



**Ocle Pychard Group Neighbourhood Development Plan 2011-2031**

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# **Basic Conditions Statement**

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## **1. INTRODUCTION**

- 1.1 A draft Neighbourhood Development Plan must meet a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Development Plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 1.2 This Statement has been prepared for Ocle Pychard Group Parish Council to demonstrate that the Ocle Pychard Group 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 3 May 2016. The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.
- 2.2 Ocle Pychard 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: 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 Ocle Pychard Group 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, Ocle Pychard Group 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. This includes the allocation of land for new housing.
- 3.3 The NPPF sets out more specific guidance on neighbourhood plans at paragraphs 183 to 185:
- NPPF paragraph 183: Ocle Pychard 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. In Herefordshire, these are the policies set out in the adopted Core Strategy.<sup>1</sup> 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. The NDP includes the positive allocation of land for new housing, the definition of settlement boundaries for settlements within the Neighbourhood Area, and the provision of criteria-based planning policies to further guide housing growth as well as economic development and environmental protection. 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).
- 3.5 Government is presently consulting on revisions to the NPPF. Under the proposed transitional arrangements, it is expected that the NDP will be examined in light of the policies in the current Framework. The revisions include a proposal to delete the 'core planning principles' section, to remove duplication. However, the content of the section is to be retained and moved to relevant topic chapters.

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<sup>1</sup> Herefordshire Local Plan Core Strategy 2011-2031, October 2015, paragraph 1.14.

**Table 1: NPPF core planning principles**

NPPF Core Planning Principle	How the Ocle Pychard Group 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 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 embodies a positive vision and objectives for the Neighbourhood Area in 2031, within the broader framework set by the Core Strategy.</p> <p>A concise and succinct set of 13 planning policies provide a practical framework for development management. These are supplemented by four Community Actions to address non-land use planning matters.</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 preparation of the NDP has been based on consultation which has enabled the community to positively and creatively engage with the future of their parishes. This has been achieved through Open Days, public meetings, a residents’ survey, a Call for Sites and the pre-submission consultation and publicity given to the draft NDP. The preparation of the draft NDP has been overseen by a Steering Group comprising a mix of parish councillors and other local volunteers.</p> <p>The Neighbourhood Area will be enhanced and improved <i>inter alia</i> by NDP objectives and policies to: identify land for new housing; require new housing to meet community needs; support the local economy and deliver infrastructure; support the provision of community facilities; and to protect, conserve and enhance both natural and historic environments.</p>

<b>NPPF Core Planning Principle</b>	<b>How the Ocle Pychard Group NDP has had regard to the guidance</b>
<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 NDP has considered how best to provide for housing and business needs within the framework of the Core Strategy. New housing will be delivered through a combination of residential completions since 2011; planning commitments; smaller village sites and rural area opportunities; and a site allocation. These latter opportunities and sites have been identified proactively through a Call for Sites. The minimum indicative housing requirement set by the Core Strategy will be met and exceeded.</p> <p>Policy OPG2 sets out the overall approach to meeting development needs and requirements for both housing and employment. More detailed planning policies guide development in the villages for which settlement boundaries have been defined (OPG3, OPG5 and OPG6), and in respect of the site allocation (OPG4). Policy OPG7 is supportive of proposals to generate employment and diversify the rural 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 NDP's objectives require new development to be in keeping with its surroundings and appropriately designed, and support modern design approaches that make a positive contribution to local character and distinctiveness.</p> <p>Policy OPG13 requires all forms of new development to respect the character of adjoining development, having regard to siting, scale, height, massing, detailing, means of enclosure and materials. The policy also protects existing and future 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 NDP's vision identifies the role and character of the Neighbourhood Area in 2031 in terms of a thriving and distinct local community set within a sustainable rural environment. The Plan supports the rural communities by providing for new housing, economic development and local facilities, defining settlement boundaries to enable growth whilst protecting the surrounding countryside.</p> <p>Policy OPG11 serves to protect, conserve and enhance the natural environment of the Neighbourhood Area, including its landscape character and wildlife sites.</p>

<b>NPPF Core Planning Principle</b>	<b>How the Ocle Pychard Group NDP has had regard to the guidance</b>
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).	The NDP encourages the re-use of existing resources by supporting the conversion of redundant rural buildings in line with strategic policy, to provide housing (policy OPG1) and employment (policy OPG7). The scope for new housing to be provided in this way has been assessed through the Call for Sites, and regard taken of this capacity (Appendix D). Policy OPG9 provides for renewable energy. Policy OPG13 requires sustainability measures to be incorporated into development proposals and for provision to be made for pedestrians and cyclists, thereby enabling active travel and reducing carbon emissions.
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.	The NDP provides for the conservation and enhancement of the natural environment through policy OPG11. The NDP's Housing Site Assessment, which informs the site allocation made at policy OGG4, includes environmental values in assessing land for development potential and suitability.
Planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.	The effective use of land is supported by the definition of settlement boundaries around the settlement areas at Burley Gate, Ocle Pychard and Upper Town, Ullingswick. There are no significant areas of previously developed land, reflecting the rural environment of the Neighbourhood Area. The conversion of existing rural buildings for housing and employment uses is supported by policies OPG1 and OPG7 respectively in line with strategic policy.
Planning should promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).	The NDP encourages multiple benefits from the use of land in the Neighbourhood Area. It provides for a range of land uses including housing, employment and community facilities, whilst protecting the environment. The definition of settlement boundaries for Burley Gate, Ocle Pychard and Upper Town, Ullingswick will protect the surrounding countryside enabling continued use for farming. The farmed countryside is also a valued landscape, whose character and many natural environment features are protected by policy OPG11.



<b>NPPF Core Planning Principle</b>	<b>How the Ocle Pychard Group NDP has had regard to the guidance</b>
<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>NDP policy OPG12 addresses the historic environment, by identifying heritage assets in the Neighbourhood Area to complement statutory protection and Core Strategy policy LD4.</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>Burley Gate, Ocle Pychard and Ullingswick are settlements identified for sustainable housing growth within Core Strategy policy RA2. The NDP implements this strategic approach through policy OPG2 and subsequent policies OPG3 – 6, with development focussed within the defined settlement boundaries. The drawing of settlement boundaries will promote a sustainable pattern of development. The Plan is supportive of public transport, walking and cycling, taking account of the rural location. Provision for pedestrians and cyclists is made in policy OPG13 and public transport improvements will be sought under Community Action CA4.</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 NDP’s vision is for the Neighbourhood Area to be home to thriving local communities where the needs of all ages are met, and where high-quality and sustainable community services and infrastructure are available.</p> <p>Economic and social infrastructure is provided for by policy OPG8, supported by Community Action CA5, and policy OPG10 supports the enhancement of existing community facilities and new provision. Specific provision is made for a community shop and car parking at Burley Gate, as part of the site allocation at policy OPG4, and this is further supported by Community Action CA1.</p>

#### 4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

- 4.1 The making of the Ocle Pychard Group 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. Each of these is supported by the NDP, confirming that the Plan as a whole will contribute to sustainable development (see Table 1).
- 4.4 The NDP is also in general conformity with the Core Strategy (see section 5). This 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 themes echo the three roles as defined in the NPPF. The NDP will deliver sustainable development by virtue of setting out a balanced set of policies which address each of the strategic themes.
- 4.5 Policy OPG1 explains how the NDP will play an active role in guiding development in the Neighbourhood Area to a sustainable solution. The aim will be to consider how individual proposals contribute to sustainability, assessed across the three roles, to best deliver the NDP’s vision and objectives. Table 2 sets out how the Plan’s policies will help achieve sustainable development, by contributing to each of the three roles.

**Table 2: Sustainable development**

<b>Sustainable development role</b>	<b>How the Ocle Pychard Group NDP contributes</b>
Economic	<p>The NDP provides positively for development needs and requirements, including through the allocation of land for new housing to help meet targets and support for employment-generating proposals of an appropriate scale and nature (policy OPG2). It recognises the importance of supporting the rural economy through the re-use of buildings, live/work and home-based businesses, extensions to existing business, farm diversification, and sustainable tourism and leisure proposals (policy OPG7). The NDP also supports improvements to communications and broadband infrastructure which will benefit local business and support economic activity (policy OPG8, Community Action CA5).</p>
Social	<p>The NDP addresses requirements for new housing through policy OPG2, including for dwellings of a type and size which contribute to meeting housing needs. The site allocation made by policy OPG4 will generate affordable housing, as well as making land available for a community shop (also see Community Action CA1).</p> <p>The NDP further meets social needs through the provision of communications and broadband infrastructure (policy OPG8, Community Action CA5), support for community-led renewable energy proposals (policy OPG9) and for community facilities (policy OPG10).</p>
Environmental	<p>The NDP supports housing and other development in the settlements identified for housing growth where this is in keeping with their established character (policy OPG2). The drawing of settlement boundaries for these villages will protect the open countryside and promote a sustainable pattern of development. Other policies serve to protect, conserve and enhance the natural and historic environments (policies OPG11 and OPG12) and to support renewable energy (policy OPG9). Policy OPG13 sets out a range of requirements to deliver sustainable development at the site and building scale.</p>

## 5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Ocle Pychard Group 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. That response identifies equivalent Core Strategy policies to each of the NDP policies. The NDP also supports the implementation and delivery of other Core Strategy policies. 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 OPG1: Sustainable development</p> <p>In considering the overall contribution of development proposals to the sustainable development of the Ocle Pychard Group Neighbourhood Area, the following principles will be sought and balanced:</p> <ol style="list-style-type: none"> <li>1. enabling new housing to meet strategic requirements and the needs of local communities; and</li> <li>2. supporting proposals for new and diversified employment opportunities which are compatible and in scale with the rural nature of the area; and</li> <li>3. retaining and enhancing community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life; and</li> <li>4. taking all opportunities to protect and enhance the distinctive natural and historic environments, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity.</li> </ol>	<p>Policy OPG1 is in general conformity with strategic policy SS1 <i>Presumption in favour of sustainable development</i>, adding local detail as to the social, economic and environmental dimensions of sustainable development within the Neighbourhood Area.</p>
<p>Policy OPG2: Development needs and requirements</p> <p>A minimum of 36 new dwellings will be delivered throughout the Neighbourhood Area in accordance with the Local Plan Core Strategy. This will be enabled and demonstrated by:</p> <ol style="list-style-type: none"> <li>1. Defining settlement boundaries for Burley Gate, Ocle Pychard and Ullingswick; and</li> <li>2. Allocating a site for housing and a community shop at Burley Gate; and</li> </ol>	<p>Policy OPG2 is in general conformity with strategic policies RA2 <i>Housing in settlements outside Hereford and the market towns</i> and H3 <i>Ensuring an appropriate range and mix of housing</i>, and supports strategic policies RA3 <i>Herefordshire's countryside</i> and RA6 <i>Rural</i></p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>3. Supporting housing and other development in these settlements where this is appropriate in scale and in keeping with their established character; and</p> <p>4. Acknowledging the potential for new residential development in the countryside, outside the defined settlement boundaries, including where this meets the requirements of Local Plan Core Strategy policy RA3 and allied policies.</p> <p>In all cases, housing proposals should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Proposals to generate employment and to support and diversify the rural economy will be supported in the countryside where they are of a scale and nature appropriate to their location and setting.</p>	<p><i>economy</i>. It adds local detail by setting out how the strategic requirement for new housing and employment will be met in the Neighbourhood Area.</p>
<p>Policy OPG3: Burley Gate</p> <p>Proposals for housing on infill sites within the settlement boundary at Burley Gate will be supported where they respect the local character of the settlement and heritage assets, and can be shown to be of a size and type to meet local requirements.</p>	<p>Policy OPG3 is in general conformity with strategic policy RA2 <i>Housing in settlements outside Hereford and the market towns</i> and supports strategic policies RA3 <i>Herefordshire's countryside</i>, H3 <i>Ensuring an appropriate range and mix of housing</i>, and SD1 <i>Sustainable design and energy efficiency</i>. It adds local detail by defining a settlement boundary for Burley Gate.</p>
<p>Policy OPG4: Land east of the Telephone Exchange, Burley Gate</p> <p>Land east of the Telephone Exchange at Burley Gate is allocated for housing development for around 15 dwellings and for a community shop and car parking. Proposals should meet the following site-specific requirements:</p> <ol style="list-style-type: none"> <li>1. dwellings should be provided which contribute to meeting the latest assessment of housing needs including house type and size; and</li> <li>2. 35% of the dwellings are provided as affordable housing which is available in perpetuity for those in local housing need; and</li> <li>3. the layout and format of the development maximises the active frontage provided to the A465; and</li> <li>4. a comprehensive scheme is proposed for the site including housing, community</li> </ol>	<p>Policy OPG4 supports strategic policies RA2 <i>Housing in settlements outside Hereford and the market towns</i>, H1 <i>Affordable housing</i>, H3 <i>Ensuring an appropriate range and mix of housing</i>, and SC1 <i>Social and community facilities</i>. It adds local detail by allocating a site for new housing and a community shop, and setting out planning requirements.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>shop, car parking, access and landscaping elements, including strategic landscaping required outside but adjacent to the southern boundary of the allocation site; and</p> <p>5. the transfer of land for the community shop and associated car parking to the Parish Council for a nominal amount, to be secured by a Planning Obligation prior to the grant of any planning permission; and</p> <p>6. two separate vehicular accesses are provided from the A465 to serve the housing area and the community shop. The access arrangements should also enable and encourage active travel through provision for pedestrian and cyclists; and</p> <p>7. the provision of a two metre wide footway along the entire site frontage and translocation of the existing native hedgerow to the rear of the visibility splays of the vehicular accesses, or the planting of a new hedgerow if translocation is deemed inappropriate; and</p> <p>8. the provision of a controlled pedestrian crossing of the A465 provided to the west of the site.</p>	
<p>Policy OPG5: Ocle Pychard</p> <p>Proposals for housing on infill sites within the settlement boundaries at Ocle Pychard will be supported where they respect the local character of the settlement areas and the natural and historic environments, and can be shown to be of a size and type to meet local housing requirements.</p>	<p>Policy OPG5 is in general conformity with strategic policy RA2 <i>Housing in settlements outside Hereford and the market towns</i> and supports strategic policies RA3 <i>Herefordshire's countryside</i>, H3 <i>Ensuring an appropriate range and mix of housing</i>, and SD1 <i>Sustainable design and energy efficiency</i>. It adds local detail by defining a settlement boundary for Ocle Pychard.</p>
<p>Policy OPG6: Ullingswick</p> <p>Proposals for housing on infill sites within the settlement boundary at Ullingswick will be supported where they respect the local character of the settlement and heritage assets, and can be shown to be of a size and type to meet local housing requirements.</p>	<p>Policy OPG6 is in general conformity with strategic policy RA2 <i>Housing in settlements outside Hereford and the market towns</i> and supports strategic policies RA3 <i>Herefordshire's countryside</i>, H3 <i>Ensuring an appropriate range and mix of housing</i>, and SD1 <i>Sustainable design and energy efficiency</i>. It adds local detail by defining a settlement boundary for Ullingswick.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>Policy OPG7: Economic development in Ocle Pychard Group</p> <p>Proposals to generate employment and to support and diversify the rural economy will be supported where they are of a scale, type and nature appropriate to their countryside location and setting. This includes:</p> <ol style="list-style-type: none"> <li>1. the re-use of redundant rural buildings for business use and for the provision of live/work units;</li> <li>2. the small-scale extension of existing business premises and commercial facilities;</li> <li>3. extensions to existing dwellings needed to enable home working;</li> <li>4. the development and diversification of farm, forestry and other land-based rural businesses;</li> <li>5. rural tourism and leisure proposals, particularly those which serve to sustain, enhance and promote a better understanding of the local natural, historic and cultural environment.</li> </ol>	<p>Policy OPG7 is in general conformity with strategic policy RA6 <i>Rural economy</i> and supports strategic policies RA5 <i>Re-use of rural buildings</i>, E3 <i>Homeworking</i> and E4 <i>Tourism</i>. It adds local detail in respect of the type and pattern of employment that is sought, including rural tourism and leisure proposals.</p>
<p>Policy OPG8: Communications and broadband</p> <p>Proposals for the provision of communications and broadband infrastructure for home and business purposes will be supported. Consistent with technical and operational requirements and the delivery of service improvements, development for communications and broadband services should be designed and sited to reflect the rural location.</p>	<p>Policy OPG8 supports the delivery of strategic policies RA6 <i>Rural economy</i> and SC1 <i>Social and community facilities</i>.</p>
<p>Policy OPG9: Renewable energy</p> <p>Proposals for renewable energy generation will be supported where it is shown that the individual and cumulative impacts on the natural and historic environment, amenity and highway safety and capacity are or can be made acceptable. Community-led renewable energy proposals where benefits can be demonstrated are encouraged.</p>	<p>Policy OPG9 is in general conformity with strategic policy SD2 <i>Renewable and low carbon energy generation</i> and adds local detail in respect of highway safety and capacity, cumulative impacts and community-led proposals.</p>
<p>Policy OPG10: Community facilities</p> <p>Proposals for the enhancement of community facilities, and for new provision which is accessible by a choice of transport modes, will be supported, particularly at Burley Gate. Proposals should take account of the potential for the co-location of services in achieving</p>	<p>Policy OPG10 is in general conformity with strategic policy SC1 <i>Social and community facilities</i> and adds local detail in respect of the preferred location of Burley Gate for community facilities, and the support to be</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>viability. Support will be given to diversification proposals where these can be shown to enable or increase the viability of existing and proposed services and facilities.</p>	<p>given to diversification proposals.</p>
<p>Policy OPG11: Natural environment</p> <p>Proposals should be able to demonstrate that they protect, conserve and enhance the natural environment in accordance with the principles in Local Plan Core Strategy policies LD1, LD2 and LD3. This includes the following, as is relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. the protection and recovery of European and nationally protected species; and</li> <li>2. ensuring that development avoids adverse effects on the River Wye Special Area of Conservation and the Rivers Wye and Lugg Sites of Special Scientific Interest; and</li> <li>3. conserving, restoring and enhancing sites and features of biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, woodland, veteran trees, hedgerows, ponds and watercourses; and</li> <li>4. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, and taking into account their role as green infrastructure; and</li> <li>5. ensuring that proposals respect the prevailing landscape character, as defined in the County Landscape Character Assessment, including associated views, trees and hedgerows and local features of interest.</li> </ol>	<p>Policy OPG11 is in general conformity with strategic policies LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i>, LD3 <i>Green infrastructure</i> and SD4 <i>Wastewater treatment and river water quality</i>. It adds local detail by identifying natural environmental features in the Neighbourhood Area.</p>
<p>Policy OPG12: Historic environment</p> <p>Proposals should be able to demonstrate that they protect, conserve and enhance the historic environment and heritage assets in accordance with the principles in Local Plan Core Strategy LD4. This includes the following, as relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. protecting, conserving and where possible enhancing listed buildings in a manner appropriate to their significance; and</li> <li>2. protecting and enhancing the character and appearance of the Ocle Pychard and Ullingswick Conservation Areas; and</li> <li>3. taking due account of other undesignated heritage assets including archaeological sites and the historic route of the Herefordshire and Gloucestershire Canal and associated features; and</li> </ol>	<p>Policy OPG12 is in general conformity with strategic policy LD4 <i>Historic environment and heritage assets</i>. It adds local detail by identifying heritage assets in the Neighbourhood Area.</p>



NDP policies	Herefordshire Local Plan Core Strategy
<p>4. ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and agricultural buildings are sensitive to their distinctive character, materials and form.</p>	
<p>Policy OPG13: Design and access</p> <p>Development proposals should:</p> <ol style="list-style-type: none"> <li>1. respect the character of adjoining development and the wider landscape, having regard to siting, scale, height, massing, detailing, means of enclosure and the use of traditional materials; and</li> <li>2. incorporate relevant sustainability measures to include building orientation and design, energy and water conservation, the use of sustainable construction methods and materials, provision for the recycling of waste, cycle storage, communications and broadband technologies, and the generation of renewable energy; and</li> <li>3. in the case of proposals for new housing, be sited and designed to avoid adverse impacts on the amenity of future occupants from the operation of existing uses, including agricultural and business operations; and</li> <li>4. be capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should include provisions for pedestrians and cyclists to encourage active travel wherever practicable; and</li> <li>5. avoid creating unacceptable impacts on residential amenity and the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour. Where external lighting is proposed, avoid adverse amenity and environmental impacts occurring through light spillage; and</li> <li>6. retain and incorporate existing site features of amenity and biodiversity value, such as trees, ponds and hedgerows, as far as practicable; and</li> <li>7. provide for new landscaping which is in keeping with the prevailing landscape character, to integrate new buildings in their surroundings and to support green infrastructure and the Herefordshire Ecological Network.</li> </ol>	<p>Policy OPG13 is in general conformity with strategic policy SD1 <i>Sustainable design and energy efficiency</i> and supports strategic policies MT1 <i>Traffic management, highway safety and promoting active travel</i> and SD3 <i>Sustainable water management and water resources</i>. It adds local detail by reflecting issues of concern, such as in respect of light pollution and provision for active travel.</p>

## 6. EU OBLIGATIONS

6.1 The Ocle Pychard Group 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 Ocle Pychard Group NDP
Strategic Environmental Assessment (SEA) Directive	<p>Strategic environmental assessment of the Ocle Pychard Group NDP has been undertaken by Herefordshire Council. An initial screening opinion in April 2016 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment and Habitats Regulations Assessment (see below). A Scoping Report was prepared in February 2017 and published for consultation. Subsequently, an SEA of the draft Plan was undertaken in September 2017 and the resultant Environmental Report was published for consultation alongside the draft Plan.</p> <p>The Environmental Report concludes that the 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 effect of the NDP policies will contribute to the SEA objectives.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Environmental Report (March 2018), 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 Ocle Pychard Group NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening in April 2016 found that the Neighbourhood Area was within the hydrological catchment of the River Wye (including River Lugg) Special Area of Conservation (SAC). The initial screening concluded that the River Wye SAC would need to be taken into account in the NDP, but that a full Habitats Regulation Assessment would not be required.</p>

EU Obligation	Compatibility of the Ocle Pychard Group NDP
	<p>A Screening Assessment of the draft NDP was undertaken by Herefordshire Council in September 2017. This concluded that the draft NDP will not have a likely significant effect on the River Wye 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 March 2018. The amendments made to the draft Plan were considered not to affect the findings of the previous HRA Report; on the contrary, they were seen as strengthening the likelihood of there being no adverse impacts. The conclusion that the NDP will not have a likely significant effect on the River Wye SAC 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. These strategic policies are referenced within the NDP in justification to policies OPG11 and OPG13. The Water Framework Directive has been taken into account within the objectives used for the SEA of the NDP and as a source of baseline information and targets.</p> <p>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 SS1 – Presumption in favour of sustainable development**

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

Planning applications that accord with the policies in this Core Strategy (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise - taking into account whether:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in national policy taken as a whole; or
- b) specific elements of national policy indicate that development should be restricted.

### **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 H1 - Affordable housing – thresholds and targets**

All new open market housing proposals on sites of more than 10 dwellings which have a maximum combined gross floor space of more than 1000sqm will be expected to contribute towards meeting affordable housing needs.

The amount and mix of affordable housing including those on strategic housing sites will vary depending on evidence of housing need as identified through the latest housing market assessment, and, an assessment of the viability of the development. The following indicative targets have been established based on evidence of need and viability in the county's housing market and housing value areas:

1. a target of 35% affordable housing provision on sites in the Hereford, Hereford Northern and Southern Hinterlands, and Kington and West Herefordshire housing value areas;
2. a target of 40% affordable housing provision on sites in the Ledbury, Ross and Rural Hinterlands; and Northern Rural housing value areas (which includes Bromyard);
3. a target of 25% affordable housing provision on sites in the Leominster housing value area.

Any affordable housing provided under the terms of this policy will be expected to be available in perpetuity for those in local housing need.

#### **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 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.