

Orcop Neighbourhood Development Plan 2021-2031

Basic Conditions Statement

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1. INTRODUCTION

- 1.1 A draft Neighbourhood Development Plan must meet each of a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.2 This Statement has been prepared for Orcop Parish Council to demonstrate that the Orcop Neighbourhood Development Plan 2021-2031 (the NDP) meets legal requirements and the prescribed basic conditions.
- 1.3 The Statement confirms that:
- the legal requirements have been met (section 2).
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP (section 3).
 - the NDP contributes to sustainable development (section 4).
 - the NDP is in general conformity with the strategic policies contained in the relevant development plan, the Herefordshire Local Plan Core Strategy adopted in October 2015 (section 5).
 - the NDP does not breach and is otherwise compatible with EU obligations, and that the making of the NDP does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (section 6).

2. LEGAL REQUIREMENTS

- 2.1 The NDP relates to the area that was designated by Herefordshire Council as a Neighbourhood Area on 18 July 2013. The NDP relates only to this Neighbourhood Area. No other Neighbourhood Development Plan has or is being made for the Neighbourhood Area.
- 2.2 Orcop Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect (2021-2031).
- 2.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.

3. REGARD TO NATIONAL POLICIES AND ADVICE

3.1 The NDP has been prepared with appropriate regard to the guidance contained in the National Planning Policy Framework (NPPF)¹ and Planning Practice Guidance (PPG).² The NDP will help achieve national planning policies at the parish level.

3.2 NPPF paragraph 13 sets out requirements for how communities should engage in neighbourhood planning. In accordance with this national policy, the NDP supports the delivery of strategic policies set out in the Local Plan and seeks to shape and direct development that is outside these strategic policies.

3.3 In accord with NPPF paragraph 16, the NDP:

- contributes to the objective of achieving sustainable development, as explained in section 4 of this Statement.
- has been prepared positively through community engagement and the allocation of land for housing as explained in the Consultation Statement.
- has been shaped by early, proportionate and effective engagement with the community and other consultees, as explained in the Consultation Statement.
- contains policies that are clearly written and unambiguous.
- is accessible via the Parish Council website.
- serves a clear purpose in the context of the Orcop Neighbourhood Area, complementing rather than duplicating existing national and Local Plan policies as explained in this section and section 5.

3.4 The NPPF sets out more specific guidance on neighbourhood plans, to which the Parish Council in preparing the NDP has had regard to as follows:

- NPPF paragraph 29: Orcop Parish Council have used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP as part of the statutory development plan.
- NPPF paragraph 29: whilst the NDP makes provision for slightly less than the amount of housing suggested by strategic policies RA1 and RA2 in the adopted Local Plan Core Strategy,³ the Plan includes at its Appendix B an exception case which fully justifies the approach

¹ July 2021, replacing the previous version published in February 2019.

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

³ Herefordshire Local Plan Core Strategy 2011-2031, October 2015. Paragraph 1.14 confirms that the whole Core Strategy is defined as being the strategic policies contained in the development plan for the area.

taken to housing delivery against the basic conditions. The exception case explains that the indicative housing growth target set by policy RA1 has been used as a basis, with local evidence and environmental factors then determining the appropriate scale of development. The suitable and available capacity of land for new housing at the two identified settlements, Orcop Hill and Orcop, has been thoroughly investigated. Making due allowance for completions, commitments, rural sites and future windfalls, the net result is a minor numerical shortfall on the proportionate growth target for the Neighbourhood Area. Across the rural Housing Market Area this is not significant because planned levels of growth have already been achieved, committed and allocated, so that the NDP does not undermine the strategic approach or promote less development. Considering the shortfall in terms of the availability of key services, it is apparent that it will not hinder the promotion of sustainable development. Both Orcop Hill and Orcop lack key day-to-day services. Locating development here will not support local services but will necessitate additional car-based journeys further afield. The exception case concludes that for the reasons given it is appropriate to make the plan having regard to national policies and advice contained in guidance issued by the Secretary of State, and that the making of the plan will contribute to the achievement of sustainable development and be in general conformity with the strategic policies in the development plan for the area. The general conformity of the NDP with the strategic policies of the Local Plan Core Strategy has been confirmed in Herefordshire Council's comments to the draft NDP at Regulation 14 stage, and is explained in more detail in section 5 below.

- NPPF paragraph 31: the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned. In preparing the NDP, use has been made of existing published and other evidence sources, supplemented by a comprehensive questionnaire survey, a Call for Sites and professional surveys and site assessments. This supporting material is referred to throughout the NDP as required and is summarised in Appendix A of the Plan.

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

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

⁴ PPG Paragraph: 041 Reference ID: 41-041-20140306.

⁵ PPG Paragraph: 040 Reference ID: 41-040-20160211

Table 1: National policies by NDP policy

| NDP policy | Regard to national policies |
|---|---|
| <p>Policy ORC1 Landscape and biodiversity</p> <p>Development proposals should conserve and where possible enhance the landscape and biodiversity by:</p> <ol style="list-style-type: none"> 1. demonstrating that they have respected the prevailing landscape character, as defined in the County Landscape Character Assessment; and 2. promoting the conservation, restoration and enhancement of all sites and features of landscape value and/or biodiversity interest in accordance with their status, including Habitats of Principal Importance, Local Wildlife Sites, irreplaceable habitats such as ancient woodland and veteran trees, hedgerows, ponds and watercourses, and historic field boundaries, with a view to securing net gains for biodiversity; and 3. avoiding adverse effects on the River Wye Special Area of Conservation (SAC) and species of European importance. Development must be shown not to have an adverse effect on the SAC. 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 SAC. This could include the delivery of mitigation measures to make a proposal nutrient neutral. Reference should be made to Herefordshire Council’s Phosphate Calculator and associated guidance. There should be no adverse effects on the water quality of the Garren Brook and its tributaries; and 4. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, taking into account their role as green infrastructure. | <p>Policy ORC1 has regard to national policy in NPPF chapter 15 which deals with conserving and enhancing the natural environment. It is in line with NPPF para. 174 which requires planning policies to contribute to and enhance the natural and local environment by protecting valued landscapes and sites of biodiversity value in a manner commensurate with their statutory status or identified quality, to recognise the intrinsic character and beauty of the countryside, and to minimise impacts on and providing net gains for biodiversity. The policy distinguishes between international, national and locally designated sites, and seeks to maintain and enhance networks of habitats and green infrastructure (NPPF paras. 175 and 179).</p> |
| <p>Policy ORC2 Key views</p> <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 key views, as shown on Plan 4 and the accompanying photographs:</p> <p>KV1: the view from the C1235 looking south towards Orcop.</p> <p>KV2 and KV3: the views from the C1235/Orcop Hill Link Road junction looking south-west and south towards Orcop and Garway Hill.</p> | <p>Policy ORC2 identifies key views in the Neighbourhood Area. In doing so it contributes to an appreciation of the intrinsic character and beauty of the countryside (NPPF para. 174 b)) and helps to ensure that development will be sympathetic to local character and history, including its landscape setting (NPPF para. 130 c)).</p> |

| NDP policy | Regard to national policies |
|--|--|
| <p>KV4: the view from public footpath at Little Hill looking south-west towards Garway Hill. KV5: the view from Garway Hill looking east towards Orcop Hill.</p> <p>Where a development proposal (other than householder development) within the Neighbourhood Area lies within sight of one of the above key 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> | |
| <p>Policy ORC3 Heritage</p> <p>Development proposals should protect, conserve and where possible enhance the historic environment and heritage assets in the Neighbourhood Area. In considering the impact of proposed development on heritage assets, appropriate account will be taken of their significance (including any contribution made by their setting) in accord with the National Planning Policy Framework and Herefordshire Local Plan Core Strategy policy LD4 by:</p> <ol style="list-style-type: none"> 1. giving great weight to conserving designated heritage assets; and 2. for non-designated heritage assets including archaeological sites, balancing the scale of any harm or loss against their significance; and 3. ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and other agricultural buildings are sensitive to their distinctive character, materials and form. | <p>Policy ORC3 has had regard to national policy in NPPF chapter 16 which deals with conserving and enhancing the historic environment. It requires heritage assets to be conserved in a manner appropriate to their significance in line with NPPF para. 189.</p> <p>The policy distinguishes between designated and non-designated heritage assets in accord with the national approach. Reference to the NPPF is incorporated within the policy.</p> |
| <p>Policy ORC4 Design</p> <p>Development proposals should maintain and enhance the local distinctiveness of the Neighbourhood Area and achieve a high quality of sustainable design by:</p> <ol style="list-style-type: none"> 1. being in character with the built form of adjoining development with respect to siting, height, scale, detailing, density, building to building distances, means of enclosure and the use of materials; and 2. providing for energy and water conservation and the generation of renewable energy. All new housing should aim to achieve the highest standards of energy conservation, being ideally carbon neutral whilst as a minimum complying with Building Regulations; and | <p>Policy ORC4 seeks to achieve a high quality of design reflecting NPPF chapter 12 particularly para. 130. In doing so it provides guidance on a range of matters including local character, architecture and layout, and landscaping. It also supports designs promoting a high level of sustainability (NPPF para. 134) and the reduction of greenhouse gas emissions (NPPF para. 151).</p> <p>The policy also aims to promote sustainable transport (NPPF chapter 9). It will prevent new and existing</p> |

| NDP policy | Regard to national policies |
|---|---|
| <ol style="list-style-type: none"> 3. incorporating other sustainability measures including building orientation, sustainable construction methods and materials, and provision for the recycling of waste, composting, charging points for electric vehicles, cycle storage, and broadband; and 4. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. Proposals which cannot satisfactorily mitigate such impacts will not be supported. The arrangements for access should wherever practicable include provisions for pedestrians and cyclists to encourage active travel; and 5. avoiding creating unacceptable impacts on residential amenity and tranquillity from noise, volume and nature of traffic generated, light, dust, odour or loss of privacy; and 6. demonstrating nutrient neutrality in accord with policy ORC1, and providing acceptable arrangements for the treatment of wastewater in accord with policy ORC5 and for surface water disposal in accord with policy ORC6. These arrangements are to be demonstrated in foul and surface water management strategies which must be submitted with the planning application concerned; and 7. retaining features of amenity and biodiversity value, such as mature trees, ponds and hedgerows, and incorporate new provision for wildlife; and 8. providing for new tree planting and other landscaping which is in keeping with the prevailing landscape character, uses locally appropriate and native species, integrates new buildings in their surroundings, and supports green infrastructure and the Herefordshire Ecological Network. Proposals for green infrastructure will be expected to be designed in accordance with the Building for Nature standards. | <p>development from contributing to or being affected by unacceptable levels of pollution, and also help to improve local environmental conditions including water quality (NPPF para. 174 e).</p> |
| <p>Policy ORC5 Wastewater treatment</p> <p>Development proposals which are to be served by non-mains foul drainage should provide a wastewater management strategy and system design to accompany outline or full planning applications to include:</p> <ol style="list-style-type: none"> 1. method statement for the treatment and disposal of wastewater. The provision of or connection to a package sewage treatment works should be considered before the use of septic tanks. If septic tanks are proposed, the method statement should demonstrate that use of a package sewage treatment works is not suitable or | <p>Policy ORC5 addresses wastewater treatment so as to prevent new and existing development from contributing to or being affected by unacceptable levels of pollution, help to improve local environmental conditions such as water quality (NPPF para. 174 e), and safeguard biodiversity including the River Wye Special Area of Conservation (NPPF para. 179 a)).</p> |

| NDP policy | Regard to national policies |
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| <p>viable; and</p> <ol style="list-style-type: none"> 2. where discharge to ground by infiltration is proposed, an assessment of likely ground conditions, identification of annual water table levels and their seasonal variation, and the results of testing all to the required standards to confirm that infiltration is a viable means of discharge; and 3. confirmation of any requirements for works which are off-site, and/or which may affect or cross third-party land, and for connections to receiving drains/watercourses; and 4. proposed arrangements for adoption, management and maintenance; and 5. demonstration that there will be no undue loss of amenity to occupiers of residential property including from noise, odour and drainage conditions; and 6. demonstration of nutrient neutrality in accord with policy ORC1. <p>The use of cesspools will only be supported to serve existing dwellings and where it has been shown that there are no other viable means of wastewater treatment available. This would occur in exceptional circumstances such as the replacement or servicing of a defective treatment plant when a cesspool is required for a limited period until remedial works have been completed. Proposals for cesspools must include a rigorous assessment of the potential effects of their operation and demonstrate that there will be no adverse effect on residential amenity, groundwater sources and natural drainage water quality objectives. The use of cesspools will not be supported to serve new dwellings.</p> | |
| <p>Policy ORC6 Surface water and flood risk</p> <p>Development proposals should provide a surface water management strategy to accompany outline or full planning applications to demonstrate effective surface water drainage and the management of flood risk. In doing so, full use should be made of sustainable drainage systems. Designs should maximise the retention of surface water within the curtilage of the development site and minimise runoff. There should be no increase in runoff or flood risk affecting neighbouring land and property and wherever possible betterment should be achieved through a reduction in runoff rate and volumes.</p> | <p>Policy ORC6 supports the management of flood risk and the use of sustainable drainage systems (NPPF para. 167).</p> |
| <p>Policy ORC7 Renewable and low carbon energy projects</p> <p>Development proposals for small-scale renewable and low carbon energy generation to</p> | <p>Policy ORC7 supports suitable renewable and low carbon energy development while ensuring that adverse impacts, including cumulative landscape and</p> |

| NDP policy | Regard to national policies |
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| <p>meet domestic needs will be supported where it is shown that the individual and cumulative impacts on the natural and historic environment, amenity and highway safety and capacity are or can be made acceptable.</p> | <p>visual impacts, are addressed satisfactorily in accord with NPPF para. 155 a).</p> |
| <p>Policy ORC8 Settlement boundaries and site allocation</p> <p>Settlement boundaries are defined for Orcop Hill (Plan 6) and Orcop (Plan 7). Proposals for housing inside the settlement boundaries will be supported where they are in accordance with other development plan policies. Land outside the settlement boundaries is defined as countryside where residential development is restricted to exceptional circumstances only, in accordance with Local Plan Core Strategy policy RA3. Land west of Birch View, Orcop Hill is allocated for the development of around three new dwellings (Plan 6). The development must be shown to be nutrient neutral in accord with policy ORC1. Proposals should incorporate a wastewater management strategy in accord with policy ORC5, and a surface water management strategy in accord with policy ORC6.</p> | <p>Policy ORC8 is in accord with national policy to promote sustainable development in rural areas by locating housing where it will enhance and maintain the vitality of rural communities, and to avoid the development of isolated homes in the countryside (NPPF paras. 79 and 80). Orcop Hill and Orcop are settlements identified in the Local Plan Core Strategy for proportionate housing development (policy RA2); outside of settlements new housing is restricted to avoid an unsustainable pattern of development (policy RA3). The defined settlement boundaries provide a basis for implementing this strategic approach by clearly defining the extent of the villages concerned.</p> <p>Policy ORC8 also allocates land for housing following consideration of the available and suitable opportunities. This is in accord with NPPF para. 70. The allocation will help to promote sustainable development in rural areas and is situated in a settlement identified in the Local Plan Core Strategy as a main focus for proportionate housing development. This strategic approach is intended to enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned (policy RA2). This is in line with NPPF para. 79 which requires housing to be located where it will enhance or maintain the vitality of rural communities.</p> <p>The policy requires development to be nutrient</p> |

| NDP policy | Regard to national policies |
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| | neutral and for proposals to include wastewater and surface water management strategies, in order to avoid pollution and improve water quality (NPPF para. 174 e)), safeguard biodiversity including the River Wye Special Area of Conservation (NPPF para. 179 a)), and manage flood risk elsewhere (NPPF para. 167). |
| <p>Policy ORC9 Housing mix</p> <p>Housing proposals in the Neighbourhood Area should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Development proposals which provide housing of a suitable size, tenure and style to meet local needs will be supported. There is a particular need in the Neighbourhood Area for:</p> <ul style="list-style-type: none"> • Smaller family housing of 2- or 3-bedrooms. • Housing designed to meet the needs of older people including bungalows. <p>Proposals to provide work/live units and for self-build housing will also be supported.</p> | Policy ORC9 seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF paras. 60 and 78. The policy is responsive to local circumstances and supports housing developments that reflect local needs as to size, type and tenure in accord with NPPF para. 62. |
| <p>Policy ORC10 Community facilities</p> <p>Existing community facilities will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1. They are listed below and shown on Plan 8:</p> <ul style="list-style-type: none"> • Orcop Parish Hall • Places of worship (Baptist Chapel at Orcop Hill, St. John the Baptist Church at Orcop, and Methodist Chapel, Garway Hill) • The Fountain Inn public house, Orcop Hill. <p>Development proposals for the enhancement of existing community facilities and for new provision including a children’s play area and facilities for sport and recreation will be supported provided that:</p> <ol style="list-style-type: none"> 1. the siting, scale and design respects the character of the surrounding area; and 2. the local road network can safely accommodate the additional traffic; and 3. sufficient provision is made for off-street vehicle and cycle parking and full use is made of the available opportunities to improve access on foot, by cycling or by public transport. | <p>Policy ORC10 supports the retention and development of accessible local services and community facilities, as part of supporting a prosperous rural economy in line with NPPF para. 84 d).</p> <p>It takes account of NPPF para. 93 which requires planning policies to plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments. It also has regard to NPPF para. 98 in respect of recreational land and buildings.</p> |

| NDP policy | Regard to national policies |
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| <p>Policy ORC11 Copywell Local Green Space</p> <p>Land at Copywell, Orcop Hill shown on Plan 6 is designated as Local Green Space and will be safeguarded from inappropriate development unless very special circumstances arise which outweigh the need for protection.</p> | <p>Policy ORC11 provides for the designation of Local Green Space in accord with the provisions of NPPF paras. 101-103. The NDP explains at para. 5.22 how this small area of land in the centre of Orcop Hill meets the NPPF criteria for such designation.</p> |
| <p>Policy ORC12 Rural businesses</p> <p>Development proposals for the creation or expansion of small-scale business enterprises will be supported provided that:</p> <ol style="list-style-type: none"> 1. they are of a scale, type and nature appropriate to their location, and avoiding isolated new development; and 2. the impacts on highway safety and capacity are or can be made acceptable, with adequate off-road parking for staff, delivery vehicles and visitors; and 3. there are no undue impacts on residential amenity, or on the natural and built environments; and 4. in the case of proposals in the countryside, full use is made of the available opportunities to improve access on foot, by cycling or by public transport. <p>Wherever possible, use should be made of sites which are within or physically well-related to the settlements of Orcop Hill or Orcop, and of existing buildings and previously-developed land in preference to new development on greenfield sites.</p> | <p>Policy ORC12 supports the sustainable growth and expansion of businesses in the Neighbourhood Area as set out in NPPF para. 84. It recognises that opportunities to meet business needs may arise outside existing settlements (NPPF para. 85).</p> |
| <p>Policy ORC13 Holiday accommodation</p> <p>Proposals for the development of new permanent holiday accommodation and for the change of use of land for the siting of caravans* should:</p> <ol style="list-style-type: none"> 1. be of a scale and design which is appropriate to their location; and 2. avoid isolated settings in the open countryside; and 3. demonstrate that the impacts on landscape character, residential amenity, highway safety and capacity and public rights of way are acceptable, taking account of any ancillary equipment which is also proposed; and 4. make acceptable provision for wastewater treatment, surface water drainage, vehicular access to the highway, and for active travel including cycle parking. | <p>Policy ORC13 sets criteria for holiday accommodation to help support a prosperous rural economy through sustainable rural tourism and leisure development which respects the character of the countryside (NPPF para. 84 c)).</p> |

| NDP policy | Regard to national policies |
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| <p>* any structure designed or adapted for human habitation which is capable of being moved from one place to another and any motor vehicle so designed or adapted.</p> | |
| <p>Policy ORC14 Agricultural and forestry development</p> <p>Proposals for agricultural and forestry development requiring planning permission should be able to demonstrate that they meet the following requirements. Account will also be taken of ancillary works and buildings, and of any other existing, permitted or proposed similar developments in the locality so that cumulative impacts can be considered:</p> <ol style="list-style-type: none"> 1. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and 2. the impacts on landscape character and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and 3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting, the design and siting of any installation, traffic, or odour, noise and air pollution; and 4. there are no unacceptable impacts on biodiversity, heritage assets or the utility and enjoyment of public rights of way. The provision of safe off-road active travel links within developments is encouraged; and 5. surface water and wastewater are acceptably and appropriately managed with no adverse impact on local watercourses in respect of water quality, flood risk, pollution or soil erosion. | <p>Policy ORC14 seeks to ensure that agricultural and forestry developments requiring planning permission are appropriate in terms of their impacts on and implications for traffic and transport, landscape, amenity, and the natural and historic environments in accord with NPPF chapters 9, 14, 15 and 16.</p> |

4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Orcop NDP will contribute to the achievement of sustainable development.

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

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

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

4.4 Section 3 of this Statement explains how the NDP has had regard to national policy and advice, and thus how it will contribute to the achievement of sustainable development.

4.5 The NDP is also in general conformity with the strategic policies of the Herefordshire Local Plan Core Strategy (see section 5). This sets out a spatial strategy to achieve the sustainable development of the County of Herefordshire based on the three themes of social progress, economic prosperity, and environmental quality. These themes echo the three roles as defined in the NPPF. The NDP will deliver sustainable development by virtue of setting out a balanced set of policies which address each of the strategic themes.

4.6 Table 2 sets out how the NDP will help achieve sustainable development, by contributing to each of the three national objectives through its Vision, objectives, planning policies and Community Actions.

Table 2: Sustainable development

| Objective | How the Orcop NDP contributes |
|-----------|--|
| Economic | <p>The Vision includes that by 2031 Orcop Neighbourhood Area will be a place where people can enjoy living and working in a peaceful rural setting.</p> <p>Objective 5 on the rural economy seeks to support and encourage the development or expansion of small and home-based businesses, agriculture and forestry which is compatible and in scale with the rural nature of the Neighbourhood Area.</p> <p>Plan policies directly address the economic objective by:</p> <ul style="list-style-type: none"> • Providing planning policy criteria for new development (ORC4) including a housing site allocation (policy ORC8) and agricultural and forestry development (policy ORC14) so that those bringing proposals forward can do so with confidence. • Supporting the retention of community facilities and supporting their expansion and new provision (policy ORC10). • Supporting the creation or expansion of small-scale business enterprises (policy ORC12). • Supporting holiday accommodation (policy ORC13). <p>Other NDP policies support the economic objective indirectly. Policies addressing the social objective help to maintain and promote a thriving rural community and thus demand for goods and services. Policies addressing the environmental objective serve to protect, conserve and enhance the built and natural environments, providing a stable basis for economic activity.</p> <p>As well as its planning policies, the NDP sets out Community Actions which the Parish Council will undertake or otherwise support which contribute to the economic objective, including working with Herefordshire Council and others on aspects of local highways and transport provision, and by promoting and supporting improvements to communications and broadband infrastructure.</p> |
| Social | <p>The Vision includes that by 2031 Orcop Neighbourhood Area will be a place where people can enjoy living and working in a peaceful rural setting with new development which serves to address community needs and safeguard amenity.</p> <p>Relevant objectives are to maintain and enhance the local distinctiveness of the Neighbourhood Area and achieve a high quality of sustainable design (objective 2), to provide new housing to contribute to the strategic requirements of the Local Plan Core Strategy, with the scale of development determined by local evidence and environmental factors and with a range and choice to meet the</p> |

| Objective | How the Orcop NDP contributes |
|---------------|--|
| | <p>needs of all sections of the community (objective 3), and to ensure that existing community facilities are retained and enhanced as much as possible, and to promote and enable appropriate new provision including recreational facilities.</p> <p>Plan policies directly address the social objective by:</p> <ul style="list-style-type: none"> • Maintaining local distinctiveness and fostering community identity by protecting landscape and biodiversity (policy ORC1), key views (policy ORC2) and the built form of Orcop Hill and Orcop (policy ORC8). • Requiring proposals to be in character with adjoining development, and to avoid undue impacts on residential amenity (policy ORC4). • Allocating land to meet housing requirements (policy ORC8). • Requiring new dwellings to be of a type and size that contributes to meeting housing needs (policy ORC9). • Protecting community services thereby supporting the health, social and cultural well-being of the community (policy ORC10). <p>Other NDP policies support the social objective indirectly. Policies addressing the economic objective support proposals for small-scale rural businesses, the re-use of existing buildings for commercial purposes and holiday accommodation, enabling local employment opportunities. Policies addressing the environmental objective serve to protect the Neighbourhood Area’s built and natural environments which contributes to the sense of place, character and community identity.</p> <p>As well as its planning policies, the NDP sets out Community Actions which the Parish Council will undertake or otherwise support which contribute to the social objective, including working with Herefordshire Council and others on aspects of road safety, public transport and walking and cycling; promoting and supporting improvements to communications and broadband infrastructure; maintaining and improving community information and communication; investigating feasibility of a community hub, and supporting community development.</p> |
| Environmental | <p>The Vision includes that by 2031 Orcop Neighbourhood Area will be a peaceful rural setting where the remote and deeply rural character of the parish will have been conserved and wherever possible enhanced.</p> <p>Relevant objectives are to conserve and enhance the distinctive natural and historic environment of the Neighbourhood Area, in particular its landscape character, key views, sites and features of biodiversity interest, and heritage assets (objective 1), and to plan for climate change and a low carbon future, with development supported by appropriate infrastructure including wastewater treatment, energy and water conservation and encouragement given to small-scale renewable and low carbon energy generation (objective 2).</p> <p>Plan policies directly address the environmental objective by:</p> |

| Objective | How the Orcop NDP contributes |
|-----------|---|
| | <ul style="list-style-type: none"> • Protecting landscape and biodiversity (policy ORC1) and key views (policy ORC2). • Protecting, conserving and enhancing the historic environment and heritage assets (policy ORC3). • Providing planning policy criteria for new development (policies ORC4, ORC12 and ORC14) on a range of environmental matters, so as to deliver sustainable development. • Providing policies on non-mains foul drainage to promote environmentally-acceptable means of wastewater treatment (policy ORC5) and on surface water and flood risk (policy ORC6). • Supporting acceptable proposals for small-scale renewable and low carbon energy generation (policy ORC7). • Promoting a sustainable pattern of development by defining settlement boundaries for Orcop Hill and Orcop (policy ORC8). • Designating and protecting a Local Green Space which is demonstrably special to the community and holds a particular local significance (policy ORC11). • Seeking the re-use of existing buildings and previously-developed land for rural business development in preference to the use of greenfield sites (policy ORC12). <p>Other NDP policies support the environmental objective indirectly. Policies addressing the social objective help to promote the health, social and cultural well-being of the community by making use of the local environment in varying ways. Policies addressing the economic objective support the continued delivery of goods and services locally, reducing the need to travel.</p> <p>As well as its planning policies, the NDP sets out Community Actions which the Parish Council will undertake or otherwise support which contribute to the environmental objective, including actions to foster public transport improvements and to promote walking and cycling as alternatives to use of the private car.</p> |

5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Orcop NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. Herefordshire Council’s consultation response to the draft Plan confirms that all draft NDP policies were considered to be in general conformity with their Core Strategy equivalents. Table 3 sets out how each of the NDP’s policies align with the strategic policies. The Core Strategy can be seen at https://www.herefordshire.gov.uk/info/200185/local_plan/137/local_plan_-_core_strategy/2.
- 5.2 Remaining saved policies of the Herefordshire Unitary Development Plan are not relevant to the NDP.

Table 3: General conformity of NDP policies with strategic policies.

| NDP policy | Local Plan strategic policies |
|--|---|
| Policy ORC1 Landscape and biodiversity | Policy ORC1 is in general conformity with strategic policies LD1 <i>Landscape and townscape</i> , LD2 <i>Biodiversity and geodiversity</i> , LD3 <i>Green infrastructure</i> , and SD4 <i>Wastewater treatment and river water quality</i> . It adds local detail by identifying natural environment assets in the Neighbourhood Area. |
| Policy ORC2 Key views | No relevant strategic policies identified. |
| Policy ORC3 Heritage | Policy ORC3 is in general conformity with strategic policy LD4 <i>Historic environment and heritage assets</i> . It adds local detail by identifying historic environment assets in the Neighbourhood Area and distinguishing between designated and non-designated heritage assets. |
| Policy ORC4 Design | Policy ORC4 is in general conformity with strategic policies SD1 <i>Sustainable design and energy efficiency</i> , LD1 <i>Landscape and townscape</i> , and MT1 <i>Traffic management, highway safety and promoting active travel</i> . It adds local detail by reflecting issues of concern as expressed in replies to the NDP questionnaire survey. |
| Policy ORC5 Wastewater treatment | Policy ORC5 is in general conformity with strategic policy SD4 <i>Wastewater treatment and river water quality</i> . It responds to issues identified including in the NDP questionnaire survey by adding local detail to the requirements of the strategic policy. |
| Policy ORC6 Surface water and flood risk | Policy ORC6 is in general conformity with and adds local detail to strategic policy SD3 <i>Sustainable water management and water resources</i> . |

| NDP policy | Local Plan strategic policies |
|---|---|
| Policy ORC7 Renewable and low carbon energy projects | Policy ORC7 is in general conformity strategic policy SD2 <i>Renewable energy</i> . It adds local detail in respect of the criteria to be applied to relevant proposals in the Neighbourhood Area. |
| Policy ORC8 Settlement boundaries and site allocation | No relevant strategic policies identified. |
| Policy ORC9 Housing mix | Policy ORC9 is in general conformity with strategic policies H1 <i>Affordable housing</i> and H3 <i>Ensuring an appropriate range and mix of housing</i> . It adds local detail by setting out the type and size of housing that will be required to meet local needs. |
| Policy ORC10 Community facilities | Policy ORC10 is in general conformity with and adds local detail to strategic policy SC1 <i>Social and community facilities</i> . |
| Policy ORC11 Copywell Local Green Space | Policy ORC11 is in general conformity with strategic policy SS6 <i>Environmental quality and local distinctiveness</i> . It adds local detail by identifying an area for designation as Local Green Space. |
| Policy ORC12 Rural businesses | Policy ORC12 is in general conformity with strategic policy RA6 <i>Rural economy</i> . It adds local detail in respect of the criteria to be applied to relevant proposals in the Neighbourhood Area. |
| Policy ORC13 Holiday accommodation | Policy ORC13 is in general conformity with strategic policy E4 <i>Tourism</i> . It adds local detail in respect of the criteria to be applied to relevant proposals in the Neighbourhood Area. |
| Policy ORC14 Agricultural and forestry development | Policy ORC14 is in general conformity with strategic policies RA6 <i>Rural economy</i> , LD1 <i>Landscape and townscape</i> , LD2 <i>Biodiversity and geodiversity</i> , SD4 <i>Wastewater treatment and river water quality</i> , and MT1 <i>Traffic management, highway safety and promoting active travel</i> . It adds local detail by providing a specific policy for agricultural and forestry development, addressing issues of concern in the Neighbourhood Area as expressed in replies to the NDP questionnaire survey. |

6. EU OBLIGATIONS

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

Table 4: EU obligations

| EU Obligation | Compatibility of the Orcop NDP |
|--|--|
| Strategic Environmental Assessment Directive | <p>Strategic environmental assessment of the NDP has been undertaken by Herefordshire Council. An initial screening opinion in June 2013 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment. A Scoping Report was prepared in October 2017 and published for consultation. Subsequently, a SEA of the draft Plan was undertaken in November 2021 and the resultant Environmental Report was published for consultation alongside the draft Plan.</p> <p>The Environmental Report concludes in its non-technical summary that the NDP is in general conformity with both national planning policy contained in the NPPF and strategic policies set within the Herefordshire Local Plan (Core Strategy). SEA paragraph 6.7 reports that the cumulative effect of the NDP will contribute to the achievement of the SEA objectives. Paragraph 6.8 sets out that none of the NDP policies were considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Environmental Report (May 2022). These amendments included revisions to policies to address water quality and foul and surface water management, in line with the findings of the Appropriate Assessment (see below). The assessment re-affirms the previous conclusions, the cumulative effect of the NDP with regards to achieving the SEA objectives being found to be overall positive with no changes recommended.</p> <p>The NDP has been prepared in conjunction with a formal process of environmental appraisal in accordance with the SEA Directive, whose requirements have been met.</p> |
| Habitats Directive | <p>A process of assessment of the NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening in June 2013 found that the Neighbourhood Area was within the hydrological catchment of the River Wye (including River Lugg) Special Area of Conservation (SAC). The initial screening concluded that this SAC would need to be taken into account in the NDP and that a full Habitats Regulation Assessment would be required.</p> <p>An Appropriate Assessment of the draft NDP was undertaken by Herefordshire Council and published in November 2021.</p> |

| EU Obligation | Compatibility of the Orcop NDP |
|-------------------------------------|---|
| | <p>This concluded that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC when the mitigation and avoidance measures have been taken into account and suggested policy amendments are included with regard to development proposals being able to demonstrate nutrient neutrality and include wastewater and surface water management strategies.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Report in May 2022. The Appropriate Assessment confirms that the NDP will not have an adverse effect on the integrity of the River Wye (including River Lugg) SAC when the mitigation and avoidance measures have been taken into account.</p> <p>The NDP has been prepared in conjunction with an Appropriate Assessment in accordance with the Habitats Directive, whose requirements have been met.</p> |
| Water Framework Directive | <p>The Local Plan Core Strategy (policies SD3 and SD4) requires that development proposals are considered against Water Framework Directive objectives, including that development should not undermine the achievement of water quality targets. These strategic policies are referenced in Table 3 above as policies with which relevant NDP policies are in general conformity with. NDP policy ORC1 requires that proposals must show they would not increase nutrient inputs to the River Wye Special Area of Conservation and have no adverse effects on water quality of the Garren Brook and its tributaries. NDP policies ORC4, ORC5 and ORC8 re-iterate the nutrient neutrality requirement and/or require proposals to incorporate wastewater and surface management strategies. The Water Framework Directive has also been taken into account within the objectives used for the SEA of the NDP and as a source of baseline information and targets.</p> <p>The NDP is considered to be compatible with the Water Framework Directive.</p> |
| European Convention on Human Rights | <p>The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and County-level strategic planning policies. In accordance with established process, its preparation has included consultation with the local community and it is subject to independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.</p> |