

## **Dinedor Neighbourhood Development Plan (NDP)**

# **Basic Conditions Statement**

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)

June 2020

**Dinedor Parish Council**

With assistance from



## 1.0 Introduction

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> sets out that only a draft neighbourhood Plan or Order that meets each of a set of basic conditions 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 plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

*a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*

*b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*

*c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*

*d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*

*e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*

*f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*

*g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

1.2 This Basic Conditions Statement sets out how the Dinedor NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent examiner.

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

## **2.0 Legal Requirements**

### **2.1 The Submission Plan is being submitted by a qualifying body**

This Submission Plan is being submitted by a qualifying body, namely Dinedor Parish Council. The neighbourhood area was designated on 10<sup>th</sup> October 2013 [https://www.herefordshire.gov.uk/directory\\_record/3051/dinedor\\_neighbourhood\\_development\\_plan](https://www.herefordshire.gov.uk/directory_record/3051/dinedor_neighbourhood_development_plan).

### **2.2 What is being proposed is a neighbourhood development plan**

The plan being proposed relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

### **2.3 The proposed Neighbourhood Plan states the period for which it is to have effect**

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2011 to 2031 (the same period as the adopted Herefordshire Local Plan Core Strategy 2011 - 2031).

### **2.4 The policies do not relate to excluded development**

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### **2.5 The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.**

The Neighbourhood Plan proposal relates to the designated Dinedor Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Figure 1 in the NDP.

### 3.0 Basic Conditions

#### 3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan

The Dinedor Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, February 2019)<sup>2</sup>.

#### 2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*' Paragraph 7 sets out that '*The purpose of the planning system is to contribute to the achievement of sustainable development.*' The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

Table 1 sets out how the Dinedor NDP delivers the 3 overarching Objectives:

**Table 1 Delivering Sustainable Development**

NPPF Overarching Objectives	Dinedor NDP Policies and Proposals
<i>a) 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;</i>	Policy E of the NDP supports the development of small-scale business enterprises suitable to a rural location such as the neighbourhood area.
<i>b) 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</i>	Dinedor NDP recognises the importance of contributing to the social sustainability of the local community.  The NDP identifies a settlement boundary within which new housing development will be supported when it meets a defined set of criteria.

<sup>2</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<p><i>needs and support communities' health, social and cultural well-being; and</i></p>	<p>Policy I identifies existing community facilities and Policy H local green spaces in the neighbourhood area that should be protected..</p>
<p><i>c) <b>an environmental objective</b> - 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.</i></p>	<p>Dinedor NDP has a strong emphasis on environmental sustainability, reflecting its location within the Herefordshire countryside and the area's many built and natural heritage assets.</p> <p>This includes:</p> <ul style="list-style-type: none"> <li>• Policy F that seeks to protect the rural environment and landscape</li> <li>• Policy G that seeks to protect local heritage assets</li> </ul>

### 3. Plan Making

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the Dinedor NDP addresses each of these in turn.

**Table 2 Plan Making**

NPPF Plan Making	Dinedor NDP
a) be prepared with the objective of contributing to the achievement of sustainable development;	The Dinedor NDP has been prepared to contribute to sustainable development. Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.
b) be prepared positively, in a way that is aspirational but deliverable;	<p>The NDP has been prepared positively to support new housing development to meet the minimum housing target in the Core Strategy.</p> <p>The Parish Council, through the Steering Group, has worked hard to ensure policies are positively worded to 'support' suitable and appropriate development. Policy criteria have been prepared through a thorough approach to community engagement and reflect local aspirations for high quality design which considers local context and character.</p>
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	<p>All the policies have been prepared through an extensive and thorough approach to community engagement.</p> <p>The accompanying Consultation Statement sets out the details of the extensive, wide ranging community consultation and engagement activities which have been undertaken at all stages of the Plan's preparation.</p> <p>Briefly this has included:</p>

	<ul style="list-style-type: none"> <li>• Regular publicity and updates within the neighbourhood area;</li> <li>• Formal consultation at the Regulation 14 stage;</li> <li>• Additional informational consultation following amendments made to first Regulation 14 consultation draft; and</li> <li>• Consultation on the Strategic Environmental/Habitat Regulations Assessment.</li> </ul> <p>At each consultation stage representations have been considered carefully and appropriate amendments made to the NDP.</p>
<p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p>	<p>The NDP policies and proposals have been prepared by a Steering Group on behalf of the Parish Council, with support from a planning consultant and planning officers at Herefordshire Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
<p>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</p>	<p>Updates and documents have been provided on the NDP website at all stages of plan preparation  <a href="http://dinedorparishcouncil.org.uk/dinedor-neighbourhood-plan/">http://dinedorparishcouncil.org.uk/dinedor-neighbourhood-plan/</a>.</p> <p>Responses by email were invited at informal and formal consultation stages.</p>
<p>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</p>	<p>The NDP has been amended and updated to reduce duplication with policies in the Herefordshire Local Plan Core Strategy and duplication with national policies. Again, it is understood that the Examination may lead to further changes to policies and supporting text.</p>

### **The Plan Making Framework**

Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The Dinedor NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Herefordshire Local Plan Core Strategy. The supporting text for the NDP policies refers to the relevant strategic policies.

### **Non-strategic policies**

Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. Dinedor NDP supports development in line with Local Plan Core Strategy Policy RA1 Rural housing distribution. Dinedor is in the Hereford Rural Housing Market Area (RHMA) that has a 18% indicative housing growth target over the plan period up to 2031. This equates to 21 additional homes in Dinedor parish as a whole. In seeking to deliver this minimum target the position as 1<sup>st</sup> April 2019:

<b>Category</b>	<b>Number of</b>
Completions	4
Commitments	8
Total Commitments	12

Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

### **5. Delivering a sufficient supply of homes**

Paragraph 65 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The Dinedor NDP has been prepared in the context of Herefordshire Local Plan Core Strategy Policies RA1 and RA2 and demonstrates that 4 dwellings have been delivered against the indicative target of 21 dwellings (18% growth target). All of these dwellings are windfalls, over the first 9 years of the plan period, i.e. 0.44 a year. It is reasonable to



conclude, especially with the potential for rural building conversions, that the remaining 8 dwellings will be delivered in the neighbourhood area over the final 12 years of the plan period. The option of allocating sites through the NDP was considered but rejected.

Dinedor is located within a rural area. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle by guiding new development proposals to within the identified settlement boundaries of Dinedor one of the settlements identified as an "other settlement where proportionate housing development" is appropriate (Table 4.15 in the Core Strategy).

### **6. Building a strong, competitive economy**

Paragraph 83 advises that in rural areas planning policies should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. The Dinedor NDP supports appropriate economic development in the rural area by including a policy to promote development of small-scale rural businesses (Policy E) and to protect community facilities (Policy I).

### **8. Promoting healthy and safe communities**

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The NDP includes a policy that protects existing community facilities (Policy I) and sets out policy to improve traffic management in the area (Policy D).

### **9. Promoting sustainable transport**

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. Policy D seeks traffic management improvements to improve conditions for all road users.

### **11. Making effective use of land**

Paragraph 118 advises that planning policies should a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production. The Dinedor NDP supports conservation and, where appropriate, enhancement of biodiversity (Policy F).

## **12. Achieving well-designed places**

Paragraph 124 explains that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 125 goes on to say that design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The Dinedor NDP includes Policy C that seeks to achieve good design quality and Policy F that seeks to protect rural environment and landscape.

## **14. Meeting the challenge of climate change, flooding and coastal change**

Paragraph 148 advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. Dinedor NDP includes Policy C, this supports the use of sustainable drainage systems.

### **Planning and flood risk**

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques. The Dinedor NDP includes Policy C, this supports the use of sustainable drainage systems.

## **15. Conserving and enhancing the natural environment**

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. Policy F aims to the local landscape and scenic beauty; Policy F seeks to protect the rural environment and landscape..

## **16. Conserving and enhancing the historic environment**

Paragraph 184 advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 18 goes on to say that plans

should set out a positive strategy for the conservation and enjoyment of the historic environment. Policy G of the NDP seeks to protect the area's local heritage assets.

**3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest**

The NDP has had regard to the National Heritage List for England during its preparation.

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*

**3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area**

The NDP area does not include a conservation area.

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*

**3.4 d. Contributes to the Achievement of Sustainable Development**

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development. This is set out in more detail in Table 1 of this Statement in relation to the economic, social and environmental objectives of the NPPF.

**3.5 e. In General Conformity with Strategic Local Planning Policy**

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the adopted Herefordshire Local Plan Core Strategy 2011-2031. Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Local Plan.

**Table 3 General Conformity with Strategic Planning Policies in the Herefordshire Local Plan Core Strategy 2011 - 2031**

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p><b>POLICY A - NEW HOUSING DEVELOPMENT IN DINEDOR VILLAGE</b></p> <p><b>Small scale proposals (up to 2 dwellings) for new market and affordable housing will be supported within the village settlement of Dinedor, (see Figure 6, Policies Map) providing that it is proportionate to the existing number and form of housing in the immediate area of the village. Such proposals will be assessed against the following criteria, they:</b></p> <ul style="list-style-type: none"> <li><b>a. relate well to the existing built-up area of the village;</b></li> <li><b>b. meet, or exceed, the highest possible sustainable design and construction standards prevailing at the time;</b></li> <li><b>c. do not have an adverse impact on residential amenity of existing and future occupiers, heritage assets and local infrastructure;</b></li> <li><b>d. do not erode the existing character and setting of the village area; and</b></li> <li><b>e. they demonstrate that existing previously developed land (brownfield sites) have been considered before greenfield sites</b></li> </ul>	<p><b>Policy SS2 - Delivering new homes</b></p> <p>A supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need.</p> <p>Hereford is the focus for new housing development to support its role as the main centre in the county. Outside Hereford, the main focus for new housing development will take place in the market towns of Bromyard, Kington, Ledbury, Leominster and Ross on Wye, on existing or new allocations to enhance their roles as multi-functional centres for their surrounding rural areas. In the rural areas new housing development will be acceptable where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community. In the wider rural areas new housing will be carefully controlled reflecting the need to recognise the intrinsic character and beauty of the countryside.</p> <p>The use of previously developed land in sustainable locations will be encouraged.</p>	<p>Dinedor NDP area and parish lies within the Hereford rural HMA. Core Strategy Policy RA1 identifies a housing growth target of at least 18% for the Hereford Rural Housing Market Area (RHMA). The Dinedor NDP has been prepared in the context of Herefordshire Local Plan Core Strategy Policies RA1 and RA2 and demonstrates that 4 dwellings have been delivered against the indicative target of 21 dwellings, and that there are a further 8 commitments, as 1<sup>st</sup> April 2019. All of these dwellings are windfalls, over the first 8 years of the plan period, i.e. 1.5 a year. It is reasonable to conclude, especially with the potential for rural building conversions, that the remaining 9 dwellings will be delivered in the neighbourhood area over the final 12 years of the plan period.</p> <p>However, this is a minimum indicative growth target and with 12 years of the plan period remaining, with further small windfalls of one or two dwellings as has been the case historically, it is likely this target will be exceeded.</p> <p>The NDP Policy is in general conformity with Core Strategy Policy SS2 which sets out the strategic housing requirement for</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p><b>Proposals for development that do not adjoin existing housing in Dinedor village and would lead to free-standing, individual, or small groups of dwellings will not be supported.</b></p>	<p>Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.</p> <p>The broad distribution of new dwellings in the county will be a minimum of:</p> <p>Place: Rural settlements – see list in Place Shaping section                      Facilities: More limited range of services and some limited development potential but numerous locations</p> <p>New homes: 5,300.</p> <p><b>Policy RA1 – Rural housing distribution</b></p> <p>In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.</p> <p>New dwellings will be broadly distributed across the county’s rural areas on the basis of seven Housing Markets Areas (HMA) and as illustrated in Figure 4.13 This acknowledges</p>	<p>Herefordshire; Policy RA1 the rural housing distribution; and Policy RA2 which includes criteria for new development in identified settlements, including Dinedor.</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity						
	<p>that different areas of Herefordshire have different housing needs and requirements.</p> <p>The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.</p> <table border="0" data-bbox="884 734 1449 989"> <tr> <td><b>Rural HMA</b></td> <td><b>Hereford</b></td> </tr> <tr> <td><b>Approximate number of dwellings 2011 - 2031</b></td> <td><b>1870</b></td> </tr> <tr> <td><b>Indicative housing growth target (%)</b></td> <td><b>18%</b></td> </tr> </table> <p><b>Policy RA2 – Housing in settlements outside Hereford and the market towns.</b></p> <p>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,</p>	<b>Rural HMA</b>	<b>Hereford</b>	<b>Approximate number of dwellings 2011 - 2031</b>	<b>1870</b>	<b>Indicative housing growth target (%)</b>	<b>18%</b>	
<b>Rural HMA</b>	<b>Hereford</b>							
<b>Approximate number of dwellings 2011 - 2031</b>	<b>1870</b>							
<b>Indicative housing growth target (%)</b>	<b>18%</b>							

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<p>improve facilities and infrastructure and meet the needs of the communities concerned.</p> <p>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.</p> <p>Housing proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> <li>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;</li> <li>2. Their locations make best and full use of suitable brownfield sites wherever possible;</li> <li>3. They result in the development of high quality, sustainable schemes which are</li> </ol>	

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<p>appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and</p> <p>4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.</p> <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p> <p><b>Figure 4.15: Other settlements where proportionate housing is appropriate:</b></p> <p><b>Hereford:      Dinedor</b></p>	
<p><b>POLICY B – RURAL EXCEPTION HOUSING</b></p> <p><b>Within the neighbourhood plan area proposals for small affordable housing development (social rented, affordable rented and intermediate low cost or rented homes) may be supported on land not normally considered appropriate for new housing when:</b></p> <p><b>a) the proposal meets a proven need for affordable housing backed by</b></p>	<p><b>Policy H2 - Rural exception sites</b></p> <p>Proposals for affordable housing schemes in rural areas may be permitted on land which would not normally be released for housing where: 1. the proposal could assist in meeting a proven local need for affordable housing; and 2. the affordable housing provided is made available to, and retained in perpetuity for local people in need of affordable housing; and 3. the site respects the characteristics of its surroundings, demonstrates good design and</p>	<p>Policy B is in general conformity with Policy H2 of the HLPCS. Policy B allows for small affordable housing sites on land not normally considered appropriate for new housing. Such proposals should be supported by a local housing needs survey and be made available in perpetuity. Both components of Policy H2.</p>



Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p>appropriate evidence from a local housing needs survey; and</p> <p><b>b) such housing is made available to, and retained in perpetuity for, local people in need of affordable housing</b></p>	<p>offers reasonable access to a range of services and facilities normally in a settlement identified in Policy RA2. In order to enable the delivery of affordable housing some market housing may be permitted as part of the development to subsidise a significant proportion of affordable housing provision. However, evidence will be required – by way of a financial appraisal, in order to demonstrate that the proposed scale of market housing is that required for the successful delivery of affordable housing.</p>	
<p><b>POLICY C – HIGH QUALITY DESIGN</b></p> <p><b>All new development proposals within the neighbourhood plan area will be expected to demonstrate the following that it:</b></p> <p><b>a) utilises existing, or provides adequate new infrastructure so as to ensure the development does not have a negative impact on existing infrastructure;</b></p> <p><b>b) does not have a detrimental effect on residential amenity by reason of noise or other nuisance;</b></p> <p><b>c) does not have a detrimental effect on the safe and efficient operation of the existing transport and road infrastructure; and</b></p>	<p><b>Policy SS6 – Environmental Quality and Local Distinctiveness</b></p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to</p>	<p>Policy C is in general conformity with the principles set out in HLPCS Policy SS6 that seek to promote environmental quality and distinctiveness. Policy BAF2 provides locally specific guidance to ensure new design is sensitively integrated into the existing rural landscape.</p> <p>Policy C is also in general conformity with Policy LD1 of the HLPCS in that it seeks to provide more local guidance so that:</p> <ul style="list-style-type: none"> <li>• the 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; and</li> </ul>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p><b>d) that it does not result in the loss of an area which makes a significant contribution to public amenity by virtue of its open space character, appearance and function.</b></p> <p><b>Dinedor has a distinctive and special character. New development should make a positive contribution to that distinctive character and be of good design. To assess if proposals are of good design they must meet the following criteria, where appropriate, they:</b></p> <p><b>a) retain or enhance local identity, and sense of place;</b></p> <p><b>b) are suitable in terms of size, scale, density, layout, access, lighting, street furniture, and signage) when assessed in relationship with surrounding buildings, spaces, vegetation, water areas and other features of the street scene;</b></p> <p><b>c) use, and where appropriate, re-use local and traditional materials or suitable artificial alternatives. Non-traditional materials may be acceptable when part of an original, or innovative development. Standardised construction materials and products should be avoided;</b></p>	<p>determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</li> <li>• biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;</li> <li>• historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;</li> <li>• the network of green infrastructure;</li> <li>• local amenity, including light pollution, air quality and tranquillity;</li> <li>• agricultural and food productivity;</li> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul> <p><b>Policy LD1 – Landscape and Townscape</b></p> <p>Development proposals should:</p> <ul style="list-style-type: none"> <li>• demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;</li> </ul>	<ul style="list-style-type: none"> <li>• new development incorporates landscape design to ensure development integrates appropriately into its surroundings.</li> </ul> <p>Policy C is also in general conformity with HLPCS Policy SD1 – Sustainable Design and Energy Efficiency. Both of these policies seek to create safe, sustainable, well integrated environments for all members of the community. Policy C does not repeat or duplicate Policy contained in HLPCS Policy SD1 but provides more detailed neighbourhood area policy.</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p>d) include good landscape design across the site and on any boundaries;</p> <p>e) protect and enhance woodland, trees, hedgerows, rivers, ditches and ponds;</p> <p>f) provide for adequate movement to, within, around, and through the development;</p> <p>g) include energy efficiency and conservation measures; and</p> <p>h) they use sustainable drainage systems (SuDs).</p>	<ul style="list-style-type: none"> <li>• conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area’s character and by enabling appropriate uses, design and management;</li> <li>• incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and</li> <li>• maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.</li> </ul> <p><b>Policy SD1 – Sustainable Design and Energy Efficiency</b></p> <p>Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:</p>	

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<ul style="list-style-type: none"> <li>• ensure that proposals make efficient use of land - taking into account the local context and site characteristics,</li> <li>• new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design</li> <li>• safeguard residential amenity for existing and proposed residents;</li> <li>• ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;</li> <li>• where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective</li> <li>• ensure that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored;</li> <li>• utilise physical sustainability measures that include, in particular, orientation of</li> </ul>	

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<p>buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure</p> <ul style="list-style-type: none"> <li>• where possible, on-site renewable energy generation should also be incorporated</li> <li>• create safe and accessible environments that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures, particularly</li> <li>• ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and</li> <li>• utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;</li> </ul> <p>All planning applications including material changes of use, will be expected to demonstrate how the above design and energy efficiency considerations have</p>	

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<p>been factored into the proposal from the outset.</p>	
<p><b>POLICY D – THE MANAGEMENT OF TRAFFIC AROUND DINEDOR</b></p> <p><b>To minimise the impact of traffic and to create a safer environment for all road users, including pedestrians and others, the following improvements to the road network will be supported:</b></p> <p><b>a) an extension to the Greenway cyclepath through to Holme Lacy and the college subject to the outcome of local consultation on the route and its construction;</b></p> <p><b>b) protection and enhancement of the network of Rights of Way identified on Figure 3. Development proposals will only be supported when it can be demonstrated they have taken account of this identified network, and, where possible, seek to enhance and extend this network. Development proposals leading to loss or breaks in this network of routes will not be supported, unless adequate or better replacement is provided.</b></p>	<p><b>Policy MT1 – Traffic management, highway safety and promoting active travel</b></p> <p>Development proposals should incorporate the following principle requirements covering movement and transportation:</p> <ol style="list-style-type: none"> <li>1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;</li> <li>2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;</li> <li>3. encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities;</li> <li>4. ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and</li> </ol>	<p>Policy MT1 of the HLPCS seeks to manage traffic, improve highway safety and promote active travel. Policy MT1 identifies a set of requirements for development proposals in relation to movement and transportation.</p> <p>Complementing Policy MT1, Policy BAF8 of the NDP identifies three areas within the NDP area where specific traffic management and road safety measures will be supported. Policy BAF8 also seeks to resist development affecting these areas unless suitable mitigation is proposed.</p> <p>Policy BAF8 is in general conformity with HLPCS Policy MT1 and provides more detailed local development management policy.</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<p>manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services;</p> <p>5. protect existing local and long-distance footways, cycleways and bridleways unless an alternative route of at least equal quality 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</p> <p>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.</p> <p>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.</p>	
<p><b>POLICY E – TO SUPPORT THE GROWTH OF SMALL SCALE RURAL BUSINESSES</b></p> <p><b>Proposals for the development of small-scale business enterprises suitable to a rural area</b></p>	<p><b>Policy RA6 - Rural Economy</b></p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental</p>	<p>Policy BAF5 is in general conformity with Policy RA6 of the HLPCS. Both policies seek to support diversification of the rural economy. Policy BAF5 provides more detailed local</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p><b>will be encouraged when they do not adversely affect the rural character, environment and landscape of Dinedor or existing residential amenities and are for the following:</b></p> <ul style="list-style-type: none"> <li><b>a. for the conversion or reuse of an existing building;</b></li> <li><b>b. homeworking proposals;</b></li> <li><b>c. live/work units;</b></li> <li><b>d. diversification of an existing rural business;</b></li> <li><b>e. the proposal is in accordance with Policy C in terms of its design.</b></li> </ul>	<p>technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> <li>• support and strengthen local food and drink production;</li> <li>• support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses;</li> <li>• involve the small scale extension of existing businesses;</li> <li>• promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;</li> <li>• promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;</li> <li>• support the retention of existing military sites;</li> <li>• support the retention and/ or diversification of existing agricultural businesses;</li> </ul> <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they;</p>	<p>development management policy that complements that in Policy RA6, namely that:</p> <ul style="list-style-type: none"> <li>• development takes account of the impact on the AONB; and</li> <li>• impact on specific characteristics of the area, such as the limited facilities and infrastructure.</li> </ul> <p>Policy BAF5 also supports specific forms of economic development appropriate to this rural area: conversions, homeworking and live/work units.</p>



Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<ul style="list-style-type: none"> <li>• ensure that the development is of a scale which would be commensurate with its location and setting;</li> <li>• do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting and smell;</li> <li>• do not generate traffic movements that cannot safely be accommodated within the local road network and</li> <li>• do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.</li> </ul>	
<p><b>POLICY F – TO PROTECT AND ENHANCE THE RURAL ENVIRONMENT AND LANDSCAPE</b></p> <p><b>Development proposals should protect or enhance the rural environment and landscape of the area. Proposals should:</b></p> <ol style="list-style-type: none"> <li><b>a. be designed in terms of scale, form and siting so as to retain rural character;</b></li> <li><b>b. protect or protect the landscape setting of Dinedor village;</b></li> <li><b>c. conserve or enhance biodiversity and heritage assets;</b></li> <li><b>d. protect or enhance the natural and scenic beauty of Dinedor;</b></li> <li><b>e. incorporate, where necessary, landscaping schemes and future on-going management arrangements to ensure the</b></li> </ol>	<p><b>Policy SS6 - Environmental quality and local distinctiveness</b></p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset,</p>	<p>NDP Policy BAF4 requires development to conserve and enhance the area’s landscape, particularly within the AONB.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance environmental assets, including the AONB, and Policy LD1 which provides broad, strategic criteria to protect landscape and townscape at a Herefordshire level.</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p><b>proposal integrates into the surrounding landscape and rural environment;</b></p> <p><b>f. in suitable locations, maintain and extend woodland and hedgerows by using native species; and</b></p> <p><b>g. should not have an adverse impact on the environmental quality of the parish’s rivers, streams and brooks.</b></p>	<p>and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</li> <li>• biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;</li> <li>• historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;</li> <li>• the network of green infrastructure;</li> <li>• local amenity, including light pollution, air quality and tranquillity;</li> <li>• agricultural and food productivity;</li> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul> <p>The management plans and conservation objectives of the county’s international and nationally important features and areas will be material to the determination of future development proposals. Furthermore, assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and Supplementary</p>	

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<p>Planning Documents should inform decisions upon proposals.</p> <p><b>Policy LD1 – Landscape and townscape</b></p> <p>Development proposals should:</p> <ul style="list-style-type: none"> <li>- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;</li> <li>- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area’s character and by enabling appropriate uses, design and management;</li> <li>- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and</li> <li>- maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.</li> </ul>	
<b>POLICY G – PROTECTING LOCAL HERITAGE ASSETS</b>	<b>Policy LD4 – Historic Environment and Heritage Assets</b>	Policy BAF3 is in general conformity with HLPCS Policy LD4 that seeks to “protect,

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p><b>Development proposals should conserve or enhance the local heritage assets, including those listed below, having regard to the scale of any harm or loss and the significance of the heritage asset:</b></p> <ul style="list-style-type: none"> <li>• <b>Lands adjoining Dinedor Camp</b></li> <li>• <b>Lands around the east end of Dinedor Ridge</b></li> <li>• <b>Lands which may have archaeology beneath e.g. associated with the likely course of Rotherwas Ribbon</b></li> </ul> <p><b>Proposals for new development should consult the Historic Environment Record. Where there is an indication or potential that there may be assets of heritage or archaeological interest suitable desk-based and site investigation should be carried out. Site investigations must follow the appropriate professional practices so that there is no detriment to the rural environment.</b></p>	<p>Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> <li>1. protect, conserve and where possible enhance heritage assets and their settings, heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible;</li> <li>2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design, where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;</li> <li>3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;</li> <li>4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and.</li> <li>5. where appropriate, improve the understanding of and public access to the heritage asset.</li> </ol>	<p>conserve and where possible enhance heritage assets and their settings in a manner appropriate to their significance”. Policy BAF3 sets policy affecting those non-designated heritage assets on the Herefordshire Historic Environment Record and other non-designated assets having a significance to the neighbourhood area. These assets are identified in Appendix 1 of the NDP. Although it should be noted over the plan period other non-designated heritage assets may be identified that will also be protected by Policy BAF3.</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>	
<p><b>POLICY H – PROTECTING LOCAL GREEN SPACES</b></p> <p>The local green spaces identified below will be protected. Development of these spaces will only be supported in very special circumstances:</p> <ul style="list-style-type: none"> <li>• the Village Green</li> <li>• Dinedor CampLandscape</li> </ul>	<p>No relevant policy.</p>	<p>No relevant policy – no general conformity issue.</p>
<p><b>Objective 8 – To protect community facilities</b></p> <p><b>POLICY I – COMMUNITY FACILITIES</b></p> <p>The community facilities listed below and shown on Figure 6 the Policies Map will be protected:</p> <p>Village Hall St Andrew’s Church</p>	<p><b>Policy SC1 – Social and community facilities</b></p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p>	<p>NDP Policy BAF7 protects the neighbourhood area’s 5 community facilities for community type uses and supports investment to improve local provision, in particular at St Michaels and All Angels Church.</p> <p>This Policy is in general conformity with Core Strategy Policy SC1 which sets out that existing facilities should be retained unless certain criteria are addressed and supports proposals which enhance existing provision.</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
<p><b>Development to enhance or improve these facilities will be supported when it preserves local character and distinctiveness, and does not harm the landscape or residential amenity.</b></p> <p><b>Development leading to the loss of these facilities will only be supported when equivalent, or better, provision is made elsewhere in the area.</b></p>	<p>New development that creates a need for additional social and community facilities that cannot be met through existing social facilities - will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contributions which meet the relevant tests of paragraph 204 of the NPPF .</p> <p>Proposals involving the provision or expansion of social and community facilities will be expected to provide publicly accessible toilets (including facilities for disabled people and baby changing).</p> <p>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility.</p> <p>The provision or improvement of higher education facilities and the continuing enhancement of existing, or provision of new,</p>	

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	training and skills facilities will be actively promoted.	
<p><b>POLICY J – LOCAL RESIDENTS' ENJOYMENT OF THE PARISH</b></p> <p><b>All new development proposals should respect Dinedor's rural environment and tranquillity. Proposals should include suitable measures to mitigate any impact on residential amenity and proposals that are considered to have an adverse impact on residential amenity will not be supported.</b></p> <p><b>To preserve the area's rural environmental quality and relative tranquillity, proposals will only be supported where they retain or enhance that environmental quality and retain the parish's tranquillity.</b></p>	<p><b>Policy SS6 - Environmental quality and local distinctiveness</b></p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</li> <li>• biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;</li> <li>• historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;</li> </ul>	<p>Policy J is in general conformity with Policy SS6 of the HLPCS that seeks to conserve environmental quality and local distinctiveness. In particular, Policy J seeks to protect residential amenity and tranquillity, these criteria are also referenced in Policy SS6.</p>

Dinedor NDP Policies	Herefordshire Local Plan Core Strategy Policies (HLPCS)	General Conformity
	<ul style="list-style-type: none"> <li>• the network of green infrastructure;</li> <li>• local amenity, including light pollution, air quality and tranquillity;</li> <li>• agricultural and food productivity;</li> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul> <p>The management plans and conservation objectives of the county’s international and nationally important features and areas will be material to the determination of future development proposals. Furthermore, assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and Supplementary Planning Documents should inform decisions upon proposals.</p>	

**3.6 f. Be Compatible with EU Obligations**

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

**The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).**



### **Strategic Environmental Assessment (SEA)**

To meet the 'basic conditions' which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

The Environmental Report for Dinedor Neighbourhood Area was published by Herefordshire Council in August 2019 based on the Draft Regulation 16 Submission Plan. The non-technical summary (p1) sets out that:

*"The draft Dinedor Parish NDP includes 6 main objectives and it is intended that these objectives will be delivered by 10 criteria based planning policies.*

*The environmental appraisal of the Dinedor Parish NDP has been undertaken in line with the Environmental Assessment of Plan and Programmes Regulations 2004. Stage A of the SEA process involved Scoping and Stage B provided a review and analysis of the NDP. Stage C involved preparing an Environmental Report and Stage D comprises a formal consultation on both this and the draft plan itself.*

*Habitat Regulations Assessment (HRA) screening has been carried out as the Parish falls within the catchment for the River Wye (including River Lugg), and is within the River Lugg, is within 10km of the Wye Valley & Forest of Dean Bat Sites SAC (5.8km away) and within 10km of the Wye Valley Woodlands SAC (10km away). The HRA assesses the potential effects of the NDP on the River Wye (including River Lugg) SAC Wye Valley & Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC.*

*On the whole, it is considered that the Dinedor Parish NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). Parish Councillors will welcome the conclusion as to general conformity. It also does it (sic) [not] propose any growth that would be over and above that prescribed by strategic policies.*

*Taking into consideration the cumulative effects of policies, options and sites, the plan will have an overall positive impact on environmental assets. The plan is in general conformity with the Core Strategy overall an all of the policies and objectives meet the Core Strategy requirements for the purposes of the SEA. Other issues with a current uncertain or neutral outcome have the opportunity to be mitigated by further detail in polices or at planning stage.*

*Overall the plan is positive and would have a positive impact upon the SEA baseline data. Key recommendations would be to ensure that the environmental mitigation impacts are clear and robust, this may require some enhancement of existing policies in regard to air quality and water resources.*

*However the plan as a whole is robust and meets key targets, the unknown areas require further detail such as location, scale and size of development, therefore are likely to be determined at planning application/ proposal stage. No significant cumulative effects have been identified."*

The full report is published on the NDP website and Herefordshire Council's webpages for Dinedor NDP and is submitted with this statement.

### **Requirement for Habitats Regulations Assessment (HRA)**

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

The Habitats Regulations Assessment Regulation 16 Report for Dinedor Neighbourhood Area (submitted alongside this statement) was published by Herefordshire Council in August 2019. In Section 3 Methodology the report sets out that "*as the Dinedor NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.*"

Section 4 Results of the HRA Screening Report and options advises in 4.1 that "*The initial Screening report (29/01/13) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC, Wye Valley & Forest of Dean Bat Sites SAC and Wye Valley Woodlands SAC. Therefore a full screening assessment is required.*"

The full HRA concludes in Section 9. that "***The draft Dinedor NDP will not have a likely significant effect on the River Wye SAC (including Lugg), Wye Valley and Forest of Dean Bat Sites SAC, Wye Valley Woodlands SAC.***"

### **European Convention on Human Rights**

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation

with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK’s statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual’s rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that “The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

**3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).**

The prescribed conditions have therefore been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.





**Dinedor Group Parish Council**

**June 2020**

With assistance from

