

Kingstone and Thruxton Submission Neighbourhood Development Plan

Paragraph 8 of Schedule 4b

'Basic Conditions' Statement

1.0 Legal Requirements

The Submission Plan is being submitted by a qualifying body

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

What is being proposed is a neighbourhood development plan

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

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from the Plan being made (2016) up to 2031 (the same period as the emerging Herefordshire Core Strategy Local Plan).

The policies do not relate to excluded development

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

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

The Neighbourhood Plan proposal relates to the Kingstone and Thrupton Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

2.0 Basic Conditions

Have Appropriate Regard to National Policy

The Kingstone and Thrupton Neighbourhood Development Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the planning policies of Herefordshire Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Kingstone and Thrupton Neighbourhood Plan does not undermine the strategic policies of Herefordshire Council; the Plan aims to support these policies by protecting local built and natural heritage assets from insensitive new development, protecting local green spaces and promoting green infrastructure, protecting and enhancing local employment opportunities and reducing flood risk.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

Table 1 NPPF Core Planning Principles and the Kingstone and Thrupton Submission Neighbourhood Development Plan

NPPF Core Planning Principle	Regard that Kingstone and Thrupton Neighbourhood Plan has to guidance
Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.	The Parish Council has prepared the Submission Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through informal and formal consultation, the Plan will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement. The Plan sets out a positive vision for the area up to 2031. The Neighbourhood Plan sets out a concise and practical suite of policies (15 in total) to guide development control decisions.

<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Kingstone and Thruxton Group Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which protect open spaces and built heritage whilst at the same time supporting local economic development and local needs housing.</p>
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>This Submission Neighbourhood Plan refines and amplifies Herefordshire-wide policies and proposals set out in the adopted Local Plan Core Strategy policies. The Submission Neighbourhood Plan supports appropriate business and economic growth in the area in Policies KTE1 and KTE2. The Plan promotes improvements to accessibility through developer contributions and other sources of funding in Policy KTDC1.</p>
<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>The Submission Neighbourhood Plan sets out policies to protect and enhance local character in new development, which will help to ensure that amenity is protected (KTH4 and KTH5). Local green spaces are protected in Policy KTD2.</p>
<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The Submission Neighbourhood Plan takes regard of this guidance fully in plan-making and decision-taking. The Plan recognises the rural character of this Group Parish and seeks to ensure that proposals for new housing are small in scale and are located within the identified settlement boundaries for the 2 settlements of Kingstone and Thruxton. A large scale new housing proposal which already has consent is identified as a commitment with a supporting policy setting out as criteria the proposed sustainable scheme.</p>
<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the</p>	<p>The Submission Neighbourhood Plan promotes an approach which seeks to support energy and resource conservation and use of SuDs (KTH4). Flooding has</p>

reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).	been a significant issue in the area and Policies KTF1, KTF2 and KTF3 encourage siting and design of new development to reduce risk of flooding and to design for flood resilience.
Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.	A number of local green spaces are identified for protection in the Plan in Policy KTD2. The identified settlement boundaries for the 2 settlements should steer development towards the existing built up areas and away from areas within the wider countryside.
Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.	Policy KTH1 supports the re-use of brownfield land for new development.
Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).	The Submission Plan aims to ensure that the Group Parish has a sustainable future, by protecting existing accessible local employment areas close to housing. Local green spaces are recognised for their multiple benefits and protected in the Plan.
Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations	The Submission Neighbourhood Plan is fully in line with this principle. The Plan notes the existing built heritage assets in the Parish including 27 listed buildings and scheduled monuments and a number of buildings of local interest. Heritage assets are protected in Policy KTD1.
Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable	The Submission Neighbourhood Plan seeks to promote the use of sustainable forms of transport through Policy KTDC1 which encourages developer contributions (and identification of other funding) for improved accessibility measures.

Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs	The Neighbourhood Plan is fully in accord with this principle. Policies in the plan safeguard and seek to protect local community facilities and open spaces to enhance quality of life and wellbeing.
---	--

Have Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

The Submission Neighbourhood Plan has special regard to the desirability of preserving features of architectural or historic interest within the Parish through Policy KTD1.

Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area has no Conservation Areas.

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

The Strategic Environmental Assessment (SEA) of a plan is conducted in conformity with the 2001/42/EC Strategic Environmental Assessment (SEA) European Directive, which requires SEA of all government local plans and programmes likely to have significant environmental effects. Herefordshire Council undertook an initial Screening exercise and this concluded that the Neighbourhood Plan would require an SEA due to the breadth of nature conservation designations within the Neighbourhood Area. This SEA was carried out in a series of straightforward stages and tasks:

- Stage A – Preparation of Scoping Report: established the baseline and decided on the scope of the assessment. This report was subject to consultation with Natural England, Environment Agency and English Heritage for 5 weeks in accordance with the relevant regulations.
- Stage B – Assessed the effects of the emerging policies and proposals within the Neighbourhood Plan and alternative options.
- State C – Preparation of an Environmental Report: incorporated the results of Stage B of the SEA and concluded that the Neighbourhood Plan would not have any significant effects.
- Stage D – Consultation on Draft Neighbourhood Plan (Regulation 14 consultation) and Environmental Report

Natural England disagreed with the conclusions of the Habitats Regulations Assessment (HRA) and advised that in order to conclude that the NDP will not have a significant environmental effect, the NDP should be adopted only after the Herefordshire Local Plan Core Strategy is adopted, or suitable policies are included in the NDP. Since then the Local Plan Core Strategy has been adopted, but the Parish Council also agreed to include the proposed additional wording for some policies to help provide protection to the River Wye Special Area of Conservation (SAC).

Contribute to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 6-10 of the National Planning Policy Framework outline the Government's definition of sustainable development.

The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

In Paragraph 6, the NPPF states that "the policies in paragraphs 18-219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system".

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

Table 2 Submission Plan’s contribution to the economic, social and environmental aspects of sustainable development.

Sustainable Development Role	Neighbourhood Development Plan’s Contribution
Economic	The Submission Neighbourhood Plan seeks to support appropriate local economic development at Gooses Foot Industrial Estate which is sensitive to the rural landscape and setting of the Group Parish. Existing sources of local employment are also protected.
Social	The plan protects local community facilities and recognises the role of the landscape, green spaces and countryside in supporting health and wellbeing of parish residents. The Plan also supports local needs housing.
Environmental	The Submission Neighbourhood Plan sets out policies that protect local green spaces and built heritage assets.

Be in General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic policies contained in the Herefordshire Local Plan Core Strategy 2011 – 2031 Adopted 16 October 2015.

Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic policies from the Adopted Herefordshire Local Plan Core Strategy 2011-2031.

Table 3 Conformity with Local Strategic Policy

<p><i>Kingstone and Thruxton Neighbourhood Development Plan</i></p>	<p><i>Herefordshire Local Plan Core Strategy 2011 – 2031 Adopted 16 October 2015</i></p>
<p>Policy KTH1 – Housing Development Building and Phasing</p> <p>Kingstone</p> <p>Within the defined settlement boundary for Kingstone village (see Map 4 Kingstone and Thruxton Neighbourhood Development Plan Proposals Map above) new housing development proposals will only be permitted when they:</p> <ol style="list-style-type: none"> 1. Re-use brown field sites or buildings, or comprise the conversion or alteration of existing buildings to provide residential accommodation; and 2. Are well related to the existing village in terms of accessibility and location either within or adjoining the built up area; and 3. Do not lead to a loss of existing community facilities or green space; and 	<p>Policy SS1 Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS2 Delivering new homes</p> <p>A supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need.</p> <p>Hereford is the focus for new housing development to support its role as the main centre in the county. Outside Hereford, the main focus for new housing development will take place in the market towns of Bromyard, Kington, Ledbury, Leominster and Ross on Wye, on existing or new allocations to enhance their roles as multi-functional centres for their surrounding rural areas. In the rural areas new housing development will be acceptable where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community. In the wider rural areas new housing will be carefully controlled reflecting the need to recognise the intrinsic character and beauty of the countryside.</p> <p>The use of previously developed land in sustainable locations will be encouraged.</p>

<p>4. Do not lead to a loss of employment opportunities; and</p> <p>5. Are not at significant risk of flooding, and can demonstrate they will not increase the risk of flooding elsewhere (see Policies below on reducing flood risk); and</p> <p>6. Meet the phasing criteria outlined below; and</p> <p>7. Include the provision of appropriate affordable housing units to meet local need; and</p> <p>8. Enhance the character of the area, and restore the distinctiveness of houses in the village.</p> <p>Thrupton</p> <p>Proposed sites for housing within Thrupton settlement boundary (see Map 7 Thrupton Settlement Boundary) will be required to meet the following criteria:</p> <ol style="list-style-type: none"> Proposed sites should be within or adjacent to the existing settlement and not an isolated site. The scale of any development should not adversely affect neighbouring properties, and adversely affect 	<p>Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.</p> <p>The broad distribution of new dwellings in the county will be a minimum of:</p> <p>Rural Settlements – see list in Place - Shaping section</p> <p>More limited range of services and some limited development potential but numerous locations</p> <p>5,300 new homes.</p> <p>Policy SS6 Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Policy SS7 Addressing climate change</p> <p>Development proposals will be required to include measures which will mitigate their impact on climate change.</p> <p>At a strategic level, this will include:</p> <ul style="list-style-type: none"> - focussing development to the most sustainable locations; - delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport; - designing developments to reduce carbon emissions and use resources more efficiently; <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> - minimising the risk of flooding and making use of sustainable drainage methods;
--	---

neighbours' enjoyment of their homes and gardens.

3. The scale of any development should not have a detrimental impact on the openness of the countryside.
4. The scale of development should not increase significantly the scale or size of the population, and have an adverse impact on local services.

Rural Exception Housing

Proposals for housing development outside the settlement boundaries, but within the Group Parish boundary will be resisted, unless the proposal replaces an existing dwelling and is no larger than the dwelling to be replaced, or it re-uses an existing redundant building, or it is essential housing for an agricultural, forestry or other rural worker to live in permanently, at or near their place of work, or is of exceptional quality and innovative design.

Phasing

New housing will be provided in a phased manner over the plan period, to ensure local infrastructure and community facilities are not overwhelmed. Current approved housing applications of approximately 200 houses in Kingstone should be phased over the period 2011 – 2025. Any further

- reducing heat island effects (for example through the provision of open space and water, planting and green roofs);

Policy RA1 – Rural housing distribution

In Herefordshire's rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county's housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.

New dwellings will be broadly distributed across the county's rural areas on the basis of seven Housing Markets Areas (HMA) and as illustrated in Figure 4.13 This acknowledges that different areas of Herefordshire have different housing needs and requirements.

The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.

Rural HMA	Approximate number of dwellings 2011 - 2031	Indicative housing growth target (%)
Ross on Wye	1150	14

Policy RA2 – Housing in settlements outside Hereford and the market towns.

To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned.

<p>housing development will be phased from 2026 to 2031, and after major improvements to current village infrastructure to meet local infrastructure need such as those listed in Policy KTDC1 Developer Contributions below.</p> <p>River Wye SAC</p> <p>Development can only proceed where any adverse impacts on designated sites can be avoided or mitigated. Development will only be permitted when it does not compromise the ability of the nutrient management plan to deliver the necessary overall nutrient reductions along those stretches of the River Wye SAC which are already exceeding water quality targets.</p>	<p>The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.</p> <p>Housing proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned; 2. Their locations make best and full use of suitable brownfield sites wherever possible; 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and 4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand. <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p>
---	---

Figure 4.14: The settlements which will be the main focus of proportionate housing development

HMA

Ross-on-Wye

Kingstone

Figure 4.15: Other settlements where proportionate housing is appropriate.

HMA

Ross-on-Wye

Thrupton

Policy LD1 – Landscape and townscape

Development proposals should:

- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;
- conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;
- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and maintain and extend tree cover where

	<p>important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.</p> <p>Policy SD1 – Sustainable design and energy efficiency</p> <p>Development proposals should create safe, sustainable, well integrated environments for all members of the community.</p>
<p>Policy KTH2 – Supporting Sustainable Development on Committed Site 1</p> <p>Sustainable development which is exemplary and innovative will be supported on Committed Site 1 as shown on Map 5 above, where it comprises the following:</p> <ul style="list-style-type: none"> • 150 dwellings and associated garaging/car ports comprising 1 and 2 bed apartments and 2 to 5 bed detached, semi-detached and terrace two storey dwellings • 53 of the 150 units will be affordable dwellings split between 80% intermediate tenure and 20% social rent • 13 of the 150 units comprise live/work units with workspace provided as an annex to the dwellings or as outbuildings • 5 stand-alone commercial units provided for use as offices, workshops, farm shop etc 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS2 Delivering new homes – see above</p> <p>Policy SS6 Environmental quality and local distinctiveness – see above</p> <p>Policy SS7 Addressing climate change – see above</p> <p>Policy RA1 Rural Housing Distribution – see above</p> <p>Policy RA2 Housing in settlements outside Hereford and the market towns – see above</p> <p>Policy RA6 Rural economy</p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported.</p> <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they;</p> <ul style="list-style-type: none"> - ensure that the development is of a scale which would be commensurate with its location and setting ;

<ul style="list-style-type: none"> • A community building • 10 community allotments • An integrated sustainable surface water drainage system • 1.4 hectares of formal and informal public open space including new orchard, allotments and an equipped play area incorporating an outdoor gym <p>A new vehicular access on to the B4349 to include a new pedestrian crossing and shared footpath / cycleway running through the site linking to Church Lane.</p>	<ul style="list-style-type: none"> - do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting and smell; - do not generate traffic movements that cannot safely be accommodated within the local road network and - do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4. <p>Policy SC1 Social and community facilities</p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities that cannot be met through existing social facilities - will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contributions which meet the relevant tests of paragraph 204 of the NPPF.</p> <p>Policy OS1 - Requirement for open space, sports and recreation facilities</p> <p>The provision of appropriate open space, sports and recreation facilities will arise in the following proposals for planning applications:</p> <ol style="list-style-type: none"> 1. all new residential dwellings; or 2. retail and employment proposals where there is need to provide informal areas of amenity greenspace for the use of employees and visitors; and 3. residential institutions, student accommodation, assembly and leisure, hotels or hostels.
---	---

Policy OS2 – Meeting open space, sports and recreation needs

In order to meet the needs of the community, provision for open space, sports and recreation facilities will be sought, where appropriate, taking into account the following principles:

1. any new development must be in accordance with all applicable set standards of quantity, quality and accessibility as defined; and
2. provision of open space, sports and recreation facilities should be located onsite unless an off-site or partial off-site contribution would result in an equally beneficial enhancement to an existing open space, sports and/or recreation facility which is of benefit to the local community.

Policy MT1 – Traffic management, highway safety and promoting active travel

Development proposals should incorporate the following principle requirements covering movement and transportation:

1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;
2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;
3. encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities;
4. ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services;

5. protect existing local and long distance footways, cycleways and bridleways unless an alternative route of at least equal utility value can be used, and facilitate improvements to existing or provide new connections to these routes, especially where such schemes have been identified in the Local Transport Plan and/or Infrastructure Delivery Plan; and

6. have regard to with both the council's Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan - having regard to the location of the site and need to promote sustainable travel choices.

Policy LD1 Landscape and townscape – see above

Policy LD2 Biodiversity and geodiversity

Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire.

Policy LD3 Green infrastructure

Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:

1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain;
2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network and
3. integration with, and connection to, the surrounding green infrastructure network.

	<p>Policy SD1 Sustainable design and energy efficiency – see above</p> <p>Policy ID1 Infrastructure Delivery</p> <p>Provision for new and/or the enhancement of existing infrastructure, services and facilities to support development and sustainable communities, will be achieved through a co-ordinated approach.</p> <p>Where necessary, in addition to planning conditions for essential on-site design requirements and critical infrastructure, developer contributions towards strategic infrastructure through s106 agreements and/or a future Community Infrastructure Levy (CIL), will be secured in accordance with national planning policies and other relevant legislation.</p> <p>A Planning Obligations Supplementary Planning Document (SPD) will provide details of the type and scale of obligations that may apply.</p>
<p>Policy KTH3 - Meeting Local Housing Needs and Providing a Mix of New Housing</p> <p>Residential development for local housing needs (as identified by local housing needs surveys) must meet the following criteria:</p> <ol style="list-style-type: none"> 1. Provision of affordable housing for rental or shared ownership by those with a local connection (as defined in Herefordshire Council’s local allocation policy) or 2. Provision of one or two bedrooms to meet the needs of first time buyers or 3. Incorporation of designs to meet the needs of the elderly (such as Lifetime 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS2 Delivering new homes – see above</p> <p>Policy H1 Affordable housing – thresholds and targets</p> <p>All new open market housing proposals on sites of more than 10 dwellings which have a maximum combined gross floor space of more than 1000sqm will be expected to contribute towards meeting affordable housing needs.</p> <p>The amount and mix of affordable housing including those on strategic housing sites will vary depending on evidence of housing need as identified through the latest housing market assessment, and, an assessment of the viability of the development. The following indicative targets have been established based on evidence of need and viability in the county’s housing market and housing value areas:</p>

<p>Homes Standard¹), such as bungalows or other accessible accommodation which are located close to key facilities. Proposals which include two bedroomed bungalows with small gardens will be particularly encouraged.</p> <p>All proposals for new housing development will have to demonstrate how they contribute to maintaining a mix of tenures, types and size of dwelling in the Parish. In particular:</p> <ul style="list-style-type: none"> • On sites of one and two dwellings, the contribution such sites make to housing variety and mix will be monitored over time. Proposals that could cumulatively lead over time to an over provision of one tenure, type or size of dwelling will not be permitted. • On sites of three or more dwellings a mix of tenures, house types and sizes must be provided. • All proposals for 11 units or more which include affordable housing should integrate the mix and appearance of different tenures across a site. Development that leads to concentrations of different types and 	<ol style="list-style-type: none"> 1. a target of 35% affordable housing provision on sites in the Hereford, Hereford Northern and Southern Hinterlands, and Kington and West Herefordshire housing value areas; 2. a target of 40% affordable housing provision on sites in the Ledbury, Ross and Rural Hinterlands; and Northern Rural housing value areas (which includes Bromyard); 3. a target of 25% affordable housing provision on sites in the Leominster housing value area. <p>Any affordable housing provided under the terms of this policy will be expected to be available in perpetuity for those in local housing need.</p> <p>Policy H3 – Ensuring an appropriate range and mix of housing</p> <p>Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities. In particular, on larger housing sites of more than 50 dwellings developers will be expected to:</p> <ol style="list-style-type: none"> 1. provide a range of house types and sizes to meet the needs of all households, including younger single people; 2. provide housing capable of being adapted for people in the community with additional needs; and 3. provide housing capable of meeting the specific needs of the elderly population by: <ul style="list-style-type: none"> - providing specialist accommodation for older people in suitable locations; - ensuring that non-specialist new housing is built to take account of the changing needs of an ageing population; - ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation. <p>The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.</p>
---	---

¹ <http://www.lifetimehomes.org.uk/>

<p>tenures of homes in separate groups on a site will not be permitted.</p>	
<p>Policy KTH4 - Character and Distribution of Housing in Kingstone</p> <p>New housing development within the defined Kingstone settlement boundary (see Map 4 Kingstone and Thruxton Neighbourhood Development Plan Proposals Map above) will only be permitted where;</p> <ol style="list-style-type: none"> 1. Designs are in keeping with the built character of Kingstone and developments should be limited to small or medium size schemes with a maximum of 15 dwellings of no more than two storeys 2. Layouts of the dwellings should be in small clusters to promote a sense of community, with a variety of shapes and sizes 3. New development must include provision of open spaces or complement existing open spaces by providing suitable access and supporting suitable improvements to landscaping or play provision 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS2 Delivering new homes – see above</p> <p>Policy SS6 Environmental quality and local distinctiveness – see above</p> <p>Policy RA1 Rural Housing Distribution – see above</p> <p>Policy RA2 Housing in settlements outside Hereford and the market towns – see above</p> <p>Policy LD1 Landscape and townscape – see above</p> <p>Policy LD4 Historic environment and heritage assets</p> <p>Development proposals affecting heritage assets and the wider historic environment should :</p> <ol style="list-style-type: none"> 1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible; 2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design. Where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas; 3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;

<p>4. Sites should be planned so that light pollution is kept to a minimum</p> <p>5. Dwellings should have front gardens and be of sufficient size that shrubs and small trees can be planted</p> <p>6. Two off road parking spaces per dwelling should be provided as a minimum</p> <p>7. Dwellings should demonstrate consideration of energy and resource conservation</p> <p>8. All new developments must incorporate sustainable urban drainage (SuDs)</p> <p>9. Potential developers will be encouraged to consider the “Deans” as best practice in terms of house type and style for Kingstone.</p> <p>River Wye SAC</p> <p>Development can only proceed where any adverse impacts on designated sites can be avoided or mitigated. Development will only be permitted when it does not compromise the ability of the nutrient management plan to deliver</p>	<p>4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and .</p> <p>5. where appropriate, improve the understanding of and public access to the heritage asset.</p> <p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p> <p>Policy SD1 Sustainable design and energy efficiency – see above</p>
--	---

<p>the necessary overall nutrient reductions along those stretches of the River Wye SAC which are already exceeding water quality targets.</p>	
<p>Policy KTH5 - Character and Distribution of Housing in Thruxton</p> <p>New housing within the settlement boundary of Thruxton (as defined on Map 7 below) will only be permitted when it comprises the following:</p> <ol style="list-style-type: none"> 1. The redevelopment, alterations or extension of historic farmsteads and agricultural buildings, which are of high quality design and demonstrate sensitivity to the settlement’s distinctive character, materials and form. 2. New housing schemes should be small in scale (up to 2 dwellings) and located on small infill plots within or adjacent to existing clusters of buildings in Thruxton. Proposals will be required to demonstrate consideration of the form, layout, character and setting of the site and development should contribute towards or be essential to the social wellbeing of Thruxton, for instance by meeting the needs of local residents. 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS2 Delivering new homes – see above</p> <p>Policy SS6 Environmental quality and local distinctiveness – see above</p> <p>Policy RA1 Rural Housing Distribution – see above</p> <p>Policy RA2 Housing in settlements outside Hereford and the market towns – see above</p> <p>Policy LD1 Landscape and townscape – see above</p> <p>Policy LD4 Historic environment and heritage assets – see above</p> <p>Policy SD1 Sustainable design and energy efficiency – see above</p>

<p>Policy KTD1 – Protecting Heritage Assets</p> <p>Development proposals affecting statutory and non-statutory heritage assets must:</p> <ol style="list-style-type: none"> 1. Conserve and enhance such assets 2. Where an agreed loss occurs arrangements should be made for suitable recording and replacement of the said asset. 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS6 Environmental quality and local distinctiveness – see above</p> <p>Policy LD1 Landscape and townscape – see above</p> <p>Policy LD4 Historic environment and heritage assets – see above</p>
<p>Policy KTD2 – Protecting Local Green Spaces</p> <p>All development proposals will protect, enhance and introduce new green infrastructure by:</p> <ol style="list-style-type: none"> 1. Retaining existing trees, hedgerows, woodlands, water courses and gardens 2. Providing on site new green infrastructure or an improvement to the existing facility 3. Making links and connections to the surrounding network of green infrastructure. <p>Public open spaces including the following are protected from inappropriate development:</p> <ul style="list-style-type: none"> • Public and private playing fields • Recreational open space 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS6 Environmental quality and local distinctiveness – see above</p> <p>Policy OS3 – Loss of open space, sports or recreation facilities</p> <p>In determining the appropriateness of proposals which results in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> 1. clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard; 2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community; 3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses; 4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.

<ul style="list-style-type: none"> • Allotments either within or on the edge of settlements • Parkland or other land used for passive recreation • Children’s play areas. <p>In these areas proposals for any land use other than recreation or amenity open space will not be supported unless suitable replacement of open space under Sport England requirements, in a location supported by the community, in a form, which is appropriate, is secured for the benefit of the community.</p> <p>Green spaces as identified on Map 8 Local Green Spaces above will be protected from development except in very special circumstances. New development which impacts adversely on the openness of these sites will not be acceptable.</p> <p>These identified local green spaces are:</p> <ol style="list-style-type: none"> 1. Land between Church View and White House Drive 2. Seven Site Playing Field 3. Land at Cottons Meadow 	<p>Policy LD1 Landscape and townscape – see above</p> <p>Policy LD2 Biodiversity and geodiversity – see above</p> <p>Policy LD3 Green infrastructure – see above</p>
---	---

<ol style="list-style-type: none"> 4. Land lying to the north of the White House (Woodfield Close) 5. Kingstone High School Playing Field 6. Kingstone Primary School Playing Field. 	
<p>Policy KTD3 – Green Infrastructure</p> <p>New development proposals are required to include ecological enhancements as part of landscaping and building design.</p> <p>Proposals should include enhancements such as sustainable drainage systems, re-naturalising watercourses, woodland planting, roosting opportunities for bats, the installation of bird nest boxes and the use of native species in the landscape planting.</p> <p>Priority habitats such as the traditional orchards around the settlements of Kingstone and Thruxton and other environmental assets in the area are protected to preserve the existing eco-system network.</p>	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS6 Environmental quality and local distinctiveness – see above</p> <p>Policy LD1 Landscape and townscape – see above</p> <p>Policy LD2 Biodiversity and geodiversity – see above</p> <p>Policy LD3 Green infrastructure – see above</p>
<p>Policy KTCF1 – Provision and Protection of Community Facilities and Services</p> <p>The change of use of shop, public house, post office, school, village hall, churches, nursery or</p>	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SC1 Social and community facilities – see above</p> <p>Policy MT1 Traffic management, highway safety and promoting active travel – see above</p>

<p>other community facilities to residential uses will not be permitted unless the premises have been empty for two years, and during that time actively marketed through a commercial land and premises agent using advertisements and promotional activity on the internet and in regional property journals, without securing a viable alternative community use. In addition equivalent of better provision for the facility to be lost should be made elsewhere within the settlement boundary.</p> <p>Development proposals for new expanded or improved retail, commercial and community facilities will be permitted when:</p> <ol style="list-style-type: none"> 1. They do not have an adverse impact on residential amenities; and 2. They enhance the character of the immediate surrounding area and wider village; and <p>They do not have an unacceptable impact in terms of traffic management.</p>	<p>Policy ID1 Infrastructure Delivery – see above</p>
<p>Policy KTE1 – Proposals for New Employment</p> <p>Within the defined area of Gooses Foot Industrial Estate (see Map 4 Kingstone and Thruxton Neighbourhood Development Plan Proposals Map above) development of new local employment</p>	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS5 – Employment provision</p> <p>.....</p>

<p>opportunities (for the employment uses above) will be permitted providing that they:</p> <ol style="list-style-type: none"> 1. Do not have a detrimental impact on surrounding residential amenities; and 2. Re-use brownfield land; and 3. Do not lead to the loss of open space and enhance green infrastructure e.g. footpaths, cycle paths, bridleways; and 4. Do not have an adverse impact on current traffic levels, especially increase in HGV traffic through the village, and increase in all traffic outside the hours of 8am to 8pm. There must also be adequate provision of parking for employees and visitors at the employment sites. <p>Sites should be well related to the existing village in terms of accessibility and location adjoining the built up area.</p> <p>Sites should not be at significant risk of flooding, and proposals should demonstrate that they will not increase the risk of flooding elsewhere (please also refer to policies on reducing flood risk).</p> <p>Proposals for development outside Gooses Foot Industrial Estate will be resisted, unless they replace an existing work unit, and are no larger than the unit to be replaced, or they re-use an</p>	<p>The continuing development of the more traditional employment sectors such as farming and food and drink manufacturing will be supported. The diversification of the business base, through the development of knowledge intensive industries, environmental technologies and creative industries as well as business hubs, live-work schemes and the adaptive design of residential development, will be facilitated where they do not have an adverse impact on the community or local environment. The provision of high speed broadband to facilitate diversification will be supported.</p> <p>Policy RA6 - Rural economy</p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> - support and strengthen local food and drink production; - support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses; - involve the small scale extension of existing businesses; - promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism; - promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced; - support the retention of existing military sites; - support the retention and/ or diversification of existing agricultural businesses; <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they;</p> <p>ensure that the development is of a scale which would be commensurate with its location and setting ;</p>
--	--

<p>existing redundant building (subject to criteria in KTE2 below).</p> <p>All new development will be required to make provision for high speed broadband and other relevant communication networks.</p> <p>River Wye SAC</p> <p>Development can only proceed where any adverse impacts on designated sites can be avoided or mitigated. Development will only be permitted when it does not compromise the ability of the nutrient management plan to deliver the necessary overall nutrient reductions along those stretches of the River Wye SAC which are already exceeding water quality targets.</p>	<ul style="list-style-type: none"> - do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting and smell; - do not generate traffic movements that cannot safely be accommodated within the local road network and do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.
<p>Policy KTE2 – Protecting Existing Employment</p> <p>Existing sources of local employment (for instance at Gooses Foot Industrial Estate) will be protected. Re-development or change of use of existing employment premises will only be permitted when:</p> <ol style="list-style-type: none"> 1. The criteria above are met for a change of use of employment premises to another employment use (for the employment uses above). 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS5 – Employment provision – see above</p> <p>Policy RA6 Rural economy – see above</p> <p>Policy E2 – Redevelopment of existing employment land and buildings</p> <p>Employment land and buildings rated as ‘best’ and ‘good’ using the methodology in the <i>Employment Land Study 2012</i> (or successor document) will be safeguarded from redevelopment to other non-employment uses.</p>

<p>2. For a change of purpose from employment use to residential uses, the criteria in Policy KTE1 are met.</p> <p>3. The employment premises have been empty for two years and during that time actively marketed through a commercial land and premises agent using advertisements and promotional activity on the internet and in national property journals, without securing a viable alternative employment use.</p> <p>4. Equivalent, or better provision is made elsewhere within the settlement boundary to replace the proposed loss of local employment space.</p> <p>5. They do not adversely affect other occupiers of the site.</p> <p>Where planning permission is required, changes of use of existing agricultural buildings to business development located within and outside Gooses Foot Industrial Estate) will be required to demonstrate that consideration has been given to the following:</p> <p>A. Criteria in KTE1 above are met (apart from first bullet point).</p>	<p>Proposals which would result in the loss of employment land rated as 'moderate' will be permitted where:</p> <ol style="list-style-type: none"> 1. the development of the site for other uses would not result in an overall shortage in the quality and quantity of employment land supply in the area; or 2. there would be a net improvement in amenity through the removal of a nonconforming use from within a residential area, and where an alternative use would offer amenity benefits. For sites in existing employment use, consideration should also be given to the ability to relocate existing occupiers where this is necessary; or 3. the proposal would not result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme; <p>In all cases:</p> <ul style="list-style-type: none"> - the viability of the development proposal must be confirmed through a comprehensive assessment; and - there must be evidence of appropriate and active marketing of at least 12 months for a change of use of a B Class employment use and it can be shown that this marketing has been unsuccessful. <p>The provision of ancillary and complementary uses which help meet the day-to-day needs of employment sites and their employees and improve the sites' attractiveness to businesses, will be permitted where they are of a scale which does not impact on the overall supply of employment land.</p>
---	--

<p>B. Access is suitable and adequate for any proposed increases in traffic associated with the new uses.</p> <p>C. Proposals do not lead to an increase in environmental nuisances to other properties in the Parish, i.e. noise, light pollution, smells, visual intrusion.</p>	
<p>Policy KTF1 – Reducing Flood Risk</p> <p>Within the defined settlement boundaries for Kingstone (see Map 4 above) and Thruxton (see Map 7 above) new building development proposals will only be permitted when they provide effective surface water drainage measures to protect existing and future residential properties, and business properties from flooding. In particular:</p> <ol style="list-style-type: none"> 1. Proposals for developments in flood zone 3 will be resisted. 2. All development proposals in flood zone 2 should be accompanied by a flood risk assessment. 3. All development proposals in the Parish should include a surface water drainage assessment to include on-site soak away tests. The results of the assessment will help identify the surface water drainage 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS7 Addressing climate change – see above</p> <p>Policy SD1 Sustainable design and energy efficiency – see above</p> <p>Policy SD3 – Sustainable water management and water resources</p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation.</p>

<p>measures required on the development site.</p> <p>4. Opportunities will be sought to reduce the overall level of flood risk in the area through the layout and form of the development, and the appropriate application of sustainable drainage systems.</p>	
<p>Policy KTF2 – Flood Resilience</p> <p>All development in Kingstone and Thrupton is required to be flood resilient. Development should be designed to reduce the consequence of flooding and to facilitate recovery from the effects of flooding. Such measures should include:</p> <ol style="list-style-type: none"> 1. The use of water resistant materials for floors, walls and fixtures. 2. The lower floor level should be raised above the predicted flood level and consideration given to providing access for those with restricted mobility. 3. The siting of electrical controls, cables and appliances at a higher than normal level. 4. Raising land to create higher ground where this does not result in increased flood risk elsewhere. 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS7 Addressing climate change – see above</p> <p>Policy SD1 Sustainable design and energy efficiency – see above</p> <p>Policy SD3 – Sustainable water management and water resources – see above</p>

<p>5. New developments should also incorporate flood resistant construction to prevent entry of water or to minimise the amount of water that may enter the building when there is flooding outside.</p>	
<p>Policy KTF3 – Reducing Surface Water Flooding</p> <p>All development in Kingstone should be designed to reduce surface water run off. In particular:</p> <ol style="list-style-type: none"> 1. New development should be designed to maximise the retention of surface water on the development site and to minimise run off to adjacent land and properties. 2. Sustainable Drainage Systems (SUDS) should be implemented wherever possible. 3. Minimize hard standing in housing developments where possible, consider surfaces that allow for the ingress of water. 4. The design of new buildings and infrastructure should take account of existing topography to manage the flow of water along specific flow routes away from property, and into appropriate storage facilities. 	<p>Policy SS1 Presumption in favour of sustainable development – see above</p> <p>Policy SS7 Addressing climate change – see above</p> <p>Policy SD1 Sustainable design and energy efficiency – see above</p> <p>Policy SD3 – Sustainable water management and water resources – see above</p>

<p>5. Water alleviation facilities such as bog gardens or child safe facilities such as covered lagoons, ponds and swales should be provided within development sites.</p> <p>Sustainable design of buildings is encouraged, and is likely to include measure for storage of (non drinking) rain water for agricultural and/or horticultural purposes.</p>	
--	--

Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to an SEA undertaken by Herefordshire Council.

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below. The Plan contains a criteria based policy for assessing proposals for gypsy and traveller accommodation as there is an existing site on the edge of the Parish and there may be proposals to extend the site during the Plan period.

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

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

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

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

