

Peterchurch Regulation 16 Submission Neighbourhood Development Plan

Paragraph 8 of Schedule 4b

‘Basic Conditions’ Statement

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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 Peterchurch 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 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 Peterchurch 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 Peterchurch NDP meets these basic conditions is set out below.

Have Appropriate Regard to National Policy

The Peterchurch Neighbourhood 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 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 Peterchurch Neighbourhood Plan does not undermine the strategic policies of Herefordshire Council; the Plan aims to support these policies by protecting local built and natural heritage assets from inappropriate new development whilst at the same time seeking to manage future housing growth.

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 Peterchurch Submission Neighbourhood Development Plan

NPPF Core Planning Principle	Regard that Peterchurch Neighbourhood Plan has to guidance
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	The Parish Council has produced the Submission 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

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<p>practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>community engagement. The Plan sets out a positive vision for the area up to 2031 The Neighbourhood Plan sets out a number of development management policies (13 in total) to guide, control and promote future development. The plan allocates sites for housing, recreation uses and a new car park for the school and seeks to protect allocated local green spaces and employment land.</p>
<p>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.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Peterchurch Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which will manage future housing and employment growth, whilst at the same time protecting and enhancing key assets such as landscape, non-designated heritage assets and the Golden Valley’s dark skies.</p>
<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. 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 Plan refines and amplifies Herefordshire-wide policies and proposals set out in the saved Hereford UDP and Core Strategy policies. The Submission Neighbourhood Plan supports appropriate business and economic growth at the Old Forge Industrial Area (Policy P8) and an extension to this existing employment area (Proposal P8/1). The Plan also includes a suite of policies to manage future housing development in settlements and the open countryside (Policies P1 to P4). This includes settlement boundary for the village of Peterchurch where new housing development will be supported and a site allocation at Hawthorn Rise of 2.67 hectares for new housing (subject to a section 106 this site has planning permission for new housing).</p>
<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.</p>	<p>The Submission Neighbourhood Plan sets out policies to protect and enhance landscape, non-designated heritage assets and dark skies. Detailed design matters will be dealt with using the design policies in the Herefordshire Core Strategy and future Herefordshire development management policies.</p>

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<p>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.</p>	<p>The Submission Neighbourhood Plan takes regard of this guidance fully in plan-making and decision- taking. The Plan recognises the rural character of this part of the Golden Valley. The plan seeks to guide development to the main village of Peterchurch and limits development in the open countryside. The plan seeks to protect services and facilities in Peterchurch village (Policy P5); support the facilities at the local school (Policy P6); local employment and tourism (Policies P7 and P8); whilst protecting landscape (Policy P9); local green spaces and green infrastructure (Policy P10); non-designated heritage assets (Policy P11); and dark skies (Policy P12).</p>
<p>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 energy).</p>	<p>The Submission Neighbourhood Plan strategy seeks to direct development to the most sustainable location in the neighbourhood plan area: Peterchurch village. This presents the best opportunity to minimise resource use and re-use existing buildings and to maximise the use of existing services and facilities. In the case of the latter this will reduce the need to travel longer distances and offers opportunities to make journeys by foot and cycle.</p>
<p>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>	<p>The Submission Neighbourhood Plan is fully consistent with this principle.</p> <p>The Plan provides a policy framework for the protection and enhancement of this highly sensitive rural landscape (Policy P9); local green spaces and infrastructure (Policy P10); non-designated heritage assets (Policy P11); and dark skies (Policy P12).</p>
<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.</p>	<p>The Submission Plan encourages the re-use of previously developed land when it is not of high environmental value within the defined settlement boundary for Peterchurch (Policy P1). The plan also supports continued employment use at the existing old Forge Industrial Estate (Policy P8).</p> <p>The plans seeks to retain and re-use existing buildings within the village for community, employment and tourism uses (Policies P6 and P7).</p>

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<p>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).</p>	<p>The Submission Plan strategy is consistent with this principle. Peterchurch village will be the main focus for new development. New growth will be able to take advantage of existing services and facilities and, in turn, support these services and facilities.</p> <p>Outside of the village of Peterchurch new development will be limited but the plan through policies on tourism (Policy P7), landscape (Policy P9) local green spaces and green infrastructure (Policy P10) and dark skies (Policy P12) the many functions performed by the open countryside in the neighbourhood plan area are recognised and will be protected and enhanced.</p>
<p>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>	<p>The Submission Neighbourhood Plan is fully in line with this principle.</p> <p>Policy P11 identifies and seeks to preserve a number of non-designated heritage assets by using a local list.</p>
<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</p>	<p>The Submission Plan strategy is consistent with this principle. Peterchurch village will be the main focus for new development. This will allow developers and those who live and work in the area to maximise the opportunities for walking and cycling and using the village’s limited public transport.</p> <p>The Submission Neighbourhood Plan Policy P13 seeks to promote the use of sustainable forms of transport through supporting improvements to walking, cycling and public transport.</p>
<p>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</p>	<p>The Neighbourhood Plan is fully in accord with this principle. Policies in the plan safeguard and seek to improve open countryside and rural landscape setting and promote walking and cycling.</p> <p>Policy P5 seeks to protect and supports enhancements to the valuable local services and facilities in Peterchurch village.</p>

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 through Policy P11.

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

The Plan area has no Conservation Areas.

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 subject to an iterative Strategic Environmental Assessment screening process and Habitat Regulations Assessment. An Environmental Report should be read in conjunction and is submitted alongside this Basic Condition 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;

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- ❑ 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 economic development which is sensitive to the rural landscape and setting of the Parish. Continued economic development at Old Forge Industrial Estate is supported (Policy P8) and in the local centre (Policy P6). Elsewhere the plan seeks to support appropriate tourism development (Policy P7). The housing policies in the plan (Policies P1 to P4) also seek to support a level of housing growth in conformity with Core Strategy strategic, planning policy.

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Social	The plan protects local community facilities and the local centre (Policy B6) and recognises through a number of policies the role of the landscape (Policy P9) and countryside in supporting health and wellbeing of parish residents and visitors.
Environmental	<p>The Submission Neighbourhood Plan sets out policies that protect landscape (Policy P9), local green spaces and green infrastructure (Policy P10), non-designated heritage assets (Policy P11) and dark skies (Policy P12).</p> <p>The Plan seeks to promote more sustainable transport patterns by supporting improvements in walking, cycling and public transport (Policy P13).</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 Local Plan Core Strategy, and, where relevant, the saved Unitary Development Plan policies.

Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic policies contained in the Herefordshire Local Plan Core Strategy, and, where relevant any saved Unitary Development Plan policies.

Table 3 Conformity with Local Strategic Policy

<i>Peterchurch Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i>
<p>POLICY P1 – NEW HOUSING DEVELOPMENT IN PETERCHURCH VILLAGE</p> <p>Within the defined settlement boundary for Peterchurch village, see Figure 4 the Proposals Map, new housing development will be supported when it:</p> <ul style="list-style-type: none"> a) Re-uses brownfield land where possible provided the site does not have a high environmental value; b) Enhances the character and local distinctiveness of the area; c) Does not lead to the loss of existing community facilities, or green space; d) Does not lead to the loss of local employment opportunities, including tourism; e) Is not at significant risk of flooding and they it can be demonstrated it will not increase the risk of flooding of flooding elsewhere; and 	<p>Peterchurch is identified in the Core Strategy as one of the settlements in the Golden Valley that will be the main focal points for “proportionate housing development”. The indicative housing growth target for the Golden Valley, 2011 to 2031, is 12%. For settlements, such as Peterchurch, new housing development should be in general conformity with Core Strategy Policy RA2 “Housing in settlements outside Hereford and the market towns”.</p> <p>Policy RA2 sets the following principles:</p> <ul style="list-style-type: none"> ▪ That the indicative growth target for the Golden Valley be used to inform the level of housing to be delivered – <i>this target has been used to inform the level of housing proposed in the Peterchurch NDP. This includes the definition of a settlement boundary and a Policy (P1) to manage housing growth within the village; a large site allocation at Hawthorn Rise; and policies to manage housing development outside Peterchurch village;</i> ▪ Neighbourhood development plans will allocate land or otherwise demonstrate delivery to show how they will meet the growth target – <i>the Peterchurch NDP allocates a large site for new housing and establishes a settlement boundary within which new development will be supported. Together this approach will ensure the minimum growth target can be met and probably exceeded.</i> ▪ <i>The design and layout of housing proposals should reflect the size, role and function of each settlement – by allocating a single site well related to the village and drawing a settlement boundary the Peterchurch NDP will ensure that new development reflects the size, role and function of Peterchurch.</i>

Peterchurch Neighbourhood Development Plan	Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.
<p>Proposals for development beyond the settlement boundary will only be permitted when:</p> <p>f) They adjoin the settlement boundary; and</p> <p>g) There are no allocated or suitable sites within the settlement boundary.</p> <p>The following site is identified on the Proposals Map (Figure 4) for housing:</p> <p>P1/1 – LAND ADJOINING HAWTHORN RISE, 2.67 hectares</p>	<ul style="list-style-type: none"> ▪ <i>Best and full use should be made of brownfield land where possible – Policy P1 seeks to re-use brownfield land within the settlement boundary wherever possible.</i> ▪ <i>Housing development is of high quality, sustainable and makes a positive contribution to the surrounding environment and landscape – the NDP does not include a specific design policy. The NDP will be used in conjunction with the Core Strategy that has a design policy (Policy SD1). The NDP includes policies on landscape (P9), non-designated heritage assets (P10) and dark skies (P12).</i> ▪ <i>Housing development proposals should generate homes of the size, type, tenure and range that is required in a particular settlement, reflecting local demand – Policy P4 of the neighbourhood plan seeks to ensure that new housing proposals address local needs.</i> <p>Policy P1 is in general conformity with strategic planning policy.</p>
<p>POLICY P2 – NEW HOUSING DEVELOPMENT IN THE COUNTRYSIDE</p> <p>New housing development in the countryside, outside of the village of Peterchurch, will only be permitted when it satisfies one or more of the following:</p>	<p>Policy RA3 sets out how future housing development in the open countryside will be managed. Policy P2 covers the same criteria as Policy RA3 and is in general conformity with strategic planning policy.</p>

<p><i>Peterchurch Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i></p>
<p>a) It is essential housing for an agricultural, forestry or other rural worker to live permanently at or near their place of work;</p> <p>b) It accompanies and is necessary for the establishment or growth of a rural enterprise (and meets the criteria in Core Strategy policy RA4);</p> <p>c) It replaces an existing dwelling and the new dwelling is comparable in size and scale to the dwelling to be replaced; or</p> <p>d) It re-uses an existing redundant building (and meets the criteria in Core Strategy policy RA5); or</p> <p>e) It is of exceptional quality and innovative design and meets Policy RA2 of the Core Strategy.</p>	
<p>POLICY P3 – RURAL EXCEPTION HOUSING</p> <p>Within the neighbourhood plan area proposals for small affordable housing schemes (social rented, affordable rented and intermediate low cost or rented homes) may be permitted on land not</p>	<p>Policy H2 of the Core Strategy “Rural exception sites”. Policy P3 is in general conformity with this policy and add additional detail on the need for a “local housing needs survey” to provide “appropriate evidence” and for such exceptions housing to be “within reasonable walking distance of services and facilities in Peterchurch village”.</p>

<p><i>Peterchurch Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i></p>
<p>normally considered appropriate for new housing when:</p> <p>The proposal could assist in meeting a proven need for affordable housing backed by appropriate evidence from a local housing needs survey;</p> <ul style="list-style-type: none"> a. Such housing is made available to, and retained in perpetuity for local people in need of affordable housing; and b. The proposal is within reasonable walking distance of services and facilities in Peterchurch village. <p>Such housing must also be in line with Core Strategy Policy H2.</p>	
<p>POLICY P4 – ENSURING AN APPROPRIATE RANGE OF TENURES, TYPES AND SIZES OF HOUSES</p> <p>All proposals for new housing development will have to demonstrate how they contribute to maintaining a mix of tenures, types and size of dwelling to meet the needs of all households in the parish including single people and the elderly population.</p>	<p>Policy H3 of the Core Strategy states that “Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities. Policy H3 only provides further guidance on site over 50 dwellings. Policy P4 of the Peterchurch NDP sets more detailed local criteria to ensure and appropriate range and mix of houses is delivered over the plan period in Peterchurch. This approach is in general conformity with strategic planning policy.</p> <p>Policy H1 of the Core Strategy sets thresholds and targets for affordable housing on sites of 10 or more units. Policy P4 seeks to ensure that such housing is integrated across a site and not provided in separate groups or clusters.</p>

<i>Peterchurch Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i>
<p>Housing should be capable of being adapted over time and should be capable of being adapted to meet the needs of people in the community with additional needs.</p> <p>On sites of one and two dwellings the contribution such sites make to housing variety and mix will be monitored over time. Proposals that could cumulatively lead over time to an over provision of one tenure, type or size of dwelling will not be supported.</p> <p>On sites of three or more dwellings a mix of types and sizes should be provided.</p> <p>All sites including affordable housing should integrate. The mix and appearance of different tenures across a Site. Development that leads to concentrations of different types and tenures of homes in separate groups on a site will not be supported.</p>	
<p>POLICY P5 – PETERCHURCH VILLAGE CENTRE</p> <p>The role of Peterchurch as a local centre will be enhanced by protecting valuable services and</p>	<p>Policy P5 is in general conformity with Core Strategy Policy SC1 “Social and community facilities. Policy SC1 seeks to:</p> <ul style="list-style-type: none"> ▪ Protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible; ▪ Proposals should be in or close to settlements;

<i>Peterchurch Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i>
<p>facilities. When considering proposals, the following criteria will be applied:</p> <p>a) The change of use of shop, pub, Post Office or other community facilities to residential uses will not be supported unless equivalent or better provision for the facility to be lost is made elsewhere within the settlement boundary; or it can be clearly demonstrated that the site is no longer viable or needed for service and facility uses.</p> <p>b) Development proposals for new, expanded or improved retail, commercial and community facilities will be supported when:</p> <p>i. They do not have an adverse impact on residential amenity;</p> <p>ii. They enhance the character of the immediate surrounding area and wider village</p> <p>iii. They do not lead to traffic management problems and they encourage active travel.</p> <p>c) Proposals to develop a “hub” building housing a range of services e.g. doctor, health centre, police station, community centre, young</p>	<ul style="list-style-type: none"> ▪ Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility. <p>Criterion (a) is in general conformity with this last bullet point from Policy SC1 and also identifies the local facilities to which it will be applied.</p> <p>Criterion (b) adds sets development management criteria for new development and criterion (c) will support a new “hub” building.</p>

<p>Peterchurch Neighbourhood Development Plan</p>	<p>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</p>
<p>peoples’ activities will be particularly encouraged.</p>	
<p>POLICY P6 – PETERCHURCH SCHOOLS</p> <p>Proposals to improve the facilities, access and car parking at the schools will be encouraged. In particular:</p> <ul style="list-style-type: none"> a) The site P6/1 identified on the proposals map (Figure 4) is identified to provide improved car parking for the schools. Before development on this site is supported all the necessary tests in accordance with paragraphs 100 to 104 of NPPF and their associated guidance will have to be satisfied; b) Measures to alleviate the risk of flash flooding; c) Proposals for full size playing pitches in close proximity to the Fairfield School site will be encouraged; and d) A new shared use footpath from Crossways to Fairfield School. 	<p>Policy P6, and its specific proposals, is in general conformity with Policy SC1 of the Core Strategy that seeks to enhance existing community facilities.</p>
<p>POLICY P7 – PROMOTING LOCAL EMPLOYMENT AND TOURISM</p>	<p>Policy P7 is in general conformity with Policy RA6 of the Core Strategy – “Rural economy” and Policy E4 “Tourism”.</p>

<i>Peterchurch Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i>
<p>New proposals for employment and tourism will be supported within Peterchurch village when they:</p> <ul style="list-style-type: none"> a) Re-use buildings and brownfield land, where possible, provided the site does not have a high environmental value; b) Do not have a significant adverse impact on residential amenity; and they c) Enhance the character of the area. <p>Outside of Peterchurch village, in the open countryside, the following will be supported:</p> <ul style="list-style-type: none"> d) New foot / cycle path and bridleways; and e) Enhancements to the Herefordshire Trail. <p>Proposals to create a shared footpath, cycleway and bridleway along the former railway line will be supported. We will work with adjoining parishes, Herefordshire Council and others to implement this proposal.</p>	<p>Criteria (a) to (c) set development management criteria for such development. These are in general conformity with Policy RA6.</p> <p>Criterion (d) and (e) are in general conformity with criterion 4 of Policy E4.</p>

<i>Peterchurch Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i>
<p>POLICY P8 – OLD FORGE INDUSTRIAL AREA</p> <p>Development for B1, B2 and B8 uses within the Old Forge Industrial area will be supported when:</p> <ul style="list-style-type: none"> a) They do not adversely affect other occupiers of the site; b) They do not adversely affect residential amenity; and c) They do not lead to road traffic problems and encourage active travel. <p>Within the settlement boundary the site shown on Figure 4 is identified for expansion of the Old Forge Industrial Estate. This area is at risk of flooding and any development will have to include suitable mitigation measures.</p> <p>The following site is identified on the Proposals Map (Figure 4) for expansion of the Old Forge Industrial Estate:</p> <p>P8/1 – EXTENSION TO OLD FORGE INDUSTRIAL ESTATE</p> <p>Before development on this site is supported all the necessary tests in accordance with</p>	<p>Policy P8 is in general conformity with Policy RA6 of the Core Strategy. Policy RA6 supports the small scale extension of existing businesses; and sets development management criteria for planning applications. The criteria (a) to (c) in P8 are consistent with these.</p> <p>Policy P8 is also in general conformity with Core Strategy Policy E1 that seeks to direct larger employment proposals to “rural industrial estates”, such as the Old Forge Industrial Estate.</p>

<p><i>Peterchurch Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i></p>
<p>paragraphs 100 to 104 of NPPF and their associated guidance will have to be satisfied.</p>	
<p>POLICY P9 – LANDSCAPE</p> <p>All development proposals will have to show regard to the varied and distinctive landscape character of the area by:</p> <ul style="list-style-type: none"> a) Retaining the integrity of the dispersed settlement pattern of main village, scattered hamlets and farmsteads; b) Demonstrating the character of the surrounding landscape has influenced the materials, design, scale, form and siting of the development proposed; c) Retaining and re-using vernacular buildings; d) Protecting and enhancing the differing settings of the area’s settlements; e) Protecting and enhancing any designated areas such as wildlife sites, listed buildings, and ancient monuments; f) Protecting and enhancing the natural, historic and scenic beauty of the area; 	<p>Policy P9 is in general conformity with Core Strategy policy LD1 “Landscape and townscape”. Policy LD1 states that development proposals should:</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, 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 appropriate uses, design and management; • 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 P9 is consistent with all of the above and sets a more detailed neighbourhood level policy with ten criteria against which planning proposals will be assessed. These will help retain and enhance local distinctiveness.</p>

<p><i>Peterchurch Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i></p>
<p>g) Maintaining and limiting impact on views of the Black Mountains; h) Retaining local field patterns, ancient woodland, species rich hedgerows and mature hedgerow trees; i) Restoring native woodland, in appropriate areas such as watercourses, settlements, existing woodlands, through new planting and linking to existing wooded areas; and j) In appropriate locations maintaining and increasing traditional standard orchards.</p>	
<p>POLICY P10 – LOCAL GREEN SPACES AND INFRASTRUCTURE</p> <p>Peterchurch’s network of greenspaces and green infrastructure should be retained and enhanced.</p> <p>Development proposals should enhance and introduce new green infrastructure by:</p> <p>a) Retaining existing trees, hedgerows, woodlands, traditional orchards, water courses, parks and gardens;</p>	<p>Core Strategy policy LD3 “Green Infrastructure” states that:</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.”

<i>Peterchurch Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i>
<p>b) Enhancing and improving non-vehicular access to the River Dore, Dorstone, Vowchurch and Ewyas Harold;</p> <p>c) Providing on site new green infrastructure, such as trees in garden, landscape, car park and other communal areas; and</p> <p>d) By creating links and connections to the surrounding network of green infrastructure and, where opportunities arise, by creating new green infrastructure.</p> <p>The following site is identified on the Proposals Map (Figure 4) for recreational use:</p> <p>P10/1 – LAND OFF BAZELEY LANE</p> <p>This site will be developed for full size sports and recreational facilities, including a full-size football pitch, for use by local clubs & Fairfield School. Access to and from the site by active travel modes should be a feature of the development.</p> <p>P10/2 and P10/3 – LOCAL GREEN SPACES</p>	<p>Policy P10 is in general conformity with Policy LD3 and adds neighbourhood level, more detailed policy.</p> <p>The allocation of land at Bazeley Lane is in general conformity with Policy OS1 that requires new sport and recreation facilities in relation to new housing development and Policy OS2 meeting open space, sport and recreation needs.</p> <p>The Core Strategy does not have a policy on local green spaces.</p>

<p><i>Peterchurch Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i></p>
<p>The local green spaces shown on Figure 4 and 5 will be protected. The development of these areas for inappropriate uses will only be supported in very special circumstances.</p>	
<p>POLICY P11 – NON-DESIGNATED HERITAGE ASSETS</p> <p>Development proposals affecting the non-designated heritage assets identified below should:</p> <ul style="list-style-type: none"> a) Conserve such assets; b) Where appropriate enhance such assets, their setting, and the wider setting of the Golden Valley; and c) Where agreed loss occurs arrangements should be made for suitable recording of the asset. <p>The following non-designated heritage assets have been identified:</p> <ul style="list-style-type: none"> • Alms Houses • St Peter’s Well 	<p>Policy P11 identifies specific non-designated heritage assets to be protected. Policy P11 is in general conformity with Policy LD4 of the Core Strategy that seeks to protect, conserve and enhance heritage assets and their settings in a manner appropriate to their significance.</p>

<p><i>Peterchurch Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i></p>
<ul style="list-style-type: none"> • Spring outlet opposite Hinton Hall • Royal Observer Corp site and structures, Stockley Hill • Plough, Long Lane (former public house) <p>Where other non-designated heritage assets, not identified above, are affected by development proposals, such proposals will be assessed in line with Core Strategy Policy LD4.</p>	
<p>POLICY P12 – DARK SKIES</p> <p>To reduce light pollution in to the Golden Valley and to improve the views of our night time skies planning proposals that include external lighting and significant openings that would allow internal lighting to be seen externally will have to demonstrate the following:</p> <ul style="list-style-type: none"> a) They have undertaken an appropriate assessment and can demonstrate the need for the lighting; and b) The nature of the proposed lighting is appropriate for its use and location. 	<p>Policy P12 seeks to retain the area’s dark skies and is in general conformity with Core Strategy policies:</p> <p>SS6 – Environmental quality and local distinctiveness – this policy seeks to assess the effect of light pollution; and</p> <p>SD1 – Sustainable design and energy efficiency – this policy seeks to ensure new development does not contribute to light pollution.</p>

<p><i>Peterchurch Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031, adopted 2015.</i></p>
<p>POLICY P13 – TRAFFIC AND TRANSPORT</p> <p>To improve traffic and highway issues in the area the following will be encouraged:</p> <ul style="list-style-type: none"> a) Improved car parking in the village centre, particularly at St Peter’s church; b) Improved footpaths, cycleways, and bridleways; and c) Improved bus and community transport services <p>The Parish Council have created a working group which will continue to develop measures to support the implementation of Policy P13.</p>	<p>This policy is in general conformity with Policy MT1 – Traffic Management, highway safety and promoting active travel in the Core Strategy.</p>

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 and a Habitat Regulations Screening Assessment undertaken by Herefordshire Council.

The SEA concluded that:

“On the whole, it is considered that the Peterchurch NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). The plan proposes a level of growth which reflects a current planning application for housing development and would potentially exceed the proportionate growth that prescribed by strategic policies. There are some revised wording changes suggested to strengthen or clarify some policies areas as a result of the SEA. There are two policies within the draft plan which it is suggested are reviewed as a result of the SEA, these are policy P6 and P8/1.”

(Source: Peterchurch Neighbourhood Area Environmental Report, Herefordshire Council, October 2015.)

The HRA Screening concluded that:

“None of the Peterchurch Neighbourhood Plan policies (September 2015 version) were concluded to be likely to have a significant likely effect on the River Wye SAC. This is primarily because much of the parish/ neighbourhood area lies outside of the hydrological catchment of the River Wye SAC. Some suggestions have been made to strengthen the policy wording but this is in connection with the effects of flooding on the River Dore which is not part of the hydrological catchment of the River Wye. Based on assumptions and information contained within the Peterchurch Neighbourhood Plan, Herefordshire Core Strategy and the Pre-submission version /Proposed Modifications Addendum of the HRA for the Core Strategy, all of the NDP policies were found to be unlikely to result in a significant likely effect on the River Wye SAC.

(Source: Peterchurch Neighbourhood Area Habitat Regulations Assessment, Herefordshire Council, October 2015.)

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.

Peterchurch Regulation 16 Submission Neighbourhood Development Plan – Basic Conditions Statement, July 2016

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 Group 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.

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