

KINGS CAPLE NDP

RESPONSE TO INITIAL COMMENTS FROM PLANNING INSPECTOR

Housing Need (Paragraphs 3 and 4)

1.1 The relevant documents are as follows:

- The Local Affordable Housing Needs Survey for Kings Caple Parish (March 2012). This was prepared by Herefordshire Council as part of a countywide polling programme. This was based on a survey within the parish and attempted to predict need over the ensuing three-year period. No later parish surveys have been undertaken by the Council.
- The Herefordshire Local Housing Market Assessment prepared for Herefordshire Council by G L Hearn. This was dated January 2013; overall housing needs estimates were updated in 2015 prior to the examination of Herefordshire Council's Core Strategy. The Assessment analyses potential need over the 20-year period 2011-31. Its findings are not dis-aggregated below the level of the local housing market areas within the county as it identifies them.

1.2 The Affordable Housing Needs Survey notes that a housing association (Herefordshire Housing) has a stock of six units in the village, none of which has a Section 106 local connexion restriction, but three of which are age-restricted for elderly people. Bids from people with a local connexion have been limited. At the time of the survey one respondent indicated an interest in shared ownership.

1.3 Herefordshire Housing takes the view that because of its small size and its relative isolation and lack of facilities, particularly public transport, the village is unsuitable as a focus for further affordable housing development. It was precisely these features which led to the NDP's conclusion that further development of rented social housing was inappropriate for the relatively vulnerable people who would be in the best position to make successful bids for such housing. Shared equity housing seemed the least unsuitable alternative. However Herefordshire Housing advises that the size of the village and of the sites likely to be available do not support this option.

1.4 With reference to Policy 3, the local housing market need is in general terms established in the appropriate local area housing market analysis of the Herefordshire Local Housing Market Assessment (Figure 8.11 page 160), and, bearing in mind the capacity of the village and of individual sites, this requirement would need to be taken into account in the case of single houses.

1.5 The revised update of the 2012-based household projections noted by G L Hearn in 2015 suggested a modest reduction in the Herefordshire growth target from 14,600 to 14,200. The update report, however, noted possible factors, including optimum economic growth, which might justify an upward revision to a maximum of 16,200. All these figures are lower than that of 16,500 retained in the Herefordshire Council Adopted Core Strategy. It is the latter figure which generates the minimum targets for rural settlements including Kings Caple.

Identification of Housing Sites (Paragraphs 5-9)

2.1 The Call for Sites exercise was individually conducted for Kings Caple Parish Council by Herefordshire Council in connexion with the production of the Kings Caple NDP. Consequent upon this purpose it did not restrict landowners' responses to sites with any minimum capacity, and a number of small sites were in fact notified and included. These sites were indicated on the County's SHLAA map as land with no suitability during the plan period. The County SHLAA team, however, noted that this was because their size was such that they could not be included in the County's five year supply of building land. Planning applications in relation to such sites could therefore be assessed within the policy parameters of the NDP. This information was included in Appendix A3 of version 5.6 and all subsequent drafts of the Kings Caple NDP. (Two of these sites are included among the preferred sites – HLAA/469/001 (0.04 hectares) and HLAA/470/001 (0.19 hectares). Four further sites at a distance from the settlement (HLAA/472/001a-c and HLAA/474/001 could be considered under NDP policy H2.

2.2 As indicated above the identification of sites was progressed by a Call for Sites exercise conducted by Herefordshire Council at the request of Kings Caple Parish Council. This was carried out by public notice posters widely displayed in the parish and by website between 18 June and 31 July 2015. In addition a letter was sent on 10 June to the landowner of O/KinC/003; apart from the other notifications, a letter was received on 2 September, 2015 from the agent of the owner of this site confirming its availability.

2.3 Details of the preferred sites are summarized in the table below:

Site	Area (hectares)	No. of dwellings proposed	Timescale (years)	Amended or withdrawn
HLAA/218/001	0.79	8	6-10 (2020-4)	no
HLAA/222/001	0.41	1	6-10 (2020-4)	no
O/KinC/003	0,48	6	6-10 (2020-4)	no
HLAA/469/001	0.04	1	0-5 (2015-9)	no
HLAA/470/001	0.19	2	Not stated	no

The timescales noted by the landowners have been calibrated from the year of notification (2015). As at 20 April 2017, officers at Herefordshire Council dealing with the SHLAA confirm that none of these notifications has been amended or withdrawn.

2.4 The following comments relate to the timescale of availability. The information in 2.3 above suggests that the possible time window for development in the majority of preferred sites will commence within a five-year period beginning in 2017. It is noted, however, that the ministerial statement HCWS346 issued by the Minister of State for Housing and Planning offers protection to NDPs from the obligation placed on planning authorities by paragraph 49 of the National Planning Policy Framework. This protection applies where the NDP allocates preferred sites for housing development and the planning authority can demonstrate a three-year supply of development land; currently Herefordshire Council can demonstrate a 4.3-year supply of such land.

2.5 The following comments relate to the housing numbers identified for the three largest of the preferred sites.

- HLAA/222/021. This site is being considered for a barn conversion. The site requires sensitive treatment in view of its location (see NDP Appendix A3, page 42).
- HLAA/218/001. This site lies at the edge of the settlement boundary. Development here would need to take account of policies BD1 and 3-6 in the NDP. There is additionally a minor highways issue related to this site. It is a roughly square plot with adopted C roads on two sides, to the north and east; the first of these offers very poor visibility; the second to the south contains the only current field entrance and the only feasible access point with reasonable visibility; in addition the site may need to accommodate internal access arrangements from this entrance to the individual houses. The SHLAA notes; 'There is potential for limited development – preferably single storey and linear to reflect the settlement pattern.'
- O/KinC/003. The site lies adjacent to the settlement boundary with open country to the north. It adjoins the village primary school to the west. The SHLAA assessment notes that development would need to be low density and sensitively integrated and that proximity to the school could cause some problems from parents' parking.

In all these cases a lower than standard urban density has been suggested in view of the factors outlined above, and it is felt that the numbers of dwellings recommended should not be increased

.6 The manner in which information about the identification of sites was disseminated in the parish and how consultation was conducted are both set out in the Consultation Statement submitted with Kings Cople NDP. The Regulation 14 stage included a consultation with the entire village community. As well as the publication of version 5.6 of the NDP on the Herefordshire Council and Parish Council websites, this involved the distribution by hand of a hard copy to every household in the parish (including those of all the landowners who had notified sites for the SHLAA). The distribution also contained a covering letter and a response form for comments divided into separate sections for each section of the plan (including Appendix A3). The distribution took place during the week commencing 27 June, 2016 with a six-week response deadline commencing from 30 June. Appendix 3A of the NDP gave all relevant details of the five preferred sites including a SHLAA map provided by Herefordshire Council indicating them as well as other notified sites; the appendix also contained necessary explanations. The material in this appendix was reproduced in all subsequent drafts of the NDP including version 6.0 – the version submitted by Herefordshire Council for examination..

2.7 The responses to the village consultation exercise are fully recorded in 4.1 of the Consultation Report. The responses on site identification indicated no criticism of their selection nor any wish to withdraw them. No negative comments on this matter were received up to and including the unanimous approval and adoption of the plan by Kings Cople Parish Council prior to its progression to Regulation 16 in December 2016.

2.8 In the light of the information set out above there appears to be no substance in the assertions made regarding landowners' intentions in the representation addressed to the Examiner and relayed in his Initial Comments (paragraph 6). The statement that the plan does not represent the views of the village is a single un-evidenced assertion. The analysis of responses to the Residents' Questionnaire (April 2014) and contained in 5.0 (Appendix 2) of the Consultation Report demonstrates how far the plan strives to accommodate the aspirations of the village, consistent with conformity to the NPPF and the Herefordshire Council Adopted Core Strategy; so similarly does the response to the Regulation 14

consultation. The prevalence of any negative attitudes will be tested in the village referendum which must precede formal adoption.

2.9 It is relevant to comment on the timeline relating to the views advanced in the representation. No indication of these views was apparent before 16 February 2017. On 7 February Herefordshire Council published a planning application submitted by an agent on behalf of a landowner in Kings Cople. On 16 February the Parish Council considered this application and determined to object to it on the ground that it was for a development of market housing well outside the settlement boundary and thus failed to conform to the policies of the NDP (which at Regulation 17 carried planning weight). The landowner was clearly in a position to know of the progress of the NDP having received a copy at the Regulation 14 consultation. He was aware of the Call for Sites because he had notified three sites (HLAA/473/001-3). Part of HLAA/473/002 had been assessed but had not suggested a high enough landscape capacity to warrant selection as a preferred site. HLAA/473/001 lies within the settlement boundary and an application for two houses was granted outline permission as a windfall development of two houses in September 2016.

2.10 The agent's design and access statement for the application published on 7 February 2017 (dated 21 December 2016) cited the NPPF and the Herefordshire Council Adopted Core Strategy but made no mention of Kings Cople NDP, then at Regulation 16. This is despite the fact that, for the benefit of applicants and their agents, Herefordshire Council has maintained a constantly updated website with a colour-coded map that shows the location of all the county's parishes, whether they are progressing an NDP, and, if so, the regulation stage it has reached. The version 6.0 Kings Cople NDP was also on the County Council and Parish Council websites. Consideration of the reliability of, and motivation for, this representation needs to take account of these facts,

Settlement Boundary (Paragraph 10)

3.1 The Herefordshire Council Adopted Core Strategy sets out the principles for allocating housing development to rural settlements and the role of neighbourhood development planning in this process (paragraphs 4.8.16 and 4.8.21, policy RA2 and figure 4.14). The process requires the identification of the main settlement area; the main focus for new development should be within or adjacent to this settlement area. The definition of the area is in the remit of the NDP though the minimum new housing target is calibrated by reference to the total number of houses in the parish,

3.2 Kings Cople has a sharply identifiable main settlement area which the NDP has identified. None of the open land outside this area has been included because of the danger of potential ribbon expansion in a parish which, as is a common in this part of Herefordshire, contains a disseminated pattern of individual houses and small clusters of houses outside the main settlement. However, all the parcels of land immediately adjacent to the settlement area have been assessed for landscape capacity and sensitivity. This assessment shows that some land is suitable for development and some not.

3.3 In these circumstances it was considered more prudent to follow the apparent letter of the Adopted Core Strategy and retain the existing settlement boundary whilst noting some land adjacent might be suitable for development and might in due course become a part of a re-defined main settlement area. The Inspector's advice on this point is sought.