



# KINGSLAND PARISH Neighbourhood Development Plan

Kingsland Neighbourhood Development Plan  
2011- 2031  
June 2017



## Foreword

Kingsland Parish Neighbourhood Development Plan (KNDP) has been developed to help **deliver the local community's requirements** and aspirations for the Herefordshire County Council's Local Plan period up to 2031. The Plan has been created through listening to the views of the residents of Kingsland Parish.

The Plan will provide a means of guiding, promoting and enabling balanced and sustainable change and growth within Kingsland Parish, and particularly the settlements of Kingsland village, Shirlheath and Cobnash.

The work of the Neighbourhood Plan Steering Group, which was established by Kingsland Parish Council, included a number of consultations enabling everyone within the parish to contribute at key stages. Without the efforts of this group, the community would have had to rely upon Herefordshire Council to include proposals for our three settlements together with others throughout the County within a Rural Areas Development Plan. Although there would have been some consultation on a County-wide document, there remains uncertainty that the level of local involvement would have met that which has been achieved through the approach taken by the Steering Group.

Details of the residents' survey, large versions of maps and other information that has informed the creation of the Plan can be viewed online at [www.kingslandlife.com](http://www.kingslandlife.com) and is also available on request from [kingslandneighbourhoodplan@gmail.com](mailto:kingslandneighbourhoodplan@gmail.com)

The members of the Steering Group have spent a considerable amount of time and voluntary effort over an 18-month period to prepare this Neighbourhood Plan. I would like to thank them for their efforts and the work they have undertaken.

I would commend this Neighbourhood Plan to you.

Rodney Smallwood

Chairman, Kingsland Parish Council

## Summary of Kingsland Neighbourhood Development Plan

The plan sets out the Vision, Objectives and Policies for the growth of the Parish of Kingsland up to 2031. The Neighbourhood Development Plan sets down a series of planning policies which, once adopted by means of a parish referendum, will form part of the Development Plan for Herefordshire. The policies of the Neighbourhood Development Plan, alongside the Core Strategy and National Planning Policy Framework (NPPF) will be used by planning officers to guide decisions on all planning applications within the Parish.

This Neighbourhood Development Plan has been drawn up by a Steering Group made up of parish councillors and local residents working under the auspices of Kingsland Parish Council. This document builds on the key planning related issues in the published Parish Plan, which was prepared in 2013, and also addresses issues raised by the Neighbourhood Development Plan Steering Group, Herefordshire Core Strategy, local residents and representatives of local businesses and organisations.

The plan has a Vision, Aims and Objectives for the Parish which seek to:

- protect and enhance the rural nature of the parish;
- allow for a range of housing;
- ensure there is sufficient infrastructure for the future growth of the community and
- support new and existing business which is beneficial to the economic health and sensitive to the rural character of the parish.

The policies, which are a result of extensive community consultation, will provide planning guidance, once adopted, as part of the Development Plan for Herefordshire. The policies cover the following issues:

- Promoting a sustainable community, sustainable design, renewable energy and infrastructure for broadband.
- Retaining the rural character of Kingsland Parish and its heritage assets and the character of the Conservation Area.
- Flood risk, highways and community infrastructure.
- Protection and enhancement of open space, play areas, services and facilities for the community.
- New homes in Kingsland village, Shirlheath and Cobnash. The approach to housing outside of these settlements and within the **parish's countryside is also covered.**
- Supporting local business, agriculture, forestry and rural enterprises.

The first draft Neighbourhood Development Plan for Kingsland Parish was published for public consultation and comments during February and March 2014. Comments received were considered and some changes made in the light of these. In addition, some further changes were made following modifications to the Herefordshire Core Strategy. These principally increased the required minimum housing target, which is now based upon a

whole parish figure, as well as redefining which settlements might accommodate development. As a result, further consultation was undertaken in relation to development at Shirlheath and Cobnash.

A previous version of this plan was submitted to Herefordshire Council who published it for formal consultation under Regulation 16 of The Neighbourhood Plan (General) Regulations 2012 (the Regulations) between December 2015 and February 2016. However, subsequent changes outside of the control of the Parish Council resulted in previous commitments being withdrawn and Herefordshire Council required additional work to be undertaken to show that the policies, in particular, so far as they related to Kingsland village, were robust and compliant with Herefordshire Local Plan Core Strategy. This work has now been undertaken and the further representations considered. The resubmitted Neighbourhood Development Plan was published again for formal consultation under Regulation 16 of Regulations. The Neighbourhood Development Plan has been examined by an Independent Examiner and required modifications made prior to a Referendum by the local community.



*Document designed by Jellefish Designs*

*Photographs courtesy of Rick Noordegraf, Sally Deakin, Sarah Hanson, Robin Fletcher and Patricia Potheary*

1 Introduction and Background 6

2 Vision, Objectives and Strategic Policies 14  
Policies KNDP 1, 2, 3

3 Kingsland Parish Character and Environment 20  
Policies KNDP 4, 5, 6

4 Ensuring Essential Infrastructure 30  
Policies KNDP 7, 8, 9, 10, 11

5 Providing Community Facilities 38  
Policies KNDP 12, 13

6 Meeting Housing Needs 42  
Policies KNDP 14, 15, 16

7 Supporting Local Business 51  
Policies KNDP 17, 18

8 Delivering the Plan 55

9 Conclusion 56

10 Policies Maps 57

# 1 INTRODUCTION AND BACKGROUND

1.1 Kingsland Neighbourhood Development Plan (KNDP) is a new type of planning document. The Localism Act of 2011 is designed to pass some of the decision making, with regard to how their areas should be developed, to local communities.

1.2 In August 2013, Kingsland Parish Council made a formal submission to Herefordshire Council to designate the parish area as a Neighbourhood Plan Area under the Localism Act 2011, with the intention of preparing a Neighbourhood Plan for the parish of Kingsland. Following a consultation period this was approved.

1.3 This Neighbourhood Development Plan has been prepared on the basis of the **evidence gathered of residents'** and business needs, views, and aspirations, including those expressed in the Parish Plan of 2013. As required, it also complies with the National Planning Policy Framework (NPPF) and Herefordshire Core Strategy<sup>1</sup>.

1.4 Evidence documents referred to in the plan are listed with their locations in the Evidence Base on [www.kingslandlife.com](http://www.kingslandlife.com) under '**NP Consultations Documents**', which is also available on request from [kingslandneighbourhoodplan@gmail.com](mailto:kingslandneighbourhoodplan@gmail.com).

## Where do the policies in this plan come from?

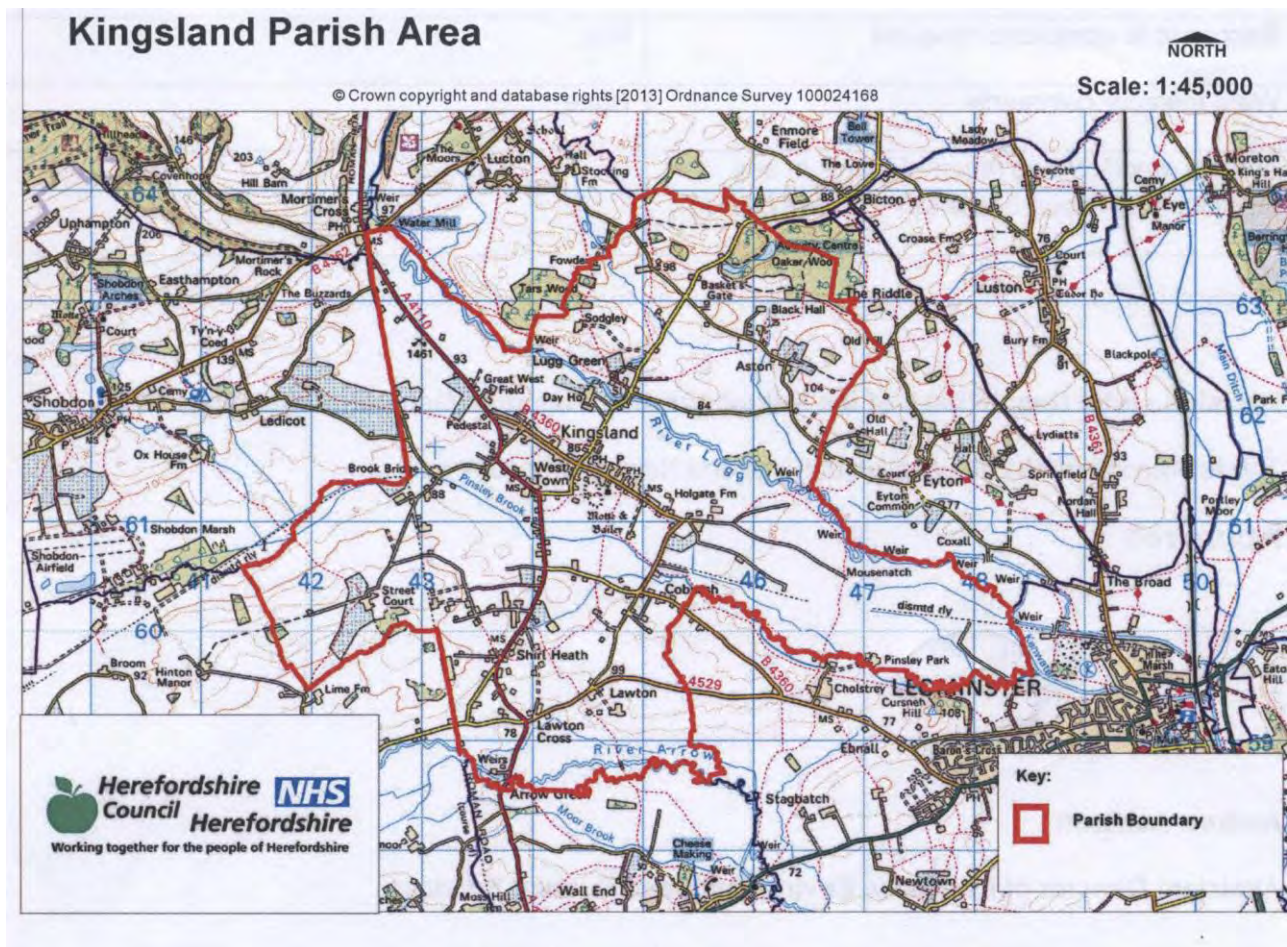
1.5 This Neighbourhood Plan has been based upon extensive consultation with the community, beginning in 2012 with the Parish Plan. A robust survey of over 50 questions covering every aspect of parish life was conducted in 2013. It was completed by over fifty per cent of Kingsland Parish residents over the age of 11 and by 57% of households and then analysed by demographics and other household characteristics. In addition, a two-day community consultation event for the Parish Plan in 2012 generated further useful information. This resulted in the Objectives set out in the Kingsland Parish Plan 2013

1.6 The community events held for the Kingsland Parish Neighbourhood Plan in June 2014 (detailed in the Consultation Statement), added to and supported the findings from the Parish Plan. In addition, responses to a set of Objectives and Criteria produced from the Parish Plan, alongside some specific option choices posed for the Neighbourhood Plan events, provided a clear steer from the community, local businesses and organisations. The resulting community preferences, in conjunction with county and national planning policies, have been built upon and developed into Neighbourhood Plan policies, which are outlined in subsequent sections.

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<sup>1</sup> This document refers to the 'Core Strategy' throughout as it is intended to adopt the final KNDP following the adoption of Herefordshire Core Strategy.

# Kingsland Parish Neighbourhood Plan Designated Area



## Acknowledgements

1.7 There has been significant engagement from the community, including the business community, from the public meetings held at the beginning of the process, from attendance at the weekend consultation events in June 2014 and September 2015, to individual communications commenting on particular aspects and observers at committee meetings. In addition, formal consultation processes were undertaken and representations received and considered.

1.8 A Neighbourhood Plan Steering Group was established and consisted of five members of the Parish Council: Rodney Smallwood, Chris Southgate, Brian Watkins, David Thompson, Peter Vaughan and the Parish Clerk Richard Hewitt, with nine members from the general community; Sarah Hanson, Patricia Pothecary, Sally Deakin, Jackie Markham, Rick Noordegraf, Merry Albright, Robin Fletcher, Jenny Nicol and Ed Wallington. Our local Councillor Sebastian Bowen has provided regular support.

1.9 The Steering Group has written the policies in this plan with professional support from Bill Bloxsome of Data Orchard, members of the Herefordshire Council Neighbourhood Planning Team and in particular planning consultant Bill Bloxsome of Data Orchard. The County Archaeologist Julian Cotton and Lucie Dingwall from the Historic Environment Records Office in Hereford have also provided specialist information. This has ensured that the plan is consistent with local views as well as government and local planning policies including the Core Strategy for Herefordshire.



This plan is designed to support, develop and protect this community, its special character and its surroundings in the years to come, whilst allowing for the growth which is also essential to its survival.

## Kingsland Parish – Its People and Place

1.10 Kingsland Parish is typical of all that is distinct and special about Herefordshire. Four miles by road to the north west of the town of Leominster, it is located in a fertile plain surrounded by hills and is between the rivers Lugg and Arrow with the Pinsley Brook **running through the centre. It was originally known as Kings 'Leane' (watery place)** in Saxon times. The parish is divided into several distinct districts which, in the distant past, were sometimes considered as separate manors. These comprise the main village of Kingsland and the settlements of Shirleath, Street, West Town, **Cobnash, Mortimer's Cross, Lawton Cross and Aston and the Brook.** Kingsland village is linear in form and well over a mile long.

1.11 This is a working rural community, with numerous local businesses. Farms commonly front the roadside and the changing pattern of the modern farming year is ever present.



The parish supports a vibrant and active community, which not only enhances community spirit and well-being for residents, but provides a place for the wider community from local towns and villages, as well as further afield, to work, visit, relax and enjoy themselves.

1.12 Throughout the parish residents make a substantial contribution to others, through caring in times of adversity to volunteering to support the fabric, activities and events so crucial to parish life. This is particularly important in a community some distance away from the more commercially viable and substantial offerings in larger towns.



## Who Lives Here and How?

1.13 According to the 2011 census figures for Kingsland parish there are 986 residents of whom:

Ages	15 and under	16-24	25-64	65+
Number	134	53	497	302

There are 439 households, 79 with resident children

Bedrooms	1	2	3	4	5
Number	13	82	192	113	39

There are slightly more women (509) than men (477). The great majority of residents are of white British origin.



1.14 Compared to the rest of Herefordshire there are more detached houses, though this is typical of the traditional pattern of rural development. There are fewer one bedroom properties, but a broadly typical number of two to four bedroom homes with less overcrowding. A higher proportion of homes are owner occupied and a lower proportion are rented, including rented social housing. A higher proportion of the residents are either married or widowed and a lower proportion live in single person households. Less people are employed full time, but more are self-employed and retired. Far more people have to **drive to work than is typical for Herefordshire, which isn't** surprising given the limited public transport. This pattern of ages, work and living circumstances fits logically with a community where the wherewithal to travel to work in more major centres has to be achievable.

## Kingsland and the Changing Nature of the Built Environment

1.15 Kingsland village has seen a considerable amount of development over recent years and there are currently a large number of commitments in terms of planning permissions for new housing. This is expanded upon later in this document. There remain concerns

that a continued increase in dwellings at a rate similar to recent levels, which is not part of a well thought through plan, could spoil the very characteristics of the parish that make people want to live and visit here. There has been no accompanying development of infrastructure such as parking, footways (pavements), flood management or sewage capacity; all areas which are now causing residents concern. There is a danger that the character, rural nature and heritage of the village and wider parish could be irrevocably changed if housing and development are not sympathetically incorporated, either physically, ecologically or socially. Similar concerns might be highlighted for new development at Shirlheath and Cobnash now that they are indicated as locations for housing within Herefordshire Core Strategy.

1.16 According to the written comments made during the community consultation events for the Parish and Neighbourhood Plans and for the survey, residents, although supporting more housing, do not want inappropriate, large developments built on the edges of the village. They want to keep the settlement boundary largely where it is to prevent sprawl and to protect separation between different areas such as West Town and Kingsland village. However, there is a dilemma here, as most people would also like to see a halt to the gradual infilling of the main street where the gardens and hedges add to the traditional rural feel. This plan is based upon a finely balanced reflection of those needs and preferences.

## What Style of Housing Do We Need?

1.17 The current housing stock is an eclectic mix of historic timber framed buildings, Victorian and Georgian properties, post war developments, sixties and seventies bungalows, terraced cottages, small cul-de-sacs and one estate, alongside larger more architecturally imposing dwellings, listed buildings, farmsteads and barn conversions. Several farms front the roadside including in the main village centre. Some smaller dwellings have been extended to meet the needs of growing families, whilst some properties have been subdivided as circumstances altered. There is however a feel of organic history about the shape of the parish and this mix of housing and its changing nature has contributed to that over the centuries. This is reflected in the Conservation Area designation of 1975, a status which remains of extreme importance today.

This Plan sets out to allow for a range of housing sizes and styles, which suit their individual settings, location and purpose and the historic pattern of development.

1.18 Several comments received during the consultations of 2012 and 2014 were concerned with a perceived need for affordable housing and housing for first time buyers in Kingsland Parish. In the 2014 Kingsland Parish Housing Needs Survey, undertaken by Herefordshire Council, of the 24 households who wished to move to a home in Kingsland

Parish, seven wished to move to affordable housing, although only two were registered with 'Homepoint', Herefordshire Council's service provider for affordable homes. Sixteen expressed a desire for an open market home and one expressed a preference for mixed tenure. Eleven of the respondents expressed a possible interest in moving to another parish and seventeen of the respondents were existing households and would therefore contribute equivalent housing vacancies if they could move to another home. The parish contains several one and two bedroom properties, including some for rent, and several managed by Registered Social Landlords, some with local occupancy restrictions and some limited to those over 55, which is detailed in the Herefordshire Housing Survey of 2014. There are also many bungalows to suit elderly people and three and four bedroomed houses for bigger families, together with accommodation for seasonal workers. This plan sets out to meet and balance the housing needs of all the different groups within the community as they change over time.

## Kingsland as an Historic Village and Tourist Destination

1.19 The pretty heart of the village with the Millennium Green between the beautiful, Grade 1 listed Norman church and the sixteenth century coaching inn attracts people from far and wide to visit Kingsland village for an enjoyable evening out or even to be married in such a traditional and stunning setting.

1.20 There is an increase in history tourism nationally and Kingsland is well placed to take advantage of this, which in turn makes a contribution to the economy of Herefordshire. The route of the main Roman marching road, West Watling Street, crossing through the parish, ensured that settlement here took place from at least the beginning of Roman times. Kingsland also has a large, well defined Motte and Bailey Castle site whose origins may go back as far as Saxon times. There was an early settlement at Street and the first king of this area, Merewhal, built his palace in Kingsland in c.660. In medieval times Marcher Earls and Kings owned the manor of Kingsland and King John slept in our castle. Numerous Grade II listed buildings, many linking back to medieval times, add to the historic feel of the parish.



1.21 The village is being added to the Mortimer History Trail for those interested in the fascinating history of these powerful Marcher Lords and their lengthy connection with

Kingsland. The parish is also **famous for the site of the Battle of Mortimer's Cross** which is growing in significance, as the story of the Wars of the Roses is gradually uncovered.

1.22 Walking here is extremely popular and the village and its pubs are a natural finishing point for walkers from the surrounding countryside. Many cyclists use the old Roman road route and detour through Kingsland and **even those travelling from Land's End to John o' Groats** have been seen more than once! This slow but steady increase in tourism supports many local businesses, particularly accommodation providers, the two public houses with their restaurants and the leisure industry.

This plan seeks to build on this heritage asset and to maintain the setting and surroundings which provide a much-valued leisure and tourist facility for the wider community, whilst allowing for the necessary housing that has been identified.

## 2 VISION AND OBJECTIVES

In preparing the Kingsland Parish Neighbourhood Development Plan the community set the following:

**VISION:** Protect and enhance the rural nature of the parish so that all groups and ages can thrive and develop in a sustainable way.

2.1 To support this vision the community was consulted upon a number of objectives that the Neighbourhood Plan should pursue. The following were agreed as the basis for setting proposals and development management policies:

**OBJECTIVE ONE:** Ensure that the visual effect of all development preserves and enhances the traditional character of the parish and protects our landscape and historic environment.

**OBJECTIVE TWO:** Ensure that all development is based upon sound environmental sustainability principles; including energy sourcing and conservation, water and sewerage management, waste minimisation, wildlife conservation and habitat protection.

**OBJECTIVE THREE:** Ensure all infrastructure including services, facilities and amenities are retained and developed in line with the current needs and future growth of the community.

**OBJECTIVE FOUR:** Provide sufficient housing to meet the future needs of the community, in terms of numbers and type, based upon robust evidence.

**OBJECTIVE FIVE:** Ensure that new and existing business and commerce, including tourism, which are beneficial to the economic health of the parish, can grow and are in scale with and sensitive to the rural character of the parish.

### Strategic Policy

2.2 A strategic policy KNDP1 setting the framework for achieving this vision has been agreed, based upon the objectives and priorities seen by the community as important to the achievement of sustainable development. Policies KNDP2 and KNDP3 also provide a framework for other policies below.

## Policy KNDP 1: Promoting a Sustainable Community

The Parish of Kingsland will support positive measures that promote sustainable development in accordance with the principles and policies set out in this Neighbourhood Plan. Development proposals should address the following high-level priorities that are considered essential for maintaining a cohesive and resilient community:

- a) The conservation and enhancement of the rural character and local distinctiveness within the parish. This includes the settings and amenity within its settlements, particularly in relation to the preservation of the Kingsland Conservation Area and its associated character, landscape and views.
- b) Development should be accommodated within infrastructure limits in particular for sewage treatment, highway safety, resilience from flooding, and measures brought forward for adapting to or mitigating climate change.
- c) Improvements to community facilities will be sought for the wellbeing of the whole community.
- d) Housing provision should meet the on-going identified needs<sup>2</sup> of the community with a suitable mix of size, style and tenure.
- e) Emphasis should be on promoting employment which is appropriate in terms of scale and contributes positively to the character of the parish.

### Supporting Statement

**2.3 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise.** This overarching policy covers the essential elements for sustainable development in Kingsland Parish. It reflects the approach promoted in Herefordshire Core Strategy, the National Planning Policy Framework (NPPF), and the Kingsland Parish Plan together with community preferences as expressed in the community consultation events. It is intended to implement this policy through the resulting policy detail outlined below in KNDP 2-18. These are to be used as a reference and blueprint for all planning decisions made by Kingsland Parish Council and Herefordshire Council, and will be overseen by Kingsland Parish Council. These requirements and criteria should be upheld at all times where there is no exceptional or overriding reason to ignore them.

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<sup>2</sup> In line with prevailing local housing needs assessments

2.4 The way in which the Parish accommodates essential development whilst addressing, as the highest priority, the safeguarding of its rural character requires consistent yet area specific management of development. A Kingsland Parish development strategy is set out for this purpose, comprising four elements.

## Policy KNDP 2: Development Strategy

The settlements of Kingsland village, Shirlheath and Cobnash will be the focus for development within the Parish. Limited small-scale employment opportunities will nevertheless continue to be retained and new proposals **supported outside of the parish's settlements where they have limited negative** impact upon amenity and the environment, especially the landscape. In addition, particular regard shall be had to utilising brownfield land in the first instance and protecting Grades 1 and 2 agricultural land unless land of a lower grade is not available or the need for the development outweighs this requirement. The accommodation of development to meet the needs of the Parish and contribute to County requirements will be based upon the following approach:

- a) To allow for residential development and appropriate other uses within Kingsland village, a settlement boundary is defined. Development should take place within this boundary in accordance with relevant policies set out in the development plan. Kingsland village will continue to play a major role as a centre providing a range of facilities for the parish.
- b) To accommodate limited residential development within Shirlheath, a development boundary is defined for the main group of houses comprising the built-up area of the settlement. Housing development shall take place through infilling upon individual plots or the development of small sites in a sensitive manner.
- c) To accommodate limited residential development within Cobnash a development boundary has been defined within which infill development can take place where this is achieved safely and reflects its particular rural character, form, layout and setting.
- d) Development outside of the settlements listed above should be exceptional and located in accordance with relevant policies in the development plan including in Herefordshire Core Strategy, in particular but not exclusively, Policy RA3, and this Neighbourhood Plan. In this regard, no settlement boundary is defined for that part **of Mortimer's Cross falling within Kingsland Parish and it will be considered open** countryside. The countryside will continue to accommodate development in association with agricultural and rural enterprises where these reflect the scale and nature of the landscape within which they sit.



2.5 This policy is aligned with the Herefordshire Core Strategy Policy RA2 which identifies the three settlements as locations where new housing will be supported. In particular, this policy indicates new housing should be located within or adjacent to main built up areas. Kingsland is the largest settlement and possesses a range of services and facilities, including a primary school, **doctor's surgery, garage**, two public houses and village hall. Consequently, it should accommodate the major part of the housing target set for the parish. Although Shirlheath is listed in Herefordshire Core Strategy table 4.14 together with Kingsland as a location which should be a primary focus for housing it has no services or facilities and its built-up area is small. The approach proposing a small amount of development is **considered to comply with the Core Strategy's requirement for growth to** be sensitive and appropriate. Cobnash is identified as a smaller settlement that might accommodate development. As with Shirlheath, Cobnash contains no facilities or services. In these settlements, the location of development should demonstrate particular attention to their form, layout, character and setting. How the issues pertinent to each settlement have been taken into account is described later in this plan. A settlement boundary for **Mortimer's Cross is not expected to include land within the parish of Kingsland**. Outside of **the parish's settlements**, development would need to accord with the rural area policies set out in Herefordshire Core Strategy, in particular but not exclusively, Policy RA3 which covers housing in the countryside, and this Neighbourhood Plan.

2.6 Other forms of development will come forward within the parish and this policy directs where these might be. They include land for employment, services, facilities and infrastructure. Those considered most likely to be required, are explained in greater detail later within this plan. Where proposals are not covered by this plan then Herefordshire Core Strategy policies will be used.

2.7 This policy is also aligned with Kingsland Parish Plan, which is based upon the various views expressed in the survey completed by over 50% of residents. It is also in accord with the results from the June 2014 and September 2015 community consultation events for this Plan.

## Policy KNDP 3: Sustainable Design

An integrated approach is encouraged to achieve the maximum possible reduction in the carbon footprint of any development. Development proposals are encouraged to contain a co-ordinated package of sustainable design measures, which could include:

### 1. Physical measures associated with buildings such as:

- a) Details of the fabric of the building and its construction methods/materials including high levels of insulation.
- b) The orientation of buildings to maximise passive solar gain.
- c) Provision of energy and water conservation measures.
- d) Bicycle and recycling storage.
- e) Broadband infrastructure.
- f) Renewable energy infrastructure.

### 2. On-site measures to support energy conservation such as:

- a) Tree planting and other forms of green infrastructure for biodiversity and ecology mitigation and enhancement.
- b) The inclusion of sustainable drainage systems where appropriate.
- c) The maximum use of permeable surfaces.
- d) The promotion of walking, cycling, public transport and reducing the need to travel by car.
- e) Minimising the use of external lighting.

### 3. Off-site measures such as:

- a) Supporting infrastructure to promote sustainable travel.
- b) Enabling a sustainable drainage system to serve a wider range of properties.

### 4. The submission and adoption of a sustainable design statement.

Developers are particularly encouraged to set out their integrated sustainable design approach within the design and access statement submitted with their planning application. This should include, where appropriate, measures for minimising waste and reducing transport miles, and the transportation of materials to and from site (including waste).

## Supporting Statement

2.8 These requirements and criteria are aligned with sustainable design policies in the Herefordshire Core Strategy and the NPPF requirement for local plans to have '**a presumption in favour of sustainable development**', and for policies to support economic, social and environmental sustainable development jointly. Policy KNP3, in tandem with all the other policies in this plan, fulfils this requirement.

2.9 Kingsland residents in the Parish Plan Survey demonstrated a keen interest in sustainable development and these views are reflected in detail throughout the Parish Plan.

## 3 KINGSLAND PARISH CHARACTER AND ENVIRONMENT

### Background

3.1 The community wishes to give the highest priority to protecting the rural character of the area within which it lives, and to protect the character and appearance of its settlements, in particular the historic environment and its landscape. It also wishes to seek measures to enhance this where possible. The following policies seek to address these objectives.



### Policy KNDP 4: Retaining the Rural Character of Kingsland Parish

**To ensure development contributes positively to the area's rural** character proposals should:

- a) Conserve the rural landscape of the Parish and, where possible, include measures which restore or enhance this character.
- b) Contribute towards the ecological network of the area with measures to support the biodiversity value of wildlife sites. Appropriate protection will be afforded to

internationally and nationally important biodiversity sites in accordance with Herefordshire Core Strategy Policy LD2.

- c) Take every opportunity to extend tree and hedgerow cover by planting with indigenous species.
- d) Retain important natural assets of the parish including landscape features such as trees, woodlands, wide grass verges, orchards and hedgerows unless the need for, and benefits of, the development in that location clearly outweighs the loss or deterioration in irreplaceable habitats.
- e) Ensure that the key landscape features of important views should be able to be continued to be enjoyed.
- f) Conserve the character and setting of historic and traditional rural buildings, the historic landscape and archaeological sites.

### Supporting Statement

3.2 Kingsland Parish is in a rich fertile flood plain between the rivers Lugg and Arrow. The land surrounding Kingsland village is largely grade 2 and 3. The agricultural land, both arable and pasture, is highly productive and consistently will yield high value crops of potatoes, maize, cereals, oil seed rape and has high yielding grassland which is farmed to very high standards by local farmers. It also supports livestock; mainly sheep and cattle. Loss of agricultural land of this quality both here and elsewhere will impinge on the **nation's** ability to feed itself. The Land Classification Map was prepared to prevent wide scale non-agricultural development taking place on such land.

3.3 This landscape surrounding the village and in the wider Parish supports innumerable wildlife species. The River Lugg flowing through the Parish is a Site of Special Scientific Interest that flows into the River Wye Special Area of Conservation to the south of Leominster. There are 9 local wildlife sites either totally or partly within the Parish. Abundant woodland, trees, hedges, orchards, grasses, wild flowers, ponds and streams support this rich diversity of wildlife. There are also interesting areas of boggy ground and small marshes supporting plant and animal species which prefer this type of environment. This in turn attracts visitors from far afield to walk in and enjoy the area as a way to stay healthy and happy.

### Background to Protecting Kingsland Parish's Heritage

3.4 There is a depth of local history associated with the parish, reflecting its important role in the history of the nation. Consequently, it is important to protect the heritage assets that remain, including those yet to be found or unfold. This protection needs to be undertaken comprehensively to reflect the range of historical periods covered.

3.5 These assets include a large Castle site and Bailey, which may even date back to **Saxon times and the site of the Battle of Mortimer's Cross, alongside indications of** possible Roman or pre-Roman Settlements. In addition, the parish contains many Grade II listed buildings some, although rebuilt, date in location from medieval times. These listed **buildings include Black Hall, Must Mill, Angel House and St Mary's Farm, which** was an ancient religious community possibly dating from before the Normans arrived. Other sites of significant interest include probable burial mounds and Lawton Cross where ancient places of worship and burial have been found. Two local mills were mentioned in the **Doomsday Book. The first 'Poor House' in the whole area was designated in Kingsland in 1784 and is still lived in today opposite the Corner's Inn.**



## Policy KNDP 5: Protecting Kingsland's Heritage Assets

Development proposals should ensure that the Parish's heritage assets, including those not yet identified, and its local historic character and distinctiveness are conserved or enhanced. In particular, consideration should be given to:

- a) **Respecting the Parish's historic landscape** character.
- b) The significance of heritage assets including archaeological sites, and their settings.

- c) The need for a desk-based assessment and, where necessary, a field evaluation, where a development proposal has the potential to affect heritage assets with archaeological interest.
- d) Conserving the character of traditional rural buildings including farmsteads and by particular reference to the Herefordshire Farmsteads Characterisation Project.
- e) Early consultation and engagement with sources of information about the historic environment.

### Supporting statement

3.6 Appropriate development in the parish is welcomed. However, the presence of significant heritage assets and the potential for discovery of substantial and significant below ground archaeology may constrain development in this area. This is not only in accordance with national and local planning constraints but also community views. There are numerous Listed Buildings within the parish and one Scheduled Ancient Monument. In addition, many other buildings and sites are considered to be of local importance. These contribute significantly to the character and distinctiveness of the parish and, together with their settings, which are often of similar importance, need to be preserved and might **also benefit from enhancement. The likelihood of unexpected finds remains high. 'Absence of evidence does not mean evidence of absence' where unexplored sites are concerned,** and Kingsland parish has several sites which are worthy of investigation.

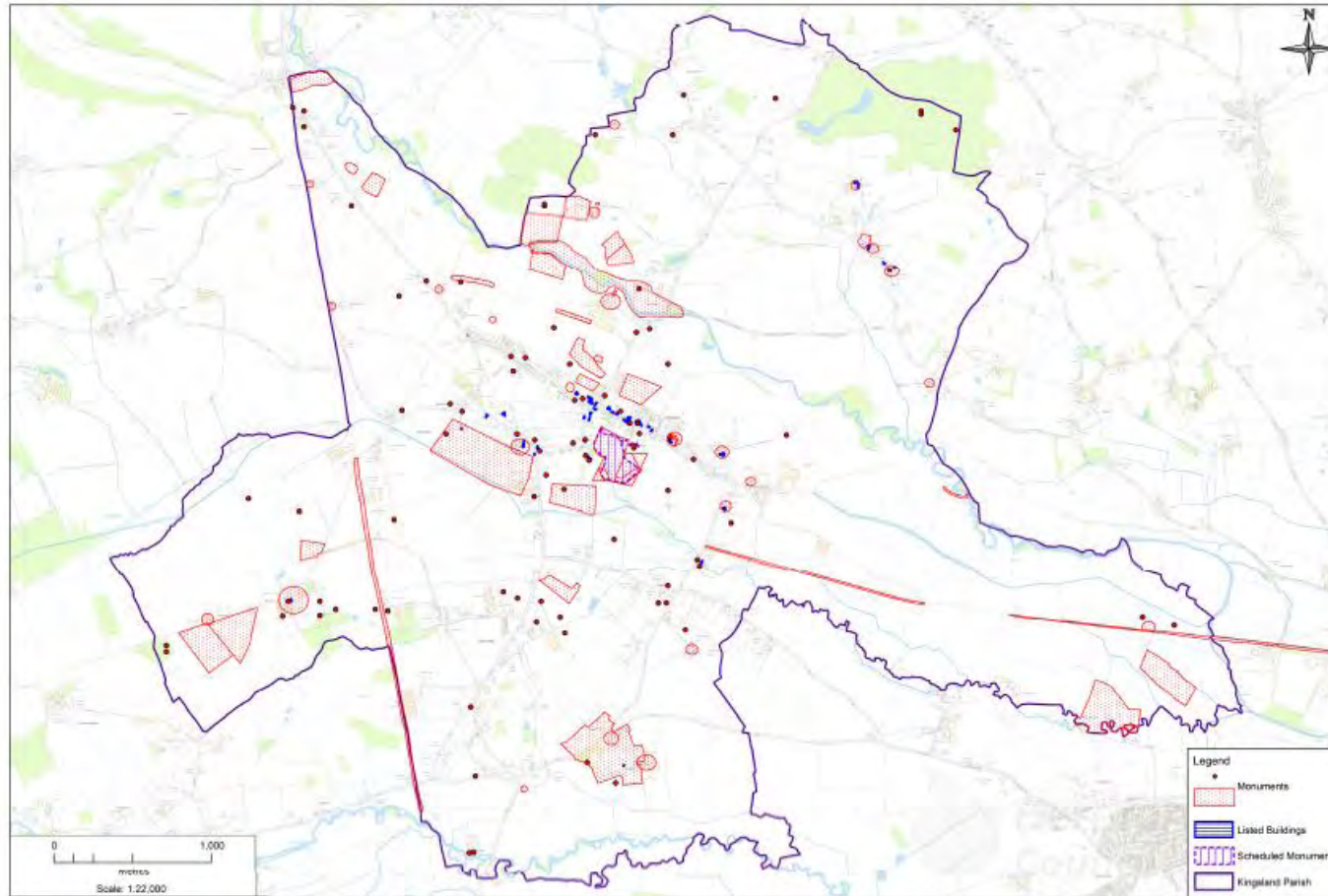
3.7 The approach that should be taken where the potential for archaeological remains has **not been assessed can be found in Herefordshire Council's Archaeology and Development** Supplementary Planning Document. This sets out the need for various levels of assessment according to the particular circumstances, including desk based and field evaluations.

3.8 The potential for the parish to gain economic benefits from our heritage sites should not be underestimated and the community has indicated it would wish to see such sites **preserved. It is likely that tourism will grow given the current level of interest in the area's history and archaeology from various bodies including English Heritage, the Mortimer's Society and the Battlefields Trust.**

3.9 The large number of possible historic sites and finds, identified by the Herefordshire Historic Environment Records Office and shown in the historic environment map below, indicate a significant and rich heritage throughout Kingsland Parish from Roman or pre-Roman times to the present day and, as such, should be protected from inappropriate development.

# Historic Environment Map

*The sites identified on this map indicate finds as well as potential but not always verified historical evidence. Its purpose is to indicate the extent of the historic environment within the parish through evidence available through Herefordshire's Historic Environment Record (HER). This information is valid only at the time the document was published. The HER will be updated according to such further information that is lodged with it. Anyone seeking further detail or information about the historic environment within the parish should consult the HER at Herefordshire Council.*



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3.10 In order to protect the character and appearance of Kingsland parish's natural and historic environment applications which might have impacts on either or both components should be accompanied by a design statement showing what the visual and other effects might be and how they would be mitigated should this be required.

## Policy KNDP 6: Kingsland Village and Conservation Area

Proposals in Kingsland village should conserve or enhance the landscape setting or character or appearance of Kingsland village and reinforce its local distinctiveness.

Development proposals will only be permitted where they:

- i) Preserve or enhance the character and appearance of the Kingsland Conservation Area.
- ii) Do not adversely affect the significance of heritage assets and their settings within the village.

The following conservation and environmental criteria set out below should be complied with in order to preserve or enhance Kingsland Conservation Area:

1. The following characteristics are particularly valued by the community:

- a) The approach into Kingsland from the south along the B4360 including The Shrublands and its gardens, which forms a focal point at the entrance to the village.
- b) The open aspect to the south of Longford.
- c) Long distance views of **St Michael's and All Angels Church particularly from the east and south.**
- d) The setting of the combination of the Church, the Motte and Bailey Castle Scheduled Ancient Monument and the Millennium Green.
- e) The sense of enclosure within the village historic core formed principally around the staggered crossroads at the Corners Inn with its concentration of listed buildings, extending south east to Fairfield Cottage, north east to Myrtle Cottage, north-west to Lilac Cottage and south west to Kingsland House (the old Rectory).
- f) The distinctive identities of Kingsland village and West Town.

2. The following design criteria should be demonstrated by all development proposals:

- a) There should be a high quality of design for new buildings, alterations or extensions to existing buildings and for changes to external areas within the Conservation Area. Proposals should seek to incorporate traditional building features present within the village. However, new innovative building design or features will not necessarily be resisted where they fit sensitively within the particular village frontage and street scene.
- b) Developers should demonstrate how their layout reflects village character, in particular the relationship with the village street and its associated spaces. The height, size, massing and scale of buildings and plot width and form should respect those surrounding the development.
- c) Choice of materials should be sensitive to the character of the village, in particular that undertaken within the historic core of the settlement. This includes ground surface and roofing materials as well as those for external walls, fenestration and joinery.
- d) Landscape proposals should form an integral element within the design of proposals for all but minor works.

3. Trees and hedgerows should be an integral part of any new development as essential components of the rural character of Kingsland Village:

4. Street furniture should be minimal and consistent.

- a) The general absence of such clutter is a unifying factor that should be retained and the Highway Authority should minimise signage, markings and other traffic management elements.
- b) New development should be designed to minimise the requirement for street furniture.

## Supporting Statement

3.11 The Conservation Area status is in response to the unique and special nature of the historic and landscape environment of Kingsland village. This environment is an asset to the tourist industry of Herefordshire and also to the wellbeing of all the people who live and work here. Its attractive nature, beautiful landscape and historic settings are **archetypal of the 'English village' and of Herefordshire and, as such, are a valuable national asset.** The nature of this asset is changing with sometimes inappropriate development. Alongside a strong local plan for Herefordshire, Kingsland needs the protection of the well-structured, parish specific planning afforded by this policy. As a

consequence of its historic origins, its heritage remains and Conservation Area designation, Kingsland Village has a particularly special character and a simple characterisation<sup>3</sup> has been undertaken in accordance with good practice related to neighbourhood plans produced by Historic England<sup>4</sup>. Diagram 1 indicates the relevant broad character elements into which the village and its fringe can be defined. This represents the cultural landscape of the village comprising its historic parts, recent developments and relationship to its notable surroundings<sup>5</sup>. Many of these elements are referred to in policy KNDP6 (1).

3.12 This policy KNDP6 is considered to be in accordance with, amongst others:

- The NPPF Chapter 11 paragraph 109 Conserving and Enhancing the Natural Environment.
- The Conservation Area Statement 1975
- Core Strategy policies SS6 and LD4
- Community preferences detailed in the Parish Plan and consultation data

Core Strategy policy SS6 in particular refers to the use of assessments and conservation objectives to inform development proposals within important environmental areas.

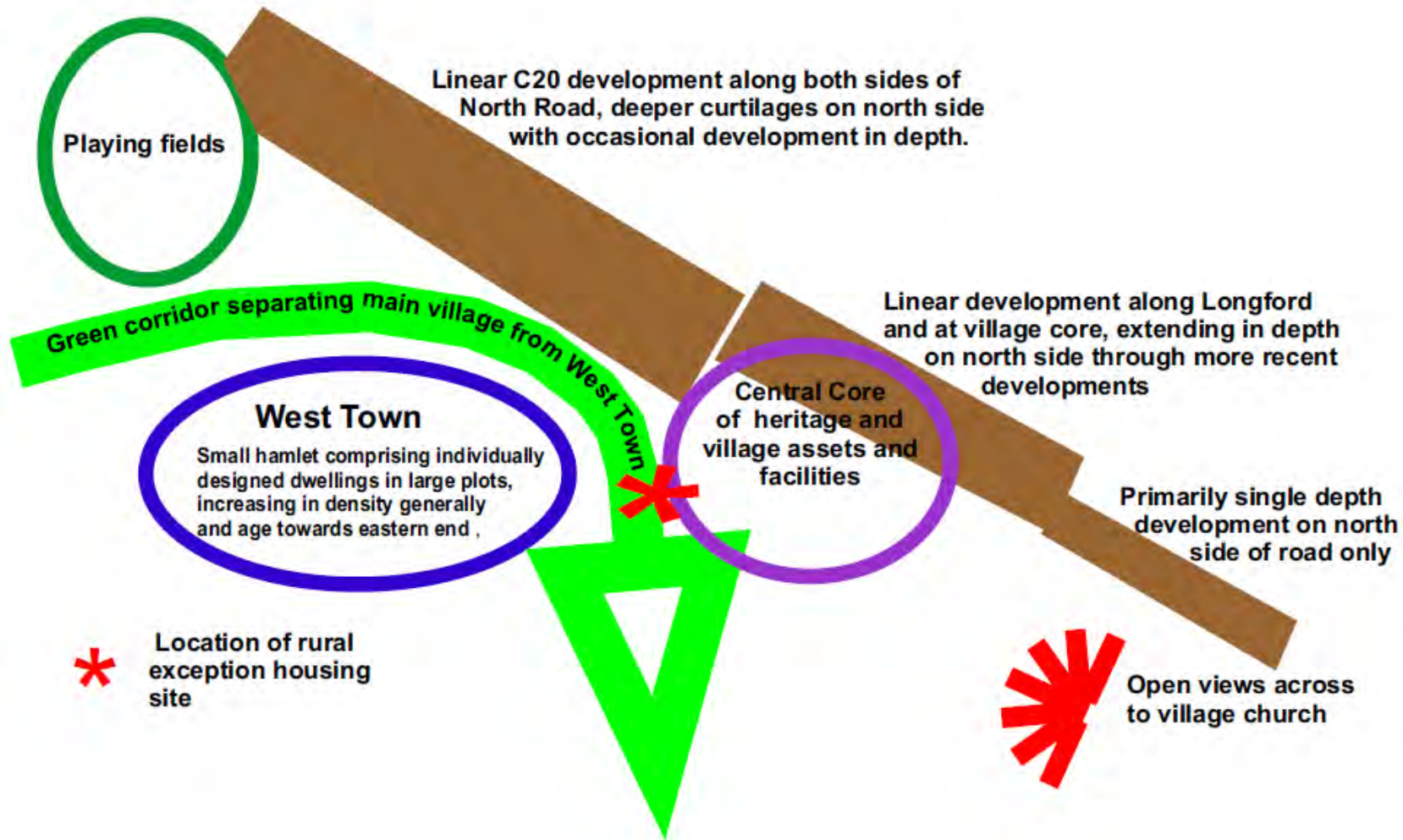
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<sup>3</sup> Approach based upon English Heritage advocacy of Rapid Townscape Assessments.

<sup>4</sup> Historic England - [http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf) and <http://webarchive.nationalarchives.gov.uk/20110118095356/http://www.cabe.org.uk/files/character-and-identity.pdf>

<sup>5</sup> Natural England - <http://publications.naturalengland.org.uk/publication/6361194094919680?category=31019>

Diagram 1: Kingsland Village Characterisation



3.13 In preparing the Parish Plan significant majorities of the community expressed a preference for the following:

- Preserving and replacing trees and hedgerows as necessary
- Enhancing the protection of historic and natural features
- Encouraging farmers to reinstate hedgerows/ponds
- Enhancing the protection of the landscape
- Limiting the amount of new development to be consistent with the nature of the village
- To make use of brownfield sites and existing buildings for housing
- To support traditional land use



## 4 ENSURING ESSENTIAL INFRASTRUCTURE

### Background

4.1 In recognising the need for development the Kingsland community also acknowledges that such development must be accommodated within infrastructure constraints such as roads, parking, sewage and drainage. It must also be supported by measures that address **flooding. All such measures are needed to support the Neighbourhood Plan's Objectives** two and three. This was strongly expressed by the community in all the consultations including the Parish Plan survey.

4.2 Too often the infrastructure needed to support increased housing in Kingsland has not been forthcoming; largely because development, appropriate to the Conservation Area, has been relatively small scale. Relevant bodies should look very carefully at the incremental impact of several small developments on infrastructure and seek ways to overcome this as outlined in the policies below and in Herefordshire Core Strategy Policies SD4 and ID1.

### Policy KNDP 7: Addressing Flood Risk

Environmentally sensitive measures to reduce the effect of flooding, including that caused by surface water runoff, will actively be promoted. Development that may result in increased flood risk to properties elsewhere will not be permitted.

New development will not be permitted in areas identified as at risk of flooding, unless there are no other options, in which case full and effective mitigation measures shall be provided, including off-site. Where flooding is identified as an issue, developers shall undertake full and detailed flood risk assessments, including taking into account climate change, to inform decisions upon planning applications.

Where the management of surface water drainage needs to be addressed, developers should utilise sustainable drainage systems (SUDs) where this is practicable, including measures to support biodiversity.

### Supporting Statement

4.3 Flooding has been identified as a significant problem by parishioners in the Parish Plan sections 2.1-2.3. This was reiterated in comments from the Neighbourhood Plan

community consultation events. The community is anxious that any new development should not increase flood risk. The Herefordshire Strategic Flood Risk Assessment 2009 looks in detail at the issue of flooding primarily in Hereford and the market towns. However, it does identify the existence of extensive flood reports for the River Lugg and Pinsley Brook within the parish. In addition, it highlights that Kingsland Sewage Treatment Works is an essential critical infrastructure asset at risk from the effects of flooding, being in Flood Zone 3, and also potentially affected by highway flooding. However, more detail is needed and Kingsland Parish Council has identified that there is support for it to identify the causes of flooding and possible solutions. Should any investigations identify appropriate measures to address flooding within the parish, this policy would promote their implementation. Addressing flooding will enable essential development. Any Community Infrastructure Levy arrangements, which might apply, may be used for this purpose.

4.4 Planning applications will need to show they have addressed flood risk, particularly in line with guidance contained within the NPPF. The second part of this policy is critical to Kingsland village, which lies between the River Lugg and Pinsley Brook, as it emphasises the approach that needs to be taken. Surface water flooding has also been identified as an issue, and solutions involving sustainable drainage systems should have the potential to **support the parish's rural character**, in particular biodiversity.

4.5 In addition, the community would wish to be assured that the mains sewer running through Kingsland village has sufficient capacity to accommodate further development without being overloaded and causing flooding and pollution.



## Policy KNDP 8: Highways and Transport Infrastructure

Measures must be promoted, in association with Herefordshire Council, to improve pedestrian and cyclist safety, reduce the impact of vehicles upon amenity and promote greater accessibility, including through public transport. Proposals that provide additional small-scale general parking on appropriate sites within Kingsland village will be encouraged.

Where development proposals are advanced these should ensure:

- a) There is safe access onto the adjacent roads which does not adversely affect existing pedestrian movement.
- b) Adequate on-site parking for residents and visitors is provided within each dwelling or development curtilage and if appropriate, includes proposals that would reduce on-street parking within the area concerned. Parking standards shall conform with Herefordshire Core Strategy but should also include additional parking for visitors.
- c) The site is connected to the village by an existing footway or through the creation of a new footway that does not adversely affect the character of the village or result in the loss of important features.
- d) They minimise the need for, and aim to avoid the provision of, any additional street lighting.
- e) They do not lead to a significant increase in the volume of traffic travelling through the villages, at major junctions within the parish and on roads that do not have sufficient capacity.

### Supporting Statement

4.6 The community, through the Parish Plan Survey and community consultation events, has identified a range of highway problems that it would like to see addressed. These are reflected in the Parish Plan, are in accordance with Herefordshire Core Strategy Policy MT1 and include:

- The need to control heavy traffic through Kingsland Parish village and settlements
- The need for a 20-mph limit within Kingsland village centre close to its primary school and extending the 30-mph limit in certain other locations such as North Road and Longford
- Addressing on street parking in a number of locations, in particular the village centre where, among other groups, the impact from the school and doctors' surgery is significant as they both serve large populations from surrounding towns



and villages. The Shirlheath area near Lawton Cross also has significant parking issues when the Leominster Auctions is operating

- Improving footway (pavement) access for pedestrians, especially the elderly, disabled, children and people with pushchairs
- Improving provision for cyclists
- Provision of additional footways, ensuring these respect the character of the village and avoid the appearance of suburbanisation
- Ensuring any new development provides parking for residents and visitors as well as footway provision both within the site and with links to the village where the site is in Kingsland
- Provision of additional infrastructure to support public transport, including its use by the disabled

4.7 Positive measures need to be promoted in order for Kingsland parish to strengthen its role as a sustainable community. New development needs to make a positive contribution, not just in terms of meeting on-site development requirements, but also to the wider community objectives.

4.8 As Kingsland is a rural area residents are very reliant upon cars for transportation. Buses are infrequent, cycling is becoming increasingly more dangerous with no safe cycleways, footways are limited for walking to venues safely and easily, and there is no other mode of transport. For this reason, parking provision is an essential part of the infrastructure to enable people to get about. The large older population also means that cars often have to be parked **close to resident's** destinations.

4.9 There has been a parking problem at the auction site in the past. Parking enforcement is not easy here due to the more isolated location, lack of street lighting and the large number of vehicles on auction evenings.



## Policy KNDP 9: Kingsland Sewage Treatment Works

Works to improve the performance of Kingsland Sewage Waste Water Treatment Works (WwTWs) to ensure it meets the requirements of the River Wye Nutrient Management Plan will be supported if and when they come forward. Development that might result in the capacity of the WwTWs being exceeded will not be permitted. Developers will therefore have to demonstrate that their proposals will not overload the system or lead to any significant adverse effects on the River Wye SAC. In such circumstances development acceptable in all other respects should be deferred until appropriate works have been carried out, which may be advanced through developer contributions. Developers may be required to provide such information as is necessary to show their proposals will have no adverse effects upon the integrity of the River Wye SAC. This may also apply to proposals involving Onsite Waste Water Treatment Works (OSWwTWs).

### Supporting Statement

4.10 **Herefordshire Council's Water Cycle** Study 2009 concentrated its analysis principally **upon the County's large sewage treatment works. However**, it does indicate that Kingsland Sewage Treatment Works requires a general upgrade in respect of operational or capacity constraints present in 2008/9. At that time, it had an estimated headroom of less than 75 households. Since then more dwellings have been built, or received planning permission, including 64 within Kingsland since 2011. The River Wye SAC Nutrient Management Plan Evidence Base and Options Appraisal 2014 confirmed this position, in that it was one of 11 sewage treatment works within the Lugg sub-catchment where controls are likely to be required. More recent discussions with Welsh Water/Dwr Cymru indicate that the current capacity at Kingsland WwTWs is less than 36 dwellings. However, it is also understood that the current discharge levels for Kingsland WwTW is above the 1mg/LP that it is possible to achieve but well above the 0.1 mg/LP needed in order to achieve Natural England's target to meet the Habitat Regulation's requirements for the River Wye SAC into which the River Lugg flows. Kingsland WwTWs is identified as one of the works that **requires attention within the Environment Agency's Nutrient Management Plan Evidence Base and Options Appraisal.**

4.11 Given the level of new housing commitments within Kingsland village, it is considered that its sewage treatment works must be nearing its capacity. In addition, the phosphate discharge levels from Kingsland sewage works already exceed EU maximum levels. It is as yet unknown whether a stricter standard of outfall may be called for as part of the **Environment Agency's Nutrient Management Plan.**

4.12 Consequently, a precautionary approach will be advocated and developers need to be aware that there may be a restriction on development seeking to connect to the mains sewer. It is likely that further development might need to be deferred until later in the plan period when the funds become available to upgrade the sewage system. With the failure of the current discharge consent to meet the needs of Natural England in terms of phosphate levels coupled with the very limited capacity even at this current higher level all **planning applications may require 'Appropriate Assessments' under the Habitats' Regulations.** This requirement may also apply to any private onsite waste water treatment works (OWwTWs) as there is also a particularly high level of diffuse pollution in this part of the River Lugg sub-catchment. **The Environment Agency's Nutrient Management Plan** acknowledges that OWwTWs are known to have a low level of effectiveness.

## Policy KNDP 10: Community Renewable Energy

Renewable energy proposals that will benefit the community will be supported where:

- a) They respect the rural and/or settlement character of the locality in accordance with policy KNDP4 of this plan.
- b) They do not adversely affect the historic character of Kingsland Conservation Area **or the parish's important historic buildings or sites, including their settings.**
- c) They will not adversely affect biodiversity including the SSSI (River Lugg).
- d) Local and residential amenity is protected.
- e) Their scale **reflects the community's needs.**
- f) Proposals do not substantially increase traffic volumes, in particular HGV traffic travelling through the Kingsland **parish's village** and settlements, due to the accumulative effect of the same type of development.
- g) They do not add significantly to any inappropriate adverse cumulative effects from too many developments of a similar nature.
- h) There is no adverse impact with regard to noise, smell, traffic movements and loss of rural ambience on the amenity of occupiers and users of buildings within proximity of the proposed site.
- i) There is no detrimental impact on the landscape and rural character of the surrounding environment.
- j) Proposals are well related to existing development and the landscape in terms of scale, design, colour and materials and be readily assimilated into the landscape, avoiding isolated or skyline locations and taking advantage of natural land form.

- k) The form of development is appropriate in size and is relevant to its surroundings and not of an incongruous nature which would be detrimental to the rural character of the parish.
- l) The development is not of an industrial nature which is considered inappropriate within the rural setting.
- m) There is no detrimental impact upon the visual amenity of the parish or the surrounding landscape.

Other measures aimed at carbon reduction will also be supported and encouraged where the criteria outlined above are met.

### Supporting Statement

4.13 The community is keen to reduce its carbon footprint, in particular by exploring the production of renewable energy. This includes schemes with communal or individual benefits. Safeguards are however considered necessary to ensure proposals are brought forward sensitively.

4.14 The community enthusiasm for renewable energy generation locally was evident in the Parish Plan Survey data, and was a common theme in comments from the public community consultations in 2012 and 2014. A majority of respondents to the survey and 81% of those who expressed an opinion, across all age groups, are in favour of **developing Kingsland's own source of electric power or renewable energy**. However, many comments relate to the need for appropriate scale with all development and infrastructure.

### Policy KNDP 11: Infrastructure for Broadband

Proposals for appropriate super-fast broadband equipment will be supported where this provides high quality internet connectivity for business and residential users.

Developers should ensure all properties have the infrastructure incorporated during construction to accommodate high-speed broadband internet connection.

## Supporting Statement

4.15 Herefordshire Council is looking to work with appropriate providers to roll out superfast broadband into its rural areas. The community has indicated its wishes in the Parish Plan survey to achieve improvements to the speed of broadband services within the parish, in particular those who operate local businesses. This policy is proposed to urge Herefordshire Council and internet providers to bring forward proposals for faster internet connection at the earliest opportunity.

4.16 New development should enable all potential occupants to have easy connection to faster broadband services.

## 5 PROVIDING COMMUNITY FACILITIES

### Background

5.1 Kingsland village provides a number of services and facilities for the parish including a primary school, village hall, toddler play area, doctors' surgery, pharmacy, garage, churches, Post Office, shop and two public houses. Support for these, and also enhancing provision, is encompassed in objective 3 of this Neighbourhood Plan.



### Policy KNDP 12: Protection and Enhancement of Services and Facilities for the Community

The retention and creation of key services and facilities will be supported where possible through enabling development that would enhance their viability. Proposals for new or additional services and facilities within the parish will also be supported. All such proposals should ensure:

- a) They will not adversely affect the amenity of neighbouring properties through creating unacceptable noise, fumes, smell or other disturbance.
- b) They will not cause any adverse traffic impact upon amenity or congestion with particular provision being made for off-street parking where this is necessary.
- c) They will not restrict the operation of, or be detrimental to, an existing use on adjacent land.

To deliver facilities to meet essential community needs Kingsland Parish Council will use any monies received through the Community Infrastructure Levy, although this is likely to be limited, and any other sources that may become available during the period of the Plan.

The following services and facilities have been identified by the community as being needed to support growth, resulting from development within the parish, during the Plan period to 2031:

- a) A purpose-built day-care facility for pre-school children
- b) Additional classroom accommodation at Kingsland Primary School
- c) Play facilities for older children
- d) Proposals to improve accessibility to services and facilities by the elderly
- e) A café, village shop
- f) Secure continuation of a Post Office

The loss of key services or facilities through the change of use of premises to an alternative use will not be supported unless it is clear that the service or facility concerned is no longer viable.

### Supporting Statement

5.2 Residents of the parish value the present level of services and facilities available, many of which are run by volunteers. Almost all services and facilities are located in Kingsland village. Enabling services and facilities to establish themselves, expand or extend their viability, or provide additional accommodation is seen as an important supportive measure.

5.3 The need for additional services and facilities, made more essential as a consequence of growth resulting from additional houses in the village, has been identified. Proposals for these will be encouraged. No specific sites are suggested for these since flexibility is needed by those who might pursue them. Developers could help however by making land available in association with development. Contributions from the Community Infrastructure Levy, if any are forthcoming, as well as other sources, might be used to help bring forward those services and facilities currently identified, or others that arise during the plan period.

## Policy KNDP 13: Local Green Spaces, Open Space, Play Areas and Access

Areas of open space and play areas must be protected against development that does not support their function. The following areas, as shown on the Kingsland Village Policies Map, are designated in this plan as Local Green Space:

- a) The Kingsland Millennium Green
- b) **The churchyard area surrounding St Michael's and All Angels' Church**
- c) The area comprising remains of the Motte and Bailey Castle site
- d) The playing fields surrounding the Coronation Hall

Developers shall provide open space to meet the needs of those living/working within their developments in accordance with Herefordshire Core Strategy policies OS1 and OS2. Where provision cannot be met on site, developers should look to enhance or extend current provision, including assisting with obtaining land for such purposes. Measures that will increase accessibility to recreational facilities such as the public rights of way network may be advanced as an alternative.

Where appropriate and possible developers should ensure such space and the public rights of way network are as accessible as possible, including through a choice of sustainable means, such as cycle ways and footways.

### Supporting statement

5.4 This policy complies with the NPPF paragraphs 76-78. Herefordshire Open Space Study 2006 used sub areas of the County as the basis for assessing provision and need. Kingsland parish falls within the Leominster sub area. A shortfall in terms of parks and public gardens was identified together with a need to protect existing amenity green space as a consequence of a slight under-provision.

5.5 The community considers provision for play and access to open space is particularly important, as evidenced in the Parish Plan Survey. It supports the provision of improved play facilities for older children and would also wish to see access to open space improved to promote the health benefits and social wellbeing for all groups.

5.6 Some of these open spaces are part of the village heritage, particularly the protected ancient monument site of the Motte and Bailey Castle in the centre of the village and the



**site of the Battle of Mortimer's Cross. These attract tourists and their setting and integrity need to be protected as important spaces. See Policy KNDP5 above.**

5.7 In addition to the sites indicated in the Policy KNDP13, the village has several public footpaths which enable residents and visitors to walk or exercise their dogs. Some routes are particularly popular including the route behind the church, which leads to Pinsley Brook, a particular favourite amongst the children, and the route behind the Fire Station. These sites are of equal importance to the more official green spaces, in that they comprise a sizeable proportion of the infrastructure necessary for health and wellbeing in the parish. Another open space of valued importance is Mortimer Park with its nationally known Luctonian's Rugby Club and associated cricket and other sporting facilities, serving a wide area in the Midlands and beyond.

### Kingsland Millennium Green



## 6 MEETING HOUSING NEEDS

### Background

6.1 Herefordshire Core Strategy requires a minimum of 65 dwellings to be built within Kingsland parish over the period 2011 to 2031. Between April 2011 and April 2017 some 40 dwellings had been built or were under construction and a further 34 had received planning permission. Consequently, the minimum target for dwellings over the period 2011 to 2031 has already been exceeded.

6.2 Paragraph 48 of the National Planning Policy Framework (NPPF) provides advice upon how to assess any windfall allowance, indicating in particular it should have regard to historic windfall delivery rates and expected future trends. Past rates for housing windfall **developments within the parish's countryside have been high over the period 2001-2015** suggesting in excess of 2.3 dwellings per annum. Should this rate continue it would equate to 38 dwellings over the remainder of the plan period. However, this figure includes a number of large developments that are unlikely to occur again and a more modest estimate of 10 dwellings between 2016 and 2031 is expected to come forward. These are expected to be principally from the conversion of rural buildings.

6.3 Kingsland, Shirlheath and Cobnash are identified within Herefordshire Local Plan Core Strategy as settlements where housing development might take place. Provision should be made by identifying settlement boundaries<sup>6</sup>. Although it is recognised that the proportional housing growth target figure is a minimum and that Neighbourhood Plan should plan positively to enable development to meet its local needs, it is also recognised that there are significant local environmental constraints which are described earlier in this document. It is estimated that the policies put forward present the opportunity for around 35 further houses upon sites currently identified as available. This figure is based on densities reflecting adjacent developments and, where appropriate, the ability to preserve the character and appearance of Kingsland Conservation Area. The assessment of availability and suitability in relation to the two major constraints is set out in the **Neighbourhood Plan's evidence base**<sup>7</sup>. Currently 6 affordable housing units for local people are proposed through a current planning permission **at St Mary's Farm** and this appears sufficient to meet anticipated local needs. More recently a planning permission at Boarsfield in Kingsland village included provision for 5 low-cost houses for sale. Survey evidence suggests the greatest need to be in the open market sector and the community recognises the need to provide opportunities for local young people to custom-build their own homes through self-build or commissioned housing. The most appropriate way to

<sup>6</sup> See Herefordshire Local Plan Core Strategy paragraph 4.8.23)

<sup>7</sup> See Neighbourhood Plan Evidence base at <http://kingslandlife.com/community-consultation/>

enable further provision for local need is to provide individual plots or small sites within the three settlements.

**6.4 Having previously received general support for proportional growth within the parish's settlements, this overall approach has been retained despite the change in Herefordshire Core Strategy policy RA2. The following housing policies reflect this.**

6.5 Kingsland village, as the principal settlement within the parish is expected to accommodate the majority of the housing required. Development of the village, comprising small sites and individual plots, has normally taken place within the former settlement boundary. Some 40 dwellings have been or are being built and a further 24 have planning permission since 2011 within the defined settlement. Sites for a further 26 dwellings are known to be available within that boundary during the plan period with further potential remaining. Notwithstanding the issue of phosphate discharge into the River Lugg there will remain little spare capacity to accommodate further development at Kingsland WwTWs. The following policy would enable the suggested number of further dwellings to come forward.

#### Policy KNDP 14: New Homes in Kingsland Village

To meet housing needs within Kingsland village, provision will be made solely within the defined settlement boundary as shown on the Kingsland Village Policies Map, and in accordance with the following specific criteria:

- a) Development shall complement and where possible enhance the village character and comply with the conservation requirements for Kingsland Conservation Area, its Listed Buildings and other heritage assets and their settings, and be in accordance with Policy KNDP6.
- b) **Children's play areas, open space and other green infrastructure shall be provided** in accordance with Policy KNDP13.
- c) New housing on sites of 3 or more dwellings shall provide a mix of house design and size in accordance with identified needs at the time of application.
- d) Developments, including individual dwellings shall be of a scale, massing, density and layout compatible with the character, size and form and the particular part of the settlement within which they are located.
- e) Development will not impair the free flow of traffic or highway safety and shall provide appropriate parking in accordance with Policy KNDP8.
- f) Development shall not unduly harm the amenity of neighbouring property.

- g) Development shall not adversely affect important features or sites of biodiversity interest, in particular important trees, orchards and hedgerow cover and should, where possible, increase and enhance biodiversity by adding to green infrastructure and connectivity within the local ecological network.
- h) **Landscape proposals shall form an integral part of the site's design and in particular, contribute towards mitigating the effects of climate change.**
- i) Provision shall be made for affordable housing in accordance with Herefordshire Core Strategy and local housing need.
- j) Development expecting to connect to the mains sewer should not result in the capacity of Kingsland Waste Water Treatment Works being exceeded or for the potential for this to happen in accordance with Policy KNDP9. Provision through any Offsite Waste Water Treatment Works should also meet the requirements of Policy KNDP9 and Herefordshire Core Strategy Policy SD4.
- k) Support will be given to proposals comprising custom built and/or self- build dwellings that comply with other relevant policies contained within this plan.

6.6 Despite recent development upon infill sites within the settlement boundary there remains the potential for 26 dwellings excluding sites where development might be acceptable within gardens. A significant number of these are within land to the north of Longford where Herefordshire Council has indicated a previous designation as protected open areas and greenspace is not sustainable. Most of the further sites that are expected to come forward within the remaining plan period, based on evidence of past trends at between 3 and 4 dwellings per annum within the village since 2001, suggests a significant proportion would likely be developed.

6.7 The criteria set out in this policy are largely those for which the community has shown support. In relation to biodiversity, the river environment is important and particularly the status of the River Lugg which is an SSSI where it runs close to the village and a Special Area of Conservation to the south of Leominster. Paragraphs 4.10 to 4.12 explain the significant constraint that this together with the current capacity of Kingsland WwTWs poses. A precautionary approach is therefore adopted to ensure the outfall into the River Lugg does not increase pollution posing potential problems of a far wider nature to the **achievement of Herefordshire Local Plan Core Strategy's housing objectives. Should this be the case then the plan would fail to meet its obligations under the Habitats Regulations.** The approach to further housing provision within the village would allow small incremental growth that would best meet the needs of a precautionary approach.

6.8 Other criteria seek to ensure development conserves or enhances Kingsland Conservation Area and the character of the village, that amenity is protected, and that appropriate regard is given to social and community needs. An affordable housing site

built as an exception to planning policies provides 10 dwellings just outside Kingsland village settlement boundary. Additional social housing provision is located at Boarsfield. Should any further be required before the end of the plan period they might come forward through Herefordshire Core Strategy Policy H2 – Rural Exception Sites, provided there is sufficient capacity within the sewage treatment works serving the village.

6.9 Shirlheath is a scattered settlement for which it is difficult to define a built-up area. Originally a target of some 7 dwellings was set for its growth. It does not contain any services or facilities. However, it is considered realistic to assume that its location just to the west of Leominster would be as attractive to development as Kingsland village. The area considered to form a built-up area for which a development boundary is defined is the area to the west of the A4110 at Longmoor. The following policy sets out an approach for housing development within this area.

## Policy KNDP 15: New Homes in Shirlheath

Residential development will be permitted within the development boundary defined on Shirlheath Policies Map provided it meets the following criteria:

- a) Development shall be of high quality design with materials, detailing, scale, massing, density and layout that contributes positively to the character, size and form of the settlement.
- b) It will not harm any areas or buildings comprising heritage assets or their settings.
- c) It will not adversely affect important features or sites of biodiversity interest, in particular important trees, orchard and hedgerow cover and should, where possible, increase and enhance biodiversity by adding to green infrastructure and connectivity within the local ecological network.
- d) It will not impair the free flow of traffic or highway safety and shall provide appropriate parking in accordance with Policy KNDP8.
- e) It will not unduly harm the amenity of neighbouring property.
- f) **Landscape proposals shall form an integral part of the site's design and in particular, contribute towards mitigating the effects of climate change.**
- g) Particular regard shall be had to the treatment of waste water in accordance with the requirements of Policy KNDP9 Herefordshire Core Strategy Policy SD4.
- h) Proposals for new properties that may be constructed on the eastern edge of the settlement boundary in the vicinity of employment must be able to demonstrate that noise levels are properly addressed and mitigated to ensure the protection of the amenity of new residential property.

- i) Support will be given to proposals comprising custom built and/or self- build dwellings where they comply with other relevant policies contained within this plan.

6.10 The potential for some 10 new dwellings is estimated to be available within the boundary defined, although sites for at least 5 units are known to be available at this point in time. Change to Herefordshire Core Strategy Policy RA2 resulted in revisions to what was originally intended as the policy for Shirlheath and further consultation was undertaken with the community to ascertain its views upon the form of settlement definition that might be proposed. The community at large preferred a development boundary to be defined, although for those residents from Shirlheath the preference was slightly in favour of defining a built-up frontage within which development might take place. The level of development proposed remains similar to that indicated in the draft plan. To increase certainty, a development boundary is defined, although it is not as extensive as previously indicated to take into account the views expressed.

6.11 The form of the area comprising Shirlheath does not lend itself easily to having a settlement boundary, without having to encompass significant areas of undeveloped land. The lack of amenities such as footways/pavements, street lighting, speed limits, community buildings, gathering places, shops and facilities of any kind make the settlement a less sustainable location for a greater level of development.

6.12 Cobnash is a small settlement to the south of Kingsland and east of Shirlheath. Its core is located at the junction of the B4360 and the road from Cobnash to Shirlheath where the former has a sharp right angled bend. Just to the west of the junction, **Broomyhill Lane leads off the Shirlheath road. The settlement's character is that of** an historic hamlet between farms, which on its outer edge, is separated by small fields forming notable gaps. Previously Herefordshire Core Strategy indicated Cobnash to be a settlement accommodating proportional growth where this provided for local needs only. Such a proportion might have amounted to 4 dwellings. Modifications to Herefordshire Core Strategy removed the requirement for provision to be only for local housing need. The following policy sets out the approach to development for this settlement in order to add greater certainty than would be the case should this have to rely upon Herefordshire Core Strategy policy RA2.

## Policy KNDP 16: New Homes in Cobnash

Residential development will be permitted within the development boundary defined on Cobnash Policies Map provided it meets the following criteria:

- a) It will not impair the free flow of traffic or highway safety and shall provide appropriate parking in accordance with Policy KNDP8.

- b) Development shall be of a high-quality design with materials, detailing, scale, massing, density and layout that contributes positively to the character, size and form of the settlement.
- c) Development adjacent and close to the front of sites facing onto the B4360 shall contain measures to ensure residents are adequately protected from noise
- d) It will not harm any areas or buildings comprising heritage assets or their settings.
- e) It will not adversely affect important features or sites of biodiversity interest, in particular important trees, orchard and hedgerow cover and should, where possible, increase and enhance biodiversity by adding to green infrastructure and connectivity within the local ecological network.
- f) Particular regard shall be had to the treatment of waste water in accordance with the requirements of Policy KNDP9 and Herefordshire Core Strategy Policy SD4.
- g) It will not unduly harm the amenity of neighbouring property.
- h) **Landscape proposals should form an integral part of the site's design and, in particular, contribute towards mitigating the effects of climate change.**
- i) Support will be given to proposals comprising custom built and/or self- build dwellings where they comply with other relevant policies contained within this plan.

6.13 Planning permission for 8 new dwellings has recently been granted and it is considered there is potential for some 4 further dwellings within the development boundary. The most important requirement is considered to be the ability to accommodate safely any further housing upon the highway network. Consequently, a major factor in determining the location and extent of the development boundary was to avoid creating new accesses onto the B4360 and the Cobnash to Shirlheath link road. The absence of services and facilities is such that the location is not one that should accommodate a larger scale of development for wider sustainable development reasons.

6.14 Consultation upon the approach to development in Cobnash was equally split between those residents who felt there should be no development within the settlement and those who considered it should accommodate some development. However, those who were resident within the Cobnash area all felt some level of development should take **place. Cobnash residents' preference was for an infill boundary to be defined although** overall all residents were equally split between that and a development boundary. The approach adopted seeks to take into account both by defining a boundary that limits opportunities primarily to building within a defined frontage while retaining the **settlement's character. This** would include affording the opportunity for the redevelopment of the Old Forge site to housing provided properties are protected from any significant

adverse impacts upon amenity as a consequence of being located close to the B4360, and highway safety is not compromised.



6.15 A number of requirements set out as policy criteria are common to developments in all three settlements. The potential for high-density, urban type developments is not appropriate to the character of all three settlements and their historical pattern of development. In addition, modern, densely packed housing developments have a noticeable lack of meaningful gardens for children, dogs and recreation, atypical of the area and the activities which are traditionally important in rural life. Such estate type developments also limit opportunities for social cohesion and often represent mediocre design templates. Designs must respect the particular location, even outside of Kingsland Conservation Area. There is no restriction on innovative design where this is sympathetic to its surroundings and setting. Protection of local heritage is of significant importance and where necessary assessments and evaluations should be undertaken.



6.16 The parish contains a number of Local Wildlife Sites, primarily woodland. Land at Kingsleane, to the south west of the village is indicated to be a Local Wildlife Site on Herefordshire Core Strategy Policies Map, although it is understood this is now unlikely to meet the qualifying criteria. Surveys should be required to ensure biodiversity interests are protected and preferably enhanced.

6.17 These detailed criteria that need to be met reflect issues identified by the local community in the Parish Plan section 1.6, policies contained within the Herefordshire Core Strategy and the NPPF requirements.

6.18 Developers will be encouraged to consult local residents early in the process, on the location and details of proposals prior to submission of planning applications; for example, by notifying neighbouring properties, advertising in the village newsletter or website and presenting to the Parish Council or local member.

6.19 The Core Strategy requirements in relation to contributions to affordable housing provision are included in Policy KNDP14 above, notwithstanding that the outstanding affordable housing requirement currently identified can be met through current permissions. Should there be a further demonstrated need for a range of affordable local homes which cannot be delivered through this mechanism, then it is recognised that development outside the settlement boundary may also need to take place. In such instances proposals can be advanced under Core Strategy Policy H2 – Rural Exception Sites as has proved possible already just outside of Kingsland village. The mix of tenure types should include a high proportion of intermediate housing, in particular shared equity and low-cost homes. The exact balance will be determined according to up to date evidence available at the time of any planning application.

6.20 **Kingsland Parish Council will welcome proposals for 'custom-built' dwellings and will work with developers and/or landowners to utilise 'Community Right to Build' provisions** where a partnership approach between landowners, developers and the community is agreed to have mutual benefits.

6.21 Outside the Kingsland settlement boundary, new homes will only be permitted where they comply with Herefordshire's Core Strategy Policies on rural exception sites; dwellings **in Herefordshire's** countryside; agricultural, forestry and rural enterprise dwellings and the re-use of rural buildings.

6.22 This plan sets out to continue with the eclectic nature of housing development in the parish whilst protecting the character of the rural area. This is in accordance with the views of parishioners as evidenced in the Kingsland Parish Plan Survey and the preferences expressed during the public consultation events for the Kingsland Neighbourhood Plan.

6.23 Table 1 below shows the mix of dwelling sizes required within the rural parts of Leominster Housing Market Area, within which Kingsland Parish is located and at the time this plan was drafted. Developers should contribute towards meeting this need, particularly in Kingsland village on sites where 3 or more dwellings might be built.

**Table 1: Proportion of Houses required by Size within Rural Part of the Leominster Housing Market Area**

(Herefordshire Local Housing Market Assessment 2012 Update)

House Type by Size	Proportion Required
1 Bedroom	5.8%
2. Bedrooms	25.8%
3 Bedrooms	59.1%
4+ Bedrooms	9.2%

## 7 SUPPORTING LOCAL BUSINESS

### Background

7.1 Kingsland lies close to Leominster, which is a major source of employment within the county. Nevertheless, Kingsland Parish also contains a number of important employers who play a significant role in the life of the community. Most, but by no means all, are small scale and although the community is concerned not to create barriers, it recognises that there must be limits to the extent to which some further forms of industry in particular can be accommodated. Nevertheless, a positive approach should be adopted to enable employment opportunities to be expanded within the parish within a range of business sectors.

### Policy KNDP 17: Supporting Local Business

Proposals for the development of local businesses in the parish will be supported where:

- a) Development proposals retain, or preferably enhance, the character of the rural parts of the parish or settlement in which the site is located.
- b) There are no adverse effects **on the parish's ecological network**.
- c) The amenity of nearby residents is not adversely affected.
- d) There will be no significant detrimental effect upon the local highway network as a consequence of traffic generated by the proposal.
- e) The development proposal can be undertaken within the capacity of local infrastructure.
- f) The development is of small scale and is an appropriate use within its setting with no negative impact on the surrounding landscape including the visual impact on the character of the area. Small scale light industry appropriate to the rural setting, in particular craft-based operations or sustainable technologies, will be encouraged to set up in suitably converted rural buildings, or on brownfield sites, provided they comply with the general criteria set out in this policy.
- g) In relation to the conversion of rural buildings to employment uses, the character of the buildings should be retained where this is important including measures to avoid unacceptable external storage and paraphernalia.
- h) Moderate extensions onto adjacent greenfield or brownfield sites of an established business use may be acceptable where this would provide additional job

opportunities in a location where this is environmentally acceptable and where there has been no record of substantive complaints in terms of effect on local amenity. Where more significant expansion is required, the operation should be directed to industrial estates established as major employment sites.

- i) Tourism enterprise proposals are appropriate to a rural area in terms of the nature **and scale and effect upon the parish's rural character**. Proposals for tourism related activities will be supported where they assist the retention of a valued existing site, service, facility or attraction or make best and appropriate use of a redundant rural building.

Proposals for change of use of existing business premises away from employment activity will need to demonstrate that the existing use is no longer economically viable.

### Supporting Statement

7.2 A substantial number of Kingsland residents are employed by local businesses. There are over 110 small to large businesses operating in the parish, including farmers and the self-employed. This not only supports the local economy, but also reduces journey time in getting to and from work and makes the community economy viable. When some of these businesses need to grow there is sometimes a need for more land or premises. The community supports such development as evidenced in the consultations, although the criteria above should be adhered to.

7.3 Herefordshire's Core Strategy has identified strategic employment sites within Hereford and the market towns. Within this context Leominster will remain the principal source of employment for its surrounding parishes including Kingsland. The Core Strategy supports **the diversification of the County's business base, including through** knowledge intensive industries, environmental technologies and creative industries. This policy sets out the **parish's support for this approach, which would** include the provision of live-work schemes and the adaptive design of residential development, in addition to appropriate conversion of rural buildings and retaining existing businesses where this does not have an adverse impact on the community or local environment.

## Policy KNDP 18: Agriculture, Forestry and Rural Enterprises

New development proposals for agricultural, forestry or rural enterprises will be supported where:

- a) They do not generate an increase in traffic volumes and HGV movements through settlements.
- b) In the case of new buildings, development is sited with existing groups of buildings where practicable. Where new buildings cannot be located within a group of existing buildings, new development should not be sited in isolated locations where it will have a detrimental impact upon the surrounding landscape and the visual amenity of the parish.
- c) There is no significant adverse effect from noise, smell or traffic movements on the amenity of occupiers and users of buildings within proximity of the proposed site.
- d) Proposals are well related to existing development and the landscape in terms of scale, design, colour and materials and be readily assimilated into the landscape, avoiding isolated or skyline locations and taking advantage of natural land form.
- e) The form of development is appropriate in size and is relevant to its surroundings, and not of an incongruous nature which would be detrimental to the rural character of the parish.
- f) There is no detrimental impact upon the visual amenity of the parish or the surrounding landscape and the rural character of the parish is respected.
- g) There is no detrimental effect upon water courses in particular the phosphate levels of the river Lugg.
- h) Any additional requirements for transport, accommodation and amenities for workers, particularly seasonal workers, is fully and appropriately catered for.

With regard to agricultural development requiring planning permission, in addition to the general criteria in this policy, particular regard will be given to ensuring the potential polluting effects are fully mitigated, and where they cannot, permission should be refused.

### Supporting Statement

**7.4 More specifically in relation to traditional employment sources within the parish's rural area,** such as agriculture and food and drink manufacture, development associated with these will similarly be supported where intensification does not adversely affect amenity or the environment. The qualifying criteria covered by this policy reflect the concerns of the

community. They also reflect and add to the approach set out in Herefordshire's Core Strategy Policy RA6.



## 8 DELIVERING THE PLAN

8.1 Kingsland Neighbourhood Development Plan will be implemented primarily through decisions made by Herefordshire Council, who should make decisions in accordance with this and the Core Strategy unless there are material considerations that indicate otherwise. This plan will be used to steer public and private investment in infrastructure by Herefordshire Council and other agencies.

8.2 Kingsland Parish Council will use the Plan as the basis for responding to planning applications and for using any funding that may come to it through planning obligations or the Community Infrastructure Levy, should a scheme for the latter be brought forward. It **will also set up a monitoring mechanism to determine the effectiveness of the Plan's** policies, in particular to inform future reviews.

8.3 Most of the development that these policies seek to provide, will be delivered by landowners, business and private developers. With regard to housing, the existing level of commitments is such that few further opportunities need to be provided. The housing market will determine the speed at which houses already granted planning permission are built and it is not possible to try to control this through other means.

8.4 The potential benefits that would have accrued to the community through the Community Infrastructure Levy provisions are unlikely to be realised as a consequence of the level of outstanding housing commitments. Other means may need to be found to provide the community facilities needed within the parish, and this will be a task which needs to be undertaken by the Parish Council in consultation with Herefordshire Council.



## 9 CONCLUSIONS

9.1 Kingsland has always been a parish that welcomes development and growth. A steady increase in the built environment, particularly within the main village, has taken place continuously over more recent decades and indeed centuries, as the eclectic mix of housing demonstrates. It is accepted that more housing is needed and this plan sets out **to meet the requirements as described in Herefordshire's Core Strategy, and in a way** which reflects the particular housing needs of this community and those who wish to live here.

9.2 Kingsland Parish Neighbourhood Development Plan aims to allow for appropriate development whilst both protecting and conserving:

- A sustainable community and rural way of life
- A valuable tourist, heritage and leisure resource for the county and further afield, now and into the future
- An environment which supports a rich and diverse wildlife
- The traditions and contribution of a strong farming community
- The nature of businesses which makes it possible for people to live and work in the parish

9.3 Without the criteria for development set out in this plan and the settlement boundaries preferred by the community, the Parish will not have the protection necessary to allow for the required growth in an appropriate, sustainable and parish specific way.

9.4 It is with these principles in mind that Kingsland Parish Council commends this plan to the community for approval.



## 10 POLICIES MAPS

The following comprise the policies maps that form part of this Neighbourhood Development Plan:

1. Kingsland Parish Policies Map;
2. Kingsland Village Policies Map;
3. Shirlheath Policies Map;
4. Cobnash Policies Map.

