Pyons Group
Neighbourhood Development Plan Review
2021 - 2031

Statement of Modifications

Pyons Group Parish Council

With the assistance of

Kirkwells
The Planning People

January 2021

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1.0 Introduction

1.1 The NDP Review updates the previous Pyons Group Neighbourhood Development Plan 2011 - 2031 which was prepared by a steering group on behalf of the Pyons Group Parish Council. The former NDP was examined and subjected to a local referendum and was made by Herefordshire Council on 16th June 2017.

1.2 In February 2020, the Group Parish Council set up a new Steering Group of parish councillors and local residents to review the NDP. The Review is being undertaken to update the policies and proposals in the previous NDP, and to address any new issues identified through discussions with Herefordshire Council, and responses to the informal public consultation held in March 2020.

1.3 The NDP Review has been informed by the following:

- Informal advice and discussions with Herefordshire Council;
- Pyons Group Neighbourhood Development Plan Review Public Consultation (14th -15th March 2020);
- Technical Site Assessments for former NDP Housing and School Site Allocations undertaken by AECOM under the Locality Technical Support Programme;
- Consideration of the updated NPPF (February 2019) and Planning Practice Guidance;
- Technical background documents supporting Herefordshire's planning policies;
- Climate change, including its potential impact on the local economy which is dominated by agriculture;
- The COVID-19 pandemic, as well as animal diseases such as bovine tuberculosis, foot and mouth and avian flu;
- Recent flooding events, both historic and recent (Winter 2019-2020);
- Concerns over local infrastructure including, but not exclusive to the condition of local rural lanes, the village school, bus service and the capacity of the sewerage works and
- The impact of development on the local ecology and environment.

1.4 The Draft NDP Review document was approved by the Group Parish Council on 10th November 2020 for Regulation 14 public consultation. The consultation period will run from Monday 1st February until Monday 15th March 2021.

1.5 This document is the Statement of Modifications. It sets out the extent of the modifications to the former NDP and summarises the changes to policies and proposals which have been incorporated into the Draft NDP Review document.

2.0 National Planning Practice Guidance (PPG)

2.1 Planning Practice Guidance for neighbourhood planning sets out when it is considered necessary to review and update a neighbourhood plan[1]. This provides the following advice:

'**Updating a neighbourhood plan**

In what ways can a neighbourhood plan or order be changed?

There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.'

Paragraph: 106 Reference ID: 41-106-20190509
Revision date: 09 05 2019

2.2 The modifications to the Pyons Group NDP are considered to be material as they go much further than correcting errors.

2.3 PPG goes on to advise:

'How are more substantive neighbourhood plan updates made?

If a qualifying body wish to make updates (modifications) that do materially affect the policies in the plan, they should follow the process set out in guidance, with the following additional requirements:

- the qualifying body must (at the pre-submission publicity and consultation stage and when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons

[1] https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan

- the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner
- the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan.'

Paragraph: 085 Reference ID: 41-085-20180222
Revision date: 22 02 2018

2.4 This Statement of Modifications has been prepared at the pre-submission publicity and consultation stage (Regulation 14).

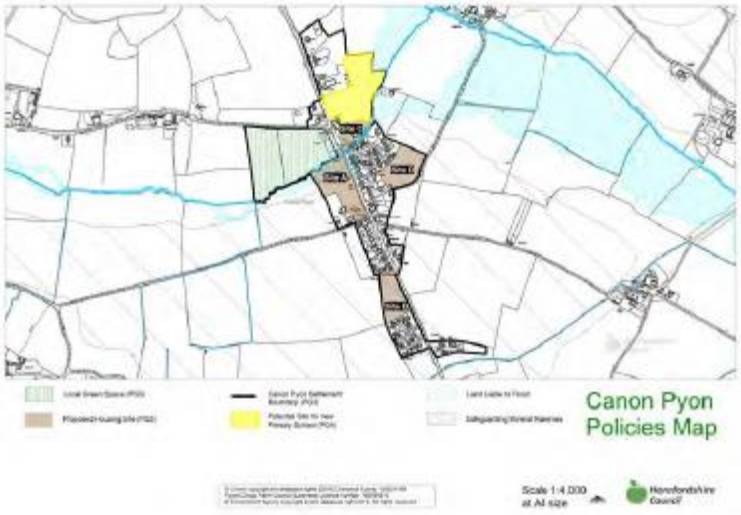
2.5 The Statement sets out the extent of the modifications and gives reasons why the Parish Council considers that the modifications are so significant or substantial as to change the nature of the plan.

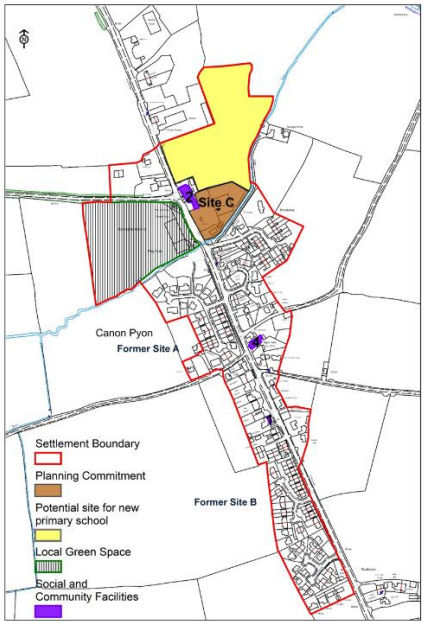
3.0 Material Modifications to the Made NDP

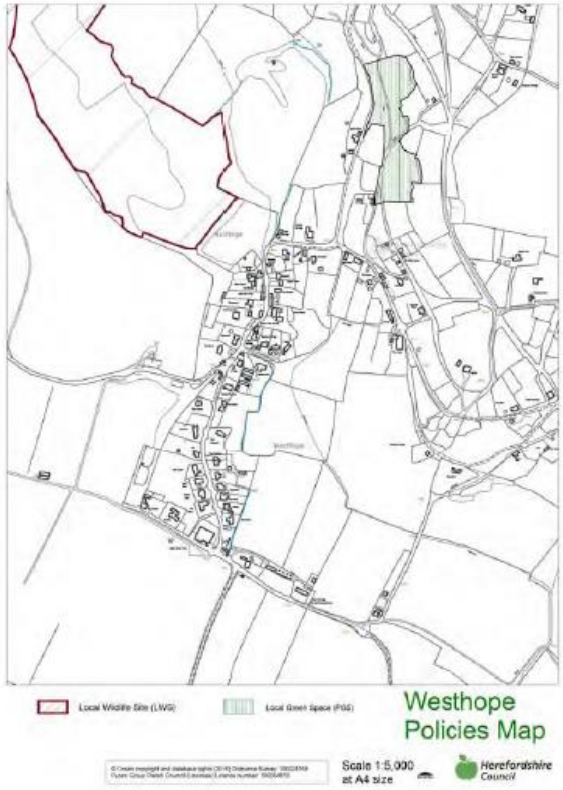
3.1 The NDP Review includes significant amendments to former planning policies (which in effect comprise deletion of former policies and writing new policies) deletion of former site allocations, and a number of new planning policies to guide development in identified settlement boundaries, the rural economy, and to address climate change and resilience.

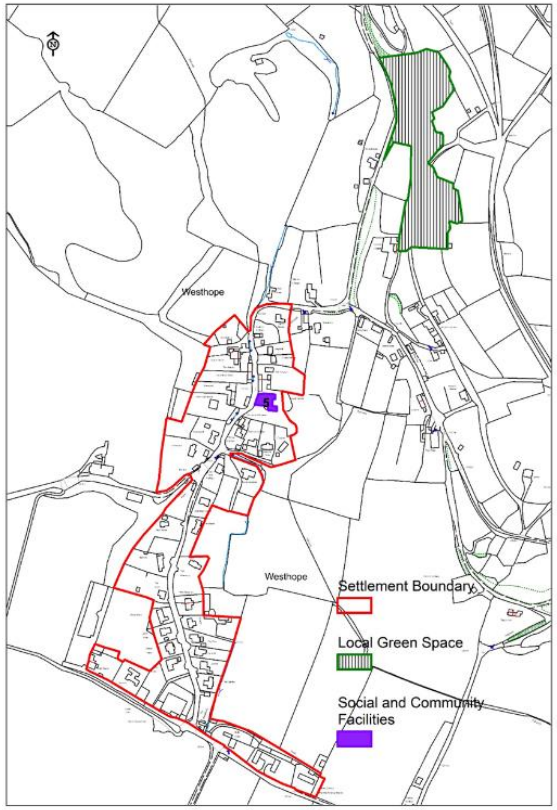
3.2 The modifications to the former Made NDP Policies are set out in Table 1.

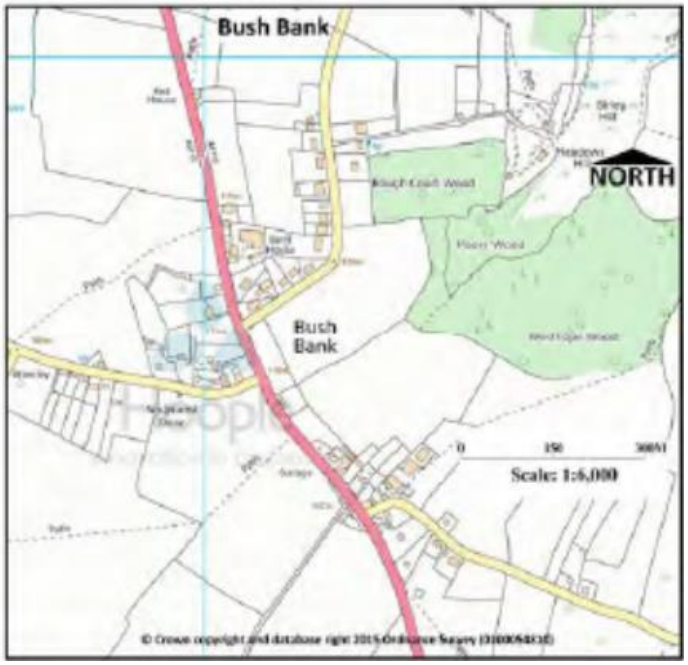
Table 1 NDP Policy Modifications

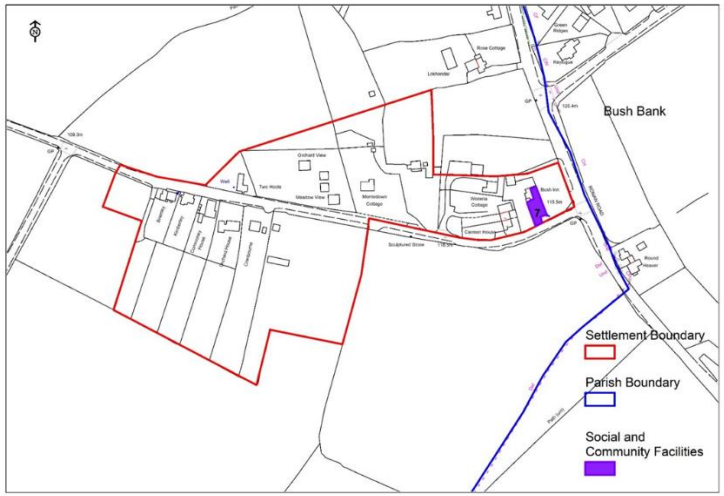
Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
Policies Maps for Canon Pyon, Westhope, Kings Pyon and Bush Bank.	NDP Review Policies Maps for Canon Pyon, Westhope, Bushbank, Kings Pyon and Ledgemoor.	**Made Canon Pyon Policies Map** The Made Canon Pyon Policies Map identifies a settlement boundary for Canon Pyon. The settlement boundary includes four site allocations (A, B, C, D) for new housing, a potential site for a new primary school and a Local Green Space. 	**Yes.** NDP Review includes new settlement boundaries for all 5 settlements (including 4 settlements which previously did not have them) and does not include site allocations for housing in Canon Pyon.

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		NDP Review Canon Pyon Policies Map Two of the housing sites (A and B) have been developed; they are no longer shown as allocations but are included in the settlement boundary. Site C has planning consent for 10 new houses and is therefore shown as a commitment, and Site D been deleted from the NDP Review. Social and community facilities are shown. The settlement boundary has been amended to include the correct boundary of the Local Green Space and an area to the south east has been deleted.  	

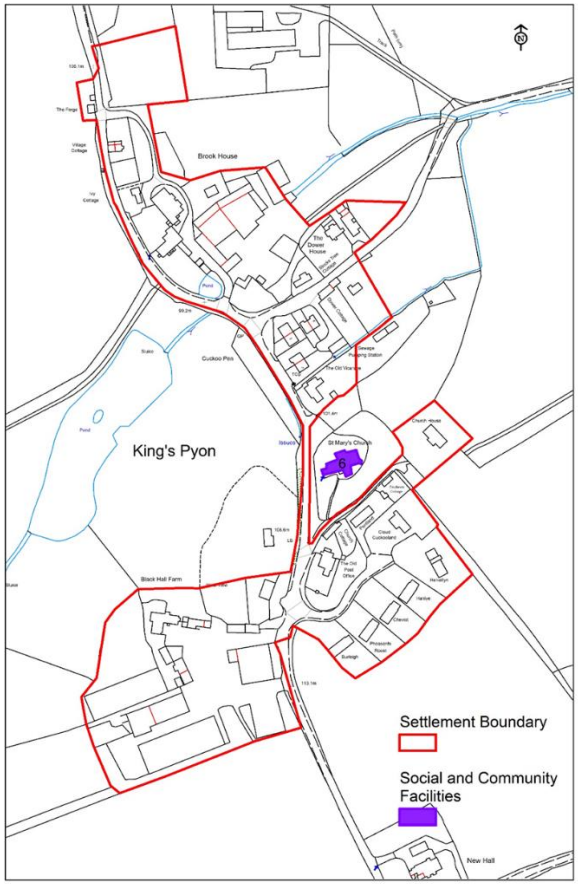
Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		Made NDP Westhope Policies Map The Made Westhope Policies Map identifies a Local Green Space and a Local Wildlife Site. There is no settlement boundary. 	

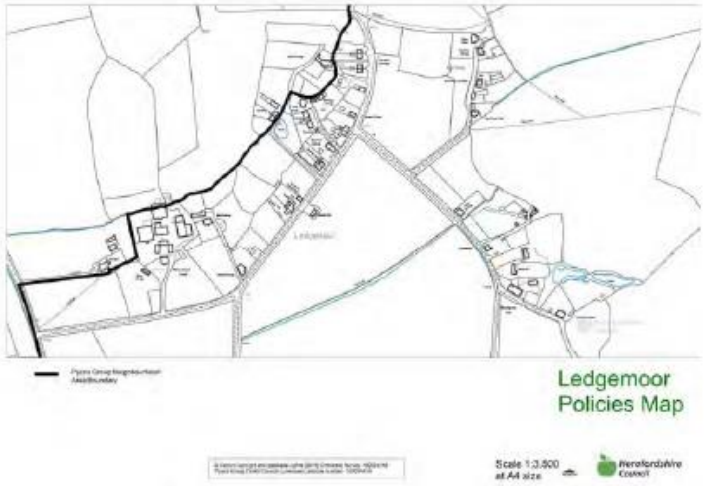
Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		NDP Review Westhope Policies Map The NDP Review Westhope Policies Map includes the Local Green Space and identifies a new settlement boundary and community facilities.  	

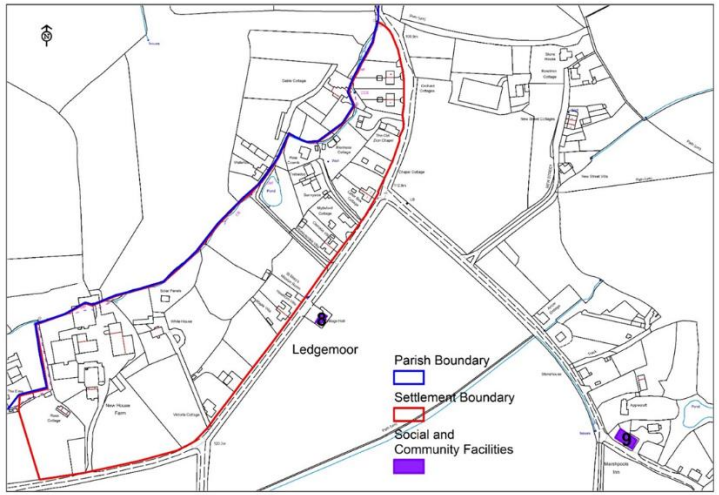
Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		Made Bushbank Policies Map The Made Bushbank Policies Map shows the layout of the settlement and there is no settlement boundary.  	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		NDP Review Bushbank Policies Map The NDP Review Bushbank Policies Map identifies a new settlement boundary and community facilities.  	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		Made Kings Pyon Policies Map The Made Kings Pyon Policies Map shows the layout of the settlement and has no settlement boundary. 	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		NDP Review Kings Pyon Policies Map The NDP Review Kings Pyon Policies Map identifies a new settlement boundary and community facilities.  	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		Made Ledgemoor Policies Map The Made Ledgemoor Policies Map shows the layout of the settlement and has no settlement boundary. 	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		NDP Review Ledgemoor Policies Map The NDP Review Ledgemoor Policies Map identifies a new settlement boundary and community facilities.  	
Policy PG1: Development Strategy	Draft Policy PG1: Development Strategy	**Policy PG1: Development Strategy** ~~The villages of Canon Pyon, Westhope, Kings Pyon and Ledgemoor will be the focus for housing development within the Group Parish. The main focus for community facilities and services will be Canon Pyon although some limited provision should be retained and improved where they exist within the other villages. Limited small scale~~	**Yes.** The Policy has been deleted and replaced by a new Policy with the same criteria for new development within the settlement boundaries of all 5 settlements in the NDP area. Canon Pyon continues to be the main focus for new residential and community facilities

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~employment opportunities and other forms of essential community and infrastructure development will continue to be supported both inside and outside the parish's four villages where they have no adverse effect upon amenity and the environment, especially the landscape and its biodiversity.~~ ~~The approach to accommodating residential development will be based upon the following:~~ ~~i. The purpose, level and location of the proposed residential development within Canon Pyon is to support the creation of a recognisable village core and enable appropriate and safe community infrastructure to be provided. Three residential sites and the redevelopment of a brown field site for housing are proposed that will provide for market and affordable housing and support a range of necessary community facilities during the first part of the plan period.~~ ~~A further area of land is identified to be safeguarded as a site for new primary school;~~ ~~ii. Opportunities for limited infilling within existing frontages in Westhope will be permitted provided that the road network is suitable for such development.~~ ~~Self-build and custom-build housing is~~	development within the Group Parish but the policy recognises that development will be limited to the existing housing commitment and infilling in the future.

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~particularly encouraged;~~ ~~iii. The villages of Kings Pyon, Ledgemoor and Bush Bank (Part within Pyons Group Parish) shall provide housing for local needs in accordance with Policy RA2. Development away from the five villages will be limited to that covered by policies in Herefordshire Core Strategy.~~ This Policy has been completely rewritten as: **Draft Policy PG1: Development Strategy** Proposals for development will be supported within the defined settlement boundaries of Canon Pyon, Westhope, Bush Bank (that part within the Group Parish), Kings Pyon and Ledgemoor as shown on the NDP Policies Maps where: 1. Proposals are for small scale residential (1-2 units) or small scale employment related development (in line with NDP Policy PG7); 2. Development is on infill sites, comprises the conversion of redundant / disused buildings, or re-uses brownfield (previously developed) land; 3. Suitable and safe access is achievable. The impact of additional traffic from development proposals on existing rural roadworks should be carefully considered and suitable measures should be	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		proposed to encourage appropriate traffic speeds; and 4. Development of the site does not exacerbate flood risk, and where possible provides a betterment. Canon Pyon will continue to be the main focus for new residential and community facilities development within the Group Parish, taking into account the existing commitment for 10 new houses on the former Yeomans site adjacent to the Parish Hall, and the potential relocation of the primary school to the proposed new site to the north of the village (NDP Policy PG 10).	
Policy PG2: Integrated Community Facilities in Canon Pyon	N/A	**~~Policy PG2: Integrated Community Facilities in Canon Pyon~~** ~~Development in Canon Pyon should take every available opportunity to provide and support community facilities and local services and to help create a core area that will consolidate a village centre.~~ ~~Developers will be expected to provide and support new and enhanced community facilities and local services through planning obligations and CIL provisions, by making land available, providing access or setting out appropriate infrastructure.~~ ~~Community facilities which are particularly encouraged include a café/youth club~~	**Yes.** The NDP Review does not carry forward the Policy in the Made NDP. There will be more limited development in the future and opportunities for using developer contributions to provide a core area in Canon Pyon with a range of new community facilities will be more limited.

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~building and other facilities for children and younger people, family oriented facilities, a new primary school, improvements to the playing fields and a water catchment/wildlife pond that will also act as a sustainable drainage system close to Wellington Brook.~~	
Policy PG3: New Homes In Canon Pyon	Draft Policy PG2: Housing	~~**Policy PG3: New Homes In Canon Pyon**~~ ~~An increase in housing will be accommodated within Canon Pyon over the plan period to 2031 in order to contribute towards the minimum 18% housing requirement set for the Group Parish in Herefordshire Local Plan Core Strategy through development in the settlement boundary shown on Map 2 and on the following allocated sites shown on the Canon Pyon Policies Map:~~ ~~• Site A – Land amounting to 1.4 hectares on the west of the main road adjacent to the playing fields brook. This site has planning permission and will be retained as a commitment provided it meets the criteria listed in this policy.~~ ~~• Site B – Land amounting to 0.89 hectares adjacent to Valentines Court. This site has planning permission and will be retained as a commitment provided it meets the criteria listed in this policy.~~ ~~• Site C – Redevelopment of brown field~~	**Yes.** Made NDP Policy PG3 identifies 4 site allocations for new housing in Canon Pyon with criteria for development. The NDP Review does not carry forward the former site allocations but sets out a new Policy (PG2) to guide development within the defined settlement boundaries. (See also NDP Review Policies related to Made NDP Policies PG6 and PG7 below.)

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~land amounting to 0.61 hectares at land adjacent to the Village Hall (old coach park) provided it affords both vehicular and pedestrian access to land to its north sufficient for servicing a development accommodating a new village school. A number of live/work units should be provided following an assessment of the level of need and the potential environmental impact such that the amenity of neighbouring residents is not impacted.~~ • ~~Site D – Land amounting to 1.06 hectares adjacent to Brookside and to rear of The Nags Head.~~ ~~Development of these sites should comply with the following criteria:~~ ~~i. Buildings should be designed to avoid repetition of form and detail and an urban appearance, but should utilise a mixture of materials, styles and aspects, reflecting the existing village character;~~ ~~ii. New housing development should provide a mix of house types and tenures, with an emphasis upon family accommodation for young people together with a number of bungalows for the elderly; iii. Advice should be sought from Welsh water/Dwr Cymru to determine whether there is sufficient capacity within its~~	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~Waste Water Treatment Works to accommodate the development and if necessary carry out a feasibility study of its capabilities at the developer's expense. Should insufficient capacity exist then development will have to be deferred until works are carried out to increase the capacity sufficiently either through the water company's investment programme or developer contributions;~~ ~~iv. A detailed flood risk assessment should identify the extent of the developable land, taking into account the potential effects of climate change and meeting the provisions of Herefordshire Local Plan Core Strategy Policy SD3, and in particular no development shall take place on land that falls within Flood Risk Zones 2 and 3 unless suitable mitigation is provided and this does not result in increased flood risk elsewhere;~~ ~~v. In relation to Sites B and D, consideration should be given to any implications arising from their location in a Minerals Safeguarding Area and account taken of~~ **Draft Policy PG2: Housing** Proposals for new housing development should contribute to a suitable mix of house sizes, types and	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		tenures in order to support a sustainable future for the local communities in each of the 5 settlements in the Group Parish. Proposals should meet the defined local need as set out in the most up to date housing market assessment. In particular, schemes will be encouraged which provide smaller units for family accommodation, housing suitable for young people and first time buyers, and accommodation which meets the needs of older residents and those with mobility impairments, such as bungalows. Proposals for Self-Build housing projects in the Parish will be encouraged.	
Policy PG4: Safeguarding Land For Potential Primary School	Draft Policy PG10: Safeguarded Land for Proposed Relocation of Canon Pyon Church of England Academy Primary School	~~**Policy PG4: Safeguarding Land For Potential Primary School**~~ **Draft Policy PG10: Safeguarded Land for Proposed Relocation of Canon Pyon Church of England Academy Primary School** Land amounting to 2.47 hectares to the north of the village and adjacent to the brown field site and the village hall as shown on Map 2 Canon Pyon Policies Map, is identified as the preferred site for the relocation of Canon Pyon Primary School and ~~will be~~ is safeguarded ~~from development in order to retain this as the preferred site for the~~	**No.** The Policy is carried forward into the NDP Review and is broadly similar. The NDP Review Policy also requires mitigation of issues of flooding, utilities and heritage which are noted as constraints in the AECOM technical site assessment report.

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~relocation of Canon Pyon Primary School~~ for future educational use. To support the viability of a new school, the site could also accommodate a small scale housing development (up to 2 houses). Development would be subject to resolving or mitigating constraints in relation to flooding, utilities and heritage. Planning permission will not be granted for any permanent development upon this site which would prejudice the potential of this land to accommodate a new Primary School at a future date unless an alternative site has been identified that meets this need or the need is no longer considered necessary. .	
Policy PG5: Local Green Space In Canon Pyon And Policy PG6A Local Green Space in Westhope	Draft Policy PG11: Local Green Space	~~**Policy PG5: Local Green Space In Canon Pyon**~~ ~~Land comprising recreational playing fields at Canon Pyon and as shown on the Canon Pyon Policies Map serving both the local community and village primary school is designated Local Green Space. Development that would result in the loss of this site as recreational land will not be permitted. Proposals that will enable it to be used more effectively for this use will be permitted provided there is no significant adverse effect on residential amenity or biodiversity. Opportunities to incorporate measures to enhance the~~	**No.** The 2 areas of Local Green Space have been carried forward into the NDP Review. Made NDP Policy PG5 protects an area of Local Green Space in Canon Pyon - the recreational playing fields which are shown on the Policies Map. This was carried forward into NDP Review Policy PG11, although the boundary has been amended to show the correct area. Policy PG6A identifies an area of Parish Council land at

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~biodiversity value of the site should be taken where possible, in particular along Wellington Brook.~~ ~~**Policy PG6A Local Green Space in Westhope**~~ ~~Land known as Parish Council land at Westhope and shown on the Westhope Policies Map is designated Local Green Space. Development that would result in the loss of the area's biodiversity value will not be permitted. Proposals appropriate to the area's designation that enhance the area's biodiversity or improve public access will be encouraged.~~ **Draft Policy PG11: Local Green Space** The following are designated as Local Green Spaces: 1. Recreational Playing Field, Canon Pyon 2. Parish Council Land at Westhope. These are shown on Policy Map 1 Canon Pyon and Policy Map 2 Westhope. The NPPF advises that proposals to develop local green space will be considered in relation to green belt policy. This establishes a presumption against development in order to protect the landscape	Westhope as Local Green Space and this is shown on the Westhope Policies Map. The NDP Review carries forward these 2 areas as Local Green Space in Policy PG11and the wording of the Policy has been updated.

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		character and openness of these areas. Development is only allowed in very special circumstances. This means that these areas will be retained as local green space unless there are special circumstances to allow development or it is considered as appropriate ancillary development, which does not reduce the openness or character of the green space. Proposals for the Playing Field at Canon Pyon which enable it to be used more effectively for recreational use will be supported, provided there is no significant adverse effect on residential amenity or biodiversity. Opportunities to enhance the biodiversity value of the site should be taken where possible, in particular along Wellington Brook. Development of the Parish Council Land at Westhope which would result in the loss of the area's biodiversity value will not be permitted. Proposals which enhance the area's biodiversity or improve public access will be encouraged.	
Policy PG6: New Homes in Westhope Policy PG7: Housing in Ledgemoor, Kings Pyon and Bush Bank	Draft Policy PG2: Housing Draft Policy PG3: Improving Accessibility for All	**~~Policy PG6: New Homes in Westhope~~** ~~New homes within Westhope will be accommodated through allowing development to be built within the village subject to the following criteria:~~ ~~i. Development proposals must be accompanied by appropriate evidence to show that the proposal will have a satisfactory~~	**Yes.** The NDP Review builds on the Made NDP Policies which set out various criteria, including broad design criteria for housing development within the settlements. However the new NDP Review Policies are far more detailed and go much further under

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
	Draft Policy PG5: Protecting and Enhancing the Natural Environment Draft Policy PG6: Protecting and Enhancing Built Character	~~impact on the road network in the area, including capacity, and on the living conditions of residents particularly arising from noise generated by any traffic movement;~~ ~~ii. Development shall complement the village character, in particular maintaining its loose-knit composition and with no development extending unreasonably into the plot beyond the depth of neighbouring buildings;~~ ~~iii. Dwellings should be in scale with the general density and massing of existing properties in the vicinity and not adversely affect the amenity of adjacent properties;~~ ~~iv. Development should not result in the loss of important features such as trees, hedgerows, or small frontage gaps or green spaces that contribute to the unique character of the village;~~ ~~v. Development should not adversely affect the significance of heritage assets, including their setting;~~ ~~vi. New housing should provide a mix of house types and tenures, with an emphasis upon family accommodation for young people or dwellings suitable for older people.~~	several key themes. The various NDP Review Policies could be considered to be similar to 'a design code that builds on a pre-existing design policy.' There are several new standalone policies which address issues such as housing mix, accessibility and transport, and protecting the natural environment and built character across the Group Parish. In particular Draft Policy PG6: Protecting and Enhancing Built Character draws from local character descriptions prepared by members of the NDP steering group and provides a greater level of detail about materials and distinctiveness of each settlement.

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~**Policy PG7: Housing in Ledgemoor, Kings Pyon and Bush Bank**~~ ~~A limited number of new homes will be accommodated in Ledgemoor, Kings Pyon and Bush Bank in accordance with the following criteria:~~ ~~i. Housing development will be supported where it meets the requirements of Core Strategy Policy RA2;~~ ~~ii. Emphasis will upon the provision of selfbuild homes, custom-build housing and affordable housing;~~ ~~iii. Development proposals must be accompanied by appropriate evidence to show that the proposal will have a satisfactory impact on the road network in the area, including capacity, and on the living conditions of residents particularly arising from noise generated by any traffic movement;~~ ~~iv. Development shall complement the village character with no development extending unreasonably into the plot beyond the depth of neighbouring buildings;~~ ~~v. Dwellings should be in scale with the general density and massing of existing properties in the vicinity and not adversely affect the amenity of adjacent properties;~~	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~vi. Development should not result in the loss of important features such as trees, hedgerows, or small frontage gaps or green spaces that contribute to the unique character of the village;~~ ~~vii. Development should not adversely affect the significance of heritage assets, including their setting;~~ ~~viii. New housing should provide a mix of house types and tenures, with an emphasis upon family accommodation for young people or dwellings suitable for older people.~~ **Draft Policy PG2 Housing - see above** **Draft Policy PG3: Improving Accessibility for All** Development proposals should be located and designed to provide improved accessibility for all, and to reduce reliance on private cars. Schemes will be supported where they: 1. Demonstrate connectivity to the network of footpaths and other PRoW across the Group Parish and, wherever feasible, support improvements to routes linking the development site to local services and facilities;	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		2. Are located, wherever possible, within reasonable walking distance of bus routes and services; 3. Do not have any detrimental impacts on highway safety. Measures such as traffic calming, improved signage, and awareness raising of different user groups on the highway, including walkers, horse riders and cyclists, will be encouraged. Developers may be required to support improvements in local infrastructure through Community Infrastructure Levy (CIL), once adopted by Herefordshire Council. Such improvements could include, for example, enhancements to public footpaths, provision of safer on-road and new off-road cycling routes, and a footpath or off-road walking and cycling route linking the primary school to the settlement of Canon Pyon. Developments should also include safe and secure cycle storage and charging points to facilitate charging of electric cycles. **Draft Policy PG5: Protecting and Enhancing the Natural Environment** Development proposals should demonstrate a high standard of design which responds positively to the local context as described in the National Character Area 100 Herefordshire Lowlands, relevant local	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		landscape types in the Herefordshire Landscape Character Assessment SPG 2004 (updated in 2009), and the local character descriptions of the settlements and wider rural area as set out in the character descriptions in the NDP Review (see Appendix 3). Schemes should protect and enhance the distinctive local landscape character and wildlife of Pyons Group by incorporating the following design principles in landscaping schemes wherever possible: **1. Light Pollution** Light pollution should be minimised to protect dark skies and local wildlife. Developments should not increase light pollution in terms of either the extent of the lit area or the intensity and luminosity. Low level lighting and reduced times for night lighting will be encouraged on subsidiary residential streets within the built up area. Security lighting should have movement detectors. Lighting schemes should be avoided altogether in natural or semi natural areas that provide habitats or foraging areas for nocturnal species. 2**. Trees, Woodland and Hedgerows** Mature trees and hedgerows should be retained and traditional native species should be used in new hedgerow and tree planting schemes. Tree planting and woodland creation should focus on screening, expanding and connecting existing ancient woodland	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		sites. High value and established ornamental trees should be protected. **3. Traditional Orchards** Traditional orchards should be retained and where possible restored using traditional local varieties. **4. Local Landscape Features** Other important local landscape features such as ponds, watercourses, grasslands and hay meadows should be retained and enhanced. Ponds and watercourses should be re-naturalised wherever possible. As a principle, there should be a measurable net gain enhancement of biodiversity assets. A biodiversity net gain should be achieved within the development site wherever possible through measures 1-4 above. Otherwise, where this is not feasible or practicable, local off-site habitat management will be sought to provide an overall benefit. **Draft Policy PG6: Protecting and Enhancing Built Character** Development proposals should respond positively to the local context and protect and enhance the built character of the surrounding area. In particular schemes should:	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		1. Be of an appropriate density, scale and height and not dominate the existing street scene and neighbouring buildings; 2. Incorporate traditional local materials and detailing in innovative and interesting ways so that designs respond positively to the local vernacular but avoid pastiche and poor and unnecessary reproduction of older styles; and 3. Not adversely affect the significance of any heritage assets, including their setting. Proposals for extensions should be proportionate to the existing building, subservient in scale, and respond positively to local built character. In addition, proposals should, where relevant, address the following detailed design criteria for each of the following settlements and the wider rural area: **Canon Pyon** 5. In Canon Pyon developments should respect the form and layout of the settlement and aspirations to develop a village hub; 6. Building lines should be set back from the pavement or street frontage, behind front gardens or green spaces; and 7. Use of local materials is encouraged including rendered concrete block and Herefordshire red brick and slate or clay tiled roofs.	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		Westhope 8. In Westhope designs should complement the existing village character by retaining the informal layout of low-density development set in large garden plots; 9. Building lines should follow those of neighbouring buildings which are generally set back from the road frontage with front gardens; 10. Development should not result in the loss of the small front gardens and green spaces that contribute to the unique character of the village; and 11. Use of local materials is encouraged including Herefordshir**e** red brick and tiled roofs. **Bush Bank (that part in the Pyons Group of Parishes)** 12. In Bush Bank development should reflect the existing very low density of the settlement; 13. Buildings should be well spaced with generous garden areas and set back from the road; 14. Trees and hedges should be retained and used in landscaping and boundary treatments; and 15. Use of local materials is encouraged including Herefordshire red brick or rendered brick and slate roofs and timber frames with rendered in-fill.	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		King's Pyon 16. In King's Pyon development should reflect the existing low density and dispersed character of buildings; 17. Residential development should include garden areas and retain and enhance local landscape features such as mature trees and hedgerows; and 18. Use of local materials is encouraged including timber frames with stone or rubble plastered infill, dressed stone, Herefordshire brick and slate roofs. **Ledgemoor** 19. In Ledgemoor development should respond to the existing very low density and residential properties should be set in large gardens; 20. Buildings should be set back from the roads; 21. Existing mature trees and hedgerows should be protected and used in landscaping and boundary schemes; and 22. Use of local materials is encouraged including traditional timber frames, local stone, and more modern brick or rendered brick construction with slate or clay tile roofs. **Rural Area** 23. In the rural area development will be much more limited. Sensitive conversion of former	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		agricultural buildings for new business and residential uses is supported, provided that designs are sensitive to the existing character and use traditional local materials and detailing wherever possible.	
Policy PG8: Traffic Measures Within Villages	Draft Policy PG3: Improving Accessibility for All	**~~PG8: Traffic Measures Within Villages~~** ~~Development proposals in the Parish must ensure that any transport impacts of the scheme are identified and acceptable. Any measures needed to deal with the anticipated impacts must be implemented.~~ ~~Any opportunities for improving access to and the use of public transport and the provision and improvement of pedestrian or cycling routes and links must be taken.~~ **Draft Policy PG3: Improving Accessibility for All** Development proposals should be located and designed to provide improved accessibility for all, and to reduce reliance on private cars. Schemes will be supported where they: 1. Demonstrate connectivity to the network of footpaths and other PRoW across the Group Parish and, wherever feasible, support improvements to routes linking the development site to local services and facilities;	**No.** The NDP Review Policy updates and provides more detail to the former NDP Policy but the modifications are not considered material. The Made NDP Policy requires proposals to ensure that any transport impacts of the scheme are identified and acceptable, and opportunities for improving access to public transport and the provision and improvement of pedestrian or cycling routes and links should be taken. NDP Review Policy PG3 updates the former policy by providing a greater emphasis on sustainable transport options and reducing reliance on the car. Various improvements to local infrastructure are suggested for developer contributions and the policy requires developers to provide safe and secure cycle storage and charging points to facilitate charging of electric cycles.

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		2. Are located, wherever possible, within reasonable walking distance of bus routes and services; 3. Do not have any detrimental impacts on highway safety. Measures such as traffic calming, improved signage, and awareness raising of different user groups on the highway, including walkers, horse riders and cyclists, will be encouraged. Developers may be required to support improvements in local infrastructure through Community Infrastructure Levy (CIL), once adopted by Herefordshire Council. Such improvements could include, for example, enhancements to public footpaths, provision of safer on-road and new off-road cycling routes, and a footpath or off-road walking and cycling route linking the primary school to the settlement of Canon Pyon. Developments should also include safe and secure cycle storage and charging points to facilitate charging of electric cycles.	
Policy PG9: Design Criteria For Housing And Sites	Draft Policy PG5: Protecting and Enhancing the Natural Environment	**~~Policy PG9: Design Criteria For Housing And Sites~~** ~~An integrated approach will be expected to achieve a high standard of design and architecture including the maximum possible reduction in the carbon footprint of any development. Development proposals should~~	**Yes.** The NDP Review Policies have taken forward the key areas included in Made NDP Policy PG9 and addresses them in more detail. NDP Review Policy PG6 buildings on character descriptions prepared by members of the NDP steering

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
	Draft Policy PG6: Protecting and Enhancing Built Character	~~contain a co-ordinated package of design measures which, in addition to regulatory requirements, include:~~ ~~i. Protection of residential amenity and privacy for the occupiers of nearby properties;~~ ~~ii. Incorporating locally distinctive features although new innovative design or features will not necessarily be resisted where they fit sensitively within the particular village frontage and street scene;~~ ~~iii. Utilising physical sustainability measures associated with buildings that include, in particular, orientation of buildings, the provision of energy and water conservation measures, cycle and recycling storage, broadband infrastructure, and renewable energy infrastructure such as photovoltaic panels;~~ ~~iv. Ensuring landscape and biodiversity proposals form an integral part of the site's design, with particular regard to trees and hedgerows being retained unless their value is deemed low following surveys in accordance with established practice;~~ ~~v. Retaining and enhancing important features such as tree cover, ponds, orchards and hedgerows, adding to the natural assets of the parish where opportunities~~	group and provides a greater level of detail about materials and distinctiveness of each settlement. The various NDP Review Policies could be considered to be similar to 'a design code that builds on a pre-existing design policy.'

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		~~are available;~~ ~~vi. Seeking on site measures that support energy conservation such as through tree planting and other forms of green infrastructure to provide shade and shelter, the inclusion of sustainable drainage systems, the maximum use of permeable surfaces, and minimising the use of external lighting to that which is necessary;~~ ~~vii. Assisting offsite measures such as supporting infrastructure to promote sustainable travel and enabling a sustainable drainage system to serve a wider range of properties wherever appropriate; and~~ ~~viii. Minimising construction traffic and reducing waste;~~ ~~ix. Where there is good reason to believe that contamination of land may exist on any site, including through agricultural processes, ensuring an assessment is carried out to establish the extent and nature of the contamination, and effective measures taken to ensure potential occupiers, and the wider environment, are not put at unacceptable risk.~~	

Made NDP Policy	NDP Review Policy	Modifications	Are the Modifications Material, and if so Why?
		Draft Policy PG5: Protecting and Enhancing the Natural Environment **Draft Policy PG6: Protecting and Enhancing Built Character** **- See above.**	

3.3 The NDP Review also includes a number of completely new policies to address planning themes that were not considered in the previous Made NDP.

3.4 The new NDP Policies were agreed by the Steering Group following consideration of the responses to the informal advice and discussions with Herefordshire Council (see Appendix 1) and the responses to the Pyons Group Neighbourhood Development Plan Review Public Consultation (14th - 15th March 2020).

3.5 The new NDP Review Policies are:

- Draft Policy PG4: Waste Water and Sewerage
- Draft Policy PG7: Rural Enterprise and Tourism
- Draft Policy PG8: Polytunnels
- Draft Policy PG9: Community Facilities
- Draft Policy PG12: Promoting Sustainable Design and Resilience
- Draft Policy PG13: Community Energy Schemes and Solar Farms.

3.6 The justification for each of the new policies is provided in the supporting text in the NDP Review document.

3.7 Taken together, the Parish Council considers that the new policies comprise modifications that are so significant or substantial as to change the nature of the plan. This is because they address a range of completely new planning themes in the NDP Review which were not considered in the previous Made Plan. Such themes include the need to address wastewater and sewerage (following advice from Welsh Water about limited capacity at the WwTW), the rural economy and protection of local community facilities (following advice from Herefordshire Council and taking into account local residents' concerns) and sustainable design, resource efficiency and low carbon technologies, taking into account the climate emergency, local peoples' concerns and advice from Herefordshire Council.

4.0 Do the Material Modifications Change the Nature of the Plan?

4.1 In conclusion the Parish Council considers that the NDP Review comprises material modifications which do change the nature of the plan and therefore an examination and a referendum will be required. Although some changes to NDP Policies are considered to comprise minor modifications, when taken together and considered as a whole, the NDP Review modifications are so significant as to change the nature of the Plan.

4.2 However Pyons Group Parish Council recognises that the local planning authority (Herefordshire Council) and the examiner will draw their own conclusions and make recommendations accordingly as the NDP Review moves forward through the process.

Appendix 1: Note of Possible Areas for Consideration in NDP Review

Pyons Group Parish Council

Neighbourhood Development Plan Review Steering Group

Pyons Group PC has decided to review the NDP. It is proposed that the review will include the following areas. However, the list is not intended to be exhaustive or complete and will be reviewed at a subsequent consultation event.

At a steering group meeting on 22 January 2020, Herefordshire Council suggested a number of areas of the NDP to consider when undertaking the review, and these are included in the list below and highlighted as HC.

1. Canon Pyon Policies Map: Redraw the local green space to match the boundary of the playing field.

2. Canon Pyon Policies Map: Consider viability of the site in light of constraints highlighted by Herefordshire Council at the time of the SHLAA – "The U93412 is only a single track and not suitable for access without widening and footpath provision, which would require third party land…"

3. Re-consult Welsh Water to review capacity of sewerage infrastructure taking into account the number of new dwellings with planning permission/ built.

4. HC: Westhope Policies Map (PG6). Consider a settlement (or multiple) boundaries for Westhope. HC state it is currently a matter of judgement and the policy does not provide much guidance on what constitutes the 'natural ends of the settlement' as referenced in the supporting text.

HC: Also, when defining local need (see vi) it is suggested to keep it more generic (defined local need).

5. Kings Pyon Policies Map (PG7): Consider a settlement boundary given the lack of facilities and services in the settlement. Possible option for other settlements for same reason.

HC: Also, when defining local need (see viii) it is suggested to keep it more generic (defined local need).

6. Consider a call for land to find a site for commercial development of light workshops/ offices to provide local employment opportunities.

7. HC: Traffic measures within villages (PG8). Consider amending opening text, "Development proposals in the parish must ensure that any transport impacts of the scheme are identified and acceptable' to say no detrimental impact on highway safety.

HC: Next paragraph "any opportunities for improving access to and the use of public transport and the provision and improvement of pedestrian or cycling routes and links must be taken" is considered too prescriptive. Consider highlighting specific opportunities or requirements and include the words "where possible".

8. Review Policy PG9 Design Criteria for Housing and Sites to confirm it addresses sustainability sufficiently and supports measures to address climate change. Also consider design policies to support housing needs of older and disabled people such as bungalows.

HC: Retile section, possible change from sites to development as it is currently very housing focused. Point 5 may conflict with PG8.

9. Canon Pyon Policies Map: Consider settlement boundary review given possible updates above.

10. HC: Consider additional policies.
a) Extensions policy referencing scale, character, and appearance
b) Tourism policy
c) Agriculture policy
d) Renewable energies
e) Biodiversity
f) Heritage assets and non-designated heritage assets
g) Retention of community facilities
h) Local housing needs/ exceptions
i) Polytunnels (might be included as part of agricultural policy)

11. Correct typo under 1.2.5 (page 9) to read "second hand car business".

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