

Colwall Parish Council
Adoption of the Neighbourhood Development Plan June 2021

Following the majority 'Yes' vote at the referendum on the 6 May 2021, Herefordshire Council adopted the Colwall Neighbourhood Development Plan (CNDP) on the 7th June 2021. This means the Plan now forms part of the statutory Development Plan for Herefordshire and will be used to help determine planning applications in the Parish. There will of course be opportunities in the future to comment on individual planning applications in the usual way. HC have confirmed there are no legal grounds to revoke the Plan.

This has been a long process that commenced in 2012; it has been the largest task ever undertaken by the Parish and a challenging one for a volunteer organisation committed to protecting the special landscape we live in, which is at the heart of the Malvern hills Area of Outstanding Beauty (AONB). The CNDP has been prepared taking into consideration the need to give 'great weight'¹ to conserving and enhancing landscape and scenic beauty in the Parish and has been shaped by the responses to multiple public consultations and constant development pressure. The CNDP encompasses far more than site allocations for new housing; it provides a comprehensive suite of locally relevant, detailed design policies and protects community facilities and open spaces.

There was a local campaign to vote 'No', whereas the referendum rules meant the PC could not encourage people to vote 'Yes'. Nevertheless, there remained a majority of voters in support of the NDP and it would be undemocratic now to seek to undo the referendum result.

The main cause of discontent is the choice of Grovesend Farm over Mill Lane and is explored in a separate document titled '*Mill Lane v Grovesend Farm site*'. In addition, a document prepared for the Examiner (Regulation 16) regarding the Mill Lane planning application (titled *CPC Reg 16 response to Mill Lane development*) and a separate document regarding the Grovesend Farm site (titled *CPC Reg 16 response re Grovesend site*), both dated 28 July 2020, should be read.

CPC's responses to representations received following the referendum result can be found in the document *CPC NDP Post Referendum queries and responses*.

The need for a CNDP was demonstrated when, despite the best efforts of CPC and more importantly the Malvern Hills AONB Unit, which is charged with safeguarding the landscape, the land next to and opposite the Thai restaurant was developed for housing. These areas, which were first 'protected' in the Colwall Village Design Statement in 2001, were not considered a potential development site in the Preliminary Landscape Sensitivity and Capacity Assessment (LSCA) and were assessed as being in the lowest grade in the September 2013 LSCA (Plots 10 and 11).

Inevitably, the CNDP will need to be revisited in the future and the extent of the change will determine what processes, including the referendum, need to be repeated. HC and, if necessary, an Examiner will make those decisions. The timescale for the statutory process therefore varies considerably from a few weeks to the 35 months taken for the current Plan from the Regulation 14 submission to the referendum (excluding the 5 month Covid delay).

A potential reason to change the NDP would be if the current appeal against the 2019 refusal of the Mill Lane planning application is allowed. If this occurs, the CNDP would need to be altered to extend the Settlement Boundary to take in the additional 37 committed dwellings. Provided other development assumptions remain unchanged, such as the 31 at the former Bottling Plant then, based on the methodology used to date, the Grovesend site could be removed. However, the extension of the Settlement Boundary would be a material modification and would require a repeat of the processes up to and including examination, and possibly another referendum.

Conversely, if the Mill Lane appeal is rejected the rationale of the CNDP will be affirmed.

Link to CPC NDP website <http://www.colwallneighbourhoodplan.org.uk/>

Link to HC website which gives links to all 'statutory' documents

<https://www.herefordshire.gov.uk/directory-record/3046/colwall-neighbourhood-development-plan>

¹ National Planning Policy Framework, para 172: [15. Conserving and enhancing the natural environment - National Planning Policy Framework - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/426883/15.Conserving_and_enhancing_the_natural_environment_-_National_Planning_Policy_Framework_-_Guidance_-_GOV.UK.pdf)