

NEIGHBOURHOD DEVELOPMENT PLAN UPDATE

1. Introduction

This report sets out the context provided by the latest announcements on the Herefordshire Local Plan rewrite, reports on progress made since the last meeting by the Parish Council on the NDP and the design code, and directs the Council's attention to comments received from residents. Finally it reports the end-of-grant submission to Groundwork UK.

Decisions are required related to sections 3, 4 and 6.

2. Herefordshire Local Plan

The publication by the government of a new National Planning Policy Framework on 12th December 2024 made it necessary to re-start the process of writing the Herefordshire Local Plan - a plan that had all but been completed. The now abandoned plan envisaged 16,100 new homes in the county, but the NPPF introduced the new standard method of calculating housing allocations based not on need, but on proportionate growth in housing numbers, plus uplifts for less affordable areas. This produced a total Herefordshire requirement of 27,260.

A new Herefordshire Plan will now be prepared to meet the new target, using new legislation - the Levelling Up and Regeneration Act 2023. Many of the detailed regulations necessary to make a local plan using the 2023 Act have yet to be laid before parliament, and this makes it uncertain how long the plan-making process will take. Herefordshire's timeline is now expected to be:

Evidence gathering	upto October 2025
Vision and strategy consultation	eight weeks from March 2026
Draft plan consultation	six weeks from February 2027
Submission of plan	January 2028

The content of the Herefordshire Plan will determine the housing requirement of the Cusop NDP.

At the Clerk's request Herefordshire Council has produced an estimate of what the current requirement for Cusop would be if a plan were made at 1st April 2025 for the period 2025-2031. This indicates 18 new dwellings. A figure for the plan period to 2041 - which is the target for the Cusop NDP - could be expected to produce a proportionate increase. This figure is close to the informal assumption made by the NDP Review Group.

It needs to be emphasised that the volume of new housebuilding will be determined by Herefordshire Council, who are in turn under instruction from the government: the question for Cusop is where they go, not whether they come.

Analysis of particular sites will reveal those where infrastructure, accessibility, land remediation or drainage issues make delivery unlikely. This will be carried out by consultants in behalf of the Parish Council and Herefordshire.

The significance of the timetable is that early work on the Cusop NDP and Design Code means the Parish can submit evidence this year, and is well placed to influence the vision and strategy consultation in March 2026.

Cusop will be able to make more significant progress on its NDP from spring 2027; the Design Code may be able to move faster.

3. Progress on Cusop NDP

The Council's consultants, Kirkwells, have produced a first draft text of the policy section of the NDP. This has been circulated and placed on the NDP section of the Council website.

This document, based on notes supplied by the NDP Review Group, is intended to focus discussion: there will inevitably be many substantial and detailed changes.

The Council is invited to refer the draft to the NDP Review Group for comment.

4. Progress on Cusop Design Code

The Design Code falls into two parts - description of the parish, then prescription of design standards. The first part (description) has been completed by the Council's consultants AECOM following comment from the NDP Review Group, endorsed by the Council at its meeting on 12th March.

A draft of the completed document, including prescriptive element, is expected soon.

The Council is invited to agree a timetable for further steps:

April/May 2025	NDP Review Group
May/June 2025	Preliminary review by Council
June/July 2025	Public consultation to Regulation 14 standards
September 2025	Review outcomes with a view to adoption

The Council's consultants AECOM and Kirkwells both indicate the guide - once completed and consulted upon - could form part of a supplementary planning document (SPD) that would provide it with statutory force ahead of the NDP. The code could help fill the planning vacuum created by the NPPF, and lack of a Herefordshire Plan until 2028.

Herefordshire Council has been approached three times to indicate if it would be prepared to consider taking this step: first it said it was reluctant to devote staff time, then (orally) that it would talk, and third, offering no substantive view of the SPD proposals, but again mentioning other priorities.

Kirkwells indicate it would take perhaps two half-days of Council officer time to take the steps necessary to convert the design code into a supplementary planning document.

The Council is asked to indicate how it wishes to proceed on the conversion of the design guide into a supplementary planning document.

5. Residents' comments

Kirkwells asked for an indication of updated settlement boundaries: Kirkwells and the Council were operating to a deadline of 31st March, at which point grant funding cut out.

The matter was raised first at the NDP Review Group meeting on 11th March 2025. Responding to the outcome of that meeting the Council agreed on 12th March 2025 to propose - for the purposes of Kirkwell's drafting - two extensions. Extension A at Newport Road, and Extension B off Lower Mead.

A summary of residents' comments received appears in the Appendix to this report.

All of those who commented have been invited to add their names to the NDP mailing list, and to attend future NDP Review Group meetings. They have been pointed to the regularly update website NDP page, and the open meetings that have been held.

6. Grant from Locality/Groundwork

A grant of £4520.00 was awarded on 28th October 2024 and paid soon after. This sum was inflated by £100 due to an error by Groundwork UK. An end-of-grant report has now been submitted, as resolved by the Council at its meeting in February, and this shows an underspend of £572.42, which will have to be returned to Groundwork UK. The underspend was the result of an underspend on meetings. The grant helped to fund £500 of the £750 cost of the recent arboricultural report.

The Council is recommended to approve the repayment of £572.42 to Groundwork UK.

*David Thame
3 April 2025*

APPENDIX

Resident 1

I wish to register in the strongest possible terms my opposition to the proposed future development of the land in what is known as Black Lion Field off Lower Mead, Cusop.

It seems self-evident that this proposal should be rejected; and I am confident that parish council members are fully cognisant of the numerous reasons why the proposal should not proceed.

I am aware that neighbours and local residents have already expressed to you their objections to the proposal, highlighting many of the same themes as mine. But for purposes of re-emphasis and a demonstration of emerging and widespread consensus and disaffection, I present here my objections, irrespective of whether they concur with, repeat, or overlap those of others

There has recently been planning approval granted for new houses on land currently owned by and adjacent to Danygarth House just off the Hardwick Rd. There is planning pending for a new house adjacent to Blenheim House. An application for, I believe, 10 houses on land adjacent to Cherry Trees on Newport Street is at the redesign stage. Taken together with the recent substantial development on Booker's Edge off Newport Street, these represent what I and many others consider to be more than sufficient new housing for a community the size of Cusop.

In light of the absence of amenities and infrastructure in Cusop, an increase in the population which would result from the proposed development of Black Lion Field, would place a considerable strain on local schools, GP services, employment opportunities etc. Both Hay and Clifford primary schools are operating at full capacity already; waiting times to see a GP are ever-worsening; and aside for employment opportunities in the hospitality sector in Hay, local job opportunities are scarce and would require travel afar to towns in Powys and Herefordshire.

This latter point about travel and transport is important. Any development on Black Lion Field would lead to a significant increase in the volume of traffic in the community. Despite speed reduction efforts by the Parish Council and the County Council, traffic on Hardwick Road travels at excessive and dangerous speeds between the bridge over Dulas Brook and beyond the turning into Lower Mead. A lot of traffic, including articulated lorries and other huge vehicles, exiting Hay but wanting to return to Powys, turn around at the junction of Lower Mead. The planning approval for houses opposite the junction of Lower Mead with Hardwick Road (adjacent Danygarth, see above) already poses significant danger. Visibility for traffic which will exit this new development at Danygarth is very poor. There are bus stops on both sides of the road at this junction; and on the village green next to the bus stop, many school children congregate to board (and after disembarking) school buses, with many vehicles dropping off and picking up school children. Recognition of this danger is reflected in the Highways Department plan to put skid-prevention surfacing (aka high friction surfacing) on the Hardwick Road where it crosses Lower Mead. Any increase to the volume of traffic along or near this stretch of road would undoubtedly increase the risk of injuries or even fatalities to pedestrians.

Black Lion Field is a much valued community green space. The Wye Valley Walk crosses the field diagonally. The field is in constant use by dog walkers, bird watchers, hikers, and people who simply enjoy the health and emotional benefits of green spaces and nature. There is no other green space like this for the community anywhere in Cusop. The field also has spectacular views of Hay On Wye, including its castle and listed buildings. Just as the play area in Cusop is protected for

children, so this field should be preserved for the benefit of the community and visitors.

The field is ridge and furrow, an archaeological pattern of ridges and troughs created by the system of ploughing which used non-reversible ploughs in the Middle Ages, and typical of the open-field system. As such it is both archaeologically and historically important and has legal protected status.

Black Lion Field is bordered on one side by the Dulas Brook, and on the other by Nantyglassdwy Stream which discharges into the Dulas Brook just above Newport Street, before in turn discharging into the River Wye. The proposed development, notably but not exclusively in the construction phase, poses a significant increased threat of further polluting the Wye. The UK and Welsh governments have recently announced a £1 million fund to investigate and address pollution in the River Wye. This proposal would undermine this initiative. Black Lion Field acts as a rainwater soak that would otherwise increase flooding lower down in Cusop, notably Newport Street, which is already prone to flooding.

There are serious ecological as well as climate change risks to developing Black Lion Field. The UK is one of the most nature-depleted countries in the world. Due to human activity the UK now has less than half of its biodiversity remaining. The evidence from the last 50 years shows that land use and climate change are the two biggest drivers of nature loss. The recent world-leading State Of Nature report is a stark reminder that planners and politicians must not ignore nature loss. We desperately need wild and more natural areas, not housing developments in or near precious ecological sites. The European Eel is on the critically-endangered IUCN list for species extinction. The river Wye is an important migratory route for these eels, which can still be found in local brooks and streams. The Dipper is a bird on the UK amber list for survival risk. Dippers breed on Dulas Brook. Numerous raptors hunt, feed and nest around Black Lion Field, including tawny and barn owls, sparrowhawks, buzzard and red kite. Last year I witnessed, from the field, hobbies migrating from Africa in spring, headed to the brooks and streams and the river Wye where they feed on invertebrates such as dragonflies after their long journeys. Otters have been spotted on the brook and stream. Kingfishers and grey wagtails nest there.

Of the 15 species of bats that have been recorded as breeding in Herefordshire, many are present in and around Black Lion Field. Despite the recent pronouncement by the UK prime minister and deputy prime minister that they would not allow house building projects to be held back "...by newts and bats", it remains illegal (for very good reasons) to disturb bats in this country.

There are ongoing legal issues and complications relating to ownership of the Black Lion Field. [redacted] This indicates that there are legal complications regarding ownership and transfer of the land on Black Lion Field. If any or all of the numerous social, ecological, climatic, environmental, health and well-being, and other risks discussed above fail to convince of the need to stop this Black Lion Field proposal immediately, then this legal land tenure issue will prevent any proposed development from even being considered in outline.

Finally, given the seriousness of this matter, especially in light of the new planning legislation going through parliament which if passed will make it very difficult to veto development plans once they are put forward to form the county LDP, there has been a worrying paucity of local information about this matter. I am led to believe that the process of parish councils identifying potential development land has been ongoing for six months, but there has been little evidence within the parish of dissemination until recently, with a deadline for responses of 1st April 2025. Alarmingly, there is currently no information on the parish council noticeboard on Hardwick Road, other than a poster informing of a parish council meeting last 21st March 2025.

I acknowledge the need for significant investment in new housing stock in the UK, especially social

and affordable housing. However, such house-building should be driven by local needs and local conditions/context. The proposal to develop Black Lion Field addresses neither need nor context.

Resident 2

I have only today been advised by our neighbour [redacted] that a field adjacent to our home is being considered for potential development. I would, along with neighbouring properties, strongly protest against this development.

We are losing far too many historic green field spaces that are irreplaceable. This field is currently enjoyed by many people across the community and those visiting to walk the historic footpaths that cross the field. It would not only be the local people using the field that would be impacted, a development of this kind could also have a devastating impact on the abundant wildlife found in the area.

It is also apparent that although there has been much development already within Cusop and Hay there are no new services to support these extra residents. There are no extra doctors appointments available, we currently use Staunton-on-Wye and Weobley surgery which is hardly local and is already a busy surgery. There are no NHS dentists available locally. The local High School within the catchment is also over subscribed with a large waiting list.

In my view many of these new developments have three and four bedroom houses that are unaffordable for local residents. Also many properties in the area are being purchased as investments, second homes and Airbnb further adding to the problem of housing needs for local families.

I would also question the routes of sewerage and additional surface water caused by concreting and tarmacing over a super absorbent green field bordered by two water courses. This could have disastrous consequences for properties further down the dulas brook that are already prone to flooding. There are also already numerous incidents of raw sewage being released into the river Wye during heavy rainfall events. Further development in the area will only exacerbate the problem.

Resident 3

We have become aware of potential development being planned for the field on the other side of the stream at Black Lion Green and the back of Cusop Community Hall. We live at [redacted]

Please can you explain the process of consultation as we have not received any information from the Parish Council of this proposal.

We strongly oppose the housing development, and we have various concerns which are noted as follows:

We are very concerned about the impact the development will have on the sewage system. Currently, we have frequent blockages and problems with the current sewage system that services only a few houses at Black Lion Green. With the additional housing we are very concerned this will only cause more blockages and build up. The sewage system runs through our property, and we do not want any work undertaken on our land to facilitate a larger sewage system or have to deal with an increased number of blockages. Additionally, as sewage will be pumped into the Wye, surely this will just add to and increase the current pollution issues of the river.

We are also very concerned about the runoff of water from the land. Currently water soaks away into the ground, however the field gets very muddy in wet weather. With development on that field there will be limited areas for water to soak away. This means water will run off the development

into the stream, increasing the water level. Also, the water will run off onto our property. Therefore, we have a double threat of our home being flooded. Additionally, the increase in water levels will impact houses further down the stream where flooding is already an issue.

The field is currently home to much wildlife. There are Kites that live and feed in the field. There have been sightings of otters by the stream and various Kingfishers, woodpeckers, rabbits etc.

There are various trees which are very old and protected. The housing development will kill this vital habitat and therefore further affect an already struggling natural environment.

Traffic will increase at the junction of Lower Mead and Hardwicke Road, which puts local residents at a safety risk but also school children who use the bus stop for their school bus. The bus stop is also used as a pickup/drop off point for nursery age children who use a private shuttle bus.

Therefore, with increased road traffic going in and out of Lower Mead there is more of a risk of an accident.

This field is part of a well-used Wye Valley public walk route and is increasingly used by visitors to Hay. One of its attractions is the view all around that field which brings visitors to Hay, contributing to the much relied on tourism of the town. Tourists will not want to use this public walk route through a housing development; therefore this will have a negative impact on tourism and therefore a negative impact on businesses in Hay-On-Wye. We are lucky to have the choice of beautiful public walkways in easy reach of the town, for hikers, dog walkers, walking groups etc. This is part of the attraction and it would be a shame for there to be less options.

There are many concerns about this particular housing development which will have a negative impact on our local environment, wildlife, trade in town, the River Wye, local residents, schools & nurseries, but also increased impact on sewerage and flooding. Therefore, this field should not be considered for housing development.

Resident 4

I have been made aware that two sites within the Cusop area have been put forward as potential future sites for development.

I strongly oppose the development of Black Lion Field for the following reasons;

The site is a much valued community green space and has the Wye Valley Walk crossing it. The field is in constant use by dog walkers, bird watchers and hikers, there is no other area like this for the community in Cusop. The field is ridge and furrow and as such is archaeologically and historically important and should be retained and protected as it is an irreplaceable. It also has spectacular views of Hay on Wye and its Castle and as such should be preserved for its exceptional benefits both to the community and the many walkers who visit the area. If the play area in Cusop is being protected for the children this area should also be protected for the reasons given above. I believe other areas with views of Hay are protected already.

The field in question is bordered on one side by the Dulas brook and on the other by a stream which discharges into the Dulas brook before discharging into the river Wye. Surely it is unthinkable to discharge more into the river. Presently the land absorbs much of the rainwater slowly that may otherwise cause more flooding lower down in Cusop (Oxford Road) which is already prone to flooding. Developing the land would sterilise much of this benefit with the building of houses, roads, paths etc.

There has already been planning approval granted for 5 new houses adjacent to Danygarth, 1 new

house adjacent to Blenheim House is pending and an application for 10 houses on land adjacent to Cherry Trees, Newport Street has been withdrawn probably for a redesign. For a small community like Cusop this would seem more than adequate bearing in mind the lack of facilities and employment opportunities here.

Otters and rare birds have been seen around the two brooks. Wildlife would be impacted by a development in the field between the two watercourses.

Finally if a development went ahead there would be a significant amount of traffic exiting onto the Hardwick Road, although visibility is good from this side, traffic travels way beyond the new 20 mph speed limit. There has already been approval for houses opposite the junction where the visibility is horrendous for vehicles exiting the site. There is a bus stop opposite where many children congregate for school and it would undoubtedly increase the risk of serious accidents involving pedestrians.

Cusop has few facilities itself and any development would impact schools, doctors etc in Hay on Wye which isn't even in Herefordshire.

Resident 5

It has been brought to my attention that Black Lion field, adjacent to our property at Lower Mead has been put forward as one of two potential development sites for new housing in Cusop.

I protest in the strongest terms against this potential development.

The field is an important amenity space for local residents who use it to exercise themselves and their dogs. The Wye Valley walk and another right of way both cross the field.

The field forms the eastern boundary of Hay on Wye with historic views over the town which would be ruined if a housing development were permitted.

The field is also of archaeological importance given its ridge and furrow construction, which has legal status and must be preserved.

There are water courses flowing into the river Wye on both sides of the field and the developmental impact on local wildlife would be devastating, notwithstanding the increased potential for further pollution into the Wye.

We purchased a small strip of the field from the Penoyre Trust two and a half years ago and we are still awaiting formal transfer of ownership documentation from the Land Registry because the Penoyre Trust need to register the deed of appointment as a transfer of legal estate before the Land Registry will process the transfer of part. This implies that there are legal complications relating to ownership of the land which would need to be addressed before it could be put forward as a potential development site at this time.

Resident 6

Various figures have been proposed for the number of new houses needed by Herefordshire in the next 20 years. Taking the maximum of such figure, 17,000, could mean that each of the 137 parishes in Herefordshire would have to plan for 120 houses.

In view of the above, I would like to end by raising my objections to the potential development of the single field that runs between Bookers Edge and the Old Sawmills. There are many objections that could be made, including lack of provision of sewage capacity, drainage, small size of site, access, loss of amenities (the views plus the noise, disturbance, etc) etc. Such objections will clearly be amplified as this process continues. Given the number of houses that may be required,

the three sites identified in the current Cusop plan could not accommodate them (particularly Newport Street) unless massive building was undertaken and that could only be done on either Hardwicke Road or in the Upper Dingle, both of which have the acreage large developments.

Finally, if we are to have development it should be in open countryside so that more pain is not inflicted on Cusop's present residents.