

Statement of Community Involvement



Summary of Responses

April 2016

The Herefordshire Council Statement of Community Involvement (SCI) sets out how the Council undertakes engagement with its communities and other stakeholders on planning matters. The original SCI was adopted by the Council in 2007 but as a result of various changes to national planning policy and guidance, including revisions to elements of the planning process, together with a need to utilise modern approaches for engaging with our communities it is now necessary for the document to be revised.

In March 2012, the National Planning Policy Framework (NPPF) was published and set out the Government's planning policies for England and how they were expected to be applied. The idea behind the new policy framework being to introduce a more user-friendly, streamlined mechanism with which to bring plans to fruition

The NPPF replaced over a thousand pages of policy with a much more succinct and uncomplicated structure to follow.

Publication of the NPPF, along with the publication of the Localism Act 2011, means that emphasis is now firmly placed on early engagement and collaboration with neighbourhoods, local organisations and businesses, making planning inclusive of people and communities who want to be involved and a dispersal of power from central Government to local authorities.

The revised SCI was published for a 6 week public consultation on 10 February 2016. The existing Local Development Framework database was utilised in order to reach as many potentially interested parties as possible. Many of the contacts had been consulted with and had made representations during the preparation of the Local Plan – Core Strategy.

Approximately 900 contacts were written to initially with an invitation to offer feedback on the new document. Included in this list were ward members, parish council members, specified consultees (The Town and Country Planning (Local Planning) (England) Regulations 2012) and key organisations representing groups at risk of exclusion. A reminder was also sent out mid-way through the consultation period to all those contacts.

In addition to making direct contact with those stakeholders already on the Council's database, the Council also:

- Made hard copies of the draft document, along with copies of the consultation questionnaire, available for inspection at all information centres and libraries across the county.
- Issued media to all main publications in the county and the consultation featured in Hereford Times and Ledbury Reporter online.
- Used Herefordshire Council web newsreel and regular social media articles on Facebook and Twitter to raise awareness and remind the public of deadlines.

In response to the consultation 48 responses were received. Among the organisations responding were, the Woodland Trust, Severn Trent Water, Place Partnership (on behalf of Herefordshire Police and Fire & Rescue Service), Natural England, Network Rail, Historic England and Gloucestershire County Council. A full summary of the representations received can be found overleaf.

Careful consideration of the consultation responses will be undertaken and, where appropriate, changes recommended to the Cabinet and Council for inclusion prior to the adoption of the revised SCI.

Total responders during consultation period 10 February – 23 March 2016: 48

Contributors include:

Woodland Trust
Severn Trent Water
Place Partnership on behalf of Herefordshire Police and Fire & Rescue Service
Natural England
Network Rail
Historic England

Now you have read the Statement of Community Involvement (SCI):

1. Were the contents of the SCI:

	Yes	No
Clear	27	9
Informative	28	7

If no, please explain:

My objections are three fold: a) the title 'Executive Summary' is an implicit insult to all who are not executives, the majority of Herefordians, b) the summary is much more of a guide to what is in the document than a summary, and c) to read over 30 pages as an alternative and still not have all information to hand makes the consultation process a mockery. Please provide a 3 page summary of key matters residents need to know.

Far too many words and pages. No real summary, Most people will not have the time to read it all.

But too verbose - too much explaining rather than bare facts. 38 pages!!! How many people have time or inclination to read and comment? By making it so big you are self-selecting the more able.

The document needs to be rewritten in plain, jargon-free English. It is much too long and is tortuous to read (other, perhaps, than for those suffering from insomnia). Also, it uses too many acronyms.

Whilst the information is informative, there's a lot of it. In communicating with hard to reach groups it may help to have a shortened version as an introduction - in these terms the Exec summary isn't quite what I mean.

Shrouded in confusion

The document is 39 pages long, full of acronyms and to many members of the public is baffling. It does not actually state what methods of communications in regard to planning are recommended to be used going forward.

We moved to Herefordshire last year & as a family have many years involvement in local government across many disciplines & at many levels. We were horrified to discover that Herefordshire Council does not routinely notify neighbours of planning applications, even when these could have considerable impact upon nearby properties. This is certainly the only place we have lived where such notifications were not routine and, while it may not be obligatory for a planning authority to notify neighbours, we have it on the authority of a senior planning professional that it is considered good practice to notify neighbours & that very few LPAs do not do so. We are very surprised that Herefordshire Council is content NOT to follow good practice when surely it should be the aspiration of all authorities to do so. We were told that planning applications are published in the local press, online & advertised on site. Many people do not regularly have a local newspaper, a number of people do not have internet access (& many certainly do not have reliable access unless they have gone with BT's recently installed Superfast broadband), certainly not many older people. Even if one does look online (which we have done occasionally & will now do diligently), in an area like this, with so many little lanes, often without name plates or even sometimes with multiple names, it is not easy to know whether a planning application is relevant or close to one's property. Indeed, we only discovered a recent planning application adjoining the rear of our property by chance when out for a walk one afternoon hence a number of other adversely affected residents may be unaware of it & so miss the opportunity to comment. We also have to say that we feel the Council's planning area of its website is not particularly easy to negotiate, certainly it is one of the most unclear we have used, and it would take a quite determined lay person to access the information they are seeking (eg there is no way to search a weekly list by parish that we can find, only search all the applications for 7 days or all for a parish over a considerable period of time). Planning is, in our view, the most important function of the Council and, probably, the one which has the potential for the greatest affect on the lives of residents; this failure to notify neighbours, in our view, limits the opportunities for residents to take part in the democratic process and could lead to residents unnecessarily suffering loss of amenity & enjoyment of their properties. We understand that local government budgets are being squeezed by central government but, in our view, it is unacceptable to limit access to democratic rights & use budget cuts as an excuse for this, the planning budget & associated costs should NEVER be cut, it is too important.

Document too long, too wordy and in a language the person in the street will find laborious to wade through. A two page summary document cross referenced with the relevant paragraphs in the main document would go a long way to achieving better and constructive consultation. But do Herefordshire Council want people to understand what goes on?

It is not clear. The use of numerous similar acronyms such as LDD, LDS, DPD etc is not appropriate for the general public. Each should be spelt out. It does not make it

clear the Core Strategy is in the Local Plan. The structure of the documents would be better illustrated as a graphic as in other Herefordshire documents.

2. Do you feel confident that all potentially interested parties will be kept informed during the preparation of planning documents?

Yes	15
No	20
Not sure	1

If no, please explain:

Most won't read 30 pages

Not all of Herefordshire's residents are actively involved with their parish councils. It is recognised a lot are professionals that work outside the county, working long hours on weekdays which means they would not benefit from roadshows in the market towns. Social media is perhaps the best avenue for these people but the quantity of material that is being advertised on here is not enough. Not all residents will actively follow the council social media sites either. Parish councils and the market towns that have their own social media sites should be encouraged to promote the message also. There should also be a way of registering your email address to stay informed - If this exists already, it is not clear at all. It is clear you can register your email for weekly planning applications but not about policy changes.

Whilst the document has fine sounding aspirations, as someone who is keenly involved in local development interests I had not heard about the SCI so I am certain the vast majority of Herefordshire citizens have no idea it exists either. In theory the SCI covers all of this, but I'm sorry to say it is not well communicated so far.

I hope so , and expect it

Not much timescale given

Not sure but the plans for community involvement look comprehensive.

There is too great a reliance on internet based methods of communication and the availability of documents at Council offices, which are often not accessible easily for people without a car - plus the documents are very lengthy and may require more than one visit to adequately read and comment on. It tends to exclude those elderly people who don't drive and don't use the internet, poorer people who don't have access to a car or can't afford a computer and broadband, and young people who

may be in the same situation.

Because on past history the Council try to hide/bury or confuse the electorate when they want little resistance to plans and make it extremely difficult for people to get to nitty gritty

Because you will rely on A4 size Notices affixed at or near potential development site (instead of notifying neighbours by letter, chances will be missed for comment unless the Notice is next to a footway. cf the monstrous Gladman Proposal for Leadon Way development of 321 HOUSES which practically everyone missed as there is no footway adjoining the road/field concerned, and though Refused by HCC has been through a Planning Inquiry, results awaited.

The Council are not truly transparent

The document/process does not recognise the significance of neighbours needing to be notified directly of planning applications in their immediate neighbourhood. The nature of street/lane layout in some areas does not provide, in some cases, for people even living next door to a site, to be aware of a planning application before it is too late to comment. Whilst the cost of writing to neighbours is a factor, there is huge potential to miss an important aspect of consultation. Notices placed in 'prominent places' do not catch everyone's eye and allows applications to slip through unchallenged and without any meaningful neighbourhood consultation. Busy people still care about what their neighbours are up to but do not get to read parish noticeboards or even, in some cases, get to walk down streets where a notice is posted (or even notice them!), nor can they regularly peruse council websites etc just in case there might be an application relevant to them. If you really don't want to write to neighbours, maybe a solution would be to have a standardised printed slip/alert put through letter boxes in the nearest few houses when the officer is out posting notices etc., or alternatively for people to be able to subscribe to email alerts that they can filter, much in the same way as recruitment alerts work - but you have to tell people that this facility exists in the first place! I only knew about this consultation because I am a council employee; I wouldn't have known about it as a member of the public - there is too much tokenistic reliance on 'just' putting stuff on the web and we don't all 'do' facebook etc for professional reasons as it is the devil's own work.

Item 6.1 basically advises engaging with most people is difficult expect those that are middle aged and 'not too busy to respond'. 6.1 As a result of previous experiences in engaging with different groups on planning matters, it is understood that the following members of any community can present more of a challenge when trying to ensure effective and fully inclusive consultation: • Minority ethnic groups • Those for whom English is a second language • Gypsies and travellers • Disabled people • Older people • Children and young people • Those following different religions or with certain beliefs • Low income groups/unemployed • Young single parents • Homeless

• People located in dispersed rural areas • Individuals with learning difficulties • People who are too busy to respond

I am a Ross resident and I never know what planning applications have been submitted as Herefordshire Council do not advertise them in The Ross Gazette, and I, like many in Ross, do not buy the Hereford Times. Therefore you are not reaching a mass audience.

To a point

I am concerned that I will continue to not be aware of planning applications in the Ross-on-Wye area. I use to find out what was going on by looking in the Ross Gazette. However, Herefordshire Council stopped placing planning notices in the paper a few years back. After complaining to the Ross Gazette about this, I understand you place them in the Hereford Times. I, like many, do not read this over priced county newspaper. I think it is extremely disappointing that the Council tries to hide planning applications from Ross-on-Wye residents by not placing it in the local Ross paper. Your website is too complicated to understand and navigate. The notices need to be back in the Ross Gazette!

Sections 8 and 9 The Woodland Trust would like to be included as a 'Specific consultation body' (General Consultation Bodies) in Appendix 2 for all Local Plan consultations including DPDs and SPDs.

The standard planning application process needs to ensure all developers and applicants consult with parish councils which have a neighbourhood development plan before they have gone to the expense of putting together a full planning application. Early consultation means feedback from the consultation is more easily incorporated into the plans of the developer or applicant, and as highlighted by clause 2.5, para 3 of the statement of community involvement, consultation will "help to resolve any initial conflicts". Timing is therefore a critical consideration, and it is not sufficient for the statement of community involvement just to encourage consultation (for example in the executive summary, para. 3, clause 1.10 planning applications and clause 2.5 para. 3), it needs to define explicitly what consultation with the community or parish council means, when it should occur in the process (i.e. early), and require developers and applicants to have demonstrated consultation has taken place, particularly where parish councils have put in place a neighbourhood development plan. This way, all potentially interested parties will be kept informed at the appropriate time during the preparation of planning documents.

Herefordshire Council Cabinet record of decision making behind closed doors.

Question 2 Do you feel confident that all interested parties will be informed during the preparation of planning documents ? ANSWER - NO The Governments

'Localism' agenda introduced the concept of Neighbourhood Development Plans as a democratic mechanism for creating a more enlightened environment for progressive development. The plans, researched through thorough consultation, would characterise the aspirations of residents and outline a 'strategy' of how to assess and utilise each new investment in meeting the overall objectives of an NDP without rankour and unnecessary delay. This HCC consultation seems, therefore, to be rightly aimed at encouraging parishes to produce NDPs as the medium for facilitating the future sustainable development of Herefordshire communities. The Statement of Community Involvement falls short of suggesting that the Local Authority should work in partnership with the Parish Council to facilitate the delivery of the Neighbourhood Development Plan. This is unfortunate as a more structured partnership arrangement between parish councils and the local authority would be a key ingredient in achieving this and would reflect the Governments intentions to secure more progressive local democracy. (See Pyons Group Parish Council Draft NDP – Part 8 'Working Together').

One of the most controversial area s of planning is the issues related to sites for Gypsies and Travellers. Herefordshire has a significant minority which showed up in the 2011 census as not far out of the top 10% in the Country. Yet Herefordshire as an administration has not provided a single pitch to meet the needs of this group and has reduced considerably the pitches provided by the previous administration (Hereford and Worcester). The County has recently commissioned an assessment of the accommodation needs of this minority group under duties arising out of the Housing Act 2007, yet it has not been possible to find a single individual who contributed to this survey. Furthermore little attempt was made to indicate to this community what this exercise was about or what its implications were.

But it does rely on the methods being used, on which we are less confident.

3. Do you think the methods of consultation are effective?

Yes	12
No	22
Not sure	1

If no, please specify what we could do more to make the consultation effective?

Guide and ease citizens into reading thanks that are increasingly specific. Please remember most citizens are not paid to read many pages of planning stuff, Herefordshire Councillors and Officers are in competition for people's attention.

Councillor and Parish engagement is necessary but assumes interested parties have an active involvement. Not convinced by roadshows. Not everybody buys the

Herefordshire Times.

Timescale

I have no disagreement with the methods described in the document, very comprehensive, I just feel, on the evidence so far, that this will still pass too many people by without being aware of its importance to them. Too much of the communication process relies on electronic contact, which although of course cheaper and effective for those with IT capability, in Hereford in particular, as the SCI makes very clear, we have a higher than perhaps average percentage of people who will just not see the information at all. I'm afraid unless at least one piece of physical communication - letter, leaflet - is made to every household then it will not get to enough people. I know this is expensive, but I feel certain this is the only way to ensure that everyone has at least a chance to know about the SCI and its importance to them and their community.

Are the home owners consulted ? Or do they have to pay attention all the time to papers and yellow notices , which can be easily removed or placed in awkward places . Home owners should be consulted door to door and given a place of meeting for developments larger than 3 house sites ! A great deal of upset is caused by larger developments and are rail roasted through without real impact consideration.

There is considerable reference to items appearing on HC website, which is good, however you need something to draw people to the website in the first place, or they will not find the information. Emails with links to the website would do this.

Because they are too complicated and too comprehensive. But I do like this one - brief and to the point.

Again not sure - only experience will tell. It's good that the council are not totally relying on electronic media.

Yes in general, and you do list a wide range of consultation methods. In reality most people only engage with the planning process when a planning application comes up that they want to object to.

Councillors and officer should attend meetings and discussion groups of electorate with open minds not just go through the motions.

There is no way for local Councils and Residents to prevent powerful developers riding roughshod over local opinion, local policy and a benign future for Herefordshire communities. This is not a process for social harmony nor the best possible results since bullies can beat the system. The enormous number of pages in this document show how turgid and heavy and difficult planning process has

become!

Not well published, called in at Franklin House and no one there had a clue!

It would be impossible to control so many communications methods. Can the council ask each householder as part of council tax services how they would like notifications of planning within their local area, whether it is by parish/ward/postcode. Then either e-mail or written which the option as is the case for it to be sent in another format for those with disabilities.

I am a Ross resident and I never know what planning applications have been submitted as Herefordshire Council do not advertise them in The Ross Gazette, and I, like many in Ross, do not buy the Hereford Times. Therefore you are not reaching a mass audience.

Planning applications should be advertised in the Ross Gazette as the majority of Ross-on-Wye planning applications are getting missed by a large number of people who are not online, on social media or read the Hereford Times.

Advertised it in local paper. Herefordshire Council covers other areas apart from Hereford itself. Advertising in just the Hereford Times is not reaching a vast majority of people.

Paragraph 10.2 In order to improve consultation on planning applications, the Woodland Trust would like this SCI to commit to consulting the Woodland Trust on any planning applications that destroy, degrade or threaten the irreplaceable habitat of ancient woodland. The National Policy Planning Framework clearly states: "...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland..." (DCLG, March 2012, para 118). The Woodland Trust therefore needs to be informed of these development cases. Other Local Authority SCIs have incorporated this provision to consult the Woodland Trust on ancient woodland planning application cases, such as Swindon Borough Council SCI (March 2013), South Staffordshire District Council SCI (Oct 2013) and Worcestershire County Council (SCI Update 2014). We also draw your attention to (a) details of the location of ancient woodland are available through the county Ancient Woodland Inventory (Natural England) and ancient trees can be identified by the Ancient Tree Hunt data (<http://www.ancient-tree-hunt.org.uk/>). And (b) we also draw your attention to Natural England and the Forestry Commission's standing advice for Ancient woodland and veteran trees: protecting them from development - <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>. Paragraph 10.16 We would like to see planning applications that affect ancient woodland – destroy, degrade or otherwise threaten the habitat – added into the category of 'significant' applications for the reasons outlined in point number 2 above. The National Policy Planning

Framework clearly states: "...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland..." (DCLG, March 2012, para 118). The Woodland Trust therefore needs to be informed of these development cases.

Please see comments above, the most obvious improvement is written notification to all neighbouring properties which might be affected, that is not only those on either side but opposite, to the rear etc. One cannot put a price on democracy hence we feel the comments on cost are spurious.

Early consultation with communities/ parish councils that have a neighbourhood development plan is critical to making the consultation process effective (see Q2 above). Minor problems can be resolved at a pre-application stage with a consequent saving of time and expense. The parish council/ community will be able to ensure the application is in line with the aspirations of their neighbourhood development plan and early consultation will generate a real sense of community involvement. The requirement for early consultation, which means early enough for planning applications to be changed without undue expense, needs to be written explicitly into the statement of community involvement to include: timing, definition of consultation, and requirement for all applicants/ developers to demonstrate reasonable engagement with the community and parish council. For example, it is not sufficient simply to 'go through the motions' of early consultation with the parish council, the applicant/ developer will need to show an active engagement and willingness to consider the views of the parish council.

See comments on 1.

Question 3 Do you think the methods of consultation are effective? ANSWER - NO
Where the elected parish council has taken responsibility, as the local accountable body, for implementing the approved NDP on behalf of residents, there is in place an effective means of delivering the changes planned. The parish council, however, must have an active and influential engagement in the planning approval process, rather than it just being another third party to be consulted by the local authority after the planning application has been made. For this process to be seen by residents as effective, the parish council should be informed by any developer of its intentions, before planning permission is sought. The purpose being to ensure that the nature of the development complies with the aspirations of the Neighbourhood Development Plan and that progress to approval is not unnecessarily delayed. To emphasise this argument and to explain the strength of feeling on this subject, with regard to the Pyons Group of Parishes, the following is pertinent: It is proposed that new planning applications will continue to be adjudicated solely by Hereford County Council, even when an NDP is in place. Based on recent and traumatic experiences of substantial

planning decisions eventually going against the draft NDP, the total will of residents and the views of elected members, it should be no surprise that there is little trust in the local authority acting for the benefit of residents. Under the circumstances the developer must be 'advised' by the local authority as part of the application process, to first discuss and, where possible, agree with the parish council, the suitability of the application to the NDP.

If the interests of minorities are being affected, there should be a serious attempt to engage with and consult with these minorities directly and not rely on those who have are professionally involved with them or organisations which have no local knowledge(see list in paragraph 6.2). It is recognised that this is a time consuming and not straightforward exercise but proper consultation (and not a pretence of consultation), requires it. For instance with regard to engagement with the Travelling minority, the work done for the Regional plan was considerably better than for the LDF.

In order to reach the widest audience, Herefordshire Council is committed to providing information electronically whenever possible, i.e. Email, Website & Social Media. Site notices will continue to be used and hard copies of relevant literature will be circulated to libraries and information centres.

Are you happy to receive information in this way?

Yes	28
No	7

Any further comments:

With Permitted Development Rights driving a coach and horses through your Local Plan and central government controlling more and more of our planning process there seems very little point in engaging with local government at all. But thanks for the invitation.

No thank you... you don't listen.
Butter Market a fine example of energy and effort wasted.
I wont waste any more of my time on such matters again.

What's the point when the council don't listen to the electorate.

As long as it is graduated, summary first and then progressively more and more detail available.

Susi in section 10 the GDP is now 2015 , not 2010.

It does represent a cost efficient approach but I remain to be convinced by its effectivity. Frequency of repeat notices and the extent of how far the message has been spread should be assessed rather than assume this works. If people were able to register an interest on a database for all future communications you would be able to ask how they found out

Utilise Parish Councils - they are developing their own websites, so can drive traffic through them to the main HC website. Provide Parish Councils with links to put on their websites to the HC website - for generic things and also for relevant matters to their parish

But response questionnaire need to be easy to complete so that amenity groups etc can comment easily. Focus groups and clubs are self-appointed individuals who have no elected right to be accorded special attention. I am told most consultees are negatively critical of proposals. Should they be accorded more attention? Result of consultations should be clear and numeric; showing how a decision is arrived at and whether consultation has changed the intended action. There should always be the question - do nothing? A legal requirement I believe (Brent Council case 2014?) Otherwise we all get fed up and fail to input.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We are supportive of the principle of meaningful and early engagement of the general community by the public, community and other organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.

We regret we are unable to comment, in detail, on individual Statements of Community Involvement.

Whilst I'm happy to receive information this way, I know a lot of people don't have access. Some have access via Library computers but others rely on hard copy availability.

Place Partnership Ltd (PPL) is the new company that manages the combined estates of Warwickshire Police (WP), West Mercia Police (WMP) and Hereford and Worcester Fire and Rescue Service (HWFRS), along with those of Worcestershire County Council, Worcester City Council and Redditch Borough Council. It is wholly owned, funded and run by the aforementioned public bodies.

As part of the above, WP, WMP and HWFRS now act as one on all infrastructure and town planning related matters across their combined geographical area. This includes making joint representations through PPL to all local planning authorities and other parties in relation to planning applications and planning policy. For the

avoidance of doubt however, the two police forces retain their separate Police and Crime Commissioners (PCCs) and respective command teams.

Having read through the Revised SCI, WP/WMP/HWFRS consider that the processes set out for policy and development management are clear and provide a good basis for ensuring community involvement and consultee involvement in the planning process.

The main concern from an emergency services perspective is that the key consultee bodies (WMP and HWFRS) need to be made aware of new planning documents and planning applications consulted on by the Council. The best way for this to be done would be for both bodies to be recognised as 'specific consultation bodies' in the Statement of Community Involvement.

The Town and Country Planning (Local Planning) (England) Regulations 2012

Section 2 specifically states that local policing bodies are relevant authorities and that relevant authorities should also be included as specific consultation bodies.

Whilst the Regulations do not specifically refer to the Fire and Rescue Services, it would be sensible for HWFRS to have the same specific consultation body status as the police, particularly as both will now be represented in the consultation process by Place Partnership Ltd.

This is convenient for me. I am very pleased to see that site notices will continue to be used as this is often the only way to find out about a local planning application.

Thank you for your email. I just wanted to point out that our Central Library and Visitors Information Centre are both currently closedand have been for a fair time, (which I feel is a complete disaster for our city - I don't feel the makeshift 'library' at our town hall does justice) so it would not be possible for people not on email to be able to see hard copy.

The narrative refers to the importance of parish council responses etc and there is a statement that parish councils will be consulted about planning documents that affect their area and on specific planning applications. This mirrors current practice and is to be welcomed. However, in the list of bodies to be consulted I cannot find a specific reference to parish councils

Thank you for giving Severn Trent Water the opportunity to comment on the above. However I hope the following statement reassures you of our obligations.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in

further detail with the local planning authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.

Only knew about it through my work as a council employee - haven't seen this in the public domain.

This will vary between every person but for me personally I like to see generic information on social media and the website but items of particular interest and importance directly e-mailed. A hard site notice is useful for the general public.

I am not on social media or online. I got my daughter to fill this out for me.

Your website needs to be easier to understand and navigate

Advertise relevant notices in the local paper. A lot of people are not online, or visit the library regularly.

Personally we would but then we understand the systems & have the internet access etc to support this method. Many people find planning a very complex system & are more likely to give up or not bother if they have to search hard for information or even whether there are any applications relevant to them (see above). This can give a false idea that people have no interest or do not care when that is probably far from the case.

After reading the SCI information, Herefordshire Council has clear and effective direction and has set reasonable targets to meet. There are excellent open lines of communication. The point made about parish councillors being well briefed is key to communicating to local communities about any concerns or issues they may have.

I accept that this is the easiest way to communicate these days but there needs to be review process. The introduction of on line presentation of planning applications seems to have been undertaken without much consideration of the consequences. Where minorities are concerned who do not meet with general approval. the presentation of objections on line has serious implications. Although actual racist comments seem to be effectively filtered out, the very fact of the number of objections creates a sort of herd response which is seriously upsetting to the individuals and minority groups concerned and may be prejudicial to the outcome. Planning applications are supposed to be assessed on the basis of their conformity or otherwise to the Local Plan and should not be turned into popularity contests.

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts.

The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.

Network Rail would draw the council's attention to the following (which applies to England only):

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Publicity for applications for planning permission within 10 metres of relevant railway land

16.—(1) This article applies where the development to which the application relates is situated within 10 metres of relevant railway land.

(2) The local planning authority must, except where paragraph (3) applies, publicise an application for planning permission by serving requisite notice on any infrastructure manager of relevant railway land.

(3) Where an infrastructure manager has instructed the local planning authority in writing that they do not require notification in relation to a particular description of development, type of building operation or in relation to specified sites or geographical areas ("the instruction"), the local planning authority is not required to notify that infrastructure manager.

(4) The infrastructure manager may withdraw the instruction at any time by notifying the local planning authority in writing.

(5) In paragraph (2) "requisite notice" means a notice in the appropriate form as set out in Schedule 3 or in a form substantially to the same effect.

Developer Contributions

The Statement of Community Involvement should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure.

Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions.

As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is therefore appropriate to require developer contributions to fund such improvements.

Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development.

The likely impact and level of improvements required will be specific to each station and each development meaning standard charges and formulae may not be appropriate. Therefore in order to fully assess the potential impacts, and the level of developer contribution required, it is essential that where a Transport Assessment is submitted in support of a planning application that this quantifies in detail the likely impact on the rail network.

To ensure that developer contributions can deliver appropriate improvements to the rail network we would recommend that Developer Contributions should include provisions for rail and should include the following:

- A requirement for development contributions to deliver improvements to the rail network where appropriate.
- A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.
- A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.

Level Crossings

Development proposals' affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision.

As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services.

In this regard, we would request that the potential impacts from development affecting Network Rail's level crossings, is specifically addressed through planning policy as there have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing. We request that a policy is provided confirming that:

- Herefordshire Council has a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway:
 - *Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010 requires that... "Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway (public footpath, public or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval"*.
- Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact: and
- The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.

Planning Applications

We would appreciate Herefordshire Council providing Network Rail with an opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).

Historic England notes that Section 10.8 (p.21) refers to 'Relevant Planning Matters' and some suggestions, although not conclusive, are set out in a list. The list includes landscape and ecology (nature conservation), amongst others, but does not include reference to the historic environment. For completeness, it is recommended that an additional bullet point is added as follows (or with similar alternative wording):

- *Impact on the historic environment, heritage assets and their setting.*

Alternatively, the landscape and ecology bullet point could be deleted from the document. Whichever way, it is considered that a balanced overview should be provided through the list since the historic environment, along with nature conservation, falls within the 'environment' golden thread of the National Planning Policy Framework.

Historic England welcomes the reference to the organisation in Appendix 2 of the document. We will be pleased to assist you with advice and support on planning matters whenever possible.

The Parish Council considered the consultation document and was of the view that although it was pleasing that Herefordshire Council had asked for comments it was saddened to note that in many instances in the past, there was no clear evidence that notice had been taken of comments made, under the circumstances The Parish Council declines to complete the survey and the Clerk was asked to inform Herefordshire Council of the Parish Councils comments and thoughts.

This statement and question appears to be designed to produce the required answer. The statement should be 'except for site notices and hard copies in libraries communications will only be electronic'. This policy will exclude many elderly and most vulnerable people. It serves only the fully capable/engaged people, which is not appropriate. Furthermore, this is contrary to the commitments made for engagement on planning issues.

How did you find out about the consultation?

Email	30
Letter	1
Hereford Times newspaper	
Ledbury Reporter	
Herefordshire Council website	2
Social media	2
Other	5

- Family member
- Friend
- During planning app issue/a talk about NDP
- Lingen Community website