, this does not represent all the housing development that will occur in the Plan area as the Plan anticipates other development elsewhere and the commitment to review and monitor the Plan in Section 9 will bring an opportunity to respond to any delivery constraints appropriately should they arise or to any change in circumstances.

Both the settlement boundary and sites are shown clearly on an inset map on page 17 of the Plan. It is important that a cross-reference to the settlement boundary map is made clearly within the policy. Reference is made to “Appendix 10” in the policy and in response to a query, the Parish Council confirm that this in fact should be “page 32” which is the Marden Village Policies Map. Given that the Plan is likely to be subject to amendments and therefore page numbers etc. will probably change I think it best if the policy cross-references the map.

The policy directs new housing development to the allocated sites or within the settlement boundary which amounts to the same thing given the allocations are within the revised boundary.

The policy then has ten criteria which housing development is expected to comply with. Two of the criteria give me some cause for concern.

Criterion (c) seeks an appropriate density but caps this at 25 dwellings per hectare. I note that CS Policy SS2 indicates a target net density across the County of between 30 – 50 but accepts that it depends on local character. This is echoed in the NPPF which enables local approaches to density to be set out reflecting local circumstances.³⁰ However, in this instance there is little explanation for the maximum density and the imposition of a maximum figure may unnecessarily restrict and lead to an inefficient use of land.

It is important that the policy reflects the NPPF’s aim of ensuring new development functions well and adds to the overall quality of the area; responds to local character and history; and reinforces and promotes local distinctiveness. The imposition of a maximum density could prevent development at a higher density which is otherwise acceptable coming forward.

The NPPF is clear that good design (of which density is one consideration) is a key aspect of sustainable development, is indivisible from good planning and should

²⁸ P143782/O

²⁹ P150989/O

³⁰ NPPF para 47

contribute positively to making places better for people.³¹ It continues³² that permission should not be refused for development that promotes high levels of sustainability because of “concerns about incompatibility with an existing townscape” if those concerns are mitigated by good design.

In other words higher density may well be acceptable if there is a design-led approach. Therefore in order to take account of the NPPF and to be in general conformity with the CS, this part of the policy should be reworded more positively and flexibly.

Criterion (e) refers to residential amenity particularly singling out noise. The effect on living conditions of residents may not just be restricted to noise generating activities as one of the representations points out. For this reason and to ensure consideration is not only given to noise, an amendment to this criterion is recommended in the interests of clarity and providing a practical framework.

The other criteria largely reflect the principles of good planning and are appropriately flexible.

The final paragraph of the policy prioritises the use of brownfield land, conversion and replacements of existing buildings and infill sites. Whilst this in itself is a laudable aim, I do not see how the policy as currently worded would achieve this. For this reason it is better that the policy gives encouragement to these aims which are compatible with the achievement of sustainable development.

- **Include the whole of the commitment site at Rose Villa shown on the Marden Village Policies Map to the settlement boundary**
- **Change the reference to “...as shown below and in Appendix 10...” in the first paragraph of the policy to “as shown on the Marden Village Policies Map”**
- **Reword criterion (c) to read: “*The density of any scheme should be consistent and compatible with the existing and prevailing density and reflect the locally distinctive character of the locality in which the new development is proposed so that the village feel is retained.*”**
- **Change criterion (e) so that it reads: “*Provides appropriate residential amenity for future occupiers including consideration of any adjacent noise generating agricultural, industrial or commercial activities;*”**
- **Change the words “...given priority.” in the final sentence of the policy to “*strongly encouraged.*”**

³¹ NPPF para 56

³² *Ibid* para 65

Policy M2 Scale and Type of New Housing Development in designated hamlets

This policy relates to Burmarsh, Litmarsh and The Vault. A settlement boundary has been defined for each and these are clearly shown on three separate maps on pages 19, 18 and 19 respectively.

My interpretation of the policy is that development will be permitted on infill sites within the settlement boundaries. A definition of an infill site is included within the policy, but it is not one that is commonly used and no explanation is given for it. Development is also restricted to a maximum of three dwellings on any one site. This may well be an appropriate threshold per site given the nature of the settlements, but little explanation is put forward for it. Given that these three settlements are identified in the CS as suitable locations where proportional housing is appropriate, it is important that a robust explanation is given for the stance taken in the Plan.

Concern has been expressed in some representations about these settlement boundaries. A representation points out that the Steering Group had a change of heart about the allocation of a site in Burmarsh. However, the process of plan making is iterative, but nevertheless there does need to be justification for drawing up the boundaries for example and this could have been more fulsome.

I accept the boundaries have been drawn relatively 'tightly', but not so perversely that they do not take account of the advice in HC's Guidance Note 20. I do however feel opportunities have been missed or perhaps discounted to identify other sites suitable for development and to protect areas of importance within these settlements when designating the boundaries.

Given the delineation of the settlement boundaries and the definition of an infill site put forward, in my view, this would result in very little development coming forward in any of the three hamlets. As a result this does not generally conform to the approach set out in the CS (although I bear in mind the flexibility for apportioning growth across the four settlements in that document) or help to achieve sustainable development or sufficiently take account of the stance in the NPPF to maintain and enhance the vitality of rural communities.

Therefore I have recommended modifications to address this concern and to ensure that sustainable growth can take place appropriately and that the policy is clearly worded.

For the same reasons given in relation to Policy M1, some amendment is needed to criterion (e). The remaining criteria are appropriate and clearly worded.

- **Reword criteria (a) to read: "*Within the settlement boundary as shown on the Policies Maps for each settlement;*"**
- **Delete criterion (b)**

- **Change criterion (e) so that it reads: “Provides appropriate residential amenity for future occupiers including consideration of any adjacent noise generating agricultural, industrial or commercial activities;”**
- **Delete the definition of infill which begins “For the purposes of this policy infill is defined as...” to end of the policy**

Policy M3 Scale and Type of New Housing Development in the countryside

This policy contains the same or similar criteria to CS Policy RA3. It however misses out the references to CS Policies RA4 and RA5 contained in that policy and also does not include two other criteria which appear in CS Policy RA3. These relate to dwellings of exceptional quality and innovative design and sites for gypsies and travellers. The similarity of this policy and CS Policy RA3 mean that there is little merit in including it in this Plan. The excluded elements of CS Policy RA3 are significant and should be included in any such policy to ensure that general conformity is achieved. Therefore Policy M3 should be deleted. If, for the sake of completeness, the Plan wishes to cover residential development in the countryside, reference could be made in the text to the relevant CS policies.

- **Delete Policy M3 in its entirety**

Policy M4 General Design Principles

The technical evidence in paragraph 8.19 which precedes this policy simply repeats CS Policy LD4. It should be clear that this is a CS policy rather than prose or explanatory text. Criterion 2 contains an easily made syntax error which should be corrected.

I incidentally could not find much correlation between the insertion of CS Policy LD4 before Policy M4 and so the benefit of this should be (re)considered.

- **Make it clear that paragraph 8.19 is quoting CS Policy LD4 in its entirety**
- **Correct errors in criterion 2 of paragraph 8.19**
- **Consider the purpose of the reference to CS Policy LD4 at this juncture**

Policy M4 begins by stating that new housing development will be considered when it meets a number of criteria outlined in the policy. I suspect there is a missing word here and what is meant is “considered favourably” rather than just “considered” or in other words “permitted”.

Turning now to the criteria, the first one “gives priority” to brownfield sites or conversions of existing buildings. Whilst it is proper to support such development, the criterion is meaningless and cannot be implemented. As a result it does not provide the practical framework for decision making national policy seeks and should be deleted.

Criterion (b) seeks the utilisation of existing services and facilities, but this is also unworkable as I cannot see how this would enforced and in any case is unnecessary and so should be deleted.

Criterion (c) refers to possible harmful effects on residential amenity, presumably meaning the amenity of existing or nearby residents. It is unlikely that residential development would have such a harmful impact on other residents and so this is unnecessary. These concerns would be suitably safeguarded through the development management process in any case and so should be deleted.

Criterion (f) refers to sustainable and energy efficient technology. Whilst this is a laudable aim, the Government has created a new approach to setting technical standards for new housing development. A Written Ministerial Statement (WMS)³³ made it clear that neighbourhood plans cannot set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. Optional new technical standards can now only be required through Local Plan policies. I have therefore little option but to recommend deletion of this element. I note however that CS Policy SD1 does cover similar issues and the aim will be achieved through policies in the CS.

The second part of the policy contains a further eight criteria all of which are related to development and use of land and will help to achieve a high quality of development. The sentence which seeks new development to take account of the eight criteria does not, in my view, have enough ‘bite’ as currently worded and so revisions to this are suggested to make the policy more practical in its operation. As a consequence of this modification some of the criteria will need to be amended in order for the policy to make sense. These changes are also shown below.

In other respects the policy is in line with national policy and guidance, relevant CS policies and will help to achieve sustainable development.

- **Change the word “considered” in the first sentence of the policy to “permitted”**
- **Delete criteria (a), (b), (c) and (f) in their entirety**
- **Change the sentence in the second part of the policy to read: “In seeking to protect and enhance the identity of the Parish, all development *proposals are expected to comply with all of the following criteria:...*”**

³³ Written Ministerial Statement of 25 March 2015

- Change criterion (i) to read: *“Ensure the suitability of the overall design and appearance of the proposal (including size, scale, density, layout, access considerations) in relation to surrounding buildings, spaces and other key features in the street scene. Originality and innovation in design is encouraged;”*
- Delete the word “of” from criterion (j)
- Change criterion (k) to read: *“Respect the pattern and use of spaces and use landscape design principles and landscaping where appropriate”*
- Change criterion (l) to read: *“Ensure movement to, within, around and through the development is satisfactory;”*
- Delete criterion (n) (as this has been included in amended (i))
- Delete the word “of” from criterion (o)

Policy M5 Ensuring an appropriate range of tenures, types and sizes of houses

The preceding text to this policy also quotes from CS Policy H3 replicating this CS policy in full. Again it should be made clear that this is the case.

- **Make it clear that paragraph 8.23 is quoting CS Policy H3**

The policy seeks to ensure that a mix of tenures, types and sizes of dwellings is provided in the Parish. It further seeks to ensure that affordable or low cost market housing is integrated across sites. This will help to deliver the wide choice of homes and create inclusive and mixed communities promoted by national policy. The policy is clearly worded. No modifications are therefore recommended.

Policy M6 Protection/extension of Local Community Facilities

The first element of Policy M6 seeks to ensure that all development makes a proportionate contribution to community facilities. It is assumed that this could also be by way of a financial or other in lieu contribution, but this is not clear from the policy itself. Given that the scale of some development, particularly in the hamlets or countryside could be small, there is a danger that this requirement might render development unviable and therefore undevelopable. This concern then needs to be addressed through a revision to the policy.

The second element of the policy introduces a presumption in favour of the reuse of community facilities for other community or health uses. It introduces two criteria

(alternative provision or no longer a need) that any change of use to anything else will be judged against. CS Policy SC1 assesses such proposals against similar, but expanded criteria and Policy M6 should better reflect CS Policy SC1.

The final paragraph of the policy which lists the current facilities can be retained, but should be placed in the supporting text as it is not policy but information.

- **Change the first paragraph of the policy to read: “Developments are expected to make a proportionate contribution to the provision of community facilities subject to viability testing. Any new or expanded facilities should be, wherever possible, located in or adjacent to the settlement boundary or close to existing facilities or in an otherwise convenient and suitable location.” For the avoidance of doubt criteria (a) to (d) are deleted as they are covered in the suggested amendment.**
- **Add at the end of (old) criterion (f): “or that it is no longer viable or fit for purpose and where appropriate has been vacant and marketed for community use without success in line with Core Strategy Policy SC1.”**
- **Move the final paragraph of the policy which begins “The current local community facilities within the Parish include...” to the supporting text**
- **Consequential changes to the policy criteria numbering etc. will be needed**

Policy M7 New local employment opportunities

Once again the preceding text to this policy at paragraph 8.32 quotes CS Policy E1 and this should be clear.

- **Make it clear that paragraph 8.32 is quoting CS Policy E1**

Policy M7 is on the face of it a positive policy that supports new employment uses and this is indeed to be welcomed. There are a number of benefits that rural enterprise can bring to communities such as the provision of services and of course employment opportunities. Unfortunately the policy restricts such provision to within the four settlement boundaries identified in this Plan. It does not then recognise the considerable support in the NPPF for economic growth³⁴ which does not limit business and enterprise growth to the more built up areas. Instead national policy refers to the sustainable growth and expansion of businesses in rural areas as well as promoting the development and diversification of agricultural and other land-based rural businesses. The policy therefore needs wider applicability.

The support for live-work units is to be welcomed.

³⁴ NPPF Section 3

- **Delete the words “...within the Settlement Boundary and allocated sites...” from the policy**

Policy M8 Supporting, enhancing and protecting existing local employment

This policy does three things; it resists the loss of existing business premises to residential use; it supports the expansion or improvement of existing premises subject to a number of safeguards and supports change of use in certain circumstances.

With regard to the first element, the Government has made a number of changes of use so called ‘permitted development’ and therefore an addition to reflect this in the policy is suggested.

The second element would be clearer if a new paragraph was started at this point. Again the words “will be considered” are used, but this does not indicate whether such proposals will be supported and the policy should positively plan subject to the safeguards in criteria (a) to (g) which are worded clearly and are appropriate.

The final element of the policy deals with changes of use and potentially there may be some conflict with the first sentence of the policy. The policy might read more logically if this element appeared alongside the first element. In itself this element is clear and allows for changes of use or where an employment use would not be financially viable in the longer term.

- **Insert “*Insofar as planning permission is required*” at the beginning of the policy**
- **Start a new paragraph at the second sentence of the policy**
- **Change the words “...will be considered...” to “...will be *permitted*...”**
- **Move the third element to underneath the first element**

Policy M9 Supporting Development of Communications Infrastructure

This policy supports technology and plans positively for high quality communications infrastructure in line with CS Policy SS5. Poor infrastructure such as broadband and mobile phone coverage is often a key barrier to economic growth. The policy has regard to the NPPF particularly in relation to building a strong, competitive economy, supporting a prosperous rural economy and supporting high quality communications infrastructure. The policy meets the basic conditions and no modifications are recommended.

Policy M10 Protection of Local Green Spaces

The technical evidence in paragraph 8.36 which precedes this policy simply repeats CS Policy LD4 as it did on page 20 of the Plan. Again, it should be clear that this is a CS policy rather than prose or explanatory text. Criterion 2 contains the same error as on page 20 of the Plan and should be corrected.

- **Make it clear that paragraph 8.36 is quoting CS Policy LD4 in its entirety**
- **Correct errors in criterion 2 of paragraph 8.36**

Policy M10 seeks to designate three areas of Local Green Space (LGS). This designation has been introduced via the NPPF.³⁵ The NPPF explains that these are green areas of particular importance to local communities. The effect of such a designation is that new development will be ruled out other than in very special circumstances. Identifying such areas should be consistent with local planning of sustainable development and complement investment. The NPPF makes it clear that this designation will not be appropriate for most green areas or open space. Further guidance about Local Green Spaces is given in PPG.

The policy is clearly worded identifying the areas and explaining what development will be resisted on the LGSs. It refers to paragraphs 76 and 77 of the NPPF and there is no need to retain this reference. The policy also refers to an “Appendix 11” and in response to a query the Parish Council has confirmed that this should refer to the list below the policy and the relevant Policies Maps.

Six areas are identified within the table on page 27 of the Plan and on two maps on page 28 of the Plan. The table includes a brief explanation of the special qualities and local significance of each area and I visited each one.

With regard to “land round the war memorial”, I saw this area was at the entrance to Marden village, is visually important and commemorates local residents and therefore is of local and historic significance. The next area is “pond” described as an area of longstanding wetland habitat. This is again an important visual space at a key point in the village. Whilst I could not understand why the wider green area around the pond had not also been put forward, this is a beautiful space with wildlife. “Area at the top of Rudge Grove” is a small area of grass near a bus stop that contains a seat, a noticeboard and an utility house. I consider these three areas do meet the criteria in the NPPF.

“Area at Small Ashes” is described as “visibility and safety area on edge of village”; it is essentially a grass area on a highway verge. There is nothing demonstrably special or different about this space and insufficient evidence has been put forward to persuade me otherwise. It does not meet the criteria.

³⁵ NPPF paras 76 and 77

The next area “area opposite Paradise Meadows” is described as a “visually attractive green area”. I saw at my visit it is elevated land from the road and consists of mowed grass opposite houses. There was nothing obviously special about it and I am not persuaded by the evidence submitted. It does not meet the criteria.

The last area is “areas where flagpoles and noticeboards are sited” and notated on the plan as two areas. Both areas are in front of the school and are clearly of importance to the community given their use. They met the criteria.

Therefore “area at Small Ashes” and “area opposite Paradise Meadows” should be deleted from Policy M10 and the accompanying maps.

The retained map would greatly benefit from its inclusion at a larger scale or more definition of the LGSs as they are hard to find on the maps.

- **Remove the references to the paragraphs in the NPPF from the policy**
- **Delete the words “...and shown below and in Appendix 11...” from the policy and replace with the words “and shown on the Marden Village Policies Map”**
- **Delete “area at Small Ashes” and “area opposite Paradise Meadows” as Local Green Spaces**
- **Consequential amendments to the text and the maps will be required**
- **The maps should be made more legible**

Policy M11 Landscape Character

This is a well-crafted criteria based policy that seeks to ensure development proposals have regard to the landscape character of the area. It will help to achieve sustainable development and ensure that the distinctive local attributes of this area are protected and enhanced. It meets the basic conditions and no modifications are recommended.

Policy M12 Flood Risk and Surface Water Run-off

Policy M12 deals with a number of different matters. It directs development to the lowest flood risk zone and this is in line with the sequential approach taken in national policy and guidance and reflects CS Policy SD3 which is referred to in the policy. HC have usefully made a suggestion to help with clarity and I agree that this would benefit the policy in providing a practical framework.

Secondly, the policy deals with surface water, sustainable drainage systems (SuDs) and encourages sustainable design. PPG is clear that opportunities to reduce the overall level of flood risk in the area should be sought.³⁶ The appropriate application of SuDs and other measures can help to achieve this. Whilst these elements of the policy are arguably onerous and overly prescriptive touching on those performance and construction standards neighbourhood plans may not set, the wording is sufficiently flexible to enable it to comply with the basic conditions.

Thirdly, water courses and riverside habitats are conserved and enhanced. This is a laudable aim in line with national policy and will help to achieve sustainable development.

Lastly, the policy supports new green infrastructure in line with CS Policy LD3 which is referred to in the Plan.

- **Reword the first paragraph of the policy to read: “All development should be preferentially located within Flood Zone 1. Where this is not possible, we would expect proposals to demonstrate that they are safe and will not increase flood risk to third parties. This is in accordance with the sequential and exception tests set out in national policy. Proposals must have regard to Herefordshire’s Strategic Flood Risk Assessment. Flood risk betterment should be provided whenever possible.”**

Policy M13 Public Rights of Way/Connectivity

The enhancement of public rights of way are supported through this policy including links and improved accessibility from Marden village to surrounding areas. New residential development is encouraged to maximise accessibility and improve biodiversity. This element of the policy could be interpreted as setting an onerous hurdle for developers and so I suggest additional wording to make the policy more implementable.

- **Replace the words “...should include the following enhancements...” in the third paragraph of the policy with the words “...should *take every available opportunity to include the following enhancements*”**

9 Monitoring and Review

It is commendable to see that annual monitoring of the Plan will occur and that the Parish Council is aware of the dynamic nature of planning and the need to be able to respond to changing circumstances. This is particularly the case given there is no requirement for neighbourhood plans to undertake monitoring although of course the

³⁶ PPG para 050 ref id 7-050-20140306

Environmental Assessment of Plans and Programmes Regulations 2004 require monitoring of significant environmental effects by the responsible authority.

Proposals Maps

This section contains a number of maps that appear earlier in various parts of the document. It is not really necessary to have duplicates and so the Parish Council is urged to select the preferred way of presentation so the Plan provides a practical and clear framework.

- **Remove any duplicated maps from the Plan**

Appendices

A number of appendices are included in the Plan.

Appendix 1 details the listed buildings within the Parish. This is cross-referenced in the introductory section of the Plan and can remain, but is not essential as there are no policies in the Plan that refer to heritage assets. If it is to be retained, it would be useful if a note was added to the effect that the list may be updated from time to time and therefore users of the Plan be directed to look at the most up to date list on Historic England's website or to contact HC.

Appendix 2 is a list of "relevant" national and local policy. I am not a fan of such compilations as there is always a risk that something of relevance is missed out or an error made in the drafting. This is not a necessary appendix and is very selective in the references to national policy and CS policies contained within it. It also refers to minerals which neighbourhood plans cannot deal with and this illustrates the risk attached to this type of appendix or compilation. This creates an element of, or potential for, misinformation and misinterpretation. It adds confusion to the Plan and therefore it should be removed in the interests of clarity.

Appendix 3 contains analysis and information about a questionnaire of March 2014 and would be more appropriately found in the Consultation Statement given the stage the Plan has now reached.

Appendices 4 and 5 are now duplicated as they are also to be found, rightly I believe, in the Consultation Statement as Appendix II and Appendix III respectively.

Appendix 6 is a map of the 'call for sites' locations and again, given the stage the Plan has now reached, there is little relevance in retaining this as it is more appropriately found in supporting evidence documents. Therefore for the Plan to provide a practical framework, it should be deleted from the Plan.

Appendix 7 contains information about the open event of January 2015 and is duplicated in Appendix V of the Consultation Statement.

Appendix 8 reports on the open event of July 2015 and is duplicated in Appendix VII of the Consultation Statement. Once again no useful purpose is served by retaining this information within the Plan at its latter stages and so it should be deleted.

Appendix 9 is a duplicate map of the proposed Local Green Spaces. Similar to the proposals maps there is no need to have two copies of this map (which requires amendment anyway) in the Plan.

Appendix 10 is titled “Planning Gain”; it is appropriate for a list of community priorities to be signaled in the Plan, but unfortunately there is no mention of this appendix in the body of the Plan and therefore it should be removed from it or clearly labeled as a list of community aspirations and reference to such a list made in the main body of the Plan to explain this.

The Plan will need to be checked for references to the Appendices and these will need to be updated as appropriate.

- **Add a date to Appendix 1 i.e. “listed buildings as at XXXX” and a note to remind readers to obtain the most up to date information from HC and/or Historic England**
- **Delete Appendix 2**
- **Add Appendix 3 to the Consultation Statement**
- **Delete Appendices 4, 5, 6, 7 and 8 in their entirety**
- **Remove one or other of the maps showing the Local Green Spaces and ensure whichever map is retained reflects the modifications made to Policy M10**
- **Remove Appendix 10 or retain it as a newly titled and separate list of community aspirations with an appropriate brief explanation in the main body of the Plan**
- **Consequential amendments to the Plan will be required**

Glossary

As the planning system is often criticised for its use of jargon and technical language, this is a welcome addition to the Plan.

One definition however could be more explicit; “previously developed land” refers back to the definition of “brownfield land” and whilst this mirrors the CS definition, the definition in the NPPF is clearer and more explicit as to what is excluded.

In addition the only two other comments I have on this section are firstly that the definition of “restoration” could also include much more than is detailed. Secondly, “self-build” could be misconstrued that the person might have to build the home themselves whilst it is widely accepted that the person could instruct someone else to build the home for them to their specification.

I realise these are ‘picky’ points and they are put forward in the spirit of ensuring the Plan is as robust as it can be.

9.0 Conclusions and recommendations

I am satisfied that the Marden Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore delighted to recommend to Herefordshire Council that, subject to the modifications proposed in this report, the Marden Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Marden Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum. I therefore consider that the Plan should proceed to a referendum based on the Marden Neighbourhood Plan area as approved by Herefordshire Council on 14 October 2013.

Ann Skippers MRTPI

Ann Skippers Planning

15 June 2016

Appendix List of key documents specific to this examination

Marden Neighbourhood Development Plan To 2031 Submission Version November 2015

Marden Policies Map

Marden Village Policies Map

Green Space on edge of Marden village Mao

Burmarsh Policies Map

Litmarsh Policies Map

The Vault Policies Map

Basic Conditions Statement

Consultation Statement dated November 2015

Environmental Report Addendum dated November 2015

Habitats Regulations Assessment Addendum dated October 2015 (incorporates an earlier HRA and Addendum)

Herefordshire Core Strategy 2011-2031 October 2015 and Appendices

Various evidence documents and other information on www.mardenvillage.co.uk website including Marden Call for Sites Assessment Report dated January 2015 and Addendum (1)

List ends