

<p>Colwall group promoting a revised NDP (CGPRNDP) (Retyped by CPC)</p>	<p>Colwall Parish Council response (CPC) 12 October 2021</p> <p>The distributed revised NDP group document has not been sent to the parish council however a full response to all points is provided below.</p>
<p><u>Our Neighbourhood Development Plan (NDP) in disarray: Housing estate planned for Colwall's Conservation Area</u></p>	<p>The NDP is not in disarray, it is in use daily by Herefordshire planners as the CGPRNDP recognises where it says "Sadly the NDP has now been adopted as a formal document to which the planning authority should refer when considering planning applications. "</p>
<p>The result of the 6th May 2021 referendum on the Colwall NDP was passed by a very narrow margin of 565 for and 516 against (52% vs. 48%). The average in Herefordshire is 86% for vs. 14% against. Incredibly, the number of 'No' votes in Colwall exceeded even those of large towns such as Ledbury, Leominster and Ross. How so?</p>	<p>It is acknowledged the vote was close.</p> <p>The turn-out in Ledbury, Leominster and Ross was very low compared to Colwall and this needs to be taken into account when comparing numbers of votes, for and against. In percentage terms of total population (voter populations for towns and parishes are not readily available) the Colwall turnout was very high at 45%, but low in Ross at 22% and Ledbury, 18% and just 3% in Leominster. When this is considered the Ledbury's NO votes would be 397, Ross's 801 and Leominster's 2870!</p>
<p>Since the referendum, various points of concern have been raised calling into question the validity of the vote. Currently Herefordshire Council's Electoral Officer is investigating.</p>	<p>This is of concern to us all, however responsibility for electoral services lies entirely with Herefordshire; CPC never have any input or responsibility for electoral matters.</p>
<p>The last public NDP meeting at the village hall was in January 2020. The referendum was a full 17 months later but in between, there was no bulletin or newsletter or email or Village Notice board or West of the Hills or any such communication to alert or remind villagers <u>what we were voting on</u> and the key points to be considered.</p> <p>Immediately following the Revised NDP's flier distributed on the 1st May 2021 – when many of us had already voted YES by post - and after the polling on the 6th May, it became abundantly clear that many YES voters were, and remain very peeved with the process.</p>	<p>True, and we were fortunate to get that in before 16 March 2020 when all non-essential contact (including elections and referenda) was banned temporarily because of Covid 19. Since then there have been two parish Council Newsletters in September 2020 and March/April 2021, both of which were delivered to virtually all households and both gave an update on the Plan.</p> <p>The key points have not changed since 31 January 2018 when the public meeting first included the allocation Grovesend Farm, prior to which it was classed as the 'back-up'. Only Grovesend Farm and the old school site have ever been shown since January 2018 – over 3 years before the referendum. These two were shown again in well attended public meetings in January 2019 and 2020.</p> <p>A Mill Lane development site (referred to as Village hall to Thai) was identified in the early days but was approved as the site for the new school in August 2016, as the community overwhelmingly preferred that location. Therefore, that development plot has not been available for housing since 2016 and in January 2018 the presentation clearly showed the site as 'Occupied by the school'.</p>

Area Ref	Description	Landscape Capacity to absorb development	Additional Dwellings Claim towards Target	Notes
3a	By school	Medium to High	0 14	If required for educational purposes, otherwise estimate 5 dwellings plus 4 on existing school site, total 9
9a	Village hall to Thai	Medium to High	21	Occupied by school

The presentation explained why the Grovesend Farm site was now included when previously it had been the 'back-up' site, and also clearly showed the two allocated sites.



Once the new school took up the Mill Lane development site it was never a choice between Mill Lane or Grovesend Farm. The Mill Lane landowner submitted a planning application for up to 37 houses in January 2020, which was rejected by Herefordshire Planning Committee, but only lost by the chairman's casting vote. The land owner then appealed and the government's inspector is considering the case now. If he dismisses the appeal the Plan will not be changed.

If you are one of these, now is the time to make your voice heard, please:

If you voted Yes to the Colwall Neighbourhood Development Plan because you believed;

1. 'indiscriminate & widespread housing development would take place across the village and there would be nothing we could do to stop it', or

CPC believes indiscriminate housing has already taken place totalling 32 dwellings which has largely filled the historic gap between Brook House and the Thai restaurant. 30 of these have been on land that has been protected against development since 1998 by the Malvern Hills District Council settlement boundary and in the 2001 Village Design Statement, which was endorsed by Herefordshire Council. These areas continued to be protected in the Landscape Sensitivity and Capacity Assessment (LSCA) from September 2013 as being the least able to support development. However, because we did not have a Plan and Herefordshire was failing to provide adequate housing the planning officers

	<p>gave approval to Evendine Mews, Colwall Gardens, Kingsbrooke and two houses in Evendine Lane.</p> <p>Having an up to date Plan with site allocations will help ensure this does not continue to happen.</p>
<p>2. 'a revised NDP would take years to secure, by when indiscriminate development would have commenced'</p>	<p>The length of time required to alter a Plan depends on the degree of change. It is presumed this group would wish to substitute a Mill Lane site for Grovesend, which would be a major ('material') change requiring all statutory consultation stages to be repeated. However, before that could happen it would be necessary to decide what is to be changed. The detailed landscape assessment (LSCA) indicates that developing Mill Lane would be more damaging to the landscape than Grovesend Farm. This view is fully supported by Herefordshire's planning officers and landscape specialists and the Malvern Hills Area of Outstanding Natural Beauty staff. This is based on an interpretation of the NNPf para 176, which requires plan makers to give great weight to conserving and enhancing landscape and scenic beauty in AONBs.</p> <p>This contention will be fully tested by the inspector considering the Mill Lane appeal, (see https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3272317) which is all about the impact on the landscape versus the need for housing.</p> <p>CPC will await the outcome of the appeal before considering any changes to the NDP. If the inspector, on behalf of the Secretary of State, also supports the refusal of the Mill Lane development, there is no possibility of development on Mill Lane at this time because the Secretary of State will have said development there is unacceptable.</p> <p>If, on the other hand, the inspector allows the appeal, such that the 37 homes can be built on Mill Lane, it will be necessary to amend the Plan to take that into account, such as moving the settlement boundary.</p> <p>It would also be appropriate to reconsider whether the Grovesend Farm site was needed to achieve the housing target. This would depend on whether the 31 homes on the Bottling Plant site, for which planning approval expires in December 2021, are likely to be built.</p>
<p><u>N.B. Both of these statements have been confirmed as untrue by Herefordshire County Council.</u></p>	
<p>3. or if you were advised, illegally, at either of the Polling Stations by stewards or staff on the day to vote YES, (and there are several documented cases of this in Colwall which are now being the subject of a Herefordshire CC internal inquiry,) or</p>	<p>This is a matter solely for the Herefordshire Council electoral services. CPC has no input. Neither the stewards nor the staff are connected to the parish council.</p>

<p>4. you thought the proposed development on Mill Lane <u>was</u> included in the NDP, or</p>	<p>No Mill Lane site has been shown in any draft NDP. The first draft NDP was dated January 2018, after the new school was placed on the Mill Lane site in August 2016. The only two development sites any in any version of the NDP have been the old school site and the Grovesend Farm site.</p> <p>When the Mill Lane landowner applied for planning permission CPC strongly objected – data which is freely available.</p>
<p>5. you thought the proposal to develop the Grovesend Field had been dropped, or</p>	<p>From January 2018 to date, the parish council has never suggested the Grovesend Farm site had been dropped.</p>
<p>6. you didn't know that Grovesend Field is in a conservation Area (Mill Lane is not)</p>	<p>Conservation areas are not about stopping development only about imposing additional requirements on what is built. A good example is the Covent Garden estate of 20 homes, which is quite central in the Conservation Area.</p>
<p>..... then would you be prepared to say so in a sentence or two, please? A quick e-mail to the campaign group at this address would suffice: revisedcolwallndp@gmail.com Thank you.</p>	
<p>If you would like to be kept informed of updates, then please let us know at the group e-mail address</p> <p>You would be helping the village to secure an opportunity to shape the future of Colwall, to meet villagers' overwhelming preference for the Mill Lane site in all 3 consultations since 2013, and avoid development in Colwall's Conservation Area. The latter would be a truly bizarre conclusion to our current Neighbourhood Development Plan.</p>	<p>The consultation for the site of the school was overwhelmingly in favour of Mill Lane.</p> <p>There is considerable support for development in Mill Lane, however the LSCA indicates that in landscape terms less harm would be caused by development at Grovesend Farm.</p>
<p><u>At this point in time, Colwall retains a select position among Herefordshire villages, but for all the wrong reasons. Colwall has the worst NDP result in the County.</u></p>	
<p>MORE BACKGROUND INFORMATION</p> <p>At a Public Meeting on 23rd March 2013 – Colwall Parish Council made the following statement:</p> <p>“The Colwall Neighbourhood Plan is an extraordinary project – a way of allowing the community to shape its future. It is a unique opportunity for the community to decide how it wants the landscape to look, what kind of houses they need, and how they want the community and parish to develop. It takes power from the centre and gives it back to local people – who know and care so much for their own community and area.”</p> <p>In a report to Colwall Parish Council on 30th September 2015 the working party group charged with preparing the NDP wrote:</p>	<p>These two statements are not contradictory; the first gives the vision and the second is about how that vision should be written into the Plan to ensure it can and will be implemented by Herefordshire planners when considering applications. If the Plan is not written in the appropriate manner for primary planning documents, it will fail to deliver the vision.</p>

<p>“It is essential the community supports the Plan: otherwise it will not be successful at referendum but the ultimate audience is the Development Control authority and to minimise their work, the developers. The Plan therefore needs to be written to suit the needs of the Development Control authority which in our case is Herefordshire Council.”</p> <p>These two statements are contradictory but reveal much about how the NDP was formulated. The first identifies “a way of allowing the community to shape its future” the second declares something very different. The first is an extract from The Localism Act of 2011, the second is a declaration of intent by the Parish Council.</p>	
<p>While drafts of the NDP were available online, to fully grasp its 93 pages of close typescript and how it had developed, required the reader to invest considerable effort and hours of reading additional detailed technical documents.</p>	<p>The Plan follows the requirements of planning legislation, including considerable information about how and why it was developed. However, it is relatively easy to read, and the ‘meat’ of the document is about 50 pages long, of which 10 are plans and diagrams.</p> <p>The Landscape Sensitivity and Capacity Assessment is a very lengthy document at 281 pages, but the great majority is the survey results and assessment of 30 separate areas which takes up over 200 of those pages. It is not necessary to read all the pages to understand the principles and look at a few sites of particular interest.</p> <p>The Plan is built around the LSCA and therefore it is essential the whole of the assessment work is provided to the public for scrutiny.</p>
<p>Any objections or counter proposals were met with obfuscation or dismissed out of hand. Despite the village’s support for school & housing development in Mill Lane, the Parish Council decided to strongly oppose the recent application for housing alongside the school.</p>	<p>This is not true; every objection and counter proposal has been documented and answered, often in great detail. The Examiner was content all issues raised had been adequately dealt with.</p>
<p>Clearly, interaction with the community was not a priority during the final critical stages of the NDP, nor was respecting the overwhelming feedback from earlier consultations.</p>	<p>The NDP was effectively fully developed by January 2018 and was presented to the public in the January’s of 2018, 2019 and 2020. Two parish newsletters followed in autumn 2020 and March/April 2021 both of which were delivered to virtually every home in the parish.</p>
<p>Rather than allowing the community to shape its future, the community was excluded from the NDP process, was not informed about the core issues in the NDP, nor reminded about the headline points.</p>	<p>The community has not been excluded as evidenced by the high attendance at the presentations and the extraordinary number of people who have commented in writing.</p>



<p>Since the referendum many people have said that if they had been properly informed by the Parish Council as to the exact NDP site proposals they would have voted NO not YES.</p>	<p>The public was fully informed of the proposals. All the presentations (in the January's of 2018, 2019 and 2020) and all other output since the beginning of 2018 have been entirely consistent with the Plan taken to referendum. There have been no significant alterations.</p>
<p>In addition, there is evidence that the village was misled from the very start of the project in order to promote a YES vote supporting the NDP at referendum.</p>	<p>This is disputed and no evidence has been supplied.</p>
<p>The Parish Council responded: "There was a public campaign to vote no in the NDP referendum. In contrast the referendum rules meant that the PC could only encourage people to vote, not to vote Yes. Nevertheless there remained a majority of voters in support of the NDP".</p>	
<p>But the Parish Council has made no mention of the public campaign to vote YES, notably via Colwall Notice Board Facebook group. Nor did they correct false claims made there. Additionally, in the Notice of the Referendum published on the 29th March 2021 the Council wrote:</p>	<p>The Colwall Notice Board Facebook group is not run, controlled or moderated by the parish council. The parish council does not conduct its business via Facebook.</p>
<p>"Please do cast your vote for your Colwall Neighbourhood Plan on the 6th May 2021." That's a straightforward partisan request to vote YES and is wholly inappropriate of the PC in the lead-up to the vote.</p>	<p>The statement "Please do cast your vote for your Colwall Neighbourhood Plan on the 6th May 2021." is an entirely reasonable statement for a council that has spent over 8 years developing a Plan; it does not constitute a 'campaign'.</p>
<p>Sadly the NDP has now been adopted as a formal document to which the planning authority should refer when considering planning applications. It retains Grovesend Field as a potential site for housing development and excludes the Mill Lane site. We strongly urge villages to consider opposing any application which is made to develop the Grovesend Farm site.</p>	<p>The new school has been built on the Mill Lane site and consequently has never been an option since August 2016.</p>
<p>Your voice can still be heard by Herefordshire Council even if they are ignored by your Parish Council. Please send your feedback via this e-mail address. Thank you. revisedcolwallndp@gmail.com</p>	<p>The parish council has not ignored anyone, every objection, comment or counter proposal has been documented and answered. The Examiner was content all issues raised had been adequately dealt with.</p>
<p>Colwall group promoting a revised NDP August 2021</p>	