

Pyons Group  
Review Neighbourhood Development Plan  
2022 - 2041  
**Basic Conditions Statement**



Pyons Group Parish Council

November 2022

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## 1.0 Introduction

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> sets out that only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B of the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A draft neighbourhood plan or order meets the basic conditions if:

- *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;*
- *the making of the plan contributes to the achievement of sustainable development;*
- *the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area;*
- *the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations.*

1.2 Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:

- *the making of the neighbourhood plan is not likely to have significant effects on a European site or a European offshore marine site either alone or in combination with other plans or projects; and*
- *having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to the examination of the Review NDP as it is not about a neighbourhood development order).*

1.3 A further Basic Condition was added by legislation on 28 December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:

- *In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act - The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.*

1.4 This Basic Conditions Statement sets out how the Pyons Group NDP Review NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

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

## 2.0 Legal Requirements

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

This Submission Plan is being submitted by a qualifying body, namely Pyons Group Parish Council.

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

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

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2022 to 2041 (from the current year and referring to the same period as the new emerging Herefordshire Local Plan 2021 - 2041).

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

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

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

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

### 3.0 Basic Conditions

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

The Pyons Group Review Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, July 2021).

Note - only those policies and sections in the NPPF that are relevant to the NDP are addressed below.

#### **2. Achieving Sustainable Development**

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

The NDP includes an overarching policy, Policy PG1 Development Strategy which supports small scale development

within the defined settlement boundaries of the main settlements in the Parish (as listed in the Core Strategy). A new policy in the NDP Review, Policy PG12: Promoting Sustainable Design and Resilience supports sustainable design.

Table 1 sets out how the Pyons Group Review NDP delivers the 3 overarching objectives to achieve sustainable development.

**Table 1: Delivering Sustainable Development**

NPPF Overarching Objectives	Pyons Group Review NDP Policies and Proposals
<p><i>a) <b>an economic objective</b> – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure</i></p>	<p>Pyons Group Parish is located in a very rural part of Herefordshire. The NDP notes that agriculture, horticulture, and technical consultancies provide some local employment. In addition, there are a number of small artisan and other skills-based businesses, including sole-trader and self-employed people. There are also some tourism related facilities including B&amp;B and holiday lets and two public houses.</p> <p>The objectives include Objective 1 which is to focus primary development in the main village of Canon Pyon and Objective 2 which is to Support Secondary Development in Other Villages. Settlement boundaries are provided for all the villages to concentrate development within and around the built up areas. Policy PG1: Development Strategy supports small scale employment related development within the identified settlement boundaries. Policy PG8 sets out that proposals for rural diversification schemes will be supported where they strengthen the local economy by providing small-scale business accommodation appropriate to the rural area, subject to criteria. The increasing use of Polytunnels in food production is noted in the NDP and Policy PG9 provides criteria to guide decisions and in particular to minimise landscape impacts.</p> <p>The NDP Review has a strong focus on infrastructure, carried forward from the Made NDP. Welsh Water have advised that there is currently limited capacity available at the Canon Pyon WwTW and Policy PG4: Waste Water and Sewerage sets out that new development will only be supported where the capacity of existing sewage works and drainage, and any other infrastructure is sufficient, or where the WwTW have been sufficiently upgraded to a) support new development and b)</p>

	<p>service new housing developments that have already come forward. Policy PG5 recognises the need for nutrient neutrality in the River Wye SAC catchment and requires proposals to protect, conserve, and enhance the natural environment in accordance with the principles in Herefordshire Local Plan Core Strategy policies.</p> <p>The NDP Review also carries forward a safeguarded area of land north of the village in PG11 for the provision of a new primary school building, should funding become available.</p>
<p><i>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering 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</i></p>	<p>The NDP Review updates the previous made NDP which included several site allocations for new housing in Canon Pyon. Two of these have now been developed, another has planning consent for 10 dwellings and is noted as a commitment in the NDP Review, and a further former site allocation for housing was found to be unsuitable in a technical site assessment and was not brought forward in the NDP Review.</p> <p>The indicative housing growth target of 18% for Herefordshire rural Housing Market Area equates to 68 new dwellings in the Group Parish up to 2031. This has been met and exceeded. The NDP Review therefore supports small scale new housing development within the settlement boundaries of the 5 settlements, guided by Policies PG1 Development Strategy and PG2 Housing which sets out that proposals for new housing development should contribute to a suitable mix of house sizes, types and tenures in order to support a sustainable future for the local communities in each of the 5 settlements in the Group Parish.</p> <p>The NDP identifies 3 local green spaces including the recreation area in Canon Pyon and carries forward a safeguarded area of land for a new school and small amount of housing (Policy</p>

	<p>PG11). Policy PG10 identifies community and recreational facilities for protection.</p> <p>A new chapter considers the need for community resilience following recent events which have impacted adversely on the local community; flooding and adverse weather, animal disease and COVID, and identifies various actions to improve resilience in the Group Parish.</p>
<p><i>c) <b>an environmental objective</b> – 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.</i></p>	<p>The NDP area has a distinctive local landscape character and Policy with a number of important habitats for wildlife. Policy PG6 sets out that schemes should protect and enhance the distinctive local landscape character and wildlife of Pyons Group by incorporating the various design principles into landscaping schemes, including minimising light pollution to protect the area's dark skies, retaining and planting trees, woodland, hedgerows and orchards, and retaining and enhancing other local landscape features such as ponds.</p> <p>Policy PG7 aims to protect and enhance built character, taking into account the local characteristics of each of the 5 main settlements and buildings in the wider rural area.</p> <p>The NDP Review has a new chapter, Responding to Climate Change and Promoting Sustainable and Resilient Development. This includes a new policy PG13 Promoting Sustainable Design and Resilience which includes design guidelines to maximise energy and resource efficiency and to minimise carbon emissions both during the construction phase and over the lifetime of the building. Policy PG14 supports small scale community-led renewable energy schemes.</p>



The presumption in favour of sustainable development is explained in relation to plan making in paragraph 11:

11. Plans and decisions should apply a presumption in favour of sustainable development. For **plan-making** this means that:

*a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*

*b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas<sup>6</sup>, unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

The Pyons Group NDP Review takes a positive and balanced approach to development, recognising that some limited housing development which meets local needs would be acceptable, subject to addressing the criteria set out in the NDP planning policies.

Paragraph 13 explains that the application of the presumption has implications for the way communities engage in neighbourhood planning. '*Neighbourhood plans*

*should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.'*

Paragraph 14 goes on to say:

*'In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply<sup>9</sup>:*

*a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*

*b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*

*c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and*

*d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.'*

### **3. Plan Making**

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address.

Table 2 sets out how the Pyons Group Review NDP addresses each of these in turn.

**Table 2: Plan Making**

<b>NPPF 3. Plan Making</b>	<b>Pyons Group Review NDP</b>
<p><i>a) be prepared with the objective of contributing to the achievement of sustainable development;</i></p>	<p>The NDP has been prepared to contribute to sustainable development; NDP Policy PG1 sets out the development strategy to guide development to the settlement boundaries of the 5 main villages. The NDP Review has a positive approach to development, supporting an appropriate mix of new housing development to meet local needs in the parish. Policy PG13 provides a strong emphasis on sustainable design. Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p>
<p><i>b) be prepared positively, in a way that is aspirational but deliverable;</i></p>	<p>The NDP has been prepared positively. The Parish Council has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development. The Review NDP is underpinned by various technical reports including technical site assessment reports, and reports on flooding, ecology and the environment.</p>
<p><i>c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</i></p>	<p>The work on the Review NDP has been led by a Steering Group of parish councillors and residents.</p> <p>The accompanying Consultation Statement describes how the NDP Review started with an early informal consultation with local residents and stakeholders in March 2020. This comprised a drop in event over a weekend (held just before the COVID-19 lockdown restrictions were imposed) and a questionnaire. The results of this consultation, discussions with officers from Herefordshire Council and ongoing input from members of the NDP steering group informed the policies in the NDP Review. Policies on biodiversity, landscape, built character and design have been informed by the Steering Group members' local knowledge.</p>

	<p>The Steering Group meetings were publicised on the Parish Council website and were open to the public, including those held online.</p> <p>Consultations were promoted using the Pyonear local newsletter, the Parish Council's web site and leaflets delivered to all households.</p> <p>The Regulation 14 consultation took place during the COVID-19 Pandemic. The Steering Group followed Government advice in PPG and made every effort to engage with and consult with local residents and stakeholders. A leaflet/notice was delivered to all households, giving telephone and email contact details for more information, and providing details about 2 online community forum sessions. Hard copies of the Draft NDP Review and response forms were provided on request and some hard copies were left in the churches and shops.</p>
<p><i>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</i></p>	<p>The NDP policies and proposals have been prepared by the Steering Group, with support from a planning consultant and planning officers at Herefordshire Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
<p><i>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</i></p>	<p>Updates and documents have been provided on the NDP website at all stages of plan preparation.</p> <p>Responses by email and using an online response form were invited at informal and formal consultation stages. 2 online community fora sessions were held during the Regulation 14 public consultation.</p>
<p><i>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</i></p>	<p>The NDP has been amended and updated throughout its preparation to reduce duplication with Herefordshire Council's policies and national policies.</p>

### **The Plan Making Framework**

Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.

The Pyons Group Review NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the adopted Herefordshire Council Local Plan Core Strategy 2011 - 2031. The supporting text for the NDP policies refers to the relevant strategic policies.

### **Non-strategic policies**

Paragraph 29 advises that *'neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.'*

The Herefordshire Council Local Plan Core Strategy 2011 - 2031 identifies all 5 of the main settlements in the Group Parish as suitable for sustainable housing growth in Policy RA2 - Housing in settlements outside Hereford and the market towns. Figures 4.14 and 4.15 identify the suitable settlements.

- Figure 4.14 - Settlements which will be the main focus of proportionate housing development include Canon Pyon and Westhope in Hereford rural HMA,

and Bush Bank (only part of which lies in Pyons Group Parish) in Leominster rural HMA.

- Figure 4.15 - Other settlements where proportionate housing is appropriate include Kings Pyon and Ledgemoor, both of which are in the Hereford rural HMA.

Paragraph 4.8.21 of the Core Strategy sets out that *'in parishes which have more than one settlement listed in Figure 4.14 and 4.15 the relevant Neighbourhood Development Plan will have appropriate flexibility to apportion the minimum housing requirement between the settlements concerned. This will allow for a locally flexible approach that will respect settlement characteristics, the distribution of local facilities and other local factors'*.

The Parish Council supports an approach which reflects local residents' and stakeholders' preference for limited further development within the identified settlement boundaries, and concerns that major new development could have adverse impacts in terms of additional traffic on the rural road network and could exacerbate surface water flooding.

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

## 5. Delivering a sufficient supply of homes

Paragraph 66 sets out that *'strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations'*. The minimum housing growth target set out for the NDP area in the Core Strategy has been met and exceeded and therefore significant site allocations for new housing are not included in the Review NDP.

The designated area is located within a rural area.

Paragraph 78 sets out that *'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.'*

Paragraph 79 advises that *'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.'* The NDP supports this principle in Policy PG1 which guides development to the settlement boundaries of the 5 main settlements.

## 6. Building a strong, competitive economy

Paragraph 84 advises in rural areas *'Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*

*b) the development and diversification of agricultural and other land-based rural businesses;*

*c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*

*d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

The NDP recognises the Parish's location in a rural area and includes policies which support tourism and rural diversification and which protect community facilities.

Paragraph 92 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The NDP promotes walking and cycling and improved accessibility to local facilities by transport other than the private car.

## 8. Promoting healthy and safe communities

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which: *'c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'*

Paragraph 93 goes on to say that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

*'a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to*

*enhance the sustainability of communities and residential environments;*

*b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*

*c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.'*

The NDP identifies valued local community facilities for protection, local green spaces including a recreation area are carried forward from the Made NDP. The Plan also encourages walking and cycling and reduced reliance on the private car.

## **9. Promoting sustainable transport**

Paragraph 104 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. The Review NDP includes policies which support increased walking and cycling and encourages developments to incorporate linkages and safe and secure cycle storage in Policy PG4: Improving Accessibility for All.

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

Paragraph 119 advises that planning policies should

*'a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*

*b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production.'*

NDP Policy PG6 supports enhancements to wildlife habitats. Policy PG12 encourages biodiversity improvements to 2 of the Local Green Spaces, one of which is an existing recreation area.

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

Paragraph 126 explains that *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*

Paragraph 127 goes on to say that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development through their own plans.

NDP Policy PG6: Protecting and Enhancing Built Character aims to encourage developments to respond to the distinctive local character of each of the 5 settlements and the rural area.

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

Paragraph 152 advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

Paragraph 154 goes on to say that *‘New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.*

Pyons Group Review NDP includes a section on Responding to Climate Change and Promoting Sustainable and Resilient Development, including Policy PG12 which promotes sustainable design and various actions.

Paragraph 156 advises *‘Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.’* Review NDP Policy PG13 promotes sustainable designs which maximise energy and resource efficiency and minimise carbon emissions and Policy PG14 supports community led renewable energy schemes.

### **Planning and flood risk**

Paragraph 161 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including *‘c) using opportunities provided by new*

*development and improvements in green and other infrastructure to reduce the causes and impacts of flooding.’* Flooding is a significant issue in parts of the NDP area and is referred to throughout the Plan. Policy PG1 sets out that development should not exacerbate flood risk, and where possible should provide a betterment. Policy PG13 sets out that developments should include sustainable drainage systems to manage surface water and reduce flood risk.

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

Paragraph 174 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. The NDP notes the various designations for wildlife importance in the Parish and protects and enhances local landscape character and biodiversity in Policy PG6.

### **Ground conditions and pollution**

Paragraph 185 sets out that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes considering such matters as noise and light pollution. NDP Policy PPG6 requires development to minimise light pollution. Policy PG9 Polytunnels sets out that suitable measures should be taken to mitigate potential nuisance and any adverse

impacts on local residential amenity including from noise, artificial lighting and traffic.

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

Paragraph 189 advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 190 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The NDP notes the statutory listed buildings in the area and includes Policy PG7 Protecting and Enhancing Built Character.

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

The NDP notes the listed buildings in the Parish.

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

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

The Plan area does not include any conservation areas.

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

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

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

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

The Submission Review Neighbourhood Plan is in general conformity with strategic policies set out in the Herefordshire Local Plan Core Strategy 2011 - 2031.

The Plan notes that work has started on a new Local Plan for Herefordshire but that this is at an early stage of preparation. The reasoning and evidence informing the merging new Local Plan have been considered in the Plan Review, in line with national planning practice guidance. The Plan period for the Review Plan is the same as that for the new Local Plan.

Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the development plan.



**Table 3: General Conformity with Strategic Planning Policies**

Pyons Group NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity						
<p><b>Policy PG1: Development Strategy</b></p> <p>Proposals for development will be supported within the defined settlement boundaries of Canon Pyon, Westhope, Bush Bank (that part within the Group Parish), King's Pyon and Ledgemoor as shown on the NDP Review Policies Maps where they:</p> <ol style="list-style-type: none"> <li>Are for new small scale residential or employment related development such as offices, workshops or other business accommodation; or</li> <li>Comprise the conversion of redundant / disused buildings or re-use brownfield (previously developed) land.</li> </ol> <p>Proposals which support home working, such as residential extensions and new office or workshop accommodation in rear gardens should be subordinate in scale and subsidiary in use to the main building and not have an adverse effect on the amenity of neighbouring residents.</p> <p>All schemes should demonstrate that suitable and safe access is achievable. The impact of additional traffic from development proposals on existing rural roadworks should be carefully considered and suitable measures should be proposed to encourage appropriate traffic speeds.</p>	<p><b>Policy SS2 - Delivering new homes</b></p> <p>A supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need.</p> <p>Hereford is the focus for new housing development to support its role as the main centre in the county. Outside Hereford, the main focus for new housing development will take place in the market towns of Bromyard, Kington, Ledbury, Leominster and Ross on Wye, on existing or new allocations to enhance their roles as multi -functional centres for their surrounding rural areas. In the rural areas new housing development will be acceptable where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community. In the wider rural areas new housing will be carefully controlled reflecting the need to recognise the intrinsic character and beauty of the countryside.</p> <p>The use of previously developed land in sustainable locations will be encouraged. Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.</p> <p>The broad distribution of new dwellings in the county will be a minimum of:</p> <table border="1" data-bbox="757 1270 1487 1337"> <tr> <td>Rural settlements – see list in Place Shaping section</td> <td>More limited range of services and some limited development potential but numerous locations</td> <td>5,300</td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>Total</b></td> <td><b>16,500</b></td> </tr> </table>	Rural settlements – see list in Place Shaping section	More limited range of services and some limited development potential but numerous locations	5,300	<b>Total</b>		<b>16,500</b>	<p>Review NDP Policy PG1 sets out the development strategy for the parish. The Policy guides appropriate new development to the identified settlement boundaries of the 5 main settlements which are listed in the Core Strategy as suitable for development.</p> <p>The Policy takes into consideration the fact that the minimum housing target for the Parish has been met and substantially exceeded and therefore only small-scale development is supported.</p> <p>This is in general conformity with Core Policy SS2 which sets out that the housing requirement for Herefordshire over the Plan period is 16,500 new homes. In the rural areas new housing should meet housing needs and requirements, support the economy and local services and be responsive to community needs. The settlements in SG1 are identified in the Place Shaping section.</p> <p>The Policy is in general conformity with Core Strategy Policy RA1 which sets out that the rural areas will be required to provide 5,300 new homes over the Plan period, including a target growth figure of 18% for the Hereford rural Housing Area and Policy RA2 which guides development in th rural area to identified settlements.</p>
Rural settlements – see list in Place Shaping section	More limited range of services and some limited development potential but numerous locations	5,300						
<b>Total</b>		<b>16,500</b>						

Pyons Group NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity																											
<p>Development of the site must not exacerbate flood risk, and where possible should provide a betterment.</p> <p>Canon Pyon will continue to be the main focus for new residential and community facilities development within the Group Parish, taking into account the existing commitment for 10 new houses on the former Yeomans site adjacent to the Parish Hall, and the potential relocation of the primary school to the proposed new site to the north of the village (NDP Policy PG11).</p> <p>Development should avoid using higher quality agricultural land to support the local economy and protect national food security.</p>	<p><b>Policy RA1 – Rural housing distribution</b></p> <p>In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.</p> <p>New dwellings will be broadly distributed across the county’s rural areas on the basis of seven Housing Markets Areas (HMA) and as illustrated in Figure 4.13. This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.</p> <p>Policy RA1 – Rural housing distribution continued</p> <table border="1" data-bbox="757 981 1406 1289"> <thead> <tr> <th>Rural HMA</th> <th>Approximate number of dwellings 2011 - 2031</th> <th>Indicative housing growth target (%)</th> </tr> </thead> <tbody> <tr> <td>Bromyard</td> <td>364</td> <td>15</td> </tr> <tr> <td>Golden Valley</td> <td>304</td> <td>12</td> </tr> <tr> <td>Hereford</td> <td>1870</td> <td>18</td> </tr> <tr> <td>Kington</td> <td>317</td> <td>12</td> </tr> <tr> <td>Ledbury</td> <td>565</td> <td>14</td> </tr> <tr> <td>Leominster</td> <td>730</td> <td>14</td> </tr> <tr> <td>Ross-on-Wye</td> <td>1150</td> <td>14</td> </tr> <tr> <td><b>Total</b></td> <td><b>5300</b></td> <td></td> </tr> </tbody> </table> <p>(Pyons Group Parish lies within the Hereford rural HMA where the minimum growth target is 18% or 68 new houses.)</p>	Rural HMA	Approximate number of dwellings 2011 - 2031	Indicative housing growth target (%)	Bromyard	364	15	Golden Valley	304	12	Hereford	1870	18	Kington	317	12	Ledbury	565	14	Leominster	730	14	Ross-on-Wye	1150	14	<b>Total</b>	<b>5300</b>		<p>The NDP Policy is also in general conformity with Core Strategy Policy MT1 which sets out that proposals should demonstrate that the local highway network can absorb the traffic impacts of the development without adversely affecting the safe flow of traffic and Policy SD3 which requires development to minimise flood risk and provide a betterment.</p>
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	<p><b>Policy RA2 - Housing in settlements outside Hereford and the market towns</b></p> <p>To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned.</p> <p>The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity. Housing proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> <li>1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned;</li> <li>2. Their locations make best and full use of suitable brownfield sites wherever possible;</li> <li>3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and</li> </ol>	

Pyons Group NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
	<p>4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.</p> <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p> <p>- Figure 4.14 - Settlements which will be the main focus of proportionate housing development include Canon Pyon and Westhope in Hereford rural HMA, and Bush Bank (only part of which lies in Pyons Group Parish) in Leominster rural HMA.                      - Figure 4.15 - Other settlements where proportionate housing is appropriate include Kings Pyon and Ledgemoor, both of which are in the Hereford rural HMA.)</p> <p><b>Policy MT1 – Traffic management, highway safety and promoting active travel</b>                      Development proposals should incorporate the following principle requirements covering movement and transportation:                      1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development; ...</p> <p><b>Policy SD3 – Sustainable water management and water resources</b></p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water</p>	

Pyons Group NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
	<p>quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. This will be achieved by ensuring that:</p> <ol style="list-style-type: none"> <li>1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire;</li> <li>2. development is designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change by setting appropriate floor levels, providing safe pedestrian and vehicular access, where appropriate, implementing a flood evacuation management plan and avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence;</li> <li>3. where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime; ...</li> </ol>	
<p><b>Policy PG2: Housing</b></p> <p>Proposals for new housing development should contribute to a suitable mix of house sizes, types and tenures in order to support a sustainable future for the local communities in each of the 5 settlements in the Group Parish.</p> <p>Proposals should meet the defined local need as set out in the most up to date housing market assessment. In particular, schemes will be encouraged which provide family accommodation, housing suitable for young people and first time buyers, and accommodation which meets the needs of older residents and those with mobility impairments, such as bungalows.</p>	<p><b>Policy RA2 - Housing in settlements outside Hereford and the market towns</b></p> <p>Housing proposals will be permitted where the following criteria are met:</p> <p>...</p> <ol style="list-style-type: none"> <li>4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.</li> </ol> <p><b>Policy H3 – Ensuring an appropriate range and mix of housing</b></p> <p>Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities.</p> <p>...</p>	<p>Review NDP Policy PG2 requires new housing proposals to contribute to a suitable mix of housing and to meet identified local need.</p> <p>This is in general conformity with Core Strategy Policy RA2 which sets out that housing proposals should generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.</p> <p>In addition, Core Strategy Policy H3 promotes a range and mix of housing units to help create balanced communities and refers to the latest Local Housing Needs Assessment.</p>

<b>Pyons Group NDP Review Policy</b>	<b>Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015</b>	<b>General Conformity</b>
<p>Proposals for Self-Build housing projects in the Parish will be encouraged.</p> <p>Proposals for the conversion of a disused building, or the redevelopment of an abandoned building in the countryside to provide an equivalent replacement residential dwelling, will be supported where they meet the criteria set out in Core Strategy Policies RA3 - Herefordshire's Countryside and RA5 - Re-use of rural buildings.</p>	<p>The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.</p>	
<p><b>Policy PG3: Improving Accessibility for All</b></p> <p>Development proposals should be located and designed to provide improved accessibility for all, and to reduce reliance on private cars. Schemes will be supported where they:</p> <ol style="list-style-type: none"> <li>1. Demonstrate connectivity to the network of footpaths and other PRoW across the Group Parish and, wherever feasible, support improvements to routes linking the development site to local services and facilities;</li> <li>2. Are located, wherever possible, within reasonable walking distance of bus routes and services, and where developments are not within reasonable walking distance of public transport, provide measures that encourage interchange for cyclists;</li> </ol>	<p><b>Policy SS4 Movement and Transportation</b></p> <p>New developments should be designed and located to minimise the impacts on the transport network; ensuring that journey times and the efficient and safe operation of the network are not detrimentally impacted. Furthermore, where practicable, development proposals should be accessible by and facilitate a genuine choice of modes of travel including walking, cycling and public transport.</p> <p>....</p> <p>Proposals to provide new and improved existing public transport, walking and cycling infrastructure will be supported. Where appropriate, land and routes will be safeguarded as required in future local or Neighbourhood Development Plans and developer contributions, which meet the statutory tests, sought to assist with the delivery of new sustainable transport infrastructure, including that required for alternative energy cars.</p> <p><b>Policy MT1 - Traffic management, highway safety and promoting active travel</b></p>	<p>Review NDP Policy PG3 promotes improved accessibility for all and more sustainable transport alternatives. The Policy encourages developments to connect to PROW, and to be accessible to bus routes and to not have detrimental impacts on highway safety. Developer contributions may sought to improve on and off road routes and safe and secure cycle storage and charging points are required in new developments.</p> <p>Policy PG3 is in general conformity with Core Strategy Policies SS4 and MT1 which promote walking and cycling and access to public transport and require adequate parking and road safety measures.</p>

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<p>3. Do not have any detrimental impacts on highway safety. Measures such as traffic calming, improved signage, and awareness raising of different user groups on the highway, including walkers, horse riders and cyclists, will be encouraged.</p> <p>Developers may be required to support improvements in local infrastructure through Community Infrastructure Levy (CIL), once adopted by Herefordshire Council. Such improvements could include, for example, enhancements to public footpaths, provision of safer on-road and new off-road cycling routes, and a footpath or off-road walking and cycling route linking the primary school to the settlement of Canon Pyon.</p> <p>Developments should also include safe and secure cycle storage and charging points to facilitate charging of electric cycles, and support interchange facilities and amenities.</p>	<p>Development proposals should incorporate the following principle requirements covering movement and transportation:</p> <ol style="list-style-type: none"> <li>1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;</li> <li>2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;</li> </ol> <p>....</p>	
<p><b>Policy PG4: Waste water and Sewerage</b></p> <p>New development proposals will be assessed on a case by case basis in relation to waste water management and drainage.</p> <p>New development in Canon Pyon and King's Pyon which rely on the Waste water Treatment Works will only be supported where the capacity of existing sewage works and any other drainage is sufficient, or where the WwTW have been sufficiently</p>	<p><b>Policy SD3 – Sustainable water management and water resources</b></p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. This will be achieved by ensuring that:</p> <p>....</p> <ol style="list-style-type: none"> <li>7. the separation of foul and surface water on new developments is maximised;</li> <li>8. development proposals do not lead to deterioration of EU Water Framework Directive water body status;</li> </ol>	<p>Review NDP Policy PG4 has been prepared in response to concerns from Welsh Water in relation to current limited capacity available at the Canon Pyon WwTW and therefore any further developments will be assessed on a case by case basis.</p> <p>The Policy sets out that new development will only be supported where existing capacity is sufficient or upgrades are provided.</p>

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<p>upgraded to a) support new development and b) service new housing developments that have already come forward.</p> <p>Where connection to the wastewater infrastructure network is not practical, alternative foul drainage will be required in accordance with Herefordshire Local Plan Core Strategy 2011 - 2031 Policy SD4 - Wastewater treatment and river water quality.</p>	<p>9. development should not cause an unacceptable risk to the availability or quality of water resources; and 10. in particular, proposals do not adversely affect water quality, either directly through unacceptable pollution of surface water or groundwater, or indirectly through overloading of Wastewater Treatment Works. .....</p> <p><b>Policy SD4 Wastewater treatment and river water quality</b></p> <p>Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater.</p> <p>In the first instance developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development. This may involve:</p> <ul style="list-style-type: none"> <li>• incorporating measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, minimising the capacity required to accommodate the proposal, in accordance with policy SD3;</li> <li>• phasing or delaying development until further capacity is available;</li> <li>• the use of developer contributions/community infrastructure levy funds to contribute to improvements to waste water treatment works or other appropriate measures to release capacity to accommodate new development;</li> <li>• in the case of development which might lead to nutrient levels exceeding the limits for the target conservation objectives within a SAC river, planning permission will only be granted where it can be demonstrated that there will be no</li> </ul>	<p>This Policy is in general conformity with Core Strategy Policy SD3 which requires proposals to not adversely affect water quality, either directly through unacceptable pollution of surface water or groundwater, or indirectly through overloading of Wastewater Treatment Works and Policy SD4 which sets out broad requirements for waste water treatment to protect water courses from pollution and includes phasing or delaying development until capacity is available and requirements where connection to existing infrastructure is not practical.</p>



Pyons Group NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
	<p>adverse effect on the integrity of the SAC in view of the site's conservation objectives; and</p> <ul style="list-style-type: none"> <li>• where the nutrient levels set for conservation objectives are already exceeded, new development should not compromise the ability to reduce levels to those which are defined as favourable for the site.</li> </ul> <p>Where evidence is submitted to the local planning authority to indicate connection to the wastewater infrastructure network is not practical, alternative foul drainage options should be considered in the following order:</p> <ul style="list-style-type: none"> <li>• provision of or connection to a package sewage treatment works (discharging to watercourse or soakaway);</li> <li>• septic tank (discharging to soakaway).</li> </ul> <p>With either of these non-mains alternatives, proposals should be accompanied by the following:</p> <ul style="list-style-type: none"> <li>• information to demonstrate there will be no likely significant effect on the water quality, in particular of designated national and European sites, especially the River Wye SAC and the River Clun SAC; or</li> <li>• where there will be a likely significant effect upon a SAC river, information to enable the council, in its role as a competent authority, to ascertain that the development will have no adverse effect on the integrity of the SAC;</li> <li>• in relation to water courses with national or European nature conservation designations, the inclusion of measures achieving the highest standard of water quality discharge to the natural drainage system including provision for monitoring.</li> </ul> <p>The use of cesspools will only be considered in exceptional circumstances and where it can be demonstrated that sufficient precautionary measures will ensure no adverse effect upon natural drainage water quality objectives.</p>	

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<p><b>Policy PG5: River Wye Special Area of Conservation (SAC)</b></p> <p>Proposals for development must demonstrate that they protect, conserve and enhance the natural environment in accordance with the principles in Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 or their replacements. This includes the following requirements:</p> <ol style="list-style-type: none"> <li>1. The development would not have an adverse effect on the River Wye Special Area of Conservation (SAC) and species of European importance. In particular, planning permission will only be granted if clear and convincing evidence is provided which shows that the proposed development would not increase nutrient inputs to the SAC. This could include through the delivery of mitigation measures to make a proposal nutrient neutral; and</li> <li>2. Reference should be made to Herefordshire Council's Phosphate calculator and associated guidance.</li> </ol>	<p><b>Policy SD3 – Sustainable water management and water resources</b></p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. This will be achieved by ensuring that:</p> <ol style="list-style-type: none"> <li>1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire;</li> <li>2. development is designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change by setting appropriate floor levels, providing safe pedestrian and vehicular access, where appropriate, implementing a flood evacuation management plan and avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence;</li> <li>3. where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime;</li> <li>4. development will not result in the loss of open watercourse and culverts should be opened up where possible to improve drainage and flood flows. Proposals involving the creation of new culverts (unless essential to the provision of access) will not be permitted;</li> <li>5. development includes appropriate sustainable drainage systems (SuDS) to manage surface water appropriate to the hydrological setting of the site. Development should not result in an increase in runoff and should aim to achieve a reduction in the existing runoff rate and volumes, where possible;</li> <li>6. water conservation and efficiency measures are included in all new developments, specifically:</li> </ol>	<p>Review NDP Policy PG5 is included in the Plan in response to ongoing water quality issues in the River Wye SAC.</p> <p>It is in general conformity with Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 which require development proposals to not have adverse effects on wildlife and water quality.</p>

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	<ul style="list-style-type: none"> <li>• residential development should achieve Housing - Optional Technical Standards - Water efficiency standards. At the time of adoption the published water efficiency standards were 110 litres/person/ day; or</li> <li>• non-residential developments in excess of 1,000 m2 gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum;</li> </ul> <p>7. the separation of foul and surface water on new developments is maximised;</p> <p>8. development proposals do not lead to deterioration of EU Water Framework Directive water body status;</p> <p>9. development should not cause an unacceptable risk to the availability or quality of water resources; and</p> <p>10. in particular, proposals do not adversely affect water quality, either directly through unacceptable pollution of surface water or groundwater, or indirectly through overloading of Wastewater Treatment Works.</p> <p>Development proposals should help to conserve and enhance watercourses and riverside habitats, where necessary through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of the aquatic environment. Proposals which are specifically aimed at the sustainable management of the water environment will in particular be encouraged, including where they are required to support business needs such as for agriculture. Innovative measures such as water harvesting, winter water storage and active land use management will also be supported. In all instances it should be demonstrated that there will be no significant adverse landscape, biodiversity or visual impact.</p> <p><b>Policy SD4 – Wastewater treatment and river water quality</b></p> <p>Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater. In the first instance</p>	

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	<p>developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development. This may involve:</p> <ul style="list-style-type: none"> <li>• incorporating measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, minimising the capacity required to accommodate the proposal, in accordance with policy SD3;</li> <li>• phasing or delaying development until further capacity is available;</li> <li>• the use of developer contributions/community infrastructure levy funds to contribute to improvements to waste water treatment works or other appropriate measures to release capacity to accommodate new development;</li> <li>• in the case of development which might lead to nutrient levels exceeding the limits for the target conservation objectives within a SAC river, planning permission will only be granted where it can be demonstrated that there will be no adverse effect on the integrity of the SAC in view of the site's conservation objectives; and where the nutrient levels set for conservation objectives are already exceeded, new development should not compromise the ability to reduce levels to those which are defined as favourable for the site.</li> </ul> <p>Where evidence is submitted to the local planning authority to indicate connection to the wastewater infrastructure network is not practical, alternative foul drainage options should be considered in the following order:</p> <ul style="list-style-type: none"> <li>• provision of or connection to a package sewage treatment works (discharging to watercourse or soakaway);</li> <li>• septic tank (discharging to soakaway). With either of these non-mains alternatives, proposals should be accompanied by the following:</li> </ul>	

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	<ul style="list-style-type: none"> <li>• information to demonstrate there will be no likely significant effect on the water quality, in particular of designated national and European sites, especially the River Wye SAC and the River Clun SAC; or</li> <li>• where there will be a likely significant effect upon a SAC river, information to enable the council, in its role as a competent authority, to ascertain that the development will have no adverse effect on the integrity of the SAC;</li> <li>• in relation to water courses with national or European nature conservation designations, the inclusion of measures achieving the highest standard of water quality discharge to the natural drainage system including provision for monitoring. The use of cesspools will only be considered in exceptional circumstances and where it can be demonstrated that sufficient precautionary measures will ensure no adverse effect upon natural drainage water quality objectives.</li> </ul> <p><b>Policy LD1 – Landscape and townscape</b></p> <p>Development proposals should:</p> <ul style="list-style-type: none"> <li>- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;</li> <li>- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area’s character and by enabling appropriate uses, design and management;</li> <li>- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and</li> <li>- maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate</li> </ul>	

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	<p>replacement of trees lost through development and new planting to support green infrastructure.</p> <p><b>Policy LD2 – Biodiversity and geodiversity</b></p> <p>Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p> <ol style="list-style-type: none"> <li>1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows:               <ol style="list-style-type: none"> <li>a) Development that is likely to harm sites and species of European Importance will not be permitted;</li> <li>b) Development that would be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations;</li> <li>c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.</li> <li>d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.</li> </ol> </li> <li>2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and</li> <li>3. creation of new biodiversity features and wildlife habitats.</li> </ol> <p>Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and</p>	

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	<p>prevention of adverse impacts on, biodiversity and geodiversity features.</p> <p><b>Policy LD3 – Green infrastructure</b></p> <p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> <li>1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain;</li> <li>2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network; and</li> <li>3. integration with, and connection to, the surrounding green infrastructure network.</li> </ol>	
<p><b>Policy PG6: Protecting and Enhancing the Natural Environment</b></p> <p>Development proposals should demonstrate a high standard of design which responds positively to the local context as described in the National Character Area 100 Herefordshire Lowlands, relevant local landscape types in the Herefordshire Landscape Character Assessment SPG 2004 (updated in 2009), and the local character descriptions of the settlements and wider rural area as set out in the character descriptions in the NDP Review (see Appendix 3).</p>	<p><b>Policy SS6 Environmental quality and local distinctiveness</b></p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</li> </ul>	<p>Review NDP Policy PG6 requires development to respond positively to local landscape character and to protect and enhance biodiversity in the Parish.</p> <p>The Policy goes on to set out that proposals should consider the impacts of light pollution on dark skies, and protect local landscape features such as trees, woodlands, hedgerows and orchards and where possible provide new planting as part of measures to support biodiversity net gain.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and</p>

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<p>Schemes should protect and enhance the distinctive local landscape character and wildlife of Pyons Group by incorporating the following design principles in landscaping schemes wherever possible:</p> <p>1. Light Pollution Light pollution should be minimised to protect dark skies and local wildlife. Developments should seek to minimise light pollution in terms of either the extent of the lit area or the intensity and luminosity. Low level lighting and reduced times for night lighting will be encouraged on subsidiary residential streets within the built up area. Security lighting should have movement detectors. Lighting schemes should be avoided altogether in natural or semi natural areas that provide habitats or foraging areas for nocturnal species.</p> <p>2. Trees, Woodland and Hedgerows Mature trees and hedgerows should be retained and traditional native species should be used in new hedgerow and tree planting schemes. Tree planting and woodland creation should focus on screening, expanding and connecting existing ancient woodland sites. High value and established ornamental trees should be protected.</p> <p>3. Traditional Orchards Traditional orchards should be retained and where possible restored using traditional local varieties.</p>	<ul style="list-style-type: none"> <li>• biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;</li> <li>• historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;</li> <li>• the network of green infrastructure;</li> <li>• local amenity, including light pollution, air quality and tranquillity;</li> <li>• agricultural and food productivity;</li> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul> <p>The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future development proposals. Furthermore assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and Supplementary Planning Documents should inform decisions upon proposals.</p> <p><b>Policy LD1 – Landscape and townscape</b></p> <p>Development proposals should:</p> <ul style="list-style-type: none"> <li>- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;</li> <li>- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;</li> </ul>	<p>enhance those environmental assets that contribute towards the county's distinctiveness, in particular landscape, townscape and local distinctiveness. Developments should also protect, and where possible restore, important habitats such as traditional orchards and hedgerows.</p> <p>Core Strategy Policy LD1 requires proposals to demonstrate that landscape character has influenced design, and to incorporate new landscape schemes to ensure development integrates appropriately into its surroundings and maintain and extend tree cover.</p> <p>In addition Policy LD2 – Biodiversity and geodiversity requires development proposals to conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, including through restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks, and the creation of new biodiversity features and wildlife habitats.</p>



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<p>4. Local Landscape Features Other important local landscape features such as ponds, watercourses, grasslands and hay meadows should be protected and enhanced. Ponds and watercourses should be re-naturalised wherever possible.</p> <p>As a principle, there should be a measurable net gain enhancement of biodiversity assets. A biodiversity net gain should be achieved within the development site wherever possible through measures 1-4 above. Otherwise, where this is not feasible or practicable, local off-site habitat management will be sought to provide an overall benefit.</p>	<ul style="list-style-type: none"> <li>- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and</li> <li>- maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.</li> </ul> <p><b>Policy LD2 – Biodiversity and geodiversity</b></p> <p>Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p> <ol style="list-style-type: none"> <li>1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows:             <ol style="list-style-type: none"> <li>a) Development that is likely to harm sites and species of European Importance will not be permitted;</li> <li>b) Development that would be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations;</li> <li>c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.</li> <li>d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.</li> </ol> </li> </ol>	

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	<p>2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and</p> <p>3. creation of new biodiversity features and wildlife habitats.</p> <p>Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.</p>	
<p><b>Policy PG7: Protecting and Enhancing Built Character</b></p> <p>Development proposals should respond positively to the local context and protect and enhance the built character of the surrounding area. In particular schemes should:</p> <ol style="list-style-type: none"> <li>1. Be of an appropriate density, scale and height and not dominate the existing street scene and neighbouring buildings;</li> <li>2. Incorporate traditional local materials and detailing in innovative and interesting ways so that designs respond positively to the local vernacular but avoid pastiche and poor and unnecessary reproduction of older styles; and</li> <li>3. Not adversely affect the significance of any heritage assets, including their setting.</li> </ol> <p>Proposals for extensions should be proportionate to the existing building,</p>	<p><b>Policy SS6 - Environmental quality and local distinctiveness</b></p> <p><b>Policy LD1 – Landscape and townscape</b></p> <p><b>Policy LD4 – Historic environment and heritage assets</b></p> <p>Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> <li>1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible;</li> <li>2. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;</li> <li>3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;</li> <li>4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and</li> <li>5. where appropriate, improve the understanding of and public access to the heritage asset.</li> </ol>	<p>Review NDP Policy PG7 aims to ensure new development responds positively to local context and character, including the distinctive character of each settlement and the wider rural area.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular landscape, townscape and local distinctiveness.</p> <p>Policy LD1 sets out that development proposals should demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas.</p> <p>Policy LD4 protects heritage, requiring proposals affecting heritage assets and the wider historic environment to protect, conserve, and where possible enhance</p>

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<p>subservient in scale, and respond positively to local built character.</p> <p>In addition, proposals should, where relevant, address the following detailed design criteria for each of the following settlements and the wider rural area:</p> <p style="text-align: center;"><b>Canon Pyon</b></p> <ol style="list-style-type: none"> <li>4. In Canon Pyon developments should respect the form and layout of the settlement and aspirations to develop a village hub;</li> <li>5. Building lines should be set back from the pavement or street frontage, behind front gardens or green spaces; and</li> <li>6. Use of local materials is encouraged including rendered concrete block and Herefordshire red brick and slate or clay tiled roofs.</li> </ol> <p style="text-align: center;"><b>Westhope</b></p> <ol style="list-style-type: none"> <li>7. In Westhope designs should complement the existing village character by retaining the informal layout of low-density development set in large garden plots;</li> <li>8. Building lines should follow those of neighbouring buildings which are generally set back from the road frontage with front gardens;</li> </ol>	<p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>	<p>heritage assets and their settings in a manner appropriate to their significance.</p>

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<p>9. Development should not result in the loss of the small front gardens and green spaces that contribute to the unique character of the village; and</p> <p>10. Use of local materials is encouraged including traditional timber frames, local stone, Herefordshire brick or rendered brick construction with Welsh slate or clay tile roofs and timber windows and doors.</p> <p><b>Bush Bank (that part in the Pyons Group of Parishes)</b></p> <p>11. In Bush Bank development should reflect the existing very low density of the settlement;</p> <p>12. Buildings should be well spaced with generous garden areas and set back from the road;</p> <p>13. Trees and hedges should be retained and used in landscaping and boundary treatments; and</p> <p>14. Use of local materials is encouraged including Herefordshire red brick or rendered brick and slate roofs and timber frames with rendered in-fill.</p> <p><b>King's Pyon</b></p> <p>15. In King's Pyon development should reflect the existing low density and dispersed character of buildings;</p>		

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<p>16. Residential development should include garden areas and retain and enhance local landscape features such as mature trees and hedgerows; and</p> <p>17. Use of local materials is encouraged including timber frames with stone or rubble plastered infill, dressed stone, Herefordshire brick and slate roofs.</p> <p><b>Ledgemoor</b></p> <p>18. In Ledgemoor development should respond to the existing very low density and residential properties should be set in large gardens;</p> <p>19. Buildings should be set back from the roads;</p> <p>20. Existing mature trees and hedgerows should be protected and used in landscaping and boundary schemes; and</p> <p>21. Use of local materials is encouraged including traditional timber frames, local stone, and more modern brick or rendered brick construction with slate or clay tile roofs.</p> <p><b>Wider Rural Area</b></p> <p>22. In the wider rural area development will be much more limited. Sensitive conversion of former agricultural buildings for new</p>		

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<p>business and residential uses is supported, provided that designs are sensitive to the existing character and use traditional local materials and detailing wherever possible.</p>		
<p><b>Policy PG8: Rural Enterprise and Tourism</b></p> <p>Proposals for rural diversification schemes will be supported where they strengthen the local economy by providing small-scale business accommodation appropriate to the rural area. Schemes which strengthen the local tourism and hospitality industry by providing overnight accommodation, and/or food and drink establishments also will be encouraged in the Group Parish.</p> <p>All such proposals should:</p> <ol style="list-style-type: none"> <li>1. Include the sensitive conversion and re-use of traditional agricultural buildings in the wider rural area, or comprise small scale new development or the conversion of existing buildings within the identified settlement boundaries in accordance with Policy PG1: Development Strategy;</li> <li>2. Not lead to a detrimental impact on the local road network in terms of additional vehicular traffic; and</li> <li>3. Not have an unacceptable adverse impact on local residential amenity.</li> </ol>	<p><b>Policy RA6 - Rural Economy</b></p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> <li>• support and strengthen local food and drink production;</li> <li>• support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses;</li> <li>• involve the small scale extension of existing businesses;</li> <li>• promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;</li> <li>• promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;</li> <li>• support the retention of existing military sites;</li> <li>• support the retention and/ or diversification of existing agricultural businesses;</li> </ul> <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they:</p> <ul style="list-style-type: none"> <li>• ensure that the development is of a scale which would be commensurate with its location and setting;</li> <li>• do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting and smell;</li> </ul>	<p>Review NDP Policy PG8 supports rural diversification proposals and in particular schemes that contribute to and strengthen the visitor and tourist economy. Local criteria are set out to guide decisions on planning applications, and proposals should include the sensitive conversion of existing buildings in the rural area or new buildings and conversions within the settlement boundaries, and consideration of traffic impacts and residential amenity.</p> <p>This is in general conformity with Core Strategy Policy RA6 which supports proposals which diversify the rural economy including sustainable tourism, where they are of appropriate scale, protect residential amenity and do not cause adverse impacts on the local road network.</p> <p>Policy E4 supports proposals that enhance existing, and encourage new, accommodation and attractions throughout the county, recognising the county's many assets as opportunities.</p>

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	<ul style="list-style-type: none"> <li>• do not generate traffic movements that cannot safely be accommodated within the local road network; and</li> <li>• do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.</li> </ul> <p><b>Policy E4 - Tourism</b></p> <p>Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county’s unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including:</p> <ol style="list-style-type: none"> <li>1. recognising the unique historic character of Hereford and the market towns as key visitor attractions and as locations to focus the provision of new larger scale tourist development;</li> <li>2. the development of sustainable tourism opportunities, capitalising on assets such as the county’s landscape, rivers, other waterways and attractive rural settlements, where there is no detrimental impact on the county’s varied natural and heritage assets or on the overall character and quality of the environment. Particular regard will be had to conserving the landscape and scenic beauty in the Areas of Outstanding Natural Beauty;</li> <li>3. retaining and enhancing existing, and encouraging new, accommodation and attractions throughout the county, which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying overnight. In particular proposals for new hotels in Hereford will be encouraged. Applicants will be encouraged to provide a ‘Hotel Needs Assessment’ for any applications for new hotels;</li> <li>4. ensuring that cycling, walking and heritage tourism is encouraged by facilitating the development of long distance walking and cycling routes, food and drink trails and heritage trails, including improvements to public rights of way, whilst having special regard for the visual amenity of such routes</li> </ol>	

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	<p>and trails, and for the setting of heritage assets in their vicinity; and</p> <p>5. the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.</p>	
<p><b>Policy PG9: Polytunnels</b></p> <p>The benefits of polytunnels to agriculture and food production in terms of crop protection, the ability to grow a wider variety of crops and for extended periods, and some protection against pests and diseases are recognised.</p> <p>Proposals will be supported where the following issues are considered and effectively addressed:</p> <ol style="list-style-type: none"> <li>1. The proposal and any supporting infrastructure, are of a suitable scale and size and do not have an unacceptable impact on the character of the landscape;</li> <li>2. Adverse visual impacts are minimised through careful siting and effective landscaping and screening;</li> </ol>	<p>See above:</p> <p><b>Policy SS6 Environmental quality and local distinctiveness</b></p> <p><b>Policy LD1 – Landscape and townscape</b></p>	<p>Review NDP Policy PG9 sets out design criteria for poly tunnels in the rural area, where planning consent is required.</p> <p>This is in general conformity with Core Strategy Policy SS6 which provides broad, strategic criteria requiring development to respond to the county's distinctiveness and to consider landscapes and townscapes and with Policy LD1 which requires proposals to areas; conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, through the protection of the area's character and by enabling appropriate uses, design and management.</p>



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<p>3. The proposal does not exacerbate flood risk, and protects local watercourse from pollution;</p> <p>4. Habitats and biodiversity are protected and appropriate measures are taken to avoid any habitat loss and to provide a biodiversity net gain such as through enhancement of existing hedgerows and planting of new hedging and trees in boundary treatments;</p> <p>5. Existing rights of way are protected; and</p> <p>6. Suitable measures are taken to mitigate potential nuisance and any adverse impacts on local residential amenity including from noise, artificial lighting and traffic.</p>		
<p><b>Policy PG10: Community Facilities</b></p> <p>The following local facilities in the Group Parish are identified as existing community and recreational facilities on Map 7 and the NDP Review Policies Maps.</p> <p>These facilities will be retained wherever possible, in accordance with Herefordshire Local Plan Core Strategy Policy SC1 - Social and community facilities:</p> <ol style="list-style-type: none"> <li>1. Canon Pyon Stores</li> <li>2. Parish Hall, Canon Pyon</li> <li>3. Church of St Lawrence</li> <li>4. The Nag's Head Public House, Canon Pyon</li> </ol>	<p><b>Policy SC1 – Social and community facilities</b></p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities that cannot be met through existing social facilities - will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contributions which meet the relevant tests of paragraph 204 of the NPPF.</p>	<p>Review NDP Policy PG10 recognises the importance of local community facilities to residents of the parish.</p> <p>This Policy is in general conformity with Core Strategy SC1 which provides general protection to existing local facilities and supports enhancements where they are located in or close to settlements.</p>

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<p>5. St Francis' Church / Meeting Room, Westhope                      6. Church of St Marys, King's Pyon                      7. The Bush Inn Public House, Bush Bank                      8. The Club Room, Ledgemoor                      9. The Mission Chapel, Ledgemoor                      .</p>	<p>Proposals involving the provision or expansion of social and community facilities will be expected to provide publicly accessible toilets (including facilities for disabled people and baby changing).</p> <p>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility.</p> <p>The provision or improvement of higher education facilities and the continuing enhancement of existing, or provision of new, training and skills facilities will be actively promoted.</p>	
<p><b>Policy PG11: Safeguarded Land for Proposed Relocation of Canon Pyon Church of England Academy Primary School</b></p> <p>Land amounting to 2.47 hectares to the north of the village and adjacent to the brownfield site and the village hall, as shown on Map 2 NDP Review Policies Map - Canon Pyon, is identified as the preferred site for the relocation of Canon Pyon Primary School and is safeguarded for future educational use. To support the viability of a new school, the site could also accommodate a small scale housing development (up to 2 houses).</p>	<p><b>Policy SC1 – Social and community facilities</b></p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p>	<p>Review NDP Policy PG11 safeguards an area of land next to the village hall for a new school. This policy and proposal is carried forward from the Made NDP and is included in recognition that the existing location of the primary school is outside the village and requires pupils to use school buses and cars to get to school.</p> <p>The proposal is in general conformity with Core Strategy Policy SC1 which supports encourages such proposals to be available as locally as possible, in or close to settlements and to be safely accessible by foot, cycle or public transport.</p>

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<p>Development would be subject to resolving or mitigating constraints in relation to flooding, utilities and heritage.</p> <p>Planning permission will not be granted for any permanent development upon this site which would prejudice the potential of this land to accommodate a new primary school at a future date, unless an alternative site has been identified that meets this need or the need is no longer considered necessary.</p>		
<p><b>Policy PG12: Local Green Space</b></p> <p>The following are designated as Local Green Spaces:</p> <ol style="list-style-type: none"> <li>1. Recreational Playing Field, Canon Pyon</li> <li>2. Parish Council Land at Westhope</li> <li>3. Open space north of Pyons Close, Canon Pyon</li> </ol> <p>These are shown on Map 2 NDP Review Policies Map - Canon Pyon and Map 3 NDP Review Policies Map – Westhope.</p> <p>The NPPF advises that proposals to develop local green space will be considered in relation to green belt policy. This establishes a presumption against development in order to protect the landscape character and openness of these areas. Development is only allowed in very special circumstances. This means that</p>	<p><b>Policy OS3 – Loss of open space, sports or recreation facilities</b></p> <p>In determining the appropriateness of proposals which results in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> <li>1. clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard;</li> <li>2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community;</li> <li>3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses;</li> <li>4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.</li> </ol> <p><b>Policy LD3 – Green infrastructure</b></p>	<p>Review NDP Policy PG12 carries forward 2 areas of Local Green Space from the Made Plan and identifies a further Local Green Space provided as open space as part of a recent development.</p> <p>The 2 carried forward are a recreation area which would be protected under Core Strategy Policy OS3 and the other is an area of land owned by the Parish Council which has public access which could be considered Green Infrastructure under Policy LD3.</p> <p>The proposals to enhance local biodiversity are in line with Core Strategy Policy LD2 – Biodiversity and geodiversity.</p>

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<p>these areas will be retained as local green space unless there are special circumstances to allow development or it is considered as appropriate ancillary development, which does not reduce the openness or character of the green space.</p> <p>Proposals for the Playing Field at Canon Pyon which enable it to be used more effectively for recreational use will be supported, provided there is no significant adverse effect on residential amenity or biodiversity. Opportunities to enhance the biodiversity value of the site should be taken where possible, in particular along Wellington Brook.</p> <p>Development of the Parish Council Land at Westhope which would result in the loss of the area's biodiversity value will not be permitted. Proposals which enhance the area's biodiversity or improve public access will be encouraged.</p>	<p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> <li>1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain;</li> <li>2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network; and</li> <li>3. integration with, and connection to, the surrounding green infrastructure network.</li> </ol> <p><b>Policy LD2 – Biodiversity and geodiversity</b></p>	
<p><b>Policy PG13: Promoting Sustainable Design and Resilience</b></p> <p>All development proposals should be designed to maximise energy and resource efficiency and to minimise carbon emissions both during the construction phase and over the lifetime of the building.</p> <p>In addition, developments should incorporate principles of flexibility and adaptability so that buildings and spaces</p>	<p><b>Policy SS7- Addressing climate change</b></p> <p>Development proposals will be required to include measures which will mitigate their impact on climate change. At a strategic level, this will include:</p> <ul style="list-style-type: none"> <li>• focussing development to the most sustainable locations;</li> <li>• delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport;</li> <li>• designing developments to reduce carbon emissions and use resources more efficiently;</li> </ul>	<p>Review NDP Policy PG13 has been prepared to encourage new development to respond positively to the climate emergency going forward and to maximise resource efficiency and minimise carbon emissions.</p> <p>This is in general conformity with Core Strategy Policy SS7 which requires development proposals to address climate change through various measures.</p>

Pyons Group NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p>are capable of meeting occupiers' changing needs over their lifetimes. In particular, residential developments are encouraged wherever possible to:</p> <ol style="list-style-type: none"> <li>1. Be designed to be climate resilient and to incorporate solutions which provide good natural lighting, ventilation and temperature regulation to keep occupiers cool and comfortable during extended periods of high summer temperatures, and warm and dry during extreme colder and wetter weather events;</li> <li>2. Orientate and site buildings within sites to maximise energy efficiency and consider opportunities from trees, landform and any on site infrastructure to provide shelter from prevailing winds and shade;</li> <li>3. Have provision for some form of private outside space, such as a garden, patio or balcony large enough to provide a seating area;</li> <li>4. Include internal living space which is capable of accommodating indoor exercise and physical activity;</li> <li>5. Support homeworking through provision of suitable office space or flexible live / work areas.</li> <li>6. Provide access to broadband and mobile communication technologies;</li> <li>7. Include measures which maximise water efficiency, such as recycling of grey water, and where practicable incorporate green and blue roofs and sustainable drainage systems to manage surface water and reduce flood risk;</li> </ol>	<ul style="list-style-type: none"> <li>• promoting the use of decentralised and renewable or low carbon energy where appropriate;</li> <li>• supporting affordable, local food production, processing and farming to reduce the county's contribution to food miles;</li> <li>• protecting the best agricultural land where possible;</li> </ul> <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> <li>• taking into account the known physical and environmental constraints when identifying locations for development;</li> <li>• ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading;</li> <li>• minimising the risk of flooding and making use of sustainable drainage methods;</li> <li>• reducing heat island effects (for example through the provision of open space and water, planting and green roofs);</li> <li>• reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites; and</li> <li>• developments must demonstrate water efficiency measures to reduce demand on water resources.</li> </ul> <p>Adaptation through design approaches will be considered in more locally specific detail in a Design Code Supplementary Planning Document.</p> <p><b>Policy SD3 – Sustainable water management and water resources</b></p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation.</p>	<p>Policy SD3 requires development to include water conservation and efficiency measures.</p>

Pyons Group NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p>8. Use low or zero carbon technologies including solar panels, heat pumps and biomass boilers as alternatives to oil and gas heating and connections to the National Grid for electricity supplies;</p> <p>9. Take opportunities for energy supply from on-site, decentralised renewable or low carbon energy systems; and</p> <p>10. Provide suitable secure storage space for recycling containers and bicycles.</p> <p>11. Be capable of supporting recharging points for electric vehicles.</p>	<p>...</p> <p>6. water conservation and efficiency measures are included in all new developments, specifically:</p> <ul style="list-style-type: none"> <li>• residential development should achieve Housing - Optional Technical Standards - Water efficiency standards. At the time of adoption the published water efficiency standards were 110 litres/person/ day; or</li> <li>• non-residential developments in excess of 1,000 m2 gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum;</li> </ul>	
<p><b>Policy PG14: Community Energy Schemes and Solar Farms</b></p> <p>Small scale community-led renewable energy schemes will be supported in Pyons Group Parish, where it can be demonstrated that the proposal will not have a significant adverse impact on the local landscape character and biodiversity and any adverse impacts are avoided or mitigated by siting, design and landscaping.</p> <p>Proposals for large scale commercially led renewable energy schemes will be supported within the Parish only where it can be demonstrated that the proposal will not have a significant adverse impact on the local landscape character and biodiversity.</p>	<p><b>Policy SD2 – Renewable and low carbon energy generation</b></p> <p>Development proposals that seek to deliver renewable and low carbon energy will be supported where they meet the following criteria:</p> <ol style="list-style-type: none"> <li>1. the proposal does not adversely impact upon international or national designated natural and heritage assets;</li> <li>2. the proposal does not adversely affect residential amenity;</li> <li>3. the proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment and</li> <li>4. the proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user.</li> </ol> <p>In the case of energy generation through wind power developments, permission will only be granted for such proposals where:</p> <ul style="list-style-type: none"> <li>• the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and</li> </ul>	<p>NDP Review Policy PG14 supports small suitably scaled renewable energy technology infrastructure where there adverse impacts on biodiversity and landscape character are avoided or mitigated.</p> <p>This Policy is in general conformity with Core Strategy SD2 which supports renewable and low carbon energy development subject to various criteria including consideration of impacts on natural and heritage assets.</p>

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	<ul style="list-style-type: none"> <li>• following consultation with local residents, it can be demonstrated that the planning impacts identified can be fully addressed, and therefore the proposal has the backing of the local community.</li> </ul>	

### 3.6 f. Be Compatible with EU Obligations

A neighbourhood plan must be compatible with EU obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the United Kingdom's departure from the EU, these obligations continue to apply unless and until repealed or replaced in an Act of Parliament.

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

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

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

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

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely: Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of

possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

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

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



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

The NDP must not breach the requirements of Chapter 8 of the Conservation of Habitats and Species Regulations 2017 (d). Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

*'The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017'.*

Regulation 106(1) of Chapter 8 states that: *'a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required'.*

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

The River Wye SAC can be sensitive to changes in water quantity and quality. There are some sections of the River Wye SAC, mainly the River Lugg catchment area, where the water quality targets are already exceeding set levels and therefore the river is failing its 'favourable condition' status. This area is subject to measure to reduce nutrients particularly phosphates in line with the targets. The River Lugg is considered to be 'failing' its water quality targets because it has exceeded the phosphate limit over 3 years testing period. Testing is undertaken between March and September by the Environment Agency.

Pyons Group Parish falls within the River Lugg catchment area which is failing its water quality objectives at present. Therefore an Appropriate Assessment has been undertaken.

**The Draft Environmental Report for Pyons Group Neighbourhood Area** was published in January 2021 by Herefordshire Council. The Non Technical Summary sets out:

*'Strategic Environmental Assessment (SEA) is an important part of the evidence base which underpins Neighbourhood Development Plans (NDP), as it is a systematic decision support process, aiming to ensure that environmental assets, including those whose importance transcends local, regional and national interests, are considered effectively in plan making.*

*Pyons Group Parish Council have undertaken to modify their made NDP and this process has been subject to environmental appraisal pursuant to the SEA Directive. The parish comprised of two parishes; Canon Pyon and Kings Pyons.*

*The draft modified Pyons Group NDP includes 4 objectives which are intended to address a number of issues highlighted and it is intended that these objectives will be delivered by 13 planning*

*policies including site allocations and criteria based policies. The Pyons Group NDP was made on 19 June 2017 and the parish council have decided to modify a number of policies to ensure that the plan is up to date. This has resulted in the revision of a number of objectives and 13 policies. Two site options have also been tested.*

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

*Habitat Regulations Assessment (HRA) screening showed that a full HRA assessment was not required. A separate report has been produced outlining this to accompany the modified draft Pyons Group NDP.*

*On the whole, it is considered that the modified Pyons Group NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). The plan proposes a level of growth which reflects the proportionate growth that is prescribed by strategic policies. There are some revised wording changes suggested to strengthen or clarify some policies areas as a result of the SEA.*

*Once made (adopted) by Herefordshire Council, the effects of the policies within the Pyons Group NDP will be monitored annually via the Council's Annual Monitoring Report (AMR).*

The report was updated taking into account the Submission NDP and any changes.

The **Draft Habitats Regulations Assessment Report for Pyons Group Neighbourhood Area** was published by Herefordshire Council in January 2021.

The Report concludes that:

**'8.1 With reference to sections 6 to 7 above, the NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC.'**

See full and updated reports for further information:  
<https://www.herefordshire.gov.uk/directory-record/3100/pyons-group-neighbourhood-development-plan>

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



Pyons Group Parish Council

With the support of



November 2022