



HOPE - UNDER - DINMORE
& NEWTON

NEIGHBOURHOOD PLAN

Neighbourhood Development Plan

Basic Conditions Statement

November 2017

Hope-under-Dinmore Group Parish Council

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1. INTRODUCTION

1.1 This Statement has been prepared for Hope-under-Dinmore Group Parish Council to demonstrate that the Neighbourhood Development Plan (NDP) meets legal requirements and the prescribed basic conditions.

1.2 The Statement confirms that:

- the legal requirements have been met (section 2)
- it is appropriate having regard to national policies and advice contained in guidance issued by the Secretary of State to make the Plan (section 3)
- the NDP contributes to sustainable development (section 4)
- the NDP is in general conformity with the strategic policies contained in the relevant development plan, the Herefordshire Local Plan Core Strategy (section 5)
- the NDP does not breach and is otherwise compatible with EU obligations including human rights obligations and requirements for environmental and habitats assessment (section 6).

2. LEGAL REQUIREMENTS

- 2.1 The NDP relates to the area that was designated by Herefordshire Council as a Neighbourhood Area on 28 August 2013. The NDP relates only to this Area. No other neighbourhood development plan has or is being made for the Area.
- 2.2 Hope-under-Dinmore Group Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect, which is 2011-2031.
- 2.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.

3. REGARD TO NATIONAL POLICY

3.1 The Hope-under-Dinmore NDP has been prepared with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). The Plan reflects the core planning principles set out in the NPPF and will help achieve national planning policies at the local parish level. National Planning Practice Guidance has also been taken into account, for instance with regard to Local Green Space.

3.2 The NPPF sets out specific guidance on Neighbourhood plans at paragraphs 183 to 185:

- NPPF paragraph 183: Hope-under-Dinmore Group Parish Council has used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP.
- NPPF paragraph 184: the NDP is in general conformity with the strategic policies of the Local Plan (see section 5 below). The Plan does not promote less development than set out in the Local Plan, or undermine its strategic policies.
- NPPF paragraph 185: the NDP shapes and direct sustainable development in the Neighbourhood Area, through its policies and proposals.

3.3 The NPPF sets out twelve core planning principles, to which the Plan has had regard to as set out below.

Table 1: NPPF core planning principles

NPPF Core Planning Principle	How the Hope-under-Dinmore NDP has had regard to the guidance
<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The NDP provides planning policies covering housing, jobs and local services, and open spaces and the environment in order to ensure development is plan-led. Its preparation in consultation with the local community has enabled the people to shape their surroundings. It has been concerned to embody a positive vision and objectives for the parish and village in 2031, within the broader framework set by the Local Plan Core Strategy. A concise set of 12 policies provide a practical framework for development management.</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 Plan has been based on consultation around the key themes identified above to enable the community to positively and creatively engage with the future of the parish. The Plan Area will be enhanced and improved <i>inter alia</i> by Plan objectives and policies to: provide for new housing to meet requirements; support the provision of new community facilities; protect and enhance landscape character, biodiversity and heritage assets; and safeguard</p>

NPPF Core Planning Principle	How the Hope-under-Dinmore NDP has had regard to the guidance
<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>Local Green Space.</p> <p>The Plan has considered how best to provide for local housing and business needs within the framework of the Local Plan Core Strategy. The Plan supports housing growth to meet the minimum indicative requirement (policy HUD1). It also protects existing employment land and premises (policy HUD11).</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 Plan recognises that the village and rural environs have a distinctive character. Policies HUD3 and HUD6 seek to ensure that this is respected in the design of new development. Policies HUD3 and HUD10 provide for the protection of local and residential amenity.</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's vision succinctly identifies the role and character of the Plan Area in 2031 in terms of a thriving community which has retained its natural beauty and rural character. The Plan takes into account the Area's village focus; the primary land uses of woodland and agriculture; and the contribution these make to landscape character and local distinctiveness. The Plan provides for proportionate housing growth. Plan policies conserve and enhance the landscape setting and character of the village (policy HUD6) and protect Local Green Space (policy HUD7). Policies HUD8 and HUD9 provide for the conservation, restoration and enhancement of biodiversity and heritage assets, and for green infrastructure. The Plan also recognises the importance of managing flood risk (policy HUD4).</p>
<p>Support the transition to a low carbon future in a changing climate, taking full account of</p>	<p>Flood risk is a significant factor within the Area and this addressed within policy HUD4. Housing proposals should include measures for recycling and cycle storage (policy HUD3).</p>

NPPF Core Planning Principle	How the Hope-under-Dinmore NDP has had regard to the guidance
<p>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>Active travel is supported, helping to reduce carbon emissions (policies HUD3 and HUD5), as is renewable energy (policy HUD10).</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 this Framework.</p>	<p>The Plan provides for the conservation and enhancement of the natural environment through policy HUD6 on landscape character, policy HUD7 on Local Green Space, and policies HUD8 and HUD9 on biodiversity and heritage assets. The safeguards incorporated within policy HUD3 will ensure that wastewater can be managed to meet water quality requirements and without adverse effect on the River Wye SAC or River Lugg SSSI.</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 effective use of land is supported by the definition of a settlement boundary around the village of Hope-under-Dinmore. There are no significant areas of previously developed land, reflecting the rural environment of the Area.</p>
<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 Plan recognises that green infrastructure and the Local Green Space identified in the village are multi-functional, variously serving amenity, landscape setting, wildlife habitat and recreational roles.</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>Plan policy HUD9 provides for heritage assets to be conserved and enhanced in accordance with their status and significance. The Plan also emphasises the importance of new development being in keeping with the established village and rural area character, and of the landscape setting of the village (policies HUD3 and HUD6).</p>

NPPF Core Planning Principle	How the Hope-under-Dinmore NDP has had regard to the guidance
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.	Hope-under-Dinmore village is an identified settlement for housing development within Local Plan policy RA2, and the NDP implements this strategic approach through policies HUD1 and HUD2. Provision for walking and cycling in housing proposals is required by policy HUD3, and policy HUD5 supports a choice of transport modes. The Community Action identified under policy HUD5 refers to footway improvements.
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.	As above, walking and cycling are supported by the Plan and specific attention is given to meeting local community needs (policy HUD5 and associated Community Action).

3.4 The NDP was originally submitted to Herefordshire Council in May 2016 and examined in September 2016. The Examiner recommended a number of modifications. These included the deletion of policy HUD7, which proposed the designation of land to the rear of Tavern Meadow, Hope-under-Dinmore, as Local Green Space (LGS), on the basis that the policy did not have regard to the NPPF and did not meet the basic conditions. The Parish Council felt this recommendation did not reflect community aspirations, and resolved in November 2016 to withdraw the Plan to re-formulate the Plan and re-submit. The intent was to review the evidence and address the concerns of the Examiner whilst still meeting community aspirations. As explained in the accompanying Consultation Statement, further survey evidence has been gathered and public consultation undertaken. Following this, the justification for policy HUD7 has been revised.

3.5 In the light of this work, further consideration has been given to the Examiner’s concerns and a response is set out below.

Table 2: Parish Council response to Examiner’s concerns on policy HUD7

Examiner’s concerns	Parish Council response
LGS is not an opportunity to designate land for a future change of use.	The Parish Council does not seek to designate the land in question for a future change of use and the justification for policy HUD7 has been amended accordingly.
The site boundary shown on page 20 of the Neighbourhood Plan is not the same as that shown on page 14 of the Housing Site Assessment. This lack of consistency between	In the Housing Site Assessment (HSA), the proposed LGS was included within a larger parcel of land identified as site HUD2. This was one of four sites which were assessed in the HSA. The HSA recommended that part of site HUD2 be considered for designation as LGS, referring to this as the “main field” and as per the plan at page 14 of the Assessment. This is

relevant plans in respect of the proposed designation suggests a lack of precision.	the same area of land now proposed for designation as LGS.
The Housing Site Assessment refers to only the “main field” as providing for informal recreational use. The proposed designation includes other areas of land in addition to the “main field”.	As explained above, it is not the intent to include other areas of land in addition to the main field in the proposed LGS.
There is no substantive evidence to demonstrate that the whole of the area proposed for designation has informal recreational value.	Evidence has been provided that the proposed LGS is demonstrably special to the local community and holds a particular local significance, for a number of reasons. ¹ These are not limited to its informal recreational value, comprising: the visual amenity and tranquillity which it offers as a whole to the local community; its contribution to the character and setting of the village; the visual amenity it offers as a whole to the users of the public footpaths; and the recreational access it offers both via the public footpaths and other informal use of the open space as a whole. As noted in the NDP, users of the public footpaths benefit from the natural beauty and open aspect of the field as a whole.
The proposed designation appears large relative to the settlement. The Housing Site Assessment refers to the “excessive size” of the site.	<p>The reference in the HSA at para. 2.28 in full is “Taken as a whole, this site is of excessive size in relation to dwelling requirements.” The reference to excessive size is a comment comparing the size of site HUD2 overall to the minimum dwelling requirements to be met by the NDP. It is not a comment on the size of site HUD2 relative to the settlement, or in terms of the potential value or merits of parts of the site as LGS.</p> <p>It is emphasised that site HUD2 as identified and assessed in the HSA is a larger area of land than that proposed as LGS.</p> <p>The proposed LGS is not considered to be an extensive tract of land taking into its site characteristics, its context and relationship to the settlement. Planning Practice Guidance recognises that “there are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgement will inevitably be needed”.² In this regard, the site has clear, significant boundaries marked by the landform and railway, established natural planting and housing. As a result, it is limited in extent by its boundaries</p>

¹ Hope-under-Dinmore Neighbourhood Plan Group, Local Green Space to rear of Tavern Meadow, February 2017, and responses to consultation on Local Green Space and settlement boundary in 2017, reported in the Consultation Statement.

² PPG reference ID: 37-015-20140306

	and forms a distinct visual entity. What is sought here is very different from the “blanket designation of open countryside adjacent to settlements” cautioned against by Planning Practice Guidance. ³
Whilst the site makes a contribution to local character the same could be said for many tracts of land around Hope-under-Dinmore.	The qualities that make this site demonstrably special to the local community and give it a particular local significance arise because of a set of visual amenity, tranquillity, access and recreational characteristics which do not apply to any other tract of land around the village. The site is unique in its special relationship with the community due to the particular combination of location and proximity, visibility and access.

3.6 The Parish Council considers that policy HUD7 does meet the requirements for the designation of LGS as set out in the NPPF:

Table 3: Appropriateness of proposed Local Green Space

NPPF requirement for LGS (NPPF, para. 77).	Parish Council comments
The Green space is in reasonably close proximity to the community it serves.	The site is immediately adjacent to built-up residential areas of the village, and is overlooked by housing situated to the north and east. In addition the village hall backs onto the field. This requirement is met.
It is demonstrably special to a local community and holds a particular local significance.	Evidence has been provided that the field is demonstrably special as a whole and holds a particular local significance. ⁴ This arises because of the visual amenity and tranquillity it offers as a whole to the neighbouring community; its contribution to the character and setting of the village; the visual amenity it offers as a whole to the users of the public footpaths; and the recreational access it offers both via the public footpaths and other informal use of the open space as a whole. These visual amenity, tranquillity, access and recreational characteristics do not arise in respect of any other tract of land around the village, the field being unique in its special relationship with the community due to its particular combination of proximity, visibility and access. This requirement is met.

³ PPG *ibid.*

⁴ Hope-under-Dinmore Neighbourhood Plan Group, Local Green Space to rear of Tavern Meadow, February 2017, and responses to consultation on Local Green Space and settlement boundary in 2017, reported in the Consultation Statement.

<p>It is local in character and is not an extensive tract of land.</p>	<p>The field is local in character because of its close relationship with the village, including the neighbouring housing areas. The elevated boundary with the railway to the west enhances its local character, adding to the sense of enclosure and its clear visual relationship with the community it serves.</p> <p>The field is not an extensive tract of land taking into account site characteristics, its context and relationship to the settlement. It has clear, significant boundaries marked by the landform and railway, established natural planting and housing. As a result, it is limited in extent by its boundaries and forms a distinct visual entity. What is sought here is very different from the “blanket designation of open countryside adjacent to settlements” cautioned against by Planning Practice Guidance.⁵</p> <p>This requirement is met.</p>
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⁵ PPG reference ID: 37-015-20140306

4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

- 4.1 The making of the Hope-under-Dinmore NDP will contribute to the achievement of sustainable development.
- 4.2 The NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
- **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 and 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 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.
- 4.3 The NPPF goes on to emphasise that to achieve sustainable development the economic, social and environmental roles should be sought jointly and simultaneously as they are mutually dependent. The three roles are then set out in greater detail in the NPPF’s core planning principles, which the NDP supports (see Table 1). Table 4 sets out how the Plan’s policies will help achieve sustainable development by contributing to each of the three roles.
- 4.4 The NDP is in general conformity with the Local Plan Core Strategy, which sets out a spatial strategy to achieve the sustainable development of the County based on the three themes of social progress, economic prosperity, and environmental quality. These echo the three roles as defined in the NPPF. Conformity with the Core Strategy further ensures that the Plan will deliver sustainable development by virtue of setting out policies for each of these strategic themes.

Table 4: Sustainable development

Sustainable development role	How the Hope-under-Dinmore NDP contributes
Economic	<p>The Plan seeks to protect existing employment land and premises (policy HUD11). The Plan also supports improvements to broadband services and mobile phone reception which will benefit local business and support economic activity (policy HUD12).</p>
Social	<p>The Plan will contribute to meeting local housing requirements through its policies, including the definition of a settlement boundary (policies HUD1, HUD2).</p> <p>The Plan supports new community facilities (policy HUD5) and seeks to meet social needs through the provision of infrastructure addressing community needs including walking and cycling (Community Action).</p> <p>The Plan will serve to protect an area of Local Green Space within the village (policy HUD7).</p>
Environmental	<p>The Plan includes policies to protect and enhance the environment, including the landscape setting and character of the village (policy HUD6), Local Green Space (policy HUD7) and biodiversity assets and green infrastructure (policy HUD8). Good design will be sought which is in keeping with the character of its surroundings (policy HUD3).</p> <p>New housing development will also be required to meet requirements for surface and waste water drainage in the context of the River Wye SAC and River Lugg SSSI (policy HUD3). Renewable energy is addressed in policy HUD10.</p> <p>Flood risk including sustainable drainage is to be sought (policy HUD4).</p>

5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. Herefordshire Council has confirmed this position in its consultation response to the draft Plan, indicating that the Plan supplements Core Strategy policies in a local context without repetition and demonstrates it can deliver the required minimum housing targets (the planning application at Hampton Court Estate referred to in the Council’s response was approved in March 2016). Table 5 sets out more detail as to how each of the NDP’s policies align with the strategic policies. The text of cited Core Strategy policies can be seen at Appendix 1, and the full Core Strategy viewed here <https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>.
- 5.2 Remaining saved policies of the Herefordshire Unitary Development Plan are not relevant to the NDP.

Table 5: General conformity of NDP policies with strategic policies.

NDP policies	Herefordshire Local Plan Core Strategy
POLICY HUD1: HOUSING STRATEGY A MINIMUM OF 26 NEW DWELLINGS WILL BE PROVIDED IN THE PLAN AREA UP TO 2031. THE HOUSING REQUIREMENT WILL BE MET THROUGH WINDFALL SCHEMES.	Policy HUD1 supports rural housing delivery by confirming how housing is intended to be delivered to meet the indicative housing growth targets established in policy RA1 <i>Rural housing distribution</i> and policy RA2 <i>Housing in settlements outside Hereford and the market towns</i> . Having regard to existing housing completions and commitments and the environmental constraints within and adjacent to the village set out in the Plan, including flood risk, topography and designated biodiversity assets, the minimum required level of growth is to be met through windfall provision.
POLICY HUD2: SETTLEMENT BOUNDARY A SETTLEMENT BOUNDARY IS DEFINED FOR HOPE-UNDER-DINMORE, AS SHOWN ON THE VILLAGE POLICIES MAP	Policy HUD2 supports the Local Plan rural housing delivery strategy and specifically policy RA2. Hope-under-Dinmore is identified in Core Strategy figure 4.14 (settlements to be the main focus of proportionate housing development). The Core Strategy envisages that settlement boundaries will be defined for policy RA2 settlements in Neighbourhood Development Plans, and Policy HUD2 meets this expectation. The policy serves to define the extent of the village for planning purposes and thus the locations within the Area where policy RA3 <i>Herefordshire’s countryside</i> applies.
POLICY HUD3: CRITERIA FOR NEW HOUSING DEVELOPMENT	Policy HUD3 establishes detailed planning criteria for new housing

NDP policies	Herefordshire Local Plan Core Strategy
<p>HOUSING PROPOSALS SHOULD:</p> <ol style="list-style-type: none"> 1 BE IN KEEPING WITH THE CHARACTER OF THEIR SURROUNDINGS BY VIRTUE OF THEIR SITING AND LAYOUT, DENSITY, SCALE, MASSING, DESIGN, LANDSCAPING AND CHOICE OF TRADITIONAL MATERIALS; AND 2 HAVE REGARD TO RESIDENTIAL AMENITY; AND 3 INCLUDE PROPOSALS FOR THE TREATMENT OF WASTEWATER TO MEET WATER QUALITY REQUIREMENTS, AND FOR SUSTAINABLE SURFACE WATER DRAINAGE; AND 4 PROVIDE FOR RECYCLING AND CYCLE STORAGE; AND 5 ENSURE SUITABLE AND SAFE ACCESS TO THE HIGHWAY BY PEDESTRIANS, CYCLISTS AND VEHICLES. 	<p>proposals coming forward as windfalls throughout the Area. The policy supplements the following Local Plan strategic policies: H3 <i>Ensuring an appropriate range and mix of housing</i>, SD1 <i>Sustainable design and energy efficiency</i>, OS1 <i>Requirement for open space, sport and recreation facilities</i> and MT1 <i>Traffic management, highway safety and promoting active travel</i>.</p> <p>Given the SAC/SSSI status of the River Lugg, particular regard is had to policy SD4 <i>Waste water treatment and river water quality</i>.</p>
<p>POLICY HUD4: FLOOD RISK DEVELOPMENT PROPOSALS GIVING RISE TO FLOOD RISK IMPLICATIONS SHOULD:</p> <ol style="list-style-type: none"> 1 DEMONSTRATE THAT FLOOD RISK WILL NOT BE INCREASED ELSEWHERE; AND 2 DEMONSTRATE THAT THE DEVELOPMENT IS SUITABLY FLOOD RESILIENT AND RESISTANT, INCLUDING SAFE ACCESS AND EGRESS ROUTES, TAKING INTO ACCOUNT THE FLOOD RISK TO THE ADOPTED HIGHWAY IN THE VILLAGE OF HOPE-UNDER-DINMORE; AND 3 ENSURE THROUGH SUSTAINABLE DRAINAGE THAT THE EXISTING RATE OF SURFACE WATER RUN-OFF IS NOT EXCEEDED AND THAT BETTERMENT IS ACHIEVED WHEREVER POSSIBLE; AND 4 REDUCE FLOOD RISK BY INCORPORATING FLOOD STORAGE COMPENSATION MEASURES OR OTHER BETTERMENT TO DELIVER POSITIVE ENHANCEMENT TO THE LOCAL FLOOD RISK REGIME, HAVING REGARD TO ASSESSED OPTIONS. <p>CULVERTING PROPOSALS, PARTICULARLY IN RESPECT OF THE CHERRY BROOK WITHIN OR ADJACENT TO THE VILLAGE OF HOPE-UNDER-DINMORE, SHOULD BE AVOIDED EXCEPT WHERE SHOWN</p>	<p>Policy HUD4 reflects the importance of flood risk management in the local village context and is in general conformity with policy SD3 <i>Sustainable water management and water resources</i>.</p>

NDP policies	Herefordshire Local Plan Core Strategy
TO BE NECESSARY FOR ACCESS.	
POLICY HUD5: COMMUNITY FACILITIES PROPOSALS FOR NEW COMMUNITY FACILITIES IN AND ADJACENT TO THE VILLAGE WILL BE SUPPORTED WHERE THEY ARE ACCESSIBLE BY A CHOICE OF TRANSPORT MODES AND DO NOT COMPROMISE RESIDENTIAL AMENITY.	Policy HUD5 is in general conformity with policy SC1 <i>Social and community facilities</i> . A Community Action supplements and provides more detail in respect of policy ID1 <i>Infrastructure requirements</i> by identifying local parish requirements for new and improved community facilities infrastructure.
POLICY HUD6: LANDSCAPE CHARACTER PROPOSALS IN OR ADJACENT TO THE VILLAGE OF HOPE-UNDER-DINMORE SHOULD PROTECT AND ENHANCE ITS LANDSCAPE SETTING AND CHARACTER, PARTICULARLY WITH REGARD TO SETTLEMENT PATTERN, TOPOGRAPHY AND THE EXTENT OF ESTABLISHED WOODLAND COVER.	Policy HUD6 is in general conformity with policy LD1 <i>Landscape and townscape</i> , providing more detail on local landscape character and the setting of the village, and associated requirements.
POLICY HUD7: LOCAL GREEN SPACE LAND TO THE REAR OF TAVERN MEADOW IS DESIGNATED ON THE VILLAGE POLICIES MAP AS LOCAL GREEN SPACE. DEVELOPMENT OF THE LOCAL GREEN SPACE WILL NOT BE PERMITTED UNLESS VERY SPECIAL CIRCUMSTANCES ARISE WHICH OUTWEIGH THE NEED FOR PROTECTION.	Policy HUD7 complements strategic policies LD1 <i>Landscape and townscape</i> and LD3 <i>Green infrastructure</i> by identifying an area of Local Green Space for protection.
POLICY HUD8: BIODIVERSITY THE CONSERVATION, RESTORATION AND ENHANCEMENT OF BIODIVERSITY WILL BE SUPPORTED, ESPECIALLY WHERE THIS CONTRIBUTES TO LOCAL CHARACTER AND GREEN INFRASTRUCTURE.	Policy HUD8 is in general conformity with strategic policy LD2 <i>Biodiversity and geodiversity</i> and supports strategic policy LD3 <i>Green infrastructure</i> .
POLICY HUD9: HERITAGE ASSETS THE CONSERVATION, RESTORATION AND ENHANCEMENT OF HERITAGE ASSETS, IN A MANNER APPROPRIATE TO THEIR SIGNIFICANCE, WILL BE SUPPORTED.	Policy HUD9 is in general conformity with strategic policy LD4 <i>Historic environment and heritage assets</i> .
POLICY HUD10: RENEWABLE ENERGY	Policy HUD10 is in general conformity with strategic policy SD2

NDP policies	Herefordshire Local Plan Core Strategy
<p>PROPOSALS FOR SMALL-SCALE RENEWABLE ENERGY GENERATION WILL BE SUPPORTED. PROPOSALS ARE ENCOURAGED TO TAKE INTO ACCOUNT:</p> <ol style="list-style-type: none"> 1 HERITAGE ASSETS AND THEIR SETTINGS, INCLUDING ASSOCIATED VIEWS; AND 2 LANDSCAPE AND SETTLEMENT CHARACTER, INCLUDING SETTING OF THE VILLAGE; AND 3 BIODIVERSITY; AND 4 LOCAL AND RESIDENTIAL AMENITY; AND 5 HIGHWAY SAFETY AND CAPACITY. <p>COMMUNITY-LED RENEWABLE ENERGY PROPOSALS WHERE BENEFITS CAN BE DEMONSTRATED ARE ENCOURAGED.</p>	<p><i>Renewable and low carbon energy generation</i>, setting out a supportive approach whilst providing a specific context which recognises for example that highway matters are of particular concern given the rural nature of the local highway network.</p>
<p>POLICY HUD11: EMPLOYMENT DEVELOPMENT PROPOSALS WHICH WOULD RESULT IN THE LOSS OF EXISTING EMPLOYMENT LAND AND PREMISES WILL BE REQUIRED TO DEMONSTRATE THAT THE EXISTING USE IS NO LONGER ECONOMICALLY VIABLE.</p>	<p>Policy HUD11 is in general conformity with strategic policy E2 <i>Re-development of existing employment land and buildings</i>.</p>
<p>POLICY HUD12: COMMUNICATIONS INFRASTRUCTURE PROPOSALS FOR THE PROVISION OF COMMUNICATIONS AND BROADBAND INFRASTRUCTURE WILL BE SUPPORTED BY ENSURING:</p> <ol style="list-style-type: none"> 1 THAT DEVELOPMENT REQUIRED FOR BROADBAND AND COMMUNICATION SERVICES IS WELL-DESIGNED AND SITED, CONSISTENT WITH TECHNICAL AND OPERATIONAL REQUIREMENTS AND THE DELIVERY OF SERVICE IMPROVEMENTS; AND 2 THAT NEW DEVELOPMENTS INCORPORATE SUITABLE ADVANCE PROVISION FOR SUCH TECHNOLOGY. 	<p>Policy HUD12 is in general conformity with strategic policy SD1 <i>Sustainable design and energy efficiency</i> in providing for developments to be future-proofed and incorporate advance provision for new technology.</p>

6. EU OBLIGATIONS

6.1 The Hope-under-Dinmore NDP is compatible with European Union obligations as detailed in Table 6 and as transposed into UK law.

Table 6: EU obligations

EU Obligation	Compatibility of the Hope-under-Dinmore NDP.
Strategic Environmental Assessment (SEA) Directive	<p>A process of strategic environmental assessment on the Plan has been undertaken by Herefordshire Council (HC) for the Parish Council. An initial screening opinion concluded that due to the range of environmental designations in and around the parish there may be significant environmental effects and consequently an SEA would be required. A Scoping Report was produced in October 2014 and published for consultation. Subsequently, an SEA of the draft Plan was undertaken and the resultant Environmental Report was published for consultation alongside the draft Plan in November to January 2016.</p> <p>The Environmental Report concludes that the Hope-under-Dinmore NDP is in general conformity with both national planning policy contained in the NPPF and strategic policies set within the Herefordshire Local Plan (Core Strategy). None of the NDP policies are considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal. The cumulative impact of the policies over the plan period is generally positive. No changes to the draft NDP are recommended as a result of the SEA.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in an Environmental Report (April 2016), which confirmed the above conclusions.</p> <p>Modifications to the Plan made pursuant to the Examiner’s recommendations were assessed in an Environmental Report (October 2017). Again, the above conclusions were confirmed.</p> <p>The NDP has been prepared in conjunction with a formal process of environmental appraisal in accordance with the SEA Directive, whose requirements are considered to have been met.</p>
Habitats Directive	A process of assessment pursuant to the Habitats Directive has been undertaken by HC for the Parish Council. Initial screening in October 2014 found that the River Wye SAC (including

EU Obligation	<p>Compatibility of the Hope-under-Dinmore NDP.</p> <p>River Lugg) was situated within the Neighbourhood Area and that a full screening assessment would be required. A Screening Assessment in October 2015 concluded that the draft NDP will not have a likely significant effect on the River Wye SAC, either alone or in combination with other neighbouring NDPs.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in an Addendum Report dated May 2016. The amendments made to the draft Plan were not considered to affect the findings of the previous HRA Report. The conclusion that the NDP will not have a likely significant effect on the River Wye SAC remains valid.</p> <p>Modifications to the Plan made pursuant to the Examiner’s recommendations were assessed in a Second Addendum Report (October 2017). The above conclusion was confirmed.</p> <p>The NDP has been prepared in conjunction with a formal screening process in accordance with the Habitats Directive, whose requirements are considered to have been met.</p> <p>The making of the Hope-under-Dinmore NDP is not likely to have a significant effect on a European site, either alone or in combination with other plans or projects.</p>
Water Framework Directive	<p>The Local Plan Core Strategy (policies SD3 and SD4) requires that development proposals are considered against Water Framework Directive objectives, including that development should not undermine the achievement of water quality targets. The NDP supports this requirement at the local level (policy HUD3). The NDP is considered to be compatible with the Water Framework Directive.</p>
Human Rights	<p>The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and County-level strategic planning policies. In accordance with established process, its preparation has included consultation with the local community and independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.</p>

APPENDIX 1: STRATEGIC POLICIES

Policy RA1 – Rural housing distribution

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.

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 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 (%)
Bromyard	364	15
Golden Valley	304	12
Hereford	1870	18
Kington	317	12
Ledbury	565	14
Leominster	730	14
Ross on Wye	1150	14
	5300	

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:

1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;

2. Their locations make best and full use of suitable brownfield sites wherever possible;
3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and
4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.

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

Policy RA3 – Herefordshire’s countryside

In rural locations outside of settlements, as to be defined in either neighbourhood development plans or the Rural Areas Sites Allocations DPD, residential development will be limited to proposals which satisfy one or more of the following criteria:

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
2. accompanies and is necessary to the establishment or growth of a rural enterprise, and complies with Policy RA4; or
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
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
5. is rural exception housing in accordance with Policy H2; or
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
7. is a site providing for the needs of gypsies or other travellers in accordance with Policy H4.

Policy RA5 – Re-use of rural buildings

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:

1. design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long term conservation and enhancement of any heritage asset affected, together with its setting;
2. design proposals make adequate provision for protected and priority species and associated habitats;
3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;
4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and

5. the building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.
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.

Policy RA6 - Rural economy

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:

- support and strengthen local food and drink production;
- support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses;
- involve the small scale extension of existing businesses;
- promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;
- promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;
- support the retention of existing military sites;
- support the retention and/ or diversification of existing agricultural businesses;

Planning applications which are submitted in order to diversify the rural economy will be permitted where they;

- ensure that the development is of a scale which would be commensurate with its location and setting ;
- do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting and smell;
- do not generate traffic movements that cannot safely be accommodated within the local road network and
- do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.

Policy H3 – Ensuring an appropriate range and mix of housing

Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities.

In particular, on larger housing sites of more than 50 dwellings developers will be expected to:

1. provide a range of house types and sizes to meet the needs of all households, including younger single people;
2. provide housing capable of being adapted for people in the community with additional needs; and
3. provide housing capable of meeting the specific needs of the elderly population by:
 - providing specialist accommodation for older people in suitable locations;
 - ensuring that non-specialist new housing is built to take account of the changing needs of an ageing population;
 - ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation.

The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.

Policy SC1 – Social and community facilities

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.

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.

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).

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.

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.

Policy OS1 - Requirement for open space, sports and recreation facilities

The provision of appropriate open space, sports and recreation facilities will arise in the following proposals for planning applications:

1. all new residential dwellings; or
2. retail and employment proposals where there is need to provide informal areas of amenity greenspace for the use of employees and visitors; and
3. residential institutions, student accommodation, assembly and leisure, hotels or hostels.

Policy MT1 – Traffic management, highway safety and promoting active travel

Development proposals should incorporate the following principle requirements covering movement and transportation:

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;
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;
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;
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;

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
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.

Where traffic management measures are introduced they should be designed in a way which respects the character of the surrounding area including its landscape character. Where appropriate, the principle of shared spaces will be encouraged.

Policy E3 – Homeworking

The value of home working will be recognised by allowing some material change of use to part of a dwelling, where the dwelling remains as the principle place of residence for the home worker; and recognising the potential to encourage and expand home working, by allowing small extensions or conversions where the proposed use and operation would be compatible with its location and heritage value, and where it would not adversely affect the amenity of the neighbourhood by **any** of the following:

- changes to the appearance of any building;
- noise disturbance from the use or any increased traffic and parking generated;
- unsociable hours of operation; and
- the storage of hazardous materials or emissions from the site.

Policy E4 – Tourism

Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county's unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including:

1. recognising the unique historic character of Hereford and the market towns as key visitor attractions and as locations to focus the provision of new larger scale tourist development;
2. the development of sustainable tourism opportunities, capitalising on assets such as the county's landscape, rivers, other waterways and attractive rural settlements, where there is no detrimental impact on the county's varied natural and heritage assets or on the overall character and quality of the environment. Particular regard will be had to conserving the landscape and scenic beauty in the Areas of Outstanding Natural Beauty;
3. retaining and enhancing existing, and encouraging new, accommodation and attractions throughout the county, which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying overnight. In particular proposals for new hotels in Hereford will be encouraged. Applicants will be encouraged to provide a 'Hotel Needs Assessment' for any applications for new hotels;
4. ensuring that cycling, walking and heritage tourism is encouraged by facilitating the development of long distance walking and cycling routes, food and drink trails and heritage trails, including improvements to public rights of way, whilst having special regard for the visual amenity of such routes and trails, and for the setting of heritage assets in their vicinity; and

5. the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.

Policy LD1 – Landscape and townscape

Development proposals should:

- 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.

Policy LD2 – Biodiversity and geodiversity

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

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

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.

Policy LD3 –Green infrastructure

Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:

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.

Policy LD4 –Historic environment and heritage assets

Development proposals affecting heritage assets and the wider historic environment should:

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;
2. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;
3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;
4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and
5. where appropriate, improve the understanding of and public access to the heritage asset.

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.

Policy SD1 –Sustainable design and energy efficiency

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:

- ensure that proposals make efficient use of land -taking into account the local context and site characteristics,
- 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;
- safeguard residential amenity for existing and proposed residents;
- 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;
- 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;
- 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;
- ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and
- utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;

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.

Policy SD2 – Renewable and low carbon energy generation

Development proposals that seek to deliver renewable and low carbon energy will be supported where they meet the following criteria:

1. the proposal does not adversely impact upon international or national designated natural and heritage assets;
2. the proposal does not adversely affect residential amenity;
3. the proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment and
4. the proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user.

In the case of energy generation through wind power developments, permission will only be granted for such proposals where:

- the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and
- following consultation with local residents, it can be demonstrated that the planning impacts identified can be fully addressed, and therefore the proposal has the backing of the local community.

Policy SD3 – Sustainable water management and water resources

Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. This will be achieved by ensuring that:

1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the *Strategic Flood Risk Assessment (SFRA) 2009* for Herefordshire;
2. development is designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change by setting appropriate floor levels, providing safe pedestrian and vehicular access, where appropriate, implementing a flood evacuation management plan and avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence;
3. where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime;
4. development will not result in the loss of open watercourse and culverts should be opened up where possible to improve drainage and flood flows. Proposals involving the creation of new culverts (unless essential to the provision of access) will not be permitted;

5. development includes appropriate sustainable drainage systems (SuDS) to manage surface water appropriate to the hydrological setting of the site. Development should not result in an increase in runoff and should aim to achieve a reduction in the existing runoff rate and volumes, where possible;
6. water conservation and efficiency measures are included in all new developments, specifically:
 - residential development should achieve Housing - Optional Technical Standards - Water efficiency standards At the time of adoption the published water efficiency standards were 110 litres/person/day; or
 - non-residential developments in excess of 1,000 sq.m gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum;
7. the separation of foul and surface water on new developments is maximised;
8. development proposals do not lead to deterioration of EU Water Framework Directive water body status;
9. development should not cause an unacceptable risk to the availability or quality of water resources; and
10. in particular, proposals do not adversely affect water quality, either directly through unacceptable pollution of surface water or groundwater, or indirectly through overloading of Wastewater Treatment Works.

Development proposals should help to conserve and enhance watercourses and riverside habitats, where necessary through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of the aquatic environment. Proposals which are specifically aimed at the sustainable management of the water environment will in particular be encouraged, including where they are required to support business needs such as for agriculture. Innovative measures such as water harvesting, winter water storage and active land use management will also be supported. In all instances it should be demonstrated that there will be no significant adverse landscape, biodiversity or visual impact.

Policy SD4 - Wastewater treatment and river water quality

Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater.

In the first instance developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development. This may involve:

- incorporating measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, minimising the capacity required to accommodate the proposal, in accordance with policy SD3;
- phasing or delaying development until further capacity is available;
- the use of developer contributions/community infrastructure levy funds to contribute to improvements to waste water treatment works or other appropriate measures to release capacity to accommodate new development;
- in the case of development which might lead to nutrient levels exceeding the limits for the target conservation objectives within a SAC river, planning permission will only be granted where it can be demonstrated that there will be no adverse effect on the integrity of the SAC in view of the site's conservation objectives; and
- where the nutrient levels set for conservation objectives are already exceeded, new development should not compromise the ability to reduce levels to those which are defined as favourable for the site.

Where evidence is submitted to the local planning authority to indicate connection to the wastewater infrastructure network is not practical, alternative foul drainage options should be considered in the following order:

- provision of or connection to a package sewage treatment works (discharging to watercourse or soakaway);
- septic tank (discharging to soakaway).

With either of these non-mains alternatives, proposals should be accompanied by the following:

- information to demonstrate there will be no likely significant effect on the water quality, in particular of designated national and European sites, especially the River Wye SAC and the River Clun SAC; or
- where there will be a likely significant effect upon a SAC river, information to enable the council, in its role as a competent authority, to ascertain that the development will have no adverse effect on the integrity of the SAC;
- in relation to water courses with national or European nature conservation designations, the inclusion of measures achieving the highest standard of water quality discharge to the natural drainage system including provision for monitoring.

The use of cesspools will only be considered in exceptional circumstances and where it can be demonstrated that sufficient precautionary measures will ensure no adverse effect upon natural drainage water quality objectives.

Policy ID1- Infrastructure Delivery

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. 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. A Planning Obligations Supplementary Planning Document (SPD) will provide details of the type and scale of obligations that may apply.