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# Herefordshire Unitary Development Plan

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Saved and Deleted Policies Introduction

March 2010

# HEREFORDSHIRE UNITARY DEVELOPMENT PLAN 2007

## SAVED POLICIES

### 1 Introduction

- 1.1 The Unitary Development Plan was adopted in March 2007 and is the principal element of Development Plan for Herefordshire for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004. (The other element is the Regional Spatial Strategy for the West Midlands as adopted in 2004 and updated in January 2008). This means that, where regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 1.2 The Unitary Development Plan (UDP) is, therefore, a particularly important statement of the planning policies of Herefordshire Council and is recognised in the Council's Constitution as being part of its overarching Policy Framework.
- 1.3 The plan-making process does not stand still, and the UDP will be replaced in stages by the Local Development Framework. (The Regional Spatial Strategy will also be replaced too). Until such time as the Local Development Framework takes over, the policies in the UDP which have been "Saved" by the Direction of the Secretary of State will remain in effect.

### 2 The "Saved Policies"

- 2.1 The text of the adopted UDP included reasoned justifications and explanations in addition to the numbered policies which were set out in block capitals. The saved policies are just the policies themselves – all the other explanatory material is now "relegated" to background information.
- 2.2 The rationale behind why some policies are saved and some are not is set out in a separate document which is available on request. One of the principal reasons for not saving some policies is that the policies themselves repeat national policy. Thus, for example, UDP Policy NC2 protected sites of international designation for their wildlife interest. This policy has not been saved because such sites are protected by national policy and legislation anyway and there is therefore no need for them to have a separate UDP policy of their own.
- 2.3 One further subtlety exists in the form of Saved Policy H2. The legislation allows for only complete policies to be saved, not parts of them. Policy H2 lists a number of sites allocated for new residential development. Some of those sites have already been developed, and one in particular, at Bullinghope, was excluded from the UDP following a High Court challenge. The Saved Policy H2 still refers to the complete list of sites as it existed at the time that the UDP was adopted in 2007. That does not alter the fact that the site at Bullinghope is no longer allocated for residential development in the UDP, and those sites which have already been developed are not expected to be further redeveloped as a result of Policy H2.

### 3 Proposals Map

- 3.1 The original Proposal Map was produced as a portfolio of maps and has been amended slightly as a result of some policies not being saved. As can be seen below, given the anticipated programme of replacement policies, it is intended to keep the Proposals Map updated as an on-line resource on the Council's website. The maps can be downloaded for free, but where printed copies are required a request should be made using the contact details at the end of this section.

### 4 Future Replacement Policies.

- 4.1 Note that as the Local Development Framework comes into effect these policies will be themselves replaced, and so this document will need to be republished from time to time until such time as all the UDP policies have been replaced. The likely replacement Development Plan Documents are as follows:

<b>Development Plan Document</b>	<b>Anticipated date of adoption</b>
Core Strategy	2011
Hereford Area Plan	2012
Market Towns and Rural Areas Plan	2013

- 4.2 The detailed programme for the Development Plan Documents is set out in the Council's Local Development Scheme which is published on the Council's website and updated annually. It is likely that further Development Plan Documents will be added to the above list from time to time.
- 4.3 In the light of the above programme for Development Plan Documents it should be appreciated that this document will need revision on an annual basis. Readers are therefore strongly advised to check the latest position on the Council's website at: [www.herefordshire.gov.uk/ldf](http://www.herefordshire.gov.uk/ldf)

### 5. Related Documents

- 5.1 The documents listed below are all available to download for free from the Council's website.

<b>Document</b>	<b>Price for a Printed Copy</b>
Unitary Development Plan full Written Statement March 2007	£50 (for County Residents) £100 (in all other cases)
Proposals Maps	Free with Written Statement – otherwise standard printing costs per sheet
Inspector's Report June 2006	£100
Schedule of Policies to be saved or deleted.	£50

## **6 This Document**

6.1 The remainder of this document falls into two sections:

Part A The Secretary of State's Direction dated 24<sup>th</sup> February 2010 in respect of the Saved Policies in the Unitary Development Plan

Part B The text of the Saved Policies.

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**March 2010**

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24 February 2010

Dear Andrew

**PLANNING & COMPULSORY PURCHASE ACT 2004 – Saved Policies**

With reference to your application of 13 August 2009, applying for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Herefordshire Unitary Development Plan the Secretary of State's Direction and accompanying schedule is attached. Those policies not listed in the Direction will expire on 22 March 2010.

The Secretary of State's assessment of whether saved policies should be extended is based upon the criteria set out in Planning Policy Statement 12 and Communities and Local Government Protocol on saving policies.

The extension of saved policies listed in this Direction does not indicate that the Secretary of State would endorse these policies if presented as new policy. It is only intended to ensure continuity in the plan-led system and a stable planning framework locally, and in particular, a continual supply of land for development.

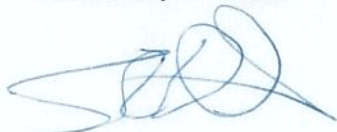
Local planning authorities should not suppose that a regulatory local plan style approach will be supported in forthcoming Development Plan Documents. Local Planning Authorities should adopt a positive spatial strategy led approach to DPD preparation and not seek to reintroduce the numerous policies of many local plans.

The exercise of extending saved policies is not an opportunity to delay DPD preparation. LPAs should make good progress with local development frameworks according to timetables in local development schemes. Policies have been extended in the expectation that they will be replaced promptly and

by fewer policies in DPDs. Maximum use should be made of national and regional policy especially given the development plan status of the Regional Spatial Strategy.

After 22 March 2010 the saved policies should be read in context. Where policies were originally adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions. In particular, we would draw your attention to the importance of reflecting policy in Planning Policy Statement 3 *Housing* and Strategic Housing Land Availability Assessments in relevant decisions.

Signed by authority of the  
Secretary of State

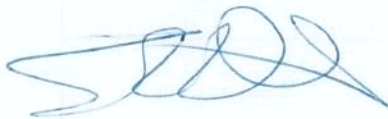


IAN SMITH  
ACTING HEAD OF PLANNING AND HOUSING  
GOVERNMENT OFFICE FOR THE WEST MIDLANDS

**DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE  
PLANNING AND COMPULSORY PURCHASE ACT 2004  
POLICIES CONTAINED IN THE HEREFORDSHIRE UNITARY  
DEVELOPMENT PLAN  
ADOPTED 23 March 2007**

The Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 directs that for the purposes of the policies specified in the Schedule to this direction, paragraph 1(2)(a) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 does not apply.

Signed by authority of the  
Secretary of State



**IAN SMITH  
ACTING HEAD OF PLANNING AND HOUSING  
GOVERNMENT OFFICE FOR THE WEST MIDLANDS**

24 February 2010

**SCHEDULE**  
**POLICIES CONTAINED IN**  
**HEREFORDSHIRE UNITARY DEVELOPMENT PLAN**  
**ADOPTED 23 MARCH 2007**

<b>Policy Number</b>	<b>Policy Name</b>
S1	Sustainable Development
S2	Development Requirements
S3	Housing
S4	Employment
S5	Town centres and retail
S6	Transport
S7	Natural and historic heritage
S8	Recreation, sport and tourism
S9	Minerals
S10	Waste
S11	Community facilities and services
DR1	Design
DR2	Land use and activity
DR3	Movement
DR4	Environment
DR5	Planning Obligations
DR7	Flood Risk



Policy Number	Policy Name
DR8	Culverting
DR9	Air Quality
DR10	Contaminated Land
DR11	Soil Quality
DR12	Hazardous Substances
DR13	Noise
DR14	Lighting
H1	Hereford and the market towns: settlement boundaries and established residential
H2	Hereford and the market towns: housing land allocations
H4	Main villages: settlement boundaries
H5	Main villages: housing land allocations
H6	Housing in the smaller settlements
H7	Housing in the countryside outside settlements
H8	Agricultural and forestry dwellings and dwellings associated with rural businesses
H9	Affordable housing
H10	Rural exception housing
H12	Gypsies and other travellers
H13	Sustainable residential design
H14	Re-using previously developed land and buildings
H15	Density
H16	Car parking
H17	Sub-division of existing housing
H18	Alterations and extensions
H19	Open space requirements
E1	Rotherwas Industrial Estate
E2	Moreton on Lugg depot, Moreton on Lugg
E3	Other employment land allocations
E5	Safeguarding employment land and buildings

Policy Number	Policy Name
E7	Other employment proposals within and around Hereford and the market towns
E8	Design standards for employment sites
E10	Employment proposals within or adjacent to main villages
E11	Employment in the smaller settlements and open countryside
E12	Farm diversification
E13	Agricultural and forestry development
E14	Conversions of large dwellings to employment uses
E15	Protection of greenfield land
E16	Intensive livestock units
E17	Military development
TCR1	Central shopping and commercial areas
TCR2	Vitality and viability
TCR3	Primary shopping frontages
TCR4	Secondary shopping frontages Uses outside Class A of the Use Classes Order
TCR5	Uses outside Class A of the Use Classes Order
TCR6	Non-retail uses (Classes A2 – A5)
TCR7	Amusement centres
TCR9	Large scale retail and leisure development outside central shopping and commercial
TCR10	Office development
TCR11	Loss of existing offices
TCR13	Local and neighbourhood shopping centres
TCR14	Village commercial facilities
TCR16	Garden centres
TCR17	Farm shops
TCR18	Petrol filling stations
TCR19	Hereford livestock market – relocation
TCR20	Eign Gate regeneration area
TCR21	Canal basin and historic core

Policy Number	Policy Name
TCR22	Hereford United Football Club/Merton Meadow
TCR23	Civic Quarter
TCR25	Land for retail warehousing
TCR26	Land at Commercial Road
T1	Public transport facilities
T2	Park and ride
T3	Protection and development of the rail network
T4	Rail freight
T5	Safeguarding former railway land
T6	Walking
T7	Cycling
T8	Road hierarchy
T9	Road freight
T10	Safeguarding of road schemes
T11	Parking provision
T12	Existing parking areas
T13	Traffic management schemes
T14	School travel
T15	Air transport facilities
T16	Access for all
LA1	Areas of Outstanding Natural Beauty
LA2	Landscape Character and areas resilient to change
LA3	Setting of settlements
LA4	Protection of historic parks and gardens
LA5	Protection of trees, woodlands and hedgerows
LA6	Landscaping schemes
NC1	Biodiversity and development
NC3	Sites of national importance
NC4	Sites of local importance

Policy Number	Policy Name
NC6	Biodiversity Action Plan priority habitats and species
NC7	Compensation for loss of biodiversity
NC8	Habitat creation, restoration and enhancement
NC9	Management of features of the landscape important for fauna and flora
HBA1	Alterations and extensions to listed buildings
HBA2	Demolition of listed buildings
HBA3	Change of use of listed buildings
HBA4	Setting of listed buildings
HBA5	Designation of conservation areas
HBA6	New development within conservation areas
HBA7	Demolition of unlisted buildings within conservation areas
HBA8	Locally important buildings
HBA9	Protection of open areas and green spaces
HBA10	Shopfronts
HBA12	Re-use of rural buildings
HBA13	Re-use of rural buildings for residential purposes
ARCH1	Archaeological Assessments & Field Evaluations
ARCH2	Foundation Design & Mitigation For Urban Sites
ARCH3	Scheduled Ancient Monuments
ARCH4	Other Sites Of National Or Regional Importance
ARCH5	Sites Of Lesser Regional Or Local Importance
ARCH6	Recording Of Archaeological Remains
ARCH7	Hereford AAI
ARCH8	Enhancement & Improved Access To Archaeological Sites
RST1	Criteria for recreation, sport and tourism development
RST2	Recreation, sport and tourism development within Areas of Outstanding Natural
RST3	Standards for outdoor playing and public open space
RST4	Safeguarding existing recreational open space
RST5	New open space in/adjacent to settlements

Policy Number	Policy Name
RST6	Countryside Access
RST7	Promoted recreational routes
RST8	Waterway corridors and open water areas
RST9	Herefordshire and Gloucestershire Canal
RST10	Major sports facilities
RST12	Visitor accommodation
RST13	Rural and farm tourism development
RST14	Static caravans, chalets, camping and touring caravan sites
M2	Borrow pits
M3	Criteria for new aggregate mineral workings
M4	Non-aggregate building stone and small scale clay production
M5	Safeguarding mineral reserves
M6	Secondary aggregates and recycling
M7	Reclamation of mineral workings
M8	Malvern Hills
M9	Minerals exploration
M10	Oil and gas exploration and development
W1	New waste management facilities
W2	Landfill or raising
W3	Waste transportation and handling
W4	Temporary permissions
W5	Waste management licensing
W6	Development in the vicinity of waste management facilities
W7	Landfill gas utilisation
W8	Waste disposal for land improvement
W9	Reclamation, aftercare and afteruse
W10	Time limits for secondary activities
W11	Development – waste implications
CF1	Utility services and infrastructure

<b>Policy Number</b>	<b>Policy Name</b>
CF2	Foul drainage
CF3	Telecommunications
CF4	Renewable energy
CF5	New community facilities
CF6	Retention of existing facilities
CF7	Residential nursing and care homes

## **S1 Sustainable development**

The Plan will promote development and land use change which in terms of its level, location, form and design contributes to the achievement of sustainable development. This means avoiding or minimising adverse impacts on the environment whilst providing necessary dwellings and employment together with appropriate infrastructure, services, transport and amenities.

Sustainable development will be promoted by:

1. protecting and enhancing the natural environment and historic heritage, especially irreplaceable assets;
2. respecting patterns of local distinctiveness and landscape character in both town and country, and safeguarding landscape quality and visual amenity;
3. conserving and minimising use of natural resources - particularly non-renewables - and encouraging resource enhancement and alternatives to the use of non-renewable resources;
4. regenerating or recycling previously-used resources – including previously-developed land, buildings and infrastructure – and perpetuating the use of existing infrastructure and facilities wherever possible;
5. increasing energy conservation, energy-efficiency, and energy generation from renewable sources;
6. minimising waste and pollution and adopting sustainable treatment systems;
7. directing necessary new development to locations, settlements and sites that best meet the appropriate sustainable development criteria;
8. requiring more sustainable design in all aspects of new development, redevelopment and regeneration;
9. ensuring that development respects the needs of local communities and encouraging greater self-sufficiency within local communities;
10. seeking more equitable access for all sectors of the community to opportunities for homes and livelihoods, natural and historic resources, health, recreation, amenity, education, and facilities and services;
11. supporting sustainable economic activity and high and stable levels of employment;
12. supporting more sustainable approaches to land use and land management in rural areas;
13. reducing the need to travel, securing safe and convenient accessibility between different land uses and maintaining, improving and integrating opportunities to move safely and conveniently by modes other than personal motor transport;
14. improving health and safety through reduced pollution and safer design of the built environment and landscaping;

15. **avoiding or minimising adverse impacts of human activities, land uses and development on the physical environment.**

*Guiding principles P1-P12*

## **S2 Development requirements**

**The contribution that developments can make to a sustainable pattern of land use and development which respects the County's environmental resources will be secured by:**

1. **ensuring that new development achieves a high standard of design and layout which respects the townscape, landscape, ecological and historic character of the area; is sustainable in terms of its construction materials and methods, use of energy, water and other resources; and includes positive environmental benefits including landscaping schemes and provision of wildlife habitats;**
2. **promoting land use patterns and developments which favour mixed uses subject to amenity considerations, which respect the development potential of adjoining land, and which wherever possible secure the reclamation and beneficial use of degraded or contaminated land, environmental improvements and the reduction or removal of environmental conflicts;**
3. **ensuring that developments include suitable provision for public transport, cycling and walking, and that their likely effect in relation to the capacity and safety of both the trunk road and local highway network is taken fully into account;**
4. **ensuring that development is designed having full regard to and within environmental constraints, including groundwater protection, land stability, contamination, and the location of hazardous uses;**
5. **taking a risk-based precautionary approach to flood risk and the effects of flooding elsewhere, having regard to indicative flood risk in the major flood plains of the Rivers Wye and Lugg and their tributaries. Where development is proposed in locations at risk of flooding, it should be demonstrated that there are no reasonable options available in a lower risk category, consistent with other sustainable development objectives;**
6. **ensuring that development does not lead to an unacceptable risk to human health and safety, and that risks of pollution of water, air, or land, or in terms of noise or lighting, are minimised;**
7. **ensuring that development which would result in significant negative effects is avoided, but where environmental impact is unavoidable, requiring mitigation or compensation measures which provide benefits at least equal to any environmental loss;**
8. **taking proper account of the ability of existing and proposed infrastructure including foul drainage, water supply and water resources, and the highway network to serve the development proposed without undue environmental impact; and**
9. **making use of planning conditions and planning obligations to further the strategy of the Plan.**

*Guiding principles P6, P7, P8, P9 and P10*



### S3 Housing

Provision will be made for additional dwellings to be built at an annual rate of 800 dwellings a year for the period 2001-2007 and for 600 dwellings a year beyond 2007. Having regard to existing commitments and the likely supply of dwellings arising from windfall sites, a maximum of about 12,200 dwellings would thereby be built over the period 1996-2011. Priority will be given to the use of previously developed land, ahead of urban extensions, including making the most effective use of existing buildings through conversion and bringing vacant property back into use. The target is for 68% of housing completions in the period 2001-2011 to be on previously developed land.

#### Dwelling completions

1996-2001	approximately 5,000 dwellings
2001-2007	approximately 4,800 dwellings at 800 dwellings a year
2007-2011	approximately 2,400 dwellings at 600 dwellings a year

A four tier housing location strategy has been adopted. Most provision will be concentrated in Hereford (the first tier) and the market towns (the second tier) principally from a combination of allocated sites, urban capacity sites and some urban extensions. The third tier locates housing on allocation sites in the more sustainable main villages. In addition, there will be some windfall development mainly on capacity sites in these villages. The fourth tier of the strategy caters for other rural housing needs essentially through windfall developments on infill plots in named smaller settlements.

The distribution of housing is as follows:

Hereford	3,781 dwellings
Leominster	1,037 dwellings
Ross-on-Wye	693 dwellings
Ledbury	956 dwellings
Bromyard	480 dwellings
Kington	275 dwellings
Main villages	3,044 dwellings
Wider rural area	1,918 dwellings

In addition, it is anticipated that approximately 274 dwellings (253 in Hereford and 21 in Ross-on-Wye) will be built on other sites not allocated at this stage.

Housing will be provided to meet the needs of communities throughout the County, including the need for affordable housing (about 2,300 dwellings in the Plan period) and for the provision of a range of dwelling types and sizes, and taking advantage of opportunities to create and maintain sustainable and integrated communities. In selecting and appraising locations for housing development, consideration will be given to:

1. accessibility to employment and local services by transport modes other than the car; and
2. the capacity of existing infrastructure including public transport, utilities and social and educational facilities to absorb and serve the development proposed.

*Guiding principle P4*

## **S4 Employment**

The diversification and regeneration of the County's economic base will be provided for by:

1. making provision for 100 hectares of land for Part B employment development in the County. This provision includes land allocations in a range of locations throughout the County and existing planning permissions. In addition to the larger scale allocations, policies will permit suitable employment development in the rural areas which are consistent in scale with their location, in order to help ensure balanced communities and to secure rural regeneration;
2. ensuring that a suitable portfolio of land is identified in terms of choice of sites, size, quality, location and Use Class to meet differing needs, and that sufficient land is available which is readily capable of development and well served by existing infrastructure or capable of being served; and
3. building a strong, competitive and innovative economy with a balanced mix of businesses, jobs and homes through which the local economy can flourish.

*Guiding principles P9 and P12*

## **S5 Town centres and retail**

The range of shopping, employment, entertainment, social and other community services that are available in existing centres should continue to be available to all in locations accessible by a choice of means of transport. This will be achieved by:

1. protecting and enhancing the vitality and viability of Hereford city centre, market town centres and local, neighbourhood and village centres throughout the County, with particular reference to maintaining the County's retail hierarchy and the role of Hereford city centre as a sub-regional shopping centre;
2. supporting continued investment in existing centres, maintaining an attractive environment, and encouraging high quality design and mixed uses including housing, particularly above shops;
3. locating key town centre uses that generate and attract many trips, including retail, entertainment and leisure, commercial and public offices, in or adjacent to existing centres where there is convenient access by a choice of means of transport; and
4. in edge of centre or out of centre locations, applying first a test of need and then, if need can be demonstrated, a sequential approach to retail and other proposals that generate and attract many trips. The likely impact of proposals on the Plan's strategy and on the vitality and viability of existing centres will also be considered, as will the accessibility of the site by a choice of means of transport, the likely effect of development on overall travel patterns and car use and the scope to encourage investment to regenerate deprived areas.

*Guiding principles P2, P3, P9 and P11*

## **S6 Transport**

The safe, efficient and sustainable movement of people and goods will be promoted within the context of reducing the need to travel by:

1. locating developments wherever possible within the County's existing urban areas or at locations reasonably accessible by means other than the private car, in order to reduce growth in the length and number of motorised journeys and reliance on the motor vehicle, and promote modal choice according to a hierarchy of modes and solutions to demand for travel in order of their sustainability;
2. encouraging alternatives to the motor vehicle which through reducing energy consumption and pollution have less environmental impact;
3. promoting integration between transport modes so that the network is used to best effect;
4. assessing development and transport infrastructure proposals in terms of their traffic and transportation, economic development and environmental impacts and benefits, including implications for the whole road network including trunk roads, road safety, access to development areas, and assistance given to non-motorised modes of travel and to reducing the need to travel; and
5. safeguarding appropriate opportunities for rail transport and the routes of new walking, cycling and highway schemes from development that would prejudice their implementation.

*Guiding principle P9*

## **S7 Natural and historic heritage**

The following assets comprising the County's historic and natural heritage will be protected, restored or enhanced:

1. Areas of Outstanding Natural Beauty;
2. sites and features of international, national and local nature conservation interest, species of biodiversity interest and areas of geodiversity;
3. the historic heritage including archaeology, buildings and areas of historic or architectural importance, and natural landscapes; and
4. landscape features that contribute positively to local distinctiveness and quality of the local environment.

*Guiding principles P5, P6, P7 and P10*

## **S8 Recreation, sport and tourism**

The provision of appropriate new or improved facilities for recreation, sport and tourism will be supported to meet the needs of local communities and visitors and to contribute to local economic development, employment and community regeneration.

Existing recreational and sports facilities will be protected, fully utilised wherever possible, or enhanced to provide better and improved facilities. The

re-use of existing buildings should also be considered, if appropriate, for the development of new facilities.

New facilities in both town and country should address recognised shortages of formal and informal provision, be close to the point of need, take into account environmental impacts, and be readily accessible by a choice of means of transport. Priority will be given to:

1. addressing deficiencies in recreational provision in or close to main areas of population;
2. meeting recreational and open space needs arising from new residential development;
3. reducing land take and duplication of provision by ensuring shared use of facilities by different user groups;
4. developing networks of open space and especially linking open spaces in settlements to the wider countryside; and
5. the development of facilities in locations that can cater for a wide range of users.

In rural areas, new recreational provision will generally be sought in or close to existing settlements, particularly where it can accompany new development to promote balanced communities. Exceptions may be made in open countryside, where the recreational resource, such as common land, woodland, lakes, is unavoidably remote from settlement, where linear recreational routes are proposed, or where the activity is normally associated with open countryside, such as equestrian centres.

Tourism developments should respect the character of the County and the locality, provide for the sustainable use of indigenous features and resources, offer improvements to visitor management in pressure areas and sensitive environments, and avoid or minimise intrusion on local communities.

*Guiding principles P1, P2 and P3*

## **S9 Minerals**

The sustainable and efficient use and management of minerals will be promoted by:

1. conserving minerals as far as possible, whilst ensuring an adequate supply to meet identified needs;
2. aiming to maintain the County's share of the regional production of aggregates and a landbank of permitted reserves, subject to environmental considerations;
3. ensuring that the impact of proposals for the winning, working, storage and transportation of minerals are kept to an acceptable minimum and can be mitigated to an acceptable extent;

4. ensuring the sensitive working, reclamation and after care of sites so as to protect or enhance the quality of the environment;
5. protecting areas of landscape or nature conservation value from minerals development, other than in exceptional circumstances;
6. preventing the unnecessary sterilisation of mineral resources; and
7. minimising the production of waste and encouraging the efficient use of minerals by promoting design solutions and construction methods which minimise mineral use, including the appropriate use of high quality materials and recycling of waste materials.

*Guiding principles P5 and P9*

### **S10 Waste**

The sustainable and efficient management of waste will be sought by:

1. basing waste management decisions on the Best Practicable Environmental Option (BPEO) Assessment results, the principles of the waste hierarchy (including reduction and minimisation, re-use, recovery, recycling and landfill), the proximity principle, and regional local self-sufficiency. The BPEO for the three controlled waste streams is as follows:

**Municipal Solid Waste:** based on a minimum 33% recycling/composting and a maximum of 22% landfilling with any balance required being managed through a form of thermal treatment;

**Commercial and Industrial Waste:** based on reducing landfill to 23%, increasing recycling to 73% and 4% dealt with by existing thermal treatment;

**Construction and Demolition Wastes:** based on reducing landfill to 24% and recycling increased to 76%.

An element of flexibility will be retained when considering applications for waste management facilities. Processes or technologies put forward as an alternative to those which comprise the BPEO for a particular waste stream will have to clearly demonstrate how the impact of that process or technology will be equal to or not significantly greater than those which have been modelled for the agreed BPEO;

2. ensuring that the impact of proposals for the collection, storage, handling, treatment, disposal and transportation of waste can be mitigated to an acceptable extent, with particular attention paid to the impact on human health and the environment;
3. ensuring that sites can be reclaimed to a state that meets the required standard for their proposed after use;
4. making use of sustainable technologies wherever possible; and
5. ensuring that all development proposals give due consideration to the waste they will generate, in accordance with the above principles.

*Guiding principles P5 and P9*

### **S11 Community facilities and services**

**The needs of the community for services and facilities will be addressed by:**

- 1. ensuring that the provision of necessary infrastructure minimises environmental consequences;**
- 2. supporting the use of renewable energy resources where they are economically and environmentally sustainable; and**

**making provision for the retention of existing community facilities, particularly where there is under provision, and for the further development of social, health, education and community care facilities which are located close to the community they serve.**

*Guiding principles P2, P3, P5, P6 and P7*

### **DR1 Design**

**Where relevant to the proposal, all development will be required to:**

- 1. promote or reinforce the distinctive character and appearance of the locality in terms of layout, density, means of access and enclosure, scale, mass, height, design and materials;**
- 2. retain and where possible incorporate existing site features contributing to the quality of the local environment, including landscape, historic and natural elements such as wildlife habitats and species;**
- 3. respect the context of the site, taking into account townscape and landscape character and topography, including the impact of the proposal on urban vistas, longer distance views and ridgelines;**
- 4. include measures that address health and safety, the conservation of energy and water, and avoids nuisance and pollution; and**
- 5. submit a design statement with the application for planning permission which sets out how proposals relate to issues of design quality, environmental conservation and sustainability.**

**Development which does not adequately address design principles or is of poor design, including schemes which are out of scale or character with their surroundings, will not be permitted.**

**Within major development proposals, the provision of public art will be expected as a integral part of the overall design to enhance identity and local distinctiveness.**

### **DR2 Land use and activity**

**Where relevant to the proposal, all development will be required to:**

- 1. be located and designed so as to facilitate a genuine choice of modes of travel, including public transport, cycling and walking as alternatives to the private car;**
- 2. incorporate wherever possible a mix of compatible land uses and activities;**
- 3. be designed to deter crime and increase personal safety;**

- 4. not prejudice the amenity or continued use of adjoining land and buildings; and**
- 5. not constrain the future development of adjoining sites or prejudice the implementation of comprehensive development.**

#### **DR3 Movement**

**Where relevant to the proposal, all development will be required to:**

- 1. provide a safe, convenient and attractive pattern of movement into, out of and across the site, particularly for pedestrians, people with disabilities and cyclists, incorporating pedestrian seating and cycle parking as required;**
- 2. include good links to public transport, incorporating wherever appropriate suitable access for public transport vehicles into the site and associated passenger facilities;**
- 3. include a travel plan as part of the planning application in the case of proposals for major employment, retail, leisure and service development, proposals for such uses in Hereford and the market towns generating significant travel, or where particular local traffic problems require to be addressed;**
- 4. be designed to secure access and mobility for all;**
- 5. incorporate adequate provision for vehicular access from the highway network without detriment to highway safety or to pedestrians, cyclists or public transport; and**
- 6. incorporate cycle and vehicle parking to the required standards having regard to the need to promote sustainable transport choices, together with suitable turning and loading facilities in the case of development proposals with significant transport implications, include a transport assessment.**

**Taking account of any proposed measures to improve access by public transport, walking and cycling and to reduce motorised journeys, additional traffic arising from development should be capable of being accommodated on the local road network without undue environmental, operational or safety consequences, or the existing road system should be capable of improvement to meet those consequences.**

**Planning obligations will be used as required to secure high quality accessibility to sites with an emphasis on maximising access by public transport, walking and cycling.**

#### **DR4 Environment**

**Where relevant to the proposal, all schemes will be required to:**

- 1. be capable of being served by existing services or demonstrate that adequate services are reasonably accessible or can be readily provided without significant environmental impact;**

2. minimise resource use, including water and energy, and maximise resource efficiency including passive energy absorption;
3. safeguard the availability and quality of surface and groundwater supplies, avoid creating or exacerbating problems of flooding and pollution, and utilise sustainable drainage techniques in respect of surface water wherever possible, with alternatives being considered only where sustainable techniques cannot demonstrably be provided;
4. demonstrate that where the potential for causing pollution and general nuisance exists by emitting odour, dust, smoke, chemicals or fumes, that the chosen location, site layout and proposed operation together with any necessary mitigation or protection measures avoids adverse effects to other land uses, residential amenity and the environment;
5. contribute to local open space provision and safeguard and where appropriate protect, restore and enhance biodiversity, features of geological interest and landscape character; and
6. maximise opportunities to enhance the local environment, to include the appropriate provision of public art, external lighting, and hard and soft landscaping.

#### **DR5 Planning obligations**

To further the strategy of the Plan planning obligations will be sought to achieve community, transport and environmental benefits where these benefits are reasonable, necessary, relevant, and directly, fairly and reasonably related to the proposed development. The circumstances in which such benefits will be sought will be identified in relevant Plan policies and may be further detailed in Supplementary Planning Documents.

#### **DR7 Flood risk**

Proposals for development in flood risk areas will need to be accompanied by a flood risk assessment. Additionally and within high risk areas (zone 3) as defined on the proposals map or as reviewed by other justified data, proposals will need to demonstrate through a sequential test that there are no reasonable alternative locations available on land of a lower flood risk, taking account of other environmental considerations.

Development within high risk developed areas (zone 3a) may only be suitable for residential, commercial and industrial development provided the minimum standards for flood defence can be provided and maintained for the lifetime of the development.

Development within high-risk undeveloped and sparsely developed areas (zone 3b) will not be permitted unless a particular location is essential.

Built development within functional flood plains (zone 3c) should be wholly exceptional and limited to essential transport and utilities infrastructure that have to be there.

In all cases development will only be permitted where it would not be at an unacceptable risk of flooding or where it is essential to that location. Any protection, compensatory, mitigation and other measures proposed must be acceptable in safety terms and in terms of their environmental effects. All proposals will need to include the necessary minimum standards of flood defence, including a dry access for residential development, show that there



would be no net loss of flood plain storage and that the proposed development would not impede water flows or increase flood risk elsewhere.

Wherever possible sustainable drainage techniques should be used to minimise the adverse effects associated with increased surface water run off. Adequate access to watercourses and flood defences for maintenance and improvements should be maintained.

#### **DR8 Culverting**

Development proposals should wherever possible retain open watercourses with an open corridor on both banks. Any culverting proposals should:

1. include appropriate mitigating enhancements;
2. be for the minimum length necessary;
3. demonstrate that the need for the development outweighs the objections to culverting in principle and that all other options have been explored and rejected; and
4. where development proposals are made for land containing a culverted watercourse, restore this to open channel as part of the overall scheme.

#### **DR9 Air quality**

Development proposals which could contribute to the deterioration of air quality below acceptable levels, either locally or on a more widespread basis, will not be permitted unless adequate air quality enhancements or mitigation measures can be accommodated and demonstrated as part of the development. In assessing schemes regard will be had to both their operational impacts and to associated traffic generation. Where developments sensitive to air quality are proposed, regard will be had to local air quality as a material consideration.

#### **DR10 Contaminated land**

Development on or adjacent to land which is known or suspected to be contaminated will only be permitted provided that:

1. a site investigation and risk assessment has been carried out to determine the nature and degree of any contamination, its source and possible pathways and receptors; and
2. appropriate remediation and protection measures are proposed to reduce any risk to an acceptable level, taking into account the nature of the proposed use and the nature and extent of contamination, its source and possible pathways and receptors.

Development will not be permitted where the risk cannot be reduced to an acceptable level or appropriate remedial or protection methods are not proposed.

#### **DR11 Soil quality**

Development which requires the excavation or disturbance of soils and sub-soils on a significant scale must provide for their separate stripping and storage, and wherever possible for their reuse and respreading within the site in an acceptable manner. The use of surplus soil mounds to form landscaping or noise barriers will only be permitted where such mounds are both necessary and appropriate to the townscape and landscape character of the locality.

#### **DR12 Hazardous substances**

Applications for hazardous substances consent, for development involving the presence of hazardous substances, and for other development at or in the vicinity of establishments where hazardous substances are present, will only be permitted where there will be no unacceptable risks to the safety of the local community, the potential occupants and users of the development proposed, and the environment.

#### **DR13 Noise**

Development with the potential for generating significant levels of noise or for exposing a noise sensitive use to an existing noise source will be required to include appropriate measures within the proposal to mitigate the noise impact to an acceptable level. Development which, after taking account of mitigation measures proposed, would still have an unacceptable noise impact or result in unacceptable exposure to noise will not be permitted.

Development which would adversely affect the quiet enjoyment or the special interest of designated areas will not be permitted. The quiet enjoyment and tranquillity of the wider countryside, landscape and wildlife areas and historic features will also be considered.

#### **DR14 Lighting**

Development requiring or likely to require external lighting should include details of the lighting scheme proposed. The scheme should meet the following requirements:

1. demonstrate that external lighting is necessary for the development, and that the proposed lighting scheme is no more than the minimum needed to achieve the necessary purpose;
2. minimise light spillage into adjoining areas and the sky;
3. have appropriate regard to the immediate surroundings taking into account residential amenity, environmental and landscape character, particularly in edge of settlement or rural locations; and
4. where necessary include suitable mitigation measures.

Development which includes unnecessary, excessive or obtrusive lighting proposals will not be permitted. Lighting proposals should maximise the security, safety and crime prevention benefits of external lighting in relation to buildings, open spaces and walking and cycling routes.

## **H1 Hereford and the market towns: settlement boundaries and established residential areas**

The provision of housing in Hereford and the market towns of Leominster, Ross-on-Wye, Ledbury, Bromyard and Kington will be restricted to within the defined settlement boundaries. Within these boundaries, the established residential areas should remain primarily residential in character and other uses proposed should be compatible with this primary use and appropriate for the site. Residential development will be permitted within these areas where compatible with the housing design and other policies of the Plan.

## **H2 Hereford and the market towns: housing land allocations**

In order to ensure that the housing requirements set out in policy S3 are met, the following sites are identified for development for housing. The development of these sites will be expected to provide a mix and range of housing types to meet the variety of housing requirements of the County. In considering development on non-allocated sites, priority will be given to applications on urban capacity sites and previously developed land. An indicative affordable housing target has been set for each of the sites which will form the basis for meeting wider identified housing needs.

<b>Site</b>	<b>Estimated dwelling capacity</b>	<b>Target of affordable dwellings (35%)</b>
<b>Hereford :</b>		
<b>Bradbury Estate, Putson</b>	<b>600</b>	<b>216</b>
<b>Land at Belmont</b>	<b>60</b>	<b>21</b>
<b>General Hospital</b>	<b>90</b>	<b>14</b>
<b>Land at Friars Street</b>	<b>112</b>	<b>12</b>
<b>Land at Barrs Court Road</b>	<b>62</b>	<b>22</b>
<b>Land at Walton Close</b>	<b>20</b>	<b>-</b>
<b>Land at Bullinghope</b>	<b>300</b>	<b>0</b>
<b>Land at Holmer</b>	<b>300</b>	<b>105</b>
<b>Victoria Eye Hospital</b>	<b>24</b>	<b>-</b>
<b>Whitecross High School</b>	<b>60</b>	<b>21</b>
<b>Berrington Street</b>	<b>25</b>	<b>9</b>
<b>Canal basin and historic core</b>	<b>180</b>	<b>63</b>
<b>Leominster:</b>		
<b>Barons Cross Camp</b>	<b>425</b>	<b>149</b>
<b>Garage site at Barons Cross</b>	<b>30</b>	<b>11</b>
<b>Land east of Ridgemoor Road</b>	<b>50</b>	<b>18</b>

**Ross-on-Wye:**

Land at Tanyard Lane	150	53
Former Alton Court Brewery	43	15
Site		
Cawdor Gardens	30	11
Vine Tree Farm	66	21

**Ledbury:**

Abattoir site	38	-
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**Bromyard:**

Land at Porthouse Farm	87	30
Highways Depot	30	11
Land attached to Ashfields	10	4
Tanyard, Pump Street	12	-

**Kington:**

Land west of Old Eardisley Road	40	14
<b>TOTAL</b>	<b>2844</b>	<b>820</b>

**H4 Main villages: settlement boundaries**

The following settlements are identified as main villages. The provision of housing in the main villages will be restricted to sites within the identified settlement boundary, save for exception schemes (policy H10). Residential development will be permitted on both allocated and windfall sites within these boundaries, where proposals are in accordance with the housing design and other policies of the Plan.

Almeley	Little Dewchurch
Bartestree	Lugwardine
Bishops Frome	Luston
Bodenham (The Moor)	Lyonshall
Bosbury	Madley
Brimfield	Marden
Burghill	Moreton-on-Lugg
Canon Pyon	Much Dewchurch
Clehonger	Orleton
Colwall	Pembridge
Cradley	Peterchurch
Credenhill	Shobdon
Cusop	Staunton-on-Wye

Dilwyn	Sutton St.Nicholas
Eardisland	Tarrington
Eardisley	Walford (Coughton)
Ewyas Harold	Wellington
Fownhope	Weobley
Goodrich	Weston-under-Penyard
Gorsley	Whitbourne
Kingsland	Whitchurch
Kingstone	Wigmore
Lea	Withington
Leintwardine	Yarpole

#### H5 Main villages: housing land allocations

In order to ensure that the housing requirements set out in policy S3 are met, the following sites are identified for development for housing up to 2011. The development of these sites will be expected to provide a mix and range of housing types to meet the variety of housing requirements of the County. An indicative affordable housing target has been set out for each of the sites which will form the basis for meeting wider identified housing needs.

Site	Estimated dwelling capacity	Target of affordable dwellings (35%)
Frome Valley Haulage Depot, Bishops Frome	15	5
Former bus/coach depot, Canon Pyon	12	4
Covent Garden, Colwall	20	7
Land opposite the Co-op, Cusop	25	9
Land adjacent to Lower House Farm, Ewyas Harold	10	4
Land rear of Plough Inn, Little Dewchurch	12	4
Land north of B4352, Madley	20	7
Land at Paradise Farm, Marden	23	8
Land adjacent to Callow View, Much Dewchurch	10	4
Land adjacent to the Birches, Shobdon	30	8
Land opposite Primary School, Sutton St. Nicholas	15	5
Church Farm, Wellington	20	7
Land off Auberrow Road, Wellington	12	4
Land rear of surgery, Weobley	6	2
Land adjacent to Weobley Methodist Church	12	4
Land at Upper Weston, Weston-under-Penyard	19	7
Land adjacent to Whitestone Chapel, Withington	25	9
Land adjacent to Village Hall, Withington	15	5
<b>TOTAL</b>	<b>301</b>	<b>103</b>

#### H6 Housing in smaller settlements

In the following settlements, proposals for residential development on plots arising from the infilling of small gaps between existing dwellings within the settlement will be permitted, where:

1. the dwelling size is limited to a habitable living space of 90 sq m (3 bedroom house) or 100 sq m (4 bedroom house);

2. the plot size is limited to a maximum area of 350 sq m; and
3. the infill gap is no more than 30 metres frontage.

In considering such planning applications priority will be given to applications on previously developed land.

Developments on an appropriate infill plot larger than 30 metres frontage will be permitted for affordable housing where a proven local need has been successfully demonstrated.

Planning permission for the extension of dwellings approved under this policy will not be permitted. Planning permissions will be subject to a condition removing permitted development rights for the conversion of an ancillary garage into habitable accommodation, or for erection of any extension or detached buildings within the curtilage.

Proposals should be compatible with the housing design and other policies of the Plan and respect the character and scale of the settlement concerned.

Ashperton	Monkland
Bishopstone	Mordiford
Brampton Bryan	Much Birch
Bredenbury	Much Marcle
Bredwardine	Pencombe
Burley Gate	Peterstow
Dorstone	Pontrilas
Fromes Hill	Preston-on-Wye
Garway	Richard's Castle
Holme Lacy	Stoke Lacy/Stoke Cross
Hope under Dinmore	Stoke Prior
Kimbolton	Stretton Sugwas
Kings Caple	Swainshill
Kingsthorpe	Upton Bishop
Lingen	Wellington Heath
Llangrove	Woolhope
Longtown	Winforton

#### **H7 Housing in the countryside outside settlements**

Proposals for housing development outside Hereford, the market towns, the main villages and smaller settlements will not be permitted unless:

1. the development is clearly necessary in connection with agriculture or forestry and cannot be located in a settlement and complies with policy H8; or

2. it is a necessary accompaniment to the establishment or growth of a rural enterprise, and complies with policy H8; or
3. it results from the re-use of a rural building in accordance with policies HBA12 and HBA13; or
4. it is a replacement for, comparable in size and scale with and on the same site as an existing building with established residential use rights; or
5. it is an extension to an existing dwelling in accordance with policy H18; or
6. it is a site providing for the needs of Gypsies or other Travellers in accordance with policy H12; or
7. it is rural exception housing in accordance with policy H10.

Development should be in accordance with the housing design and other policies of this Plan.

#### **H8 Agricultural and forestry dwellings and dwellings associated with rural businesses**

Proposals for agricultural dwellings and dwellings associated with other rural businesses arising under policy H7 will only be permitted where it can be demonstrated that a long term genuine need exists for the dwelling as an essential part of a financially viable business, and that such need cannot be met in existing accommodation. Such dwellings should:

1. make use wherever possible of existing buildings in preference to new development;
2. be carefully sited within the unit or in relation to other dwellings;
3. be of a scale and design which is appropriate to its surroundings; and
4. be of a size commensurate with the established functional requirement.

Where the evidence of a long-term need for a dwelling is inconclusive or where the enterprise has not been established, planning permission for temporary accommodation may be granted for a maximum period of three years. Successive extensions will not normally be granted. Temporary accommodation should be carefully sited within the unit or in relation to other dwellings.

Planning permission for a new dwelling permitted in accordance with this policy will be subject to an occupancy condition. Agricultural occupancy restrictions may also be applied to any existing unfettered dwellings within the farm unit under the applicant's control and which need at the time of the application to be used in connection with the farm. In the case of new enterprises, any associated agricultural dwelling will be subject to a condition that the dwelling shall not be occupied until other works necessary for the establishment of the enterprise have been completed. Dwellings permitted in association with non-agricultural businesses will be bound to the business by condition or planning obligation.

Applications for the removal of agricultural occupancy conditions will only be permitted if it can be demonstrated that the original condition was unreasonably imposed or that there is no longer a current or foreseeable need for an agricultural dwelling either on the holding or in the locality, and that there has been a genuine and unsuccessful attempt to market the property at a realistic price.

#### **H9 Affordable housing**

The provision of affordable housing will be sought through negotiations with developers of both allocated and windfall housing sites. Such housing should, wherever possible, be provided as a mix of affordable housing types, having regard to local needs, and contribute to a mixed and balanced scheme overall in terms of dwelling size, type and affordability.

Indicative targets for affordable housing have been set for specific sites identified in policies H2 and H5. Affordable housing at an indicative target of 35% will also be required on suitable windfall sites above the following size thresholds:

1. in Hereford and the market towns (excluding Kington) and settlements above 3,000 population, sites for 15 or more dwellings or more than 0.5 hectare in extent; or
2. elsewhere in the County in settlements identified in policy H4 (including Kington) of less than 3,000 population, proposals for housing development on sites of 6 or more dwellings or more than 0.2 hectares in extent.

In considering the suitability of sites above these thresholds to provide affordable housing, regard will be given to:

- a. the proximity of local services and facilities and access to public transport;
- b. whether there will be particular costs associated with development of the site; and
- c. whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in development of the site.

In all cases where affordable housing is to be provided, arrangements must be made to ensure that the benefits of affordable housing will be enjoyed in perpetuity by initial occupiers and subsequent occupants.

#### **H10 Rural exception housing**

Exceptionally, affordable housing may be permitted on land within or adjoining an established rural settlement which would not normally be released for development, provided that:

1. the scheme will contribute to meeting a proven genuine and quantifiable local need for affordable housing as ascertained from an up-to-date local affordable housing needs survey. In the case of a single affordable dwelling, clear evidence of a long-term local need will be required;



2. it is evident that local housing conditions could not otherwise satisfy the need;
3. the scheme respects both the character and size of the settlement concerned and the identified scale of need;
4. arrangements are made to ensure that the benefits of affordable housing, for single dwellings as well as larger schemes, will be enjoyed in perpetuity by subsequent occupants in local need as well as by the initial occupiers;
5. the site's location affords reasonable access to facilities and where possible public transport;
6. proposals do not involve mixed developments consisting of open market housing to offset the lower return on affordable housing on the same site; and
7. in settlements other than Kington (policy H2), the main villages (policy H4) or smaller settlements (policy H6) the proposal is limited to the construction of a single affordable dwelling which does not exceed the dwelling and plot size limits set in policy H6 unless clear evidence is provided to indicate a need exists for a larger dwelling.

#### **H12 Gypsies and other Travellers**

Proposals for the development of sites intended to provide for the accommodation needs of Gypsies or other Travellers will be permitted where:

1. the site is within reasonable distance of local services and facilities;
2. sites for settled occupation should be small, as should temporary or transit sites, unless there is a need to provide a site on a route frequented by groups travelling in large numbers;
3. adequate screening and landscaping is included within the proposal in order to ensure that the proposal does not result in an adverse impact upon the character and amenity of the landscape, particularly within the Malvern Hills and Wye Valley AONB, conservation areas or other sensitive locations; and
4. they contain appropriate levels of residential amenity, including safe play areas for children and provide satisfactory work and storage areas.

#### **H13 Sustainable residential design**

Proposals for residential development at all scales should maximise their contribution to sustainable residential design and high quality living environments. In particular proposals will be expected to:

1. take an integrated and comprehensive approach to design, layout and landscape which respects the townscape and landscape context of the site and the distinctive character and appearance of the locality;
2. provide for interesting and attractive environments through the imaginative layout of buildings, landscaping and open spaces, making full use of existing site features;

3. create environments which are safe and secure for all members of the community;
4. design for movement and traffic management in ways that give priority to pedestrians, cyclists and, where appropriate, public transport, above the movement and parking of motor vehicles, in accordance with the transport user hierarchy;
5. address the energy efficiency of new housing, including energy conservation measures, sustainable energy generation, layout and orientation;
6. make provision for recycling and composting in the use of dwellings;
7. provide for the conservation of resources such as water;
8. make provision for sustainable drainage measures for both surface and foul water;
9. include landscaping and open space proposals in accordance with other Plan policies as an integral element of the scheme;
10. avoid building on open space with recreational and amenity value; and
11. provide for acceptable levels of residential amenity including privacy both within the scheme and in respect of nearby properties.

Design statements should address these issues in setting out the design principles adopted and the regard had to context.

#### **H14 Re-using previously developed land and buildings**

Proposals for the re-use, redevelopment, conversion or change of use of previously developed land and existing buildings for residential purposes will be permitted where:

1. the proposal is consistent with the housing provision and other policies of this Plan; and
2. the proposal respects the character and appearance of its location, and protects existing and proposed residential amenity.

In the case of new housing development proposed as part of a wider regeneration scheme, the scheme as a whole achieves an environmental improvement to the immediate area.

#### **H15 Density**

New housing developments should make the most effective and efficient use of the site area available, consistent with the housing provision policies and the characteristics of the area. In order to secure the efficient use of land, the following guideline net site densities have been set for sites of one hectare or above in Hereford and the market towns:

**Town centre and adjacent sites, between 30 and 50 dwellings per hectare**

**Other sites, at least 30 dwellings per hectare.**

#### **H16 Car parking**

**New housing developments will be subject to a maximum off-street car parking provision of an average of not more than 1.5 spaces per dwelling, with no minimum level of provision other than parking for disabled people. Site densities and off-street parking provision should reflect site location, the type of housing to be provided, the types of household likely to occupy the development, and the availability of public transport.**

#### **H17 Sub-division of existing housing**

**The sub-division of suitable residential buildings or the use of a building as a house for multiple occupation will be permitted provided that:**

- 1. adequate and appropriate car parking and access is available as set out in policy H16;**
- 2. there is a satisfactory standard of accommodation provided including internal layout and private amenity space; and**
- 3. the proposal has no undue adverse impact on the character of the property and its curtilage, the amenity and privacy of neighbouring dwellings, and the amenity and general character of the area.**

#### **H18 Alterations and extensions**

**Proposals for the alteration or extension of dwellings or for buildings incidental to the enjoyment of a dwelling will be permitted where:**

- 1. the original building (that is, as at 1 July 1948 or as originally built if constructed later than this date, and not including any subsequent extensions) would remain the dominant feature;**
- 2. the proposal is in keeping with the character of the existing dwelling and its surroundings in terms of scale, mass, siting, detailed design and materials;**
- 3. the proposal would not be cramped on its plot, including having regard to provision of suitable private open amenity space, and would not adversely impact on the privacy and amenity of occupiers of neighbouring residential property; and**
- 4. the level of resulting off street parking provision is in accordance with policy H16.**

#### **H19 Open space requirements**

**Residential development will be required to incorporate outdoor playing space and public open space in accordance with the minimum standards set out in policy RST3, according to the type of housing to be provided, the quantity and quality of any existing provision within the immediate locality, and the following specific minimum requirements:**

- 1. schemes of 10-30 family dwellings: to be provided with small children's/infants' play area, properly equipped and fenced;**

2. schemes in excess of 30 family dwellings: as above, plus older children's informal play space; and
3. schemes in excess of 60 family dwellings: as above, plus outdoor playing space for youth and adult use and public open space to at least the minimum standard.

Developments below 10 dwellings will be expected to provide appropriate levels of open space on a pro-rata basis.

The provision of children's play space will not be required for dwellings specifically designed for older people or for single bedroom dwellings.

Open space should be well related to the development it is intended to serve and be useful, safe and secure, and accessible to all. Open space requirements should normally be provided on site. Where this is not practicable, financial contributions to new or improved provision elsewhere in the locality may be made. In addition to the requirements for recreational and public open space, all schemes (including those below 10 dwellings) should include appropriate amenity open space, determined according to the particular needs of the development.

#### **E1 Rotherwas Industrial Estate**

The release of land at the Rotherwas Industrial Estate will be linked to the resolution of acknowledged site development constraints. These constraints restrict development opportunities to the following sites, whose suitability for Part B employment purposes within the Plan period is confirmed:

Site	Area (ha)	Use Class
Twyford Road North	3.5	B1, B2, B8
Twyford Road South	0.7	B1, B2, B8
Land north of Netherwood Road - Site A	0.3	B1, B2, B8
Land north of Netherwood Road - Site B	0.4	B1, B2, B8
Land south of Netherwood Road - Site C	0.3	B1, B2, B8
Land west of Coldnose Road	0.6	B1, B2, B8
Land east of Coldnose Road	1.8	B1, B2, B8
Land north of Holme Lacy Road	4.2	B1, B2, B8
Land west of Fir Tree Lane	0.6	B1, B2, B8
Land off Campwood Road	1.3	B1, B2, B8
Land at Ramsden Road	0.6	B1, B2, B8
<b>TOTAL</b>	<b>14.3</b>	

The restriction on development which applies to other land on the Estate will be reviewed in the light of progress in overcoming the constraints. In the interim, this land will be safeguarded for longer term development, and is included for this purpose within policy E5.

#### **E2 Moreton on Lugg depot, Moreton on Lugg**

The suitability of land at Moreton on Lugg depot for Part B employment purposes within the Plan period is confirmed as follows:

1. central and southern sectors: the reuse or redevelopment of existing buildings and storage areas for B1 and B8 purposes. Proposals for other employment uses or on other areas of open land should not unduly erode

areas of landscape value, prejudice the future development of the site as a whole or adversely impact on residential amenity;

2. northern sector: the reuse of existing buildings for B1 and B8 uses. Redevelopment proposals for these uses should not exceed the current area occupied by lawful storage uses and not prejudice the future use of this mineral site; and
3. railway land to the east outside the site boundary is regarded as open countryside and will be protected from development.

In all cases proposals should be accompanied by a full flood risk assessment as required in PPS25 and should also include suitable landscaping and measures for improving access by employees by alternative means of transport including travel plans. Proposals which make use of the existing rail connection for rail freight purposes will be encouraged. Land at Long Coppice is safeguarded from development for landscape purposes, and other policies apply in respect of safeguarding land for biodiversity, rail freight and mineral extraction purposes.

### **E3 Other employment land allocations**

The following sites are allocated for Part B employment uses throughout the County during the Plan period:

<b>Site</b>	<b>Area (ha)</b>	<b>Use Class</b>
Legion Way, Hereford	2.6	B1, B2, B8
Leominster Enterprise Park	16.6	B1, B2, B8
Land north of railway viaduct, Ledbury	12.2	B1, B2, B8
Land north and east of Lower Road Trading Estate, Ledbury	4.0	B1, B2, B8
land south of Linton Trading Estate, Bromyard	5.2	B1, B2, B8
Land north of petrol filling station, Overcross, Ross-on-Wye	1.2	B1, B2, B8
Gooses Foot Industrial Estate, Kingstone	2.1	B1
Tram Inn, Allensmore	0.7	B1
Land north of A40, Model Farm, Ross-on-Wye	10.0	B1, B2, B8
Land east of Whitestone Business Park, Withington	2.9	B1, B2, B8
<b>TOTAL</b>	<b>57.5</b>	

### **E5 Safeguarding employment land and buildings**

Proposals which would result in the loss of existing, permitted or proposed employment land and buildings to non-employment uses will only be permitted where:

1. there would be substantial benefits to residential or other amenity in allowing alternative forms of development, and the site or premises concerned can be shown to be unsuitable for other employment uses, including consideration of mitigation measures. Where such proposals are permitted, an alternative site should be found for the relocation of any existing businesses; or

2. in the case of proposals incorporating elements of retail use, this is restricted to a minor or incidental activity associated with an otherwise acceptable Part B or other employment generating use.

#### **E7 Other employment proposals within and around Hereford and the market towns**

Proposals for employment generating uses within and around Hereford and the market towns will be permitted where:

1. there are no suitable sites or premises available within existing and proposed employment areas within the settlement;
2. the proposal is of a scale and character appropriate to the settlement and locality in accordance with policy E8;
3. within existing residential areas, the proposal is for a B1 Business use only.

Wherever possible, proposals within the settlement boundary should make use of previously developed land and buildings in preference to greenfield land.

Employment proposals which are outside but adjacent to the settlement boundary for Hereford and the market towns may be considered where they are located on previously developed land and meet the above criteria. In particular, the proposal should demonstrate that there is no suitable alternative site within the settlement boundary.

#### **E8 Design standards for employment sites**

Proposals for employment purposes should provide for adequate infrastructure and the protection of the amenity of surrounding land uses particularly residential by:

1. limiting proposals for land adjacent to residential areas or other noise sensitive uses to B1 and B8 uses or other commercial uses where this would protect amenity, and imposing conditions as required to protect amenity;
2. orientating buildings and operations away from residential or other sensitive areas, and limiting door and window opening in buildings facing such areas to a minimum;
3. providing a buffer between buildings and land used for employment purposes and residential curtilages, such buffer to include landscaping, fencing, acoustic bunding, screen planting and noise attenuation measures as required and to exclude buildings and vehicle parking and manoeuvring;
4. incorporating a landscaping scheme which respects existing site features, makes provision for amenity open space areas, includes perimeter screen planting, and integrates with other aspects of the development;
5. ensuring that outdoor storage areas are kept to a minimum and where essential that they are properly designed and screened;
6. providing appropriate environmental protection ensuring satisfactory means for the disposal of trade effluent and the storage of waste by-products and waste awaiting disposal;

7. incorporate pedestrian and cycle links to residential areas and existing footpaths, together with access for public transport vehicles where appropriate and include measures for improving access by employees by alternative means of transport including travel plans; and
8. not permitting proposals where the traffic generated is likely to cause serious nuisance to adjacent uses, adversely affect the effective use of land for employment uses, or lead to a significant increase in environmental disturbance caused by heavy goods vehicle movements on the local road network.

#### **E10 Employment proposals within or adjacent to main villages**

Proposals for employment generating uses within or adjacent to the main villages identified in policy H4 will be permitted providing that proposals are in keeping with the character of the settlement, and that the level of development can be clearly related to the employment needs of the local economy.

Proposals which are outside but adjacent to settlement boundaries should be closely related to the settlement concerned, including safe and convenient pedestrian access. They should demonstrate that there are no other suitable sites readily available within the settlement boundary for the development proposed. Wherever possible, proposals should make use of previously developed land and buildings in preference to greenfield land. All proposals should be in accordance with policy E8.

#### **E11 Employment in the smaller settlements and open countryside**

Proposals for rural businesses in the countryside should be of a scale consistent with their rural location and clearly related to the employment needs of the local economy. They should be located within or adjoining smaller settlements as defined by policy H6, or within the identified established employment areas in the open countryside; and cause no adverse impact upon the local environment, the road network or amenity. New development will only be permitted where it can be demonstrated that there are no opportunities for the re-use or adaptation of existing buildings, and should be sited unobtrusively.

Within the open countryside, away from smaller settlements or the identified established employment areas, proposals for employment generating uses will be permitted where:

1. the development is required for the essential operation of agriculture, forestry or the winning of minerals; or
2. the proposal is for a farm diversification project in accordance with policy E12; or
3. the proposal provides for the re-use of a rural building in accordance with policies HBA12 and HBA13.

In the open countryside large scale development for employment uses will not be permitted. All proposals should be in accordance with policy E8.

#### **E12 Farm diversification**

**Proposals enabling the diversification of farm businesses into other forms of income generation including non-agricultural activities will be permitted where:**

- 1. the proposal is consistent in scale with its rural location, serving to retain the open character of the countryside; and**
- 2. use is made of existing buildings, in accordance with policies HBA12 and HBA13, and developed areas wherever possible, with any new development of a scale and design which is appropriate to its rural surroundings.**

#### **E13 Agricultural and forestry development**

**Proposals for agricultural and forestry development subject to planning controls including prior approval of details will be permitted where:**

- 1. in the case of new buildings, development is sited with existing groups of buildings where practicable, having regard to the functional relationship with other buildings and services;**
- 2. where new buildings cannot be located with existing buildings, that such development is sited so as to be readily assimilated into the landscape, avoiding isolated or skyline locations and taking advantage of natural land form;**
- 3. adverse impacts on residential amenity and the environment are avoided; and**
- 4. proposals are well related to existing development and the landscape in terms of scale, design, colour and materials.**

#### **E14 Conversions of large dwellings to employment uses**

**Proposals for the re-use of large dwellings for employment uses will be permitted where:**

- 1. the original use is no longer practical;**
- 2. the preservation or enhancement of the building and its setting would be secured; and**
- 3. the proposal would not adversely affect neighbouring uses or the character and amenity of the area.**

**Such proposals should include measures for improving access by employees by alternative means of transport including travel plans.**



#### **E15 Protection of greenfield land**

Development of greenfield land, including the best and most versatile agricultural land (ALC grades 1, 2 and 3a) will not be permitted unless:

1. there is a lack of suitable development opportunities within the boundaries of existing urban areas or on previously developed sites; or
2. where there is an established need for the development of agricultural land and there is a choice between land of different grades, poorer quality land is used in preference to that of higher quality except where other sustainability considerations suggest otherwise.

#### **E16 Intensive livestock units**

Proposals for intensive livestock units and associated structures and facilities for the storage and disposal of waste will be permitted provided that the siting, design and methods of operation proposed:

1. serve to protect the amenity of residential properties or other buildings normally occupied by people, or in the case of extensions can demonstrate a positive improvement in existing conditions;
2. make adequate provision for the management and disposal of waste materials, liquids and litter which will not lead to pollution, particularly of surface and ground waters;
3. serve to minimise landscape impact and incorporate suitable landscaping proposals; and
4. are not contrary to the interests of highway safety and do not generate a significant increase in traffic volumes and HGV movements.

Intensive livestock unit proposals will be considered both in terms of their individual impact and having regard to the cumulative effect of other existing and proposed units within the locality.

Proposals for residential or other protected buildings within 400m of established intensive livestock units will be subject to special consideration. Such proposals, which would as a consequence be subject to significant adverse environmental impact will not be permitted.

#### **E17 Military Development**

The Stirling Lines site, as shown in the proposals map, is designated for military purposes. Development for such purposes and according with the principles set out in policy S2 will be supported.

#### **TCR1 Central shopping and commercial areas**

The central shopping and commercial areas of Hereford and the market towns will be retained and protected as the prime focus for retail, leisure and commercial activity in order to ensure the continued vitality and viability of these city and town centres.

### **TCR2 Vitality and viability**

The vitality and viability of Hereford city centre and the market towns will be maintained and enhanced by the following means:

1. directing proposals for new shopping and commercial uses within Part A of the Use Classes Order to the central shopping and commercial areas where opportunities exist through development, redevelopment or change of use;
2. supporting the introduction of complementary uses which add to diversity and activity;
3. controlling the introduction of non-retail uses in accordance with policies TCR3-6 having regard to the need to balance retail and non-retail uses;
4. encouraging the use of upper floors, particularly for residential purposes;
5. seeking planning obligations to secure improvements to the public realm including public art, contributions to traffic management and environmental enhancement schemes, helping to make town centres more attractive places to visit; and
6. ensuring that town centres are accessible to all.

### **TCR3 Primary shopping frontages**

The retail trading character of each of the primary shopping frontages in Hereford and the market towns (excluding Bromyard) will be protected. These frontages should continue to be dominated by shops (Class A1). Proposals for uses within Classes A2 – A5 in ground floor premises within the primary shopping frontages will be assessed having regard to the following criteria:

1. the proposed use does not result in a continuous frontage of more than two non-retail units and will not cause the proportion of non-retail uses in the relevant frontage to exceed 25%, taking into account both existing and permitted non-retail representation in the frontage concerned. Exceptions to this requirement may be considered where the proposal would lead to the appropriate use of vacant or under-used premises where it can be demonstrated that it is unlikely to be used for retailing; or where for reasons of location or frontage width the proposal will not detract from the shopping character of the frontage concerned;
2. the prominence of the premises within the street scene, including location, unit size and frontage width;
3. the impact of the proposal on the centre's vitality and viability;
4. the need to avoid the introduction of dead frontage; and
5. the provision made for servicing and for the resolution of environmental considerations in the case of Class A3 – A5 uses.

#### **TCR4 Secondary shopping frontages**

The secondary shopping frontages in Hereford and the market towns should continue to provide a location for a range of shopping area uses. Proposals for uses within Classes A2 – A5 in ground floor premises within the secondary shopping frontages will be permitted provided that:

1. the proposed use will not result in a continuous frontage of more than two non-retail units and will not cause the proportion of non-retail uses in the relevant frontage to exceed 50%. Exceptions to this requirement may be considered where the proposal would lead to the appropriate use of vacant or under-used premises where it can be demonstrated that it is unlikely to be used for retailing; or where the proposal results from the expansion of an existing non-retail use; or where for reasons of location or frontage width the proposal will not detract from the shopping character of the frontage concerned;
2. the proposal otherwise respects the shopping pattern and special character of the frontage concerned; and
3. suitable provision is made for servicing and for the resolution of environmental considerations in the case of Class A3 – A5 uses.

#### **TCR5 Uses outside Class A of the Use Classes Order**

Uses falling outside Class A of the Use Classes Order will not normally be permitted in ground floor premises within the primary and secondary shopping frontages.

#### **TCR6 Non-retail uses (Classes A2 - A5)**

Where planning permission is granted for non-retail uses in the primary and secondary shopping frontages, the Council will ensure by condition that effective window displays are incorporated into the proposals where appropriate.

#### **TCR7 Amusement centres**

Proposals for amusement centres with prizes will:

1. not be permitted in the primary shopping frontages of Hereford and the market towns; and
2. be permitted in ground floor premises within the secondary shopping frontages, providing that the premises is not immediately adjacent to an existing or permitted non-retail use and subject to considerations of visual amenity, noise and disturbance.

Proposals for amusement machine centres in the primary and secondary shopping frontages will not be permitted in order to protect retail trading character, viability and vitality.

#### **TCR9 Large scale retail and leisure development outside central shopping and commercial areas**

**Proposals for large scale retail and leisure development outside the central shopping and commercial areas of Hereford and the market towns will only be permitted where:**

- 1. it can be demonstrated that there is a need for the development in the location proposed, with a retail need for both comparison and convenience goods shown if both are proposed within the same development;**
- 2. it can be demonstrated that a sequential approach has been taken to site selection, and that land and buildings in each of the following categories have been thoroughly assessed in turn and found to be not available before considering less central locations:**
  - within central shopping and commercial areas**
  - edge-of-centre locations**
  - out-of-centre locations which are well served by public transport;**
- 3. the proposal is compatible with and does not undermine the Plan's central shopping and commercial area strategy or the overall Plan strategy;**
- 4. the proposal will not seriously harm the vitality and viability of existing central shopping and commercial areas, either by itself or in conjunction with other recent and proposed retail development;**
- 5. the site is easily and safely accessible to customers and staff by a choice of modes of transport and will not lead to an increase in the use of the private car; and**
- 6. the proposal is not sited within open countryside or on land allocated or safeguarded for another use.**

#### **TCR10 Office development**

**Proposals for office development will be permitted where:**

- 1. the proposal falls within a central shopping and commercial area, complies with policies TCR3 and TCR4 and meets environmental and conservation requirements as set out in other Plan policies;**
- 2. for larger scale proposals outside these areas, it can be demonstrated that a sequential approach has been taken to site selection, and that land and buildings in each of the following categories have been thoroughly assessed in turn and found to be not available, before considering less central locations:**
  - within central shopping and commercial areas**
  - edge-of-centre locations within 500 metres of a central shopping and commercial area**
  - out-of-centre locations which are well served by public transport;**
- 3. the site is easily and safely accessible to customers and staff by a choice of modes of transport and will not lead to an increase in the use of the private car; and**
- 4. the proposal is not sited within the open countryside, except in the case of large dwellings proposed for conversion in accordance with policy E14, or on land allocated or safeguarded for another use.**

#### **TCR11 Loss of existing offices**

**Proposals involving the loss of existing offices within Hereford city centre and market town centres will only be permitted where:**

- 1. it can be demonstrated that there is no demand or need for the floorspace; or**
- 2. the replacement development and/or land use is of acknowledged benefit to the centre concerned.**

#### **TCR13 Local and neighbourhood shopping centres**

**Additional shopping floorspace will be permitted in existing local and neighbourhood shopping centres where:**

- 1. the proposal is consistent with the scale and function of the centre and its place in the retail hierarchy and meets people's day to day needs so reducing the need to travel;**
- 2. such development would contribute to the continued and efficient operation of those centres, or the scale of new residential development makes the provision of new local shopping facilities desirable; and**
- 3. the vitality and viability of existing centres is not threatened.**

#### **TCR14 Village commercial facilities**

**Proposals for new retail and commercial developments and the conversion and extension of existing village commercial facilities will be considered favourably subject to proposals:**

- 1. being of a scale appropriate to the area; and**
- 2. not threatening the vitality and viability of existing centres or comprising the County's retail hierarchy.**

**Applications for change of use leading to the loss of such facilities will only be permitted where it can be demonstrated that the existing use is no longer viable and unlikely to become so, that all means of retaining the facility have been explored taking into account the importance of the facility to the local community.**

#### **TCR16 Garden centres**

**New garden centres or the expansion of existing garden centre operations will only be permitted where the proposal:**

- 1. is within or adjacent to a settlement boundary, with good accessibility to an existing settlement; and**
- 2. is not intrusive within the landscape and is not detrimental to rural character, residential amenity or to the capacity or rural character of the local road network.**

**Proposals in isolated countryside locations or which involve a significant increase in comparison goods floorspace will not be permitted.**

### **TCR17 Farm shops**

**Planning permission will be granted for farm shops selling produce which is not mainly produced on that farm provided that the proposal:**

- 1. is small scale, taking place within existing farm buildings wherever possible;**
- 2. is not intrusive within the landscape and not detrimental to rural character, residential amenity, highway safety or to the capacity or rural character of the local road network; and**
- 3. causes no unacceptable impact on nearby village shops.**

### **TCR18 Petrol filling stations**

**Proposals for new petrol filling stations will only be permitted where the proposal is within or adjacent to settlements, on or adjacent to major traffic routes, and will not adversely affect the local environment and residential amenity. Proposals in the open countryside or which are prominent in the landscape will not be permitted.**

**Proposals which include retail facilities attached to a petrol filling station will only be permitted provided that they:**

- 1. satisfy identifiable local shopping needs;**
- 2. are restricted to convenience goods and comparison goods associated with motoring;**
- 3. can demonstrate that they will not adversely impact on existing local shopping facilities; and**
- 4. are ancillary to the main use as a petrol filling station.**

### **TCR19 Hereford Livestock Market – relocation**

**Planning permission for proposals for a relocated Hereford Livestock Market will only be granted where the proposal meets the following criteria:**

- 1. the site is restricted for use as the new Hereford Livestock Market and necessary ancillary uses only;**
- 2. the site is of a size and nature capable of adequately accommodating the identified needs of Hereford Livestock Market, and will not have a detrimental effect on the surrounding area or its immediate setting;**
- 3. the site is well related to the primary road network where the development will not create an unacceptable impact upon the highway network and a satisfactory access can be provided;**
- 4. the site can be adequately serviced by the provision of infrastructure and services, to include the necessary supply of water and for the satisfactory treatment and/or disposal of trade effluent and surface water;**

5. the scheme must include proposals for sustainable drainage and incorporate measures to ensure that such run-off does not contaminate local water courses or ground water;
6. the built development, car parking and lairage should be located and of good design to respect its surroundings and character in order to protect local amenity and minimise landscape impacts; and
7. a comprehensive and suitable landscaping scheme is provided to help assimilate the development into the surrounding area and to safeguard landscape character.

#### **TCR20 Eign Gate regeneration area**

Land within the Eign Gate regeneration area provides a major opportunity for development to support the vitality and viability of the city centre. The area is identified as the preferred location for Class A1 retail development and associated car parking provision as set out below. Development in this area must:

1. improve and extend the retail offer of Hereford city centre, contribute to the vitality and viability of the centre and secure environmental improvements;
2. provide a comprehensive scheme based on Class A1 retail uses for the Livestock Market, treating the site as a whole;
3. provide for city centre comparison shopping uses within the Bewell Street area should the opportunity for change arise;
4. provide for city centre comparison shopping within the Berrington Street area, as well as residential, leisure and commercial uses which add to the diversity of uses on offer in the city centre;
5. ensure that safe, effective and attractive pedestrian and cycle links both within and outside the area are provided or enhanced to High Town, the River Wye to the south and other elements of the Edgar Street Grid;
6. contribute to the achievement of the Plan's town centre and retail strategy;
7. respect residential amenity and the historic fabric of the area, including listed buildings, archaeology and the historic street pattern;
8. provide a high standard of design merited on this important central location; and
9. contribute financially to the planning obligations identified ensuring the overall aims of the Edgar Street Grid proposals are met.

#### **TCR21 Canal basin and historic core**

Land to the east of Widemarsh Street is identified for residential development, the provision of a Herefordshire and Gloucestershire Canal basin with associated wharfage and small-scale retail and leisure uses including a hotel, bars and restaurants and a visitor centre. All development proposals must:

1. be prepared on a comprehensive basis for the site as a whole providing a high quality of design as well as inclusion of new road proposals as identified in policy T10 of the Plan;

2. include provision for 180 dwellings including affordable housing;
3. demonstrate that the retail proposals will not seriously harm the vitality and viability of Hereford city centre either by itself or in conjunction with other recent and proposed retail development;
4. realign and enhance the Widemarsh Brook to provide an amenity space and footpath link through the site;
5. provide a flood alleviation scheme for the site to the satisfaction of the Environment Agency; and
6. provide a financial contribution to the planning obligations identified ensuring the overall aims of the Edgar Street grid proposals are met.

#### **TCR22 Hereford United Football Club/Merton Meadow**

Hereford United Football Club, Merton Meadow and adjoining land is identified for cultural and leisure development. Development proposals should include:

1. the re-orientation and redevelopment of the existing Football Club stadium to a site at the northern edge of the proposal area;
2. new road proposals as identified in policy T10 of the Plan;
3. complementary leisure based development including a multiplex cinema, accompanied by related Class A3 to A5 developments and car parking provision. These developments should not undermine the retail strategy of the Plan;
4. office and residential uses;
5. a high standard of design at this important gateway location;
6. pedestrian and cycle links to key sites adjoining the proposal area; and
7. a financial contribution to the planning obligations identified ensuring the overall aims of the Edgar Street grid proposals are met.

#### **TCR23 Civic quarter**

Land in the civic quarter is identified for comprehensive development based on public and commercial offices. All development proposals must:

1. provide a high standard of design merited in this gateway location;
2. ensure that safe, effective and attractive pedestrian links are provided to the south and through the site into the remainder of the Edgar Street Grid;
3. reflect the historic character of Hereford; and
4. contribute financially to the planning obligations identified ensuring the overall aims of the Edgar Street Grid proposals are met.



#### **TCR25 Land for retail warehousing**

Land at Holmer Road is identified for development for large scale retail warehousing.

#### **TCR26 Land at Commercial Road**

Land at Commercial Road is identified for a mixed use office/leisure development. Due to the close proximity of the site to the city centre and the availability of public transport and existing car parking facilities, no private non residential car parking is to be provided.

#### **T1 Public transport facilities**

Proposals for new or improved facilities and infrastructure for public transport will be permitted where their design takes into account the need for:

1. safe and readily-accessed interchange between all modes, including good facilities for the less able, and with direct walking and cycling access having priority over other modes and buses having priority over cars, in accordance with the hierarchy of transport modes;
2. good quality, well-equipped waiting areas and efficient service information systems;
3. safe and effective circulatory arrangements for all modes; and
4. appropriate ancillary services such as catering, accommodation, and travel and visitor information.

Land will be safeguarded for the potential re-opening of rail stations at Withington, Moreton on Lugg and Pontrilas. All existing and new rail stations will be promoted as transport interchanges, with new or improved infrastructure as appropriate.

#### **T2 Park and ride**

Proposals for bus or rail-based park and ride schemes for Hereford will be permitted subject to assessment of:

1. their feasibility and potential for implementation, and compatibility with the Local Transport Plan;
2. their effect upon the current or any proposed future land use and the environmental impact of such a proposal on the area around a scheme; and
3. their potential impact on existing bus services.

### **T3 Protection and development of the rail network**

Land with potential for enhancing the capacity and use of the rail network in Herefordshire will be safeguarded from development that would obstruct such use. Development that would prevent lateral access from any point on main railway running lines to adjoining sites which have potential for rail use for passenger or freight services will not be permitted. Land required to accommodate ancillary uses such as station parking and associated highway improvements will also be safeguarded. High priority will be given to securing safe and convenient routes to stations for walkers and cyclists.

### ***T4 Rail freight***

Land with potential to promote greater use of rail freight will be safeguarded from development that would obstruct such use, including the following specific sites:

Hereford (Rotherwas Estate)  
Hereford (Moorfields/Westfields)  
Hereford (Holmer Estate)  
Hereford (Barrs Court Sidings)  
Leominster Station and Maintenance Sidings  
Moreton on Lugg ex-MoD Depot  
Pontrilas Station Yard  
Ledbury Station Yard  
Tram Inn

### **T5 Safeguarding former railway land**

Development or demolition proposals that would prevent the future use of former railway land and structures as transport and recreational routes will not be permitted where it can be demonstrated that there is potential for such re-use. Preference will be given to proposals for re-use for walking, cycling, horse-riding, canal development and public transport projects. Where multiple uses cannot be accommodated on the same route, public transport projects should have priority. Road schemes will have a lower priority and will need to demonstrate their contribution to integrated transport solutions involving other modes. Temporary, non-transport uses of former railway land may be permitted where they do not prevent a later transport use. Key sites may also be protected for their amenity, landscape and biodiversity value.

### **T6 Walking**

Development proposals should:

1. acknowledge the individual and network value of existing walking routes and, where appropriate, provide new and improved links and infrastructure that enhance network capacity and encourage more journeys on foot, especially to workplaces, educational establishments, public transport nodes and other community facilities;

2. demonstrate that the strategic and/or local significance of walking routes through proposed development sites has been taken into account, especially in determining standards of provision including width, surfacing, signing and lighting;
3. respect the utility, convenience, recreational value, attractiveness and historical significance of any designated public right of way;
4. seek reasonably direct and convenient alignments for those new or improved walking routes that predominantly serve utility trips;
5. identify, with reference to the definitive map, the precise alignment and means of safeguarding of any public right of way, as well as the standard of any works to be carried out on the route;
6. demonstrate that the needs of disabled people have been taken into account in the design of new or improved walking routes; and
7. ensure that the legal alignment of any public right of way is kept open and usable during development works.

Development proposals that involve the extinguishment or diversion of a public right of way, or closure of any other type of established walking route, will not be permitted unless an alternative route of at least equal utility value can be provided on, or conveniently near to, the proposal site. The onus of demonstrating no net loss of value will be placed on applicants, in consultation with and to the satisfaction of the highway authority.

The creation of new public rights of way, permissive links, roadside footways and other forms of walking route will be supported where they add to the utility of the network, including providing missing links in otherwise continuous routes.

## **T7 Cycling**

Development proposals shall wherever possible incorporate safe, direct, coherent, convenient and attractive cycle routes and associated facilities, taking full advantage of links to the existing or planned cycle route network and/or to major journey attractors including educational establishments, retail centres, public transport interchanges, leisure facilities and workplaces. The requirement for such provision and facilities may include related improvements to roads and junctions, cycle priority measures and the provision of convenient, safe and secure cycle parking.

New cycle routes will be developed within the Plan period towards establishing a County-wide network. Off-highway routes will generally be for shared use with walkers. Planned routes already identified for development, include:  
Hereford:

### **Great Western Way**

Northern extension from Widemarsh Common to Holmer Industrial Estate

Southward extension from Haywood School to Newton Farm and proposed

Haywood Country Park

Commercial Road and Aylestone Hill

Broad Street and Widemarsh Street

St Owen's Street

Edgar Street – Rail Station

Holme Lacy Road – Phase 2 – Ross Road to Hinton Road

Rotherwas/Lower Bullingham to Bartonsham

Plough Lane to Eign Gate

**Hunderton (Golden Post) to Belmont (Ruckhall Lane)  
King Georges V Playing Field to Lower Bullingham (riverbank route) and Green Crize  
Various safer routes to schools**

**Inter-Urban Links (from Hereford):  
Hereford- Ross-on-Wye-Symonds Yat (part Wye Valley Cycleway and National Route 44)**

**Development that would prejudice the provision of any route planned for implementation in the Plan period will not be permitted. Similarly, development that would prejudice either the safety, convenience and attractiveness of existing routes used by cyclists or the continuity and utility of such routes will only be permitted where at least equivalent alternative provision is made. The onus of demonstrating no net loss of value will be placed on applicants, in consultation with and to the satisfaction of the highway authority, including submission of cycle audits.**

### **T8 Road hierarchy**

**Access to the road network will be controlled in accordance with the road hierarchy. New accesses on the strategic highway network will not be encouraged and should not inhibit the strategic function of these routes. Development proposals that require access to the road network should have regard to the need to:**

- 1. ensure the efficient movement of goods and people;**
- 2. maximise road safety;**
- 3. promote sustainable and integrated transport, including access to development by means other than the private car;**
- 4. secure the development of previously developed land,**
- 5. safeguard or enhance the local environment and amenity; and**
- 6. where appropriate, explore the potential for providing access by means other than the private car and include the results in any transport assessment, if required.**

### **T9 Road freight**

**When considering proposals for development of new or expanded businesses that generate commercial road traffic, regard will be had to the environmental effects of heavy goods vehicles and other service vehicles and to the traffic impacts on both the strategic and local road network. Proposals that generate service vehicle movements that would unacceptably affect the amenity, safety and character of the existing or neighbouring environments by virtue of danger, noise, traffic generation and congestion, air pollution, visual intrusion or causing parking problems, will not be permitted. All proposals will be expected to incorporate adequate operational arrangements within their layout, and include traffic management measures and workplace travel plans and more sustainable delivery systems where appropriate**

### **T10 Safeguarding of road schemes**

The land required for the following new road schemes, or improvement of existing roads where realignment is necessary, will be protected from development which would be likely to prejudice their implementation:

1. A49 Ross Road to B4399 Holme Lacy Road (Rotherwas Access Road);
2. A4103 Roman Road improvement (Tillington Road-Stretton Sugwas);
3. A4103 Roman Road improvement (eastern section);
4. Edgar Street/Commercial Road link, Hereford;
5. Canal Road extension, Hereford;
6. Leominster Enterprise Park access roads; and
7. Ledbury bypass extension.

### **T11 Parking provision**

Development should incorporate suitable provision for car parking and operational space. Parking provision will be restricted as a maximum to that which is justifiably required, after having had regard to:

1. proximity to alternative provision, including the shared use of parking;
2. the availability of alternative modes of transport to the private car, including public transport, walking and cycling;
3. the type, design and use of development proposed;
4. any agreement to provide alternative arrangements for travel within the context of developing a workplace travel plan; and
5. road safety.

Parking provision will be further waived or restricted within conservation areas or where the setting of listed buildings may be affected in order that local heritage and the historic environment are not adversely affected, having regard to availability of alternative parking provision.

Within the central shopping and commercial area of Hereford, no further private non-residential parking intended to meet the needs of commuters will be permitted.

### **T12 Existing parking areas**

The beneficial redevelopment or re-use of existing private parking areas will be encouraged, particularly within Hereford and the market towns.

#### **T13 Traffic management schemes**

Traffic management schemes will be developed as appropriate within Hereford, the market towns, villages and the wider rural areas. Such schemes will be designed to limit the impact of traffic, improve access, safety and the local environment, enhance use of public transport and improve facilities for cycling and walking. Schemes will be required to audit existing use by walkers and cyclists and, where necessary, provide for appropriate improvements. They will also be required to meet the design guidance associated with the Plan.

Individual development proposals will be expected to include design elements which consider and contribute to such schemes wherever necessary.

#### **T14 School travel**

Proposals for new schools, for the expansion of existing schools and for associated facilities should include details of the arrangements proposed to support safer access and in general will need to include the development of a school travel plan. Any new housing development that causes significant increases to school numbers will be required to include elements within the design layout and/or off-site arrangements to support safer routes to school.

#### **T15 Air transport facilities**

Proposals for development of airfields, helipads and landing strips or expansion of current facilities and operations will be assessed for their economic, community and leisure benefits and their impact on local amenity, neighbouring land uses and local environment. Proposals that generate undue noise, air pollution, traffic generation, or adversely affect landscape character and biodiversity will not be permitted.

#### **T16 Access for all**

Development proposals for buildings or facilities which are to be used by the public or as places of employment will be required to provide suitable access for the disabled, older people and parents with young children. Any schemes concerning pedestrian movement, including traffic management and environmental enhancement, will need to provide appropriate access, means of circulation and a good relationship between buildings and parking areas, new and existing public access points and signage.

#### **LA1 Areas of Outstanding Natural Beauty**

Within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty, priority will be given to the protection and enhancement of the natural beauty and amenity of the area in the national interest and in accordance with the relevant management plans.

Development will only be permitted where it is small scale, does not adversely affect the intrinsic natural beauty of the landscape and is necessary to facilitate the economic and social well-being of the designated areas and their communities or can enhance the quality of the landscape or biodiversity.

Exceptions to this policy will only be permitted when all of the following have been demonstrated:

1. the development is of greater national interest than the purpose of the AONB;
2. there is unlikely to be any adverse impact upon the local economy ;
3. no alternative site is available, including outside of the AONB; and
4. any detrimental effect upon the landscape, biodiversity and historic assets can be mitigated adequately and, where appropriate, compensatory measures provided.

#### **LA2 Landscape character**

Proposals for new development that would adversely affect either the overall character of the landscape, as defined by the Landscape Character Assessment and the Historic Landscape Characterisation or its key attributes or features, will not be permitted.

Proposals should demonstrate that landscape character has influenced their design, scale, nature and site selection. Where appropriate, developers will be encouraged to restore degraded or despoiled landscapes to their inherent character.

#### **LA3 Setting of settlements**

Development outside the built up areas of Hereford, the market towns and rural settlements, which is acceptable in terms of other Plan policies, will only be permitted where it would not have an adverse effect upon the landscape setting of the settlement concerned.

Important visual approaches into settlements, views of key buildings, open areas into development, green corridors, ridgelines and surrounding valued open countryside will be particularly protected and, where necessary, enhanced.

In appropriate new developments around existing settlements the creation of open space, urban parks, green wedges, and tree lines will be promoted where they complement and enhance landscape character and townscape.

#### **LA4 Protection of historic parks and gardens**

Development which would destroy, damage or otherwise adversely affect the historic structure, character, appearance, features or setting (including the designed visual envelope) of a registered park or garden will not be permitted.

Development proposals that would affect an historic park or garden should be accompanied by an historic landscape appraisal report and a restoration scheme, which may include or comprise a management plan, commensurate to the scale of the proposal that affects them.

Unregistered parks and gardens recognised and identified by the Council as currently of local importance will be afforded similar protection.

#### **LA5 Protection of trees, woodlands and hedgerows**

The enhancement and protection of individual trees, tree groups, woodlands and hedgerows will be secured by:

- 1. placing Tree Preservation Orders where necessary on trees, groups of trees and woodlands of amenity value, and making use of hedgerow protection legislation;**
- 2. resisting proposals that would cause loss or damage to trees (including veteran trees), hedgerows, mature traditional orchards or woodlands which are worthy of retention. In particular, proposals affecting protected trees and Ancient and Semi-Natural Woodlands will be subject to rigorous examination. Where the felling of protected trees is accepted replacement planting will be sought;**
- 3. requiring development proposals to include an acceptable landscaping scheme submitted in accordance with policy LA6, the retention of those trees and hedgerows considered important to local amenity, together with measures to ensure their protection during development, and the replacement of trees and woodland lost to development with an equivalent area of planting; and**
- 4. where appropriate taking into account as a material consideration the Woodland Management Guidelines produced for the Malvern Hills and Wye Valley AONBs and the Government's England Forestry Strategy together with Forestry Commission guidance on Ancient and Semi-Natural Woodlands.**

Management agreements to enable new or increased public access to woodlands may be entered into, particularly where there is a shortage of such opportunities within the particular locality.

#### **LA6 Landscaping schemes**

Landscaping schemes will be required to be submitted as an integral part of any development proposals that will affect the visual amenity or character of the location. Landscaping schemes will be required to:

- 1. assess the existing character and features of the particular site and its wider landscape character in accordance with policy LA2, indicating how these have contributed to the overall design approach and which features, including trees, will be removed;**
- 2. indicate and make arrangements to protect and retain existing trees and hedgerows, in accordance with policy LA5 and also other landscape features worthy of retention; and**
- 3. include new landscape works to ensure development integrates appropriately into its surroundings in terms of scale, enhances any existing character and features and especially takes the opportunity to remove eyesores and improve disfigured or despoiled land.**

Landscaping works should be undertaken during development or as soon as practicable thereafter. In the case of major proposals, consideration should be given to advanced landscaping works being carried out before building or enabling works are commenced.



### **NC1 Biodiversity and development**

In determining all development proposals, the effects upon biodiversity and features of geological interest will be taken fully into consideration. Prior to determination of applications for development on sites where there is reason to believe that such features of importance exist, a field evaluation may be required. Proposals should:

1. seek to retain existing semi-natural habitat, wildlife corridors, species or geological features within their layouts and design; and
2. demonstrate that the proposal will have no adverse effects on any adjacent biodiversity and features of geological interest, or lead to the fragmentation, increase isolation, or damage to protected or priority habitats and / or priority or protected species.

### **NC3 Sites of national importance**

Development in or likely to affect Sites of Special Scientific Interest or National Nature Reserves will be subject to special scrutiny. Where such development may have an adverse effect, directly or indirectly on the special interest of the site it will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site itself and the national policy to safeguard the network of such sites.

Where development is permitted proposals should make provision for the enhancement of such sites in order to improve their nature conservation status.

### **NC4 Sites of local importance**

Development proposals which could directly or indirectly affect a Special Wildlife Site, Site of Importance to Nature Conservation, Local Nature Reserve, a Regionally Important Geological/Geomorphological Site or a site subject to an agreement under section 39 of the Wildlife and Countryside Act will not be permitted unless it can be demonstrated that there would be no harm to the substantive nature conservation value of the site, or that appropriate mitigation and compensatory measures can be taken in accordance with policy NC7, or that the reasons for the development clearly outweigh the need to safeguard the nature conservation value of the site.

### **NC6 Biodiversity Action Plan priority habitats and species**

Developments should have regard to those habitats and species listed in the UK and Herefordshire Biodiversity Action Plans in order to protect, manage and enhance priority species and habitats. Proposals that might result in a threat to such priority species or habitats will not be permitted unless the reasons for the development clearly outweigh the need to safeguard the habitat or species.

### **NC7 Compensation for loss of biodiversity**

Where development is permitted, the use of conditions and/or planning obligations will be considered in order to provide appropriate mitigation and compensatory measures to avoid, minimise or offset the loss of or damage to any biodiversity feature covered by policies NC2 to NC6. Such measures will be at least proportionate to the scale of the loss or impact.

#### **NC8 Habitat creation, restoration and enhancement**

The design of new development and the restoration and reclamation of derelict and degraded sites and landscapes, should wherever possible, enhance existing wildlife habitats and provide new habitats for wildlife as opportunities arise. In bringing forward such measures proposals should:

1. retain and enhance existing semi-natural habitats, wildlife corridors or geological features within their layouts and design;
2. demonstrate that they will have no adverse effects on any adjacent nature conservation resource;
3. help to create or restore habitat networks in particular through the creation of new wildlife corridors and /or stepping stones; and
4. contribute towards one or more targets in the UK and Herefordshire Biodiversity Action Plans.

#### **NC9 Management of features of the landscape important for fauna and flora**

Development proposals which provide for the creation, restoration, enhancement or protection of biodiversity features including those provided as compensation for unavoidable loss in accordance with policy NC7, will also be required to provide for the management and monitoring of those features concerned. Conditions will be imposed or agreements entered into according to the nature of the management requirements needed.

#### **HBA1 Alterations and extensions to listed buildings**

Development proposals to alter or extend a listed building will only be permitted when:

1. the components which make up the special interest of the building, its features and setting are preserved;
2. all new work is in keeping with the age, style, materials, detailing and character of the building;
3. extensions are subservient in scale and design and relate well to the existing building; and
4. the structural limitations of the building are respected and preserved.

#### **HBA2 Demolition of listed buildings**

Development proposals which involve the demolition of all or substantially all of a listed building will only be permitted in exceptional circumstances, where all of the following have been demonstrated:

1. all possible efforts have been made to repair the building, and / or incorporate it sensitively into new development;
2. the condition of the building and the cost of repairs sufficiently outweigh its intrinsic importance and the value derived from its continued use;

3. there is no interest by prospective occupiers or purchasers following the property being offered on the open market; and
4. existing uses are no longer sustainable, and all possible efforts to find compatible alternative uses have failed.

Where demolition is to be followed by redevelopment, listed building consent will be conditional on a contract for the redevelopment works being signed and planning permission for those works granted prior to demolition taking place.

The recording of buildings, structures or features to be removed may also be required.

### **HBA3 Change of use of listed buildings**

The change of use of part or the whole of a listed building will be permitted where it can be demonstrated that:

1. the building is structurally capable of accommodating the proposed use without requiring substantial rebuilding;
2. the proposed use is compatible with the preservation of the existing building, its features and setting and where relevant those of any immediately adjacent listed buildings;
3. the proposed use complements any other existing uses of the building which are to be retained;
4. the proposal assists the retention and beneficial use of a historic building; and
5. in relation to reuse and adaptation of traditional rural buildings, the use complies with policies HBA12 and HBA13.

### **HBA4 Setting of listed buildings**

Development proposals which would adversely affect the setting of a listed building will not be permitted. The impact of the proposal will be judged in terms of scale, massing, location, detailed design and the effects of its uses and operations.

### **HBA5 Designation of conservation areas**

New conservation areas will be designated where areas of special architectural or historic interest are identified on the basis of the following elements, which will also provide a basis for the definition and revision of conservation area boundaries:

1. historic elements which comprise the topographical framework representing the origins and development of the area, including any predominant use or mixture of uses, and the historic layout of property boundaries;
2. important buildings and other structures, both listed and unlisted, which combine to provide a special historic or architectural character through their type, period, design, quality or other similarly important inter-relationships;
3. areas of archaeological significance, including Scheduled Ancient Monuments;
4. high quality civic spaces, precincts and similar important layouts creating enclosure, serial vision and views in and out of the area;
5. a generally consistent range or attractive combinations of high quality and/or traditional materials for buildings, walls and ground surfaces;
6. important trees, hedges, greens and other vegetation which combine with buildings and spaces to create the particular character and appearance of the area;
7. significant landmarks, vistas and panoramas, and other elements of landscape related to the built environment; and
8. the need for enhancement measures to improve features which detract from the area's appearance, to reduce the intrusion or impact of traffic, and to encourage beneficial changes through appropriate development.

#### **HBA6 New development within conservation areas**

Development within conservation areas will not be permitted unless it preserves or enhances its character or appearance. In assessing the suitability of a development proposal, a comprehensive design approach will be expected, in particular addressing the following criteria:

1. the type and scale of uses proposed should complement those which presently exist and help to preserve and enhance the character and vitality of the area;
2. the proposed development shall respect the scale, massing and height in relation to adjoining buildings, and the general pattern of heights;
3. where the building line, plan form or density are important characteristics, proposals should integrate successfully into this structure;
4. the quality and type of design, details and materials should reflect those contributing to the area's character and appearance;
5. any hard landscape features, including street furniture, surfaces and boundary treatments, should maintain consistency with, and be appropriate to the use of the area;

6. open spaces, topographical features, trees and other landscape features should contribute to the character or appearance of the area and where such features of importance already exist and make a contribution they should be retained;
7. the creation of unnecessary additional access points and the loss of important ancillary features within visually prominent frontages should be avoided;
8. where the setting of and views into and out of the conservation area, including vistas and landmarks, are important to the character and appearance of the area they should be safeguarded; and
9. ancient and historic thoroughfares should be retained.

#### **HBA7 Demolition of unlisted buildings within conservation areas**

Proposals for the demolition of unlisted buildings or structures in conservation areas will only be permitted where:

1. it is accompanied by a redevelopment proposal in accordance with policy HBA6;
2. the building does not make a positive contribution to the character or appearance of the conservation area; and
3. the structural condition of the building is such that the cost of repair outweighs the importance of its retention.

Where considered necessary in order to preserve or enhance the character or appearance of a conservation area, conservation area consent will be conditional on a contract for the redevelopment works being signed and planning permission for those works granted prior to demolition taking place. The recording of buildings, structures or features to be removed may also be required.

#### **HBA8 Locally important buildings**

Development proposals which would adversely affect the appearance or setting of locally important buildings of architectural or historic interest, or buildings that make a valuable contribution to the character and appearance of the area, will not be permitted.

#### **HBA9 Protection of open areas and green spaces**

Proposals which would result in the loss of important open areas or green spaces which contribute to the distinctive spatial character, form and pattern of a settlement or neighbourhood will not be permitted. In particular the following such elements are worthy of protection. Land/open areas which:

1. provide relief within an otherwise built up frontage or within developments;
2. create and maintain a well defined edge to the settlement;
3. provide a buffer between incompatible uses;

4. provide important views into or out of settlements and of attractive buildings and their settings, or of attractive landscapes;
5. provide an important amenity of value to the local community;
6. represent a familiar or distinctive element within an attractive street scene;
7. represent an historic element within the origins or development of the settlement or area; or
8. provide wildlife corridors or stepping stones within built up areas.

Where the importance of such land has already been established within Hereford, the market towns or main villages, the area concerned is shown on the proposals maps. Elsewhere and where appropriate, the Council will apply the above criteria to any other land which may become the subject of applications for development, where it is considered that the open nature of the site is of such importance to warrant protection.

#### **HBA10 Shopfronts**

The repair or retention of historic shopfronts within conservation areas and on listed buildings, which contribute to the character of the area or building respectively, will be sought. Proposals for the alteration to existing or installation of new shopfronts will only be permitted where:

1. both the overall design and individual elements including fascia boards, security shutters, blinds or canopies, signs, lettering and lighting respect the character and appearance of the host building and its setting, particularly in terms of proportions, scale, materials and colour;
2. the design respects the character of the frontage, in particular existing architectural features and divisions between buildings; and
3. access arrangements for those with special access needs are provided where this can be accommodated without compromising any important architectural features or the character or appearance of the conservation area.

#### **HBA12 Re-use of rural buildings**

Proposals for the re-use and adaptation of rural buildings will be permitted where:

1. the building is of permanent and substantial construction capable of conversion without major or complete reconstruction;
2. the building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting;

3. the proposal does not lead to dispersal of activity on such a scale as to prejudice town and village vitality; and
4. the proposal is compatible with neighbouring uses, particularly agricultural operations and does not itself cause undue environmental impacts.

Where appropriate, a planning condition will be imposed removing the permitted development rights to future alterations, extensions and outbuildings.

#### **HBA13 Re-use of rural buildings for residential purposes**

The re-use of rural buildings within main villages for residential purposes will be permitted when proposals accord with policy HBA12. Proposals outside of main villages will only be permitted when it has been clearly demonstrated that every reasonable attempt has been made to secure an alternative business, recreational or community use and that such development uses are not acceptable or practical.

Within open countryside and beyond reasonable access of urban areas, main villages and smaller settlements, residential proposals will only be supported where:

1. there are acknowledged historical, architectural, local landscape or amenity benefits of retaining the building; or
2. the accommodation to be provided is of a type to satisfy a demonstrated local housing need; or
3. it is a necessary accompaniment to a new business or the growth of an existing and established rural enterprise; or
4. it is a subordinate part of a wider scheme for a business use.

#### **ARCH1 Archaeological assessments and field evaluations**

Prior to the determination of applications for development on sites where there is reason to believe there are remains of archaeological importance, an archaeological field evaluation may be required. In addition where proposals are put forward within AIUA's that may affect the integrity of the historic character of such settlements a historic landscape appraisal will be expected.

#### **ARCH2 Foundation design and mitigation for urban sites**

In Hereford AAI and the historic market towns of Bromyard, Kington, Ledbury, Leominster and Ross-on-Wye, applicants may be required to submit details of foundation designs and proposals for optimum preservation of archaeological remains and historic urban deposits in situ.

#### **ARCH3 Scheduled Ancient Monuments**

Development proposals and works which may adversely affect the integrity, character or setting of Scheduled Ancient Monuments will not be permitted.

#### **ARCH4 Other Sites of National or Regional Importance**

Planning permission for development which would destroy or seriously damage unscheduled, nationally important remains or sites of regional importance, or their character or setting, will not be permitted.

#### **ARCH5 Sites of Lesser Regional or Local Importance**

Development proposals which adversely affect a site of lesser regional or local importance that is unlikely to merit full preservation in situ will be permitted where the impact on the archaeological interest of the site can be shown to have been adequately mitigated.

#### **ARCH6 Recording of archaeological remains**

Where preservation in situ is not feasible, conditions on planning permissions will be imposed to ensure that, where appropriate, sites of archaeological interest including standing structures are excavated and/or recorded before alteration, demolition, site clearance or development commences, or are alternatively subject to a limited recording action project during development. The results of any recording project or excavation should be made available to the public.

#### **ARCH7 Hereford AAI**

Within the Hereford Area of Archaeological Importance, development which is likely to affect archaeological remains or their setting will only be permitted where either full preservation in situ can be achieved, or time and resources will be made available for an appropriate level of archaeological investigation, conservation and post excavation work to be carried out.

#### **ARCH8 Enhancement and improved access to archaeological sites**

Proposals affecting sites of archaeological interest will be required to show how the interest will be protected and where feasible, can be enhanced. Favourable consideration will be given to development schemes which emphasise the original form and function of the sites and where appropriate improve public access to them. Such measures will be secured by use of conditions, planning agreements and management plans.

#### **RST1 Criteria for recreation, sport and tourism development**

Proposals for the development of new recreation, sport and tourist facilities including change of use or improvement or extension to existing facilities will be permitted where the proposal:

1. is appropriate to the needs of the community which it serves, having particular regard to the nature of the use, mode of operation, scale and design;
2. would not harm the amenity of nearby residents;
3. respects environmental character and resources, including designated landscape, historic heritage, archaeology, biodiversity, and geological features and rights of way; and



4. is wherever possible accessible by a choice of modes of transport, with priority given to public transport, walking and cycling, and is designed to ensure access for all.

Proposals in the open countryside will only be permitted where the countryside is the primary resource for the proposal and the rural landscape and environment is sustained. In such instances new buildings will only be permitted where there are no suitable existing buildings capable of conversion, they are of a small scale and are ancillary to the primary proposal.

#### **RST2 Recreation, sport and tourism development within Areas of Outstanding Natural Beauty**

Within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty (AONBs), the conservation of the unique character and qualities of the landscape and of biodiversity and geological interests will have precedence over the development of facilities for recreation, sport and tourism. In particular such developments must:

1. respect and be in keeping with the inherent distinctiveness of the local landscape;
2. be small-scale and constructed from appropriate materials; and
3. make a positive contribution to the understanding and quiet enjoyment of the natural beauty of the AONB.

#### **RST3 Standards for outdoor playing and public open space**

The following overall minimum standards of open space provision to meet the needs of all will be sought throughout the County until such a time as an assessment of need has been produced and local standards of provision established:

**Outdoor playing space: 2.4 hectares per 1000 population, comprising 1.6 hectare for outdoor sport and 0.8 hectare for children's playing space**

**Public open space: 0.4 hectares per 1000 population**

The standards will be applied in considering further provision, including open space to be provided as part of housing schemes, and in assessing proposals that could lead to the loss of existing facilities.

#### **RST4 Safeguarding existing recreational open space**

Development proposals that would result in the loss of public or private open spaces with recreational value, or facilities that help meet the recreational needs of the community will not be permitted unless:

1. there is a clear excess of outdoor playing space provision and/or open space in the area taking account of the wider recreational value of such provision; or
2. alternative provision of at least equivalent community benefit is provided in a convenient and accessible location (without reducing the developer's obligation to provide new open space within the development).

The development of playing fields which have not been shown to be surplus to requirements will not be permitted unless the development is ancillary and

without prejudice to their continued recreational use, only affects land incapable of forming a pitch, or can be justified in terms of overall benefit to sport or criterion 2 above.

Development within parks and public gardens should be limited to that which is complementary to the main uses of the open space. Change of use from public to private open space will be permitted only where it secures enhanced provision for the community.

#### **RST5 New open space in/adjacent to settlements**

Sites have been identified on the proposals map at the locations listed below to provide new public recreational, amenity and open space uses and facilities:

##### **Urban Areas;**

Aylestone Hill, Hereford  
Haywood Country Park, Hereford  
Bradbury Estate, Hereford  
Whitecross High School  
Grandison Rise / Prospect Walk, Hereford  
Wyeside, Hereford  
Yazor Road, Hereford  
Leominster landfill site

##### **Rural Areas:**

Ewyas Harold  
Leintwardine  
Moreton on Lugg  
Peterchurch  
Stretton Sugwas  
Wellington  
Whitchurch  
Withington

Development proposals that would prevent or prejudice the future use of areas proposed or currently used for recreational, amenity and open space purposes will not be permitted.

#### **RST6 Countryside access**

Proposals for the development of new countryside access facilities will be permitted provided that:

1. access to countryside resources such as common land, woodland, water, landscape, historic sites and nature conservation interests is provided in an environmentally sensitive manner; and
2. good connections are made to the local public rights of way network and any promoted recreational routes, and that access is promoted by other means than private car.

Wherever possible new countryside access facilities should be sited to readily and conveniently serve major concentrations of population and rural settlements, and make use of redundant, derelict, or otherwise unused or underused land and property in preference to greenfield locations.

#### **RST7 Promoted recreational routes**

In developing promoted recreational routes, emphasis will be placed on a network approach, linking open spaces and walking routes in settlements with those in the wider countryside. Wherever possible, the creation of greenway corridors will be sought, offering safe passage and ancillary opportunities for amenity and biodiversity enhancements. Provision should be made, where it can be safely accommodated, for multiple use of routes by walkers, cyclists, horse-riders and the less able.

The development and improvement of promoted recreational routes will continue to be based on the recognised categories of National Trails, Regional Routes and local routes. The Public Rights of Way Strategy sets out the process by which the Council intends to develop the existing routes and to identify and select new routes.

Priority for the development of recreational cycling routes should be given to routes that:

1. also serve utility trips and accommodate walkers, horse-riders and the less able;
2. access popular visitor areas and contribute to sustainable transport; and
3. connect with public transport nodes.

Opportunities will be sought to align cycle routes with safe, attractive off-road greenways such as disused railways, canal and river towpaths, forest tracks and linear parks, combined with quiet roads, to create continuous links in a Herefordshire network. Development and extension of the National Cycle Network and associated Regional Cycle Routes through Herefordshire will be supported, where they meet appropriate environmental, transport and safety criteria.

The development of short and longer-distance horse-riding routes will be supported through a combination of bridleways, open access areas, quiet roads and, where necessary, permissive links on private land, in order to create continuous alignments of value to both local and touring riders. Selective longer-distance routes may be promoted for tourism, in association with riding groups and livery providers.

In all cases, proposals for promoted recreational routes will need to demonstrate that they are acceptable in terms of their environmental impact.

#### **RST8 Waterway corridors and open water areas**

Recreational development based on, or associated with, the River Wye and Lugg navigations will only be permitted if it complies with policies NC2 and NC3. Proposals for the development of low-key access to riverside and canalside areas will be permitted subject to detailed planning considerations. On navigable lengths of river and canal, development involving permanent moorings (other than overnight stays) will only be permitted in basins or marinas, in urban locations or sites used historically for this purpose.

Within the environs of Hereford, development directly associated with leisure and transport use of the River Wye and the riverbank corridor will be permitted, provided that an acceptable balance can be reached with the constraints

arising from landscape character and quality, from natural and historic heritage.

Proposals for the recreational use of existing areas of open water, or new areas that become available as a result of mineral extraction, or for the creation of reservoirs or amenity lakes, will be permitted where:

1. they serve a recognised sub-regional or local demand;
2. they have regard to the needs of all potential users, avoid over-use, and are able to resolve potentially conflicting uses;
3. there is no unacceptable conflict with water supply, water quality or commercial uses; and
4. there are no over-riding safety issues.

#### **RST 9 Herefordshire and Gloucestershire Canal**

The historic route of the Herefordshire and Gloucestershire Canal together with its associated infrastructure, buildings, towpath and features will be safeguarded. Where the original alignment cannot be re-established, a corridor allowing for deviations is safeguarded. New developments within the safeguarded corridor, or on adjacent sites, will be required to incorporate land for the Canal restoration. Development not connected with the Canal that would prevent or prejudice the restoration of a continuous route will not be permitted.

#### **RST10 Major sports facilities**

Proposals for new major sports facilities, meeting identified regional or sub-regional needs, will only be permitted on the edge of Hereford and the market towns where it can be demonstrated that no suitable site is available within the relevant urban area. Proposals for major facilities away from urban areas will not be permitted unless there is a demonstrable requirement for the use to be established in a specific location.

Proposals for all such facilities will need to demonstrate that they are acceptable in terms of their environmental impact and are located in order to maximise accessibility to the public by a choice of modes of transport.

#### **RST12 Visitor accommodation**

Proposals providing accommodation for visitors within identified settlements will be permitted where the proposal is in scale with its surroundings, of an appropriate design and does not harm the amenity of neighbouring properties.

Outside of identified settlements, the provision of permanent serviced or self-catering accommodation for visitors will only be permitted if it consists of the re-use and adaptation of a rural building and:

1. it is of an appropriate scale and design for its surroundings;
2. it does not harm the character or appearance of the countryside;
3. it is wherever possible accessible by a choice of modes of transport and is designed to incorporate access for the disabled; and

4. the proposal, including any proposed extensions, does not harm the character of the original building.

#### **RST13 Rural and farm tourism development**

Tourism proposals in the rural area will be permitted where:

1. the proposal would not harm the character of the countryside; and
2. traffic generated can be accommodated safely upon the local road network without the need for widening of lanes or loss of hedgerows.

New buildings will only be permitted where there are no suitable existing buildings capable of conversion and they are of an appropriate design and scale for their surroundings, and essential to the successful operation of the enterprise.

#### **RST14 Static caravans, chalets, camping and touring caravan sites**

Proposals for new holiday static caravan, chalet parks, camping and/or extensions or improvements to existing parks will not be permitted where they would cause harm to the character and appearance of the countryside. Elsewhere such proposals will be permitted where:

1. the site is well screened or capable of being screened from roads, viewpoints and other public places in order to minimise its impact upon the character and appearance of the countryside;
2. the proposal is of a scale which relates sensitively to its location;
3. the site is well laid out, designed and landscaped;
4. traffic generated could be safely accommodated on the local highway network;
5. arrangements are made to ensure the resultant chalets or caravans remain in holiday use and are not used for residential purposes; and
6. the site is located outside a functional flood plain (zone 3c, policy DR7)

Proposals to change the use of existing chalet and caravan sites to permanent residential sites will not be permitted unless they are located within an area where the principle of residential development is acceptable.

#### **M2 Borrow pits**

Proposals for the development of borrow pits will be favourably considered if:

1. granting planning permission would create significant environmental benefits which outweigh any material planning objections;
2. the borrow pit lies on or adjacent to the proposed construction scheme; and
3. the site can be restored to a state capable of beneficial afteruse without the use of imported material, other than that generated on the adjoining construction scheme.

### **M3 Criteria for new aggregate mineral workings**

Planning applications for aggregate extraction will only be granted in exceptional circumstances, notably where the permitted aggregate reserves in the County prove insufficient to meet the County's sub-regional apportionment. In such cases planning permission for extraction will only be granted where the site is not affected by one or more primary constraints or two or more secondary constraints unless the adverse effects on the secondary constraints can be satisfactorily mitigated, or where the specialised nature of the mineral constitutes a material consideration sufficient to override the constraints, or there is no lesser constrained minerals bearing land elsewhere in the County.

#### **Primary Constraints**

- 1. Areas of Outstanding Natural Beauty;**
- 2. sites and species of international and national importance to nature conservation;**
- 3. Scheduled Ancient Monuments and other sites of national or regional archaeological importance.**

#### **Secondary Constraints**

- 1. sites and species of local importance to nature conservation;**
- 2. Groundwater Source Protection Zone 3 and Zones of Special Interest;**
- 3. Land within or abutting a conservation area;**
- 4. archaeological sites of lesser regional or local importance;**
- 5. where the site does not have direct access to an 'A' or 'B' class road;**
- 6. the development would have an adverse visual impact on the landscape character of the area;**
- 7. best and most versatile agricultural land; and**
- 8. ancient semi-natural woodland.**

Where a proposal satisfies the above constraints process, applicants will also be required to submit evidence to demonstrate the extent to which the development impacts on:

- people and local communities;**
- natural and cultural assets;**
- the highway network and other public rights of way;**
- land stability;**
- public open space, and**
- air, soil and water resources.**

Unless such impacts can be satisfactorily mitigated, planning permission will be refused.

### **M4 Non-aggregate building stone and small scale clay production**

Proposals for the extraction of non-aggregate building stone or clay will be permitted where:

- 1. the need for the material for the preservation of local distinctiveness, particularly features of local historic or architectural interest, listed and vernacular buildings or archaeological sites, outweighs any material harm extraction might cause to matters of acknowledged importance;**
- 2. the proposed workings are small scale; and**
- 3. the proposal is limited to the production of non-aggregate materials.**

#### **M5 Safeguarding mineral reserves**

Proposals which could sterilise potential future mineral workings will be resisted in order to safeguard identified mineral resources. Where such development is proposed, the applicant may be required:

1. to undertake a geological assessment of the site; and/or
2. to protect the minerals in question; and/or
3. to extract all or part of the mineral reserves as part of or before the other development is permitted.

In such cases mineral extraction will only be required when the need for the other development significantly outweighs the harm which extraction might cause to other matters of acknowledged importance.

#### **M6 Secondary aggregates and recycling**

The use of alternatives to naturally occurring aggregates or other minerals, including demolition and construction wastes, will be encouraged. Proposals for the production, processing, treatment and storage of such alternatives will be permitted as follows:

1. for temporary periods where the development is ancillary to principal activities at a site, including the use of demolition waste arising from the redevelopment of previously developed land and buildings, or longer periods when the development will be limited to the life of a mineral working; or
2. permanently at a properly designed and permitted waste transfer station.

In all cases proposals must not have an unacceptably adverse effect on the environment or residential amenity.

#### **M7 Reclamation of mineral workings**

Mineral extraction proposals will only be permitted where the proposed site can be restored to an agreed and beneficial after use. Permission will only be granted where the proposed reclamation would be:

1. in scale and character with the adjoining landscape and would make a positive contribution to meeting BAP targets;
2. capable of being completed within a reasonable timescale; and
3. sufficiently detailed to achieve the proposed after use and its after care for an appropriate period. Proposals for the long term management of the site may also be necessary.

#### **M8 Malvern Hills**

No further planning permissions will be granted for the extraction for aggregate purposes of granite from the Malvern Hills.

#### **M9 Minerals exploration**

Mineral exploration which is not permitted by Part 22 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification) will only be permitted where it does not have an unacceptably adverse effect on the environment or local amenities. Where planning permission is granted conditions will be imposed to control the development in the interests of amenity and to ensure the reinstatement of the site to a state capable of beneficial after use, including the removal of all temporary and permanent works associated with the exploration.

#### **M10 Oil and gas exploration and development**

Proposals for development associated with oil and gas exploration will only be permitted where:

1. the proposed location is shown to be the most suitable having regard to geological, technical and environmental considerations in accordance with policy M3;
2. there are satisfactory arrangements for the disposal of waste materials and the avoidance of pollution;
3. the proposals are limited to a restricted and specified time period; and
4. there is a satisfactory scheme for landscaping and reclamation.

Proposals for the further evaluation and development of oil or gas fields will be expected to conform to all of the above and to demonstrate the development is part of a planned programme for the whole oil or gas field.

#### **W1 New waste management facilities**

Planning applications for new waste management facilities which do not fall into Class B1 and B2 will only be permitted where the site is not affected by one or more primary constraints or two or more secondary constraints except where:

- a. in the case of sites affected only by two or more secondary constraints, such constraints can be satisfactorily mitigated; or
- b. where the specialised nature of the facility constitutes a material consideration sufficient to override the constraints or there is no other lesser constrained land elsewhere in the County.

#### **Primary Constraints**

1. Areas of Outstanding Natural Beauty;
2. sites and species of international and national importance to nature conservation;
3. Scheduled Ancient Monuments and other sites of national or regional archaeological importance;
4. Groundwater Source Protection Zones 1 and 2.



### **Secondary Constraints**

1. sites and species of local importance to nature conservation;
2. Groundwater Source Protection Zone 3 or Zones of Special Interest;
3. land within or abutting a conservation area;
4. archaeological sites of lesser Regional or Local Importance;
5. where the site does not have direct access to an 'A' or 'B' class road;
6. any adverse visual impact the development would have upon the landscape character of the area;
7. best and most versatile agricultural land;
8. ancient semi-natural woodland.

Where a proposal satisfies the above constraints, applicants will also be required to submit evidence to demonstrate the extent to which the development impacts on:

- people and local communities;
- natural and cultural assets;
- the highway network and other public rights of way;
- public open space; and
- air, soil and water resources.

Unless such impacts can be satisfactorily mitigated, planning permission will be refused.

### **W2 Landfill or landraising**

Proposals for new landfill or landraising facilities will only be permitted where:

1. the proposals represent the BPEO;
2. alternative waste management facilities located closer to the waste arisings, within or outside the Plan area do not exist; and
3. the proposal does not conflict with the criteria as laid down in policy W1, or the proposals would achieve significant material planning benefits that outweigh material objections.

### **W3 Waste transportation and handling**

Development that is likely to give rise to the transportation and handling of waste materials will only be permitted where appropriate measures to protect the public and the environment can be implemented and enforced.

#### **W4 Temporary permissions**

Where doubts exist about the character or potential effects of waste treatment proposals, temporary planning permission may be granted subject to the location, nature and scale of the proposed development and provided that the proposal does not conflict with the criteria as laid down in policy W1, or that the proposal would achieve significant material planning benefits that outweigh material objections.

#### **W5 Waste management licensing**

Where development is not covered by the Waste Management Licensing process, or where it would be granted an exemption from the process, conditions will be imposed on any planning permission granted, in the interests of the protection of amenity and matters of acknowledged interest.

#### **W6 Development in the vicinity of waste management facilities**

Proposals for large scale development within 1 km of waste management facilities and for all development proposals within 250 metres of such facilities will only be permitted where the proposal would not:

1. unduly restrict or constrain the activities permitted at the waste management facility; or
2. create an unacceptable adverse impact on people, transportation systems or the environment arising through proximity to the facility.

#### **W7 Landfill gas utilisation**

The installation of landfill gas utilisation plant will be permitted where it represents the BPEO and there are no unacceptable adverse impacts.

#### **W8 Waste disposal for land improvement**

Proposals to deposit waste for land improvements, landscaping, screening or engineering purposes will only be permitted where:

1. the proposals represent the BPEO;
2. only inert waste is to be deposited;
3. only the minimal amount of waste necessary for the intended purpose is to be deposited;
4. the material planning benefits of the proposed development outweigh any material planning objections;
5. the proposals are comprehensive, detailed, practicable and adequate; and
6. the proposals conform to the criteria laid down in policy W1.

#### **W9 Reclamation, aftercare and afteruse**

**Planning permission for waste management facilities and other waste related development will only be granted where there are satisfactory proposals for reclamation to a state that meets the required standard for the proposed after use.**

#### **W10 Time limits for secondary activities**

**Planning permission for ancillary development on or adjacent to a landfill site will be limited in duration to the operational life of that landfill site.**

#### **W11 Development – waste implications**

**Proposals which could generate significant volumes of waste will be required to submit a Waste Audit detailing:**

- 1. the types and volumes of waste the development will generate during the course of construction, occupation, use, decommissioning and for the after use of the site;**
- 2. the steps to be taken to ensure that the maximum amount of waste arising is incorporated within the development or through its use;**
- 3. the steps to be taken to manage, recycle, or treat waste that cannot be so incorporated; and**
- 4. if disposed of elsewhere, the means of transport and distance to be travelled.**

**This policy will apply to:**

- developments of more than 50 dwellings, even where these are developed piecemeal; or**
- the development, redevelopment or refurbishment of sites where the floor space of the existing or proposed development amounts to 500 m<sup>2</sup> or more; or**
- major transport, leisure, recreation, tourist or community facilities; or**
- developments which could attract a significant increase in the number of people visiting a site.**

## **CF1 Utility services and infrastructure**

Proposals for the development of new utility infrastructure or extensions to existing facilities or works designed to meet the needs of the community or the local economy or to improve the environment should not:

1. adversely affect the amenities of nearby residents or other sensitive uses;  
or
2. adversely affect the character and quality of the Malvern Hills or Wye Valley AONB or significantly impact upon the landscape character of other parts of the County.

Where necessary, proposals should include measures to mitigate any environmental impact.

## **CF2 Foul drainage**

Development should make satisfactory arrangements for foul drainage. A sequential approach should be taken to the consideration of foul drainage options. This should be based on the demonstrable feasibility or otherwise of alternative arrangements, taking into account their cost and/or practicability:

1. as a first priority connection should be made to public sewerage infrastructure;
2. where this is not feasible, as a second priority the use of package sewage treatment plant offering full treatment to recognised standards may be proposed. Proposals should include full details of means of operation and maintenance;
3. only where the above options not feasible should the use of septic tank systems be proposed as a third priority. Any such proposals should include a full assessment of the scheme having regard to the effects on public health, amenity and the environment, and addressing any evidence in respect of the following factors:
  - contravention of recognised practices
  - adverse effect on water sources or resources
  - health hazard or nuisance likely to arise
  - damage to controlled waters
  - damage to the environment and amenity
  - overloading of the existing capacity of the area
  - absence of suitable outlets
  - unsuitable soakage characteristics
  - high water table
  - rising ground water levels
  - flooding

Where significant adverse environmental, amenity or public health effects are likely to arise through either permanent or temporary use of septic tank drainage, the development concerned will not be permitted.

Development dependent upon cesspool drainage arrangements will not be permitted.

Use of a sustainable foul drainage system will be considered as an alternative to the provisions of this policy only where the particular treatment proposal has the approval of the Environment Agency.

### **CF3 Telecommunications**

Applications for planning permission for telecommunications development and for prior approval determinations should meet the following requirements:

1. demonstrate that there is no opportunity for mast or site sharing or use of an existing building or structures. Shared facilities will not be permitted where this would result in a substantial increase in the height of the facility which would detrimentally impact on the surrounding area;
2. ensure that the siting and external appearance of the apparatus have been designed to minimise the impact on the surrounding countryside or urban area and residential amenity; and
3. where appropriate and technically possible, provide a scheme for landscaping screening.

High priority should be given to the need to safeguard areas of particular environmental importance. In the Malvern Hills or Wye Valley AONB, within conservation areas, and where listed buildings, scheduled ancient monuments and other designated sites and areas valued for their biodiversity, landscape or geological importance may be affected, proposals should be sensitively designed and sited. In such situations applicants must demonstrate that there are no suitable alternative sites.

When determining applications and prior approvals, the significance of the proposed development as part of a national network and the special siting needs and technical and operational constraints of the operation will be taken into account.

### **CF4 Renewable energy**

Development proposals for the production of renewable energy will be permitted providing that:

1. they would not adversely affect the integrity of sites of international importance for nature conservation (such as Special Protection Areas, Special Areas of Conservation and Ramsar sites), except where there is no alternative solution and there are imperative reasons of overriding public interest, including those of a social or economic nature;
2. the objectives of the designation of nationally important sites and areas (such as Sites of Special Scientific Interest, National Nature Reserves, the Malvern Hills and Wye Valley AONB, Scheduled Ancient Monuments and other nationally important archaeological remains) will not be compromised and any significant adverse effects on the qualities of the area are clearly outweighed by the environmental, social and economic benefits;
3. outside of nationally designated sites and areas, there would be no significant detrimental effect upon the character of the particular landscape qualities of that location; and

4. they would not significantly impact upon the amenity of neighbouring residents, including through noise, odour or electro- magnetic interference.

In assessing proposals, regard will be had to the wider environmental, social and economic benefits to be gained from the use of renewable energy sources.

#### **CF5 New community facilities**

Proposals which would result in the provision of new or improved community facilities or the enhanced use of existing facilities will be permitted where they:

1. are appropriate in scale to the needs of the local community and reflect the character of the location;
2. are located within or around the settlement or the area they serve;
3. would not significantly impact upon the amenity of neighbouring residents; and
4. incorporate safe and convenient pedestrian access together with appropriate provision of car and cycle parking and operational space.

#### **CF6 Retention of existing facilities**

Development proposals that would result in the loss of existing facilities which contribute to the needs of the community, will not be permitted unless:

1. alternative provision of at least equivalent community benefit is provided in a convenient and accessible location; or
2. the facilities can be best enhanced or complemented through the development of a small part of the site; or
3. there is continuing evidence that the facility is no longer required and that it could not accommodate an alternative community facility for which there is a need.

Other development which would reduce or restrict the ability of such facilities to be used for the function they are intended to fulfil will not be permitted.

#### **CF7 Residential nursing and care homes**

Proposals for the provision of residential nursing and care homes will be permitted in areas where new residential development is acceptable or where they involve the environmentally acceptable conversion of existing buildings and where they:

1. have adequate external private amenity space commensurate with the numbers of residents and staff;
2. are accessible by a choice of means of transport and have reasonable access to services and facilities; and
3. would not significantly impact upon the amenity of neighbouring residents, due to levels of noise, traffic or other activity.