

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

Review

Basic Conditions Statement

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1. INTRODUCTION

- 1.1 When proposals to modify a Neighbourhood Development Plan are submitted to the local planning authority, they must be accompanied by a statement explaining how the modification proposals meet the requirements of paragraph 11 of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended). Paragraph 11 specifies the 'basic conditions' that must be met before the modifications can be made.
- 1.2 This Basic Conditions Statement has been prepared for Bartestree with Lugwardine Group Parish Council to demonstrate that the Bartestree with Lugwardine Neighbourhood Development Plan 2011-2031 as proposed to be modified (henceforth referred to as '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 making of the plan will contribute to sustainable development (section 4).
 - the making of the plan 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 making of the plan will not breach and is otherwise compatible with retained 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 the Bartestree with Lugwardine Neighbourhood Area on 6 September 2021. The NDP relates only to this Neighbourhood Area. No other Neighbourhood Development Plan has or is being made for the Neighbourhood Area.
- 2.2 Bartestree with Lugwardine Group Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect (2011-2031).
- 2.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.
- 2.6 Prescribed conditions have been met in relation to the NDP and prescribed matters have been complied with in connection with the modification proposals.

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 Neighbourhood Area 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 Group Parish Council website.
- serves a clear purpose in the context of the Bartestree with Lugwardine Neighbourhood Area, complementing rather than duplicating existing national and Local Plan planning policies as explained in this section and section 5.

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

- NPPF paragraph 29: the Group Parish Council has used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP as part of the statutory development plan.
- NPPF paragraph 29: the NDP is considered to be in general conformity with the strategic policies of the Local Plan. In Herefordshire, these are the policies in the adopted Local Plan Core Strategy.³ The NDP reflects the strategic policies and plans positively to support them. It does not promote less development than set out in the Local Plan Core Strategy, or undermine its strategic policies. The NDP defines settlement boundaries for the settlements of Bartestree and Lugwardine, allocates and designates land, and provides criteria-

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.

based planning policies to guide housing growth, economic development and environmental protection. The general conformity of the NDP with the strategic policies of the Local Plan Core Strategy is set out in more detail in section 5 below.

- NPPF paragraph 31: the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned. In preparing the NDP, use has been made of published and other evidence sources, including surveys undertaken for the made Plan. The selection of the housing sites allocated in the modification proposals was informed by a Call for Sites, a Housing Site Assessment and public consultation on site options. Evidence base material is referred to throughout the NDP as required and is summarised in Appendix 5 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 BL1 Criteria for the Design of New Housing</p> <p>Good design and the maximum possible reduction in carbon footprint whilst as a minimum complying with Building Regulations will be sought by:</p> <ol style="list-style-type: none"> 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; 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; 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; IV. retaining important features such as tree cover, ponds, traditional orchards and hedgerows and adding to the natural assets of the parish where opportunities are available; V. where possible, garages must be built in direct association with the houses whose inhabitants 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; VI. an appropriate amount of private garden space should be provided in proportion to each new dwelling; VII. on-site measures that support energy and resource conservation, such as tree planting and other forms of green infrastructure to provide shade and shelter and minimising the use of external lighting to that which is necessary wherever possible. 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; 	<p>Policy BL1 seeks to achieve good design reflecting NPPF chapter 12 particularly para. 130. 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) and to prevent new and existing development from contributing to or being affected by unacceptable levels of pollution including with regard to water quality (NPPF para. 174 e)).</p>

NDP policy	Regard to national policies
<p>VIII. providing safe, suitable and convenient pedestrian and cycle links within the development and linking to local services and amenities, and contributing to off-site measures such as supporting infrastructure to enable and promote active travel and sustainable drainage to serve a wider range of properties where appropriate;</p> <p>IX. minimising construction traffic and reducing waste;</p> <p>X. including, where possible, dwellings that meet standards for lifetime homes.</p>	
<p>Policy BL2 Extensions to Properties</p> <p>Planning applications will be supported for extensions provided:</p> <ol style="list-style-type: none"> I. the proposal is subservient to the main dwelling in terms of its size, scale, height, massing, design and appearance; II. the extension will not result in significant adverse impact on the amenity of neighbouring properties. 	<p>Policy BL2 seeks to ensure that property extensions are visually attractive and sympathetic to the host building, reflecting NPPF para. 130.</p>
<p>Policy BL3 Bartestree and Lugwardine Settlement Boundaries</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> <ol style="list-style-type: none"> I. are in keeping with the scale, form and character of the surroundings; 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; III. are in character with existing dwellings; IV. have a safe and suitable access for pedestrians, cyclists and vehicles to the public highway, and to local services and amenities. <p>Local Plan Core Strategy policy RA3 will apply to housing proposals outside the settlement boundaries.</p>	<p>Policy BL3 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). Bartestree and Lugwardine 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>The policy also seeks to ensure that development in the settlement boundaries contributes to well-designed places (NPPF para. 130.)</p>

NDP policy	Regard to national policies								
<p>Policy BL4 Settlement Gap between Bartestree and Lugwardine</p> <p>Development proposals should not diminish or reduce the physical and/or visual separation between the settlements of Bartestree and Lugwardine. In making this assessment, regard will be had to both the individual effects of proposals and the cumulative effects when considered with other existing and proposed development.</p>	<p>Policy BL4 recognises the importance of open land between Bartestree and Lugwardine in contributing to the identity of these settlements, their distinctive character and sense of place, and landscape setting, in accord with NPPF para. 130 c)).</p>								
<p>Policy BL5 Housing Site Allocations</p> <p>The following sites shown on Map C are allocated for the development of housing:</p> <table border="0" data-bbox="253 550 1220 726"> <thead> <tr> <th style="text-align: left;">Site name</th> <th style="text-align: left;">Indicative number of dwellings</th> </tr> </thead> <tbody> <tr> <td>H1: Land adjacent to Newcourt Farm, Cotts Lane</td> <td style="text-align: center;">3</td> </tr> <tr> <td>H2: Land adjacent to October Cottage, Longworth Lane</td> <td style="text-align: center;">5</td> </tr> <tr> <td>H3: Land at Figgynut Cottage</td> <td style="text-align: center;">4</td> </tr> </tbody> </table>	Site name	Indicative number of dwellings	H1: Land adjacent to Newcourt Farm, Cotts Lane	3	H2: Land adjacent to October Cottage, Longworth Lane	5	H3: Land at Figgynut Cottage	4	<p>Policy BL5 allocates land for housing following consideration of the available and suitable opportunities, in accord with NPPF para. 70.</p> <p>The allocations will help to promote sustainable development in rural areas and are situated in settlements 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>
Site name	Indicative number of dwellings								
H1: Land adjacent to Newcourt Farm, Cotts Lane	3								
H2: Land adjacent to October Cottage, Longworth Lane	5								
H3: Land at Figgynut Cottage	4								
<p>Policy BL6 Housing Mix</p> <p>Proposals for the development of housing must demonstrate that they provide a mix of dwellings that meet the latest assessment of housing needs. In terms of housing mix there is a particular requirement in the Neighbourhood Area for market housing with one, two and three bedrooms, and for adapted/easy access homes to meet the needs of older people including bungalows.</p>	<p>Policy BL6 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.</p> <p>The policy supports housing developments that reflect local needs as to size and type in accord with NPPF para. 62, including dwellings for older people.</p>								

NDP policy	Regard to national policies
<p>Policy BL7 Affordable Housing</p> <p>New development is expected to help to meet the need for affordable housing. 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 rural parishes of Withington, Weston Beggard, Dormington, Mordiford and Hampton Bishop and then to the remainder of Herefordshire.</p>	<p>Policy BL7 also seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF paras. 60 and 78.</p> <p>The policy supports housing developments that reflect local needs as to tenure in accord with NPPF para. 62.</p>
<p>Policy BL8 Community facilities</p> <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"> • Bartestree Village Hall and playing fields. • Places of worship (St. Peter’s Church and Lugwardine Chapel). • Schools and day nursery (Lugwardine Primary Academy, St. Mary’s RC High School, and the Gateway Centre). • Public houses (The Godwins, Bartestree and The Crown and Anchor, Lugwardine). • Local shops (Bartestree Village Stores, fish and chip shop and hairdressers). <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"> I. their siting, scale and design respects the character of the surrounding area and residential amenity; and II. the local road network can safely accommodate the additional traffic; and III. sufficient provision is made for off-street vehicle and cycle parking, and for active travel access. 	<p>Policy BL8 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.</p>
<p>Policy BL9 Conserving Historic Character</p> <p>All applications affecting heritage assets in the Neighbourhood Area will be required to consider the significance of any heritage asset affected, including any contribution made by the setting of heritage assets to their significance.</p>	<p>Policy BL9 has regard to national policy in NPPF chapter 16 which deals with conserving and enhancing the historic environment.</p>

NDP policy	Regard to national policies
<p>Great weight will be given to the conservation of a designated heritage asset and any harm or loss will require clear and convincing justification in line with national policy.</p> <p>Non-designated heritage assets, including the unregistered parks and gardens shown on Map D, 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>Policy BL10 Local Green Spaces, Allotments and Rights of Way</p> <p>The following Local Green Spaces and as indicated on Map C will be protected for their beauty, historic value, special significance to the local community or recreational value:</p> <p>Local Green Spaces in Lugwardine Village:</p> <ol style="list-style-type: none"> 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 green pathway (not public right of way) between the burial ground and the A438. L5. Land east of Traherne Close. <p>Local Green Spaces in Bartestree Village:</p> <ol style="list-style-type: none"> B1. Open space surrounding the village hall including the cricket and football pitches, children’s play area and community field. B2. Land to the south of Bartestree Grange. B3. Lugwardine Primary Academy playing field. B4. Croft Close. B5. Hopton Close. B6. Between St. James Close and Bartestree Crossroads. B7. Frome Park including children’s play area. B8. Land west of Longworth Lane. 	<p>Policy BL10 provides for the designation of Local Green Space in accord with the provisions of NPPF paras. 101-103. The comprehensive range of policies included in the NDP makes it clear that the designations are consistent with the local planning of sustainable development and complement investment in jobs, homes and other essential services. All the designations are capable of enduring beyond 2031. The policy also supports the provision of allotments, recognising their importance for the health and well-being of communities (NPPF para. 92 c)), and preserves Public Rights of Way thereby promoting walking (NPPF para. 104 c)).</p>

NDP policy	Regard to national policies
<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>	
<p>Policy BL11 Landscape 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 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>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 LU14 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>	<p>Policy BL11 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>
<p>Policy BL12 Water Quality in the River Lugg</p> <p>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</p>	<p>Policy BL12 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</p>

NDP policy	Regard to national policies
<p>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 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.</p>	<p>protecting sites of biodiversity value in a manner commensurate with their statutory status or identified quality, and by preventing new development from contributing to unacceptable levels of pollution.</p>
<p>Policy BL13 Supporting Local Businesses</p> <p>Proposals for the growth and expansion of local businesses will be supported. Planning applications will be supported for small-scale development for business use, including tourism facilities, even if outside of the Settlement Boundaries.</p> <p>Development proposals must be in scale with the landscape character of the Neighbourhood Area including the setting of the villages meaning that:</p> <ol style="list-style-type: none"> I. the amenity of nearby residents is not adversely affected by excessive traffic generation, noise or light pollution; II. there will be no detrimental effect upon the local highway network as a consequence of traffic generated by the proposal; 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 previously developed sites; IV. proposals for change of use of existing business premises to non-employment uses will be resisted unless it is demonstrated that business use is no longer economically viable; V. if required sensitively placed masts or other infrastructure needed to improve telephone and internet connection will be permitted. 	<p>Policy BL13 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 BL14 Redundant Rural Buildings</p> <p>Conversion of redundant rural buildings to small scale commercial or business use or residential uses will be supported provided the impacts on the landscape, local road network and residential amenity are satisfactory, and noise and light pollution are avoided.</p>	<p>Policy BL14 supports the re-use of redundant rural buildings consistent with NPPF para. 84 a) and para. 80 c).</p>

NDP policy	Regard to national policies
<p data-bbox="253 161 701 188">Policy BL15 Transport and Highways</p> <p data-bbox="253 229 808 256">Proposals for development will need to show:</p> <ol style="list-style-type: none"> <li data-bbox="304 264 1032 292">I. safe and suitable access onto adjacent roads for all users; <li data-bbox="304 300 1319 400">II. 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 data-bbox="304 408 1294 475">III. that the design and layout of roads on new developments is in accordance with current national guidance; <li data-bbox="304 483 1352 655">IV. that every available opportunity is taken 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, attractive and well-designed passage to the range of village facilities including bus stops, and including consideration as relevant to the proposal of a foot/cycle bridge across the River Lugg near to the A438; <li data-bbox="304 663 1261 730">V. provision of active travel infrastructure including links and cycle storage that extends the range of public transport. <p data-bbox="253 770 1330 871">Developer contributions will be sought from new development where appropriate to fund improvements to public transport services, the active travel network and to mitigate the impact on the highway network.</p>	<p data-bbox="1382 161 2033 368">Policy BL15 has regard to national policy to promote sustainable transport in NPPF chapter 9. In particular it addresses highway requirements for access, parking, design and layout, the promotion of sustainable transport modes, and the mitigation of impacts (NPPF para. 110).</p>

4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Bartestree with Lugwardine 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 considered to be 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 Bartestree with Lugwardine NDP contributes
Economic	<p>The Vision includes that by 2031 sustainable housing development will have been delivered providing for a proportionate level of growth. Relevant objectives are to enable housing growth, to maintain and develop community facilities, and to provide local employment opportunities by supporting small-scale business development.</p> <p>Plan policies directly address the economic objective by:</p> <ul style="list-style-type: none"> • Supporting the creation or expansion of small-scale business enterprises (policy BL13). • Supporting the re-use of redundant rural buildings for commercial or business use (policy BL14). • Providing planning policy criteria for new housing development (policy BL1) so that those bringing proposals forward can do so with confidence. • Allocating land for new housing (policy BL5). • Supporting the retention of community facilities and their expansion and new provision (policy BL8). <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>
Social	<p>The Vision includes that by 2031 the Group Parish will be a pleasant place to live, with a community spirit where residents of all ages live in a vibrant and distinctive community. Relevant objectives are to enable new housing of a type and size to meet the needs of the community, to maintain and develop community facilities, and to protect the character of the villages and their countryside setting.</p> <p>Plan policies directly address the social objective by:</p> <ul style="list-style-type: none"> • Allocating land to meet housing requirements (policy BL5). • Requiring a mix of dwelling types and sizes (policy BL6) and affordable housing (policy BL7). • Requiring extensions to dwellings to avoid undue impacts on the amenity of neighbouring properties (policy BL2). • Supporting the retention, expansion and new provision of community facilities (policy BL8).

Objective	How the Bartestree with Lugwardine NDP contributes
	<ul style="list-style-type: none"> • Maintaining local distinctiveness and fostering community identity by protecting historic character, Local Green Spaces, and landscape views (policies BL9 to BL11) and the separation between the settlements of Bartestree and Lugwardine (policy BL4). <p>Other NDP policies support the social objective indirectly. Policies addressing the economic objective support proposals for small-scale rural businesses and the re-use of existing buildings for commercial purposes, 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>
Environmental	<p>The Vision includes that by 2031 the Group Parish will be a pleasant place to live and look quite similar to the present day. Relevant objectives are to ensure that new housing is appropriate to village character and its countryside setting, to maintain the historic separation of the villages, to promote a high standard of environmentally-sustainable design in new housing, to maintain and preserve heritage assets, green spaces and landscape views, to avoid adverse effects on the River Wye Special Area of Conservation, and to enable active travel.</p> <p>Plan policies directly address the environmental objective by:</p> <ul style="list-style-type: none"> • Defining settlement boundaries for Bartestree and Lugwardine (policy BL3) and protecting their physical and visual separation (policy BL4), thereby promoting a sustainable pattern of development. • Providing planning policy criteria for new housing development (policy BL1) including criteria on local character, building sustainability requirements, energy and resource conservation, and waste and surface water treatment, so as to deliver sustainable development. • Protecting historic character, Local Green Spaces, and landscape views (policies BL9 to BL11). • Requiring development proposals to demonstrate that they will not have an adverse effect on the River Wye Special Area of Conservation (policy BL12). • Enabling opportunities for active travel (policy BL15). <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>

5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Bartestree with Lugwardine NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. This has been confirmed by Herefordshire Council in their Regulation 14 consultation response. Table 3 sets out how each of the NDP's policies align with the strategic policies where relevant. 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 BL1 Criteria for the Design of New Housing	Policy BL1 is in general conformity with strategic policies RA2 <i>Housing in settlements outside Hereford and the market towns</i> , SD1 <i>Sustainable design and energy efficiency</i> , and SD3 <i>Sustainable water management and water resources</i> . It adds detail to ensure that the design of new housing is locally-appropriate.
Policy BL2 Extensions to Properties	Policy BL2 is in general conformity with strategic policy SD1 <i>Sustainable design and energy efficiency</i> . It adds local detail by specifying criteria for the development of property extensions.
Policy BL3 Bartestree and Lugwardine Settlement Boundaries	Policy BL3 is in general conformity with strategic policies RA2 <i>Housing in settlements outside Hereford and the market towns</i> and RA3 <i>Herefordshire's countryside</i> . It adds local detail by defining settlement boundaries for Bartestree and Lugwardine and setting out criteria for development in these settlements.
Policy BL4 Settlement Gap between Bartestree and Lugwardine	Policy BL4 is in general conformity with strategic policy RA2 <i>Housing in settlements outside Hereford and the market towns</i> . It adds local detail by protecting the open land which physically and visually separates Bartestree and Lugwardine and contributes to their landscape setting.
Policy BL5 Housing Site Allocations	Policy BL5 is in general conformity with strategic policy RA2 <i>Housing in settlements outside Hereford and the market towns</i> . It adds local detail by allocating land for new housing in Bartestree and Lugwardine.
Policy BL6 Housing Mix	Policy BL6 is in general conformity with strategic policy 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.

NDP policy	Local Plan strategic policies
Policy BL7 Affordable Housing	Policy BL7 is in general conformity with and adds local detail to strategic policy H1 <i>Affordable housing</i> .
Policy BL8 Community Facilities	Policy BL8 is in general conformity with and adds local detail to strategic policy SC1 <i>Social and community facilities</i> by identifying existing community facilities.
Policy BL9 Conserving Historic Character	Policy BL9 is in general conformity with strategic policy LD4 <i>Historic environment and heritage assets</i> . It adds local detail in respect of the Lugwardine Conservation Area and the six unregistered parks and gardens in the Neighbourhood Area.
Policy BL10 Local Green Spaces, Allotments and Rights of Way	Policy BL10 is in general conformity with strategic policies OS2 <i>Meeting open space, sports and recreation needs</i> and OS3 <i>Loss of open space, sports or recreation facilities</i> . It adds local detail in respect of Local Green Space in the Neighbourhood Area.
Policy BL11 Landscape Views	No relevant strategic policies identified.
Policy BL12 Water Quality in the River Lugg	Policy BL12 is in general conformity with strategic policy SD4 <i>Wastewater treatment and river water quality</i> . It adds local detail to ensure that development proposals in the Neighbourhood Area demonstrate nutrient neutrality in respect of the River Lugg, part of the River Wye Special Area of Conservation.
Policy BL13 Supporting Local Businesses	Policy BL13 is in general conformity with strategic policies RA6 <i>Rural economy</i> , E1 <i>Employment provision</i> , and E2 <i>Redevelopment of employment land</i> . It adds local detail in respect of the type and scale of employment development that is sought, and the planning requirements to be met.
Policy BL14 Redundant Rural Buildings	Policy BL14 is in general conformity with strategic policy RA5 <i>Re-use of rural buildings</i> and adds local detail on the planning requirements.
Policy BL15 Transport and Highways	Policy BL15 is in general conformity with strategic policy MT1 <i>Traffic management, highway safety and promoting active travel</i> . It adds local detail by setting out planning requirements including reference to a foot/cycle bridge over the River Lugg.

6. EU OBLIGATIONS

6.1 The Bartestree with Lugwardine 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 Bartestree with Lugwardine NDP
Strategic Environmental Assessment Directive	<p>Strategic environmental assessment of the NDP has been undertaken by Herefordshire Council. An initial screening opinion in February 2022 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment. A Scoping Report was prepared in March 2022 and published for consultation. Subsequently, a SEA of the draft Plan was undertaken in April 2022 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 6.8 reports that the cumulative effect of the NDP will contribute to the achievement of the SEA objectives. Paragraph 6.9 sets out that none of the NDP policies are considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Environmental Report (July 2022). The amendments focus on enabling and promoting sustainable travel by walking, cycling and public transport. The assessment concludes that overall the amended policies have added extra safeguard measures which have re-affirmed the positive impact they previously had on the SEA objectives.</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 February 2022 found that the River Lugg runs along the border of the Neighbourhood Area and the Group Parish is within the hydrological catchment of the River Wye (including River Lugg) Special Area of Conservation (SAC). The initial screening concluded that European sites will need to be taken into account in the NDP and that a full Habitats Regulation Assessment would be required.</p>

EU Obligation	Compatibility of the Bartestree with Lugwardine NDP
	<p>An Appropriate Assessment of the draft NDP was undertaken by Herefordshire Council and published in April 2022. 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.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Report in July 2022. The Appropriate Assessment confirms 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.</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 BL1 requires acceptable arrangements for the treatment of waste water and for surface water disposal to be demonstrated, and policy BL12 requires that proposals draining to the River Wye are nutrient neutral in terms of their effect on the River Wye Special Area of Conservation. 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>