

NDP Working Party Meeting Agenda
Monday 23rd September 2019 at 7.30pm
In the Council Offices

1. Apologies and Introductions
2. Declarations of interests
3. To receive the notes of the meeting of the NDP WP meeting held on 3rd September 2019
4. Planning Consultant presentation and Q&A session (Quote 1 – WP members to prepare questions in advance as agreed)
5. Discussion on choice of which planning consultant recommended to ED&P for Council approval to commission (including budget and timescale consideration)
6. Design Guide update (particularly to discuss budget implications to recommend to ED&P for Council approval)
7. Dymock NDP public consultation invite
8. Dates of next meetings (Monday 14th October and Monday 4th November both at 7.30pm already agreed – date for subsequent meeting to be agreed)

**Notes of a meeting of the Neighbourhood Development Plan Working Party
held on Tuesday, 3 September 2019**

Present: Councillor Howells (Chair) Nicola Forde, Ann Lumb, Beverley Kinnaird, Paul Kinnaird, Cllr Harvey, Ian James, Cllr Bannister, Cllr Eakins

Also Present: Angela Price – Town Clerk

38. Apologies

Apologies were received from Paul Neep, Christine Tustin and Julie Knight

39. Declarations of interest

None were received

Councillor Harvey advised the Working Party that she was unable to stay for the meeting but had some important information to share with the committee, that she felt was relevant to the future development of the NDP and asked the Chair to consider bringing Agenda Item 11 forward to allow her the opportunity to speak.

Councillor Howells agreed to bring Agenda Item 11 forward to be considered after Agenda Item 3, in doing so he pointed out that the Consultant had arrived and that he was keen to move to this Agenda Item.

40. To receive the notes of the meeting of the NDP Working Party held on 12 August 2019

RESOLVED:

That the notes of the neighbourhood development plan (NDP) Working Party be approved with the following amendments:

1. That minute 33 “Discussions with Carly Tinkler re proposal for LSCA, paragraph 6 be amended to read “Ann Lumb suggested writing directly to community groups and invite them to be a part of the Landscaping Sensitivity Assessment.”
2. That resolution 2 of minute 33 be amended to read “RESOLVED: That Nicola Forde, Ann Lumb liaise with Paul Kinnaird to create a personalised letter inviting community groups to work alongside a LSCA consultant and the NDP team”

41. “Big Picture” look at the town to reprise the key issues to get covered in the NDP

Councillor Harvey advised the Working Group that she had been in correspondence with Hereford Council officers and had been made aware that Herefordshire Council’s Statement of Common Grounds in respect of the

Appeal by Gladman against Herefordshire Council's non-determination of their planning application for the site off Dymock Road, states that since the Ledbury NDP does not include sites allocated for housing. Paragraph 14 of the National Planning Policy Framework (NPPF) does not apply. Paragraph 14 of the NPPF states that if an adopted neighbourhood plan is under 2 years old and allocates sites for housing it has weight in planning decisions.

Further discussion took place around this and Councillor Harvey advised that she would forward the correspondence to members of the Working Party for their information. She advised the members of the Working Party that as there are a number of current planning applications for large housing developments the amendments to the Ledbury NDP should be progressed as a matter of urgency so that it can be taken into consideration when planning decisions are made. She advised that the Working Party may need to re-evaluate its process and focus on certain areas, such as the settlement boundary as a priority.

Councillors Howells thanked Councillor Harvey for her input, stating that he appreciated the need for urgency in making progress on the NDP.

Councillor Harvey left the meeting.

42. Planning consultant presentation and Q&A session (quote 3)

Two of the three planning consultants who had submitted proposals to assist with the amendments to the NDP had been invited to attend the meeting to talk through their proposals with the Working Party. One of the Consultants was unavailable but had been invited to attend the next meeting of the Working Party on 23 September 2019.

The consultant in attendance provided a brief overview of his proposal, including details on the Scope of the Review, an Indicative timetable and potential support for the project.

He identified some key issues in respect of the Scope of the Review such as:-

- The existing plan had recently been adopted and has a generally clear vision and objectives, but that the effectiveness of the existing policies needs to be reviewed;
- Most other NDP's have approximately 19 policies; this one has just 15;
- There are key gaps in the policies many of as a result of the Examiner's recommendations, which had been removed in the main due to lack of supporting evidence; this could be avoided through frontloading the report;
- Whilst the Working Party have a good grasp of the issues for the review to consider, is this a view shared by all the community and what is known of the intentions of the potential objectors?;
- It is important to get the plan adopted as soon as possible to inform the Herefordshire Council Core Strategy, which is currently being reviewed.

The Consultant provided a detailed plan of anticipated timescales, advising that the Plan is subject to legislation and detailed regulations and thus will take a long time depending on the issues, noting the comments that Councillor Harvey had made earlier in the meeting. He anticipated the timetable for completion to be around 24-months and proposed that it be managed in a number of stages.

- Stage 1 to raise awareness and scope the review – 3-months
- Stage 2 to gather evidence – 6/7-months
- Stage 3 to write the plan – 8/12 months
- Stage 4 Examination – 4-months
- Stage 5 Referendum and adoption – 3-months

The Consultant advised of ways in which he would be able to provide help and support for the development of the NDP:

- Preparing a project plan and helping the Working Party to stick to it
- Identify key risks and helping to manage them
- Scoping the review including the effectiveness of existing policies
- Scoping and sequencing the evidence and advising on additional work that may be needed
- Preparing key evidence including the settlement boundary
- Write the community survey and collate the responses
- Writing the Plan
- Consider any representations
- Attend the Examination
- Ongoing liaison with the Council.

The Consultant also advised that once there is an LSCA it can be used as evidence in respect of new housing developments and other planning applications.

He advised that he would welcome the opportunity to work with the Council and felt he could offer a comprehensive level of support and advice that will ultimately result in an adopted plan that meets the expectations of the community.

Beverley Kinnaird asked the following questions:

We have engaged a consultant to prepare an LSCA. She has agreed to work alongside the Working Party and in order to keep costs down to support us in doing as much of the work as we are able. How do you see your role given this scenario?

Is it possible for Ledbury to integrate climate change mitigation policies in the NDP to help mitigate the worst effects for the planet and our local population?

The Consultant responded advising that the NDP can address climate change through careful policy wording.

Ian James asked whether these would be enforceable if above normal building standards – the Consultant advised that if you can show that it doesn't prejudice viability of the development, then yes.

Members asked if he was appointed how soon would he be available to start the work? He advised that he would be available to start straight away.

The Mayor thanked the Consultant for attending the meeting, advising him that they still had one other Consultant to meet with, but that they would be in touch following this.

Members agreed that the presentation had been extremely informative and felt that the Consultant had a lot to offer in respect of his experience, skills and knowledge, especially his background in local government.

As a result of the points raised earlier in the meeting by Councillor Harvey and on her suggestion, the Group felt that it they should make a request to the Town Council, via the Economic Development and Planning Committee to hold an extraordinary meeting of Council to discuss the Rule 6 Status that Councillor Bannister had acquired and how the Council could use this in the upcoming appeal.

Members asked whether it would be possible for the Chair of the Committee and maybe a couple of other members to meet with the remaining Consultant rather than all of the Group having to be present, with a report being brought back to the committee for a final decision.

The Chair advised that he would contact the remaining Consultant and see if this would be possible.

Members agreed that going forward it would be a good idea to create a clear statement before the next NDP meeting of what needs to be achieved and the timescales they have.

RESEOLVED:

- 1. That the Chair of the Working Party, Councillor Howells, contact the remaining Contractor to ask if he could be available to meet with the Chair and possibly a small number of other Group Members.**
- 2. That a request be made to the Economic Development and Planning Committee to request an extraordinary meeting of Council to discuss the Rule 6 Status that had been awarded to the Council and how this could be used in the upcoming appeal.**
- 3. That Councillor Harvey arrange a meeting between Ward Councillors and HCC Officers.**
- 4. That a meeting be arranged between HCC officers and Town Councillors.**

5. That a clear statement of what needs to be achieved and the timescales to complete them be prepared before the next NDP meeting, scheduled for 23 September 2019.

43. LCSA/Carly Tinkler–Update on Receipt of LSCA template and Environmental Impact Assessment Criteria

Members had been provided with documents, LSCA Template and Environmental Impact Assessment from Carly Tinkler, following her attendance at the previous meeting of the Group.

RESOLVED:

That the two documents provided by Carly Tinkler be received and noted.

44. Grant Applications

The Mayor advised that he had met with Dave Tristram on 27 August 2019, to discuss possible funding. He advised that an application would be made to Awards for All at the end of September with other applications be made at various intervals, as advised by Dave Tristram.

45. Design Guide

Ian James advised that whilst he liked the format and template of the Design Guide, he felt it could be made simpler. He felt that it may have lost its way and asked whether there were any documents that had been developed to inform the development of the Design Guide.

Councillor Howells reminded the Group that a Scoping Document had been prepared and distributed previously and it was suggested that this should be re-sent to Ian.

RESOLVED:

1. **That a copy of the Scoping Document in respect of the Design Guide be sent to Ian James.**
2. **That the Design Guide should be considered further along in the process of the development of the amended NDP.**

Councillor Eakin left the meeting 9:15.

46. Personalised Letter to community Groups

Ann Lumb had provided a draft letter inviting local community groups to work alongside the NDP in helping to inform the NDP process.

Members agreed to the proposed letter and suggested that Ann Lumb and Nicola Forde update the list of community groups and send the letter out.

It was suggested that in respect of some of the groups listed those named were not necessarily the right person to write to. Some members of the group advised that they could provide contact details of these people.

The Clerk advised that this could not be done, due to GDPR. She advised, along with Paul Kinnaird, that the list provided had been taken from the list in the Community Day Booklet and therefore those listed had in effect provided consent to be contacted. If members of the group were to provide details of anyone listed to other members of the NDP Working Party, this could be deemed a breach of GDPR.

RESOLVED:

1. That the letter drafted by Ann Lumb be approved.
2. That Ann Lumb and Nicola Forde update the list provided with details provided and send out the letter.

47. Website

RESOLVED:

That due to the time this item be deferred to a future meeting.

48. Liaison with Neighbouring Councils

RESOLVED:

That due to the time this item be deferred to a future

49. Dates of the next meeting

RESOLVED: that the date of the next meeting will be Monday, 23 September 2019, with the following two meetings be scheduled for 14 October 2019 and 4 November 2019.

The meeting ended at 9.45 pm

Signed Dated

Ledbury Neighbourhood Development Plan Review – Fee Proposal

The following Fee Proposal is submitted by [\[Redacted Name\]](#) ([\[Redacted Email\]](#))

Email – [\[Redacted Email\]](#)

Telephone – 01568 616624; 07887702621

Consultant's Brief

It is understood from the two documents forwarded that the brief for the consultant is to review the adopted NDP in relation to:

Primary Tasks

- To define options for a settlement boundary, taking into account, in particular, landscape sensitivity;
- To facilitate public and stakeholder consultation upon the options.

Additional Tasks

- Advise upon a policy to cover green infrastructure;
- Advise upon a revision of the Ledbury Design Guide so as to include it as a policy in the NDP.
- Suggest amended policies to cope with expected town growth in the key areas of:
 - sporting/recreation and open space provision;
 - additional infrastructure requirements including medical/health, education and employment facilities.
- To rectify contradictions, anomalies and omissions in the current NDP (2018) including adding new policies based on the new evidence.

In considering these tasks, the following should be taken into account:

- The criticisms contained in the Examiner's report in reference to policy BE1.2 of the draft NDP
- The National Planning Policy Framework, especially Para 11 relating to a presumption in favour of sustainable development and e.g. Para 79 relating to the development of isolated homes in the countryside in certain circumstances.
- The Herefordshire Council Core Strategy 2011 to 2031 – in particular Policy RA3 relating to similar development to that identified in NPPF para 79.
- Promoting forms of objectively assessed development needs that are identified in the NDP but may otherwise be located outside the proposed settlement boundaries.

- to assess the extent of sites necessary to meet the anticipated minimum 5-year housing supply requirement within the Core Strategy.
- The need to provide substantive evidence that would lead to the recommendation of such options for a settlement boundary.
- Surveys undertaken as background to and evidence base for the current Ledbury NDP.

Task No	LTC Description of Task	Consultant's Proposal	Fee Proposal
Primary Tasks			
1	Settlement Boundary To identify options for a settlement boundary for Ledbury that will be strong and defensible in order to stand up to scrutiny of an NDP Examination.	<p>1. To devise a proportionate set of sustainable development criteria with the Town Council against which to determine settlement (development) boundary options. (The approach will utilise Herefordshire Council NDP Guidance Note 20).</p> <p>2. To review any previous NDP evidence base, reports and documentation, and source and present other material to be used as the basis for assessment against the criteria.</p> <p>3. Landscape sensitivity would be a major criterion within the settlement boundary assessment. The brief suggests that a proposal for a Landscape Sensitivity Assessment is sought. No provision is included within this proposal for a landscape sensitivity assessment. This consultancy would work with any landscape consultant appointed by the Town Council, should this be required. As an alternative, Herefordshire Council's Urban Fringe Sensitivity Analysis¹, so far as it relates to Ledbury,</p>	<p>1,541.10</p> <p>(+ HER data @ £105 + VAT + HBRC data @ £150 + VAT if required²)</p>

¹ https://www.herefordshire.gov.uk/downloads/download/187/urban_fringe_sensitivity_analysis_2010

² This might include information from Herefordshire Historic Environment Record and Herefordshire Biological Record Centre (Costs shown separately in case you have obtained this already for the current NDP).

		<p>would form the basis for an assessment to which other published or otherwise available material might be added.</p> <p>4. To review housing sites submitted through previous calls for sites and/or any further call for sites presenting in ranked order in relation to the sustainable development criteria (1 above).</p> <p>5. To produce a draft report of the above containing options arising from the assessment as the basis for public consultation.</p> <p>6. To produce a final report following public consultation, taking into account representations received and indicating how the results might be taken forward into the reviewed NDP.</p> <p>Existing evidence (basis for gap analysis)</p> <ul style="list-style-type: none"> • Herefordshire Guidance Note 20 on settlement boundaries; • Previous settlement boundary (Herefordshire UDP); • Malvern Hills AONB Management Plan • Urban Fringe Sensitivity Analysis (HC – see footnote 1 above); • Landscape Character Assessment (HC) • Historic Landscape Characterisation – sensitivity analysis (HC – see footnote 2 above; obtainable from Herefordshire HER); • Strategic Environmental Assessment (HC); • Natural Environment data (HC – see footnote 2 above; obtainable from Herefordshire BRC); 	
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		<ul style="list-style-type: none"> • Agricultural Land Classification; • Local Housing Market Assessment (HC) • Local Housing Needs Requirement Study (HC); • Evidence produced for current Ledbury NDP. <p>Note 1 – The report will be provided in electronic format. Ledbury Town Council would be responsible for any printing of hard copy that might be required.</p> <p>Note 2 - Ledbury Town Council will be responsible for providing the base maps for reports. It is understood that Ledbury Town Council is able to obtain printed and electronic maps from Herefordshire Council's consultants, Hoople Ltd, for use in any reports and the draft reviewed NDP.</p>	
2	<p>Public Consultation</p> <p>To present the options in a succinct manner suitable for use in public consultation and display presentation so that the public may have a choice and be stimulated into making constructive comments on the ideas presented, leading to clear support for one solution.</p>	<p>To plan the consultation, attend a ½ - day event, and analyse the information.</p> <p>Existing evidence (basis for gap analysis)</p> <ul style="list-style-type: none"> • Current Ledbury NDP Consultation Statement • Evidence produced for current Ledbury NDP. 	£1,114.80
3	<p>Stakeholder Consultation</p> <p>To identify and consult with relevant stakeholders on proposals including Herefordshire Council, neighbouring parishes and the Malvern Hills AONB authority. This will include, in particular liaison with Neighbourhood Development team at Herefordshire County Council to ensure the NDP revisions take into account the review of Herefordshire Local Plan Core Strategy.</p>	<p>Informal consultations will be carried out as an element of other tasks and costed within those.</p> <p>In relation to formal consultation under Regulation 14, the approach proposed is to provide email addresses and draft emails to send out by the Parish Clerk/NDP Steering Group Secretary. The quote is on this basis.</p>	£80.00

4	Reporting to Town Council	<p>The Inception meeting will be met within the above costs. Two meetings to agree sustainable development criteria will be covered within the above costs (Task 1). Two meetings to agree consultation material and arrangements will be covered in the above costs and attend a consultation event (Task 2).</p> <p>Other meetings attended will be charged at £40 per hour plus travelling. The amount will be determined according to the reporting regime required by and agreed with the Town Council.</p>	(£40 per hour plus travelling as required)
Additional Tasks			
5	Green Infrastructure To include policies setting out the town's approach to green infrastructure.	<p>This will involve a gap analysis of available information, including a review of Herefordshire Council's Green Infrastructure Strategy, Ecological Network information, playing pitch and opens space studies so far as they relate to Ledbury to identify what further local information is required. The development of a specific policy and/or further policies and proposals adding to the approaches proposed for Ledbury Strategic Corridors, Enhancement Zones and Fringe Zones (Herefordshire Green Infrastructure Strategy) will be explored.</p> <p>The analysis and suggested approach will be presented in a separate (electronic) report on Green Infrastructure with policy recommendations to take forward into the NDP.</p> <p>Existing evidence (basis for gap analysis)</p>	£1,285

		<ul style="list-style-type: none"> • Green Infrastructure Strategy (HC). • Green Infrastructure Study (Amey Ltd and HC) • Building Biodiversity into the LDF (HC) • Ecological Network Map (HC) • Natural Environment data (HC – see footnote 2 above; obtainable from Herefordshire BRC); • Strategic Environmental Assessment (HC); • Evidence produced for current Ledbury NDP. <p>Note 3 - The brief does not indicate whether you wish to have a Biodiversity Conservation and Enhancement Plan as part of this work. The consultant has worked with Herefordshire Wildlife Trust to integrate such a plan into Almeley NDP. The timescale for the bid has not enabled any costing of such work but we would be happy to obtain a quote should this be required.</p>	
6	<p>Ledbury Design Guidance To include the Ledbury Neighbourhood Plan Design Guide as an intrinsic part of the document rather than, as currently, as a complementary document which has no weight in planning terms.</p>	<p>To draft design policies, conservation area policy, and incorporate design matters into other policies where appropriate.</p> <p>Existing evidence (basis for gap analysis)</p> <ul style="list-style-type: none"> • Ledbury Design Guide; • Herefordshire Council's Design Guide; • Malvern Hills AONB Management Plan and any associated documents; • Ledbury Rapid Townscape Assessment; • Highway Design Guide (HC); • Evidence produced for current Ledbury NDP. 	£560.00

		Note 4 – It is understood Herefordshire Council has not produced a Conservation Area Appraisal.	
7	<p>Recreation and Open Space</p> <p>To recommend amendments to policies covering sporting/recreation/open space to cope with expected growth.</p>	<p>This would be covered largely by work on the approach to green infrastructure. Provision for additional evidence gathering, reporting that may be required and also for reporting upon the need for and content of any policy amendments.</p> <p>Existing evidence (basis for gap analysis)</p> <ul style="list-style-type: none"> • County Open Space Study (HC); • Play Facilities Study (HC); • Playing Pitch Assessment (HC); • Infrastructure Delivery plan (HC); • Evidence produced for current Ledbury NDP. 	£120.00
8	<p>Infrastructure and Employment</p> <p>To recommend amendments to policies covering medical/health/education and employment facilities to cope with expected growth.</p>	<p>On the basis that the task involves amendments to existing policies, this may involve some additional evidence gathering and reporting upon the implications of growth for these areas of concern.</p> <p>Existing evidence (basis for gap analysis)</p> <ul style="list-style-type: none"> • Infrastructure Delivery plan (HC); • Employment Land Study (HC); • Joint Strategic Needs Assessment (HC); • Evidence produced for current Ledbury NDP. 	£280.00
9	<p>Consequent Changes</p> <p>To identify and recommend changes to rectify contradictions, anomalies and omissions in the current</p>	<p>A review will be undertaken of all other policies within the NDP, a consistency check, correlation with any comments made by the Examiner and Government policy updates. This will be presented in table form.</p>	£280.00

	NDP (2018) including adding new policies based on the new evidence.		
	Potential Total	Excludes reporting requirements to Town Council, data from HER and HBRC+ purchase of base maps from Hoople if required.	£5,260.90