

# **Welsh Newton and Llanrothal Submission Neighbourhood Development Plan**

## **Paragraph 8 of Schedule 4b**

### **'Basic Conditions' Statement**



## **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 Welsh Newton and Llanrothal 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 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 emerging 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 Welsh Newton and Llanrothal Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

## 2.0 Basic Conditions

### Have Appropriate Regard to National Policy

The Welsh Newton and Llanrothal 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 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 Welsh Newton and Llanrothal 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 insensitive new development, aiming to ensure appropriate landscaping and screening are in place if the proposed southern link road is brought forward, and supporting small scale housing development to meet local needs.

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 Welsh Newton and Llanrothal Submission Neighbourhood Development Plan**

<b>NPPF Core Planning Principle</b>	<b>Regard that Welsh Newton and Llanrothal Neighbourhood Plan has to guidance</b>
<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 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 through community engagement. The Plan sets out a positive vision for the area up to 2031. The Neighbourhood Plan sets out a concise and practical suite of policies (16 in total) to guide development control decisions.</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 Welsh Newton and Llanrothal Group Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which protect this special, high quality landscape and its wildlife, and which promote high quality design. At the same time the Plan supports appropriate new housing within the settlement boundary of Welsh Newton Common.</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>The Submission Neighbourhood Plan supports appropriate business and economic growth in the rural area in several policies. Policy WNL10 supports appropriate new business development in former agricultural buildings and there are policies which guide polytunnels (WNL11), which support new communication technologies (WNL12) and which guide the development of appropriate low carbon energy schemes (WNL12, WNL13).</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 local landscape character and promote high design quality in a number of policies including Policy WNL1 Protecting and Enhancing Local Landscape Character and WNL5 - Building Design Principles.</p>
<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 Plan recognises the intrinsic character and beauty of the countryside and supports thriving rural communities within it. The Plan includes policies to promote green infrastructure (new Policy WNL2), to protect the countryside and wildlife and local green space (Policy WNL4 Protecting and Enhancing Local Wildlife and Habitats and Policy WNL5 Local Greenspace Protection). There are other policies which provide criteria for housing, business and energy</p>

	development in the countryside and the need to protect the beautiful, rural nature of the group parish is a common theme underpinning all policies in the Plan.
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).	Policy WNL13 – Supporting Community-Led Low Carbon Energy Schemes and Policy WNL14 – Renewable Energy Schemes support appropriate low carbon energy schemes in the countryside. Policy WNL5 - Building Design Principles supports sustainable design as does Policy WNL6 Welsh Newton Common Settlement Boundary and New Housing.
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.	The Plan protects areas of wildlife value in Policy WNL3 Protecting and Enhancing Local Wildlife and Habitats. Policy WNL9 Site Allocation – Former Garage Site, Welsh Newton promotes the re-use of a brownfield site (a former garage).
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.	Policy WNL9 Site Allocation – Former Garage Site, Welsh Newton promotes the re-use of a brownfield site (a former garage) and Policy WNL5 supports sensitive conversion of rural buildings.
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).	Welsh Newton and Llanrothal is a rural area and sparsely populated and large scale developments with a mix of uses would be inappropriate. However, the Plan supports small scale new housing schemes within or adjoining the existing settlement of Welsh Newton Common in line with the Herefordshire Adopted Local Plan Core Strategy and rural diversification of former agricultural buildings to support economic development and employment opportunities. The Plan recognises the role of the area in terms of value for wildlife and recreation through Policies WNL2, WNL3 and WNL4 which protects a well-used area of common land as a local green space.

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	The Submission Neighbourhood Plan is fully in line with this principle.  The Plan notes the existing built heritage assets in the Parish including 19 listed buildings and scheduled monuments and promotes high quality design which enhances the distinctive local character of existing settlements and buildings (Policy WNL5).
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	Policy WNL15 – Improving Local Footpaths, Bridleways, Cycleways and other Public Rights of Way seeks to encourage movement by means other than the private car and managing the impacts of traffic in the countryside is addressed in Policy WNL10 New Business Development in Former Agricultural Buildings.
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 Neighbourhood Plan is fully in accord with this principle. Policy WNL16 seeks to protect local community facilities to enhance quality of life and wellbeing.

**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 WNL5 which seeks to ensure designs for new buildings are sensitive to local character.

**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 subjected to a separate Screening Process for Strategic Environmental Assessment. Scoping and Habitat Regulations Assessment Screening were 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 have to undertake a Habitat Regulations Assessment (HRA) and the Screening

Assessment concluded that this was the case for Welsh Newton and Llanrothal as the Parish falls within the catchment for the River Wye. The Environmental Report (October 2015) advised that: *“The environmental appraisal of the Welsh Newton and Llanrothal NDP has been undertaken in line with the Environmental Assessment of Plan and Programmes Regulations 2004. Stage A of the SEA process involved Scoping and Stage B provided a review and analysis of the NDP. Stage C involved preparing an Environmental Report and Stage D comprises a formal consultation on both this and the Draft Plan itself. Habitat Regulations Assessment (HRA) screening has been carried out as the Group Parish falls within the catchment for the River Wye, which is a European site (Special Area of Conservation). The HRA assesses the potential effects of the NDP on the River Wye SAC. Overall it is considered that the Welsh Newton and Llanrothal NDP is in general conformity with both national planning policies contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). Nor does it propose any growth that would be over and above that prescribed by strategic policies. Therefore no changes to the NDP are recommended as a result of the SEA. Once made (adopted) by Herefordshire Council, the effects of the policies within the Welsh Newton and Llanrothal NDP will be monitored annually via the Council’s Annual Monitoring Report (AMR).”*

The HRA Screening Assessment (October 2015) concluded (in paras 9.6 to 9.8) that: *“It is unlikely that the Welsh Newton and Llanrothal Plan will have any in-combination effects with any Plans from neighbouring parish councils as the level of growth proposed is the same as that proposed for the Housing Market Area in the Herefordshire Core Strategy and all of the proposed housing sites will be of a small scale. It is therefore concluded that the Welsh Newton and Llanrothal Plan will not have a likely significant effect on the River Wye SAC. Any further amendments to policies (post October 2015) will be rescreened if required and an addendum to this report will be produced.”*

### **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 economic development in rural areas through appropriate conversion and redevelopment of former agricultural buildings for new economic uses.
Social	The Plan protects local community facilities and recognises the role of the landscape and countryside in supporting health and wellbeing of parish residents and visitors.

	The Plan supports appropriately sited and designed new housing in the rural area as part of the overall Herefordshire Council strategy to provide new housing focussed on identified rural settlements such as Welsh Newton Common.
Environmental	The Submission Neighbourhood Plan sets out policies that protect local and enhance local landscape character and existing settlements and built heritage assets.

### **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 Adopted Herefordshire Local Plan Core Strategy 2011 – 2031. Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic policies from the Adopted Plan.

**Table 3 Conformity with Local Strategic Policy**

<p><b><i>Welsh Newton and Llanrothal Neighbourhood Development Plan</i></b></p>	<p><b><i>Herefordshire Local Plan Core Strategy 2011 – 2031 Adopted October 2015</i></b></p>
<p><b>Policy WNL1 Protecting and Enhancing Local Landscape Character</b></p>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></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><b>Policy SS6 Environmental quality and local distinctiveness</b></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 heritage 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><b>Policy LD1 – Landscape and townscape</b></p> <p>Development proposals should:</p> <ul style="list-style-type: none"> <li>- 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;</li> </ul>

	<ul style="list-style-type: none"> <li>- 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;</li> <li>- 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.</li> </ul>
<p><b>Policy WNL2 Green Infrastructure</b></p>	<p><b>Policy LD3 Green infrastructure</b></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"> <li>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;</li> <li>2. provision of on-site green infrastructure;in particular proposals will be supported where this enhances the network and</li> <li>3. integration with, and connection to, the surrounding green infrastructure network.</li> </ol>
<p><b>Policy WNL3 Protecting and Enhancing Local Wildlife and Habitats</b></p>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy SS6 Environmental quality and local distinctiveness</b></p> <p><b>Policy LD1 Landscape and townscape</b></p>

	<p><b>LD2 Biodiversity and geodiversity</b></p> <p>Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p> <ol style="list-style-type: none"><li>1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows :<ol style="list-style-type: none"><li>a) Development that is likely to harm sites and species of European Importance will not be permitted;</li><li>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;</li><li>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.</li><li>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.</li></ol></li><li>2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and</li><li>3. creation of new biodiversity features and wildlife habitats.</li></ol> <p>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>
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	<b>LD3 Green infrastructure</b>
<b>Policy WNL4 Local Greenspace Protection</b>	<p><b>SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy SS6 Environmental quality and local distinctiveness</b></p> <p><b>Policy LD1 Landscape and townscape</b></p> <p><b>Policy LD3 Green infrastructure</b></p>
<b>Policy WNL5 - Building Design Principles</b>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy SS6 Environmental quality and local distinctiveness</b></p> <p><b>Policy LD1 Landscape and townscape</b></p> <p><b>Policy LD4 Historic environment and heritage assets</b></p> <p>Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> <li>1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible;</li> <li>2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design. Where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;</li> <li>3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;</li> <li>4. record and advance the understanding of the significance of any heritage</li> </ol>

	<p>assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and</p> <p>5. where appropriate, improve the understanding of and public access to the heritage asset.</p> <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><b>Policy SD1 Sustainable design and energy efficiency</b></p> <p>Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:</p> <ul style="list-style-type: none"><li>• ensure that proposals make efficient use of land - taking into account the local context and site characteristics,</li><li>• new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;</li><li>• safeguard residential amenity for existing and proposed residents;</li><li>• ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;</li><li>• where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective; ensure that distinctive</li></ul>
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	<p>features of existing buildings and their setting are safeguarded and where appropriate, restored;</p> <ul style="list-style-type: none"> <li>• utilise physical sustainability measures that include, in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure; where possible, on-site renewable energy generation should also be incorporated;</li> </ul> <p>create safe and accessible environments, and that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures, particularly;</p> <ul style="list-style-type: none"> <li>• ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and</li> <li>• utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;</li> </ul> <p>All planning applications including material changes of use, will be expected to demonstrate how the above design and energy efficiency considerations have been factored into the proposal from the outset.</p>
<p><b>Policy WNL6 Welsh Newton Common Settlement Boundary and New Housing</b></p>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy RA1 Rural Housing Distribution</b></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 seven Housing Markets Areas (HMA) and as illustrated in Figure 4.13</p>



This acknowledges that different areas of Herefordshire have different housing needs and requirements.

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.

Rural HMA	Approximate number of dwellings 2011 - 2031	Indicative housing growth target (%)
Ross on Wye	1150	14

**Policy RA2 Housing in settlements outside Hereford and the market towns**

To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the 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:

	<p>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;</p> <p>2. Their locations make best and full use of suitable brownfield sites wherever possible;</p> <p>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</p> <p>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.</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><b>Figure 4.15: Other settlements where proportionate housing is appropriate</b> <b>Welsh Newton Common</b></p>
<p><b>Policy WNL7 Rural Exception Housing</b></p>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy RA3 Herefordshire’s Countryside</b></p> <p>In rural locations outside of settlements, as to be defined in either neighbourhood development plans or the Rural Areas Sites Allocations DPD,</p>

	<p>residential development will be limited to proposals which satisfy one or more of the following criteria:</p> <ol style="list-style-type: none"> <li>1. meets an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with Policy RA4; or</li> <li>2. accompanies and is necessary to the establishment or growth of a rural enterprise, and complies with Policy RA4; or</li> <li>3. involves the replacement of an existing dwelling (with a lawful residential use) that is comparable in size and scale with, and is located in the lawful domestic curtilage, of the existing dwelling; or</li> <li>4. would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to an enhancement of its immediate setting; or</li> <li>5. is rural exception housing in accordance with Policy H2; or</li> <li>6. is of exceptional quality and innovative design satisfying the design criteria set out in Paragraph 55 of the National Planning Policy Framework and achieves sustainable standards of design and construction; or</li> <li>7. is a site providing for the needs of gypsies or other travellers in accordance with Policy H4.</li> </ol>
<p><b>Policy WNL8 Extensions to Houses and Residential Conversions of Former Agricultural Buildings</b></p>	<p><b>SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy RA3 Herefordshire’s countryside</b></p> <p><b>Policy RA5 – Re-use of rural buildings</b></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"><li>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;</li><li>2. design proposals make adequate provision for protected and priority species and associated habitats;</li><li>3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;</li><li>4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and</li><li>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 detrimental impact on its surroundings and landscape setting.</li></ol> <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><b>Policy H2 Rural exception sites</b></p>
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	<p>Proposals for affordable housing schemes in rural areas may be permitted on land which would not normally be released for housing where:</p> <ol style="list-style-type: none"> <li>1. the proposal could assist in meeting a proven local need for affordable housing; and</li> <li>2. the affordable housing provided is made available to, and retained in perpetuity for local people in need of affordable housing; and</li> <li>3. the site respects the characteristics of its surroundings, demonstrates good design and offers reasonable access to a range of services and facilities normally in a settlement identified in Policy RA2.</li> </ol> <p>In order to enable the delivery of affordable housing some market housing may be permitted as part of the development to subsidise a significant proportion of affordable housing provision. However, evidence will be required – by way of a financial appraisal, in order to demonstrate that the proposed scale of market housing is that required for the successful delivery of affordable housing.</p>
<p><b>Policy WNL9 Site Allocation – Former Garage Site, Welsh Newton</b></p>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy RA1 Rural Housing Distribution</b></p> <p><b>Policy RA2 Housing in settlements outside Hereford and the market towns</b></p>
<p><b>Policy WNL10 - New business development in former agricultural buildings</b></p>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy RA5 Re-use of rural buildings</b></p> <p><b>Policy RA6 Rural economy</b></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"> <li>• support and strengthen local food and drink production;</li> <li>• 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;</li> <li>• involve the small scale extension of existing businesses;</li> <li>• promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;</li> <li>• promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;</li> <li>• support the retention of existing military sites;</li> <li>• support the retention and/ or diversification of existing agricultural businesses;</li> </ul> <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"> <li>• ensure that the development is of a scale which would be commensurate with its location and setting ;</li> <li>• do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting and smell;</li> <li>• do not generate traffic movements that cannot safely be accommodated within the local road network and</li> </ul>
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	<ul style="list-style-type: none"> <li>do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.</li> </ul>
<b>Policy WNL11 – Polytunnels</b>	<p><b>Policy SS1 Presumption in favour of sustainable development</b></p> <p><b>Policy RA6 Rural economy</b></p>
<b>Policy WNL12 – Supporting New Communications Technologies and Broadband</b>	<b>Policy RA6 - Rural economy</b>
<b>Policy WNL13 – Supporting Community-Led Low Carbon Energy Schemes</b>	<p><b>Policy SD2 – Renewable and low carbon energy generation</b></p> <p>Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:</p> <ul style="list-style-type: none"> <li>ensure that proposals make efficient use of land - taking into account the local context and site characteristics,</li> <li>new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;</li> <li>safeguard residential amenity for existing and proposed residents;</li> <li>ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;</li> <li>where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective; ensure that distinctive</li> </ul>

	<p>features of existing buildings and their setting are safeguarded and where appropriate, restored;</p> <ul style="list-style-type: none"> <li>• utilise physical sustainability measures that include, in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure; where possible, on-site renewable energy generation should also be incorporated; create safe and accessible environments, and that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures, particularly;</li> <li>• ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and</li> <li>• utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;</li> </ul> <p>All planning applications including material changes of use, will be expected to demonstrate how the above design and energy efficiency considerations have been factored into the proposal from the outset.</p>
<p><b>Policy WNL14 – Renewable Energy Schemes</b></p>	<p><b>Policy SD1 – Sustainable design and energy efficiency</b></p> <p>Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:</p> <ul style="list-style-type: none"> <li>• ensure that proposals make efficient use of land - taking into account the local context and site characteristics,</li> </ul>



	<ul style="list-style-type: none"><li>• new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;</li><li>• safeguard residential amenity for existing and proposed residents;</li><li>• ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;</li><li>• where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective; ensure that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored;</li><li>• utilise physical sustainability measures that include, in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure; where possible, on-site renewable energy generation should also be incorporated; create safe and accessible environments, and that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures, particularly;</li><li>• ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and</li><li>• utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;</li></ul>
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	<p>All planning applications including material changes of use, will be expected to demonstrate how the above design and energy efficiency considerations have been factored into the proposal from the outset.</p> <p><b>Policy SD2 – Renewable and low carbon energy generation</b></p>
<p><b>Policy WNL15 –Improving Local Footpaths, Bridleways, Cycleways and other Public Rights of Way</b></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>Development proposals that will generate high journey numbers should be in sustainable locations, accessible by means other than private car. Alternatively, such developments will be required to demonstrate that they can be made sustainable by reducing unsustainable transport patterns and promoting travel by walking, cycling and public transport.</p> <p>Proposals to provide new and improved existing public transport, walking and cycling infrastructure will be supported. Where appropriate, land and routes will be safeguarded as required in future local or neighbourhood development plans and developer contributions, which meet the statutory tests, sought to assist with the delivery of new sustainable transport infrastructure, including that required for alternative energy cars.</p> <p><b>MT1: Traffic management, highway safety and promoting active travel</b></p> <p>Development proposals should incorporate the following principle requirements covering movement and transportation:</p>

	<ol style="list-style-type: none"><li>1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;</li><li>2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;</li><li>3. encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities;</li><li>4. ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services;</li><li>5. protect existing local and long distance footways, cycleways and bridleways unless an alternative route of at least equal utility value can be used, and facilitate improvements to existing or provide new connections to these routes, especially where such schemes have been identified in the Local Transport Plan and/or Infrastructure Delivery Plan; and</li><li>6. have regard to with both the council's Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan - having regard to the location of the site and need to promote sustainable travel choices.</li></ol> <p>Where traffic management measures are introduced they should be designed in a way which respects the character of the surrounding area including its</p>
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	<p>landscape character. Where appropriate, the principle of shared spaces will be encouraged.</p>
<p><b>Policy WNL16 - Provision and Protection of Local Community Facilities</b></p>	<p><b>Policy SC1 Social and community facilities</b></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 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 contributions which meet the relevant tests of paragraph 204 of the NPPF .</p> <p>Proposals involving the provision or expansion of social and community facilities will be expected to provide publicly accessible toilets (including facilities for disabled people and baby changing).</p> <p>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>

	<p>The provision or improvement of higher education facilities and the continuing enhancement of existing, or provision of new, training and skills facilities will be actively promoted.</p> <p><b>Policy ID1 Infrastructure Delivery</b></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 (CIL), 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>
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### **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 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.

