

Luston Group Submission Neighbourhood Development Plan
Paragraph 8 of Schedule 4B
‘Basic Conditions’ Statement

October 2016



1.0 Legal Requirements

The Submission Plan is being submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Luston Group Parish Council.

What is being proposed is a neighbourhood development plan

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The proposed Neighbourhood Plan states the period for which it is to have effect

The proposed Neighbourhood Development Plan states the period for which it is to have effect. That period is from the Plan being made (2016) up to 2031 (the same period as the Herefordshire Core Strategy Local Plan).

The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Plan proposal relates to the Luston Group Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

2.0 Basic Conditions

A draft neighbourhood Plan must meet a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. How the Luston Group NDP meets these basic conditions is set out below.

Have Appropriate Regard to National Policy

The Luston Group Neighbourhood Development Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Development Plan has been drafted with regard to the planning policies of Herefordshire Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Luston Group Neighbourhood Development Plan does not undermine the strategic policies of Herefordshire Council; the Plan aims to support these policies through a criteria-based approach to future housing growth, protecting heritage assets and the natural environment and protecting existing community facilities and open spaces.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

Table 1 NPPF Core Planning Principles and the Luston Group Submission Neighbourhood Development Plan

NPPF Core Planning Principle	Regard that Luston Group Neighbourhood Development Plan has to guidance
<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The Parish Council has produced the Submission Neighbourhood Development Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through informal and formal consultation, the Plan will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement. The Plan sets out a positive vision for the area up to 2031</p>

	The Submission Neighbourhood Development Plan sets out a concise and practical suite of policies (14 in total) to guide development control decisions.
Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.	The Submission Neighbourhood Development Plan offers the local community the opportunity to shape the future development of Luston Group Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which protect the built and natural heritage of the Parish, protect the rural landscape setting, whilst encouraging housing growth in the parishes, in locations that are sustainable.
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth.</p> <p>Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>This Submission Neighbourhood Development Plan refines and amplifies Herefordshire-wide policies and proposals set out in Herefordshire's Core Strategy Local Plan policies. The Submission Neighbourhood Development Plan seeks to support new and enhance existing new small scale employment development. The Submission Neighbourhood Plan seeks to protect the natural and built heritage in the parishes and encourages high quality design. The Submission Neighbourhood Development Plan supports housing growth in sustainable to support the implementation of the Herefordshire Core Strategy.</p> <p>The Plan promotes sustainable transport measures.</p>
Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.	The Submission Neighbourhood Development Plan sets out policies to protect and enhance local character encourage high quality design in new development, which will help to ensure that amenity is protected.
Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.	The Submission Neighbourhood Development Plan takes regard of this guidance fully in plan- making and decision- taking. The Plan recognises the rural character of this Group Parish, and seeks to protect the landscape character of the area, in addition to protecting existing local green space.
Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable	The Submission Neighbourhood Development Plan promotes an approach which seeks to encourage sustainable development and sustainable design measures in new development throughout the Neighbourhood Development Plan, but specifically within Policies LG1 and LG2. The Plan seeks to maximise accessibility through sustainable

energy).	transport measures.
Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.	<p>The Submission Neighbourhood Development Plan is fully consistent with this principle.</p> <p>The Plan provides a policy framework for the protection and enhancement of the rural landscape in Policy LG3. Proposals for increasing opportunities for walking and cycling have the potential to improve traffic flow through the area reducing carbon emissions in Policy LG9.</p>
Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.	The Submission Plan actively encourages the re-use of brownfield sites and/or the conversion of buildings for other uses in Policy LG1.
Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).	The Submission Plan aims to ensure that the area continues to provide a high quality environment for the benefit of residents in the Luston Group Parish. The Plan seeks to protect landscape character (LG3), protect dark skies (LG4) green infrastructure (LG11 and LG12).
Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations	<p>The Submission Neighbourhood Development Plan is fully in line with this principle.</p> <p>The Plan area includes 37 statutory Listed Buildings and 1 Scheduled Monument, 1 Historic Park and Garden and 1 Conservation area. Policy LG2 seeks to protect the Conservation Area.</p>
Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable	The Submission Neighbourhood Development Plan seeks to promote the use of sustainable forms of transport through policies LG8 and LG9.
Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs	The Submission Neighbourhood Development Plan is fully in accord with this principle. Policies in the plan seek to protect and improve community facilities and the open countryside and rural landscape setting and promote walking and cycling.

Have Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

The Submission Neighbourhood Plan has special regard to the desirability of preserving features of architectural or historic interest within the Parish.

Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Submission Neighbourhood Plan has special regard to the desirability of preserving or enhancing the character and appearance of the Luston Group Conservation Area through Policy LG2.

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

The Neighbourhood Plan has been subjected to a separate Screening Process for Strategic Environmental Assessment Scoping and Habitat Regulations Assessment Screening prepared by Herefordshire Council and published for consultation with Natural England, Environment Agency and English Heritage. Plans that may have a significant effect on European Sites must undertake a Habitat Regulations Assessment (HRA).

Responses to the initial Scoping Report were received from Natural England and English Heritage. Natural England provided several detailed comments in relation to improving the SEA and its usefulness in assessing the Neighbourhood Plan. English Heritage advised that they have no substantive objection to the contents of the documents but provided several comments and recommendations for consideration before finalising the reports. There was no response from the Environment Agency.

A Draft Environmental Report and Draft Habitats Regulations Assessment were published alongside the Regulation 14 Luston Group Neighbourhood Plan for comment. Comments received are included in Table 2 in the Consultation Statement

Contribute to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development. Paragraphs 6-10 of the National Planning Policy Framework outline the Government's definition of sustainable development.

The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

In Paragraph 6, the NPPF states that "the policies in paragraphs 18-219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system".

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

Table 2 Submission Plan’s contribution to the economic, social and environmental aspects of sustainable development.

Sustainable Development Role	Neighbourhood Development Plan’s Contribution
Economic	The Submission Neighbourhood Plan seeks to support appropriate local small scale economic development and housing growth which is sustainable, and the rural landscape and setting of the Parish and in keeping with the unique design and character of the Luston Group of Parishes.
Social	The plan protects local community facilities and recognises the role of the landscape and countryside in supporting health and wellbeing of parish residents. The Plan also supports housing growth in the Luston Group of Parishes.
Environmental	<p>The Submission Neighbourhood Development Plan sets out policies that protect the natural environment, the built environment and heritage assets and protects rural landscapes.</p> <p>The Plan seeks to promote more sustainable transport patterns through walking and cycling and supporting environmental improvements.</p> <p>Policies seek to reduce surface water run-off and encourage sustainable design.</p>

Be in General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Herefordshire Core Strategy 2011-2031.

Planning Practice Guidance 2014 para 009 advises that “*Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its [Local Plan](#).*”

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the [basic conditions](#). A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

Table 3 below sets out the policies that the Neighbourhood Plan conforms to from the Adopted Plan.

Table 3 Conformity with Local Strategic Policy

<i>Luston Group Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031</i>
<p><u>POLICY LG1 – GENERAL DEVELOPMENT PRINCIPLES</u></p> <p>All new development will be expected to enhance the positive attributes of the villages and local design features. Development will not be permitted where it has a detrimental impact on the character of the area in which it is located.</p> <p>All new development within the designated area will be acceptable where it meets the following criteria:</p> <ul style="list-style-type: none"> (a) Gives priority to the use of brownfield sites/conversion of existing buildings (b) Uses existing services and facilities (c) Does not have a detrimental effect on residential amenity by reason of noise or other nuisance (d) Does not have a detrimental effect on the safe and efficient operation of the existing transport and road infrastructure (e) Does not result in the loss of an area which makes a significant contribution to public amenity by virtue of its open space character, appearance and function (f) Includes SuDS (Sustainable Urban Drainage Systems), wherever possible 	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water

<p>(g) Housing development must not be impacted by existing agricultural or commercial activity or vice versa.</p> <p>(h) Development that may result in the capacity of the public sewerage network and/or the Luston & Yarpole wastewater treatment works (WwTW) becoming overloaded will not be supported. Development will need to be phased or delayed until capacity becomes available, either through DCWW regulatory investment or, in advance of this through the developer funding the improvements themselves via the provisions of the Water Industry Act (1991) and/or section 106 of the Town and Country Planning Act (1990).</p> <p>(i) Is in accordance with all relevant policies within this plan</p>	<p>environment, renewable energy and energy conservation.</p> <p>Policy SS7 –Addressing climate change</p> <p>Development proposals will be expected to include measures which will mitigate their impact on climate change</p> <p>At a strategic level, this will include:</p> <ul style="list-style-type: none"> • focussing development to the most sustainable locations; • delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport; • designing developments to reduce carbon emissions and use resources more efficiently; • promoting the use of decentralised and renewable or low carbon energy where appropriate; • supporting affordable, local food production, processing and farming to reduce the county’s contribution to food miles*; • protecting the best agricultural land where possible; <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> • Taking into account the known physical and environmental constraints when identifying locations for development; • Ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading • Minimising the risk of flooding and making use of sustainable drainage methods; • Reducing heat island effects (through the provision of open space and water, planting and green roofs, for example); • Reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites and;
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- Developments must demonstrate water efficiency measures to reduce demand on water resources.

Adaptation through design approaches will be considered in more locally specific detail in a Design Code Supplementary Planning Document

Policy LD1 – Landscape and townscape

Development proposals should be in accordance with landscape management objectives and townscape assessments and achieve all the listed objectives.

Policy LD2 – Biodiversity and geodiversity

Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:

1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows:
 - a. Development that is likely to harm sites and species of European Importance will not be permitted;
 - b. Development that would be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations;
 - c. Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.
 - d. Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.
2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and
3. creation of new biodiversity features and wildlife habitats.

	<p>4. Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.</p> <p>Policy LD4 – Historic environment and heritage assets</p> <p>Development proposals affecting heritage assets and the wider historic environment should achieve the following objectives:</p> <ol style="list-style-type: none"> 1. the conservation, and where appropriate enhancement of, heritage assets and their settings that positively contribute to the character of a site, townscape and/or wider environment, including conservation areas; 2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design; 3. the retention, repair and sustainable use of heritage assets as a focus for wider regeneration schemes; and 4. the appropriate recording of heritage assets in mitigation of development impact, in cases where agreed loss occurs. <p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>
<p><u>POLICY LG2 – DESIGN OF DEVELOPMENT IN LUSTON GROUP</u></p> <p>The designated area has a distinctive and special character. All new development within the designated area will be permitted where it makes a positive contribution to that distinctive character and be of good design and quality. In seeking to protect and enhance the unique identity of the area, all development will be expected to take account of</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p>

<p>the following:</p> <ul style="list-style-type: none"> (a) Contributes to local identity, and sense of place (b) Respects the character and setting of the Luston Conservation Area where appropriate (c) Is suitable in terms of the overall design and appearance of the proposed development (including size, scale, density, layout, access, lighting, street furniture, and signage) when assessed in relationship with surrounding buildings, existing layout, spaces, vegetation, water areas and other features of the street scene (d) uses, and where appropriate re-uses local and traditional materials or suitable artificial alternatives (e) Does not result in backland development which has a detrimental impact on the character of the village (f) Includes adequate parking and both private and public amenity space for future residents (g) Ensures the use of space and landscape design is appropriate; (h) Protects key views as identified in Policy LG3 (i) Relates well to the street and has an active frontage (j) Respects local settings and garden 	<p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy LD1 – Landscape and townscape</p> <p>Development proposals should be in accordance with landscape management objectives and townscape assessments and achieve all the following objectives.</p> <ul style="list-style-type: none"> • demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, including protection and enhancement of the setting of settlements and designated areas; • conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area’s character and by enabling
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<p>forms/landscaping</p> <p>(k) Ensures movement to, within, around, and through the development is acceptable</p> <p>(l) Encourages originality, innovation and initiative;</p> <p>(m) Includes appropriate energy efficiency and conservation measures, where possible</p> <p>(n) Uses Sustainable Drainage Systems in line with Policy LG5</p> <p>(o) Protect and where possible enhance the green infrastructure network</p> <p>(p) Uses appropriate lighting for the location in line with Policy LG4</p>	<p>appropriate uses, design and management;</p> <ul style="list-style-type: none"> incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure. <p>Policy LD4 – Historic environment and heritage assets</p> <p>Development proposals affecting heritage assets and the wider historic environment should achieve the following objectives:</p> <ol style="list-style-type: none"> the conservation, and where appropriate enhancement of, heritage assets and their settings that positively contribute to the character of a site, townscape and/or wider environment, including conservation areas; the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design; the retention, repair and sustainable use of heritage assets as a focus for wider regeneration schemes; and the appropriate recording of heritage assets in mitigation of development impact, in cases where agreed loss occurs. <p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p> <p>Policy SD1 – Sustainable design and energy efficiency</p> <p>Development proposals should include high quality sustainable design that also creates a safe, accessible, well integrated environment for all members of the community. In conjunction with this, all development proposals should incorporate a list of requirements identified in the policy.</p>
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POLICY LG3 – LANDSCAPE CHARACTER

Development proposals will be required to incorporate the following landscape design principles:

- (a) **Development proposals should seek to preserve and enhance the character of the village and surrounding scattered rural settlements and farmsteads. Schemes will be expected to conserve and protect the integrity and fabric of heritage assets and buildings of statutory and non-statutory heritage and their settings, particularly where new uses are proposed, through the use of appropriate styles and sustainable locally distinctive materials.**
- (b) **Local habitats and wildlife corridors should be preserved and enhanced including woodland, orchards, meadows, margins of agricultural fields and local green spaces. Landscaping schemes will be required to incorporate planting schemes which use traditional and locally appropriate species to support and enhance biodiversity. Species should be appropriate to the location and setting in terms of type, height, density and the need for on-going management. When constructing boundaries native tree species should be used. Existing hedgerows should be retained and the establishment of new native hedges is encouraged to support and protect wildlife.**

Policy SS1 – Presumption in favour of sustainable development

When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.

Policy SS6 – Environmental quality and local distinctiveness

Development proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy.

Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:

- landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;
- biodiversity and geodiversity;
- historic environment and heritage assets;
- the network of green infrastructure;
- local amenity, including light pollution, air quality and tranquillity;
- agricultural and food productivity and soils;
- physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation.

Policy LD1 – Landscape and townscape

<p>(c) Development proposals should conserve important local landscape features and species wherever possible. Mature and established trees should be protected and incorporated into landscaping schemes wherever possible.</p> <p>(d) Locally Significant Views are protected and developments will be required to take into consideration any adverse impacts on these views through landscape appraisals and impact studies. Protected Views are shown on Map 2 below.</p> <p>(e) New residential development should protect the area’s historic settlement pattern.</p> <p>(f) The conservation of traditional farm buildings through continued and appropriate new uses is supported and repairs and alterations should use local materials and techniques wherever possible.</p> <p>(g) Sustainable construction, low carbon technologies and use of innovative solutions will be encouraged such as grey water recycling, rainwater harvesting, and reed beds for sewerage and opportunities for local food production.</p> <p>(h) surface and sub-surface archaeology – ensure unknown and potentially significant deposits are identified and appropriately considered during development.</p>	<p>Development proposals should be in accordance with landscape management objectives and townscape assessments and achieve all the listed objectives.</p> <p>Policy LD3 – Green Infrastructure</p> <p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> 1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain; 2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network and 3. integration with, and connection to, the surrounding green infrastructure network. <p>Policy LD4 – Historic environment and heritage assets</p> <p>Development proposals affecting heritage assets and the wider historic environment should achieve the following objectives:</p> <ol style="list-style-type: none"> 1. the conservation, and where appropriate enhancement of, heritage assets and their settings that positively contribute to the character of a site, townscape and/or wider environment, including conservation areas; 2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design; 3. the retention, repair and sustainable use of heritage assets as a focus for wider regeneration schemes; and 4. the appropriate recording of heritage assets in mitigation of development impact, in cases where agreed loss occurs. <p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any</p>
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	asset and, where appropriate, improve the understanding of and public access to them.
<p><u>POLICY LG4 – DARK SKIES</u></p> <p>To reduce light pollution and to improve the views of our night time skies, planning proposals that include external lighting will have to demonstrate the following:</p> <p>(a) They have undertaken an appropriate assessment of the need for lighting and can demonstrate any need; and</p> <p>(b) The nature of the proposed lighting is appropriate for its use and location.</p>	<p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy LD1 –Landscape and townscape</p> <p>Development proposals should be in accordance with landscape management objectives and townscape assessments and achieve all the listed objectives.</p>
<p><u>POLICY LG5 – FLOOD RISK, WATER MANAGEMENT AND SURFACE WATER RUN OFF</u></p> <p>All new development will be located in zones of</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable</p>

<p>lowest risk for flooding.</p> <p>New development should be designed to maximise the retention of surface water on the development site and to minimise runoff.</p> <p>All sites which are negative or neutral in terms of surface water will include SuDS (Sustainable urban Drainage Systems) to mitigate the impact of new development.</p> <p>The design of new buildings and infrastructure should take account of existing topography to manage the flow of water along specific flow routes away from property and into appropriate storage facilities.</p> <p>Sustainable design of buildings which support rain water harvesting are supported. Storage of rain water for non-drinking water purposes such as watering gardens and flushing toilets is encouraged.</p> <p>Areas of hard standing such as driveways and parking areas should be minimised and porous materials used where possible.</p> <p>Opportunities, where appropriate, should help to maintain, conserve and enhance culverts, watercourses and riverside habitats. Where necessary, this should be through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of any aquatic environment in or adjoining the</p>	<p>development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy SS7 – Addressing climate change</p> <p>Development proposals will be expected to include measures which will mitigate their impact on climate change</p> <p>At a strategic level, this will include:</p>
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<p>development site.</p>	<ul style="list-style-type: none"> • focussing development to the most sustainable locations; • delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport; • designing developments to reduce carbon emissions and use resources more efficiently; • promoting the use of decentralised and renewable or low carbon energy where appropriate; • supporting affordable, local food production, processing and farming to reduce the county's contribution to food miles*; • protecting the best agricultural land where possible; <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> • Taking into account the known physical and environmental constraints when identifying locations for development; • Ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading • Minimising the risk of flooding and making use of sustainable drainage methods; • Reducing heat island effects (through the provision of open space and water, planting and green roofs, for example); • Reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites and; • Developments must demonstrate water efficiency measures to reduce demand on water resources. <p>Adaptation through design approaches will be considered in more locally specific detail in a Design Code Supplementary Planning Document</p> <p>Policy SD1 – Sustainable design and energy efficiency</p> <p>Development proposals should include high quality sustainable design that also</p>
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	<p>creates a safe, accessible, well integrated environment for all members of the community. In conjunction with this, all development proposals should incorporate a list of requirements:</p> <p>Policy SD3 – Sustainable water management and water resources</p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation.</p> <p>Policy SD4 – Wastewater treatment and river water quality</p> <p>Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater.</p> <p>In the first instance developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development.</p>
<p><u>POLICY LG6 – SCALE AND TYPE OF NEW HOUSING IN LUSTON</u></p> <p>In order to retain the rural character of the settlement of Luston, proposals for new housing will be considered in accordance with the Herefordshire Core Strategy and subject to the following criteria:</p> <p>(a) Sites are to be within or adjacent to the settlement boundary identified on Map 3 below; or</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its</p>

<p>(b) Located on an infill site;</p> <p>(c) Small scale development comprising of 3-5 dwellings;</p> <p>(d) Maintains an appropriate density in context with the immediate surrounding area and not exceeding 20 dwellings per hectare;</p> <p>(e) Ensures appropriate and safe access can be achieved;</p> <p>(f) Provides appropriate residential amenity for future occupiers (not located adjacent to noise generating agricultural, industrial or commercial activities);</p> <p>(g) Is of high quality design and is in keeping with the immediate surroundings, environment and rural landscape;</p> <p>(h) Demonstrates a contribution to the delivery of an appropriate mix of dwelling types and sizes including affordable housing, to meet the needs of all sectors of the community; and</p> <p>(i) Reflects the scale and function of the settlement;</p> <p>(j) Ensures adequate refuse storage areas are provided on site;</p> <p>(k) Ensures appropriate parking is provided on site; and</p>	<p>settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy RA1 – Rural housing strategy</p> <p>In Herefordshire's rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county's housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.</p> <p>New dwellings will be broadly distributed across the county's rural areas on the basis of 7 Housing Markets Areas (HMA) – as illustrated in Figure 4.18. This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans</p>
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<p>(I) All new development will be required to be surface water neutral and in accordance with Policy LG5.</p> <p>For the purposes of this policy infill is defined as</p> <ul style="list-style-type: none"> • Development which fills a restricted gap in the continuity of existing buildings where the site has existing building curtilages, normally residential, adjoining on at least two sides; and • Development within the settlement which does not involve outward extension of that area; and • Development of the site is a complete scheme and not the first stage of a larger development. 	<p>in the county. Local evidence and environmental factors will determine the appropriate scale of development. (Hereford 18% indicative growth target)</p> <p>Policy RA2 – Housing in settlements outside Hereford and the market towns. Herefordshire’s villages</p> <p>To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to best able to support development, bolstering existing service provision, improve facilities and infrastructure and meet the needs of their communities concerned.</p> <p>The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.</p> <p>Housing proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned; 2. Their locations make best and full use of suitable brownfield sites wherever possible; 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and 4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting
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	<p>local demand.</p> <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p> <p>(Luston is identified in Fig 4.14)</p> <p>Policy RA3 – Herefordshire’s countryside</p> <p>In rural locations away from Herefordshire’s villages, residential development will be limited to proposals which satisfy one or more of the criteria listed.</p> <p>Policy RA4 – Agricultural Forestry and rural enterprise dwellings</p> <p>Policy RA5 – Re-use of rural buildings</p>
<p><u>POLICY LG7 – SCALE AND TYPE OF NEW HOUSING IN ASHTON, EYTON AND MORETON</u></p> <p>In order to retain the rural character of the settlements of Ashton, Eyton, and Moreton proposals for new housing will be considered contiguous with existing built form in accordance with the Herefordshire Core Strategy and subject to the following criteria:</p> <ul style="list-style-type: none"> (a) contiguous with existing built form; (b) Small scale development comprising of 3-5 dwellings; (c) Maintains an appropriate density in context with the immediate surrounding area and not exceeding 20 dwellings per hectare; (d) Ensures appropriate and safe access can be 	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based</p>

<p>achieved;</p> <p>(e) Provides appropriate residential amenity for future occupiers (not located adjacent to noise generating agricultural, industrial or commercial activities);</p> <p>(f) Is of high quality design and is in keeping with the immediate surroundings, environment and rural landscape;</p> <p>(g) Demonstrates a contribution to the delivery of an appropriate mix of dwelling types and sizes including affordable housing, to meet the needs of all sectors of the community; and</p> <p>(h) Ensures adequate refuse storage areas are provided on site;</p> <p>(i) Ensures appropriate parking is provided on site; and</p> <p>(j) All new development will be required to be surface water neutral and in accordance with Policy LG5.</p> <p>Proposals will be required to demonstrate physical and visual linkages to the existing built up area.</p>	<p>upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy RA1 – Rural housing strategy</p> <p>In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.</p> <p>New dwellings will be broadly distributed across the county’s rural areas on the basis of 7 Housing Markets Areas (HMA) – as illustrated in Figure 4.18. This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development. (Hereford 18% indicative growth target)</p> <p>Policy RA2 – Housing in settlements outside Hereford and the market towns. Herefordshire’s villages</p> <p>To maintain and strengthen locally sustainable communities across the rural</p>
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parts of Herefordshire, sustainable housing growth will be supported in those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to best able to support development, bolstering existing service provision, improve facilities and infrastructure and meet the needs of their communities concerned.

The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.

Housing proposals will be permitted where the following criteria are met:

1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;
2. Their locations make best and full use of suitable brownfield sites wherever possible;
3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and
4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.

Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.

	<p>(Ashton, Eyton and Moreton are identified in Fig 4.15)</p> <p>Policy RA3 – Herefordshire’s countryside</p> <p>In rural locations away from Herefordshire’s villages, residential development will be limited to proposals which satisfy one or more of the criteria listed.</p> <p>Policy RA4 – Agricultural Forestry and rural enterprise dwellings</p> <p>Policy RA5 – Re-use of rural buildings</p>
<p><u>POLICY LG8 – TRAFFIC MANAGEMENT AND TRANSPORT IMPROVEMENTS</u></p> <p>Proposals for improvements in road safety and traffic management will be fully supported by the Neighbourhood Development Plan. These will include footway provision between settlements and community/retail provisions within the designated area.</p> <p>Developer contributions and Community Infrastructure Levy payments will be sought towards the following within the parish:</p> <ul style="list-style-type: none"> • Highway improvement schemes to promote the safety of pedestrians and cycle users; • Traffic calming measures, pedestrian priority schemes and the reduction in traffic speeds on routes through the Group Parish; • Increasing public and community transport, and taxi services to and from the designated area. <p>The parish council will work with and encourage</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy ID1 – Infrastructure Delivery</p> <p>Provision for new and/or the enhancement of existing infrastructure, services and facilities to support development and sustainable communities, will be achieved through a co-ordinated approach.</p> <p>Where necessary, in addition to planning conditions for essential on-site design requirements and critical infrastructure, developer contributions towards strategic infrastructure through s106 agreements and/or a future Community Infrastructure Levy (C.I.L), will be secured in accordance with national planning policies and other relevant legislation.</p> <p>A Planning Obligations Supplementary Planning Document (SPD) will provide details of the type and scale of obligations that may apply.</p>

<p>providers of public transport to provide as full a service as is needed to support future development in the area.</p>	
<p><u>POLICY LG9 – SUSTAINABLE TRANSPORT MEASURES</u></p> <p>Proposals should, where appropriate, make provision for sustainable transport measures, through:</p> <ul style="list-style-type: none"> a) providing pavements and cycle paths enabling residents of all ages and abilities to walk, cycle or utilise mobility vehicles safely from their homes to connect with existing footways, where available, in order to gain access to village services and facilities; b) providing where possible, and where funding and developer contributions allow, new pedestrian and cycle routes or improving existing village networks to serve new development; c) taking the opportunity to contribute to establishing or enhancing pedestrian and cycle routes within the villages and hamlets and beyond. d) providing linkages to wildlife corridors and provision of landscaping and planting along routes to support local biodiversity objectives such as provision of new areas of woodland, new hedgerows, grassland and wetland 	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS4 – Movement and Transportation</p> <p>New developments should be designed and located to minimise the impacts on the transport network; ensuring that journey times and the efficient and safe operation of the network are not detrimentally impacted. Furthermore, where practicable, development proposals should be accessible by and facilitate a genuine choice of modes of travel including walking, cycling and public transport.</p> <p>Policy MT1 – Traffic management, highway safety and promoting active travel</p> <p>Development proposals should incorporate various principle requirements covering movement and transportation.</p>

<p>habitats.</p>	
<p><u>POLICY LG10 – SUPPORTING AND ENHANCING EXISTING SMALL SCALE LOCAL EMPLOYMENT</u></p> <p>Existing sources of local employment will be protected.</p> <p>Redevelopment or change of use of existing employment premises will only be permitted when:</p> <ul style="list-style-type: none"> • The employment premises have been empty for 6 months or more and during that time actively marketed without securing a viable alternative employment use; or • Equivalent, or better, provision is made, elsewhere within the group of parishes, to replace the proposed loss of local employment space. <p>The development of new small-scale local employment opportunities and homeworking will be permitted within the Neighbourhood Development Plan area providing that they:</p> <ul style="list-style-type: none"> • Give priority to the re-use of a brownfield site, or the conversion of an existing building. • Are of a scale appropriate to the immediate surroundings; • Do not have a detrimental impact on surrounding residential amenity; 	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy RA5 – Re-use of rural buildings</p> <p>The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to residential development, or is essential to the social well-being of the countryside, will be permitted where:</p> <ol style="list-style-type: none"> 1. design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long term conservation and enhancement of any heritage asset affected, together with its setting; 2. design proposals make adequate provision for protected and priority species and associated habitats; 3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and; 4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and 5. the building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a

<ul style="list-style-type: none"> • Do not lead to the loss of open space or green infrastructure; • Are located close to existing highways and do not have an unacceptable impact on traffic. • Are in accordance with all other relevant policies of this plan. 	<p>detrimental impact on its surroundings and landscape setting.</p> <p>Any planning permissions granted pursuant to this policy will be subject to a condition removing permitted development rights for future alterations, extensions and other developments.</p> <p>Policy RA6 – Rural economy</p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> • support and strengthen local food and drink production; • support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses; • involve the small scale extension of existing businesses; • promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism; • promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced; • support the retention of existing military sites; • support the retention and/ or diversification of existing agricultural businesses; <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they;</p> <ul style="list-style-type: none"> • ensure that the development is of a scale which would be commensurate with its location and setting; • do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting and smell; • do not generate traffic movements that cannot safely be accommodated within the local road network and
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	<ul style="list-style-type: none"> do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4. <p>Policy E1 – Employment provision</p> <p>The focus for new employment provision in Herefordshire is to provide a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy. Larger employment proposals will be directed to the strategic employment sites of Hereford, the market towns and rural industrial estates where appropriate.</p> <p>Development proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged where:</p> <ul style="list-style-type: none"> the proposal is appropriate in terms of its connectivity, scale, design and size; the proposal makes better use of previously developed land or buildings; the proposal is an appropriate extension to strengthen or diversify an existing business operation; the proposal provides for opportunities for new office development in appropriate locations. <p>The provision of viable live/work units as part of mixed use developments will also be encouraged.</p>
<p><u>POLICY LG11 – PROTECTION OF LOCAL GREEN SPACES</u></p> <p>The following local green spaces as shown below are designated in accordance with paragraphs 76 and 77 of the NPPF:</p> <p>Holy Well (Map 4)</p> <p>Lydiatts Crossroads (Map 5)</p> <p>Entrance to Willows (Map 6)</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental</p>

<p>Luston School Playing Fields (Map 7)</p> <p>New development which impacts adversely on the openness of these sites will not be permitted except in very special circumstances.</p>	<p>assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy SC1 – Social and community facilities</p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities (for example, schools, pre-schools, children’s centres, child minding provision, youth provision, pubs and local shops) -that cannot be met through existing social facilities will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contribution</p>
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	<p>where appropriate.</p> <p>Policy OS3 – Loss of open space, sports or recreation facilities</p> <p>In determining the appropriateness of proposals which results in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> 1. clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard; 2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community; 3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses; 4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.
<p><u>POLICY LG12 – PROTECTION OF OPEN SPACES</u></p> <p>The following open spaces as shown below are protected.</p> <p>Eyton Common (Map 8)</p> <p>Upper Eyton Common (Map 9)</p> <p>Riddle Common (Map 10)</p> <p>Development affecting these open spaces will be permitted when:</p> <p>a) It does not have a detrimental impact on the historic character or rural setting of the open</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially</p>

<p>space;</p> <p>b) It would not lead to a detrimental impact on the wildlife of the open space; and</p> <p>c) It would not have a detrimental impact on views in to and out of the open space.</p>	<p>those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy SC1 – Social and community facilities</p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities (for example, schools, pre-schools, children's centres, child minding provision, youth provision, pubs and local shops) -that cannot be met through existing social facilities will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contribution where appropriate.</p>
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	<p>Policy OS3 – Loss of open space, sports or recreation facilities</p> <p>In determining the appropriateness of proposals which results in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> 1. clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard; 2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community; 3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses; 4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.
<p><u>POLICY LG13 – PROTECTION AND ENHANCEMENT OF LOCAL COMMUNITY FACILITIES</u></p> <p>There will be a presumption in favour of the protection and enhancement of existing facilities. The proposed re-use of local community facilities such as the village hall and educational facilities will only be permitted for other health, education or community type uses.</p> <p>The change of use of existing facilities to other uses will not be permitted unless the following can be demonstrated:</p> <p>a) The proposal includes alternative provision, on a site within the locality, of equivalent or</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and historic assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the</p>

<p>enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or</p> <p>b) Satisfactory evidence is produced that there is no longer a need for the facility</p> <p>The existing community facilities in the village include:</p> <p>The Balance Public House</p> <p>Cawley Hall</p> <p>Luston School</p> <p>St Peter and St Paul, Eye and Luston Chapel</p>	<p>health and wellbeing of the county's residents and its economy.</p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity; • historic environment and heritage assets; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity and soils; • physical resources, including minerals, management of waste, the water environment, renewable energy and energy conservation. <p>Policy SC1 – Social and community facilities</p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities (for example, schools, pre-schools, children's centres, child minding provision, youth provision, pubs and local shops) -that cannot be met through existing social facilities will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contribution where appropriate.</p> <p>Policy OS3 – Loss of open space, sports or recreation facilities</p> <p>In determining the appropriateness of proposals which results in the loss of an</p>
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	<p>open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> 1. clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard; 2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community; 3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses; 4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.
<p><u>POLICY LG14 – COMMUNITY FACILITIES AND COMMUNITY INFRASTRUCTURE LEVY</u></p> <p>Developers will be required to support proposals for improvement to and maintenance of community facilities and infrastructure in the parish, through S106 and Community Infrastructure Levy, as deemed appropriate by the Parish Council in consultation with Herefordshire Council.</p>	<p>Policy SS1 – Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy ID1 – Infrastructure Delivery</p> <p>Provision for new and/or the enhancement of existing infrastructure, services and facilities to support development and sustainable communities, will be achieved through a co-ordinated approach.</p> <p>Where necessary, in addition to planning conditions for essential on-site design requirements and critical infrastructure, developer contributions towards strategic infrastructure through s106 agreements and/or a future Community Infrastructure Levy (C.I.L), will be secured in accordance with national planning</p>

	<p>policies and other relevant legislation.</p>
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A Planning Obligations Supplementary Planning Document (SPD) will provide details of the type and scale of obligations that may apply.

Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to an SEA Screening Assessment undertaken by Herefordshire Council.

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below. The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK’s statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual’s rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that “The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.