



*Bromsash, Gorsley & Linton*  
*(Linton Parish)*  
*Neighbourhood Development Plan*

**Linton Parish 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 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 amended).

1.2 This Statement has been prepared for Linton Parish Council to demonstrate that the Bromsash, Gorsley and Linton (Linton Parish) 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 NDP (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 that the making of the NDP does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (section 6).

## **2. LEGAL REQUIREMENTS**

- 2.1 The NDP relates to the area that was designated by Herefordshire Council as a Neighbourhood Area on 2 January 2018. The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.
- 2.2 Linton 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 POLICIES AND ADVICE**

- 3.1 The NDP has been prepared with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF)<sup>1</sup> and Planning Practice Guidance (PPG).<sup>2</sup> The NDP will help achieve national planning policies at the parish level.
- 3.2 NPPF paragraph 13 sets out requirements for how communities should engage in neighbourhood planning. In accordance with this national policy, the NDP supports the delivery of strategic policies set out in the Local Plan, including its policies for housing and economic development, and seeks to shape and direct development that is outside these strategic policies.
- 3.3 In accord with NPPF paragraph 16, the NDP:
- contributes to the objective of achieving sustainable development, as explained in section 4 of this Statement.
  - has been prepared positively.
  - has been shaped by early, proportionate and effective engagement with the community and other consultees, as explained in the Consultation Statement.
  - contains policies that are clearly written and unambiguous.
  - is accessible via the Parish Council website.
  - serves a clear purpose in the context of the Linton Neighbourhood Area, complementing rather than duplicating existing national and Local Plan policies as explained in this section and section 5.
- 3.4 The NPPF sets out more specific guidance on neighbourhood plans as follows:
- NPPF paragraph 29: Linton Parish Council have used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP as part of the statutory development plan.
  - NPPF paragraph 29: the NDP is considered to be 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>3</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 defines settlement boundaries for the settlements of Bromsash, Gorsley and Linton and provides criteria-based planning policies to guide housing growth,

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<sup>1</sup> February 2019.

<sup>2</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>3</sup> Herefordshire Local Plan Core Strategy 2011-2031, October 2015, paragraph 1.14.

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 31: the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned. In preparing the NDP, use has been made of existing evidence sources, supplemented by a comprehensive residents' questionnaire survey and other public consultation held during the process. This evidence is referred to throughout the NDP as required and is summarised in Appendix A of the Plan.

3.5 PPG indicates that a policy should be clear and unambiguous to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance further advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.<sup>4</sup> There is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies.<sup>5</sup> In accordance with this guidance, NDP policies have been carefully crafted to be clear and unambiguous and are based on appropriate and proportionate evidence.

3.6 The regard had to national policies is set out in more detail on an NDP policy-by-policy basis in Table 1.

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<sup>4</sup> PPG Paragraph: 041 Reference ID: 41-041-20140306.

<sup>5</sup> PPG Paragraph: 040 Reference ID: 41-040-20160211

**Table 1: National policies by NDP policy**

NDP policy	Regard to national policies
<p>Policy BGL1: Sustainable development</p> <p>Development proposals which contribute to the sustainable development of the Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. taking all opportunities to conserve and enhance the distinctive natural and historic environment of the Neighbourhood Area, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity;</li> <li>2. delivering new housing which is proportionate to the strategic requirements of the Herefordshire Local Plan Core Strategy and helps address community needs;</li> <li>3. retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs, promote quality of life and supporting provision that encourages active travel;</li> <li>4. making use of opportunities to provide or support the provision of new or improved public transport, walking and cycling infrastructure and connectivity;</li> <li>5. supporting new and diversified employment opportunities which are compatible and in scale with the rural nature of the Neighbourhood Area.</li> </ol>	<p>Policy BGL1 reflects the national policy objective that the purpose of the planning system is to contribute to the achievement of sustainable development, and that in doing so economic, social and environmental objectives should be pursued in a mutually supportive way (NPPF paras. 7 and 8).</p> <p>The NDP is the vehicle for guiding development in the locality towards sustainable solutions, taking into account the character, needs and opportunities of the Linton Neighbourhood Area (NPPF para.9).</p>
<p>Policy BGL2: Natural environment</p> <p>Development proposals should protect, conserve and where possible enhance the natural environment of the Neighbourhood Area in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 by:</p> <ol style="list-style-type: none"> <li>1. avoiding likely harm to the River Wye Special Area of</li> </ol>	<p>Policy BGL2 has had regard to national policy in NPPF chapter 15 which deals with conserving and enhancing the natural environment. It is in line with NPPF para. 170 which requires planning policies to contribute to and enhance the natural and local environment by protecting valued landscapes and sites of biodiversity or geological value in a manner commensurate with their statutory status or identified quality.</p>



NDP policy	Regard to national policies
<p>Conservation and to species of European importance; and</p> <ol style="list-style-type: none"> <li>2. avoiding likely harm to the River Wye and Linton Quarry Sites of Special Scientific Interest unless the public benefits of the proposed development clearly outweigh the likely impacts on the conservation status of the Site concerned and on the national network of protected Sites; and</li> <li>3. respecting the prevailing landscape character, as defined in the County Landscape Character Assessment; and</li> <li>4. not blocking, materially intruding into or detracting from the following public views: <ol style="list-style-type: none"> <li>A: westwards and eastwards from Linton ridge towards Bromsash, Black Mountains, May Hill, Gorsley and the Malvern Hills;</li> <li>B: westwards and eastwards from Bromsash towards the Black Mountains, May Hill and Linton;</li> <li>C: south from Manse Lane/Cockatoos Lane, Gorsley towards May Hill;</li> <li>D: westwards from Gorsley Common Road towards Linton Ridge;</li> <li>E: south-eastwards over M50 bridge towards Linton church and May Hill;</li> <li>F: south-eastwards from Fordings Lane towards May Hill; and</li> </ol> </li> <li>5. promoting the conservation, restoration and enhancement of all sites and features of landscape value and biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, irreplaceable habitats such as ancient woodland and veteran trees, hedgerows, ponds and watercourses, and historic field boundaries; and</li> <li>6. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, taking into account their role as green infrastructure.</li> </ol>	<p>The policy distinguishes between the hierarchy of international, national and locally designated sites and takes a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, in line with NPPF para. 171.</p>

NDP policy	Regard to national policies
<p>Policy BGL3: Historic environment</p> <p>Development proposals should protect, conserve and where possible enhance historic environment and heritage assets in the Neighbourhood Area. In considering the impact of proposed development on heritage assets, appropriate account will be taken of their significance (including any contribution made by their setting) in accord with the National Planning Policy Framework and Herefordshire Local Plan Core Strategy policy LD4 by:</p> <ol style="list-style-type: none"> <li>1. giving great weight to conserving designated heritage assets; and</li> <li>2. preserving or enhancing the character or appearance of the Linton Conservation Area; and</li> <li>3. for non-designated heritage assets including Burton Court park and garden and archaeological sites, balancing the scale of any harm or loss against their significance; and</li> <li>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.</li> </ol>	<p>Policy BGL3 has had regard to national policy in NPPF chapter 16 which deals with conserving and enhancing the historic environment. It requires heritage assets to be conserved in a manner appropriate to their significance in line with NPPF para. 184.</p> <p>The policy distinguishes between designated and non-designated heritage assets in accord with the national approach. Reference to the NPPF is incorporated within the policy.</p>
<p>Policy BGL4: Building design</p> <p>Development proposals should maintain and enhance the local distinctiveness of the Neighbourhood Area and achieve a high quality of design by:</p> <ol style="list-style-type: none"> <li>1. being in character with adjoining development with respect to siting, height, scale, detailing, density, building to building distances, means of enclosure and materials, including making use of stone and render to reflect the existing vernacular; and</li> <li>2. incorporating sustainability measures to include energy and water conservation, sustainable construction methods and materials, the generation of renewable energy, charging points for electric vehicles, and provision for communications and broadband technologies, cycle storage and the recycling of waste; and</li> </ol>	<p>Policy BGL4 seeks to achieve a high quality of design reflecting NPPF chapter 12. In doing so it provides guidance on a range of matters including local character and landscape setting, architecture and layout, and landscaping. It also supports designs promoting a high level of sustainability (NPPF para. 131) and the reduction of greenhouse gas emissions (NPPF para. 150).</p> <p>The policy aims to prevent new and existing development from contributing to or being affected by unacceptable levels of pollution (NPPF para. 170 e).</p>

NDP policy	Regard to national policies
<p>3. demonstrating that all surface water discharges are as high up the following hierarchy of options as reasonably practicable: ground infiltration; to a surface water body; to a surface water sewer, highway drain, or another drainage system; to a combined sewer; and</p> <p>4. in the case of proposals for new housing, incorporating private amenity space in character with surrounding properties, and enough off-road parking for vehicles and cycles commensurate with the size of property; and</p> <p>5. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should wherever practicable include provisions for pedestrians and cyclists to encourage active travel, and for powered disability vehicles; and</p> <p>6. avoiding creating unacceptable impacts on residential amenity and tranquillity from noise, volume and nature of traffic generated, light, dust or odour; and</p> <p>7. retaining and incorporating features of amenity and biodiversity value, such as mature trees, ponds and hedgerows, and incorporate new provision for wildlife; and</p> <p>8. providing for new tree planting and other landscaping which is in keeping with the prevailing landscape character, uses locally appropriate and native species, integrates new buildings in their surroundings, and supports green infrastructure and the Herefordshire Ecological Network.</p> <p>Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p>	

NDP policy	Regard to national policies
<p>Policy BGL5: Renewable and low carbon energy</p> <p>Development proposals for small-scale renewable and low carbon 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 and low carbon energy proposals where benefits can be demonstrated are encouraged.</p>	<p>Policy BGL5 supports renewable energy generation schemes by setting criteria to address individual and cumulative impacts, in accord with NPPF para. 151 a).</p> <p>The policy also supports community-led initiatives (para. 152).</p>
<p>Policy BGL6 Settlement boundaries</p> <p>Settlement boundaries are defined for Bromsash (Plan 5), Gorsley (Plan 6) and Linton (Plan 7). Proposals for housing inside the settlement boundaries will be supported where they are in accord with other Plan policies including policy BGL2 in respect of landscape character and views of the village and policy BGL4 on design, and can be shown to be of a size and type to meet local requirements in accordance with policy BGL9 on housing mix.</p>	<p>Policy BGL6 is in accord with national policy to promote sustainable development in rural areas by locating housing where it will enhance and maintain the vitality of rural communities, and to avoid the development of isolated homes in the countryside (NPPF paras. 78 and 79). Bromsash, Gorsley and Linton are settlements identified in the Local Plan Core Strategy for proportionate housing development (policy RA2); outside of settlements new housing is restricted to avoid an unsustainable pattern of development (policy RA3). The defined settlement boundaries provide a basis for implementing this strategic approach by clearly defining the extent of the villages concerned.</p>
<p>Policy BGL7 Housing mix</p> <p>In all cases, housing proposals in the Neighbourhood Area 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>Development proposals which provide housing of a suitable size, tenure and style to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, first-time buyers and young families.</p> <p>Where a site includes a mix of affordable and open market housing,</p>	<p>Policy BGL7 seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF paras. 59 and 77. The policy is responsive to local circumstances and supports housing developments that reflect local needs as to size, type and tenure in accord with NPPF para. 61.</p>

NDP policy	Regard to national policies
<p>the affordable units should be distributed across the site, be designed to be indistinguishable from the open market units, and enjoy an equivalent standard of amenity to the open market housing. Proposals that seek to concentrate different types and tenures of homes in separate groups on a site will not be supported.</p>	
<p>Policy BGL8: Community services and facilities</p> <p>The following existing community services and facilities in Gorsley and Linton will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1:</p> <ul style="list-style-type: none"> <li>• Gorsley and Linton Village Halls and adjoining open land including playground at Gorsley Village Hall</li> <li>• Gorsley Goffs Primary School and playing field</li> <li>• Places of worship (Gorsley Baptist Church and St. Mary’s Church at Linton)</li> <li>• Public houses (The Roadmaker at Gorsley and the Alma Inn at Linton)</li> <li>• Gorsley community shop and post office.</li> </ul> <p>Development proposals for the enhancement of existing community facilities and for new provision including a village green/local green space, public open space and additional play facilities will be supported. Diversification proposals which can be shown to enable or increase the viability of existing and proposed services and facilities will be encouraged. Proposals should take account of the potential for the co-location of services in achieving viability.</p>	<p>Policy BGL8 seeks the retention and development of accessible local services and community facilities, as part of supporting a prosperous rural economy in line with NPPF para. 83 d).</p> <p>It also takes account of NPPF para. 92 which requires planning policies to plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.</p>
<p>Policy BGL9 Local Green Space</p> <p>Development that would result in the loss or partial loss of the following Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection. Local Green Spaces 1-4 at Gorsley are shown on Plan 6:</p>	<p>Policy BGL9 provides for the designation of Local Green Space in accord with the provisions of NPPF paras. 99-101. The designations are consistent with the local planning of sustainable development and investment in homes, jobs and services. The NDP considers the social, economic and environmental aspects of sustainable development together in its Vision, objectives and policy BGL1. All</p>

NDP policy	Regard to national policies
<ul style="list-style-type: none"> <li>• LGS1 Gorsley Common</li> <li>• LGS2 land at Gorsley Village Hall</li> <li>• LGS3 land north of Baptist Church</li> <li>• LGS4 land north of Frowens Lane</li> <li>• LGS5 land at Linton Village Hall (Plan 7)</li> <li>• LGS6 Talbot's Well (Plan 8).</li> </ul>	<p>the designations are capable of enduring beyond 2031. Appendix C to the NDP explains how each Local Green Space meets the qualifying criteria set out in NPPF para. 100.</p>
<p>Policy BGL10: Small-scale employment development</p> <p>Development proposals to enable the creation or expansion of small and medium business enterprises in the Neighbourhood Area will be supported provided that they are of a scale, type and nature appropriate to their location and setting and the impacts on highway safety and capacity are or can be made acceptable. This includes:</p> <ol style="list-style-type: none"> <li>1. the conversion and re-use of redundant rural buildings for business use, including as live/work units; and</li> <li>2. the small-scale extension of existing business premises and commercial facilities; and</li> <li>3. new buildings for small-scale employment uses provided they are not located in an isolated countryside setting; and</li> <li>4. extensions to existing dwellings needed to enable home working; and</li> <li>5. the development and diversification of farm, forestry and other land-based rural businesses; and</li> <li>6. rural tourism, craft and leisure proposals, particularly those which sustain, enhance and promote a better understanding of the local natural, historic and cultural environment.</li> </ol>	<p>Policy BGL10 aims to encourage the sustainable economic growth and expansion of businesses in the Neighbourhood Area as set out in NPPF para. 83.</p> <p>It recognises that opportunities to meet business needs may arise outside existing settlements, and sets appropriate criteria (NPPF para. 84).</p>
<p>Policy BGL11 Agricultural development</p> <p>Proposals for agricultural development in the Neighbourhood Area requiring planning permission, for example intensive livestock units, polytunnels or horticulture, should be able to demonstrate that they</p>	<p>Policy BGL11 has regard to NPPF para. 83 in seeking to enable the development and diversification of agricultural businesses by providing criteria to be applied when planning permission is required.</p>

NDP policy	Regard to national policies
<p>meet the following requirements. Any other existing, permitted or proposed similar developments in the locality should be taken into account so that cumulative impacts can be considered:</p> <ol style="list-style-type: none"> <li>1. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and</li> <li>2. the impacts on landscape character and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and</li> <li>3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting, the design and siting of any installation, or odour, noise and air pollution; and</li> <li>4. there are no unacceptable impacts on the natural and historic environments, in accordance with policies BGL2 and BGL3; and</li> <li>5. sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution and soil erosion; and</li> <li>6. there are no unacceptable impacts on the utility and enjoyment of public rights of way.</li> </ol>	

#### 4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Bromsash, Gorsley and Linton (Linton Parish) NDP will contribute to the achievement of sustainable development.

4.2 The NPPF explains that achieving sustainable development means that the planning system has three overarching objectives:

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.3 The NPPF emphasises that these objectives are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the objectives. The objectives should be delivered through the preparation and implementation of plans and the application of the policies in the Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.4 The three objectives are then set out in greater detail in subsequent chapters of the NPPF. Section 3 of this Statement explains how the NDP has had regard to national policy and advice, and thus how it will contribute to the achievement of sustainable development.

4.5 The NDP is also considered to be 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.



4.6 Policy BGL1 establishes that 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 economic, social and environmental objectives, to best deliver the NDP’s vision and objectives. Importantly the policy approach recognises the interdependence of the objectives and the need to take into account the character, needs and opportunities of the Neighbourhood Area. Table 2 sets out how the Plan’s policies will help achieve sustainable development, by contributing to each of the three national objectives.

**Table 2: Sustainable development**

<b>Sustainable development objective</b>	<b>How the Bromsash, Gorsley and Linton (Linton Parish) NDP contributes</b>
Economic	The NDP provides positively for development needs and requirements. Provision is made for housing above the strategic requirement, with unimplemented planning permissions incorporated within the settlement boundaries and making a realistic allowance for windfalls (policy BGL6, Table 1). Business proposals of an appropriate scale, type and nature are supported (policy BGL10). This policy recognises the importance of supporting the rural economy including through the re-use of redundant rural buildings, extensions to existing businesses and dwellings, farm diversification, and tourism, craft and leisure proposals. The NDP also provides a criteria-based framework against which to assess proposals for agricultural development (policy BGL11). Improvements to communications and broadband will be sought through Community Action CA7.
Social	The NDP will help deliver a well-designed and safe built environment (policy BGL4) together with community-led renewable and low carbon energy proposals where benefits can be demonstrated (policy BGL5). Policy BGL7 will guide the provision of new dwellings of a type and size that positively contribute to meeting housing needs. Social needs will also be met through the protection given to community services and facilities (policy BGL8) and to Local Green Spaces of particular local importance (policy BGL9). Community Actions apply to a range of other social and community aspects, including public transport, sustainable travel, and communications and broadband.
Environmental	The definition of settlement boundaries for Bromsash, Gorsley and Linton by policy BGL6 will serve to promote a sustainable pattern of development. The NDP supports new housing development in these villages where they meet environmental requirements in respect of landscape character, views and design. Policy BGL4 sets out a range of criteria to deliver sustainable development at the site and building scale. Other policies serve to protect, conserve and enhance the natural and historic environments (policies BGL2 and BGL3). Climate change is addressed by policy BGL5 and elements of policy BGL4.

## 5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Bromsash, Gorsley and Linton (Linton Parish) NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. Table 3 sets out how each of the NDP's policies align with the strategic policies. The Core Strategy can be seen at [https://www.herefordshire.gov.uk/info/200185/local\\_plan/137/local\\_plan\\_-\\_core\\_strategy/2](https://www.herefordshire.gov.uk/info/200185/local_plan/137/local_plan_-_core_strategy/2).
- 5.2 Herefordshire Council's consultation response to the draft Plan identifies one policy which is not in general conformity (BGL3); the concerns raised have been addressed in post-consultation amendments (see below).
- 5.3 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 policy	General conformity with Herefordshire Local Plan Core Strategy
<p>Policy BGL1: Sustainable development</p> <p>Development proposals which contribute to the sustainable development of the Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. taking all opportunities to conserve and enhance the distinctive natural and historic environment of the Neighbourhood Area, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity;</li> <li>2. delivering new housing which is proportionate to the strategic requirements of the Herefordshire Local Plan Core Strategy and helps address community needs;</li> <li>3. retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs, promote quality of life and supporting provision that encourages active travel;</li> <li>4. making use of opportunities to provide or support the provision of new or improved public transport, walking and cycling</li> </ol>	<p>Policy BGL1 is in general conformity with strategic policy SS1 <i>Presumption in favour of sustainable development</i>, SS2 <i>Delivering new homes</i>, SS4 <i>Movement and transportation</i>, SS5 <i>Employment provision</i> and SS6 <i>Environmental quality and local distinctiveness</i>. It adds local detail as to the social, economic and environmental dimensions of sustainable development within the Neighbourhood Area.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>infrastructure and connectivity;</p> <p>5. supporting new and diversified employment opportunities which are compatible and in scale with the rural nature of the Neighbourhood Area.</p>	
<p>Policy BGL2: Natural environment</p> <p>Development proposals should protect, conserve and where possible enhance the natural environment of the Neighbourhood Area in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 by:</p> <ol style="list-style-type: none"> <li>1. avoiding likely harm to the River Wye Special Area of Conservation and to species of European importance; and</li> <li>2. avoiding likely harm to the River Wye and Linton Quarry Sites of Special Scientific Interest unless the public benefits of the proposed development clearly outweigh the likely impacts on the conservation status of the Site concerned and on the national network of protected Sites; and</li> <li>3. respecting the prevailing landscape character, as defined in the County Landscape Character Assessment; and</li> <li>4. not blocking, materially intruding into or detracting from the following public views: <ul style="list-style-type: none"> <li>A: westwards and eastwards from Linton ridge towards Bromsash, Black Mountains, May Hill, Gorsley and the Malvern Hills;</li> <li>B: westwards and eastwards from Bromsash towards the Black Mountains, May Hill and Linton;</li> <li>C: south from Manse Lane/Cockatoos Lane, Gorsley towards May Hill;</li> <li>D: westwards from Gorsley Common Road towards Linton Ridge;</li> <li>E: south-eastwards over M50 bridge towards Linton church and May Hill;</li> <li>F: south-eastwards from Fordings Lane towards May Hill; and</li> </ul> </li> </ol>	<p>Policy BGL2 is in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i>, LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i>, LD3 <i>Green infrastructure</i>, SD3 <i>Sustainable water management and water resources</i> and SD4 <i>Wastewater treatment and river water quality</i>. It adds local detail by identifying natural environmental assets in the Neighbourhood Area.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>5. promoting the conservation, restoration and enhancement of all sites and features of landscape value and biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, irreplaceable habitats such as ancient woodland and veteran trees, hedgerows, ponds and watercourses, and historic field boundaries; and</p> <p>6. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, taking into account their role as green infrastructure.</p>	
<p>Policy BGL3: Historic environment</p> <p>Development proposals should protect, conserve and where possible enhance historic environment and heritage assets in the Neighbourhood Area. In considering the impact of proposed development on heritage assets, appropriate account will be taken of their significance (including any contribution made by their setting) in accord with the National Planning Policy Framework and Herefordshire Local Plan Core Strategy policy LD4 by:</p> <ol style="list-style-type: none"> <li>1. giving great weight to conserving designated heritage assets; and</li> <li>2. preserving or enhancing the character or appearance of the Linton Conservation Area; and</li> <li>3. for non-designated heritage assets including Burton Court park and garden and archaeological sites, balancing the scale of any harm or loss against their significance; and</li> <li>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.</li> </ol>	<p>Herefordshire Council’s consultation response on the draft NDP indicates that policy BGL3 is not in general conformity because criterion 1 takes a slightly differing approach to strategic policy LD4 <i>Historic environment and heritage assets</i>. This has been responded to in the Consultation Statement response log as follows:</p> <p><i>Policy BGL3, Historic environment: criterion 1 as drafted reflects the terms of NPPF para. 193 which in this form post-dates the adoption of the LPCS in October 2015. Amendments are proposed to address the concern regarding general conformity.</i></p> <p>With these amendments (incorporated within the submission version of the policy shown here) policy BGL3 is considered to be in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i> and LD4 <i>Historic environment and heritage assets</i>.</p>
<p>Policy BGL4: Building design</p> <p>Development proposals should maintain and enhance the local</p>	<p>Policy BGL4 is in general conformity with strategic policies SS4 <i>Movement and transportation</i>, SS6 <i>Environmental quality and local distinctiveness</i>, SS7 <i>Addressing climate change</i>, MT1 <i>Traffic</i></p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>distinctiveness of the Neighbourhood Area and achieve a high quality of design by:</p> <ol style="list-style-type: none"> <li>1. being in character with adjoining development with respect to siting, height, scale, detailing, density, building to building distances, means of enclosure and materials, including making use of stone and render to reflect the existing vernacular; and</li> <li>2. incorporating sustainability measures to include energy and water conservation, sustainable construction methods and materials, the generation of renewable energy, charging points for electric vehicles, and provision for communications and broadband technologies, cycle storage and the recycling of waste; and</li> <li>3. demonstrating that all surface water discharges are as high up the following hierarchy of options as reasonably practicable: ground infiltration; to a surface water body; to a surface water sewer, highway drain, or another drainage system; to a combined sewer; and</li> <li>4. in the case of proposals for new housing, incorporating private amenity space in character with surrounding properties, and enough off-road parking for vehicles and cycles commensurate with the size of property; and</li> <li>5. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should wherever practicable include provisions for pedestrians and cyclists to encourage active travel, and for powered disability vehicles; and</li> <li>6. avoiding creating unacceptable impacts on residential amenity and tranquillity from noise, volume and nature of traffic generated, light, dust or odour; and</li> <li>7. retaining and incorporating features of amenity and biodiversity value, such as mature trees, ponds and hedgerows, and incorporate new provision for wildlife; and</li> <li>8. providing for new tree planting and other landscaping which is in</li> </ol>	<p><i>management, highway safety and promoting active travel, OS1 Requirement for open space, sports and recreation facilities, OS2 Meeting open space, sports and recreation needs, LD3 Green infrastructure and SD1 Sustainable design and energy efficiency. It adds local detail by reflecting issues of concern as expressed in replies to the residents' survey.</i></p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>keeping with the prevailing landscape character, uses locally appropriate and native species, integrates new buildings in their surroundings, and supports green infrastructure and the Herefordshire Ecological Network.</p> <p>Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p>	
<p>Policy BGL5: Renewable and low carbon energy</p> <p>Development proposals for small-scale renewable and low carbon 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 and low carbon energy proposals where benefits can be demonstrated are encouraged.</p>	<p>Policy BGL5 is in general conformity with strategic policies SS7 <i>Addressing climate change</i> and 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 BGL6 Settlement boundaries</p> <p>Settlement boundaries are defined for Bromsash (Plan 5), Gorsley (Plan 6) and Linton (Plan 7). Proposals for housing inside the settlement boundaries will be supported where they are in accord with other Plan policies including policy BGL2 in respect of landscape character and views of the village and policy BGL4 on design, and can be shown to be of a size and type to meet local requirements in accordance with policy BGL9 on housing mix.</p>	<p>Policy BGL6 is in general conformity with strategic policies SS2 <i>Delivering new homes</i> and RA2 <i>Housing in settlements outside Hereford and the market towns</i>. It adds local detail by defining settlement boundaries for Bromsash, Gorley and Linton and setting out criteria for development in these settlements.</p>
<p>Policy BGL7 Housing mix</p> <p>In all cases, housing proposals in the Neighbourhood Area should be able to demonstrate that they are of a type and size that positively</p>	<p>Policy BGL7 is considered to be in general conformity with strategic policies SS2 <i>Delivering new homes</i> and H3 <i>Ensuring an appropriate range and mix of housing</i>. It adds local detail by setting out the size, tenure and style of housing that is required to meet needs in the</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Development proposals which provide housing of a suitable size, tenure and style to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, first-time buyers and young families.</p> <p>Where a site includes a mix of affordable and open market housing, the affordable units should be distributed across the site, be designed to be indistinguishable from the open market units, and enjoy an equivalent standard of amenity to the open market housing. Proposals that seek to concentrate different types and tenures of homes in separate groups on a site will not be supported.</p>	<p>Neighbourhood Area.</p>
<p>Policy BGL8: Community services and facilities</p> <p>The following existing community services and facilities in Gorsley and Linton will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1:</p> <ul style="list-style-type: none"> <li>• Gorsley and Linton Village Halls and adjoining open land including playground at Gorsley Village Hall</li> <li>• Gorsley Goffs Primary School and playing field</li> <li>• Places of worship (Gorsley Baptist Church and St. Mary’s Church at Linton)</li> <li>• Public houses (The Roadmaker at Gorsley and the Alma Inn at Linton)</li> <li>• Gorsley community shop and post office.</li> </ul> <p>Development proposals for the enhancement of existing community facilities and for new provision including a village green/local green space, public open space and additional play facilities will be supported. Diversification proposals which can be shown to enable or increase the viability of existing and proposed services and facilities will be encouraged. Proposals should take account of the</p>	<p>Policy BGL8 is in general conformity with and adds local detail to strategic policies SS1 <i>Presumption in favour of sustainable development</i> and SC1 <i>Social and community facilities</i>.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
potential for the co-location of services in achieving viability.	
<p>Policy BGL9 Local Green Space</p> <p>Development that would result in the loss or partial loss of the following Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection. Local Green Spaces 1-4 at Gorsley are shown on Plan 6:</p> <ul style="list-style-type: none"> <li>• LGS1 Gorsley Common</li> <li>• LGS2 land at Gorsley Village Hall</li> <li>• LGS3 land north of Baptist Church</li> <li>• LGS4 land north of Frowens Lane</li> <li>• LGS5 land at Linton Village Hall (Plan 7)</li> <li>• LGS6 Talbot's Well (Plan 8).</li> </ul>	<p>Policy BGL9 is in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i> and OS3 <i>Loss of open space, sports or recreation facilities</i>. It adds local detail by identifying areas for designation as Local Green Space.</p>
<p>Policy BGL10: Small-scale employment development</p> <p>Development proposals to enable the creation or expansion of small and medium business enterprises in the Neighbourhood Area will be supported provided that they are of a scale, type and nature appropriate to their location and setting and the impacts on highway safety and capacity are or can be made acceptable. This includes:</p> <ol style="list-style-type: none"> <li>1. the conversion and re-use of redundant rural buildings for business use, including as live/work units; and</li> <li>2. the small-scale extension of existing business premises and commercial facilities; and</li> <li>3. new buildings for small-scale employment uses provided they are not located in an isolated countryside setting; and</li> <li>4. extensions to existing dwellings needed to enable home working; and</li> <li>5. the development and diversification of farm, forestry and other land-based rural businesses; and</li> <li>6. rural tourism, craft and leisure proposals, particularly those which</li> </ol>	<p>Policy BGL10 is in general conformity with strategic policies SS5 <i>Employment provision</i>, RA6 <i>Rural economy</i>, E1 <i>Employment provision</i>, E2 <i>Redevelopment of existing employment land and buildings</i> and E3 <i>Homeworking</i>. It adds local detail in respect of the type and scale of employment development that is sought, including rural tourism and leisure proposals.</p>



NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>sustain, enhance and promote a better understanding of the local natural, historic and cultural environment.</p>	
<p>Policy BGL11 Agricultural development</p> <p>Proposals for agricultural development in the Neighbourhood Area requiring planning permission, for example intensive livestock units, polytunnels or horticulture, should be able to demonstrate that they meet the following requirements. Any other existing, permitted or proposed similar developments in the locality should be taken into account so that cumulative impacts can be considered:</p> <ol style="list-style-type: none"> <li>1. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and</li> <li>2. the impacts on landscape character and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and</li> <li>3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting, the design and siting of any installation, or odour, noise and air pollution; and</li> <li>4. there are no unacceptable impacts on the natural and historic environments, in accordance with policies BGL2 and BGL3; and</li> <li>5. sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution and soil erosion; and</li> <li>6. there are no unacceptable impacts on the utility and enjoyment of public rights of way.</li> </ol>	<p>Policy BGL11 is in general conformity with strategic policies SS5 <i>Employment provision</i> and RA6 <i>Rural economy</i>. It adds local detail in respect of the criteria to be met by agricultural development proposals.</p>

## 6. EU OBLIGATIONS

6.1 The Bromsash, Gorsley and Linton (Linton Parish) NDP is compatible with European Union obligations as detailed in Table 4 and as transposed into UK law.

**Table 4: EU obligations**

<b>EU Obligation</b>	<b>Compatibility of the Bromsash, Gorsley and Linton (Linton Parish) NDP</b>
Strategic Environmental Assessment (SEA) Directive	<p>Strategic environmental assessment of the Bromsash, Gorsley and Linton (Linton Parish) NDP has been undertaken by Herefordshire Council. An initial screening opinion in December 2017 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment. A Scoping Report was prepared in March 2018 and published for consultation. Subsequently, a SEA of the draft Plan was undertaken in October 2019 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 were 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 2020), which shows that the original conclusions were unaffected by the refinements.</p> <p>The NDP has been prepared in conjunction with a formal process of environmental appraisal in accordance with the SEA Directive, whose requirements have been met.</p>
Habitats Directive	<p>A process of assessment of the Bromsash, Gorsley and Linton (Linton Parish) NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening in December 2017 found that the western part of the Neighbourhood Area was within the hydrological catchment of the River Wye (including River Lugg) Special Area of Conservation (SAC), and that the Neighbourhood Area was within 10km of the Wye Valley and Forest of Dean Bat Sites SAC and the Wye Valley Woodlands SAC. The initial screening concluded that these SACs would need to be taken into account in the NDP and that a full Habitats Regulation Assessment screening would be required.</p>

<b>EU Obligation</b>	<b>Compatibility of the Bromsash, Gorsley and Linton (Linton Parish) NDP</b>
	<p>A Screening Assessment of the draft NDP was undertaken by Herefordshire Council and published in October 2019. This concluded that the draft NDP will not have a likely significant effect on the River Wye (including River Lugg) SAC, the Wye Valley and Forest of Dean Bat Sites SAC, and the Wye Valley Woodlands SAC.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Report in March 2020. The Report confirms that the earlier conclusion that the NDP will not have a likely significant effect on the River Wye SAC (including River Lugg) SAC, the Wye Valley and Forest of Dean Bat Sites SAC, and the Wye Valley Woodlands SAC remains valid for the submission version.</p> <p>The NDP has been prepared in conjunction with a formal screening process in accordance with the Habitats Directive, whose requirements 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 policy BGL2. 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>