



Lea Neighbourhood Development Plan 2011-2031

Basic Conditions Statement

November 2017

Lea Parish Council

Prepared by DJN Planning Ltd. for Lea Parish Council

CONTENTS

	Page
1. INTRODUCTION	1
2. LEGAL REQUIREMENTS	2
3. REGARD TO NATIONAL POLICY	3
4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT	8
5. GENERAL CONFORMITY WITH STRATEGIC POLICY	10
6. EU OBLIGATIONS	19
APPENDIX 1: STRATEGIC POLICIES	21
Table 1: NPPF core planning principles	4
Table 2: Sustainable development	9
Table 3: General conformity of NDP policies with strategic policies.	10
Table 4: EU Obligations	19

1. INTRODUCTION

- 1.1 A draft Neighbourhood Development Plan must meet each of a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Development Plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 1.2 This Statement has been prepared for Lea Parish Council to demonstrate that the Lea Neighbourhood Development Plan 2011-2031 (NDP) meets legal requirements and the prescribed basic conditions.
- 1.3 The Statement confirms that:
- the legal requirements have been met (section 2)
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate 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, and its making is not likely to have a significant effect on a European site, either alone or in combination with other plans or projects (section 6).

2. LEGAL REQUIREMENTS

- 2.1 The NDP relates to the area that was designated by Herefordshire Council as a Neighbourhood Area on 13 May 2014. The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.
- 2.2 Lea 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 Lea NDP has been prepared with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). The NDP reflects the core planning principles set out in the NPPF and will help achieve national planning policies at the parish level.
- 3.2 NPPF paragraph 16 sets out requirements for how communities engage in neighbourhood planning. In accordance with this national policy, Lea NDP supports the strategic development needs set out in the Local Plan, including its policies for housing and economic development, and plans positively to support local development.
- 3.3 The NPPF sets out more specific guidance on neighbourhood plans at paragraphs 183 to 185:
- NPPF paragraph 183: Lea 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. In Herefordshire, these are the policies set out in the adopted Core Strategy.¹ The NDP reflects the strategic policies and plans positively to support them. It does not promote less development than set out in the Core Strategy, or undermine its strategic policies. This is delivered through a criteria-based approach to housing growth, economic development and environmental protection which includes the definition of settlement boundaries for Lea village. The general conformity of the NDP with the strategic policies of the Core Strategy is set out in more detail in section 5 below.
 - NPPF paragraph 185: the NDP shapes and direct sustainable development in the Neighbourhood Area, through the provision of a balanced set of objectives and policies which deal with social, economic and environmental matters.
- 3.4 NPPF paragraph 17 sets out twelve core planning principles, to which the NDP has had regard as set out below (Table 1).

¹ Herefordshire Local Plan Core Strategy 2011-2031, October 2015, paragraph 1.14.

Table 1: NPPF core planning principles

NPPF Core Planning Principle	How the Lea 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, local services, open spaces and the environment in order to ensure that the future development of the Neighbourhood Area 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 Core Strategy. A concise and succinct set of eight 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 which has enabled the community to positively and creatively engage with the future of the parish. The Neighbourhood Area will be enhanced and improved <i>inter alia</i> by Plan objectives and policies to: ensure growth is proportionate and appropriate, having regard to strategic policies, and supports the health, social and cultural well-being of the community; protect and enhance landscape character and biodiversity; safeguard Local Green Spaces; support the local economy; deliver local infrastructure; and support the provision of community facilities.</p>

NPPF Core Planning Principle	How the Lea 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>The Plan has considered how best to provide for housing and business needs within the framework of the Core Strategy. The minimum indicative housing requirement set by the Core Strategy has already been satisfied. Policy Lea 1 sets out how future planning applications for new housing development will be addressed. Policy Lea 6 seeks to support the local economy in line with the established strategic approach.</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 requires all forms of new development to reflect local distinctiveness in the design approach adopted. This includes provision for new or innovative designs which respect their surroundings. The amenity of existing and future residents is protected through policy Lea 1. Policy Lea 4 includes residential amenity as a factor to be addressed in the consideration of large-scale polytunnel proposals.</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 Neighbourhood Area in 2031 in terms of a thriving, cohesive and secure rural community set in open countryside in harmony with the landscape and nature. The Plan takes into account the Neighbourhood Area's village focus and defines appropriate settlement boundaries which enable necessary growth. The Plan also acknowledges the important contribution of landscape character and wildlife sites to local distinctiveness. Policies seek to conserve and enhance the landscape setting and rural character of the village (policy Lea 3) and to protect Local Green Spaces (policy Lea 5).</p>

NPPF Core Planning Principle	How the Lea NDP has had regard to the guidance
<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).</p>	<p>Flood risk is a significant factor within the Neighbourhood Area and this is addressed within policy Lea 2. Emphasis is given to the conversion of existing buildings in policies Lea 1 (for housing) and Lea 6 (for business). Policy Lea 7 provides for renewable energy, encouraging the inclusion of low carbon renewable energy initiatives within development proposals and supporting renewable energy schemes which directly benefit the community. This policy also supports energy-efficient site planning and the introduction of cycleways, enabling active travel and reducing carbon emissions.</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 Lea 3 on landscape character and biodiversity and policy Lea 5 on Local Green Space. Policy Lea 2 provides for surface and foul water drainage arrangements in order to avoid the risk of pollution.</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 settlement boundaries around the village of Lea. There are no significant areas of previously developed land, reflecting the rural environment of the Neighbourhood Area. The conversion of existing buildings for housing and employment uses is supported by policies Lea 1 and Lea 6 respectively.</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 the Local Green Spaces identified in and close to the village are multi-functional, variously serving recreational, countryside access, visual amenity, landscape setting, wildlife habitat and food production roles (policy Lea 5).</p>

NPPF Core Planning Principle	How the Lea NDP has had regard to the guidance
<p>Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p>	<p>The Plan identifies the listed buildings in the Neighbourhood Area; there are no Conservation Areas. The Plan does not duplicate existing statutory protection or the approach already established in Core Strategy policy LD4 regarding the historic environment and heritage assets. Policy Lea 5 provides that where archaeological remains are found and Core Strategy policy LD4 is applied, the land concerned will be considered for designation as Local Green Space, so that it may be protected for future generations.</p>
<p>Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.</p>	<p>Lea village is an identified settlement for proportionate and sustainable housing development within Core Strategy policy RA2, and the NDP implements this strategic approach through policy Lea 1. The drawing of settlement boundaries for the village will promote a sustainable pattern of development. The Plan is supportive of the introduction of cycleways, enabling active travel and reducing carbon emissions.</p>
<p>Planning should take account of, and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs.</p>	<p>The Plan is supportive of this principle. Health, social and cultural well-being is sought under objectives 1 and 2, and through policy Lea 1. Policy Lea 7 deals with local infrastructure and policy Lea 8 addresses existing and new community facilities.</p>

4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Lea 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 emphasises 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 2 sets out how the Plan's policies will help achieve sustainable development by contributing to each of the three roles.

4.4 The Core Strategy 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. The NDP is in general conformity with the Core Strategy (see Table 3), and this ensures that the Plan will deliver sustainable development by virtue of setting out a balanced set of policies which address each of the strategic themes.

Table 2: Sustainable development

Sustainable development role	How the Lea NDP contributes
Economic	The Plan recognises the importance of supporting the local economy through small-scale initiatives, home-based businesses, extensions to existing business, farm diversification, and sustainable tourism (policy Lea 6). The Plan also supports improvements to broadband services and mobile phone reception which will benefit local business and support economic activity (policy Lea 7). Proposals for large-scale polytunnel development will need to show that the economic justification can be appropriately balanced against the social and environmental impacts (policy Lea 4).
Social	The Plan will address local housing needs through policy Lea 1. Recognising that the strategic requirement for new housing has already been met, the policy requires applications for new housing to be able to demonstrate that they are proportionate and appropriate, would support the community's health, social and cultural well-being, and represent sustainable development. The Plan will serve to protect areas of Local Green Space within the village (policy Lea 5). The Plan seeks to meet social needs through the provision of infrastructure to contribute to the local community (policy Lea 7), and supports new community facilities (policy Lea 8).
Environmental	The Plan requires new development to reflect local distinctiveness, to relate to the scale, density and character of existing properties, and to be in keeping with surrounding buildings (policy Lea 1). The drawing of settlement boundaries for Lea village will protect the open countryside and promote a sustainable pattern of development. Other policies serve to protect and enhance the environment, including the landscape setting and character of the village (policy Lea 3) and Local Green Space (policy Lea 5). Surface and foul water drainage, including sustainable options, are addressed in policy Lea 2. Policy Lea 7 supports renewable energy initiatives within proposals or which directly benefit the community.

5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Lea 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. Table 3 sets out more detail as to how each of the NDP's policies align with the strategic policies. The text of the Core Strategy policies referred to 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 3: General conformity of NDP policies with strategic policies.

NDP policies	Herefordshire Local Plan Core Strategy
<p>Policy Lea 1 – The right housing in the right place</p> <ul style="list-style-type: none"> ▪ Lea NDP supports the development of homes already having the agreed full or outline planning permission at April 2017 which alone will more than fulfil the housing needs of the village from 2011- 2031. ▪ Further applications for new housing development will need to demonstrate that the additional proposed growth is proportionate and appropriate, having regard to the Core Strategy; that they would support the health, social and cultural wellbeing of the community and that they represent sustainable development. ▪ Land which falls outside the settlement boundary will be regarded as open countryside and will need to comply with policy RA3 of the Herefordshire Core Strategy. ▪ The plan will support replacement/conversion opportunities and proposals for proportionate extensions and outbuildings that are sympathetic to the character of the village and its historic features. 	<p>Policy Lea 1 is in general conformity with strategic policies RA1 <i>Rural housing distribution</i> and policy RA2 <i>Housing in settlements outside Hereford and the market towns</i>. It supports rural housing delivery by confirming that the indicative housing growth targets established in these strategic policies will be delivered through existing planning commitments.</p> <p>The policy sets out how planning applications for new housing development will be assessed, in order to deliver the proportionate and sustainable housing growth envisaged in policy RA2.</p> <p>The policy further implements policy RA2 by establishing a settlement boundary for Lea village. Lea is identified in Core Strategy figure 4.14 as one of a number of rural settlements which are 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 Lea 1 meets this expectation. The policy serves to define the extent of the village for planning purposes and thus the locations within the Neighbourhood Area where policy RA3 <i>Herefordshire's countryside</i> applies.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<ul style="list-style-type: none"> ▪ Developers will be encouraged to provide the recognised need for accessible houses and bungalows, and provision of affordable homes, for sale or rent, for local people. ▪ Proposals for new development should offer a design that seeks to reflect local distinctiveness and the aesthetic qualities of traditional rural settlements and buildings found in South Herefordshire, in particular to the village of Lea. Innovative designs will be supported where they respect their surroundings. ▪ All proposals must respect and relate to the scale, density and character of existing properties in the parish. Appropriate landscaping must be considered for each site. ▪ Future development will need to be in keeping with and sympathetic to surrounding buildings, setting, and topography, in respect of location, design, size/mass, build style and materials. ▪ Some unity in materials, together with careful use of open space and tree planting, is needed to provide an overall and unique identity. ▪ This policy supports a sustainable approach to development in rural areas which is locally responsive, reflecting local housing needs with an emphasis on supporting services, employment and facilities in our village, avoiding new isolated homes in the countryside. ▪ Redevelopment, alteration or extension of historic farmsteads and agricultural buildings within the parish should be sensitive to their distinctive character, materials and form. Due 	<p>The policy sets out planning criteria for new housing proposals coming forward in general conformity with the following strategic policies: RA5 <i>Re-use of rural buildings</i>, H3 <i>Ensuring an appropriate range and mix of housing</i> and SD1 <i>Sustainable design and energy efficiency</i>.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>reference should be made and full consideration be given to the Herefordshire Farmsteads Characterisation Project.</p> <ul style="list-style-type: none"> ▪ Developers will be encouraged to maintain habitat linkages for bats (associated with the nearby Wye Valley and Forest of Dean bat sites SAC) and dark corridors, particularly linear features such as hedges. ▪ Future developers and/or landowners are responsible for securing safe developments where a site is affected by contamination as specified within the NPPF. ▪ Developers are required to protect the amenity of existing and future residents. ▪ No proposal to develop Lea Garage, Post Office, church or school sites for residential use will be supported. ▪ Development that does not meet the above will not be supported. 	
<p>Policy Lea 2 – Surface and foul water drainage</p> <p>a) Surface water drainage</p> <ul style="list-style-type: none"> ▪ Development should not increase the risk of surface water flooding and the associated risk of pollution. Where these risks have been identified as potential problems, appropriate measures to mitigate the effects of them will need to be included within any planning applications. ▪ Any risk arising from inadequate drainage or excessive run-off from fields will need to be addressed by or on behalf of the landowner. 	<p>Policy Lea 2 is in general conformity with strategic policies SD3 <i>Sustainable water management and water resources</i> and SD4 <i>Wastewater treatment and river water quality</i>.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<ul style="list-style-type: none"> ▪ Implementation of the proposed Lea Flood Alleviation Scheme will be supported. ▪ Where practical developers should utilise or contribute to SUDs, including measures to support biodiversity. <p>(b) Public sewerage network and waste water treatment works</p> <ul style="list-style-type: none"> ▪ Development that may result in the capacity of the public sewerage network and/or the Lower Cleeve Waste Water Treatment Works (WwTw) becoming overloaded will not be supported. ▪ Provision of alternative sewage disposal facilities should accord with the requirements of Herefordshire Council and the Water Authority. ▪ These policies support Core Strategy policies SD3 and SD4. 	
<p>Policy Lea 3 – A valued environment in which to live</p> <ul style="list-style-type: none"> ▪ Measures to preserve and enhance the landscape and the setting and character of Lea will be promoted, and development should positively contribute to the village’s rural nature, not adversely affect it. ▪ Development must protect or enhance panoramic views and the area’s landscape quality. (See Appendix D.) ▪ Development must conserve mature trees and hedgerows, incorporating these features into landscaping scheme where possible. 	<p>Policy Lea 3 is in general conformity with strategic policies LD1 <i>Landscape and townscape</i> and LD2 <i>Biodiversity and geodiversity</i>.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<ul style="list-style-type: none"> ▪ Local orchards and woodland are safeguarded from development. ▪ Within new developments native tree species are to be provided. ▪ Sustain local habitats and biodiversity. The creation and maintenance of the green infrastructure is particularly important for bats using the area. ▪ These policies support Core Strategy policies LD1 and LD2. 	
<p>Policy Lea 4 – Large-scale polytunnels</p> <p>Proposals for large-scale polytunnels will not generally be supported due to their impact on the environment and the limitations of the local highway network. Any applications will need to demonstrate that there is an economic need and fully address the impact of the proposal on the following areas:</p> <ul style="list-style-type: none"> – the landscape, visual impact and historic built environment of the area; – ecological issues; – access and highway safety; – drainage and flooding areas; – public rights of way; and – residential amenity. <p>Any large-scale proposal must ensure that impacts are minimal and accord with the requirements of Herefordshire Core Strategy.</p>	<p>Policy Lea 4 is in general conformity with strategic policies LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i>, LD4 <i>Historic environment and heritage assets</i>, MT1 <i>Traffic management, highway safety and promoting active travel</i>, SD3 <i>Sustainable water management and water resources</i> and SD1 <i>Sustainable design and energy efficiency</i>.</p>
<p>Policy Lea 5 – Sustaining open green spaces</p> <ul style="list-style-type: none"> ▪ The areas listed above and shown on the map are designated within this plan as Local Green Space, as defined in the NPPF, 	<p>Policy Lea 5 is in general conformity with strategic policies LD1 <i>Landscape and townscape</i>, LD3 <i>Green infrastructure</i> and LD4 <i>Historic environment and heritage assets</i>, identifying areas of Local Green Space for protection and setting out their multi-functional roles.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>and are therefore protected from development.</p> <ul style="list-style-type: none"> ▪ In the event of significant and/or extensive archaeological remains being found, Policy LD4 will apply and the land surrounding the remains will be considered at a future review stage of the plan for designation as Local Green Space. ▪ Developers will be expected to provide or contribute to the provision of open space in accordance with the requirements of Herefordshire Council’s open space standards, and in accordance with paragraph 77 of the NPPF. ▪ Where such space cannot be provided on site, contributions should be made to Lea Parish Council for the provision, improvement/replacement, operation or maintenance of open space and play areas elsewhere within the parish. ▪ 	<p>The policy addresses the on- and off-site provision of open space in conjunction with development and is in general conformity with strategic policies <i>OS1 Requirement for open space, sports and recreation facilities</i> and <i>OS2 Meeting open space, sports and recreation needs</i>,</p>
<p>Policy Lea 6 – Supporting a thriving community</p> <ul style="list-style-type: none"> ▪ Herefordshire's Core Strategy seeks to strengthen the rural economy by providing flexibility for new and expanding businesses, subject to their being of an appropriate scale and location and not significantly impacting on the environmental quality of the area. The plan supports this strategy and conforms with policies RA6, E1, E2, E3 and E4 of the Herefordshire Local Plan. ▪ The plan recognises the importance of supporting the local economy through small-scale initiatives, home-based businesses and proportionate extensions to existing established businesses as well as farm diversification opportunities. Youth employment and quality apprenticeships will be encouraged. 	<p>Policy Lea 6 is in general conformity with strategic policies <i>RA6 Rural economy</i>, <i>E1 Employment provision</i>, <i>E2 Re-development of existing employment land and buildings</i>, <i>E3 Homeworking</i> and <i>E4 Tourism</i>.</p> <p>The policy sets out planning criteria for employment proposals in general conformity with the following strategic policies: <i>MT1 Traffic management, highway safety and promoting active travel</i>, <i>LD1 Landscape and townscape</i>, <i>LD2 Biodiversity and geodiversity</i>, <i>LD4 Historic environment and heritage assets</i>, <i>SD1 Sustainable design and energy efficiency</i>, and <i>SD3 Sustainable water management and water resources</i>.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<ul style="list-style-type: none"> ▪ Existing employment sites, as listed earlier, should be protected against change of use in accordance with Core Strategy policy E2. ▪ Conversion of existing buildings to employment uses will be supported. The plan will support the promotion of sustainable tourism opportunities in the parish and the provision of sensitively located small-scale B&B self-catering tourist accommodation. ▪ However – and in line with Herefordshire Local Plan policy LD1 – this must always be balanced against protecting the local environment which is greatly cherished and valued by the local community and plays a vital role in underpinning tourism. ▪ The landscape and historic built environment of the area, drainage and flooding issues, access and highway safety, ecological issues and residential amenities must be considered in developing Lea’s future thriving community. ▪ Any proposals must ensure that impacts are minimal and to the satisfaction of the Parish Council and Local Planning Officer. 	
<p>Policy Lea 7 – Delivery of local infrastructure</p> <ul style="list-style-type: none"> ▪ Development proposals will need to be supported by appropriate high quality infrastructure to contribute to the local community through developer contributions and the Community Infrastructure Levy (CIL), especially in the areas of improved drainage and sewerage, public transport and highways, including pavements. New and improved footpaths should be provided, not just within new developments but with appropriate extensions to create safe pedestrian routes 	<p>Policy Lea 7 is in general conformity with strategic policies SC1 <i>Social and community facilities</i>, SD1 <i>Sustainable design and energy efficiency</i>, SD2 <i>Renewable and low carbon energy generation</i> and ID1 <i>Infrastructure delivery</i>.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>to the key locations in the village.</p> <ul style="list-style-type: none"> ▪ The development of high-speed broadband infrastructure to serve the parish will be supported where it is sympathetically designed and located. ▪ Mobile phone infrastructure proposals will be supported where they are sensitively located, are of an appropriate type and scale which protect local amenity, will have minimal environmental impact and will be of direct benefit to the community. ▪ This plan will support the inclusion of low carbon renewable energy initiatives including solar, heat pumps and water power within individual proposals or to sensitively-sited community renewable energy schemes which directly benefit the community. Proposals for commercially-led renewable energy schemes will not be supported within the parish unless it can be demonstrated that the proposal will not have a detrimental impact on the local environment through the submission of information appropriate to the scale of development relating to the impact of the proposal on: <ul style="list-style-type: none"> – landscape appearance and character; – traffic and transport; – wildlife and ecology; – residential amenity, and – flood risk. ▪ Good site planning will also aid greater energy efficiency in new development, for example, by seeking to maximise solar gain. ▪ Lea NDP welcomes the introduction of cycleways in the county, and where possible the ability to join up with such 	

NDP policies	Herefordshire Local Plan Core Strategy
schemes will be encouraged.	
<p>Policy Lea 8 – Community facilities</p> <p>Retention, enhancement and improvement – of existing facilities, as listed below, will be encouraged:</p> <ul style="list-style-type: none"> – Lea village shop; – Lea garage/post office/filling station; – St John the Baptist church; – Lea Church of England primary school; – Lea village hall; – The Crown Inn; – Lea allotments. <p>Future proposals for viable new community facilities will be supported in principle.</p>	<p>Policy Lea 8 is in general conformity with strategic policy SC1 <i>Social and community facilities</i>.</p>

6. EU OBLIGATIONS

6.1 The Lea NDP is compatible with European Union obligations as detailed in Table 4 and as transposed into UK law.

Table 4: EU obligations

EU Obligation	Compatibility of the Lea NDP.
Strategic Environmental Assessment (SEA) Directive	<p>Strategic environmental assessment of the Lea NDP has been undertaken by Herefordshire Council. An initial screening opinion in April 2014 concluded that there may be significant environmental effects and consequently an SEA would be required. A Scoping Report was produced in March 2015 and published for consultation. Subsequently, an SEA of the draft Plan was undertaken in August 2017 and the resultant Environmental Report was published for consultation alongside the draft Plan.</p> <p>The Environmental Report concludes that the Lea 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 will contribute to the achievement of the SEA objectives. 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 a further Environmental Report (November 2017), which confirms these conclusions.</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	<p>A process of assessment of the Lea NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening in April 2014 found that the Neighbourhood Area was within the hydrological catchment of the River Wye Special Area of Conservation (SAC) and within 10km of individual sites making up both the Wye Valley and Forest of Dean Bat Sites SAC and the Wye Valley Woodlands SAC. As a result, the initial screening concluded that a full screening assessment would be required.</p>

EU Obligation	Compatibility of the Lea NDP.
	<p>A Screening Assessment of the draft NDP was undertaken by Herefordshire Council in August 2017. This concluded that the draft NDP will not have a likely significant effect on the River Wye SAC, the Wye Valley and Forest of Dean Bat Sites SAC or the Wye Valley Woodlands SAC, either on its own 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 November 2017. The amendments made to the draft Plan were considered not to affect the findings of the previous HRA Report. The conclusion that the NDP will not have a likely significant effect on the above European sites remains valid.</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>
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 Lea 2). 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 it is subject to 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 OS2 – Meeting open space, sports and recreation needs

In order to meet the needs of the community, provision for open space, sports and recreation facilities will be sought, where appropriate, taking into account the following principles:

1. any new development must be in accordance with all applicable set standards of quantity, quality and accessibility as defined; and
2. provision of open space, sports and recreation facilities should be located on-site unless an off-site or partial off-site contribution would result in an equally beneficial enhancement to an existing open space, sports and/or recreation facility which is of benefit to the local community.

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 E1 - Employment provision

The focus for new employment provision in Herefordshire is to provide a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy. Larger employment proposals will be directed to the strategic employment sites of Hereford, the market towns and rural industrial estates where appropriate.

Development proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged where:

- the proposal is appropriate in terms of its connectivity, scale, design and size;
- the proposal makes better use of previously developed land or buildings;
- the proposal is an appropriate extension to strengthen or diversify an existing business operation;
- the proposal provides for opportunities for new office development in appropriate locations.

The provision of viable live/work units as part of mixed use developments will also be encouraged.

Policy E2 – Redevelopment of existing employment land and buildings

Employment land and buildings rated as 'best' and 'good' using the methodology in the Employment Land Study 2012 (or successor document) will be safeguarded from redevelopment to other non-employment uses.

Proposals which would result in the loss of employment land rated as 'moderate' will be permitted where:

1. the development of the site for other uses would not result in an overall shortage in the quality and quantity of employment land supply in the area; or
2. there would be a net improvement in amenity through the removal of a non-conforming use from within a residential area, and where an alternative use would offer amenity benefits. For sites in existing employment use, consideration should also be given to the ability to relocate existing occupiers where this is necessary; or
3. the proposal would not result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme;

In all cases:

- the viability of the development proposal must be confirmed through a comprehensive assessment; and
- there must be evidence of appropriate and active marketing of at least 12 months for a change of use of a B Class employment use and it can be shown that this marketing has been unsuccessful.

The provision of ancillary and complementary uses which help meet the day-to-day needs of employment sites and their employees and improve the sites' attractiveness to businesses, will be permitted where they are of a scale which does not impact on the overall supply of employment land.

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.