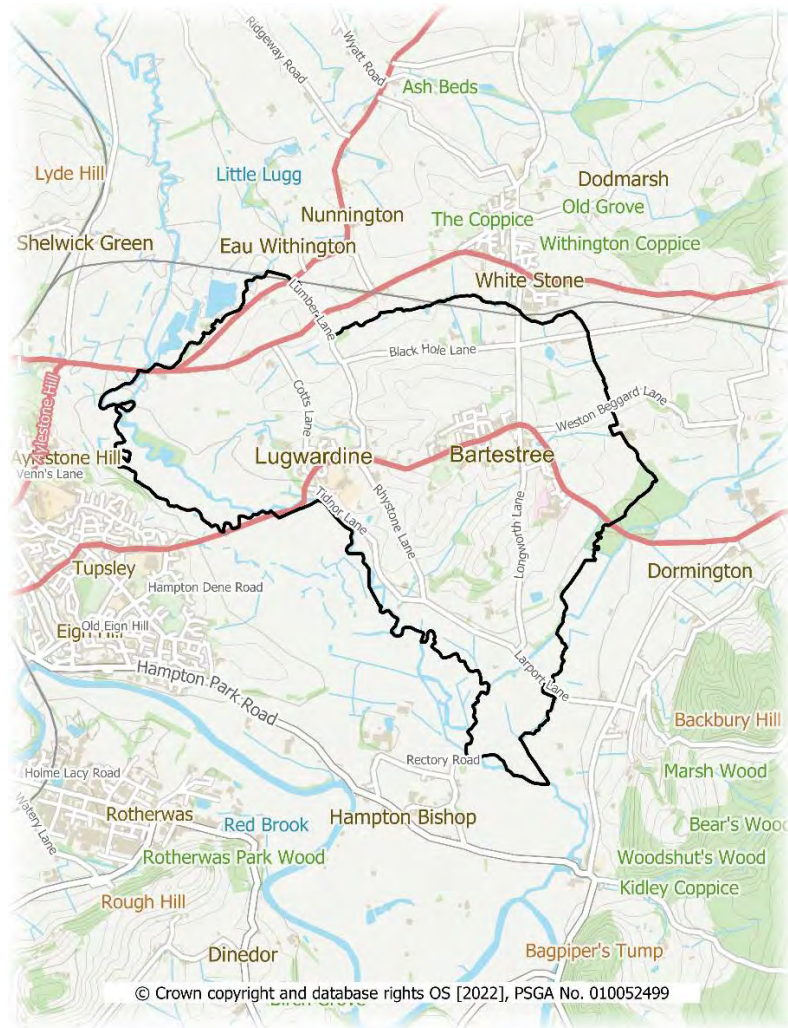


# Bartestree with Lugwardine Neighbourhood Development Plan 2011 – 2031

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# Review Referendum version

March 2023

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## SUMMARY

The Bartestree with Lugwardine Neighbourhood Development Plan ('the Plan') was completed in 2016. Since then, the Plan has been used by Herefordshire Council in determining planning applications in the group parishes, giving local people more say about what goes on in their area.

Under the auspices of the Parish Council a small Working Group with some professional help has now reviewed and updated the Plan to take account of recent developments, changes in national policy and guidance, and experience of its operation. The original planning policies adopted in 2016 have all been revised, and new ones added. We have also updated the maps, with additional Local Green Spaces and revised settlement boundaries for the two villages.

As before, the Plan sets out a vision for Bartestree with Lugwardine for the year 2031, together with supporting objectives intended to address the key issues which have arisen from consultation. A particular issue of concern is the amount of new housing that has taken place recently and how future pressures for growth and the implications for infrastructure can be managed. To this end, the Plan contains objectives and policies to:

- ensure that any new housing is proportionate and appropriate to the character of the villages and their countryside setting. Recognising that the minimum number of dwellings required under Herefordshire Council plans have already been provided, no further large-scale housing is proposed;
- avoid an unsustainable pattern of development and protect the countryside through the continued use of village settlement boundaries, wherein small-scale growth on both windfall and allocated sites will be supported;
- maintain the historic separation of the settlements of Bartestree and Lugwardine;
- provide housing of a type and size to meet the needs of the diverse and growing community;
- maintain and develop community facilities in tandem with housing development.

As well as housing, the Plan also addresses environmental and economic aspects of life in the parishes, by including objectives and policies to:

- ensure new housing achieves a high standard of environmentally-sustainable design;
- maintain the character and setting of heritage assets including historic parklands;
- preserve existing green spaces and create new green space. New Local Green Spaces are proposed for protection in both Lugwardine (as an extension of an existing designation, L4) and Bartestree (land west of Longworth Lane);
- protect views of the landscape setting of the villages on both sides of the A438;
- ensuring that development does not have an adverse effect on water quality in the River Lugg;
- provide local employment opportunities by supporting small-scale business development;
- manage the impact of traffic arising from development.

The updated Plan was submitted to Herefordshire Council in October 2022 and was sent for examination in December 2022. Having regard to the modifications that were proposed, the independent Examiner determined that a referendum would be required. This document is the referendum version of the reviewed NDP. It incorporates modifications recommended by the Examiner.

# 1 INTRODUCTION

## 1.1 OVERVIEW

- 1.1.1 The Localism Act 2011 gave local communities the ability to prepare Neighbourhood Development Plans as part of the statutory planning framework governing the development and use of land in their area. When planning applications are made, they must be decided in accordance with this framework unless there are overriding circumstances to the contrary.
- 1.1.2 The Bartestree with Lugwardine Group Parish Council made use of these planning powers to prepare the first Neighbourhood Development Plan ('the Plan'), which was completed in 2016. The Plan was based on significant survey work and extensive consultation with the community. It outlined a vision for the future of the parishes in 2031 and a set of supporting planning policies. Since 2016 the Plan has been used by Herefordshire Council in determining planning applications, giving local people more say about what goes on in their area.
- 1.1.3 The Plan has now been reviewed and updated to take account of recent developments, changes in national policy and guidance and experience of its operation. This document is a draft which incorporates all the changes made. It has been put together by a small Working Group, with some professional help. The original planning policies have all been revised, and new ones added. We have also updated the maps, with additional Local Green Spaces and revised settlement boundaries for the two villages. Now, we want to know what you think.

## 1.2 NATIONAL AND LOCAL PLANNING POLICY CONTEXT

- 1.2.1 The Plan's policies need to be read alongside the existing national and County planning policies which apply in the Neighbourhood Area (i.e., the parishes of Bartestree and Lugwardine).
- 1.2.2 National planning policy is set out in the National Planning Policy Framework (NPPF).
- 1.2.3 Herefordshire Council's Local Plan Core Strategy was adopted in October 2015 and sets out strategic planning policies for the development of the County from 2011 to 2031. It requires the delivery of a minimum of 152 new dwellings in the Neighbourhood Area over this period, and designates the settlements of Bartestree and Lugwardine as the main focus for such growth. This requirement has already been met, with 165 new dwellings having been built by April 2022 and a further 22 with planning permission. The Core Strategy also deals with issues such as the rural economy, the environment and community facilities.
- 1.2.4 The Plan has been written to complement and add local detail to these national and County planning policies.
- 1.2.5 Herefordshire Council carried out a review of the Local Plan Core Strategy in 2020 and decided that it needs updating. The process is at an early stage. For the purposes of this Plan and the assessment of general conformity, the relevant strategic policies contained in the adopted development plan for the area are those in the adopted Local Plan Core Strategy. Where reference is made in the Plan to strategic policies, this should be taken to include any successor policies arising from the update.
- 1.2.6 The Plan, like all development plans, is subject to an assessment process known as Strategic Environmental Assessment. It must also undergo an Appropriate Assessment under the Habitats Regulations because of the proximity of the River Wye Special Area of Conservation (which includes the River Lugg). These Assessments are undertaken independently, by Herefordshire Council. To this end, Assessments of this draft review of the Plan have been carried out and are being published as part of this consultation.

- 1.2.7 The Plan covers the period 2011 to 2031, and the qualifying body is Bartestree with Lugwardine Group Parish Council.

### **1.3 BARTESTREE WITH LUGWARDINE NEIGHBOURHOOD AREA**

- 1.3.1 The group parish of Bartestree with Lugwardine is situated in a pleasant rural location 3 miles east of Hereford. It straddles the busy A438 Hereford to Ledbury road, with the A4103 and A465 routes to Worcester and Bromyard running to the north, and is bordered by the River Lugg along its western and southern sides. The group parish was designated as a Neighbourhood Area in September 2012. Map A shows the Neighbourhood Area and the two parishes, an area of approximately 2535 acres (1026 hectares), and Map B shows the Neighbourhood Area in a wider context.
- 1.3.2 The two villages of Bartestree and Lugwardine are ancient and separate settlements, each with a distinctive character; both are mentioned in the Domesday Book. Lugwardine consists of a mixture of older buildings, some timber framed and listed, and more recent developments of bungalows and houses from the 1970s onwards. Bartestree grew significantly in the 1970s with more recent schemes including the conversion of Pugin's Bartestree Convent to apartments and the development of housing between the Convent and the village and to the south of the A438. Overall, reflecting the close proximity to Hereford the villages have experienced considerable recent growth and development, with a near-doubling of settlement populations since the 1960s.
- 1.3.3 Despite a tendency for ribbon development and infilling along the A438, the two villages are separated by open farmland and retain their own distinctive identities and character. This is a feature which the local community wishes to protect and maintain.
- 1.3.4 Reflecting the long history of human habitation, there are 48 listed buildings and other structures including milestones, bridges and a war memorial. There are two Scheduled Ancient Monuments, a moated site just north of Lugwardine at Hemhill and the A4103/A465 Lugg Bridge. The Lugwardine Conservation Area was designated in 1988 around the historic core of the village north and south of the A438. It includes the Grade II\*-listed St. Peter's Church, its separate burial ground, and the Hemhill scheduled ancient monument.
- 1.3.5 The two villages are set amongst a typical Herefordshire lowland landscape of hedged arable and pasture fields, scattered woodland, traditional orchards, hops and vines. The River Lugg is part of the River Wye Special Area of Conservation, which is of international importance due to the aquatic fauna and flora supported. Nutrient levels in the River Lugg currently exceed water quality objectives such that it is an unfavourable condition. This has implications for development proposals in the Neighbourhood Area which are addressed in the Plan.
- 1.3.6 The Neighbourhood Area is home to St Michael's Hospice. This was established as a registered charity in 1986 and provides palliative care for short-term residential patients and their families. There is an in-patient unit and a Day Hospice. It serves the local community and County together with neighbouring areas. The Hospice is the major provider of palliative care education and training within Herefordshire.
- 1.3.7 Bartestree and Lugwardine enjoy a range of community facilities including the Village Hall and playing fields, two places of worship, two schools, a day nursery, two pubs and local shops. Higher-order services including healthcare are available in Hereford.
- 1.3.8 The local road network is dominated by the A438 Hereford to Ledbury road. There are a number of lanes leading off the A438: Tidnor Lane, Cotts Lane, Lumber Lane and Rhystone Lane in Lugwardine, and Whitestone Lane, Longworth Lane and Lower Bartestree Lane in Bartestree. These are all country lanes and all bar Whitestone Lane are for most of their length effectively single track roads, with passing spaces. They are not considered suitable for heavy goods

vehicles or to be the access points for large-scale developments. Cotts Lane, Lumber Lane and Whitestone Lane run between the A438 and the A4103, and as a result carry significant volumes of through traffic, especially at peak times, despite their narrow widths in the case of Cotts Lane and Lumber Lane.

- 1.3.9 **Demographics (2011 Census):** the population consists of 380 under 16-year-olds, 1347 aged 16 - 64 and 324 people who are 65 and over, making a total of 2051. The most recent population estimate for mid-2019 is 2169 residents.
- 1.3.10 **Public transport services:** the villages are served by the 476 DRM service between Hereford and Ledbury. Service frequencies are between one to two hours during the daytime with no evening service. Sunday and Bank Holiday services are reduced to four a day. The nearest train stations are Hereford, which is 3.5 miles away, and Ledbury, which is 10 miles away.
- 1.3.11 **Car ownership:** as a rural community private car ownership and usage is the predominant method of transport, with 57.8% of all homes owning two or more vehicles.
- 1.3.12 **Housing tenure and household mix (2011 Census):** Lugwardine with Bartestree consists of 832 households of which 92% are owner occupied, 14.4% are social housing or privately rented housing and 0.4% are shared ownership. Of these households, 92% occupy houses or bungalows, 7.5% flats or maisonettes and 0.5% static caravans.
- 1.3.13 **Crime:** the crime rate in Bartestree and Lugwardine is recorded as being very low with only minor offences being committed.

## 1.4 KEY ISSUES

- 1.4.1 The following key issues have been identified in terms of how the Plan can best contribute to the sustainable development of the Neighbourhood Area up to 2031. They have been drawn from the environmental, social and economic aspects of the Neighbourhood Area as set out above, and the results of community consultation both in preparing the original Plan and the review. The key issues are:
- strategic housing requirements and proportionate housing growth;
  - the growth of the villages and protection of the countryside;
  - the historic separation of the settlements of Bartestree and Lugwardine;
  - environmental sustainability and design of new housing;
  - community needs for different sizes and types of housing, including affordable homes;
  - the range of community facilities;
  - the historic character of the villages;
  - green spaces including formal and informal recreational areas;
  - the landscape views which are available from the edges of the villages to both north and south of the A438;
  - the impact of development on water quality in the River Lugg, as part of the River Wye Special Area of Conservation;
  - countryside access via public rights of way;
  - new demands for telecommunications and renewable energy;
  - the development of small-scale businesses and the conversion of rural buildings;
  - the impact of new development on traffic levels and safety.

## 2 VISION AND OBJECTIVES

2.1 The Plan's Vision and objectives are based on the key issues raised by local people. They have been summarised and refined by the Steering Group to form the basis of the Plan for Bartestree with Lugwardine.

2.2 The Vision for the Neighbourhood Area in 2031 is:

In 2031 the group parish of Bartestree with Lugwardine will continue to be a pleasant place to live and look quite similar to the way that it does today. The villages will have a community spirit where residents of all ages live in a vibrant and distinctive community in which they feel valued, safe and comfortably at home. Sustainable housing development will have been delivered by a mix of large and small-scale developments providing for a proportionate level of growth, and which blend appropriately with the existing housing stock.

2.3 The Vision will be achieved through the following objectives which in sum will promote sustainable development:

1. to ensure that new housing is proportionate relative to strategic requirements and appropriate to the character of the villages and their countryside setting;
2. to avoid an unsustainable pattern of development and protect the countryside;
3. to maintain the historic separation of the settlements of Bartestree and Lugwardine;
4. to allow small-scale growth within the villages, on both windfall and allocated sites;
5. to provide housing of a type and size to meet the needs of the diverse and growing community;
6. to ensure new housing achieves a high standard of environmentally-sustainable design;
7. to maintain and develop community facilities in tandem with housing development;
8. to maintain the character and setting of heritage assets including historic parklands;
9. to preserve existing green spaces and create new green space;
10. to protect views of the landscape setting of the villages on both sides of the A438;
11. to ensure that development does not have an adverse effect on the River Wye Special Area of Conservation;
12. to provide local employment opportunities by supporting small-scale business development;
13. to locate development in places which allow for travel by sustainable modes and otherwise manage the impact of traffic arising from development.

2.4 The Plan provides a set of planning policies to help achieve these objectives. It is recognised that their delivery will require partnership working with public sector, private bodies and stakeholders such as landowners, developers and the community. To this end the Parish Council has liaised with representatives of other bodies who have both monitored progress and the delivery of the plan.



### 3 PLANNING POLICIES

#### 3.1 CRITERIA FOR THE DESIGN OF NEW HOUSING

- 3.1.1 Whilst planning applications will still be determined by Herefordshire Council, the Parish Council encourages developers of schemes of ten or more dwellings to produce a Design Brief which sets out the development principles for the site and to discuss this with the Parish Council prior to the submission of any planning application.

##### **Policy BL1 Criteria for the Design of New Housing**

Good design and the maximum possible reduction in carbon footprint whilst as a minimum complying with Building Regulations will be sought by:

- I. incorporating locally distinctive features - although new innovative design or features will not necessarily be resisted where they fit sensitively within the particular village frontage and street scene;
- II. incorporating eco-friendly initial designs that include orientation of buildings, the provision of energy and water conservation measures, cycle and recycling storage, broadband infrastructure and renewable energy infrastructure such as photovoltaic panels or other sustainable renewable energy solutions wherever possible;
- III. making proportionate provision for open green spaces which are linked where possible to the wider natural environment and accessible to the public for recreational use;
- IV. retaining important features such as tree cover, ponds, traditional orchards and hedgerows and adding to the natural assets of the parish where opportunities are available;
- V. where possible, garages must be built in direct association with the houses whose inhabitants may be expected to use them. They must be of a sufficient size to accommodate modern cars. Proposals for rear or separate parking courts will not be permitted unless alternative provision is impracticable. Sufficient off-street parking must be provided to accommodate space for visitor parking for each household;
- VI. an appropriate amount of private garden space should be provided in proportion to each new dwelling;
- VII. on-site measures that support energy and resource conservation, such as tree planting and other forms of green infrastructure to provide shade and shelter and minimising the use of external lighting to that which is necessary wherever possible. Proposals should demonstrate how foul and surface water is to be managed including sustainable drainage, and confirm that nutrient inputs to the River Wye Special Area of Conservation will not be increased;
- VIII. providing safe, suitable and convenient pedestrian and cycle links within the development and linking to local services and amenities, and contributing to off-site measures such as supporting infrastructure to enable and promote active travel and sustainable drainage to serve a wider range of properties where appropriate;
- IX. minimising construction traffic and reducing waste;
- X. including, where possible, dwellings that meet standards for lifetime homes.

#### 3.2 EXTENSIONS TO PROPERTIES

##### **Policy BL2 Extensions to Properties**

Planning applications will be supported for extensions provided:

- I. the proposal is subservient to the main dwelling in terms of its size, scale, height, massing, design and appearance;
- II. the extension will not result in significant adverse impact on the amenity of neighbouring properties.

### 3.3 BARTESTREE AND LUGWARDINE SETTLEMENT BOUNDARIES

- 3.3.1 Settlement boundaries for Bartestree and Lugwardine are shown on Map C. The boundaries define the planned extent of the main built-up form for each settlement. They generally follow physical features, principally curtilages marked by fence lines or hedgerows. The boundaries show how the two villages have retained their distinctive identities as separate settlements, with a clear gap between them. Further protection is provided by policy BL4 below.
- 3.3.2 Development will generally be supported inside the settlement boundaries where it is appropriate to its context, respects local character, and complies with other relevant planning policies. In terms of new housing, the strategic minimum requirements for proportionate housing growth have already been met. It is important that any further new housing can continue to be proportionate to the strategic requirements, and to maintain settlement character. The settlement boundaries have been drawn to this end, with small-scale growth allowed for through the site allocations made by policy BL5 or as may otherwise arise through 'windfall'\* planning permissions. These would be well-placed to provide opportunities for self and custom-built properties. Small-scale employment development may also be appropriate.
- 3.3.3 Land outside the settlement boundaries is defined as countryside in planning terms. This includes land and sites immediately abutting and outside the boundaries. Housing development outside the settlement boundaries is restricted to those proposals which satisfy the relevant criteria identified in the NPPF and the Local Plan Core Strategy (presently policy RA3).

#### **Policy BL3 Bartestree and Lugwardine Settlement Boundaries**

Settlement boundaries are defined for Bartestree and Lugwardine as shown on Map C to help ensure that new housing represents sustainable development and is proportionate to the strategic requirements in the Local Plan Core Strategy.

Development proposals within the settlement boundaries will be supported in principle provided that they accord with other development plan policies and:

- I. are in keeping with the scale, form and character of the surroundings;
- II. do not impact adversely on the amenity of neighbouring properties including through loss of daylight, loss of car parking or of mature vegetation or landscape screening;
- III. are in character with existing dwellings;
- IV. have a safe and suitable access for pedestrians, cyclists and vehicles to the public highway, and to local services and amenities.

Local Plan Core Strategy policy RA3 will apply to housing proposals outside the settlement boundaries.

### 3.4 SETTLEMENT GAP BETWEEN BARTESTREE AND LUGWARDINE

- 3.4.1 The settlement boundaries defined for Bartestree and Lugwardine confirm that they are distinct and separate settlements. Their physical separation is emphasised in visual terms by the topography, with Lugwardine being associated with the valley of the River Lugg and Bartestree occupying higher land to the east of the escarpment. The distinctive characteristics of the two villages as physically and visually separate settlements may be compromised by further development in or affecting the sensitive countryside gap between them, on land either side of the A438. It is important that the separate identities of the two villages as locally-distinctive settlements are protected and that their coalescence is avoided.

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\* Defined in the NPPF as sites not specifically identified in the development plan.

## **Policy BL4 Settlement Gap between Bartestree and Lugwardine**

Development proposals should not diminish or reduce the physical and/or visual separation between the settlements of Bartestree and Lugwardine. In making this assessment, regard will be had to both the individual effects of proposals and the cumulative effects when considered with other existing and proposed development.

### **3.5 HOUSING SITE ALLOCATIONS**

3.5.1 As part of the process of reviewing the NDP, consideration has been given to identifying land for new housing, particularly to the opportunities for allocating small and medium-sized sites. Following a Call for Sites and Housing Site Assessment, a public consultation was carried out on site options in February/March 2021. Details can be found in the evidence base (Appendix 5). The consultation revealed concern over the allocation of land for new housing, bearing in mind the scale of recent development and the potential impacts on infrastructure, services, the character of the villages and the environment. Smaller sites were preferred by the community if allocations were to be made. The proposed site allocations reflect the consultation response.

## **Policy BL5 Housing Site Allocations**

The following sites shown on Map C are allocated for the development of housing:

Site name	Indicative number of dwellings
H1: Land adjacent to Newcourt Farm, Cotts Lane	3
H2: Land adjacent to October Cottage, Longworth Lane	5
H3: Land at Figgynut Cottage	4

### **3.6 HOUSING MIX**

3.6.1 Where dwellings are provided in accord with other development plan policies, they should reflect the local housing requirements. In the rural parts of the Hereford Housing Market Area, which includes the Neighbourhood Area, the latest Housing Market Area Needs Assessment shows that 50% of open market housing will need to have 3 bedrooms. The remaining requirement is split equally between larger and smaller dwellings. There is also evidence of a need to ensure that new housing takes account of the changing needs of an ageing population, and to ensure that developments contain a range of house types, including where appropriate bungalows. Resident survey responses similarly identify requirements for starter and family homes with 2 and 3 bedrooms, as well as for adapted and easy access homes such as bungalows.

## **Policy BL6 Housing Mix**

Proposals for the development of housing must demonstrate that they provide a mix of dwellings that meet the latest assessment of housing needs. In terms of housing mix there is a particular requirement in the Neighbourhood Area for market housing with one, two and three bedrooms, and for adapted/easy access homes to meet the needs of older people including bungalows.

### 3.7 AFFORDABLE HOUSING

3.7.1 National and County-wide planning policies require the provision of affordable housing on schemes above specified size thresholds. Such provision will be supported by the Group Parish Council. Priority should be given in allocating affordable homes to those in local housing need or otherwise with a connection to the Neighbourhood Area before offering such accommodation to neighbouring rural parishes and then across the rest of the County.

#### **Policy BL7 Affordable Housing**

New development is expected to help to meet the need for affordable housing. Any affordable housing provided should ensure that priority is given in allocating those homes to those demonstrating a local housing need or local connection and thereafter be offered to the neighbouring rural parishes of Withington, Weston Beggard, Dormington, Mordiford and Hampton Bishop and then to the remainder of Herefordshire.

### 3.8 COMMUNITY FACILITIES

3.8.1 Bartestree and Lugwardine enjoy a range of community facilities including the Village Hall, places of worship, schools, two pubs and local shops. Together, these facilities and the services they provide help the community meet its day-to-day needs locally and in a sustainable and accessible manner. It is important that these facilities are retained, and that support is provided for their expansion so that they can continue to evolve and modernise to meet current needs and requirements.

#### **Policy BL8 Community Facilities**

The following existing community facilities will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1:

- Bartestree Village Hall.
- Places of worship (St. Peter's Church and Lugwardine Chapel).
- Schools and day nursery (Lugwardine Primary Academy, St. Mary's RC High School, and the Gateway Centre).
- Public houses (The Godwins, Bartestree and The Crown and Anchor, Lugwardine).
- Local shops (Bartestree Village Stores, fish and chip shop and hairdressers).

Development proposals for the enhancement of existing community facilities and for new provision will be supported provided that:

- I. their siting, scale and design respects the character of the surrounding area and residential amenity; and
- II. the local road network can safely accommodate the additional traffic; and
- III. sufficient provision is made for off-street vehicle and cycle parking, and for active travel access.

### 3.9 CONSERVING HISTORIC CHARACTER

3.9.1 The Neighbourhood Area has 51 designated heritage assets, comprising 48 listed buildings and other structures including milestones, bridges and a war memorial; two Scheduled Ancient Monuments; and the Lugwardine Conservation Area. The NPPF advises that heritage assets are an irreplaceable resource, which should be conserved in a manner appropriate to their significance.

3.9.2 There are a number of historic but unregistered areas of parkland associated with other notable buildings. The character and setting of these areas should be conserved and inappropriate

development will be resisted in line with Policy BL9.

- 3.9.3 Development adjacent to heritage assets, including historic parkland, should be carefully considered to ensure that no harmful effects arise. Map D indicates the areas of unregistered parks and gardens in Bartestree and Lugwardine.

### **Policy BL9 Conserving Historic Character**

All applications affecting heritage assets in the Neighbourhood Area will be required to consider the significance of any heritage asset affected, including any contribution made by the setting of heritage assets to their significance.

Great weight will be given to the conservation of a designated heritage asset and any harm or loss will require clear and convincing justification in line with national policy.

Non-designated heritage assets, including the unregistered parks and gardens shown on Map D, will be conserved or enhanced and their character protected. A balanced judgment will be required about the effects of any development proposals on or close to such assets having regard to the scale of any harm or loss and the significance of the heritage asset.

Within the Lugwardine Conservation Area, new development must conserve or enhance the character or appearance of the Conservation Area.

## **3.10 LOCAL GREEN SPACES, ALLOTMENTS AND RIGHTS OF WAY**

- 3.10.1 There is strong support to retain and add to the recreation areas and open spaces within the villages and these have been designated as 'Local Green Spaces'. Proposals to respond to any call for leisure allotments in the parish will be welcomed. Public Rights of Way will be preserved. The Local Green Spaces are shown on Map C.

- 3.10.2 Local Green Spaces L1 to L4 and B1 to B7 inclusive were designated in the original NDP made in 2016 and are retained. Additional areas are proposed for designation as Local Green Space in the NDP Review. These are:

- The green pathway (not public right of way) which runs between the Lugwardine burial ground to St. Peter's Churchyard, as an extension of L4. This was suggested to be considered for inclusion by the independent Examiner in 2016. It is a historic link between the burial ground and the church.
- Land west of Longworth Lane at Bartestree. The proposed designation is pursuant to the Housing Site Assessment undertaken for the NDP Review in 2020. The Assessment concluded that the land was demonstrably special to the local community and held a particular local significance, because of its informal recreational role, tranquillity and ecological value as well as its historic character as traditional parkland. It also reflects a 2016 appeal decision which concluded the land represented a valued landscape due to its status as unregistered park and garden and its well-professed tranquil nature.

## Policy BL10 Local Green Spaces, Allotments and Rights of Way

The following Local Green Spaces and as indicated on Map C will be protected for their beauty, historic value, special significance to the local community or recreational value:

### Local Green Spaces in Lugwardine Village:

- L1. Traherne Close.
- L2. St Mary's School playing field.
- L3. The Churchyard of St Peter's Church.
- L4. Burial ground rear of St Peter's Close including green pathway (not public right of way) between the burial ground and the A438.

### Local Green Spaces in Bartestree Village:

- B1. Open space surrounding the village hall including the cricket and football pitches, children's play area and community field.
- B2. Land to the south of Bartestree Grange.
- B3. Lugwardine Primary Academy playing field.
- B4. Croft Close.
- B5. Hopton Close.
- B6. Between St. James Close and Bartestree Crossroads.
- B7. Frome Park including children's play area.
- B8. Land west of Longworth Lane.

Development in the Local Green Spaces will be consistent with national policy for Green Belts. Proposals to meet requests for allotments for leisure use will be considered favourably where they do not conflict with other policies in the Plan. Public Rights of Way will be preserved.



*Local Green Space B8, land west of Longworth Lane*

## 3.11 LANDSCAPE VIEWS

3.11.1 There are a number of distinctive views available of the surrounding countryside from local vantage points. These views contribute to the character and local distinctiveness of the villages, revealing and illustrating their landscape setting particularly the relationship to the river valleys of the Lugg and Frome. They also extend further afield, as far as the Welsh hills to the west and to the Malvern Hills and Clee Hill to the east. They can all be seen from publicly-accessible locations, either highway or public rights of way.

### **Policy BL11 Landscape Views**

To be supported, development proposals must demonstrate that they have been sited, designed and are of such a scale that they do not materially harm the following publicly-accessible landscape views, as shown on Map C and the accompanying photographs:

LV1: the view from public footpath LU4 looking north towards Withington, Dinmore Hill and the hills of South Shropshire.

LV2: the view from the Weston Beggard turn looking east across the valley of the River Frome towards the Woolhope Dome.

LV3: the view from public footpath LU14 looking south towards Hampton Bishop and the Woolhope Dome.

LV4: the view from public footpath LU30 looking south-west over the River Lugg towards Hereford and the Black Mountains.

LV5: the view from the A438 at Hagley Hill looking north-west towards Dinmore Hill.

LV6: the view from public footpath LU7 looking west towards Lugwardine, Hereford and the Black Mountains.

Where a development proposal within the Neighbourhood Area lies within sight of one of the above views, a Landscape and Visual Impact Assessment or similar study should be provided to demonstrate that the levels of effects are acceptable, and that the scheme has been sited and designed sensitively and appropriately reflecting, respecting, and where possible, enhancing the landscape context within which it is situated.





*LV1: north towards Dinmore Hill*



*LV2: east towards the Woolhope Dome*



*LV3: south towards Hampton Bishop*



*LV4: south-west over the River Lugg*



*LV5: north-west towards Dinmore Hill*



*LV6: west towards Lugwardine*



## 3.12 WATER QUALITY IN THE RIVER LUGG

- 3.12.1 The River Lugg forms the boundary to the Neighbourhood Area to the south and west. It is part of the River Wye Special Area of Conservation, which is of international importance due to the aquatic fauna and flora supported. Nutrient levels in the River Lugg, particularly phosphate, currently exceed water quality objectives such that it is in an unfavourable condition. Development can only proceed if it can be shown with certainty that there will be no adverse effect on the integrity of the site.
- 3.12.2 Herefordshire Council has issued guidance for developers seeking to demonstrate as part of their planning applications that proposals are nutrient neutral. The Interim Phosphate Delivery Plan Stage 1 report provides guidance on calculating the phosphate budget for new development.<sup>1</sup> A Phosphate Budget Calculator Tool is available for this purpose.<sup>2</sup> The Interim Phosphate Delivery Plan Stage 2 report provides a range of potential mitigation options which may be used by developers to achieve nutrient neutrality for new housing developments.<sup>3</sup> Regular position statements are provided on Herefordshire Council's website to update applicants for planning permission on the requirements to demonstrate nutrient neutrality and the options available.<sup>4</sup>

### Policy BL12 Water Quality in the River Lugg

Development proposals must demonstrate that they would not have an adverse effect on the River Wye Special Area of Conservation and species of European importance. In particular, planning permission will only be granted if clear and convincing evidence is provided which shows that the proposed development would not increase nutrient inputs to the Special Area of Conservation. This could include through the delivery of mitigation measures to make a proposal nutrient neutral. In demonstrating nutrient neutrality, reference should be made to Herefordshire Council's Phosphate Budget Calculator Tool and associated guidance.

<sup>1</sup> <https://www.herefordshire.gov.uk/downloads/file/22150/interim-phosphate-delivery-plan-stage-1-report>

<sup>2</sup> [Herefordshire Council Phosphate Budget Calculator Final.xlsx \(live.com\)](https://www.herefordshire.gov.uk/downloads/file/22153/interim-phosphate-delivery-plan-stage-2-report)

<sup>3</sup> <https://www.herefordshire.gov.uk/downloads/file/22153/interim-phosphate-delivery-plan-stage-2-report>

<sup>4</sup> The latest update was issued in November 2021:

<https://www.herefordshire.gov.uk/downloads/file/23131/nutrient-certainty-update-for-developers-30-november-2021>

### 3.13 SUPPORTING LOCAL BUSINESSES

3.13.1 There are a number of businesses in the Neighbourhood Area, with four main employers and many smaller family-run and individual enterprises. The sustainable growth and expansion of businesses will be supported in order to increase inward investment and sense of community within the villages.

#### **Policy BL13 Supporting Local Businesses**

Proposals for the growth and expansion of local businesses will be supported. Planning applications will be supported for small-scale development for business use, including tourism facilities, even if outside of the Settlement Boundaries.

Development proposals must be in scale with the landscape character of the Neighbourhood Area including the setting of the villages meaning that:

- I. the amenity of nearby residents is not adversely affected by excessive traffic generation, noise or light pollution;
- II. there will be no detrimental effect upon the local highway network as a consequence of traffic generated by the proposal;
- III. small scale light or general industry, in particular craft-based operations or sustainable technologies will be encouraged to locate in suitably converted rural buildings or on any previously developed sites;
- IV. proposals for change of use of existing business premises to non-employment uses will be resisted unless it is demonstrated that business use is no longer economically viable;
- V. if required sensitively placed masts or other infrastructure needed to improve telephone and internet connection will be permitted.

### 3.14 REDUNDANT RURAL BUILDINGS

3.14.1 Agricultural barns and other rural buildings form an important feature of the landscape and heritage but many have ceased to be relevant to modern farming. Some have been converted to tourist or business uses or to residences. The Plan will seek to find new uses rather than see buildings fall into neglect. Proposals should be environmentally acceptable and serve to protect dark skies.

#### **Policy BL14 Redundant Rural Buildings**

Conversion of redundant rural buildings to small scale commercial or business use or residential uses will be supported provided the impacts on the landscape, local road network and residential amenity are satisfactory, and noise and light pollution are avoided.

## 3.15 TRANSPORT AND HIGHWAYS

3.15.1 There is concern about the current speed and volume of traffic on the A438 through the villages and the increase in traffic resulting from any new development. Most journeys to and from the villages are made by car due to the poor provision of public transport. Proposals for development will need to show that the Parish Council has been consulted over the requirement for additional street lighting.

3.15.2 Comments to the draft NDP highlighted the desire for improvements to public transport and active travel facilities, with reference made to:

- Foot/cycle bridge across the River Lugg, adjacent to the A438.
- Continuous footway alongside the A438 between Bartestree and Lugwardine.
- Off-road footpath/cycleway linking the two villages.
- Improvements to the frequency of bus services.

### Policy BL15 Transport and Highways

Proposals for development will need to show:

- I. safe and suitable access onto adjacent roads for all users;
- II. satisfactory provision for off-street parking within residential development, including parking for visitors, based on the characteristics of the site and the type and amount of development;
- III. that the design and layout of roads on new developments is in accordance with current national guidance;
- IV. that every available opportunity is taken to ensure that the site is linked to the village by an existing footway/cycleway or through the creation of a new footway/cycleway that provides safe, attractive and well-designed passage to the range of village facilities including bus stops, and including consideration as relevant to the proposal of a foot/cycle bridge across the River Lugg near to the A438;
- V. provision of active travel infrastructure including links and cycle storage that extends the range of public transport.

Developer contributions will be sought from new development where appropriate to fund improvements to public transport services, the active travel network and to mitigate the impact on the highway network.

## 4 MONITORING AND REVIEW

- 4.1 The Plan covers the period 2011 to 2031. Development will take place during this time, both in the Parish and outside it, which will have an impact on the community, as well as on the physical fabric of the village. Each new development will influence what happens next and where.
- 4.2 It is, therefore, essential to the long-term success of the Plan that developments in Bartestree and Lugwardine are monitored and reviewed against the Plan's objectives and against the policies designed to implement them. Herefordshire Council will determine planning applications in the Neighbourhood Area and is responsible for monitoring delivery of the policies and proposals.
- 4.3 This first review of the Plan has been carried out in order to respond to experience of using the policies which were 'made' in 2016, and to add new policies to cover topics such as housing mix and landscape views which were not addressed in the original Plan. The Parish Council will continue to monitor the operation and effectiveness of the Plan in managing development, and will carry out a further review as required or in response to updates to the Local Plan or to national policy. Assistance will be sought from parishioners and other interested parties if required. The Parish Council website will carry up to date reports on progress with the Plan during its lifetime ([www.bartestreewithlugwardinepc.co.uk](http://www.bartestreewithlugwardinepc.co.uk)).

## **APPENDIXES 1 – 4**

**Map A: Bartestree with Lugwardine Neighbourhood Area**

**Map B: Neighbourhood Area in context**

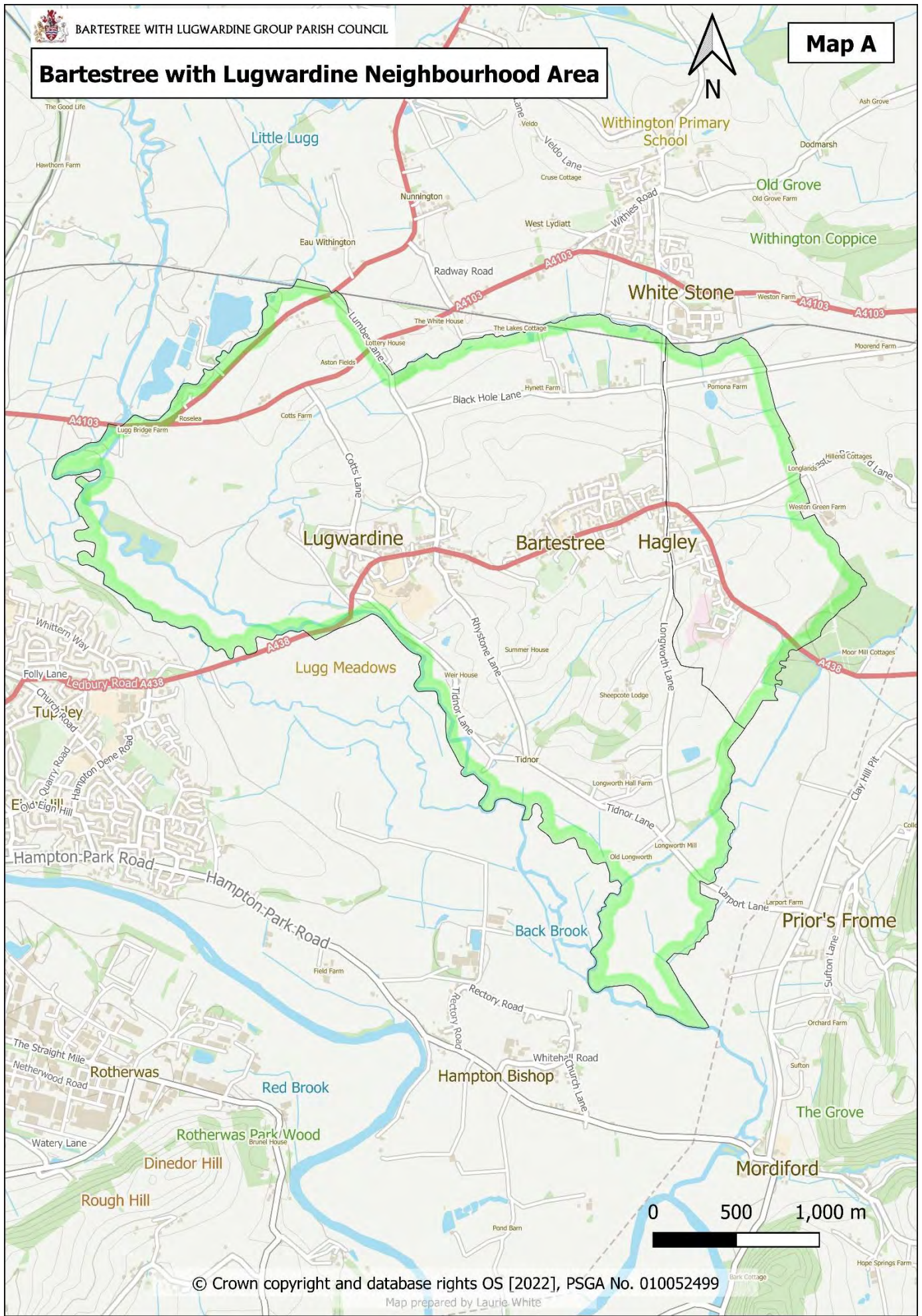
**Map C: Bartestree and Lugwardine village policies**

**Map D: Unregistered Parks and Gardens**

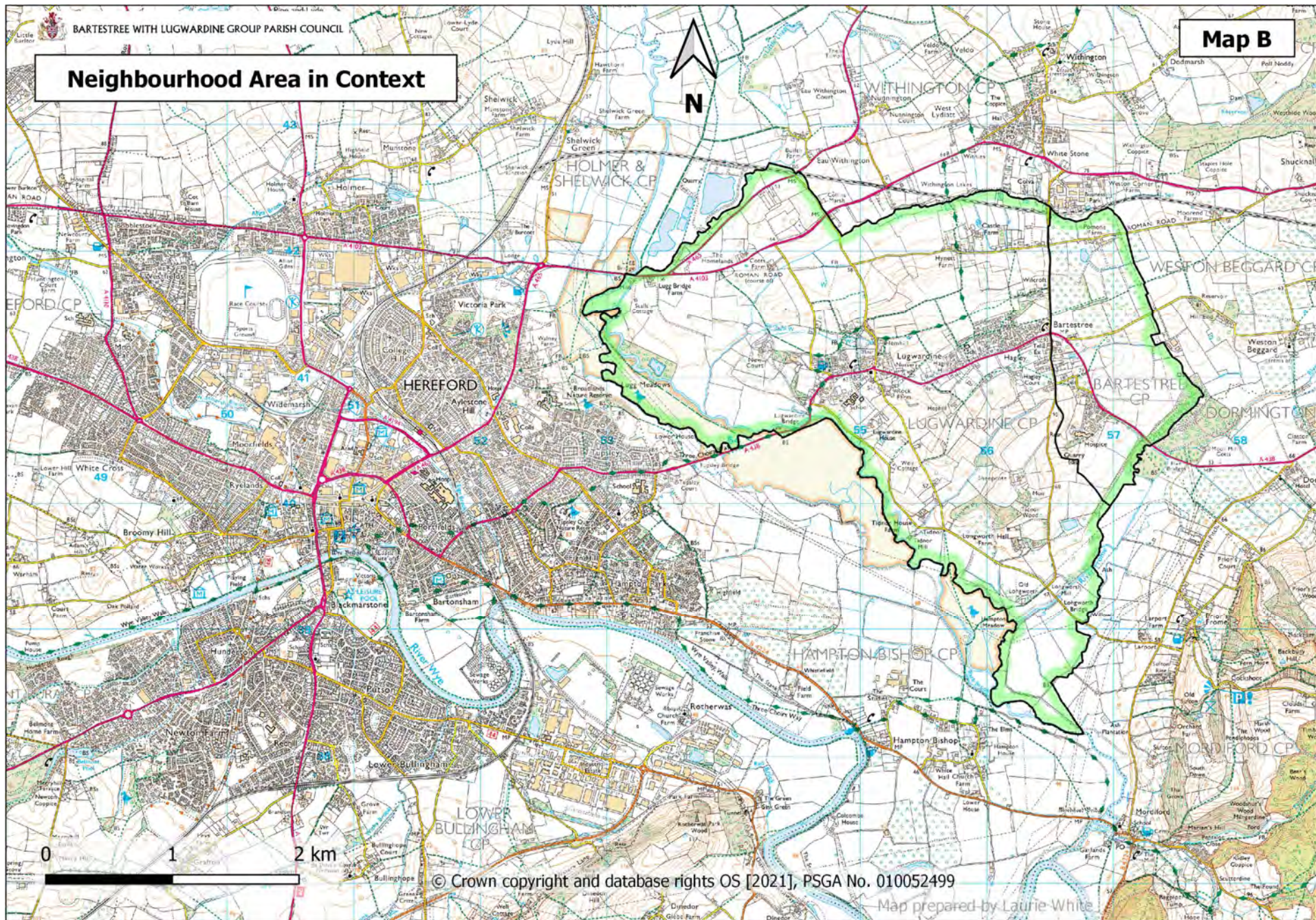




# Bartestree with Lugwardine Neighbourhood Area



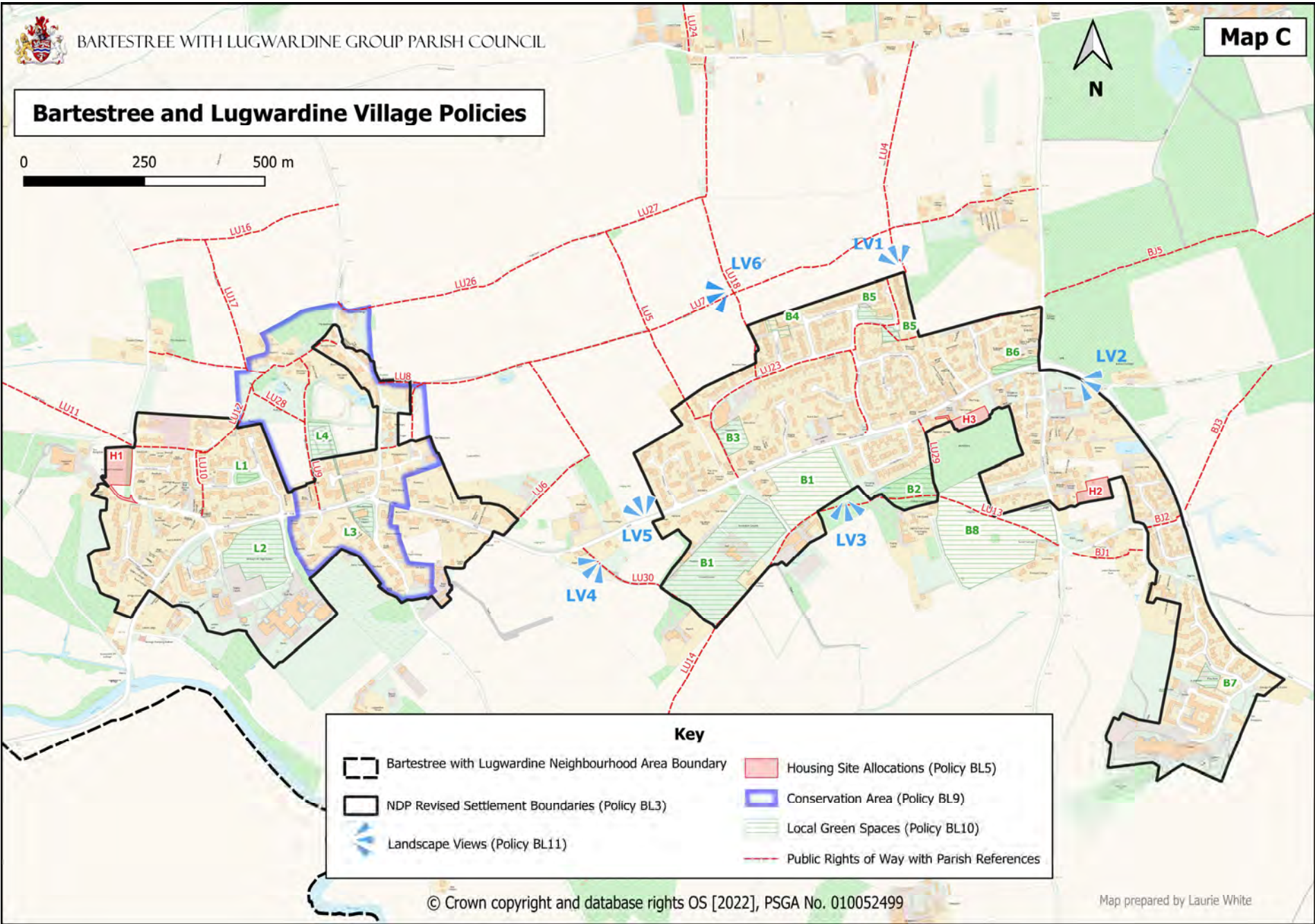
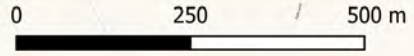








### Bartestree and Lugwardine Village Policies



**Key**

Bartestree with Lugwardine Neighbourhood Area Boundary	Housing Site Allocations (Policy BL5)
NDP Revised Settlement Boundaries (Policy BL3)	Conservation Area (Policy BL9)
Landscape Views (Policy BL11)	Local Green Spaces (Policy BL10)
	Public Rights of Way with Parish References

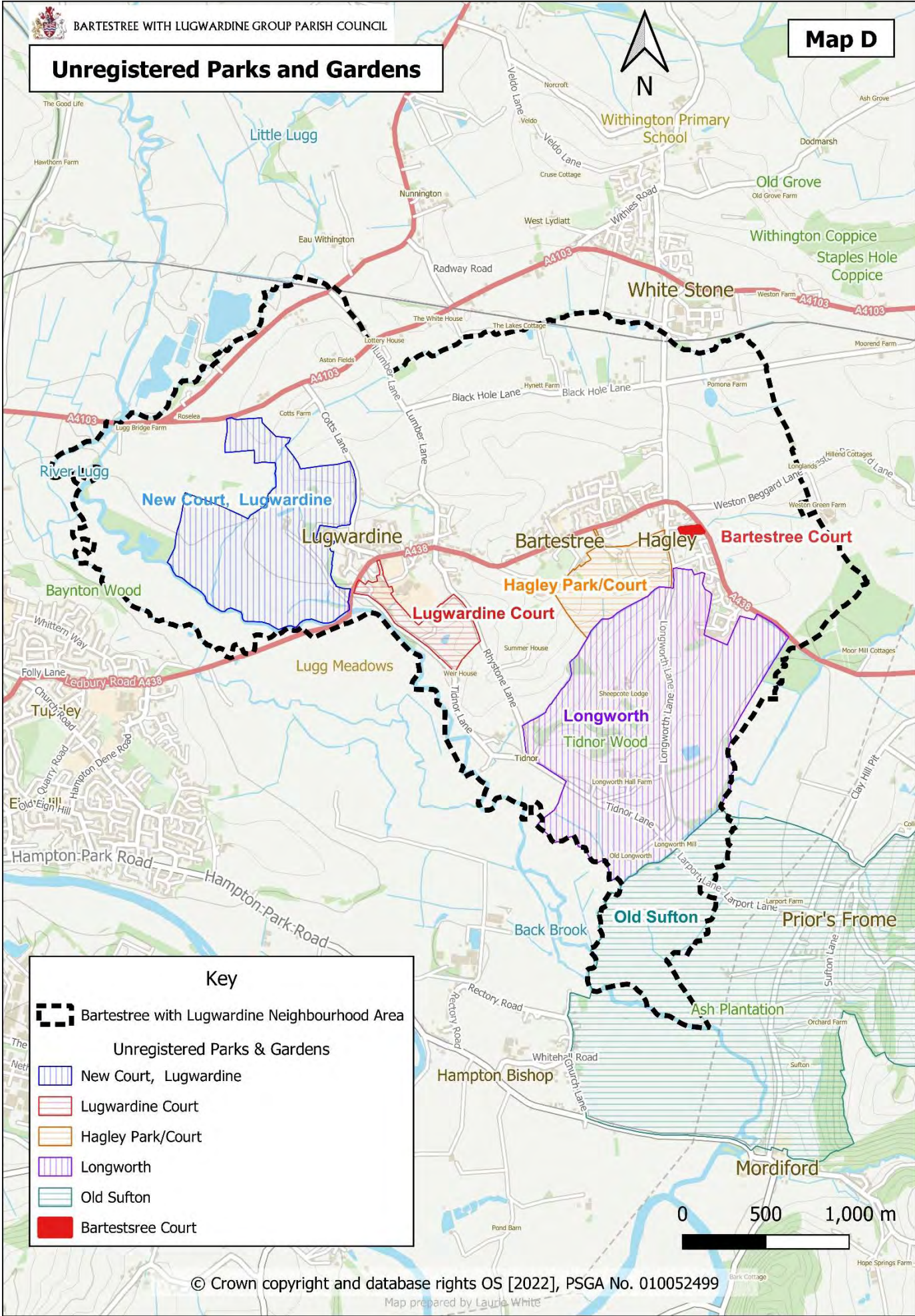
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Map prepared by Laurie White





# Unregistered Parks and Gardens



**Key**

- Bartestree with Lugwardine Neighbourhood Area
- Unregistered Parks & Gardens**
- New Court, Lugwardine
- Lugwardine Court
- Hagley Park/Court
- Longworth
- Old Sufton
- Bartestree Court



## APPENDIX 5 : EVIDENCE BASE

National Planning Policy Framework 2021

The Localism Act 2011

The Neighbourhood Planning Regulations 2012 as amended

Historic England, The National Heritage List for England

Herefordshire Unitary Development Plan March 2007 & February 2010 (saved policies)

Core Strategy (Local Plan) for Herefordshire 2015

A study of the Housing and Support Needs of Older People in Herefordshire, Peter Fletcher Associates and arc4 for Herefordshire Council, 2012

Bartestree with Lugwardine SEA scoping report, Environmental Reports and Appropriate Assessments 2022.

Parish Plan 2008 and 2014

Bartestree with Lugwardine SHLAA site assessments & maps 2009

Bartestree with Lugwardine Provisionally Updated SHLAA Site Assessments 2015

Bartestree with Lugwardine residential completions and commitments from 2011

Census for Herefordshire 2011

Bartestree with Lugwardine Crime Statistics 2014

Housing Needs Survey 2014

Community Survey 2014

Summary of Results of Community Survey 2014

Business Survey 2014

Summary of Results of Business Survey 2014

Residents Questionnaire 2014

Summary of Results of Residents Questionnaire 2014

LPA ref P143771 site for development of up to 100 dwellings open space and community orchard dismissed on appeal 26 October 2016 (appeal ref APP/W1850/W/15/3051153)

Bartestree with Lugwardine NDP Review, Housing site assessment, December 2020

Bartestree with Lugwardine NDP Review, Results of consultation on housing site options, April 2021

Herefordshire Housing Market Area Needs Assessment 2021.