

BARTESTREE WITH LUGWARDINE GROUP PARISH COUNCIL

**Bartestree with Lugwardine  
Neighbourhood Development Plan  
2011 – 2031**

# **Review**

## **Statement of Modifications**

January 2022

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# 1. INTRODUCTION

- 1.1 The Bartestree with Lugwardine Neighbourhood Development Plan (NDP) was prepared by a Steering Group of parish councillors and local residents under the auspices of the Bartestree with Lugwardine Group Parish Council. It was submitted to Herefordshire Council in March 2016. Following independent examination and a successful referendum, it was made by Herefordshire Council on 1 December 2016.
- 1.2 The Group Parish Council resolved at its meeting on 12 November 2019 to form an NDP Review Working Party to look at changes to the National Planning Policy Framework (NPPF) and Herefordshire Council's Local Plan Core Strategy (LPCS) alongside the NDP. The Review has been informed by:
  - informal discussions with Herefordshire Council and comments provided by Development Management officers
  - experience with the operation of the made NDP policies in the determination of planning applications
  - the provisions of the NPPF (July 2021) and Planning Practice Guidance
  - the findings of a technical Housing Site Assessment, undertaken independently for the Group Parish Council in December 2020 following a local Call for Sites. The Assessment also considered sites submitted to a County-wide Housing and Economic Land Availability Assessment by Herefordshire Council in 2020
  - the results of public consultation on housing site options undertaken during February and March 2021.
- 1.3 The draft NDP Review was approved by the Group Parish Council for pre-submission publicity and consultation (Regulation 14 consultation) at its meeting on xx xxxx 2022.
- 1.4 This document is the Statement of Modifications. It has been prepared to set out the scope and nature of the modifications proposed to the made NDP and in accord with the requirements of Planning Practice Guidance.

## 2. PLANNING PRACTICE GUIDANCE

2.1 The process for reviewing and updating neighbourhood plans varies according to the degree of change which is proposed. Planning Practice Guidance identifies three types of modification:<sup>1</sup>

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

2.2 The modifications to the Bartestree with Lugwardine NDP which are proposed in the Review are generally considered to be material, as explained and detailed in the following section. In these circumstances, Planning Practice Guidance states that qualifying bodies (such as the Group Parish Council) should follow the process set out in guidance, with the following additional requirements:<sup>2</sup>

- the qualifying body must (at the pre-submission publicity and consultation stage and when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons
- the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner
- the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan.

2.3 This Statement of Modifications is prepared at the pre-submission publicity and consultation stage in accordance with these requirements. It sets out the scope and materiality of the modifications which are proposed to the made NDP, and the view of the Group Parish Council as to whether the modifications are so significant or substantial as to change the nature of the plan.

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<sup>1</sup> Paragraph: 106 Reference ID: 41-106-20190509 revision date: 09 05 2019

<sup>2</sup> Paragraph: 085 Reference ID: 41-085-20180222 revision date: 22 02 2018

### **3. MODIFICATIONS TO THE MADE NDP**

#### **Modifications to the Vision and core objectives**

3.1 The modifications which are proposed to the Vision and core objectives of the made NDP are set out in **Table 1**.

#### **Modifications to made NDP policies and maps**

3.2 The modifications which are proposed to the planning policies of the made NDP are set out in **Table 2**. All of the made policies are proposed to be modified. Most of the modifications are considered to materially affect the policy concerned, for the reasons given. As a result of the changes proposed to the planning policies, modifications are also proposed to the maps accompanying the NDP.

#### **New policies**

3.3 Six new policies are proposed to be added to the NDP. These address land use and development matters which, although they were not covered in the policies of the made plan, were generally identified in the NDP as core objectives or as local planning issues. In addition, a new map (Map B) has been added to show the relationship between the Neighbourhood Area and the Hereford urban area. These modifications are set out in **Table 3**.

#### **Other modifications to the made NDP**

3.4 A number of minor (non-material) modifications have been made to the text of the made NDP. These include:

- addition of a Contents page and a List of Policies, and other formatting changes
- revisions and updates to the Introduction
- re-ordering of policies consequent upon modifications and the introduction of new policies
- removal of some references to 2015 Local Plan Core Strategy (LPCS) policies
- updates to the NDP evidence base.

**Table 1: Modifications to the Vision and core objectives**

New text is shown in red with deletions indicated by ~~strikethrough~~.

Made NDP	Modification	Does the Modification materially affect the NDP?
Vision	<p>In 2031 the group parish of Bartestree with Lugwardine will continue to be a pleasant place to live and look quite similar to the way that it does today. The villages will have a community spirit where residents of all ages live in a vibrant and distinctive community in which they feel valued, safe and comfortably at home. Sustainable housing development will have been <del>provided</del> delivered by a mix of large and small-scale developments <del>increasing the number of dwellings by a minimum of 152 using designs that</del> providing for a proportionate level of growth, and which blend appropriately with the existing housing stock. <del>and will have been absorbed by the community. Settlement Boundaries have been re-drawn to control residential development outside the core of each settlement, to preserve the historic separation of the settlements, green spaces and landscape views and the semi-rural nature of the villages.</del></p>	<p>No. This is because only minor modifications have been made to update reference to housing delivery, amend terminology and remove unnecessary reference to the purpose of drawing settlement boundaries.</p>
Core objectives	<ol style="list-style-type: none"> <li>1. <del>promote sustainable development and accommodate at least 152 new properties in a manner that is to ensure that new housing is proportionate relative to strategic requirements and</del> appropriate to the character of the villages and <del>its</del> their countryside setting;</li> <li>2. <del>control development to avoid expansion into surrounding</del> to avoid an unsustainable pattern of development and protect the countryside;</li> <li>3. to maintain the historic separation of the settlements</li> </ol>	<p>Yes. This is because a number of objectives have been added and others amended and updated to clarify the approach to development within and outside settlement boundaries, housing mix and community facilities; to ensure alignment between local planning issues, objectives and policies; and to address the issue of water quality in the River Lugg as part of the River Wye Special Area of Conservation.</p>

Made NDP	Modification	Does the Modification materially affect the NDP?
	<p>of Bartestree and Lugwardine;</p> <ol style="list-style-type: none"> <li>4. to allow small-scale growth within the villages, on both windfall and allocated sites;</li> <li>5. to provide housing of a type and size to which meets the needs of the diverse and growing community;</li> <li>6. support householders applications which make use of renewable energy technology to reduce their impact on the environment to ensure new housing achieves a high standard of environmentally-sustainable design;</li> <li>7. to maintain and develop existing local leisure community facilities and amenities in tandem with any new housing development;</li> <li>8. to maintain the character and surroundings setting of all heritage assets and preserve including historic parklands;</li> <li>9. to preserve important existing green spaces and create new green space for the community;</li> <li>10. to protect views of the landscape setting of the villages on both sides of the A438;</li> <li>11. to ensure that development does not have an adverse effect on the River Wye Special Area of Conservation;</li> <li>12. to improve provide local employment opportunities which provide 'added value' for the community by supporting small-scale business development;</li> <li>13. improve traffic management in tandem with new housing development to manage the impact of traffic arising from development.</li> </ol>	

**Table 2: Modifications to made NDP policies and maps**

New policy text is shown in red with deletions indicated by ~~strikethrough~~.

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
BL1 Criteria for the Design of New Housing	BL1 Criteria for the Design of New Housing	<p>Good design and the maximum possible reduction in carbon footprint <b>whilst as a minimum complying with Building Regulations</b> will be sought by:</p> <ul style="list-style-type: none"> <li>I. incorporating locally distinctive features - although new innovative design or features will not necessarily be resisted where they fit sensitively within the particular village frontage and street scene;</li> <li>II. incorporating eco-friendly initial designs that include orientation of buildings, the provision of energy and water conservation measures, cycle and recycling storage, broadband infrastructure and renewable energy infrastructure such as photovoltaic panels or other sustainable renewable energy solutions wherever possible;</li> <li>III. making proportionate provision for open green spaces which are linked where possible to the wider natural environment and accessible to the public for recreational use;</li> <li>IV. retaining important features such as tree cover, ponds, <b>traditional</b> orchards and hedgerows and adding to the natural assets of the parish where opportunities are available;</li> <li>V. where possible, garages must be built in direct association with the houses whose inhabitants</li> </ul>	<p>Yes. This is because an additional requirement has been added on foul and surface water drainage and that development must demonstrate nutrient neutrality with respect to the River Wye Special Area of Conservation. The other changes are minor modifications to acknowledge that the NDP cannot vary national technical standards, to clarify the policy intent and the terminology used.</p>

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p>may be expected to use them. They must be of a sufficient size to accommodate modern cars. Proposals for rear or separate parking courts will not be permitted unless alternative provision is impracticable. Sufficient off-street parking must be provided to accommodate space for visitor parking for each household;</p> <p>VI. an appropriate <b>size amount</b> of <b>private</b> garden space should be provided in proportion to each new dwelling;</p> <p>VII. on site measures that support energy <b>and resource</b> conservation, such as tree planting and other forms of green infrastructure to provide shade and shelter <del>, the inclusion of sustainable drainage systems, the maximum use of permeable surfaces</del> and minimising the use of external lighting to that which is necessary wherever possible. <b>Proposals should demonstrate how foul and surface water is to be managed including sustainable drainage, and confirm that nutrient inputs to the River Wye Special Area of Conservation will not be increased;</b></p> <p>VIII. assisting offsite measures such as supporting infrastructure to promote sustainable travel and enabling a sustainable drainage system to serve a wider range of properties where appropriate;</p> <p>IX. minimising construction traffic and reducing waste;</p>	

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		X. including, where possible, dwellings that meet standards for lifetime homes.	
BL2 Extensions to Properties	BL2 Extensions to Properties	<p>Planning applications will be supported for extensions provided:</p> <ul style="list-style-type: none"> <li>I. <del>overall design, size, appearance, scale, height and mass remain the proposal is</del> subservient to the main dwelling in terms of its size, scale, height, massing, design and appearance;</li> <li>II. <del>the external facing materials should match or complement the materials in the host dwelling;</del></li> <li>III. the extension will not result in significant adverse impact on the amenity of neighbouring properties.</li> </ul>	No. This is because only a minor modification has been made to re-order the specified planning considerations and to remove specific reference to materials, this being otherwise already encompassed within the assessment of design and appearance.
BL3 Infilling and Windfalls BL4 Settlement Boundaries	BL3 Bartestree and Lugwardine Settlement Boundaries	<p><del>Development of infill and windfall sites will be supported provided:</del></p> <ul style="list-style-type: none"> <li>I. <del>the development is in keeping with the scale, form and character of its surroundings;</del></li> <li>II. <del>it does not impact adversely on the amenity of neighbouring properties including loss of daylight, loss of car parking or mature vegetation or landscape screening;</del></li> <li>III. <del>it is in character with existing dwellings;</del></li> <li>IV. <del>it has a safe and suitable access to the public highway.</del></li> </ul>	Yes. Made policies BL3 and BL4 are materially affected because they have been consolidated into a single policy.

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p><del>Settlement boundaries for Bartestree and Lugwardine have been defined and are shown on Map B. Within these settlement boundaries, development will be supported in principle.</del></p> <p>Settlement boundaries are defined for Bartestree and Lugwardine as shown on Map C to help ensure that new housing represents sustainable development and is proportionate to the strategic requirements in the Local Plan Core Strategy.</p> <p>Development proposals within the settlement boundaries will be supported in principle provided that they accord with other development plan policies and:</p> <ul style="list-style-type: none"> <li>I. are in keeping with the scale, form and character of the surroundings;</li> <li>II. do not impact adversely on the amenity of neighbouring properties including through loss of daylight, loss of car parking or of mature vegetation or landscape screening;</li> <li>III. are in character with existing dwellings;</li> <li>IV. have a safe and suitable access to the public highway.</li> </ul> <p>Local Plan Core Strategy policy RA3 will apply to housing proposals outside the settlement boundaries.</p>	

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
BL5 Housing in the Countryside	N/A	<p><del>Residential development outside the settlement boundaries of Bartestree and Lugwardine will be limited to:</del></p> <ul style="list-style-type: none"> <li><del>I. the replacement of existing dwellings that have a lawful residential use and where the replacement is comparable in size and scale and is within the curtilage of the existing dwelling;</del></li> <li><del>II. extensions to existing dwellings;</del></li> <li><del>III. proposals which accord with Policies BL3 and BL6 of this Plan;</del></li> <li><del>IV. rural exception sites in accordance with Core Strategy Policy H2 and</del></li> <li><del>V. proposals which are in accordance with Core Strategy Policy RA3.</del></li> </ul>	Yes. The policy is materially affected because it is proposed for deletion as it repeats the substance in part of LPCS policies RA3 and H2 without adding local detail.
BL6 Redundant Rural Buildings	BL13 Redundant Rural Buildings	Conversion of redundant rural buildings to small scale commercial or business use or residential uses will be <del>permitted</del> supported provided the impacts on the landscape, <del>and</del> local road network <del>and residential amenity</del> are satisfactory, <del>and noise and light pollution is avoided.</del>	Yes. This is because planning criteria have been added to the policy, against which planning applications will be assessed.
BL7 Conserving Historic Character	BL9 Conserving Historic Character	<p>All applications affecting heritage assets in the <del>Parish Neighbourhood Area</del> will be required to consider the significance of any heritage asset affected including any contribution made by their setting.</p> <p>Great weight will be given to the conservation of a designated heritage asset and any harm or loss will</p>	Yes. The policy deals with heritage assets and in line with this scope reference to traditional orchards which are more often regarded as biodiversity or landscape features is now made in policy BL1. A further modification is made to clarify the area to which the policy applies, by

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p>require clear and convincing justification in line with national policy.</p> <p>Non-designated heritage assets, including the unregistered parks and gardens <del>and traditional orchards</del> shown on Map <b>CD</b>, will be conserved or enhanced and their character protected. A balanced judgment will be required about the effects of any development proposals on or close to such assets having regard to the scale of any harm or loss and the significance of the heritage asset.</p> <p>Within the Lugwardine Conservation Area, new development must conserve or enhance the character or appearance of the Conservation Area.</p>	<p>substituting 'Neighbourhood Area' for 'Parish'.</p>
<p>BL8 Local Green Spaces, Allotments and Rights of Way</p>	<p>BL10 Local Green Spaces, Allotments and Rights of Way</p>	<p>The following Local Green Spaces and as indicated on Map <b>BC</b> will be protected for their beauty, historic value, special significance to the local community or recreational value:</p> <p><b>Local Green Spaces in Lugwardine Village:</b></p> <p>L1. Traherne Close.  L2. St Mary's School playing field.  L3. The Churchyard of St Peter's Church.  L4. Burial ground rear of St Peter's Close including footpath between the burial ground and the A438.  L5. Land east of Traherne Close.</p>	<p>Yes. This is because additional Local Green Space has been added as follows:</p> <ul style="list-style-type: none"> <li>• Footpath route between Lugwardine burial ground (Local Green Space L4 in the made plan) and St. Peter's Churchyard (L3), as suggested by the independent Examiner in 2016.</li> <li>• Land east of Traherne Close, to take account of feedback to the April 2021 consultation on housing site options.</li> <li>• Land west of Longwoth Lane, to take account of the conclusions of a 2016 appeal decision on land at Longwoth Lane and the recommendations of the</li> </ul>

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p><b>Local Green Spaces in Bartestree Village:</b></p> <p>B1. <del>Open space</del> <del>The whole area</del> surrounding the village hall <del>site</del> including the cricket and football pitches, <del>and</del> children's play area <del>and community field</del>.</p> <p>B2. <del>The 2 new areas of land designated for community use to be provided by the INCA development on land in Bartestree south of the A438 Land to the south of Bartestree Grange.</del></p> <p>B3. Lugwardine Primary Academy playing field.</p> <p>B4. Croft Close.</p> <p>B5. Hopton Close.</p> <p>B6. Between St. James Close and Bartestree Crossroads.</p> <p>B7. Frome Park including children's play area.</p> <p><b>B8. Land west of Longworth Lane.</b></p> <p>Proposals for any developments on these sites will be resisted unless they are directly related to the retention or management of the green space. Proposals to meet requests for allotments for leisure use will be considered favourably where they do not conflict with other policies in the Plan. Public Rights of Way will be preserved.</p>	Housing Site Assessment undertaken for the NDP Review.
BL9 Affordable Housing	BL7 Affordable Housing	New development is expected to help to meet the need for affordable housing.	Yes. The policy is materially affected because the first criterion is proposed for deletion as it repeats part of Local Plan Core Strategy policy H1 and is no longer

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p><del>I. All developments on sites of more than 10 dwellings which have a maximum combined gross floor space of more than 1000 square metres will be expected to provide a target of 35% of affordable housing provision to meet local housing needs and may include affordable rent, shared ownership and discounted sales but should reflect the most up to date evidence on local housing needs available.</del></p> <p>II. Any affordable housing provided should ensure that priority is given in allocating those homes to those demonstrating a local housing need or local connection and thereafter be offered to the neighbouring parishes of Withington, Weston Beggard, Dormington, Mordiford and Hampton Bishop and then to the remainder of Herefordshire.</p>	<p>fully aligned with national planning policy. The second criterion in the policy adds local detail and is retained.</p>
BL10 Working from Home	N/A	<p><del>Where planning permission is required proposals for home working will be supported, where it is in keeping with the form, character and scale of its surroundings, and:</del></p> <p><del>I. there is no adverse effect on residential amenity, including traffic generation, noise or light pollution;</del></p> <p><del>II. all work activities are carried out by the occupants of the dwelling other than minor servicing and maintenance;</del></p>	<p>Yes. The policy is materially affected because it is proposed for deletion as it repeats the substance of LPCS policy E3 without adding local detail.</p>

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p><del>III. if required sensitively placed masts or other infrastructure needed to improve telephone and internet connection will be permitted.</del></p>	
BL11 Supporting Local Businesses	BL12 Supporting Local Businesses	<p>Proposals for the <del>retention and development</del> <b>growth and expansion</b> of local businesses will be supported. Planning applications will be supported for small-scale development for business use including tourism facilities <del>within the Parish</del> even if outside of the Settlement Boundaries.</p> <p>Development proposals must be in scale with the landscape character of the <b>Neighbourhood Area including the setting of the villages and wider parish</b> meaning that:</p> <ol style="list-style-type: none"> <li>I. the amenity of nearby residents is not adversely affected by excessive traffic generation, noise or light pollution;</li> <li>II. there will be no detrimental effect upon the local highway network as a consequence of traffic generated by the proposal;</li> <li>III. small scale light or general industry, in particular craft-based operations or sustainable technologies will be encouraged to locate in suitably converted rural buildings or on any <del>brown-field previously developed</del> sites;</li> <li>IV. proposals for change of use of existing business premises <del>away from employment activity to non-employment uses</del> will be</li> </ol>	No. This is because only minor modifications have been made to clarify the policy intent and terminology used.

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p>resisted unless it is demonstrated that business use is no longer economically viable;</p> <p>V. if required sensitively placed masts or other infrastructure needed to improve telephone and internet connection will be permitted.</p>	
BL12 Transport and Highways	BL14 Transport and Highways	<p>Proposals for development will need to show:</p> <ul style="list-style-type: none"> <li>I. safe <b>and suitable</b> access onto adjacent roads <b>for all users</b>;</li> <li>II. <del>they make</del> satisfactory provision for off-street parking within residential development, including parking for visitors, based on the characteristics of the site and the type and amount of development;</li> <li>III. that the design and layout of roads on new developments <del>will be</del> <b>is</b> in accordance with <del>the current</del> national guidance <del>document: 'Manual for Streets'</del>;</li> <li>IV. that <del>they take</del> every available opportunity <b>is taken</b> to ensure that the site is linked to the village by an existing footway/cycleway or through the creation of a new footway/cycleway that provides safe <b>attractive and well-designed</b> passage to the range of village facilities including bus stops; and <del>also include a possible</del> <b>including consideration as relevant to the proposal of a possible</b> foot/cycle bridge across the River Lugg near to the A438.</li> </ul>	No. This is because only minor modifications have been made to clarify the policy intent and terminology used.

Made NDP policy/map	NDP review policy/map	Modification	Does the Modification materially affect the policy/map?
		<p>∇. Developer or CIL contributions will be sought from new development where appropriate to fund improvements towards improved public transport services and facilities and to mitigate the impact on the highway network.</p>	
Map A	Map A	Map title amended to read Bartestree with Lugwardine Neighbourhood Area.	No. No substantive change has been made.
Map B	Map C	<p>Map title amended to read Bartestree and Lugwardine Village Policies. New or revised allocations/features:</p> <ul style="list-style-type: none"> <li>• Neighbourhood Area (replacing previous parish boundaries)</li> <li>• Additional and re-numbered Local Green Spaces</li> <li>• Revised settlement boundaries</li> <li>• Housing site allocations</li> <li>• Landscape views</li> <li>• Public rights of way</li> </ul> <p>Priority habitats and planning permissions granted in current plan period removed.</p>	Yes.
Map C	Map D	Map title amended to read Unregistered Parks and Gardens. Map now covers all of the Neighbourhood Area and shows the full extent of Unregistered Parks and Gardens. Traditional orchards removed.	Yes.



NDP review policy/map	Modification	Does the Modification materially affect the NDP?
BL8 Community Facilities	<p>The following existing community facilities will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1:</p> <ul style="list-style-type: none"> <li>• Bartestree Village Hall and playing fields.</li> <li>• Places of worship (St. Peter’s Church and Lugwardine Chapel).</li> <li>• Schools (Lugwardine Primary Academy and St. Mary’s RC High School).</li> <li>• Public houses (The Godwin, Bartestree and The Crown and Anchor, Lugwardine).</li> <li>• Local shops (Bartestree Village Stores, fish and chip shop and hairdressers).</li> </ul> <p>Development proposals for the enhancement of existing community facilities and for new provision will be supported provided that:</p> <ol style="list-style-type: none"> <li>I. their siting, scale and design respects the character of the surrounding area and residential amenity; and</li> <li>II. the local road network can safely accommodate the additional traffic; and</li> <li>III. sufficient provision is made for off-street vehicle and cycle parking.</li> </ol>	<p>Yes. This policy has been included to protect existing village facilities. It complements one of the core objectives of the made plan, namely to maintain and develop existing local leisure facilities and amenities in tandem with new housing development.</p>
BL11 Landscape Views	<p>To be supported, development proposals must demonstrate that they have been sited, designed and are of such a scale that they do not materially harm the following publicly-accessible landscape views, as shown on Map C and the accompanying photographs:</p> <p>LV1: the view from public footpath LU4 looking north towards Withington, Dinmore Hill and the hills of South Shropshire.</p>	<p>Yes. This policy has been included to identify significant views of the countryside surrounding the villages for protection. It responds to one of the issues identified in the made plan, namely ensuring that landscape and far-reaching views on both sides of the A438 remain unimpeded.</p>

NDP review policy/map	Modification	Does the Modification materially affect the NDP?
	<p>LV2: the view from the Weston Beggard turn looking east across the valley of the River Frome towards the Woolhope Dome.</p> <p>LV3: the view from public footpath LU30 looking south towards Hampton Bishop and the Woolhope Dome.</p> <p>LV4: the view from public footpath LU30 looking south-west over the River Lugg towards Hereford and the Black Mountains.</p> <p>LV5: the view from the A438 at Hagley Hill looking north-west towards Dinmore Hill.</p> <p>LV6: the view from public footpath LU7 looking west towards Lugwardine, Hereford and the Black Mountains.</p> <p>Where a development proposal within the Neighbourhood Area lies within sight of one of the above views, a Landscape and Visual Impact Assessment or similar study should be provided to demonstrate that the levels of effects are acceptable, and that the scheme has been sited and designed sensitively and appropriately reflecting, respecting, and where possible, enhancing the landscape context within which it is situated.</p>	
BL12 Water Quality in the River Lugg	Development proposals must demonstrate that they would not have an adverse effect on the River Wye Special Area of Conservation and species of European importance. In particular, planning permission will only be granted if clear and convincing evidence is provided which shows that the proposed development would not increase nutrient inputs to the Special Area of Conservation. This could include through the delivery of	Yes. This policy has been included to ensure that the catchment-wide issue of excessive nutrients in the River Lugg as part of the River Wye Special Area of Conservation are addressed in the NDP and to meet the basic conditions.

NDP review policy/map	Modification	Does the Modification materially affect the NDP?
	mitigation measures to make a proposal nutrient neutral. In demonstrating nutrient neutrality, reference should be made to Herefordshire Council's Phosphate Budget Calculator Tool and associated guidance.	
Map B	New map to show the Neighbourhood Area in a wider geographical context.	No. The new map is included for information only.

#### 4. DO THE MODIFICATIONS CHANGE THE NATURE OF THE PLAN?

4.1 The Group Parish Council considers that the majority of the modifications materially affect the policies in the made NDP. This is because of the scope of the changes being proposed to those policies, or through the introduction of new policies.

4.2 In these circumstances qualifying bodies are required to state whether they believe that the material modifications are so substantial as to change the nature of the plan and give reasons.

4.3 The Group Parish Council **considers that the material modifications taken as a whole are not so significant or substantial as to change the nature of the plan.** The reasons for this are as follows:

- the NDP's Vision is subject to only minor changes by way of updating to reflect progress on housing delivery since the plan was made in 2016.
- the modified objectives continue to reflect those in the made plan, with changes in the interests of clarity and to ensure alignment between local planning issues identified in the made plan and the objectives and policies. An additional objective that development should be nutrient neutral is included so that this catchment-wide issue can be addressed in the NDP and as such does not change the nature of the plan.
- the three sites to be allocated for housing development are all small-scale. In total the indicative number of dwellings is 12 across the three sites. This modification does not involve allocating any significant new site for development, which Planning Practice Guidance refers to as an example of a modification which would change the nature of a plan.
- the addition of three Local Green Spaces represents an extension of the application of the made policy, rather than a change in approach or new policy.
- other material changes to the made policies do not change the nature of the plan as they are: deletions of criteria or policies to avoid duplicating LPCS provisions; the addition of criteria to made policies without changing the nature of those policies; and amendments to policy wording to ensure clarity.
- Six new policies have been introduced. All except one assist in achieving core objectives of the made plan, or respond to issues identified in the made plan. The exception is policy BL12 on water quality in the River Lugg which has been added to ensure that this catchment-wide issue is addressed in the NDP and to meet the basic conditions. None of the new policies are considered to change the nature of the plan.